

Case Assignment and Scheduling Record

Section 1 - Bureau of Records and Hearing Services Completes

Docket No. 030107-TI Date Docketed: 01/30/2003 Title: Application for certificate to provide interexchange telecommunications service by Total Call International, Inc.
 Company: Total Call International, Inc.

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: AUS CAF CCA (CMP) ECR EXT GCL MMS PIF
 ("()") indicates OPR) _____ X _____ X _____

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program/Module B1(a)

Staff Assignments

OPR Staff _____

Staff Counsel _____

OCRs () _____

() _____

() _____

() _____

() _____

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
 IT IS TENTATIVE AND SUBJECT TO REVISION.
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level

0

Due Dates

Previous Current

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Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with CCA: _____

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JB	DS	BZ	BD	DV		

- Prehearing Officer

Commissioners					ADM
JB	DS	BZ	BD	DV	

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____ 14079-03
 Date: / /

STATE OF FLORIDA

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



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

Public Service Commission

February 3, 2003

Lance J.M. Steinhart, P.C.
1720 Windward Concourse, Suite 250
Alpharetta, Georgia 30005

Re: Docket No. 030107-TI

Dear Mr. Steinhart:

This will acknowledge receipt of an application for certificate to provide interexchange telecommunications service by Total Call International, Inc., which was filed in this office on January 30, 2003, 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.

Please note as well that Commission Rule 25-22.005(7), F.A.C., requires certificate companies to notify the Commission of any changes in name, telephone, address, or contact person. Should your application be granted by the Commission, you will be expected to comply with this rule by advising us of any changes as they occur.

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

DOCUMENT NO.

141079-03

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

CCA Official Filing:

4/2/03*****10:06 AM*****Matilda Sanders*****1

Matilda Sanders

0456-PAA

From: LaSandra Givens
Sent: Wednesday, April 02, 2003 10:06 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

4

Date and Time: 4/2/03 10:05:00 AM
Docket Number: 030107-TI, 030133-TI
Filename / Path: 030107.VSM

PAA ORDER GRANTING CERTIFICATES TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICES

14/0

Kay Flynn

From: Kay Flynn
Sent: Monday, April 21, 2003 1:35 PM
To: Ellen Plendl
Cc: Ray Kennedy; Brenda Hawkins; Victor McKay; Jackie Gilchrist; Blanca Bayo
Subject: RE: Docket No. 030107 - Total Call International

Thanks, Ellen.

Victor, I will print this e-mail and the attached e-mail for the docket file, but it can't be considered an "official" filing since it was sent electronically. The Commission does not accept e-filings.

Kay

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

From: Ellen Plendl
Sent: Monday, April 21, 2003 1:29 PM
To: Kay Flynn
Cc: Ray Kennedy; Brenda Hawkins; Victor McKay; Jackie Gilchrist
Subject: FW: Docket No. 030107 - Total Call International

FYI - - The customer sent an e-mail protesting the PAA Order in Docket No. 030107-TI.

This information should be included in the docket file for 030107-TI.

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

From: Michelle Watson-Livingston
Sent: Monday, April 14, 2003 2:57 PM
To: Ellen Plendl
Subject: FW: Docket No. 030107 - Total Call International

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

From: Leslie Lawton [mailto:llawton@bellsouth.net]
Sent: Saturday, April 12, 2003 8:29 PM
To: VMCKAY@PSC.STATE.FL.US; bhawkins@psc.state.fl.us; Pscreply@psc.state.fl.us
Cc: ljaber@psc.state.fl.us; bbaez@psc.state.fl.us; davidson@psc.state.fl.us; markl@totalcallusa.com; jeb.bush@myflorida.com
Subject: Docket No. 030107 - Total Call International

I am writing to you all today in pure desperation. I am asking the Florida Public Services Commission to help me. I am a resident of the State of Florida and am being treated very unfairly. I am a small individual caught in the bureaucracy of large companies and government.

In brief:

- I moved into my new home in October 2002.
- In December I turned on a *NEW* phone line 561-748-8599. I told Bellsouth I would choose my long distance carrier myself.
- Via the Internet I authorized Total Call International to be my long distance provider. (I had done the same procedure in October with my main phone line 561-741-0554 -- since changed to 561-741-0225 due to too many wrong numbers).
- When I received my first phone bill (including long distance charges) I was shocked. I was not being billed by Total Call International, but by Qwest (a company I have never heard of), AND the rates were 5 to 7 times higher than I signed up for.

Hence, my phone calls, documentation, and saga begins.....

CCA Official Filing:

4/21/03***1:41 PM*****Kay Flynn*****2**

I am attaching a time line I have kept since 12/31/2002. Portions of this have been faxed several times to Total Call International. I have yet to receive a response to it.

