

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: SEPTEMBER 19, 2002

TO: DIRECTOR, DIVISION OF THE COMMISSION
ADMINISTRATIVE SERVICES (BAYÓ)

FROM: OFFICE OF THE GENERAL COUNSEL (CIBULA, BROWN) *SMC*
DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (MOSES) *MCB*
DIVISION OF CONSUMER AFFAIRS (DURBIN) *ESM*
DIVISION OF ECONOMIC REGULATION (HEWITT) *CBH*

RE: DOCKET NO. 010774-TP - PETITION OF THE CITIZENS OF THE STATE OF FLORIDA TO INITIATE RULEMAKING WHICH WILL REQUIRE TELEPHONE COMPANIES TO GIVE CUSTOMERS REASONABLE NOTICE BEFORE CUSTOMERS INCUR HIGHER CHARGES OR CHANGE IN SERVICES, AND ALLOW THEM TO EVALUATE OFFERS FOR SERVICE FROM COMPETING ALTERNATIVE PROVIDERS.

AGENDA: 10/01/02 - REGULAR AGENDA - RULE PROPOSAL - INTERESTED PERSONS MAY PARTICIPATE

RULE STATUS: PROPOSAL MAY BE DEFERRED

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\GCL\WP\010774.RCM

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CASE BACKGROUND

On May 22, 2001, the Citizens of the State of Florida, through the Office of Public Counsel (OPC), filed a petition to initiate rulemaking. OPC proposed that the Commission adopt rules requiring telephone companies to give customers actual notice before implementing any change in rates or other terms and conditions of service. By Order No. PSC-01-1344-PCO-TP, issued June 19, 2001, the Commission granted OPC's petition and Commission staff proceeded with the rule development process.

Two rule development workshops were held in this matter on October 24, 2001, and January 15, 2002. Staff also held two small

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informal group meetings, on November 28 and December 18, 2001, with the representatives from the different sectors of the telecommunications industry and OPC to further discuss the rule development.

Initially, it seemed that the discussions at the workshops and meetings were leading in the direction of a consensus draft rule. However, at the workshop on January 15, 2002, the industry took the position that no rule was necessary and OPC took the position that the Commission should adopt the rule that it originally proposed in its petition. Prior to the impasse in negotiations, staff drafted a rule based on the comments and concerns expressed at the workshops and small group meetings.

This recommendation addresses whether the Commission should propose a customer notice rule and, if so, the rule language it should propose. The Commission has jurisdiction in this matter under sections 120.54, 364.0252, and 364.19, Florida Statutes.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission propose the adoption of Rule 25-4.1105, Florida Administrative Code, entitled Notice to Customers Prior to Increase in Rates or Charges, and the amendment of Rules 25-24.490 and 25-24.845, Florida Administrative Code, both entitled Customer Relations; Rules Incorporated?

RECOMMENDATION: Yes, the Commission should propose the adoption of staff's version of Rule 25-4.1105, Florida Administrative Code, and propose the amendment of Rules 25-24.490 and 25-24.845, Florida Administrative Code, as set forth in Attachment A. (CIBULA, BROWN, MOSES, HEWITT, DURBIN)

STAFF ANALYSIS: As stated in the case background, the Commission initiated rulemaking by Order No. PSC-01-1344-PCO-TP in response to OPC's petition. The following includes a discussion of the competing rule drafts that are the subject of this rule development, comments from the workshops held in this matter, and staff's recommendation on which rule the Commission should propose.

The Two Rule Proposals

Both the staff's draft rule proposal and OPC's rule proposal address the problem of telecommunications companies raising prices for service to their existing customers without notice. The Consumer Affairs Division has documented some consumer complaints indicating that some companies - particularly interexchange carriers - have raised prices without prior notice to their customers. Material provided by OPC indicates that other states have also experienced this problem and are addressing it by state statutes or rules and through NARUC before the FCC. Without prior notice of price increases, the customers have no way to adjust their consumption or find a lower cost provider before they incur the additional costs. Both proposed rules are intended to prohibit this practice and require that companies provide their customers with reasonable prior notice of price increases.

The rules differ in the type of notice they require. Staff's draft requires that the notice must be reasonable, provided in a clear and conspicuous manner, and labeled "Notice of Price Increase." It does not mandate a particular form or method of notice, but provides a list of methods that would be presumed reasonable. OPC's proposed rule mandates a specific form of notice

and method of delivery. Staff's draft allows flexibility in the type and timing of notice, provided it is reasonable. OPC's rule proposes more detailed requirements for the means of notice.

OPC's Draft Rule

OPC has requested that the Commission adopt the following rule:

All telecommunications companies furnishing service within this state shall provide notice of any change in rates or other terms and conditions of service directly to each customer that may be affected by the change. If the change may increase the cost of service for a customer, notice shall be provided at least 30 days in advance of any change in rates or terms and conditions of service. Notice of price increase shall be sent via first class mail. Service by mail of the notice of price increase shall be complete upon mailing. No change in tariffs, price lists, or terms and conditions that may increase the cost of service for a customer will be effective unless notice of the change is provided to customers as required by this rule. In the case of a rate decrease, telecommunications companies shall notify each affected customer no later than the first bill following implementation of the rate change. Any notice required by this sub-section shall be printed in a 12-point type or larger, and shall be clear, conspicuous, and legible. The notice shall include, at a minimum, the name and nature of any and all services to be changed, the past rates and the anticipated new rates. Notice of price increase shall include as a heading "NOTICE OF PRICE INCREASE" in uppercase, bold print. The envelope containing the notice of price increase shall contain a notice on the front thereof: "NOTICE OF PRICE INCREASE ENCLOSED" in uppercase, bold print. That telecommunications companies have tariffs or price lists for services on file with the commission is not a defense to any action brought for failure to disclose prices for which disclosure is required under this rule.

In its petition, OPC states that "there is no rule in the State of Florida that requires telephone companies to give customers actual notice before implementing any change in rates or

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other terms and conditions of service." OPC argues that tariff filings, posting in telephone company offices, annual itemized billing to customers, and requirements for monthly billing are the only notices that are currently required under the Commission's rules, and these notices are not adequate to inform customers of a price or service change before it occurs.

OPC asserts that it is unreasonable to require customers to wait until they receive a bill, contact the Commission, or visit the telephone company offices on a daily basis to learn of any changes. OPC states that "it is a basic principle of the competitive marketplace that customers should know what services they are receiving and the rates and terms and conditions for those services in advance of purchase of those services." If the customers do not have this information, OPC argues, they will incur charges before they have the opportunity to change services, adjust usage or seek competitive providers.

Staff's Draft Rule

As stated in the case background, initially it seemed that the discussions at the workshops and meetings were leading in the direction of a consensus draft rule. However, at the workshop on January 15, 2002, the industry took the position that no rule was necessary and OPC took the position that the Commission should adopt the rule that it originally proposed in its petition. Prior to the impasse in discussions, staff drafted the following rule based on the comments and concerns expressed at the workshops and small group meetings.

25-4.1105 Notice to Customers Prior to Increase in Rates or Charges

- (1) All telecommunications companies shall provide reasonable notice of any increase in intrastate telecommunications rates, or any changes in terms or conditions that would cause a material increase in customer charges, to each of their affected subscribers, prior to implementation of the increase.
- (2) The notice shall be clear and conspicuous, shall be identified with the heading: "Notice of Price Increase," or "Notice of Price Change," if the change will result in a price increase for some

customers and a price decrease for some customers, and shall be presumed reasonable if provided in the following manner:

- a) First class mail postmarked at least 15 days prior to the effective date of the increase in rates or charges to the customer;
- b) A bill insert or bill message mailed to the customer no later than one billing cycle prior to the effective date of the increase in rates or charges to the customer;
- c) For those customers who have elected to receive electronic billing, an electronic message sent at least 7 days prior to the effective date of the increase in rates or charges to the customer; or
- d) Pursuant to a written contract signed by the subscriber that specifically prescribes a method for notice of price increases.

Comments from Rule Development Workshops

The following is a summary of the post-workshop comments on both OPC's and staff's draft rules that were submitted after the January 15, 2002, workshop.

OPC

OPC states that its rule is necessary because the only notification of price changes currently is through the filing of a tariff or when the customer receives a bill after the fact. It states that "common sense dictates that parties to a contract for ongoing services must have adequate advanced notice when the prices, terms or conditions of the service contract change." Further, it states that notice will allow consumers to make a knowledgeable decision regarding the continuation of their service contracts prior to the implementation of higher rates.

OPC states that its rule is consistent with the goals of a market where companies are free to increase rates and where customers are free to reject such increases. It states that "effective markets cannot exist without knowledgeable, informed buyers." OPC further states that a well-informed customer is hard to steal away. Thus, OPC contends, its rule will benefit the companies and the customers.

In regard to the specifics of its draft rule, OPC states that notice on the outside of the envelope is a common practice for bills or promotional materials. As for the requirement that notice should be given for rate decreases, OPC states that its rule does not require advanced notice of rate decreases and that carriers should not have the right to arbitrarily change prices or terms and conditions without notice. Furthermore, it notes that its rule requires notice for a change in terms and conditions of service because such changes can have the same effect on customers as a price increase.

OPC states that it opposes the changes proposed by staff because staff's proposed rule fails to clearly define the requirements of the Commission in regard to the customer notice. It states that the use of the terms "reasonable," "material," and "clear and conspicuous" only water down the intended effect of the rule and that customers would have no clear and conclusive way of determining their rights to receive notice in advance of a price increase. It further states that "only through the extraordinary, slow and burdensome process of filing a complaint with the FPSC and pursuing it through the regulatory process to its conclusion will customers ever be able to achieve positive results from their complaints" under the staff's proposed rule. OPC asserts that such problems can be eliminated by adoption of its proposed rule and urges the Commission to adopt specific and plain language to provide customers fair and adequate notice of price increases.

OPC states, however, that it agrees with the staff proposal to the extent that written notice postmarked 15 days prior to the effective date of the increase or electronic notice sent 15 days prior to the increase for those who receive their bill electronically will achieve the objectives of the rule. OPC also states that it supports the portion of the staff proposal which allows for notice of price increases to be provided pursuant to the terms of a written contract signed by the customer.

Verizon

Verizon states that it does not support any rule that requires specific forms of customer notification of rate changes. The company states that it already provides notice, typically in the form of a bill insert or bill message, and that it has not received customer complaints indicating any problem with lack of notice of rate changes. Furthermore, it asserts that OPC and staff have

failed to produce any evidence of Local Exchange Company (LEC) complaints and only about 20 complaints regarding IXCs on this subject. Therefore, Verizon argues, there is no competent, substantial evidence to support the adoption of a rule as required by Chapter 120, Florida Statutes.

Verizon states that if the Commission is determined to adopt a rule despite the likelihood of a legal challenge to it, the staff's draft rule is far better than OPC's rule because it allows carriers more flexibility in notice procedures. Verizon believes, however, that the rule should not apply to LECs because there is no evidence of any customer complaints against LECs in this respect. Also, the company recommends that the term "first class mail" in staff draft rule 25-4.1105(2)(a) should be changed to "a direct mailing" so that the section would encompass notification by postcards, which the company states are not first class mail.

Time Warner

The company states that it does not believe that a rule is supported by evidence of customer dissatisfaction with the methods of operation of ILECs and ALECs. Time Warner states that this issue is more appropriately addressed in the competitive marketplace rather than through rulemaking. Nonetheless, the company states that it does not oppose staff's proposed rule as currently drafted. It states that staff's draft rule allows for increases to be governed by contract provisions agreed upon by a service provider and its customers; whereas the OPC rule as originally drafted does not allow for this option. Time Warner states that it opposes OPC's proposed rule.

ALLTEL, Northeast Telephone Company, and Smart City Telecommunications

These companies state that they question whether the Commission should propose a rule at this time for three reasons: 1) there is a lack of evidence regarding a problem with LECs not providing advanced notice of rate increases; 2) the FCC is in the process of considering a nationwide rule that, if adopted, could preempt any inconsistent rule on the same subject; 3) adopting a rule on this subject is arguably inconsistent with the development of a telecommunications market governed by competitive forces.

Without conceding that a rule is needed at this time, the companies state that staff's draft rule is far less objectionable than OPC's and would support the staff's draft over OPC's if this rulemaking proceeds. The companies state that if there is any problem requiring a rule, it is with a small number of carriers that have made price increases without giving any advanced notice to customers. They state that incumbent LECs generally have provided advanced notice of price increases in some manner. Staff's rule addresses the problem about failure to give notice while not unreasonably restricting carriers to a specific approach to giving notice. The companies state that staff's draft rule would allow small LECs to provide reasonable notice without the significant expense that would be associated with OPC's draft rule.

The companies assert that OPC's rule goes beyond curing any problem identified at the workshops. They contend that specific font sizes and typeface requirements are unnecessarily restrictive and expensive to implement. Also, they argue that because many carriers operate in more than one state, it is difficult, if not impossible, to create and mail a Florida specific notice without great expense. The companies state that staff's draft rule better accommodates multi-state carriers by allowing reasonable notice and not prescribing detailed notice requirements that would likely be unique to Florida.

Florida Competitive Carriers Association (FCCA)

FCCA states that there is no evidence which would support the Commission proposing a rule. It states that staff and OPC only provided a list of 19 complaints on the subject, and regardless of the legitimacy of the complaints, this is a "small number to use as a basis to impose expensive regulation on the entire telecommunications industry." It asserts that the draft rules appear to be a "solution searching for a problem" and would "impose unnecessary costs upon an industry that is already in great financial distress." It further states that the competitive marketplace can deal with the few customers who are unhappy with the type or timing of notices of rate increases, i.e., those customers can simply exercise the prerogative of the competitive marketplace and change providers.

FCCA states that "under no circumstances should the Commission adopt the rule proposed by OPC." It states that OPC's draft rule stifles innovation, would be extremely expensive in relation to the

perceived problem it seeks to correct, and it is without basis in law or fact.

While not conceding that a rule is necessary, FCCA states that if the Commission chooses to propose a rule, the rule should be highly flexible and permit innovation. It states that staff's rule is far superior to the prescriptive approach of the OPC rule. It states that staff's draft takes the approach of a "safe harbor," which is a similar approach taken by the Commission's slamming and cramming rules. It suggests, however, that staff's rule should be limited to "residential subscribers" not "affected subscribers" because it is the FCCA's understanding that any rule is generally aimed at residential customers.

AT&T

The company asserts that there is no evidence of a problem that would support the Commission proposing a rule at this time. It states that the lack of complaints and other objective factual support to make a change appears to show that the marketplace is working. The company contends that the cost of either the staff rule or OPC's rule outweigh the alleged benefit to be obtained when examined against the lack of any significant support that there is a problem to be remedied.

