

ORIGINAL

BEFORE THE FLORIDA PUBLIC COMMISSION

In Re: Complaint of Robert Rose,  
Complainant

vs.

DOCKET NO.

Sprint,  
Respondent

031079-TL

COMMISSION  
CLERK

03 DEC -1 AM 11:46

RECEIVED - FPSC

Complainant, Robert Rose files this complaint against Sprint and says:

1. At all times pertinent to this matter Complainant was telephone service customer of Sprint.
2. On November 11, 2003 Complainant discussed and agreed to receive computer internet service from Sprint in a telephone conference with an unnamed representative of Sprint.
3. The said internet service was subsequently installed and now Sprint provides internet service to Complainant.
4. On November 29, 2003 Complainant received Sprint's bill for the internet service to Complainant. That bill on page 3 imposes a charge of \$49.99 for "Data Activation Charge" which was never mentioned to or agreed to by Complainant. A copy of the said Sprint bill is attached hereto and made a part hereof as "Exhibit No. 1."

RECEIVED & FILED

  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

12140 DEC-18

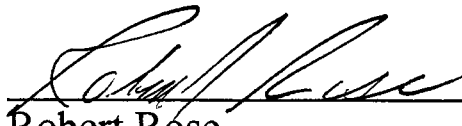
FPSC-COMMISSION CLERK

5. On November 29, 2003 Complainant discussed this "Data Activation Charge" by telephone with representatives of Sprint and was instructed to use Complainant's computer to apply for a "rebate". The Sprint computer address used to gain this "rebate" is "www.sprintdslrebate.com "
  
6. At that address Sprint advises Complainant that the rebate will be made in six to eight weeks. That period is approximately as long as two of Sprint's billing periods. Thus Sprint evidently intends that Complainant pay this unauthorized and hitherto unmentioned "Data Activation Charge" whereupon Sprint will hold and presumably use Complainant's money until this "rebate" is accomplished.

Wherefore Complainant, Robert Rose, respectfully requests that the Florida Public Service Commission issue its Order requiring that Sprint immediately delete the "Data Activation Charge" from Complainant's account with Sprint and further Sprint will issue its letter advising Complainant of this action.

Complainant further requests that the Florida Public Service Commission inquire of Sprint whether Sprint as made such charges as the "Data Activation Charge" without notice to or consent from any its customers whose service is within the Commission's jurisdiction.

Respectfully submitted this  
1<sup>st</sup> day of December, 2003

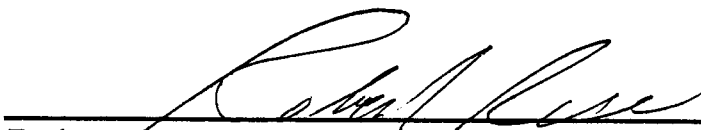


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Robert Rose  
1122 Harbert Street  
Tallahassee, FL 32303  
Tel: 850-222-7841  
email: [rmcr@earthlink.net](mailto:rmcr@earthlink.net)

#### CERTIFICATE OF SERVICE

I here by certify that I have provided one copy of the foregoing to Mr. Ben Poag, Sprint's Director for Regulatory Matters at email address: [ben.poag@mail.sprint.com](mailto:ben.poag@mail.sprint.com) this First Day of December, 2003



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Robert Rose



Monthly statement: November 25, 2003 1 of 8

Customer service 811 Internet address sprint.com/local Customer number 850-222-7841-734

Summary of Current Charges

Table with columns: Local, Long Distance, Total. Rows include Data Services, Monthly Service Charges, Discounts and Promotions, Partial Month Charges, Other Charges and Usage, Taxes and Surcharges, and Total Current Charges.

Previous charges 51.19
Payment November 5 - Thank you! -51.19
Balance .00

Total Due: \$211.85

Date Due: Dec 16, 2003

Bank draft - Statement for your records

EXHIBIT
NO.
1.

