



Public Service Commission  
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TALLAHASSEE, FLORIDA 32399-0850

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COMMISSION CLERK  
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DATE: DECEMBER 5, 2002

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

FROM: OFFICE OF THE GENERAL COUNSEL (BANKS) *FPB exp AK*  
DIVISION OF CONSUMER AFFAIRS (PLESCOW) *JP BR*  
DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT (MCDONALD) *Am J*

RE: DOCKET NO. 020999-TX - COMPLAINT OF MEL CITRON AGAINST  
SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.  
REGARDING QUALITY OF SERVICE.

AGENDA: 12/17/2002 - REGULAR AGENDA - PROPOSED AGENCY ACTION -  
INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\GCL\WP\020999.RCM

CASE BACKGROUND

On October 11, 2001, Mr. Mel Citron ("Mr. Citron" or "customer") contacted the Division of Consumer Affairs to register a complaint against Supra Telecommunications and Information Systems, Inc. (Supra). This complaint was logged as Consumer Activity Tracking System Request No. 411314T. Mr. Citron claimed that he asked Supra to provide him with the access numbers for programing his phone, to put a 900 call block on both his accounts and to place a call block on both of his accounts that would not allow calls to be completed through directory assistance. Mr. Citron alleged that Supra told him the blocks were in place, but he was billed for calls that should have been blocked. The customer further alleged that he was billed by and paid both Supra and BellSouth for the same service.

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Supra responded to staff's inquiry on November 21, 2001. Supra indicated in its report that a credit in the amount of \$25 was issued for each line for the inconvenience. As a result, the account for telephone numbers 954-921-0287 and 954-921-0322 had a balance of \$287.02. The customer also had a second residence with telephone numbers 305-932-4893 and 305-932-3546. A credit of \$50 for inconvenience and \$150 for misbilling were applied to this account. Supra reported that Mr. Citron was satisfied with the resolution for the 305 telephone numbers but not for the 954 account. Supra alleges that it is not responsible for the calls placed to directory assistance via "555-1212" as the calls were dialed from the customer's home.

On February 1, 2002, staff closed the customer's complaint. On July 24, 2002, Mr. Citron notified staff that he was not satisfied with the proposed resolution to his complaint by requesting to participate in the informal conference process.

On September 11, 2002, an informal conference was held with Mr. Citron, Supra representatives and Commission staff. During the informal conference, Mr. Citron stated his position that Supra was billing him for services it did not provide and that he believed that he was due credits for these services. Supra stated its position that it had corrected all the problems reported to it by the customer and that it was not responsible for the directory assistance calls made from his home. Supra declined to provide any additional credits and stated that the customer was not paying for the service he had and was utilizing the service. The informal conference ended without a settlement.

The Commission has jurisdiction in this matter pursuant to Section 364.604, Florida Statutes.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should the Commission deny Complaint No. 411314T, filed by Mr. Mel Citron against Supra Telecommunications and Information Systems, Inc.?

**RECOMMENDATION:** Yes. The Commission should deny Complaint No. 411314T filed by Mr. Mel Citron. (BANKS, PLESCOW, MCDONALD)

**STAFF ANALYSIS:** As stated in the Case Background, Mr. Citron stated that he asked Supra to provide him with the access numbers for programing his phone, to put a 900 call block on both of his accounts and to place a call block on both of his accounts that would not allow directory assistance calls. However, Mr. Citron was billed for calls that he believes should have been blocked. The specific blocking of directory assistance calls requested by the customer is not available. The customer wanted to block 411 and 555-1212 calls. In order for any local telephone company to provide this type of block, the customer must accept a full toll block (CREX Block). This means that no long distance call of any kind could be placed from the blocked service. According to Supra, once it was explained to the customer that if a full toll block was placed on his line, it would prevent him from being able to dial direct, use a prepaid calling card, or dial 10-10-XXX, he declined the block.

The customer further alleged that he paid both Supra and BellSouth for the same service. Staff contacted a BellSouth representative and inquired as to Mr. Citron's allegation. BellSouth responded that it had only charged Mr. Citron for the service that he used. When staff asked about documentation regarding double billing, Mr. Citron failed to provide proof to substantiate his claim of the duplicate charges of BellSouth and Supra for the same service.

Supra also responded that it had given Mr. Citron a number of credits totaling \$250 for his inconvenience and misbilling for the the telephone numbers at one residence, 954-921-0287 and 954-921-0322 and telephone numbers at his second residence, 305-932-4893 and 305-932-3546. However, Supra declined to credit Mr. Citron for directory assistance charges on his 954 account as Supra had confirmed the calls were dialed from the customer's home.

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During the informal conference, Mr. Citron indicated that he thought that he was due more credits from Supra regarding the directory assistance calls on his bill. However, Supra stated that it had provided Mr. Citron with a number of courtesy and misbilling credits in order to resolve the dispute. Hence, Supra declined to issue any additional credits.

Based on the information that has been provided by parties, it appears to staff that Supra has given Mr. Citron the appropriate credits for misbilling, as well as additional courtesy credits. Furthermore, staff emphasizes that while Mr. Citron may have requested call blocking for calls to directory assistance, that type of call blocking is not available. As such, since the information provided indicates that directory assistance calls were placed from Mr. Citron's residence, staff believes Supra may properly charge for these calls. Even though Mr. Citron may have understood this call blocking option to be available, staff believes that the charges are appropriate because the service was actually used and the charge was incurred as a result. Therefore, staff recommends that the Commission should deny Complaint No. 411314T filed by Mr. Mel Citron.

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**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** The Order issued from this recommendation will become final upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action Order. This docket should then be closed upon issuance of a Consummating Order. **(BANKS)**

**STAFF ANALYSIS:** Whether staff's recommendation is approved or denied, the result will be a Proposed Agency Action Order. If no timely protest to the Proposed Agency Action Order is filed within 21 days of the date of issuance of the Order, this docket should then be closed upon issuance of a Consummating Order.