AT&T states that it adopts and incorporates FCCA's comments on OPC's and staff's draft rules. AT&T reiterates that no rule is necessary in this instance, but if the Commission proceeds to adopt a rule, in addition to the change proposed by FCCA, AT&T submits that paragraph (2)(d) of staff's draft rule should be modified to eliminate the "signed by the customer" language. AT&T states that its Customer Service Agreements clearly provide for notice to customers and that customers are made aware of the agreement upon initiation of service and each customer is provided a copy of the agreement. The company states that in some market segments, these agreements are endorsed by the customer through service initiation and subscription to AT&T's services, but are not physically signed by the customer.

WorldCom

WorldCom adopts the comments filed by FCCA.

Qwest

Qwest asserts that a rule requiring advanced notice to customers of changes to prices and terms and conditions of service is inconsistent with the national policy favoring deregulation in a competitive environment. It states that such a noticing requirement would virtually eliminate the ability to respond effectively to competitors' price and term changes, which will limit customer choice. Qwest contends that market forces are sufficient to deter potential abuses which the rule is designed to address. It further states that as an additional safeguard, Florida consumers can invoke remedies available under state contract and consumer protection laws. Qwest states that OPC has failed to establish that any rule is necessary and that the best course of action is for the Commission to reject both OPC's and staff's draft rules and instead rely on market forces supplemented by existing provisions of Florida law.

Qwest states that, in the event the Commission is still interested in proposing a rule, it supports the staff rule with the minor modification that paragraph 2 of the rule be changed to clarify that any of the methods of notice listed in subsections(a) through (d) shall be presumed reasonable. Qwest states that staff's rule, unlike OPC's rule, allows for a variety of options for providing notice to customers and is limited to those changes that would cause an increase in a customer's bill.

Sprint

Sprint states that it supports the staff draft rule. Sprint states that it believes that the staff rule is a reasonable compromise between the parties who advocate that a rule is not necessary weighed against the burdensome rule requirements proposed by OPC. Sprint states that the precise and restrictive notice requirements of OPC's rule will significantly increase costs which will ultimately be borne by the subscribers and may potentially pose a barrier to entry by CLECs.

BellSouth

The company states that a rule is not necessary because it currently notifies customers in advance of any price increase on its own volition. BellSouth states that depending on the circumstances, it provides such notice via bill messages, direct

mail, and a link to the company's website. The company states that while it understands that some companies have failed to provide notice of rate increases, the remedy to this problem is to allow the natural effects of competition to occur, i.e., the unhappy customer can switch to a carrier that provides notice. The company further asserts that OPC's and staff's rule would stifle the development of competition because they limit a company's ability to quickly respond to the marketplace and thus should be rejected.

BellSouth states that if the Commission is inclined to adopt a rule, it should adopt staff's rule with the minor clarification that the term "customer" does not refer to wholesale customers. BellSouth states that prices of services to wholesale customers are set forth in interconnection agreements, which may only be changed by amendment to the contract.

BellSouth further states that under no circumstances should the Commission adopt OPC's draft rule. It states that OPC's rule limits companies to a single, inflexible, and cost-prohibitive manner of noticing that has no corresponding consumer benefits in return. BellSouth also states that OPC's rule would unnecessarily increase its costs because billing and information systems and software would have to be modified, there would be a 15 to 30 percent increase in the processing resources necessary to make the required format changes in the notice, and there would be additional capital equipment expenses if some of the equipment is not print-head compatible and other miscellaneous material expenses that would become necessary to comply with the rule.

BellSouth states that it would have to purchase the necessary postage to send the notices via first class mail. The company states that since the OPC rule would require the notice be sent separate from the monthly bill, it will have to pay double postage in those instances where the customer is currently receiving his/her bill by mail.

As for the OPC requirement that the notice appear on the outside of the envelope, BellSouth states that it would have to tailor certain envelopes, which would be cost prohibitive and burdensome. The company states that the requirement for 30 days notice would violate section 364.051(6)(a), Florida Statutes, which provides that 15 days notice is only required for tariff revisions to nonbasic service. Moreover, it states that there is no rational

basis for requiring customer notice when a carrier decreases prices.

Statutory Authority

In its petition to initiate rulemaking, OPC states that the Commission has the authority to implement a customer notice rule under section 364.0252, Florida Statutes, which provides that the Commission

shall expand its current consumer information program to inform consumers of their rights as customers of competitive telecommunications services and shall assist customers in resolving any billing and service disputes that customers are unable to resolve directly with the company. The [C]ommission may, pursuant to this program, require all telecommunications companies providing local or long distance telecommunications services to develop and provide information to customers. The [C]ommission may specify by rule the types of information to be developed and the manner by which the information will be provided to the customers.

Staff agrees that section 364.0252, Florida Statutes, authorizes the Commission to implement a customer notice rule. Staff believes that section 364.19, Florida Statutes, which states, "The [C]ommission may regulate, by reasonable rules, the terms of telecommunications service contracts between telecommunications companies and their patrons," also provides authority for a proposed rule. The Commission does not currently have a rule that addresses this subject area.

Statement of Estimated Regulatory Costs

The Florida Administrative Procedures Act encourages an agency to provide a Statement of Estimated Regulatory Costs (SERC). A SERC was not prepared in this instance because there is no consensus on which draft rule to propose. Staff believes, however, that it is intuitive that the cost of implementing OPC's draft rule would be greater than the cost that would be associated with staff's draft rule. Almost all of the telecommunications companies stated in their post-workshop comments that they are already providing notice to customers, and since staff's draft rule encompasses the types of notice already being provided by a

majority of the companies, these companies should encounter no additional costs if staff's draft rule is implemented.

Because the staff draft rule is flexible enough to encompass the types of customer notice that companies are currently providing, staff does not believe that a SERC is necessary unless an interested person requests one. Pursuant to section 120.54(3)(a), Florida Statutes, a person may request a SERC or provide a lower cost regulatory alternative to the rule. If the Commission decides to propose OPC's draft rule, however, staff believes it would be necessary to request a SERC, to better understand the types and amount of costs the companies would incur in implementing OPC's draft rule.

The Commission Should Propose Staff's Draft Rule

Despite the arguments made by the industry that there is little evidence to support the proposal of a rule at this time, staff believes that there is sufficient evidence to move forward with rulemaking. The Commission has received complaints on this subject, and other complaints filed with the Commission in this regard may not have been wholly accounted for in the Commission's complaint tracking system because raising rates without prior notice does not currently violate any Commission rule or order. Attachment B contains a copy of the complaints that have been recorded by the Division of Consumer Affairs. Furthermore, material provided by OPC indicates that other states have also experienced this problem and are addressing it by state statutes or rules and through a petition filed before the FCC requesting the initiation of rulemaking.¹

¹ The petitioners, who are comprised of NARUC and eight other public interest groups, recommend that the FCC adopt the following rule language:

A non-dominant IXC shall give written notice to its presubscribed customers via bill insert, postcard, or letter, of any material changes to the rates, terms or conditions at least thirty days before such change takes effect.

See Joint Petition for Expedited Rulemaking Establishing Minimum Notice Requirements for Detariffed Services, CC Docket No. 96-61, filed October 29, 2001. According to NARUC, the comment cycle on

Staff agrees with OPC that a rule would further competition. Customers will have advanced notice under the rule that their rates will be increasing, which will allow customers to research other service providers to determine whether they can obtain a better rate. Effective competition depends in large part upon the ability of consumers to make informed choices in the marketplace.

Moreover, this rule will protect consumers by preventing telecommunications companies from imposing higher prices for service before the customer is made aware that the price for service has increased. As things stand today, telecommunications companies are able to increase prices without informing their customers, causing customers to incur higher charges before they have the opportunity to change services, adjust usage or seek another provider.

Staff believes that the Commission should adopt its draft rule instead of OPC's draft rule because it requires the telephone companies to provide notice, yet allows the companies flexibility in the means of providing the notice. If a company provides notice in one of the manners stated in subsections (2)(a) through (d) of staff's draft rule, the notice will be presumed reasonable. The company will still also have the option to provide notice in another manner, as long the company can show that the notice was reasonable. Furthermore, staff agrees with the industry that it is unnecessary and would not be cost-effective to require companies to give notice of rate decreases, as OPC's draft rule requires. As expressed in the post-workshop comments, all the companies that participated in the workshops favor staff's draft rule over OPC's draft rule if a rule is proposed at all.

Some telecommunications companies already provide notice of price increases to their customers. The rule proposed by the staff takes this fact into account and does not impose additional expense on those companies providing notice. Those companies not presently providing notice will be able to do so in ways the companies determine to be cost-effective, provided that the notice is reasonable. The rule will provide a uniform criteria for notice that will benefit competition and thus benefit all providers.

this rule request is now closed, and the issue is currently pending before the FCC. NARUC stated that it is uncertain when the FCC will address the issue.

As for ALLTEL, Northeast and Smart City's comment that the Commission should delay adoption of any rule because the FCC is considering a petition which requests the adoption of a customer notice rule, staff believes that such a petition does not bar Commission action in this instance. As stated above, staff believes the Commission has the authority under sections 364.0252 and 364.19, Florida Statutes, to implement either notice rule. If the FCC adopts a rule that conflicts with the rule adopted by the Commission, the Commission can amend its rule.

In regard to FCCA's comment that the rule should be limited to residential subscribers as opposed to affected subscribers, staff believes that while the rule is generally aimed at residential subscribers, the protection afforded by the rule should also extend to small business subscribers who may not have a written contract for service with a telephone company. Thus, staff believes that the language in its draft rule should remain "affected subscribers" instead of being changed to "residential subscribers."

As for AT&T's suggestion that staff's draft rule should be modified to eliminate the "signed by the customer" language because its service agreements are not always signed by the customer, staff believes that it is important to keep this language in the rule as is. This is not to infer that the arrangement that AT&T has with its customers would not be considered reasonable notice by the Commission, but staff believes that the presumption of reasonableness should attach only to those written agreements that are actually signed by the customer.

Staff has revised its draft rule as suggested by Qwest to clarify that any of the methods used in subsections (2)(a) through (d) will be presumed reasonable. As for BellSouth's concern that staff's rule should be clarified to indicate that it does not pertain to wholesale customers, staff has added the word "retail" in between the words "affected" and "subscribers" in section (1) of its draft rule to make this clarification. In regard to Verizon's suggestion that the language in subsection (2)(a) of staff's rule should be changed to "a direct mailing" instead of "first class mail" to encompass post cards, staff verified with the United States Postal Service that post cards are sent via first class mail, so no language change is necessary.

Based on the foregoing, staff recommends that the Commission propose the adoption of Rule 25-4.1105, Florida Administrative

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Code, as set forth in Attachment A. Furthermore, staff recommends that the Commission propose the amendment of rules 25-24.490 and 25-24.845, Florida Administrative Code, as set forth in Attachment A, so that the notice requirement applies to ALECs and IXCs, as well as LECs.

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ISSUE 2: If no request for hearing or comments are filed, should the proposed rules be filed for adoption with the Secretary of State and the docket closed?

RECOMMENDATION: Yes. The docket should be closed if no requests for hearing or comments are filed. (CIBULA, BROWN)

STAFF ANALYSIS: If no requests for hearing or comments are filed, the proposed rules should be filed for adoption with the Secretary of State and the docket should be closed.

SMC
Attachments

1 DOCKET NO. 010774-TP
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3 ATTACHMENT A

4 25-4.1105 Notice to Customers Prior to Increase in Rates or
5 Charges

6 (1) All telecommunications companies shall provide reasonable
7 notice of any increase in intrastate telecommunications rates,
8 or any changes in terms or conditions that would cause a
9 material increase in customer charges, to each of their
10 affected retail subscribers, prior to implementation of the
11 increase.

12 (2) The notice shall be clear and conspicuous, shall be identified
13 with the heading: "Notice of Price Increase," or "Notice of
14 Price Change," if the change will result in a price increase
15 for some customers and a price decrease for some customers,
16 and shall be presumed reasonable if provided in any of the
17 following manners:

18 a) First class mail postmarked at least 15 days prior to the
19 effective date of the increase in rates or charges to the
20 customer;

21 b) A bill insert or bill message mailed to the customer no
22 later than one billing cycle prior to the effective date
23 of the increase in rates or charges to the customer;

24 c) For those customers who have elected to receive
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3 electronic billing, an electronic message sent at least
4 7 days prior to the effective date of the increase in
5 rates or charges to the customer; or

6 d) Pursuant to a written contract signed by the subscriber
7 that specifically prescribes a method for notice of price
8 increases.

9 Specific authority: 350.127; 364.0252; 364.19, F.S.

10 Law implemented: 364.0252; 364.19, F.S.

11 History: New _____.

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3 **25-24.490 Customer Relations; Rules Incorporated.**

4 (1) The following rules are incorporated herein by reference
5 and apply to IXCs.

6	<u>SECTION</u>	<u>TITLE</u>	<u>PORTIONS APPLICABLE</u>
7	25-4.110	Customer Billing	Subsections 7 (14), (15),
8			(17), (18), and (20)
9	<u>25-4.1105</u>	<u>Notice to Customers Prior</u>	<u>All</u>
10		<u>To Increase in Rates and</u>	
11		<u>Charges</u>	
12	25-4.111	Customer Complaint	All except Subsection (2)
13		and Service Requests	
14	25-4.112	Termination of Service	All
15		by Customer	
16	25-4.113	Refusal or Discontinuance	All
17		of Service by Company	
18	25-4.114	Refunds	All
19	25-4.117	800 Service	All
20	25-4.118	Local, Local Toll, or	All
21		Toll Provider	
22		Selection	

23 (2) An IXC may require a deposit as a condition of service
24 and may collect advance payments for more than one month of service
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3 if it maintains on file with the Commission a bond covering its
4 current balance of deposits and advance payments (for more than one
5 month's service). A company may apply to the Commission for a
6 waiver of the bond requirement by demonstrating that it possesses
7 the financial resources and income to provide assurance of
8 continued operation under its certificate over the long term.

9 (3) Upon request, each company shall provide verbally or in
10 writing to any person inquiring about the company's service:

- 11 (a) any nonrecurring charge,
- 12 (b) any monthly service charge or minimum usage charge,
- 13 (c) company deposit practices,
- 14 (d) any charges applicable to call attempts not answered,
- 15 (e) a statement of when charging for a call begins and ends,

16 and

17 (f) a statement of billing adjustment practices for wrong
18 numbers or incorrect bills.

19 In addition, the above information shall be included in the first
20 bill, or in a separate mailing no later than the first bill, to all
21 new customers and to all customers presubscribing on or after the
22 effective date of this rule, and in any information sheet or
23 brochure distributed by the company for the purpose of providing
24 information about the company's services. The above information
25

CODING: Words underlined are additions; words in ~~struck~~
~~through~~ type are deletions from existing law.