Please recycle

NNNNYYN 6



Customer service 811 Internet address sprint.com/local Customer number 850-222-7841-734

Do not send payment.

Your account will be drafted
December 5 or after: \$211.85

We appreciate your business.



009830
ROBERT ROSE
1122 HARBERT ST
TALLAHASSEE FL 32303-6419

Sprint
PO Box 30723
Tampa FL 33630-3723



27 85022278417349 0000000021185 000211857 0335117



Monthly statement: November 25, 2003 2 of 8

Customer service  
811

Internet address  
sprint.com/local

Customer number  
850-222-7841-734

## Important Information

State and federal regulatory news concerning your communication services.

### - Truth-in-billing

According to state and federal rules, local phone service cannot be interrupted for non-payment of the charges indicated (marked as \$). Valid charges that are not paid, however, may cause availability of these services to be restricted and may be subject to collection actions. Please review your bill and notify Sprint if any unauthorized charges or changes to your account. For more information about your bill, please call the number listed at the top of this page.

*Important Information and/or Customer News continued page 8*

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Monthly statement: November 25, 2003 4 of 8

Customer service 811 Internet address sprint.com/local Customer number 850-222-7841-734

Local directory assistance 2 @ no charge .00
Local directory assistance 1 @ .65 .65

Installation and Repair

Shipping and handling 9.95 \$

Total Other Charges and Usage \$10.70

Direct dial itemized calls

Table with 7 columns: Date, Time, Place called, Number called, Period, Minutes, Amount. Row 1: 1 Nov 1 3:34 P CALL COMP FL 850-297-0708 Night/Weekend 4.0 .50

Total direct dial itemized calls .50

Taxes and Surcharges

This section includes federal, state, and local taxes and surcharges. For an explanation of the charges appearing in this section call 1-800-938-1172 or visit sprint.com/taxes.

Interstate access surcharge 6.50
Federal universal service fund 8.88
Number portability surcharge .52
Hearing/Speech Surcharge .12
Emergency 911 surcharge .50
Federal tax 3.55
State tax .60
Local Comm. Services Tax 8.17
State Comm. Services Tax 3.01

Total Taxes and Surcharges \$31.85

Service Changes and Carrier Selections

This section is provided to conveniently identify any changes to your account since the last bill and to confirm your carrier selections.

Summary for 850-222-7841

Services and equipment Activity Confirmation
High speed data added Nov 11 C849470
Sprint EarthLink Internet Access added Nov 11 C849470
Sprint FastConnect added Nov 11 C849470
Current carrier selections
Local toll: AT&T no change
Long distance: AT&T no change



Customer service 811 Internet address sprint.com/local Customer number 850-222-7841-734

Get Sprint FastConnect® DSL - complete with Internet service provider - for as low as \$29.99 a month with the purchase of a qualifying Sprint SolutionsSM package. (In all markets except MO, OR, WA, WY and NE)

Visit the Sprint Store at 1544 Governors Square Blvd. and wrap up great holiday deals on PCS Phones and Service Plans from Sprint. Ask about 10% monthly savings when you include Sprint SolutionsSM.

Sprint Local Services

Detail of Charges: November 25 - December 24

Data Services

This section includes all data related charges.

Table with 2 columns: Description and Amount. Includes Data Activation Charge (49.99) and Sprint FastConnect with EarthLink (\$10.00 of this charge is \$).

Total Data Services \$99.98

Monthly Service Charges

This section provides a summary of your monthly recurring charges, including calling plans, local toll charges and calling features.

Table with 2 columns: Description and Amount. Includes Local phone service (11.19) and Direct dial charges (.50).

Total Monthly Service Charges \$11.69

Discounts and Promotions

This section will display special offers or pricing promotions as credits.

FASTCONNECT DSL PROMO. CREDIT -10.00 \$

Total Discounts and Promotions -\$10.00

Partial Month Charges

This section contains pro-rated charges due to starting or stopping a service during the previous billing month. These are one-time charges and will not appear on future bills.

