

ORIGINAL



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August 25, 2003

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AUG 25 PM 4:04  
COMMISSION  
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**BY HAND DELIVERY**

Ms. Blanca Bayó, Director  
The Commission Clerk and Administrative Services  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: Docket No. 011077-TP

Dear Ms. Bayó:

Enclosed for filing are an original and fifteen copies of AT&T Communications of the Southern States, LLC's Comments in the above referenced docket.

Thank you for your assistance with this filing.

Sincerely yours,

Tracy W. Hatch

TWH/las

Enclosure

cc: Parties of Record

- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- SEC   I
- OTH \_\_\_\_\_

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER DATE

07902 AUG 25 8

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Generic investigation into whether )  
Competitive practices of incumbent and ) Docket No. 011077-TL  
Competitive local exchange carriers comply )  
With Section 364.01(4)(g), F.S. ) Filed: August 25, 2003  
\_\_\_\_\_ )

**AT&T'S COMMENTS**

On July 23, 2003, the Commission Staff held a Workshop in the above referenced docket. The purpose of the Workshop was to investigate the practices of how and when customers are notified of early termination charges and whether such notification represents an anti-competitive action. At the conclusion of the Workshop, Staff asked parties to provide additional comments regarding whether termination letters should be sent, and if so, when. AT&T hereby complies with that request as follows:

**SHOULD TERMINATION LETTERS BE SENT?**

At this time, AT&T believes local service providers should have the flexibility to make their own business decisions regarding whether to send customers a termination letter notifying them of any contractual obligations. AT&T does not send its business customers formal termination letters since the contractual terms and conditions governing the customer relationship are clearly stated in AT&T's Service Agreements and Price List. In addition, without accurate and timely line loss notification reports and other Customer Account Record Exchange (CARE) data, it is extremely difficult for AT&T to identify that a customer has chosen another local exchange service provider.

DOCUMENT NUMBER 011077-TL

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FPSC-COMMISSION CLERK

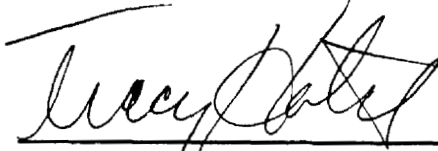
**IF TERMINATION LETTERS ARE PERMITTED, WHEN SHOULD THEY BE SENT?**

When a local service provider determines that it will send a termination letter, the letter should be sent only after appropriate notification that the customer wishes to terminate service. No local service provider should be allowed to utilize customer proprietary network information (CPNI) or other information gained through wholesale service channels as a basis for sending such letters to customers. In accordance with the current practices identified by the various local exchange carriers at the Workshop, AT&T does not object to the timing of when early termination letters are being sent presently.

**CONCLUSION**

It is clear that the Commission Staff, by initiating this inquiry, is concerned about investigating and curbing anti-competitive behavior where it exists. While AT&T applauds the Staff for its concerns, AT&T is not aware of any anti-competitive behavior currently being conducted with regard to termination letters. Nevertheless, AT&T encourages the Commission Staff to swiftly address any anti-competitive actions so that local exchange competition can flourish in the state of Florida.

RESPECTFULLY SUBMITTED this 25d day of August, 2003.

A handwritten signature in black ink, appearing to read "Tracy W. Hatch", written over a horizontal line.

Tracy W. Hatch  
AT&T Communications of the  
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and

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Attorneys for AT&T Communications of the  
Southern States, LLC and TCG South  
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**CERTIFICATE OF SERVICE**

**DOCKET NO. 011077**

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U.S. Mail to  
the following parties of record this 25<sup>th</sup> day of August, 2003:

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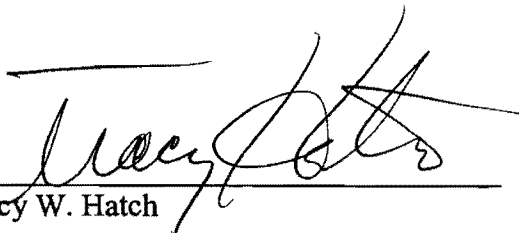
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