1 DOCKET NO. 010774-TP
2 DATE: SEPTEMBER 19, 2002

3 shall be clearly expressed in simple words, sentences and
4 paragraphs. It must avoid unnecessarily long, complicated or
5 obscure phrases or acronyms.

6 Specific Authority: 350.127(2), 364.0252, 364.19, 364.604(5), F.S.

7 Law Implemented: 364.0252, 364.03, 364.14, 364.15, 364.603, 364.19,
8 364.337 364.602, 364.604, F.S.

9 History: New 02-23-87, Amended 10-31-89, 03-05-90, 03-04-92, 03-
10 13-96, 07-20-98, 12-28-98, 07-05-00, XX-XX-XX.

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CODING: Words underlined are additions; words in ~~struck~~
~~through~~ type are deletions from existing law.

1 DOCKET NO. 010774-TP
2 DATE: SEPTEMBER 19, 2002

3 **25-24.845 Customer Relations; Rules Incorporated.**

4 The following rules are incorporated herein by reference and
5 apply to ALECs. In the following rules, the acronym 'LEC' should
6 be omitted or interpreted as 'ALEC'.

7	<u>SECTION</u>	<u>TITLE</u>	<u>PORTIONS APPLICABLE</u>
8	25-4.110	Customer Billing	Subsections (14), (15), (16),
9			(17), (18), and (20)

10 25.4.1105 Notice to Customers Prior All
11 to Increase in Rates and
12 Charges

13 24-4.118 Local, Local Toll, or All
14 Toll Provider Selection

15 Specific Authority: 350.127(2), 364.0252, 364.19, and 364.337(2),
16 and 364.604(5), F.S.

17 Law Implemented: 364.0252, 364.337(2), 364.602, 364.604, 364.19,
18 F.S.

19 History: New 07-20-98, Amended 12-28-98, 07-05-00, XX-XX-XX.

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CODING: Words underlined are additions; words in ~~struck~~
~~through~~ type are deletions from existing law.

Request No. 397014T

Name WILLIAMS ,KATHY MRS

Business Name _____

<p align="center">Consumer Information</p> <p>Name: KATHY D WILLIAMS</p> <p>Business Name:</p> <p>Svc Address: 824 MAPLEWOOD LANE</p> <p>County: Clay Phone: (904)-276-7599</p> <p>City/Zip: Orange Park / 32065-</p> <p>Account Number:</p> <p>Caller's Name: KATHY D WILLIAMS</p> <p>Mailing Address: 824 MAPLEWOOD LANE</p> <p>City/Zip: ORANGE PARK ,FL 32065-</p> <p>Can Be Reached: (904)-276-6716</p> <p>E-Tracking Number:</p>	<p align="center">Florida Public Service</p> <p align="center">Commission - Consumer Request</p> <p align="center">2540 Shumard Oak Boulevard</p> <p align="center">Tallahassee, Florida 32399</p> <p align="center">850-413-6100</p>	<p align="center">PSC Information</p> <p>Assigned To: ROBERT</p> <p>Entered By: RGILLAND</p> <p>Date: 08/10/2001</p> <p>Time: 08:23</p> <p>Via: PHONE</p> <p>Prelim Type: IMPROPER BILLS</p> <p>PO:</p> <p>Disputed Amt: 293.00</p>
	<p align="center">Utility Information</p> <p>Company Code: TI215</p> <p>Company: QWEST COMMUNICATIONS</p> <p>Attn. Dale Jarrell397014T</p> <p>Response Needed From Company? Y</p> <p>Date Due: 08/31/2001</p> <p>Fax: 6W1,703-363-4404 R</p>	<p>Supmntl Rpt Req'd: / /</p> <p>Certified Letter Sent: / /</p> <p>Certified Letter Rec'd: / /</p>
	<p>Interim Report Received: / /</p> <p>Reply Received: 08/30/2001</p> <p>Reply Received Timely/Late:</p> <p>Informal Conf.: N</p>	<p>Closed by:</p> <p>Date: / /</p> <p>Closeout Type:</p> <p>Apparent Rule Violation: N</p>

The customer reports that she got her July 17th to July 21st telephone bill in which she is disputing the total charges of her calling card for \$293.00. The customer reports when she signed up for the calling card she was guaranteed that the rates would never go up. The customer reports that she was charged \$1.94 a minute for these calls. Please investigate this complaint and contact the customer and the FPSC with a report no later than the due date. Please do not take collection on this amount as it is in dispute with our agency and your company. RBGillander

E-Mail: pscreply@psc.state.fl.us
 Fax: 850/413-7168

08/30/2001 Report received via email. AHashisho

09/04/2001 Report received via U.S. mail. AHashisho

Request No. 397014T

Name WILLIAMS ,KATHY MRS

Business Name _____

ATTACHMENT B

Request No. 327368T

Name DOOLIN ,KENNETH

Business Name

Consumer Information

Name: KENNETH V DOOLIN

Business Name:

Svc Address:

6709 NW 58 STREET

County: Broward

Phone: (954)-722-8237

City/Zip: Tamarac

/ 33321-5

Account Number:

Caller's Name: KENNETH V DOOLIN

Mailing Address:

6709 NW 58 STREET

City/Zip: TAMARAC ,FL 33321-5725

Can Be Reached: (954)-722-8237

E-Tracking Number:

**Florida Public Service
Commission - Consumer Request
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
850-413-6100**

Utility Information

Company Code: TI741

Company: AT&T COMMUNICATIONS OF THE

Attn. BILL CARPENTER327368T

Response Needed From Company? Y

Date Due: 08/18/2000

Fax:

R

Interim Report Received: / /

Reply Received: 08/28/2000

Reply Received Timely/Late: L

Informal Conf.: N

PSC Information

Assigned To: KATE SMITH

Entered By: KSMITH

Date: 07/28/2000

Time: 15:48

Via: MAIL

Prelim Type: OTHER

PO: R. WEXLER

Disputed Amt: 0.00

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by: KES

Date: 04/24/2001

Closeout Type: PR-06

Apparent Rule Violation: N

Customer states that his rate for long distance calls went from 10 cents to 12 cents without notice. He called the company but no explanation or credit was given. Please investigate, follow up with the customer and send a report.

08-28-00 Reply received via e-mail. RLogan

08-29-00 Reply received via fax. RLogan

There is no apparent rule violation here as there is no requirement for a long distance company to notify customers before increasing its rates. This matter is still before the FCC.

April 24, 2001: Case closed by letter.

Request No. 327368T

Name DOOLIN ,KENNETH

Business Name

PLEASE NOTE** The information on this form is only a summary of the customer's concerns. Additional information, important to this matter, may be contained in the correspondence.

Inquiry taken by C. Broome
cbroome@psc.state.fl.us

9/21/2000 Case reassigned to K.Smith. P.Lowery

September 26, 2000: I called Mr. Dorfman. He went over his complaint. It appears that he is mainly concerned with enacting legislation to get a law requiring the long distance companies to notify their customers in advance when they plan to change their rates. He asked very specifically about our process. I explained how the complaint process works and the subsequent steps. I told Mr. Dorfman that the PSC cannot pressure the Legislature to take action. Nor can the Legislature pressure the PSC. I explained that the Legislature is the forum for enacting the kind of law he is hoping to get. He is very knowledgeable and well versed in the political procedures. he has been very active in politics for many years and knew most of our past Chairpersons. He asked that I keep him posted as the procedure moves along. I told him that I would. He also asked that I tell Bill Berg about our conversation. He asked that I ask Terry (Chairman Deason) to carry his message to the Governor. --Kate

September 27, 2000: Received an e-mail from Mr. Dorfman in which he suggests that the Chairman collaborate with Mr. Jack Shreve in order to support a law requiring long distance carriers to notify their customers 30 days in advance before changing their rates. I forwarded a copy of the e-mail to Bill Berg. I acknowledged receipt of the customer's e-mail. --Kate

October 4, 2000: Mr. Dorfman called the Call Center asking to speak with Ms. DeMello. I had the call transferred to me. --Kate He asked to speak to Ms. DeMello. I advised him that she was out of the office. He said that he sent a fax and wanted to be sure we received it. It had a typo on it and he asked that I fix it. I am to change the word with to without on the form. --Kate

10-11-2000 Reply received via e-mail. RLogan - MCI reported that it contacted the customer and explained that it was not required to notify customers in Florida before changing rates. The customer was aware of this. He stated that the notification on his bill was so small it was illegible. MCI issued a courtesy adjustment of \$3.55.

December 12, 2000; Closed by letter.

12-22-00 Mr. Dorfman sent Mrs. Beverlee DeMello an e-mail notifying her of a four-page fax. Mrs. DeMello found it in her box on her desk. Mr. Dorfman asked that copies of his fax be sent to Chairman Deason, Mr.

Request No. 337115T

Name DORFMAN ,ALLEN

Business Name _____

Bill Berg, and Mrs. Kate Smith. I sent a copy to Mr. William Berg and put a copy in Mrs. Kate Smith's box. Here's a copy of his e-mail regarding his fax. Shirley Stokes

Dear Ms. Demello,

I faxed same to you at 8:20am, with a request that you kindly send a copy of said fax to Terry Deason, Bill Berg and Kate Smith.

I will fax directly to Jack Shreve and Charlie Beck.

The matter relates to your "Final Report, FPSC Inquiry#337115T letter to me, dated December 18, 2000." My 4 page fax, noted above, will point out that your response (somehow) bore no relationship to my initial discussions and prior e-mails to Jack Shreve, Charlie Beck, and the other recipients noted above.

My discussions related to LEGISLATION that I felt was required to prevent the major phone companies from raising rates, without PRIOR notification. There IS such legislation in 9 STATES now. Jack has that list. Jack concurred with my observations in this matter. Please read my detailed comments in that fax and kindly distribute as requested. Please advise. Much appreciated. Thank you.

Respectfully,

Allen B. Dorfman

1-(561)-241-4642... (my direct line, if you or any of the Recipients, wish to call.)

PS - A very happy holiday season to all.

*I also attached a copy of his fax to Mr. Berg and Mrs. Smith. Shirley Stokes

January 26, 2001: Fax received from customer. He says that we misunderstood his complaint and that we did not address his concerns.

January 30, 2001: File given to Carmen Peña. She is going to obtain a legal opinion from Ms. Davis. __Kate

February 5, 2001: I spoke with Noreen Davis about this file. She agreed to look it over to see if there is

anyway we can help this customer. __Kate

02/02/2001 Customer called to check the status of his complaint. Informed customer that his complaint was forwarded to legal. Will give customer information to KSMITH. tmorgan

2/5/2001 Case COPY forwarded to Legal. P.Lowery

030

Request No. 380331T

Name _____

Business Name SUWANNEE TITLE SERVICES, INC.**Consumer Information**

Name:

Business Name: SUWANNEE TITLE SERVICES, INC.

Svc Address: 11 NE 4TH AVE

County: Levy

Phone: (352)-493-2564

City/Zip: Chiefland

/ 32626-

Account Number:

Caller's Name: MAGGIE EDWARDS

Mailing Address: 11 NE 4TH AVE

City/Zip: CHIEFLAND , FL 32626-

Can Be Reached:

E-Tracking Number:

Florida Public Service
Commission - Consumer Request
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
850-413-6100

Utility Information

Company Code: TI940

Company: HORIZONONE COMMUNICATIONS

Attn. Patrick Kelley,

Response Needed From Company? Y

Date Due: 06/08/2001

Fax: 6W1,702-547-8546

B

Interim Report Received: / /

Reply Received: 05/21/2001

Reply Received Timely/Late: T

Informal Conf.: N

PSC Information

Assigned To: CAF

Entered By: VMCKAY

Date: 05/17/2001

Time: 14:40

Via: PHONE

(Phone/Mail/Fax/E-Mail)

Prelim Type: IMPROPER BILLS

PO:

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by: RR

Date: 06/14/2001

Closeout Type: IS-30

Apparent Rule Violation: N

The customer is reporting she is being charged at a higher rate the she was promised. She was promised 7.9 per minute for inter and intralata calls. She states she is being charged different rates per minute.

She states she has been in contact with the company on this issue.

Please investigate this issue, contact the customer and provide the PSC with a detailed written report.

Send response to:

CAF FAX: 850/413-7168

CAF E-mail: pscreply@psc.state.fl.us

Case taken by Victor McKay

05/21/2001 Report received via fax. AHashisho

ORIGINALRequest No. 380331T

Name _____

Business Name SUWANNEE TITLE SERVICES, INC.

PAGE NO: 1

05/29/2001 Report received via U.S. mail. AHashisho

06/14/2001: The company's response indicates that sometime after the first year of service, the rate for this customer increased. The company reports that it did not have term contracts and the rates are subject to change. Company has issued a courtesy credit in the amount of \$100 and for the next 12 months will bill at 6.9 cpm for interstate and intrastate long distance. Closed with a satisfied letter. RRoland

052

ORIGINAL

Request No. 380331T

Name ,

Business Name SUWANNEE TITLE SERVICES, INC.

PAGE NO. 1

STATE OF FLORIDA

Commissioners:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

June 15 2001

Ms. Maggie Edwards
Suwannee Tile Services, Inc.
11 Northeast 4th Avenue
Chiefland, FL 32626

RE: FPSC Inquiry #380331T

Dear Ms. Edwards:

This is a response to your communications with the Florida Public Service Commission (PSC) concerning HorizonOne Communications.

A review of the information developed in our investigation indicates that a company representative has been in touch with you and that the matter appears to be resolved.

If this is not the case, or if you have additional questions with which I can be of assistance, please contact me toll free at 1-800-342-3552, by toll free fax at 1-800-511-0809, or by e-mail at rroland@psc.state.fl.us.

Sincerely,

A handwritten signature in black ink that reads "Randy Roland".

Randy Roland
Regulatory Specialist II
Division of Consumer Affairs

RR:ewe

ORIGINAL

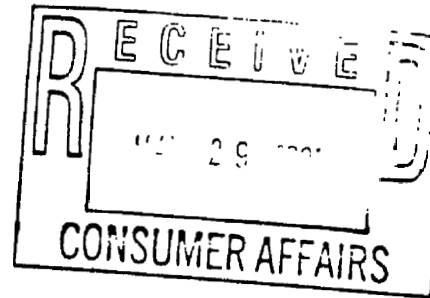
AFFINITY NETWORK

May 21, 2001

ORIGINAL

SENT VIA FACSIMILE NUMBER (850) 413-7168 AND REGULAR U.S. MAIL

Florida Public Service Commission
Consumer Request Department
Attn: Victor McKay
2540 Shumard Oak Blvd.
Tallahassee, FL 32399



CASE/CATS No. 380331T

Dear Mr. McKay:

I am responding to the above-referenced complaint forwarded to Affinity Network, Incorporated. Ms. Edwards' concerns centered on the billing she experienced the last few months on our service. We have not yet had an opportunity to discuss Ms. Edwards' account with her directly, but will continue our attempts to make contact with this customer. Enclosed please find a copy of a letter sent to Ms. Edwards outlining the resolution we applied to this account. Included in the resolution were courtesy credits.