I am asking, no begging, for the Florida Public Services Commission to help me. Total Call International is still Pending Approval for Regulation by the Florida Public Service Commission. I am PROTESTING this approval. Please read my attached time line. From what I can tell, this is NOT the type of company we want offering service in Florida. Maybe these are simply rogue employees I have been dealing with?? Mr. Leafstedt, would you please comment.

I sincerely appreciate your time.

Leslie J. Lawton
Jupiter, FL
561-741-0225

CCA Official Filing:

4/21/03***1:39 PM*****Kay Flynn*****1**

Kay Flynn

From: Ellen Plendl
Sent: Monday, April 21, 2003 1:29 PM
To: Kay Flynn
Cc: Ray Kennedy; Brenda Hawkins; Victor McKay; Jackie Gilchrist
Subject: FW: Docket No. 030107 - Total Call International

FYI - The customer sent an e-mail withdrawing the protest of the PAA Order in Docket No. 030107-TI.

This information should be included in the docket file for 030107-TI.

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

From: Leslie Lawton [mailto:llawton@bellsouth.net]
Sent: Monday, April 21, 2003 8:58 AM
To: eplendl@psc.state.fl.us
Subject: Fw: Docket No. 030107 - Total Call International

Ellen,

I received your fax proving check 12030 payable to me in the amount of \$105.10 was cut. Therefore, I withdraw my protest.

Leslie Lawton

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

From: Leslie Lawton
To: VMCKAY@PSC.STATE.FL.US ; bhawkins@psc.state.fl.us ; Pscreply@psc.state.fl.us
Cc: ljaber@psc.state.fl.us ; bbaez@psc.state.fl.us ; davidson@psc.state.fl.us ; markl@totalcallusa.com ; jeb.bush@myflorida.com
Sent: Saturday, April 12, 2003 8:29 PM
Subject: Docket No. 030107 - Total Call International

I am writing to you all today in pure desperation. I am asking the Florida Public Services Commission to help me. I am a resident of the State of Florida and am being treated very unfairly. I am a small individual caught in the bureaucracy of large companies and government.

In brief:

- I moved into my new home in October 2002.
- In December I turned on a *NEW* phone line 561-748-8599. I told Bellsouth I would choose my long distance carrier myself.
- Via the Internet I authorized Total Call International to be my long distance provider. (I had done the same procedure in October with my main phone line 561-741-0554 -- since changed to 561-741-0225 due to too many wrong numbers).
- When I received my first phone bill (including long distance charges) I was shocked. I was not being billed by Total Call International, but by Qwest (a company I have never heard of), AND the rates were 5 to 7 times higher than I signed up for.

Hence, my phone calls, documentation, and saga begins.....

I am attaching a time line I have kept since 12/31/2002. Portions of this have been faxed several times to Total Call International. I have yet to receive a response to it.

I am asking, no begging, for the Florida Public Services Commission to help me. Total Call International is still Pending Approval for Regulation by the Florida Public Service Commission. I am PROTESTING this approval. Please read my attached time line. From what I can tell, this is NOT the type of company we want offering service in Florida. Maybe

CCA Official Filing:

4/21/03***1:39 PM*****Kay Flynn*****2**

these are simply rogue employees I have been dealing with?? Mr. Leafstedt, would you please comment.

I sincerely appreciate your time.

Leslie J. Lawton
Jupiter, FL
561-741-0225

To: Total Call International
Attn: Chona

From: Leslie Lawton
561-748-8599

During late November I authorized Total Call International to be my long distance carrier over the Internet. This is the second phone number I authorized over the Internet, so I am positive I did it properly (the other number 561-741-0225 is billed properly).

Monday, December 30, 2002

December 20, 2002, I received a bill from Qwest, a company I never heard of. They are claiming to be my long distance carrier and charging me extremely high rates.

Tuesday, December 31, 2002

I called Qwest and spoke with Lisa, ID No. 81018. I told her I was confused as to why Qwest was billing me. I had not signed up with Qwest. I signed up with Total Call International. She said that Total Call International probably did not set my account up properly. Because Total Call International purchases airtime from them (Qwest), BellSouth defaults my billing to Qwest when accounts are not set up properly. She further went on to explain it, but it was more information than I needed....something to do with Qwest's code??? She said to call Total Call International and ask them to reprice my bill with the proper rates.

I called Total Call International. Spoke with a man who said he could not help me because I was not in their system. I asked for a manager, but was told to call back after 9 am.

I called back Total Call International around 10 a.m. I got the same guy. I asked for a supervisor since I already knew he couldn't help me. I left and left a message on Luis Lopez's voice mail. He has not called me back.

I called BellSouth and told them the situation. They said they would put in a dispute for the long distance charges (\$112.98). They also gave me the telephone numbers for the FCC and Federal Trade Commission.