Table with 2 columns: Description and Amount. Includes Sprint EarthLink Internet Access (4.33 \$) and Sprint FastConnect (17.33).

Total Partial Month Charges \$21.66

Other Charges and Usage

This section contains miscellaneous services, adjustments and any usage based charges.

Discretionary tax .10

Usage Based Services

Sprint local services continued next page



Monthly statement: November 25, 2003 4 of 8

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Number portability surcharge .52
Hearing/Speech Surcharge .12
Emergency 911 surcharge .50
Federal tax 3.55
State tax .60
Local Comm. Services Tax 8.17
State Comm. Services Tax 3.01

Total Taxes and Surcharges \$31.85

Service Changes and Carrier Selections

This section is provided to conveniently identify any changes to your account since the last bill and to confirm your carrier selections.

Summary for 850-222-7841

Table with 3 columns: Services and equipment, Activity, Confirmation. Rows: High speed data added Nov 11 C849470, Sprint EarthLink Internet Access added Nov 11 C849470, Sprint FastConnect added Nov 11 C849470

Current carrier selections

Local toll: AT&T no change
Long distance: AT&T no change





**AT&T charges**  
**Call 1-800-222-0300 for billing inquiries**

*Sprint provides billing on behalf of AT&T.  
There is no connection between Sprint and AT&T.  
Please review all charges appearing in this section. Any question  
regarding these charges should be referred to the number provided  
for billing inquiries.*

**Summary of current charges**

Long distance Nov 17	29.10
Charges and credits Nov 17	12.33
Taxes Nov 17	4.54
<b>Total current charges</b>	<b>\$45.97</b>

**AT&T Invoice Charges For Period Ending Nov 17, 2003**

The Federal Trade Commission's Do Not Call registry is now available for consumer sign up. For more information and to register your home telephone number, you can visit FTC's website at <http://www.donotcall.gov> or call toll-free from your home telephone to 1-888-382-1222. The Do Not Call Registry went into effect on October 1, 2003. Updates are made available to telemarketing companies every three months. For example, registrations after September 1, 2003 and prior to December 1, 2003, will be effective January 1, 2004. Thank you for choosing AT&T.