As a regulated carrier, Affinity Network, Incorporated is required to bill and collect all charges in accordance with its tariffed rates. I have had an opportunity to review Ms. Edwards' account, and have determined that the rates and billing experienced by Ms. Edwards were in accord with Affinity Network, Incorporated's filed tariff.

If the Commission has any further questions regarding this matter, please feel free to contact me directly at 888-734-7667 or by fax at 702-967-6117.

Sincerely,

A handwritten signature in cursive script that reads "Marlon D. Wall".

Marlon D. Wall, J.D.
Senior Resolutions Specialist
Affinity Network, Incorporated

Enc: Resolution letter

Cc: Maggie Edwards, Suwannee Title Services, Inc.
File

MDW/pc



May 21, 2001

SENT VIA FACSIMILE NUMBER (404) 417-0677 AND DHL OVERNIGHT DELIVERY

MS. MAGGIE EDWARDS
SUWANNEE TITLE SERVICES, INC.
P.O. BOX 889
CHIEFLAND, FL 32644

Re: Account number: 70002470750000

Dear Ms. Edwards:

It is my understanding that you have concerns regarding your account with Affinity Network, Incorporated. I have attempted to contact you, but unfortunately have not yet been successful in reaching you. I would like the opportunity to discuss your concerns with you directly. You can contact me at the toll-free number below.

In the meantime I have reviewed the notes in your account. I see that sometime after your first year of service you were hit with a rate increase. Since we do not have term contracts the rate is subject to change. However, I have authorized the issuance of a courtesy credit in the amount of \$100.00. The invoice generated on May 18, 2001 shows current charges due of \$245.21. After the credit is applied this leaves a balance of \$145.21 due before the next invoice generates on June 18, 2001.

Just this once, please send payment to my attention at 3365 East Flamingo Road, Suite 5, Las Vegas, NV, 89121. Please do not send it to any other address. This is so I may make sure all issues are addressed before returning your file to the Customer Care department.

If you wish, you may expedite this resolution by faxing payment to my attention at 702-967-6117. A check by fax form and instructions for its use accompany this letter. If you choose to fax payment, keep the original check for your records. The form authorizes your bank to issue another check, with the same number, for our use.

Finally, I have had your account put on a GR12, (i.e., guaranteed rate for 12 months), at 6.9 cents for both interstate and intrastate long distance. These rates should take effect with your June invoice.

I have reviewed your account and have confirmed that the rates and billing experienced by your business were in accord with tariffs filed with the Federal Communications Commission. As a regulated carrier, Affinity Network Incorporated is required by federal and state laws to bill and collect all charges in accordance with its tariffed rates.

ORIGINAL

We at Affinity Network Incorporated look forward to continuing to earn your business each month. If you have any questions or concerns regarding this matter, please feel free to contact me directly at 888-734-7667 or by fax at 702-967-6117.

Sincerely,



Marlon D. Wall, J.D.
Senior Resolutions Specialist
Affinity Network Incorporated

Enc: (1) Check by fax form
(2) Check by fax instructions
(3) Summary page of 5/18/01 invoice
(entire invoice being sent with mailed, original of this letter)

Copy: File

MDW/pc

ORIGINAL



May 21, 2001

SENT VIA FACSIMILE NUMBER (850) 413-7168 AND REGULAR U.S. MAIL

Florida Public Service Commission
Consumer Request Department
Attn: Victor McKay
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

CASE/CATS No. 380331T

Dear Mr. McKay:

I am responding to the above-referenced complaint forwarded to Affinity Network, Incorporated. Ms. Edwards' concerns centered on the billing she experienced the last few months on our service. We have not yet had an opportunity to discuss Ms. Edwards' account with her directly, but will continue our attempts to make contact with this customer. Enclosed please find a copy of a letter sent to Ms. Edwards outlining the resolution we applied to this account. Included in the resolution were courtesy credits.

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If the Commission has any further questions regarding this matter, please feel free to contact me directly at 888-734-7667 or by fax at 702-967-6117.

Sincerely,

A handwritten signature in dark ink, appearing to read "MDW".

Marlon D. Wall, J.D.
Senior Resolutions Specialist
Affinity Network, Incorporated

Enc: Resolution letter

Cc: Maggie Edwards, Suwannee Title Services, Inc.
File

MDW/pc

ORIGINAL



May 21, 2001

ORIGINAL

SENT VIA FACSIMILE NUMBER (352) 493-2111 AND DHL OVERNIGHT DELIVERY

MS. MAGGIE EDWARDS
SUWANNEE TITLE SERVICES, INC.
P.O. BOX 889
CHIEFLAND, FL 32644

Re: Account number: 70002470750000

Dear Ms. Edwards:

It is my understanding that you have concerns regarding your account with Affinity Network, Incorporated. I have attempted to contact you, but unfortunately have not yet been successful in reaching you. I would like the opportunity to discuss your concerns with you directly. You can contact me at the toll-free number below.

In the meantime I have reviewed the notes in your account. I see that sometime after your first year of service you were hit with a rate increase. Since we do not have term contracts the rate is subject to change. However, I have authorized the issuance of a courtesy credit in the amount of \$100.00. The invoice generated on May 18, 2001 shows current charges due of \$245.21. After the credit is applied this leaves a balance of \$145.21 due before the next invoice generates on June 18, 2001.

Just this once, please send payment to my attention at 3365 East Flamingo Road, Suite 5, Las Vegas, NV, 89121. Please do not send it to any other address. This is so I may make sure all issues are addressed before returning your file to the Customer Care department.

If you wish, you may expedite this resolution by faxing payment to my attention at 702-967-6117. A check by fax form and instructions for its use accompany this letter. If you choose to fax payment, keep the original check for your records. The form authorizes your bank to issue another check, with the same number, for our use.

Finally, I have had your account put on a GR12, (i.e., guaranteed rate for 12 months), at 6.9 cents for both interstate and intrastate long distance. These rates should take effect with your June invoice.

I have reviewed your account and have confirmed that the rates and billing experienced by your business were in accord with tariffs filed with the Federal Communications Commission. As a regulated carrier, Affinity Network Incorporated is required by federal and state laws to bill and collect all charges in accordance with its tariffed rates.

We at Affinity Network Incorporated look forward to continuing to earn your business each month. If you have any questions or concerns regarding this matter, please feel free to contact me directly at 888-734-7667 or by fax at 702-967-6117.

Sincerely,



Marlon D. Wall, J.D.
Senior Resolutions Specialist
Affinity Network Incorporated

ORIGINAL

Enc: (1) Check by fax form
(2) Check by fax instructions
(3) Summary page of 5/18/01 invoice
(entire invoice being sent with mailed, original of this letter)

Copy: File

MDW/pc

Request No. 382454TName RICHARDSON ,MILDRED MS.

Business Name _____

Consumer Information	Florida Public Service Commission - Consumer Request 2540 Shumard Oak Boulevard Tallahassee, Florida 32399 850-413-6100	PSC Information
Name: MILDRED RICHARDSON Business Name: Svc Address: 209 HAMILTON ROAD	Utility Information Company Code: TI731 Company: MCI WORLDCOM NETWORK SERVICES, Attn. Kim LeVelle382454T Response Needed From Company? Y Date Due: 06/22/2001 Fax: 9W1,800-854-7960 R	Assigned To: KATE SMITH Entered By: KSMITH Date: 06/01/2001 Time: 10:28
County: Putnam Phone: (386)-649-0584 City/Zip: Satsuma / 32189- Account Number: Caller's Name: MILDRED RICHARDSON Mailing Address: 209 HAMILTON ROAD	Interim Report Received: / /	Via: MAIL Prelim Type: IMPROPER BILLS PO: TERRY DEASON Disputed Amt: 0.00
City/Zip: SATSUMA ,FL 32189- Can Be Reached: (386)-649-0584 E-Tracking Number:	Reply Received: 06/20/2001 Reply Received Timely/Late: T Informal Conf.: N	Supmntl Rpt Req'd: / / Certified Letter Sent: / / Certified Letter Rec'd: / / Closed by: KES Date: 06/22/2001 Closeout Type: PR-06 Apparent Rule Violation: N

Customer states that when she signed up for her savings plan, she was told that she would not have a minimum fee. She has been billed for a minimum fee for 2-3 months now. Please investigate, follow up with the customer and send a report.

06/20/2001: Received report via e-mail. RRoland

June 22, 2001: The customer called. The customer received a letter from MCI. It appears that said it could not help her because the calling plan changed. It recommended that she simply use 10-10-321 to avoid the minimum fee. She received a second letter which she read to me. It appears that MCI notified its customers that the FCC passed a law requiring prior notification before rates or calling plans could be changed. She is very happy about this and believes the PSC should take much stronger stance in regulating utilities.

Request No. 382454TName RICHARDSON ,MILDRED MS.

Business Name _____

DACE NO. 1

We spent 30 minutes talking about options such as NO PIC; prepaid cards and 10-10 numbers. I explained these options a couple of time for her. The customer was satisfied with our help and thanked me for my assistance.

June 22, 2001: Closed by phone with customer. __Kate

041

Request No. 382454T

Name RICHARDSON ,MILDRED MS.

Business Name _____

Request No. 383278C

Name STEIN ,SHELDON MR.

Business: _____



FLORIDA PUBLIC SERVICE COMMISSION
CONSUMER REQUEST
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-850
850-413-6100

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

DICK DURBIN

Public Service Commission

Name STEIN ,SHELDON MR.

Company AT&T COMMUNICATIONS OF THE

Request No. 383278C

Business Name _____

Company Code TI741

By JRD Time 13:41 Date 06/06/200

Address 401 GOLDEN ISLES DRIVE #1008

County _____

Consumer's
Telephone # _____

Type IS-30 Phone MAIL

City/Zip Hallandale 33009-

Can be
Reached _____

Account Number _____

E-Mail Address _____

Outreach OTHER

Date 06/06/20

Public Official N

Received copy of letter customer sent to BellSouth protesting the increase in AT&T rates without notification to customers. I sent a letter to the customer advising him that the PSC tariff allows the company to file a new tariff today with the rates going into effect the next day.

Dick Durbin

ORIGINAL

STATE OF FLORIDA

COMMISSIONERS:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

June 14, 2001

ORIGINAL

Mr. Sheldon J. Stein
401 Golden Isles Drive #1008
Hallandale, FL 33009

Dear Mr. Stein:

Thank you for sending to the Florida Public Service Commission (PSC) a copy of your June 2, 2001, letter to BellSouth concerning the increase in AT&T rates.

At this time, PSC rules do not require a long distance company to provide advance notice to its customers of a rate increase. The PSC has initiated a docket to consider adopting a rule that will require telephone companies to provide written notice to customers far enough in advance of the rate increase that the customer can shop for a new telephone company should he choose to do so. I have enclosed a copy of the recommendation from the staff of the PSC to the Commissioners that the PSC proceed to rulemaking. The recommendation includes the proposed rule language.

I will maintain your correspondence along with any others we may receive from customers objecting to this lack of notification. Please let me know if you have any questions. I can be reached at 1(800)342-3552 or by E-mail at ddurbin@psc.state.fl.us.

Sincerely,

A handwritten signature in cursive script that reads "Dick Durbin".

Dick Durbin
Regulatory Supervisor/Consultant

Sheldon Stein
401 Golden Isles Drive #1008
Hallandale, Fl. 33009

ORIGINAL

6-2-01

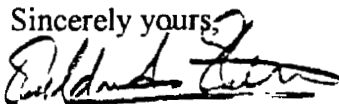
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Dear Sir / Madam,

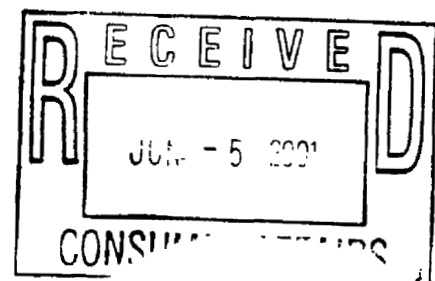
Please find enclosed a copy of a letter, protesting the way my ATT Long Distance rates were increased without prior notice. I feel this shows a disregard to the consumer. My concern is on behalf of other consumers in Florida.

Thanking you in advance for your attention in this matter, I remain,

Sincerely yours,



Sheldon J. Stein



Sheldon Stein
401 Golden Isles Drive #1008
Hallandale, Fl. 33009

May 23, 2001

Bell South
P.O. Box 33009
Charlotte, NC 28243-001

Re: Account # 954-455-8873 003 1808
Billing dispute with ATT , Billing period dates: March 1, 2001; March 29, 2001

Dear Madam /Sir:

I wanted to send in a explanation in writing protesting the rate change from ATT on my long distance service, that was made without prior notification. On 2/19 my rates were revised without prior notice to .10 cents a minute from .07 weekdays, and .05 weekends.

As a consumer I should be given advance notice to revise my rate plan accordingly to find the best available plan. Therefore I am protesting this billing by ATT.

The customer service people at ATT told me there was a notice in my bill, and that I was sent a letter. I received neither a notification in writing or a letter to this effect. This is blatantly a slap in the consumer's face.

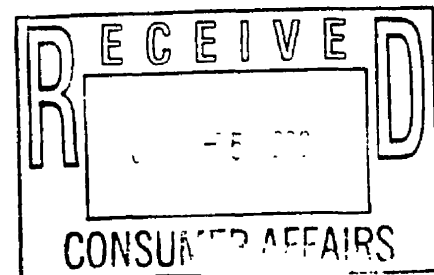
This is the reason I am protesting. I do not mind paying under the old tariff, but I do object to paying the higher rate between the change and when I renegotiated my new plan. I would like my bill in dispute to be revised back to the original rates in these billing periods.

In the meantime I would appreciate an objective review of my tariff rates under dispute. It is also my belief that a number of other Bell South Customers may have been subjected to the same rate increase without prior notice. If this was done in other States, it may also be advisable to notify the FCC.