I called back Qwest. I spoke with Lynn, ID No. 80353. I repeated the situation. She said that the ONLY way Qwest could have gotten onto my phone bill was from Total Call International.

I phoned the FCC and spoke with Lee. He said this may be "slamming". He said I could file a complaint against Qwest because they were not authorized to be my long distance carrier. I filed a complaint with the FCC. The Case No. is 509668T. He said Qwest will be required to investigate and will get back to the FCC within 15 days. The FCC will then let me know the outcome.

I phoned Total Call International about 5:30 pm. I was transferred to Chona, who I presume is a supervisor. I asked Chona to set my long distance up properly and to reprice my current bill (as Qwest advised). She set my long-distance up for me....and here we are working on fixing this ridiculously high bill.

Attached is a copy of the long distance charges. I am also assuming there will be more next month, which are not captured on this bill.

Thank you for your assistance.

Leslie Lawton

****Note: All of the above was faxed to Chona on December 31, 2002.**

1/17/03 - Phoned Chona. She wasn't in. I spoke with Luis. Faxed him a copy of the above. This is the second time I faxed this document to Total Call International.

1/30/03 - Haven't heard back from Chona or Luis. I phoned Luis back. He's not in. Left message.

2/7/03 - Faxed Luis AGAIN asking for him to respond to me. (Since he is not responding to my telephone calls.

2/19/03 - Faxed Luis the same fax again. I now satisfied that Total Call International has no intention on responding to me.

2/19/03 - Called FL Public Service Commission on complaint. 800-342-3552. Qwest changed names to Enhanced Communications. I know have a new complaint number 514638T. Neil said they still have not responded, and he would send out a notice.

3/14 - Still haven't heard anything from anyone. Received another bill from Qwest (not enhanced) for \$9.81. Now the total is \$122.79. Called FL Public Service Commission again, spoke with Phil Walker. He said they should have replied by now. He called Neil to see what he did on his last contact with me. Left Neil a voice mail. Phil said he send another notice.

3/21 - Still haven't heard from ANYONE. Called FL Public Service Commission. Spoke with woman who said I simply have to wait for them to respond. I said who is enforcing your rules? Why can't you make them respond. I asked to be transferred to someone who could help me. She transferred me to Ms. Anderson, the analyst. Ms Anderson said she left a voice message with her contact at Enhanced Communications and she would call me back after she heard from him.

I asked her what the purpose of the FL Public Service Commission was. She said to regulate companies with certificates to operate in Florida, and to file complaints for consumers. I said, what happens when they do not respond to consumer complaints. She said reminders are sent to them. I said, and what happens when they do not respond. She said it is sent to their quality assurance department. I asked for a phone number / contact for this department so that I could contact them directly. She refused. I explained to her that I have called several times and spoke

with many people at the FL Public Services Commission, and they all keep saying the same thing. I am tired of waiting. It has been over 2 months. I need this buttoned up. She said she would call me back after she spoke with Enhanced.

3/24 or thereabouts - I received a bill from Bellsouth. This does not look like my normal phone bill. It has a blue and red border on the top and bottom, and it says "you can review and pay your business bill at www.smlbiz.bellsouth.com....". This sounds as though it is a business bill. I am attaching a copy. I telephoned the number listed on the bill: 877-331-2400; however, I am unable to reach a person to explain this to me. The bill is for \$122.79, the amount I am disputing, but I don't understand why this appears to be a business bill.

I telephone the regular Bellsouth number. I spoke with a woman who said she had no idea why I was sent this bill. She transferred me to the small business department. I spoke with another woman who said it must have been generated by mistake. She checked the computer and did not see anything regarding this. She said to disregard it, it was sent in error. I asked her if she was sure. She said yes. *I know, I can't believe either that I did not get her name. This is very unlike me.

3/25 - Tuesday - I phoned FL Public Service Commission because I still have not heard back from Ms. Anderson. I am informed the report was received yesterday, Monday, March 24. The woman I spoke with said she would send Ms. Anderson a message to review the report and contact me.

4/1 - Tuesday - I have not heard back from ANYONE. I phone the FL Public Service Commission. Neil answered. He said Joy Anderson was assigned the case and from what he could tell she still had not done anything with it yet. I asked for her supervisor's name. Neil said it is Randy Roland. He said she should have returned my call within 24 hours and does not understand why she has not. If I do not hear back from her by tomorrow I am calling her supervisor, Randy Roland.

4/3 - Thursday - I still have not heard back from Joy Anderson of the FL Public Service Commission. I called her at 12:38 pm; Lucille answered. She said Joy Anderson was not at her desk. I asked for Randy Roland. He was at lunch. I asked for Mr. Roland's voice mail. Lucille transferred me. I left Mr. Roland a message. I told him the case number and asked that another analyst be assigned my case because Ms. Anderson has not been working it or responding to me. I am very disappointed in the service I am being provided.

