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State of Florida



Public Service Commission

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

DATE: December 16, 2002
TO: Division of the Commission Clerk and Administrative Services (Bayó)
FROM: Division of Competitive Markets & Enforcement (M. Watts) *MW*
RE: Docket No. 020645-TI, Compliance investigation of UKI Communications, Inc. for apparent violation of Rules 25-4.118, F.A.C., Local, Local Toll, and Toll Provider Selection.

Staff sent the attached letter to UKI Communications, Inc. to follow up a meeting with the company pertaining to Docket No. 020645-TI. Please place this letter in the docket file accordingly.

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DIVISION OF COMPETITIVE MARKETS &
ENFORCEMENT
WALTER D'HAESELEER
DIRECTOR
(850) 413-6600

Public Service Commission

December 5, 2002

CERTIFIED and via Facsimile

Ms. Renata Dias
UKI Communications, Inc.
701 S.W. 27th Avenue, Suite 701
Miami, FL 33135-3040

Ref: Docket No. 020645-TI, Compliance investigation of UKI Communications, Inc. for apparent violation of Rules 25-4.118, F.A.C., Local, Local Toll, and Toll Provider Selection.

Dear Ms. Dias:

This letter is to follow up our November 20, 2002, meeting on the referenced docket. In the meeting, both staff and UKI Communications, Inc. (UKI) agreed to take certain actions in preparation for future settlement negotiations in Docket No. 020645-TI. Those actions, with due dates, are outlined below.

First, staff agreed to review the TPV script submitted by UKI and provide comments on its compliance with Rule 25-4.118, Florida Administrative Code (F.A.C.). Staff's review is included in this letter as an attachment.

Second, UKI agreed to resolve all outstanding complaints, or provide proof to Paul Lowery, Division of Consumer Affairs (CAF), that it had done so previously, by December 4, 2002. The list of outstanding (unresolved) complaints, according to CAF records, was hand-delivered to UKI at the November 20, 2002, meeting.

Third, staff suggested that UKI examine each unauthorized carrier change complaint on the list staff provided to UKI on November 20, 2002, and inform staff which ones it believes should not be charged as an infraction, along with its rationale for each. If staff then agrees that UKI's rationale for removing a particular complaint from the list meets the requirements of Rule 25-4.118, F.A.C., staff agreed to remove that complaint from the docket. This would have the effect of reducing the amount of the penalty staff would recommend that the Commission impose for the apparent violations, or the amount that staff would recommend the Commission accept as a settlement.


UKI agreed to meet with staff on December 20, 2002, to discuss the results of UKI's complaint analysis as outlined above and to continue settlement negotiations. If UKI is agreeable, staff would like to propose that this meeting be moved to Thursday, December 19, 2002, at 2:00 p.m.

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Finally, at the request of the Office of Public Counsel (OPC), UKI agreed to submit to staff a copy of its internal monthly reports of complaints received directly from its customers. Staff also notes that, in UKI's November 12, 2002, settlement proposal letter, UKI offered to submit quarterly reports to staff during 2003 as part of staff's monitoring activity. Staff agrees that periodic reports should be part of UKI's settlement proposal. The internal monthly reports specified above would allow staff to effectively monitor UKI's performance with respect to reducing unauthorized carrier changes during 2003. The specifics of the reporting (frequency, due dates) will be discussed at our next meeting.

Please let me know if a meeting date of December 19, 2002, is acceptable to you by December 9, 2002, and I will reserve a meeting room for us. If you have any questions, please contact me at (850) 413-6952.

Sincerely,



Melinda Watts
Bureau of Service Quality

cc: Office of the Public Counsel
Mr. Patrick Wiggins
12th Floor
106 East College Avenue
Tallahassee, FL 32301

Ref: Docket No. 020645-TI

UKI TPV SCRIPT REVIEW

25-4.118(3)(a)1.: Billing name, address telephone number.

The script asks for the name, address and telephone number of the person on the phone in Blocks 1007, 1008, and 1009, but it does not specifically ask the customer for the billing information, just the person's information. The reference to the billing telephone number in Block 1003 appears to be addressed to the sales representative. After Block 1007, the script should say, "Is this the billing name?" If not, the script should ask for the billing name, then proceed to Block 1008. Block 1008 should be modified to insert the word "billing" before the word "address."

25-4.118(3)(a)2.: Certificated name and service subscribing to.

Block 2010 appears to address this requirement. However, a positive response to the statement as written may result in a change of the customer's toll provider only, or local toll and toll provider. Therefore, the service that the customer is subscribing to is not clear. Block 2010 should be modified to read, "If you understand that this request will result in your domestic and International long distance provider being switched to UKI Communications, Inc. ..." A subsequent block should be added that reads, "If you understand that this request will result in your local toll provider being switched to UKI Communications, Inc. ..."

25-4.118(3)(a)3.: Person requesting change is authorized.

Block 1019 appears to meet this requirement.

25-4.118(3)(a)4.: Change only applies to the number given and only one presubscribed carrier for each type of service.

Block 1029 appears to meet most of this requirement. The word "interstate" in the second sentence of Block 1029 should be removed.

25-4.118(3)(a)5.: LEC may charge a fee for each provider change.

The second sentence of Block 1013 should be modified to read, "Your local provider may charge a fee for each provider change."

-COMPANY IDENTIFICATION

Printed on 12/05/2002 at 16:18:21 by SAH

Complete Name: UKI Communications, Inc.

Mailing Name: UKI Communications, Inc.

Company Code: TJ327 FEID Number: 88-0433137

MAILING INFORMATION

Attention:

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Address Line 2:

City: Miami State: FL Zip Code: 33135-3040

E-mail Address: renata@ukicomcommunications.com

Web Address: <http://www.ukicomcommunications.com>

Liaison 1: Renata Dias

Liaison 2: Customer Service Phone

Title: Regulatory Contact

Title:

Phone: (800) 641-7386

Phone: (877) 673-1355

E-mail: renata@ukicomcommunications.com

E-mail:

Fax 1: (866) 684-0457

Fax 2:

County:

TRANSMISSION VERIFICATION REPORT

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FAX NO./NAME	18666840457
DURATION	00:03:43
PAGE(S)	04
RESULT	OK
MODE	STANDARD ECM