Thank you,

Shel Stein

CC: Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850



ORIGINAL

FCC
Consumer Information Bureau
445 12th Street SW
Washington, D.C. 20554

Ms. Betsy J. Bernard
President and CEO, AT&T Consumer
32 Avenue of the Americas
New York, New York 10013-2412

ORIGINAL

Request No. 383978C Name WHITE ,MARIA & RANDALL MR. Business: _____



FLORIDA PUBLIC SERVICE COMMISSION
CONSUMER REQUEST
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-850
850-413-6100

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

DICK DURBIN

Public Service Commission

Name <u>WHITE ,MARIA & RANDALL MR.</u>	Company <u>MCI WORLDCOM NETWORK</u>	Request No. <u>383978C</u>
Business Name _____	Company Code <u>TI731</u>	By <u>JRD</u> Time <u>10:52</u> Date <u>06/11/200</u>
Address <u>1607 POWDER RIDGE DRIVE</u>	County _____	Consumer's Telephone # <u>(813)-571-1350</u>
_____	Can be Reached <u>(813)-828-5187</u>	Type <u>IS-30</u> Phone <u>E-FORM</u>
City/Zip <u>Valrico 33594-</u>	Account Number _____	E-Mail Address <u>riarandy@tampabay.rr.com</u>
_____	Outreach <u>OTHER</u>	Date <u>06/11/20</u>
_____	Public Official <u>N</u>	_____

Received e-mail from customer:

Comments: (813)571-1350.

Twice in the last 6 months, MCIWorldcom has raised our long distance rates without notifying us of the increase. The first time, was only a few cents on calls to and from our home, both calling card, and direct dialed (7 cents increased to 9 cents per minute) under the MCI 5c everyday plus plan. However, apparently they notified us in April of an increase to all calling card calls from 5c (1900-0700 daily, and all day Sat/Sun) to 15c all day every day! This is a tripling of my calling rate. As we travel often, and have children in college, we use this card extensively to keep in call our home to keep in contact. When the company was queried, they told us the notification took place on the April bill. We use online billing, but do not show the notification on the April bill which we printed from their web site using their format. When further queried about the lack of notification, the customer service supervisor informed us that FL does not require them to notify customers of rate increases, so it really didn't matter if we were told anyway.

What kind of

I responded:

Dear Mr. and Mrs. White:

On May 22, 2001, the Citizens of the State of Florida, through the Office of Public Counsel (OPC), filed a petition requesting that the Florida Public Service Commission (PSC) initiate rulemaking. OPC proposes that the Commission adopt a rule requiring telephone companies to give customers actual notice before implementing any change in rates or other terms and conditions of service. Docket number 010774-TP has been established to address this matter. This will be item No. 3 on the PSC's Tuesday June 12, 2001, Agenda. PSC staff members are recommending that the Commissioners approve the request to go to rulemaking.

If you are interested in following the procedure, you can observe the Agenda Conference on the PSC's Web site at http://www.psc.state.fl.us/events/audio_video/index.html

I hope this information has been helpful. Please let me know if you have any questions.

Dick Durbin

048

Request No. 385359C

Name WARE ,TED MR.

Business: _____



FLORIDA PUBLIC SERVICE COMMISSION
CONSUMER REQUEST
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-850
850-413-6100

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

PAMELA DUCK

Public Service Commission

Name WARE ,TED MR.

Company QWEST COMMUNICATIONS

Request No. 385359C

Business Name _____

Company Code TI215

By PD Time 11:48 Date 06/18/200

Address PO BOX 7498

County _____

Consumer's

Telephone # _____

Type IS-30

Phone PHONE

City/Zip Clearwater

33758-

Can be

Reached _____

Account Number _____

E-Mail Address _____

Outreach OTHER

Date 06/18/20

Public Official N

Customer states that it is unfair that the company does not have to notify the consumer of rate increases. pduck

Request No. 385989C

Name CARPER ,HELEN MS

Business: _____



FLORIDA PUBLIC SERVICE COMMISSION
CONSUMER REQUEST
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-850
850-413-6100

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

ROBERT GILLANDER

Public Service Commission

Name <u>CARPER ,HELEN MS</u>	Company <u>VERIZON SELECT SERVICES INC.</u>	Request No. <u>385989C</u>
Business Name _____	Company Code <u>TI355</u>	By <u>RBG</u> Time <u>16:00</u> Date <u>06/20/200</u>
Address <u>5827 EASTLAKE DRIVE</u>	County _____	Consumer's Telephone # _____
City/Zip <u>New Port Richey 34653-</u>	Can be Reached <u>(727)-859-0223</u>	Type <u>IS-30</u> Phone <u>PHONE</u>
Account Number _____	E-Mail Address _____	Outreach <u>OTHER</u> Date <u>06/20/20</u>
		Public Official <u>N</u>

The customer is complaining that she does not like when the companies raise rates without telling the customer. RBGillander

Request No. 386206C

Name MCMILLIAN ,HAROLD MR.

Business: _____



FLORIDA PUBLIC SERVICE COMMISSION
CONSUMER REQUEST
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-850
850-413-6100

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:
DICK DURBIN

Public Service Commission

Name <u>MCMILLIAN ,HAROLD MR.</u>	Company <u>QWEST COMMUNICATIONS</u>	Request No. <u>386206C</u>
Business Name _____	Company Code <u>TI215</u>	By <u>JRD</u> Time <u>14:36</u> Date <u>06/21/200</u>
Address <u>5241 MAJORCA CLUB DRIVE</u>	County _____	Consumer's Telephone # <u>(561)-361-6645</u>
_____	Can be Reached _____	Type <u>IS-30</u> Phone <u>E-FORM</u>
City/Zip <u>Boca Raton</u> <u>33486-</u>	Account Number _____	E-Mail Address _____
_____	Outreach <u>OTHER</u>	Date <u>06/21/20</u>
_____	Public Official <u>N</u>	

Customer sent the following e-mail:
Qwest (1-800-860-2255) recently tripled the rate it charges for 1-800 calls from 10 to 30 cents per minute. No notice of the change was provided, not even on the latest billing statement which reflects the change. I had to read the bill in detail to note why I had a substantial increase in cost. I find this to be very unfair to consumers.

I responded with the following e-mail:

Dear Mr. McMillian:

Thank you for your correspondence.

At this time, long distance companies do not have to give customers advance notice of a change in price or terms of service for intrastate long distance service. On May 22, 2001, the Citizens of the State of Florida, through the Office of Public Counsel (OPC), filed a petition that the Public Service Commission (PSC) initiate rulemaking requiring telephone companies to give customers actual notice before implementing any change in rates or other terms and conditions of service.

The Commissioners voted to approve the petition and begin the process of determining whether it is appropriate to enact such a rule.

You can follow the progress of the docket, No 010774, on the PSC's web page at:
<http://pscweb1.electro-net.com/psc/dockets/index.cfm?event=docketDetails&docket=010774&requestTimeout=240>

Dick Durbin

52

Dick Durbin

From: Ruth McHargue
Sent: Wednesday, June 20, 2001 12:59 PM
To: Dick Durbin
Subject: FW: Improper Billing - 0000407

Will you handle?

-----Original Message-----

From: Joy Anderson
Sent: Tuesday, June 19, 2001 3:49 PM
To: Ruth McHargue
Subject: FW: Improper Billing - 0000407

Needs informational letter

-----Original Message-----

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]
Sent: Monday, June 18, 2001 4:04 PM
To: contact@psc.state.fl.us
Cc: cgarfiel@psc.state.fl.us; agilliam@psc.state.fl.us
Subject: Improper Billing - 0000407

TRACKING NUMBER - 0000407
June 18, 2001

CUSTOMER INFORMATION

Account Number: 56237349
Business Account Name:
Name: Harold McMillian
Address: 5241 Majorca Club Dr.
City: Boca Raton
State: FL
Zip: 33486
County: Palm Beach
Evening Phone: (561) 361-6645 ext.
Daytime Phone: (561) 361-6645 ext.
E-mail: billdcat@prodigy.net
Contact By: E-Mail

SERVICE ADDRESS

Business Account Name:
Name: Harold McMillian
Address: 5241 Majorca Club Dr.

City: Boca Raton
Zip: 33486
County: Palm Beach
Evening Phone: (561) 361-6645 ext.
Daytime Phone: (561) 361-6645 ext.
E-mail: billdcat@prodigy.net

COMPLAINT INFORMATION

Utility Name: Quest Telecommunications, Inc. / Long Distance Service Provider
Utility Type: Telecommunications

Did customer previously contact the utility?: Yes
If Yes, the customer spoke with: Kathleen, Agent 81746
Date the customer contacted utility: 06/18/2001

Did customer previously contact the PSC?: No
If Yes, the customer spoke with:
Date the customer contacted PSC:

PROBLEM INFORMATION

Problem Type: Improper Billing

Comments: Qwest (1-800-860-2255) recently tripled the rate it charges for 1-800 calls from 10 to 30 cents per minute. No notice of the change was provided, not even on the latest billing statement which reflects the change. I had to read the bill in detail to note why I had a substantial increase in cost. I find this to be very unfair to consumers.

*Crocket
0110774*

- 1 215

3/10/06

Request No. 386298C

Name CASSIDY ,LILLIAN MS

Business: _____



FLORIDA PUBLIC SERVICE COMMISSION
CONSUMER REQUEST
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-850
850-413-6100

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

DICK DURBIN

Public Service Commission

Name <u>CASSIDY ,LILLIAN MS</u>	Company _____	Request No. <u>386298C</u>
Business Name _____	Company Code _____	
Address <u>4346 MONTREAUX AVENUE</u>	County _____	By <u>JRD</u> Time <u>09:30</u> Date <u>06/22/200</u>
_____	Consumer's Telephone # _____	Type <u>IS-30</u> Phone <u>E-MAIL</u>
City/Zip <u>Melbourne</u> <u>32934-</u>	Can be Reached _____	
Account Number _____	E-Mail Address <u>lilcassidy@juno.com</u>	Outreach <u>OTHER</u> Date <u>06/22/20</u>
		Public Official <u>N</u>

Received the following e-mail:
Sir/Ma'am,

I received my long distance telephone bill today from MCI. My bill increased 100%. The charge increased from 5 cents a minute to 10 cents a minute. I contacted MCI. They informed me that the rates had increased for the April billing cycle. I asked why I was not notified to which they replied that the "State of Florida" does not require them to notify their users.

If this policy is in affect, it surely is NOT in the citizens best interest. Please confirm if this policy is in effect and if so, the rational behind this policy. Thank you.

Very respectfully,

Lillian Cassidy
4346 Montreaux Avenue
Melbourne, FL 32934

I responded:
Dear Ms. Cassidy:

I apologize for the delayed response to your e-mail.

At this time, long distance companies do not have to give customers advance notice of a change in price or terms of service for intrastate long distance service. On May 22, 2001, the Citizens of the State of Florida, through the Office of Public Counsel (OPC), filed a petition that the Public Service Commission (PSC) initiate rulemaking requiring telephone companies to give customers actual notice before implementing any change in rates or other terms and conditions of service. The Commissioners voted to approve the petition and begin the process of determining whether it is appropriate to enact such a rule.

You can follow the progress of the docket, No 010774, on the PSC's web page at:
<http://pscweb1.electro-net.com/psc/dockets/index.cfm?event=docketDetails&docket=010774&requestTimeout=240>

Dick Durbin

CT
ON

Dick Durbin

From: Ruth McHargue
Sent: Thursday, June 21, 2001 12:35 PM
To: Dick Durbin
Cc: Joy Anderson
Subject: FW: Telephone Charge Increase

Dick, will you review and follow-up with customer. Thanks

-----Original Message-----

From: Joy Anderson
Sent: Tuesday, June 19, 2001 9:56 AM
To: Ruth McHargue
Cc: Joy Anderson
Subject: FW: Telephone Charge Increase

Ruth,

I forwarded this customer's original e-mail to you on 05/09/01 for an informational letter.

jla

-----Original Message-----

From: Cassidy Lillian GS-11 45MSS/DPF
[mailto:Lillian.Cassidy@patrick.af.mil]
Sent: Monday, June 18, 2001 9:26 AM
To: 'Lillian J Cassidy'; contact@psc.state.fl.us
Cc: Cassidy Lillian GS-11 45MSS/DPF
Subject: RE: Telephone Charge Increase

Follow-up:

Please provide answer to email below.

-----Original Message-----

From: Lillian J Cassidy [mailto:lilcassidy@juno.com]
Sent: Monday, May 07, 2001 7:07 PM
To: contact@psc.state.fl.us
Cc: lillian.cassidy@patrick.af.mil
Subject: Telephone Charge Increase

Sir/Ma'am,

I received my long distance telephone bill today from MCI. My bill increased 100%. The charge increased from 5 cents a minute to 10 cents a minute. I contacted MCI. They informed me that the rates had increased for the April billing cycle. I asked why I was not notified to which

- they replied that the "State of Florida" does not require them to notify their users.

- If this policy is in affect, it surely is NOT in the citizens best interest. Please confirm if this policy is in effect and if so, the rational behind this policy. Thank you.

Very respectfully,

Lillian Cassidy
4346 Montreaux Avenue
Melbourne, FL 32934

Request No. 389543C

Name MINEO ,VINCENT MR.

Business: _____



FLORIDA PUBLIC SERVICE COMMISSION
CONSUMER REQUEST
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-850
850-413-6100

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

ROBERT GILLANDER

Public Service Commission

Name <u>MINEO ,VINCENT MR.</u>	Company <u>QWEST COMMUNICATIONS</u>	Request No. <u>389543C</u>
Business Name _____	Company Code <u>TI215</u>	By <u>RBG</u> Time <u>14:09</u> Date <u>07/09/2001</u>
Address <u>1176 SUMMERWOOD CIRCLE</u>	County _____	Type <u>IS-30</u> Phone <u>PHONE</u>
_____	Consumer's Telephone # _____	
City/Zip <u>WELLINGTON</u> <u>33414-</u>	Can be Reached <u>(561)-795-9489</u>	
Account Number _____	E-Mail Address _____	Outreach <u>OTHER</u> Date <u>07/09/2001</u>
		Public Official <u>N</u>

The customer called to state he did not like the fact that long distance companies can change rates without notice.
RBGillander

Request No. 393222C Name VELHUIS ,GARY MR. Business: _____



FLORIDA PUBLIC SERVICE COMMISSION
CONSUMER REQUEST
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-850
850-413-6100

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

ROBERT GILLANDER

Public Service Commission

Name <u>VELHUIS ,GARY MR.</u>	Company <u>QWEST COMMUNICATIONS</u>	Request No. <u>393222C</u>
Business Name _____	Company Code <u>TI215</u>	By <u>RBG</u> Time <u>10:40</u> Date <u>07/24/2001</u>
Address <u>171 HILLSIDE DRIVE</u>	County _____	Consumer's Telephone # _____
_____	Can be Reached _____	Type <u>IS-30</u> Phone <u>PHONE</u>
City/Zip <u>Lake Placid</u> <u>33852-</u>	Reached <u>(863)-465-0320</u>	
Account Number _____	E-Mail Address _____	Outreach <u>OTHER</u> Date <u>07/24/2001</u>
		Public Official <u>N</u>

The customer states that he is complaining about the rate increase without notification. RBGillander

Zip: 32907
County: Brevard
Evening Phone: () - ext.
Daytime Phone: (321) 723-4722 ext.
E-mail: dgholton@hotmail.com
Contact By: E-Mail

SERVICE ADDRESS

Business Account Name:
Name: Douglas Holton
Address: 1724 Ardmore St NE
City: Palm Bay
Zip: 32907
County: Brevard
Evening Phone: () - ext.
Daytime Phone: (321) 723-4722 ext.
E-mail: dgholton@hotmail.com

COMPLAINT INFORMATION

Utility Name: MCI WorldCom Communications, Inc. / Long Distance Service Provider
Utility Type: Telecommunications

Did customer previously contact the utility?: Yes
If Yes, the customer spoke with: Dorothy
Date the customer contacted utility: 07/19/2001

Did customer previously contact the PSC?: No
If Yes, the customer spoke with:
Date the customer contacted PSC:

PROBLEM INFORMATION

Problem Type: Slamming
Services switched: Interexchange/Long Distance Telephone
Local telephone company: BellSouth
Interexchange/long distance telephone company:
Contacted Preferred Carrier to Switch Back?: No

Request No. 393829T

Name HOLTON ,DOUGLAS MR.

