

EXPRESS PHONE SERVICE, INC.

ORION  
DEC 14 AM 11:12  
DISTRIBUTION CENTER

December 10, 2001

State of Florida  
Public Service Commission  
Division of the Commission Clerk and Administrative Services  
Attention: Blanca S. Bayo, Director  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

RE: DOCKET 011473 -TX

Dear Sir or Madam:

After speaking with members of your staff assigned to the above referenced docket, Express Phone Service, Inc. is sending this letter to the commission as an offer of settlement.

As indicated in document # 14969, filed by your staff on November 28, 2001, it appears that the 2001 Local Competition Report Data request was received by an employee of ours. Your staff has provided us with a copy of the certified return bearing the signature of the employee on July 6, 201. The employee that signed for the delivery was a new assignment to our small administrative department. She was subsequently reassigned to a position with much less responsibility to better match her capability. We have yet been unable to determine what exactly happened to the request after she received it despite spending an extensive amount of time researching this matter. Express Phone Service, Inc. became aware of the request on November 16, 2001 when we received a fax notice of Case Assignment and Scheduling Record from the commission.

Express Phone Service, Inc. is a small company that resells BellSouth services in the Pensacola market. We currently have approximately 2500 customers that we provide local dial tone with blocking of all services that have toll pr per usage charges. We have changed our administrative office staffing and procedures to ensure that all requests of any nature are received and processed properly and in a timely manner so as to prevent situations like this. We could like to respectfully recommend that the commission staff provide all notices and requests via fax to help further ensure that companies receive the requests and enable them to provide the information needed by the commission.

APP  
CAF  
CMP  
COM  
CTR  
ECR  
LEG  
OPC  
PAI  
RGO  
SEC  
SER  
OTH

Express Phone Service, Inc. did fail to respond to the request but did not intentionally nor willfully choose not to respond. We constantly strive to comply with all commission rules, regulations and requests in handling customer complaints, data requests and reporting. We accept this responsibility and realize that as a small company, we must be diligent and constant in complying with the commission's requests if we are to continue to be a competitive alternative for the consumer that was intent of the deregulation of the

4709 MOBILE HIGHWAY • PENSACOLA, FLORIDA DOCUMENT NUMBER-DATE  
PHONE: 850-475-1822 • FAX: 850-475-1821

15610 DEC 14 01

FPSC-COMMISSION CLERK

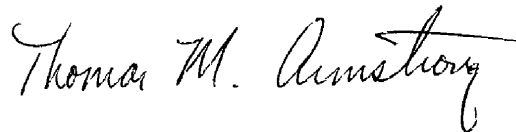
December 10, 2001

telecommunications industry. We also realize that the possible penalties for our failure to comply could place an undue hardship on us and prevent us from being a competitive alternative to the much larger and stronger ILEC's and CLEC's.

In addition to our sincerest apologies, Express Phone Service, Inc. hereby offers to pay a fine in the amount of two thousand dollars (\$2,000.00) as an offer of settlement in the above-referenced docket. We would humbly ask that the commission consider all the factors that we have provided in this letter and accept this offer.

Should the commission require any additional information, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Thomas M. Armstrong". The signature is written in black ink and is positioned above the typed name and title.

Thomas M. Armstrong  
President