**Long distance charges**

Date	Time	Place called	Number called	Period	Minutes	Amount
2	Oct 17	12:29 P	PORTLAND, OR	503-262-0839	Direct-Night =	42.0 2.94
3	Oct 18	1:37 P	ASHEVILLE, NC	828-252-7188	Direct-Night =	10.0 .70
4	Oct 19	10:42 P	PORTLAND, OR	503-262-0839	Direct-Night =	12.0 .84
5	Oct 21	10:58 P	PORTLAND, OR	503-262-0839	Direct-Night =	28.0 1.96
6	Oct 22	1:20 P	PINEHURST, NC	910-295-0136	Direct-Night =	5.0 .35
7	Oct 22	1:30 P	EAU GALIE, FL	321-777-9214	Direct-Night =	1.0 .07
8	Oct 22	1:32 P	COCOA, FL	321-917-4009	Direct-Night =	1.0 .07
9	Oct 22	1:43 P	PINEHURST, NC	910-295-0136	Direct-Night =	4.0 .28
10	Oct 23	9:18 A	PINEHURST, NC	910-295-0136	Direct-Night =	9.0 .63
11	Oct 23	9:29 A	LAKELAND, FL	866-615-0488	Direct-Night =	1.0 .07
12	Oct 23	4:47 P	PORTLAND, OR	503-262-0839	Direct-Night =	92.0 6.44
13	Oct 25	8:14 P	PORTLAND, OR	503-262-8683	Direct-Night =	2.0 .14
14	Oct 25	8:19 P	LOUISVILLE, KY	502-262-8686	Direct-Night =	1.0 .07
15	Oct 26	10:03 P	PORTLAND, OR	503-262-8683	Direct-Night =	32.0 2.24
16	Oct 28	2:19 P	LAKE CITY, FL	386-758-4843	Direct-Night =	5.0 .35
17	Oct 28	8:50 P	HIGH SPG, FL	386-454-7484	Direct-Night =	10.0 .70
18	Oct 29	7:50 A	LAKE CITY, FL	386-758-4843	Direct-Night =	1.0 .07
19	Oct 29	7:52 A	PORTLAND, OR	503-258-0128	Direct-Night =	1.0 .07
20	Oct 29	7:53 A	PORTLAND, OR	503-258-0128	Direct-Night =	1.0 .07
21	Oct 29	7:58 A	LAKE CITY, FL	386-752-5980	Direct-Night =	1.0 .07
22	Oct 29	8:00 A	LAKE CITY, FL	386-758-4843	Direct-Night =	1.0 .07
23	Oct 29	9:00 A	LAKE CITY, FL	386-752-5980	Direct-Night =	5.0 .35
24	Oct 29	9:04 A	LAKE CITY, FL	386-758-4843	Direct-Night =	5.0 .35
25	Oct 29	8:18 P	PORTLAND, OR	503-258-0128	Direct-Night =	1.0 .07
26	Oct 29	8:33 P	PORTLAND, OR	503-258-0128	Direct-Night =	1.0 .07
27	Oct 30	10:19 A	PORTLAND, OR	503-258-0128	Direct-Night =	1.0 .07
28	Oct 31	2:08 P	PORTLAND, OR	503-258-0128	Direct-Night =	6.0 .42
29	Oct 31	2:38 P	HIGH SPG, FL	386-454-7484	Direct-Night =	1.0 .07

AT&T charges continued next page



Date	Time	Place called	Number called	Period	Minutes	Amount
30	Nov 1	2:04 P	PORTLAND, OR	503-258-0128	Direct-Night =	1.0 .07
31	Nov 1	2:05 P	PORTLAND, OR	503-258-0128	Direct-Night =	26.0 1.92
32	Nov 1	4:20 P	LAKELAND, FL	863-529-7214	Direct-Night =	1.0 .07
33	Nov 1	4:40 P	PORTLAND, OR	503-258-0128	Direct-Night =	7.0 .49
34	Nov 1	7:14 P	PORTLAND, OR	503-258-0128	Direct-Night =	1.0 .07
35	Nov 1	7:40 P	ASHEVILLE, NC	828-252-7188	Direct-Night =	3.0 .21
36	Nov 1	9:54 P	PORTLAND, OR	503-258-0128	Direct-Night =	2.0 .14
37	Nov 2	3:45 P	PORTLAND, OR	503-258-0128	Direct-Night =	1.0 .07
38	Nov 10	5:30 P	PINEHURST, NC	910-295-0136	Direct-Night =	13.0 .91
39	Nov 14	11:21 A	PINEHURST, NC	910-295-0136	Direct-Night =	1.0 .07
40	Nov 15	5:46 P	VENEZUELA	58-212-257-541-3000	Intl-standard	1.0 2.79
41	Nov 15	7:58 P	VENEZUELA	58-212-257-541-3000	Intl-standard	1.0 2.79

AT&T One Rate (R) Plan calls.

Calls Eligible for AT&T One Rate (R) Instate

Charges are not included in subtotal

**Subtotal long distance charges \$5.58**

**Optional calling plan detail**

AT&T One Rate (R) Plan Summary

Direct Dialed Calls 23.52

Total Charges for AT&T One Rate (R) Plan 23.52

**Total long distance charges \$29.10**

**Charges and credits**

Universal Connectivity Charge 3.01

For an explanation of this charge,  
please call 1 800 532-2021 or visit  
[www.consumer.att.com/connectivity\\_charge](http://www.consumer.att.com/connectivity_charge)

In-state connection fee 1.88

For an explanation of this charge,  
please call 1 800 333-5256 or visit  
[www.consumer.att.com/instate-connectionfee](http://www.consumer.att.com/instate-connectionfee)

Bill Statement Fee 1.50

For an explanation of this charge,  
please call 1 888 ATT-BILL.