Business Name _____

Received a bill?: Yes

Comments: When I established service with MCI I selected a 9 cents/min (state to state) plan. Upon reviewing my July 13 billing I discovered the rate appeared to have increased to 12 cents per min. Contacted the service provider and received the following response,

"Dear Mr. Holton,

Thank you for contacting MCI's e-Customer Service.

Occasionally, long distance companies modify their rates/fees in order to continue to provide value to their customers. While there was a slight increase associated with your rate, you are still paying some of the most competitive rates in the industry.

In the state of Florida, no notification is required for Interstate rate increases or decreases.

If you have any additional questions or concerns, please visit Online Account Manager at www.mci.com/service.

Sincerely,

Dorothy

e-Customer Service

P.S. Has your e-mail address changed? Be sure to visit Online Account Manager at www.mci.com/service to update your e-mail address today!"

To my mind I was "slammed". Without my knowledge or consent MCI altered our agreement/ my long distance plan imposing more than a 30% rate increase! The only difference is that it was done inhouse vice switching me to another company.

Most utility companies hold public hearing before a rate increase is approved - - telecommunications doesn't even require notification to the customer?"

Customer states that he has made previous contact with the company to discuss the issues outlined in the customer's "incorporated" correspondence. Please investigate this matter, contact the customer, and provide me with a detailed written report by the due date above.

Please send all fax and e-mail responses to:

Request No. 393829T Name HOLTON ,DOUGLAS MR. Business Name _____

CAF FAX: 850/413-7168

CAF E-mail: pscreply@psc.state.fl.us

Case taken by pduck

08/08/2001 Report received via email. AHashisho

64

Request No. 393829T

Name HOLTON ,DOUGLAS MR.

Business Name

Request No. 394648T

Name MORRELL ,GERALD MR.

Business Name

Consumer Information

Name: GERALD MORRELL

Business Name:

Svc Address: 3201 BRUTON RD

County: Hillsborough Phone: (813)-754-6665

City/Zip: Plant City / 33565-

Account Number:

Caller's Name: MARION MORRELL

Mailing Address: 3201 BRUTON RD

City/Zip: PLANT CITY ,FL 33565-

Can Be Reached: (813)-754-6665

E-Tracking Number:

**Florida Public Service
Commission - Consumer Request
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
850-413-6100**

Utility Information

Company Code: TI731

Company: MCI WORLDCOM NETWORK SERVICES,

Attn. Kim LeVelle394648T

Response Needed From Company? Y

Date Due: 08/20/2001

Fax: 9W1,800-854-7960

R

Interim Report Received: / /

Reply Received: 08/09/2001

Reply Received Timely/Late:

Informal Conf.: N

PSC Information

Assigned To: CAF

Entered By: MWATSONL

Date: 07/30/2001

Time: 15:44

Via: PHONE

Prelim Type: IMPROPER BILLS

PO:

Disputed Amt: 0.00

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by:

Date: / /

Closeout Type:

Apparent Rule Violation: N

Customer states the rates of her calling plan were changed without notice. Customer states that she has made previous contact with the company to discuss this issue. Please investigate this matter, contact the customer and provide the Fl. Public Service Commission with a detailed written report by the due date.

Case taken by Michelle Watson-Livingston

FAX# 850-413-7168

E-mail: PSCREPLY@PSC.STATE.FL.US

08/09/2001 Report received via email. AHashisho

Request No. 394648T

Name MORRELL ,GERALD MR.

Business Name

Request No. 395462T

Name PERRATTO ,JOSEPH MR.

Business Name

<p align="center">Consumer Information</p> <p>Name: JOSEPH PERRATTO</p> <p>Business Name:</p> <p>Svc Address: 1341 SW EVERGREEN LANE</p> <p>County: Martin Phone: (561)-220-7362</p> <p>City/Zip: Palm City / 34990-</p> <p>Account Number:</p> <p>Caller's Name: JOSEPH PERRATTO</p> <p>Mailing Address: 1341 SW EVERGREEN LANE</p> <p>City/Zip: PALM CITY ,FL 34990-</p> <p>Can Be Reached: (561)-260-5167</p> <p>E-Tracking Number:</p>	<p align="center">Florida Public Service Commission - Consumer Request 2540 Shumard Oak Boulevard Tallahassee, Florida 32399 850-413-6100</p>	<p align="center">PSC Information</p> <p>Assigned To: CAF</p> <p>Entered By: MWATSONL</p> <p>Date: 08/02/2001</p> <p>Time: 14:04</p> <p>Via: PHONE</p> <p>Prelim Type: IMPROPER BILLS</p> <p>PO:</p> <p>Disputed Amt: 755.00</p> <p>Supmntl Rpt Req'd: / /</p> <p>Certified Letter Sent: / /</p> <p>Certified Letter Rec'd: / /</p> <p>Closed by:</p> <p>Date: / /</p> <p>Closeout Type:</p> <p>Apparent Rule Violation: N</p>
<p align="center">Utility Information</p> <p>Company Code: TI741</p> <p>Company: AT&T COMMUNICATIONS OF THE</p> <p>Attn. BILL CARPENTER395462T</p> <p>Response Needed From Company? Y</p> <p>Date Due: 08/23/2001</p> <p>Fax: R</p>	<p>Interim Report Received: / /</p> <p>Reply Received: / /</p> <p>Reply Received Timely/Late:</p> <p>Informal Conf.: N</p>	

Customer states his per minute rate went up without notice or authorization. Customer's original long distance calling plan .10 per minute was changed to .30 per minute. Customer states he's been overcharged for the past year. Customer wants credit for the company's error. Customer states that he has made previous contact with the company to discuss this issue. Please investigate this matter, contact the customer and provide the Fl. Public Service Commission with a detailed written report by the due date.

Case taken by Michelle Watson-Livingston
 FAX# 850-413-7168
 E-mail: PSCREPLY@PSC.STATE.FL.US

Request No. 395462T

Name PERRATTO ,JOSEPH MR.

Business Name

Request No. 395692T

Name DERBY ,GLENN MR.

Business Name _____

<p align="center">Consumer Information</p> <p>Name: GLENN DERBY</p> <p>Business Name:</p> <p>Svc Address: 720 JUNE LAKE LANE</p> <p>County: Hillsborough Phone: (813)-571-7299</p> <p>City/Zip: Brandon / 33510-</p> <p>Account Number:</p> <p>Caller's Name: GLENN DERBY</p> <p>Mailing Address: 720 JUNE LAKE LANE</p> <p>City/Zip: BRANDON ,FL 33510-</p> <p>Can Be Reached: (727)-579-3045</p> <p>E-Tracking Number:</p>	<p align="center">Florida Public Service Commission - Consumer Request 2540 Shumard Oak Boulevard Tallahassee, Florida 32399 850-413-6100</p>	<p align="center">PSC Information</p> <p>Assigned To: CAF</p> <p>Entered By: MWATSONL</p> <p>Date: 08/03/2001</p> <p>Time: 12:44</p> <p>Via: PHONE</p> <p>Prelim Type: IMPROPER BILLS</p> <p>PO:</p> <p>Disputed Amt: 0.00</p> <hr/> <p>Supmntl Rpt Req'd: / /</p> <p>Certified Letter Sent: / /</p> <p>Certified Letter Rec'd: / /</p> <hr/> <p>Closed by:</p> <p>Date: / /</p> <p>Closeout Type:</p> <p>Apparent Rule Violation: N</p>
<p align="center">Utility Information</p> <p>Company Code: TI070</p> <p>Company: VARTEC TELECOM AND CLEAR</p> <p>Attn. S. Nicole Crockett395692T</p> <p>Response Needed From Company? Y</p> <p>Date Due: 08/24/2001</p> <p>Fax: 6W1,214-424-1510 R</p>	<p>Interim Report Received: / /</p> <p>Reply Received: 08/24/2001</p> <p>Reply Received Timely/Late:</p> <p>Informal Conf.: N</p>	

Customer states he originally signed up for .05 per minute plan in 10/2000 the company switched him to their .10 per minute plan without authorization or notice. Customer states that he has made previous contact with the company to discuss this issue. Please investigate this matter, contact the customer and provide the Fl. Public Service Commission with a detailed written report by the due date.

Case taken by Michelle Watson-Livingston
 FAX# 850-413-7168
 E-mail: PSCREPLY@PSC.STATE.FL.US

08/24/2001 Report received via U.S. mail. AHashisho

Request No. 395692T

Name DERBY ,GLENN MR.

Business Name _____

Request No. 385889T

Name COHEN , ROSALIND MS.

Business Name

Consumer Information

Name: ROSALIND COHEN

Business Name:

Svc Address: 777 S FEDERAL HWY #G12

County: Broward Phone: (954)-545-9080

City/Zip: Pompano Beach / 33062-

Account Number:

Caller's Name: ROSALIND COHEN

Mailing Address: 777 S FEDERAL HWY #G12

City/Zip: POMPANO BEACH , FL 33062-

Can Be Reached:

E-Tracking Number:

**Florida Public Service
Commission - Consumer Request
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
850-413-6100**

Utility Information

Company Code: TI741

Company: AT&T COMMUNICATIONS OF THE

Attn. BILL CARPENTER385889T

Response Needed From Company? Y

Date Due: 07/12/2001

Fax: R

Interim Report Received: / /

Reply Received: 06/25/2001

Reply Received Timely/Late: T

Informal Conf.: N

PSC Information

Assigned To: CAF

Entered By: AKAMBO

Date: 06/20/2001

Time: 11:51

Via: PHONE

Prelim Type: IMPROPER BILLS

PO:

Disputed Amt: 0.00

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by: MEP

Date: 10/18/2001

Closeout Type: IS-30

Apparent Rule Violation: N

Please review the following:

Customer says she was on a fixed rate plan with the company and they raised the rates in Feb.2001 without notification.

Please investigate this issue, contact the customer and provide the Commission with a detailed written report that addresses the issues and confirms the customer has been contacted either by letter or phone

****Inquiry taken by A. Kambo****

CONTACT NUMBERS

CAF FAX: 850/413-7168

CAF Email: pscreply@psc.state.fl.us

Request No. 385889T

Name COHEN , ROSALIND MS.

Business Name

06/25/2001 Report received via email. AHashisho

10/09/2001 Reviewed report. AT&T advised that the rate increased from \$0.07 to \$0.10 per minute in February 2001. The company posted the rate on its website. The company declined a request for credit adjustment. eplendl

10/09/2001 Closed by telephone conversation with the customer. Customer appears dissatisfied. The customer switched to a new long distance provider. eplendl

This inquiry is closed without infraction.

Request No. 398353T

Name DUBLIN , JANETTE MRS

Business Name _____

Consumer Information

Name: JANETTE DUBLIN

Business Name:

Svc Address: 911 NORTH TRIPLET LAKE DRIVE

County: Seminole Phone: (877)-860-4200

City/Zip: Casselberry / 32707-

Account Number:

Caller's Name: JANETTE DUBLIN

Mailing Address: 911 NORTH TRIPLET LAKE DRIVE

City/Zip: CASSELBERRY , FL 32707-

Can Be Reached: (407)-695-3004

E-Tracking Number:

**Florida Public Service
Commission - Consumer Request
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
850-413-6100**

Utility Information

Company Code: TI215

Company: QWEST COMMUNICATIONS

Attn. Dale Jarrell 398353T

Response Needed From Company? Y

Date Due: 09/07/2001

Fax: 61,703-363-4404

R

Interim Report Received: / /

Reply Received: 09/06/2001

Reply Received Timely/Late: T

Informal Conf.: N

PSC Information

Assigned To: CAF

Entered By: AFONDO

Date: 08/16/2001

Time: 08:53

Via: PHONE

Prelim Type: IMPROPER BILLS

PO:

Disputed Amt: 181.89

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by: MEP

Date: 10/03/2001

Closeout Type: GI-08

Apparent Rule Violation: N

Customer states that she has an 800 service through the company and that when she signed up it was for ten cents a minute. The company states that the customer was sent a brochure in the mail and she states that she was not informed that her rates were to increase from ten cents to fifty five cents. Customer states that she has had 2 bills and a membership charge from the company, totaling \$181.89. Customer states that the first bill was \$148.49, the second bill was \$22.40 both those bills were for calls on the line. Customer states that she terminated the service and that she received a charge on her next bill for \$11.00 which was a membership fee when in fact she had canceled.

Please investigate this issue, contact the customer and provide the commission with a detailed report by the due date.

Case taken by Angela Fondo

Request No. 398353T

Name DUBLIN , JANETTE MRS

Business Name _____

CAF FAX: 850-413-7168

CAF E-mail: PSCREPLY@PSC.STATE.FL.US

09/06/2001 Report received via email. AHashisho

09/10/2001 Report received via U.S. mail. AHashisho

10/03/2001 Reviewed report. Qwest advised that due to increased costs in providing long distance service and the ever-growing problem of calling card fraud, Qwest has increased rates for both calling cards and home 800 numbers. Calling card rates increased to \$.69 per minute with a \$1.25 surcharge per call. The Home 800 number rates increased to \$.30 per minute with a \$.25 payphone surcharge. All rates are subject to change without notification.

