





**CCA Official Filing**

**11/4/02\*\*\*\*\*1:44 PM\*\*\*\*\*Ruth Nettles\*\*\*\*\*2**

of the two companies. He asked me to tell him which company was at fault. I declined to do so.

The long and short of it appears to be a lack of communication. FDN took the customer's service down without having sent the proper LSR to Sprint, according to Sprint. Since the paperwork had not changed hands, FDN should not have taken down the service.

Note, we never received the customer's Form X so no informal could take place. He did send in a withdrawal email. It was my understanding after speaking with the customer that he was going to pursue his compensation request through a court of proper jurisdiction. I believe he wants a statement from the PSC assigning fault to either FDN or Sprint to take to court.

I hope this helps.

Kate

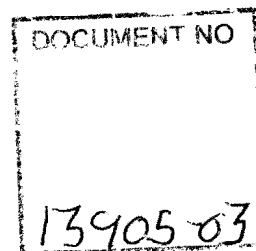
He filed a complaint against Florida Digital Network and then

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

From: Beth Keating  
Sent: Monday, November 04, 2002 12:28 PM  
To: Kate Smith  
Subject: Don Chapman  
Importance: High

Records has received a request from a Mr. Don Chapman to open a docket for his complaint against FDN. He attached numerous complaint forms from CAF that indicate you are the staff currently assigned.

Can you please tell me the status of the consumer complaint process for Mr. Chapman, what the resolution was, whether this has been closed, and if an attorney was working with you on this? Thanks.



**CCA Official Filing**

**11/4/02\*\*\*\*\*1:44 PM\*\*\*\*\*Ruth Nettles\*\*\*\*\*1**

021122-

**Ruth Nettles**

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**To:** Beth Keating  
**Subject:** RE: Don Chapman

We'll go with that title if you think it's okay. Staff can always revise title after assignment.

Thank you for your help. I will print this for correspondence of new complaint docket.

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

From: Beth Keating  
Sent: Monday, November 04, 2002 1:42 PM  
To: Ruth Nettles  
Subject: RE: Don Chapman

Sounds good. thanks.

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

From: Ruth Nettles  
Sent: Monday, November 04, 2002 1:40 PM  
To: Beth Keating  
Subject: RE: Don Chapman

Docket title:

Complaint against FDN for service interruption and request for compensation by Masters Drimist.

Does that sound ok?

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

From: Beth Keating  
Sent: Monday, November 04, 2002 1:30 PM  
To: Ruth Nettles  
Subject: FW: Don Chapman

I guess you can go ahead and open a docket for Mr. Chapman's letter, and we'll address it that way. It sounds as if the informal process was completed.

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

From: Kate Smith  
Sent: Monday, November 04, 2002 12:44 PM  
To: Beth Keating  
Subject: RE: Don Chapman

Mr. Chapman asked for an informal conference. However, after reviewing his case, I talked with him for some time. He withdrew his request. No attorney was assigned.

Mr. Chapman is seeking compensation for monies lost while his service was out. Sprint Florida declined to participate in the informal conference as the matter is nonjurisdictional for us.

Customer selected Florida Digital Network as his ALEC. Then he wanted to change to Sprint Florida. He was without service during the changeover and wants to blame one or the other

STATE OF FLORIDA

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DIVISION OF THE COMMISSION CLERK &  
ADMINISTRATIVE SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

Public Service Commission

November 8, 2002

Don Chapman  
Masters Dry Mist  
440 Oakhurst Street  
Altamonte Springs, Florida 32701

Re: Docket No. 021122-TX

Dear Mr. Chapman:

This will acknowledge receipt of a complaint of Donald Chapman against Florida Digital Network regarding interruption of service and request for compensation, which was filed in this office on November 1, 2002, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission

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DIRECTOR  
(850) 413-6770 (CLERK)  
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# Public Service Commission

## NOTICE OF COMPLAINT

TO

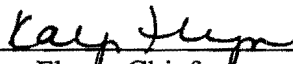
### FLORIDA DIGITAL NETWORK

Re: Docket No. 021122-TX – Complaint of Donald Chapman against Florida Digital Network regarding interruption of service and request for compensation.

You are hereby notified that the above complaint, a copy of which is attached, has been filed with this Commission.

You may respond to this complaint by forwarding a response to this Division, with a copy to the complainant.

By **DIRECTION** of The Florida Public Service Commission, this 8th day of November, 2002.

  
\_\_\_\_\_  
Kay Flynn, Chief  
Bureau of Records and Hearing Services

KF/mas

Attachment

cc: Office of Public Counsel  
Office of General Counsel  
Division of Consumer Affairs  
Division of Competitive Markets & Enforcement

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Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

CCA Official Filing:  
1/14/03\*\*\*\*\*8:39 AM\*\*\*\*\*Kay Flynn\*\*\*\*\*1

021122-TX

Kay Flynn

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**From:** Sandy Moses  
**Sent:** Friday, January 10, 2003 9:06 AM  
**To:** Lee Fordham  
**Cc:** Dale Buys; Kay Flynn  
**Subject:** RE: Docket 021122-TX - FDN - Chapman complaint

Okay. I'll change the wording on the agenda and vote sheet to, "...comporting with Rule 25-22.036(2), F.A.C..."

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

**From:** Lee Fordham  
**Sent:** Friday, January 10, 2003 9:04 AM  
**To:** Sandy Moses  
**Subject:** RE: Docket 021122-TX - FDN - Chapman complaint

The second rule only provides for dismissal if the filing does not comply with the first rule. Accordingly, I think only the one need be cited.

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

**From:** Sandy Moses  
**Sent:** Friday, January 10, 2003 9:02 AM  
**To:** Lee Fordham  
**Subject:** RE: Docket 021122-TX - FDN - Chapman complaint

Is that the only one? After I sent the e-mail I noticed that the rec says rules instead of rule.

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

**From:** Lee Fordham  
**Sent:** Friday, January 10, 2003 9:00 AM  
**To:** Sandy Moses; Dale Buys  
**Subject:** RE: Docket 021122-TX - FDN - Chapman complaint

Probably not a bad idea. It is Rule 25-22.036(2), F.A.C.

Thanks.

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

**From:** Sandy Moses  
**Sent:** Friday, January 10, 2003 8:56 AM  
**To:** Lee Fordham; Dale Buys  
**Subject:** Docket 021122-TX - FDN - Chapman complaint  
**Importance:** High

Issue 2 of your recommendation states that if Mr. Chapman does not file an amended complaint comporting with "the above cited rule"... I assume the rule is cited somewhere in the staff analysis portion of the recommendation. On the agenda page (which will also be the same on the vote sheet) should we refer to the specific rule to which Mr. Chapman must refile his complaint under? If so, what is the rule cite?

CCA Official Filing:

1/22/03\*\*\*\*\*11:20 AM\*\*\*\*\*Matilda Sanders\*\*\*\*\*1

**Matilda Sanders**

0127-FOF

**From:** Jackie Schindler  
**Sent:** Wednesday, January 22, 2003 11:12 AM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

7

**Date and Time:** 1/22/03 11:11:00 AM  
**Docket Number:** 021122-TX  
**Filename / Path:** 021122fo.lf

An Order Granting Motion to Dismiss has been moved to GC Orders for issuance today.

Thanks!

js

1/1