Regulatory assessment fee .99

This fee is not a tax or charge required by  
government. It helps AT&T recover expenses,  
including interstate access charges; property  
taxes; and costs of regulatory compliance and  
proceedings. For information, call 1 800 854-9940.

AT&T One Rate (R) Plan 4.95

NOV 17 thru DEC 16

**Total charges and credits \$12.33**



**Detail of taxes**

Federal Tax @ 3%	1.19
• FL State Comm Services Tax	.94
FL Local Comm Services Tax	2.41

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**Total tax** **\$4.54**



Customer service 811 Internet address [sprint.com/local](http://sprint.com/local) Customer number 850-222-7841-734

## Customer News

### Some Wireless Calls to Become Long Distance

Sprint landline customers could start seeing long distance or extended calling charges when they dial wireless service subscribers. Effective October 31, 2003, Sprint customers may incur charges when making intra-LATA calls to subscribers of wireless service in Florida. These charges are being incurred due to the discontinuance of Reverse Toll Billing (RTB) service to wireless carriers. When wireless local number portability is implemented on November 24, 2003, telephone numbers will no longer be dedicated to a particular carrier, and RTB will no longer be feasible. Changes in dialing patterns may also be necessary, including a need to dial 1+10 digits in some cases. If you have questions, please call the customer service number at the top of this page.

### Don't let your modem be hijacked

Clicking on certain pop-up Internet advertisements may cause your computer to disconnect from your Internet service provider (ISP) and redial another ISP at an international access number. Some of these "hijacking" sites may charge as much as \$9.00 a minute for these connections, resulting in you being billed for costly international long distance calls that you didn't realize you made.

To prevent this, please be cautious about the Internet pop-ups screens that you click on. Carefully read any and all messages that appear on your computer's screen. There should be consumer warnings about incurring separate charges for accessing these Web sites. Be sure to go over these precautions with your family members or anyone who might use your computer. Your local computer store may also have some other recommended solutions.

For more information, contact Sprint Fraud Management at 1-866-255-5278. Sprint values you as a customer and looks forward to continuing to serve your telecommunications needs.

### Contacting Sprint

For your convenience, information about your local phone service is available any time through Sprint's Internet address - [sprint.com/local](http://sprint.com/local). To speak with a customer care associate, call-in hours are:

Monday - Friday 8 a.m. - 6 p.m. (EST) Saturday 9 a.m. - 1 p.m. (EST)

You can find the number of your Customer Care call center in the information pages of the telephone directory and on your bill. If you are calling from outside your local calling area please dial 1-800-326-2384 to reach us.

Service problems can be reported 24 hours a day, seven days a week. Call toll-free 1-800-788-3600.

### Call Before You Dig

Please help protect the telephone network against accidental outages from cable cuts by calling at least 48 hours before you dig or drill, toll-free: 1-800-432-4770. We will locate buried cables for you free of charge.

### My Account Updates

Did you know? The My Account section at [sprint.com/local](http://sprint.com/local) allows you to view and pay your bill online with check or credit card, use reverse number lookup for calls on your bill, check prior payments, view previous bills and more. Enroll today!

AFFIDAVIT

Before me, the undersigned authorized to administer oaths and take acknowledgements, appeared Robert Rose who is personally to me and known to be the person who did sign the foregoing Complaint Before the Florida Public Service Commission and who deposes that the matters Complaint are true and correct to the best of his knowledge and belief.

*Tonya M. Simpson*

*12/1/03*

Notary Public



Tonya Simpson  
MY COMMISSION # DD097234 EXPIRES  
April 13, 2006  
BONDED THRU TROY FAIN INSURANCE, INC

*[Signature]*

*12/1/03*