A one-time courtesy credit of \$89.10 was issued on September 6, 2001. This credit is a re-rate of home 800 calls completed from the date of the increase, May 21, 2001 to June 14, 2001 (date of disconnection). In addition the consumer has been refunded two months of monthly recurring fees of \$4.95 per month. This credit will be reflected on the consumer's Local Exchange Carrier (LEC) invoice in one to two billing cycles. A letter was sent to the customer. eplend1

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10/03/2001 Closed by telephone conversation with the customer. Customer appears satisfied. eplend1

This inquiry is closed without infraction. Credit issued and account canceled.

Request No. 398353T

Name DUBLIN ,JANETTE MRS

Business Name

PAGE NO: 2

Request No. 403453T

Name COLLINS , THOMAS MR.

Business Name

<p align="center">Consumer Information</p> <p>Name: THOMAS COLLINS</p> <p>Business Name:</p> <p>Svc Address: 4455 CONFEDERATE POINT ROAD APT 23A</p> <p>County: Duval Phone: (904)-317-2795</p> <p>City/Zip: Jacksonville / 32210-</p> <p>Account Number:</p> <p>Caller's Name: MARYANNE COLLINS</p> <p>Mailing Address: 10 BRELYN PLACE APT B</p> <p>City/Zip: PALM COAST ,FL 32137</p> <p>Can Be Reached: (386)-446-2667</p> <p>E-Tracking Number:</p>	<p align="center">Florida Public Service Commission - Consumer Request 2540 Shumard Oak Boulevard Tallahassee, Florida 32399 850-413-6100</p>	<p align="center">PSC Information</p> <p>Assigned To: CAF</p> <p>Entered By: MWATSONL</p> <p>Date: 09/10/2001</p> <p>Time: 12:36</p> <p>Via: PHONE</p> <p>Prelim Type: HIGH BILLS</p> <p>PO:</p> <p>Disputed Amt: 242.00</p> <hr/> <p>Supmntl Rpt Req'd: / /</p> <p>Certified Letter Sent: / /</p> <p>Certified Letter Rec'd: / /</p> <hr/> <p>Closed by: MEP</p> <p>Date: 09/28/2001</p> <p>Closeout Type: LB-03</p> <p>Apparent Rule Violation: Y</p>
<p align="center">Utility Information</p> <p>Company Code: TI741</p> <p>Company: ACC BUSINESS</p> <p>Attn. BILL CARPENTER403453T</p> <p>Response Needed From Company? Y</p> <p>Date Due: 10/01/2001</p> <p>Fax: R</p> <hr/> <p>Interim Report Received: / /</p> <p>Reply Received: 09/17/2001</p> <p>Reply Received Timely/Late: T</p> <p>Informal Conf.: N</p>		

Customer states when she switched service AT&T in June 2001 she was quoted calling rate of .05 /minute. Customer states company then increased rates every month. Customer states she was on the low usage billing and didn't receive a bill for 3 months despite high charges. Customer also states she has moved to new address. Customer states that she has made previous contact with the company to discuss this issue. Please investigate this matter, contact the customer and provide the Fl. Public Service Commission with a detailed written report by the due date.

Case taken by Michelle Watson-Livingston
 FAX# 850-413-7168
 E-mail: PSCREPLY@PSC.STATE.FL.US

09/17/2001 Report received via email. AHashisho

Request No. 403453T

Name COLLINS , THOMAS MR.

Business Name

09/28/2001 Reviewed report. AT&T advised that the plan erred causing the customer to be billed at basic rates. The company adjusted the account to \$0.05 per minute and issued a credit of \$195.40 on September 14, 2001. This credit should appear on the account in one to two billing cycles. The One Rate \$0.05 Weekend calling plan to the account on August 26, 2001. The account reflects a balance due of \$46.06. eplend1

09/28/2001 Closed by telephone conversation with the customer. Customer appears satisfied. eplend1

This inquiry is closed as an apparent tariff violation for improper billing. Credit issued.

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Request No. 403453T

Name COLLINS , THOMAS MR.

Business Name

PAGE NO: 2

Request No. 405010T

Name DOUGLAS ,DAWN MS.

Business Name _____

Consumer Information	Florida Public Service	PSC Information
Name: DAWN DOUGLAS Business Name: Svc Address: 1101 NW 184TH DRIVE	Commission - Consumer Request 2540 Shumard Oak Boulevard Tallahassee, Florida 32399 850-413-6100	Assigned To: ROBERT Entered By: RGILLAND Date: 09/17/2001 Time: 11:26
County: Dade Phone: (305)-652-6090 City/Zip: Miami / 33169- Account Number:	Utility Information Company Code: TI215 Company: QWEST COMMUNICATIONS Attn. Dale Jarrell405010T	Via: FAX Prelim Type: HIGH BILLS PO: Disputed Amt: 345.55
Caller's Name: DAWN DOUGLAS Mailing Address: 1101 NW 184TH DRIVE	Response Needed From Company? Y Date Due: 10/08/2001 Fax: 61,703-363-4404 R	Supmntl Rpt Req'd: / / Certified Letter Sent: / / Certified Letter Rec'd: / /
City/Zip: MIAMI ,FL 33169- Can Be Reached: E-Tracking Number:	Interim Report Received: / / Reply Received: 10/08/2001 Reply Received Timely/Late: T Informal Conf.: N	Closed by: TCM Date: 12/14/2001 Closeout Type: GI-08 Apparent Rule Violation: N

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****PLEASE REVIEW CUSTOMER CORRESPONDENCE****

The customer is disputing charges from Qwest in the amount of \$345.55. The customer is reporting that she has had this dispute with Qwest for quite sometime. Please note that upon trying to contact the customer, the number has apparently been disconnected. We ask you to contact the customer in regards to the disputed amount via mail. Please also contact the FPSC with any resolution and a report no later than the due date.
RBGillander

E-Mail: pscreply@psc.state.fl.us
Fax: 850/413-7168

10/08/2001 Report received via U.S. mail. AHashisho

Request No. 405010T

Name DOUGLAS ,DAWN MS.

Business Name _____

12/14/01 Reviewed report. Qwest has advised that Ms. Douglas' original account was established on March 13, 1998. This account was disconnected on August 21, 1999 after notification was sent from the customer's LEC that their local account had been temporarily suspended for nonpayment. At this time, Qwest disconnect Ms. Douglas' account. Ms. Douglas did not contact Qwest after her local service was restored. The call traffic for 305-652-6090 continued to be routed to Qwest as a result a casual account was established.

Qwest has noted that the BTN was also disconnected on November 11, 1999, December 27, 1999, June 22, 2000, October 20, 2000, and January 19, 2001. After each of these disconnects, Ms. Douglas did not make any contact to have her long distance service restored to the original rates.

An increase in casual rates took effect in April 2001. In additiona to the increased rates, a three minute minimum for all calls placed with this type of account was implemented. It appears this is when the customer first noticed the increase in rates. Ms. Douglas contacted Qwest on May 23, 2001 regarding the rate increase and for international calls that did not complete. At this time, Qwest offered to establish the customer with an account, but Ms. Douglas declined. A credit for the disputed international calls was issued on June 13, 2001 in the amount of \$71.48.

Qwest will not issue any additional credit to Ms. Douglas. This account has been in casual status since August 21, 1999.

Ms. Douglas had her long distance pic'd away from Qwest on May 23, 2001.

Inquiry closed without infraction. Automatic closeout letter will be mailed to the customer. tmorgan

Request No. 405010T

Name DOUGLAS ,DAWN MS.

Business Name _____

PAGE NO: 2

Request No. 4051620 Name OLIVERIA , JOSEPH MR. Business Name _____

Consumer Information Name: JOSEPH R OLIVERIA Business Name: Svc Address: 725 PORT MALABAR PLACE NE #107 County: Brevard Phone: City/Zip: Palm Bay / 32905- Account Number: Caller's Name: JOSEPH R OLIVERIA Mailing Address: 725 PORT MALABAR PLACE NE #107 City/Zip: PALM BAY , FL 32905- Can Be Reached: E-Tracking Number:	Florida Public Service Commission - Consumer Request 2540 Shumard Oak Boulevard Tallahassee, Florida 32399 850-413-6100	PSC Information Assigned To: KATE SMITH Entered By: KSMITH Date: 09/17/2001 Time: 14:33 Via: MAIL Prelim Type: OTHER PO: Disputed Amt: 0.00 Supmntl Rpt Req'd: / / Certified Letter Sent: / / Certified Letter Rec'd: / / Closed by: KES Date: 09/17/2001 Closeout Type: IS-11 Apparent Rule Violation: N
	Utility Information Company Code: TL720 Company: BELLSOUTH TELECOMMUNICATIONS, Attn. John Merlino4051620 Response Needed From Company? N Date Due: 09/17/2001 Fax: R Interim Report Received: / / Reply Received: / / Reply Received Timely/Late: T Informal Conf.: N	

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Customer is asking for information on why the PSC allowed BST to increase its rates on calling features and why the PSC allowed the company to cancel certain program in favor of more expensive ones.

Case given to my supervisor. It appears that this complaint deals with a tariffed item.

September 22, 2001: This case has been forwarded to Bureau Chief, Rhonda L. Hicks to refer it to BCR. The concern of the customer is BellSouth's increase in rates. Carmen Peña - Supervisor

Request No. 4051620 Name OLIVERIA , JOSEPH MR. Business Name _____

10/09/01 FAX TO COMPANY: Please review the additional customer correspondence and respond with report by the due date. Nchester

10/16/2001 - Response received via e-mail.pjohnson

10/30/2001 Customer called to check status of her case. The company is continuing to contact her harassing her for a payment. Will email supervisor. kmarshall

10/31/2001 - Case assigned to Ellen Plendl. rmchague

10/31/2001 Reviewed report. MCI advised that account 4FO78372 was installed for telephone number 850-671-3674 on June 16, 1999. Additional telephone numbers of 850-671-5708; 850-671-5733 and 850-671-7226 were active on the account. The account reflected the MCI One International Saving calling plan, including \$0.25 per minute during peak hours and \$0.10 per minute during off peak hours for interstate calls. Intrastate calls were billed at \$0.20 per minute during peak hours and \$0.10 per minute during off peak hours.

On March 1, 2000, the interstate rate increased to \$0.15 per minute for all calls. Intrastate rates remained the same.

On December 1, 2000, the interstate rate increased to \$0.17 per minute for all calls, while the intrastate rates remained the same.

The customer contacted the company on September 15, 2001 and was advised of the rate increase. The company offered her a new calling plan. However, it appears the customer declined a new calling plan. The company declined the request to issue credit adjustment as the rates billed appeared to be correct.

As of October 16, 2001, the account reflects a balance due of \$374.70. eplendl

10/31/2001 Reviewed customer correspondence. It appears customer identified a letter from MCI indicating that rate changes would be identified to the customer. Upon review of the MCI letter, it appears that a letter dated June 1, 2001 indicates that beginning August 1, 2001, the interstate rates will not change without notice. However, the rate changes occurred in March and December 2000, prior to the MCI letter and FCC rule taking effect. eplendl

10/31/2001 Left a message for the customer to call. eplendl

11/01/2001 Closed by telephone conversation with the customer. Customer appears dissatisfied. However, I advised her that it did not appear as though the company violated a rule or tariff. She explained that she did not typically use interstate service and was unaware through previous bills of the increase in rates. I

Request No. 409389T

Name COLLINS ,LINDA MS.

Business Name

advised her to request a payment arrangement. If she was unsuccessful, she will contact me and I will request a payment arrangement from the company directly. She thanked me for the information, but was disappointed that the company did not offer a credit adjustment. It appears she may seek a new provider or a different calling plan. eplendl

This inquiry is closed without infraction.

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Request No. 409389T Name COLLINS ,LINDA MS. Business Name _____

Request No. 446722T

Name CONCILIO ,LORRAINE

Business Name

<p>Consumer Information</p> <p>Name: LORRAINE CONCILIO</p> <p>Business Name:</p> <p>Svc Address: 26129 FOAMFLOWER BLVD</p>	<p>Florida Public Service</p> <p>Commission - Consumer Request</p> <p>2540 Shumard Oak Boulevard</p> <p>Tallahassee, Florida 32399</p> <p>850-413-6100</p>	<p>PSC Information</p> <p>Assigned To: ELLEN PLENDL</p> <p>Entered By: KM</p> <p>Date: 04/02/2002</p> <p>Time: 13:26</p>
<p>County: Pasco Phone: (813)-973-1761</p> <p>City/Zip: Zephyrhills / 33544-</p> <p>Account Number:</p> <p>Caller's Name: LORRAINE CONCILIO</p> <p>Mailing Address: 26129 FOAMFLOWER BLVD</p>	<p>Utility Information</p> <p>Company Code: TI731</p> <p>Company: MCI WORLDCOM NETWORK SERVICES,</p> <p>Attn. Kim LeVelle446722T</p> <p>Response Needed From Company? Y</p> <p>Date Due: 04/23/2002</p> <p>Fax: 1,800-854-7960 R</p>	<p>Via: FAX</p> <p>Prelim Type: IMPROPER BILLS</p> <p>PO:</p> <p>Disputed Amt: 0.00</p>
<p>City/Zip: ZEPHYRHILLS ,FL 33544-</p> <p>Can Be Reached:</p> <p>E-Tracking Number:</p>	<p>Interim Report Received: / /</p> <p>Reply Received: 04/22/2002</p> <p>Reply Received Timely/Late: T</p> <p>Informal Conf.: N</p>	<p>Supmntl Rpt Req'd: / /</p> <p>Certified Letter Sent: / /</p> <p>Certified Letter Rec'd: / /</p> <p>Closed by: MEP</p> <p>Date: 05/13/2002</p> <p>Closeout Type: GI-99</p> <p>Apparent Rule Violation: N</p>

Please review the attached correspondence in which the customer reports the following: Customer reports an improper billing for long distance.

Please investigate this issue, contact the customer and provide the Commission with a detailed written report that addresses the issues in the correspondence, and confirms the customer has been contacted either by letter or phone.

PLEASE NOTE** The information on this form is only a summary of the customer's concerns. Additional information, important to this matter, may be contained in the correspondence.

Inquiry taken by Kaullis Marshall
CAF FAX: 850/413-7168
CAF Email:pscreply@psc.state.fl.us

Request No. 446722T

Name CONCILIO ,LORRAINE

Business Name

04/22/2002 Report received via email. AHashisho

05/13/2002 Reviewed report. Documentation provided to the Florida Public Service Commission indicates that MCI established account 4HI74218 for 813-973-1761 and 813-907-0007 with the MCI \$0.05 Everyday Plus calling plan. This calling plan included the following rates:

Interstate calls from 7:00 a.m. to 6:59 p.m. Monday through Friday are \$0.10 per minute
Interstate calls from 7:00 p.m. to 6:59 a.m. Monday through Friday are \$0.05 per minute
Interstate calls all day Saturday and Sunday are \$0.05 per minute

Intrastate calls from 7:00 a.m. to 6:59 p.m. Monday through Friday are \$0.10 per minute
Intrastate calls from 7:00 p.m. to 6:59 a.m. Monday through Friday are \$0.10 per minute
Intrastate calls all day Saturday and Sunday are \$0.10 per minute

Interstate Calling Card calls are \$0.99 per minute with a \$1.50 per call surcharge.
Intrastate Calling Card calls are \$0.55 per minute with a \$0.80 per call surcharge.

These rates are subject to change at any time. On October 1, 2001, the local toll rate increased from \$0.05 per minute to \$0.07 per minute. MCI declined the request for credit adjustment. A letter was sent to the customer. eplend1

05/13/2002 Closed. A closure letter will be sent to the customer. eplend1

This inquiry is closed without infraction.

Request No. 446722T Name CONCILIO ,LORRAINE Business Name _____

Request No. 408970T

Name STEVENS ,KATHERINE MS.

Business Name

Consumer Information

Name: KATHERINE STEVENS

Business Name:

Svc Address: 22271 E CAMEO DR

County: Palm Beach Phone: (561)-347-0829

City/Zip: Boca Raton / 33433-

Account Number:

Caller's Name: KATHERINE STEVENS

Mailing Address: 22271 E CAMEO DR

City/Zip: BOCA RATON ,FL 33433-

Can Be Reached: (561)-347-0829

E-Tracking Number:

**Florida Public Service
Commission - Consumer Request
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
850-413-6100**

Utility Information

Company Code: TI741

Company: ACC BUSINESS

Attn. BILL CARPENTER408970T

Response Needed From Company? Y

Date Due: 10/23/2001

Fax:

R

Interim Report Received: / /

Reply Received: 10/05/2001

Reply Received Timely/Late: T

Informal Conf.: N

PSC Information

Assigned To: CAF

Entered By: PD

Date: 10/02/2001

Time: 14:32

Via: PHONE

Prelim Type: IMPROPER BILLS

PO:

Disputed Amt: 0.00

Supmntl Rpt Req'd: 11/06/2001

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by: MEP

Date: 10/09/2001

Closeout Type: NJ-09

Apparent Rule Violation: N

Customer states that she should be on a rate plan of \$0.07 a minute for out of state calls and \$0.10 a minute for in state calls and states that she has a service fee of \$3.95 which use to be \$4.95 but states that once she received a lower monthly service fee her rates went up without notification. Customer also states that she was charged \$1.74 for a call to Australia. Customer states that she has made previous contact with the company to discuss this issue. Please investigate this matter, contact the customer and provide the Fl. Public Service Commission with a detailed written report by the due date.

Case taken by Pamela Duck
FAX# 850-413-7168
E-mail: PSCREPLY@PSC.STATE.FL.US

10/05/2001 Report received via email. AHashisho

Request No. 408970T

Name STEVENS ,KATHERINE MS.

Business Name

10/05/2001 Customer states that the company called her and their attitude has changed. She has been issued a credit. Customer would like a call back. kmarshall

10/05/2001 Case assigned to Ellen Plendl. rmchargue

10/8/2001 Customer wanted to know the status on the case. E-mail sent to Ruth. AKambo

10/08/01 Sent EPlendl an e-mail requesting she contact the customer. rmchargue

10/09/2001 Left message for the customer to call. eplendl

10/09/2001 Cannot locate file or company response received on October 5, 2001. Added request to locate book and emailed supervisor. eplendl

10/09/2001 Inquiry delivered to me by Joy Anderson. eplendl

10/09/2001 Reviewed report. AT&T advised that the customer disputed rates for calls to Australia. The company agreed to issue a credit of \$9.77 to the account on October 4, 2001. This credit should appear on the account in one to two billing cycles. The account was closed based on an order submitted by the LEC on September 17, 2001. eplendl

10/09/2001 Closed by telephone conversation with the customer. Customer states that the AT&T representative who contacted her regarding this matter was disrespectful. Customer was advised by AT&T that she was overbilled for intrastate calls, which increased from \$0.10 to \$0.14 per minute and monthly service charge from \$3.95 increased to \$4.95. Customer advised she switched to First Communications. I offered the customer the telephone number for the FCC regarding her dispute with international calls. eplendl

This inquiry is closed without infraction. Partial credit issued and account canceled.

10/18/2001 Customer left message to call. eplendl

10/19/2001 Left message for the customer to call. eplendl

10/22/2001 Customer left message to call. eplendl

10/23/2001 Left message for the customer to call. eplendl

10/24/2001 Customer called. Customer appears dissatisfied. She indicates that she received the rate information during a telephone call. I asked the customer if she received anything in writing from AT&T

Request No. 408970T

Name STEVENS ,KATHERINE MS.

Business Name

regarding the calling plan on the account. She states that she did not receive the rate information in writing. Customer terminated the call at 3:33 p.m. eplendl

10/24/2001 Tried to call the customer back at 3:35 p.m. Received a busy signal. eplendl

Will continue to contact the customer to determine if she has bills which include \$0.10 per minute and \$3.95 per month, then a second bill which includes \$0.14 per minute with \$4.95 per month to open a new inquiry, send to AT&T and determine if there was a rate increase on the account. eplendl

10/24/2001 Contacted customer at 4:15 p.m. Requested the customer send her bill copy to the PSC. Customer advised she will send the bill copy, but her daughter is out of town and she must wait for her daughter to return and make the copies. It appears the customer saw an advertisement in the newspaper year ago. She called to confirm the rates but did not receive the rates in writing. She states that for several months the bills were correct. She states the rates did change but she was not advised. She will send me the bill copy. She states the FCC was not responsive regarding her concerns on the international call, but I advised her that once she sends the bills to the PSC, I will forward the inquiry to the FCC after we have investigated her bill. Customer thanked me for the information. I will call the customer on November 9, 2001 to determine if she has sent the bill copies to the PSC. eplendl

10/31/2001 Customer called. Customer advised that she will submit her bill copies for further review. eplendl

11/05/01 Customer correspondence received and forwarded to Ellen Plendl. NChester

11/06/2001 FAX TO CO.

See attached bills. Customer advised she is disputing the intrastate rates of \$0.14 per minute. She states she agreed to a rate of \$0.10 per minute. Customer states the calling plan included a monthly fee of \$3.95 then was switched to a monthly fee of \$4.95. Please indicate what calling plan the customer was originally subscribed to and if/when a rate change occurred, as well as the rates increased on the customer's calling plan. Please submit a supplemental report by Friday, November 30, 2001. eplendl

11/06/2001 Report received via email. AHashisho

Request No. 408970T

Name STEVENS ,KATHERINE MS.

Business Name

PAGE NO. 2

April 20, 2001: Case closed by letter. Closed as a possible violation because the customer was not billed at the rates he was initially promised.

986

Request No. 313497T Name LANESE ,RICHARD MR. Business Name

8/29/2001: A CLOSURE LETTER WILL BE FORWARD TO THE CUSTOMER BY MAIL.

THIS INQUIRY IS CLOSED.

8
8

Request No. 388897T Name CRUZ ,ANGEL Business Name _____

PAGE NO. 2

Request No. 431307T

Name MOYLES ,BRIANT

Business Name

Consumer Information

Name: BRIANT MOYLES

Business Name:

Svc Address: 651 FRANKLYN AVENUE

County: Brevard Phone: (321)-723-4975

City/Zip: Melbourne / 32903-

Account Number: 1-888-723-4975

Caller's Name: BRIANT MOYLES

Mailing Address: 651 FRANKLYN AVENUE

City/Zip: MELBOURNE ,FL 32903-

Can Be Reached: (321)-723-3500

E-Tracking Number: 0002216

**Florida Public Service
Commission - Consumer Request
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
850-413-6100**

Utility Information

Company Code: TI741

Company: ACC BUSINESS

Attn. RHONDA HUDSON431307T

Response Needed From Company? Y

Date Due: 02/12/2002

Fax:

B

Interim Report Received: / /

Reply Received: 02/04/2002

Reply Received Timely/Late: T

Informal Conf.: N

PSC Information

Assigned To: ELLEN PLENDL

Entered By: WMC

Date: 01/22/2002

Time: 10:28

Via: E-FORM

Prelim Type: IMPROPER BILLS

PO:

Disputed Amt: 0.00

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by: MEP

Date: 02/18/2002

Closeout Type: GI-99

Apparent Rule Violation: N

Please review the "incorporated" Internet correspondence, located between the quotation marks on this form, in which the customer reports the following:

"TRACKING NUMBER - 0002216 January 20, 2002

CUSTOMER INFORMATION

Account Number: 1-888-723-4975

Business Account Name:

Name: Briant Moyles

Address: 651 Franklyn Ave.

City: Indialantic

State: FL

Zip: 32903

Request No. 431307T

Name MOYLES ,BRIANT

Business Name

County: Brevard
Evening Phone: (321) 723-4975 ext.
Daytime Phone: (321) 723-3500 ext.
E-mail: bgm338@aol.com
Contact By: E-Mail

SERVICE ADDRESS

Business Account Name:
Name: Briant Moyles
Address: 651 Franklyn Ave.
City: Indialantic
Zip: 32903
County: Brevard
Evening Phone: (321) 723-4975 ext.
Daytime Phone: (321) 723-3500 ext.
E-mail: bgm338@aol.com

COMPLAINT INFORMATION

Utility Name: AT&T / Long Distance Service Provider
Utility Type: Telecommunications

Did customer previously contact the utility?: Yes
If Yes, the customer spoke with: Numerous transfers from agent-agent
Date the customer contacted utility: 10/18/2001

Did customer previously contact the PSC?: No
If Yes, the customer spoke with:
Date the customer contacted PSC:

PROBLEM INFORMATION

Problem Type: Improper Billing
Comments: 1-888-723-4975

This service was to cost \$5.00 per month when I was first contacted by AT&T. Some time afterwards the company changed the rates to \$18.00+ per month without my knowledge. I'm not sure how long I was paying this inflated charge but I discovered the charge in October 2001. I cancelled the account at that time. Since then I have been billed every month and when I try to rectify it I am transferred from one office to another. I told them

Request No. 431307T Name MOYLES ,BRIANT Business Name

last month that if I was billed again I would contact the Public Service Commission. They credited last month's bill and billed me again for the following month. Not only do I feel I was "baited and switched" on the first service but they have not cancelled this service despite numerous requests and followups. In trying to cancel this account AT&T calls it a 'business account' even though they had contacted me about using this service for my 3 children who were in college at that time. This was a residential account used at my home. Thank you for your help.

Sincerely,
Briant G. Moyles
321-723-4975
bgm338@aol.com

Please investigate this issue, contact the customer and provide the Commission with a detailed written report that addresses the issues in the correspondence, and confirms the customer has been contacted either by letter or phone.

Inquiry taken by Nekey Chester

CONTACT NUMBERS

CAF FAX: 850/413-7168

CAF Email: pscreply@psc.state.fl.us

1/30/2002 Case reassigned from ATT Res to ATT Bus per A.Green and resent via e-mail. P.Lowery

02/04/2002 Report received via email. AHashisho

02/18/2002 Reviewed report. The customer requested disconnection in October 2001. The account was billed for a toll-free number 888-723-4975. The toll free number was removed but the account was not disconnected completely and continued to bill monthly service charges. A previous representative issued order D500196810 to disconnect the account completely. The company adjusted monthly service charges that billed on the December 31, 2001 statement. AT&T issued a credit of \$13.19. A follow up will be placed on the account to adjust any further charges that may bill a final bill will be sent that reflects a zero balance. eplendl

02/18/2002 Closed. An automatic closure letter will be sent to the customer. eplendl

This inquiry is closed without infraction. Credit issued

Request No. 431307T

Name MOYLES ,BRIANT

Business Name

Request No. 453600T

Name BRANNAN ,CALVIN MR.

Business Name

Consumer Information

Name: CALVIN BRANNAN

Business Name:

Svc Address: 13178 88TH AVENUE NORTH

County: Pinellas Phone: (727)-393-2769

City/Zip: Largo / 33776-

Account Number:

Caller's Name: CALVIN BRANNAN

Mailing Address: 13178 88TH AVENUE NORTH

City/Zip: LARGO ,FL 33776-

Can Be Reached:

E-Tracking Number:

**Florida Public Service
Commission - Consumer Request
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
850-413-6100**

Utility Information

Company Code: TI433

Company: URSUS TELECOM CORP.

Attn. Juan Jose Pino453600T

Response Needed From Company? Y

Date Due: 05/28/2002

Fax: 61,954-846-7889

R

Interim Report Received: / /

Reply Received: / /

Reply Received Timely/Late:

Informal Conf.: N

PSC Information

Assigned To: TELSULA MORGAN

Entered By: TCM

Date: 05/06/2002

Time: 13:18

Via: PHONE

Prelim Type: IMPROPER BILLS

PO:

Disputed Amt: 0.00

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by:

Date: / /

Closeout Type:

Apparent Rule Violation: N

Preclose Type - Improper Bills

Why do you believe you have been billed improperly? The customer states that his rates were raised without notification. The customer also states that for the last five months, he has not received any billing statements so he did not know that he was being overbilled. The customer states that when he contacted Latin America Enterprises regarding his statements, the company mailed him the statements. The customer states that is when he learned that he was being overcharged. The customer stated that the bills were automatically deducted from his Discover card.

A complaint was filed with Latin America Enterprises (450921T) and they advised that they received the customer's account from Ursus Telecom, after their bankruptcy at the end of February. Latin American Enterprises kept the account active in the same system Ursus was using and with the same rates, while in the process of contacting customers. Latin American Enterprises stated that they have no knowledge of when those

Request No. 453600T

Name BRANNAN ,CALVIN MR.

Business Name

rates were established or if Ursus was current with the mailing of the invoices.

Latin American Enterprises has mailed Mr. Brannan his invoices up until March. At that time, the customer was also advised of the change in companies and of Latin American Enterprises' policies.

Latin American Enterprises has refunded to the customer's credit card the changes made by their company for the months of March and April, but have referred the customer back to Ursus regarding charges made before that time.

NOTE: Correspondence is attached along with the report from Latin America Enterprises.

Please investigate this matter, contact the customer, and provide a detailed written report to the Florida Public Service Commission by the due date.

Case taken by Telsula C. Morgan

Send Response to

Fax number 850-413-1768

E-mail : PSCREPLY@PSC.STATE.FL.US

6/12/02 FAX TO CO: Your report is now past due. Please provide the Commission with a report that addresses this customer's issues immediately. tmorgan

Request No. 453600T Name BRANNAN ,CALVIN MR. Business Name _____

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