4/3 - Thursday - Joy Anderson returns my call. She said she phoned me back on Monday, but I no one answered, and she did not leave a message. Sounds a bit suspect, but O.K. She said in Qwest's response, they say that since they sustained the cost, they must be paid. I said I have no intention on paying them when I did not authorize them to charge me or be my provider. She said the next best step is to put in a complaint against Total Call International. I agree. After all I am a layman to these matters. I will do whatever the experts say.

I also explain to Joy what has been happening. I told her I contact Total Call Several times and each time they tell me I could not have set up an account with them. I respond "yes I did." I told

Total Call International that when I spoke with Qwest, they said the only way they could have gotten my name was through Total Call International. Qwest said that Total Call International did not set me properly, and therefore, when Bellsouth received the information it looked as though I was signed up with Qwest (because Total Call buys airtime from Qwest). Believe me, I do not really understand how all this works....and quite frankly, I don't want to.

**Here is the situation. I NEVER set up my long distance carrier through Bellsouth. Never. I set up my home phone (in my husband's name Eric Lawton) over the Internet. About a month later I set up another phone line the same exact way. I had Bellsouth turn on a BRAND NEW line and set up my long distance with Total Call International over the Internet, at the same rates. When I received my first phone bill with long distance charges on it, I immediately called Qwest, Bellsouth, and Total Call International. I have documented every conversation, fax, and other communication in this document. Please refer to the above.

4/12 - I receive a letter from Qwest dated 4/1/03. It is addressed to Joy Anderson and I am cc. I am attaching it to this document. In the third paragraph, beginning with the third sentence, Qwest (Kevin Manwarren, Qwest Customer Advocacy Manager) states (and I quote): "What most likely happened is Ms. Lawton contacted her LEC to switch to the 0432 CIC code prior to being properly provisioned within the Qwest billing system by Total Call International. This action resulted in long distance calls made from BTN (561) 748-8599 to be billed casually by Qwest."

This is NOT the case. I never made any changes to my long distance carrier through Bellsouth. Like I have been saying (to Qwest, Total Call International, Bellsouth, and the FL Public Service Commission) THIS WAS A BRAND NEW LINE. THERE WAS NO PRIOR LONG DISTANCE CARRIER. I NEVER, EVER, EVER SET UP A LONG DISTANCE CARRIER THROUGH BELLSOUTH. I set up my long distance over the Internet with Total Call International. I can't say it any more clearly.

Mr. Manwarren of Qwest further goes on to say that "since Qwest did not initiate the change in long distance service and the calls were routed over the network, all toll charges are sustained." My response: Mr. Manwarren, I did not authorize these either. I do not know who dropped the ball: Qwest, Total Call International or Bellsouth....but I am only willing to pay at the rates I signed up for with Total Call International.

4/12 - Receive another (of what appears to be for a business) bill from Bellsouth. I am confused. I spoke with Bellsouth last month and they said it was sent in error....I will call them again Monday, This time I WILL get a name.

4/12 - Receive the response from Total Call International dated 4/8/03. I am attaching a copy. In response to the numbered statements by qwest:

- 1) The customer contacted us directly on December 31, 2002 to request service for telephone number 561-748-8599.

My Response: This is true. However, they fail to mention everything I documented in the beginning of this document. I telephoned them to say, "what's going on?" "Who is Qwest and why are they billing me?" Please see my documentation from 12/31/02 above.

***** Does Total Call International keep notes or record telephone calls? If so, I am requesting these be produced for review.**

- 2) The customer's relative Eric Lawton, who resides at the same address, established an account with us for telephone number(s) 561-741-0225 and 561-741-0554 on 10/28/02.

My Response: This is somewhat true. Eric Lawton is my husband and our primary telephone number is in his name; however, I am the individual who set up the accounts OVER THE INTERNET. The account on number 561-741-0554 was set up on 10/28/02; however, we changed our telephone number in mid-December 2002 because we were receiving too many wrong numbers. At that time I phoned Total Call International and cancelled the 561-741-0554 account and opened the 561-741-0225 account (our new number).

- 3) Qwest casually billed Ms. Leslie Lawton as she informed the local provider of their carrier code before setting up an account with Total Call International for the telephone number 561-748-8599.

My Response: This is just wrong. I've said it a million times before, but I'll say it again. I never contacted my local provider (Bellsouth) to set up my long distance carrier. When I set up my phone numbers I always tell Bellsouth I am doing that on my own. As a matter of fact, if you look at my and Eric's history, before moving to this home and consequently setting up these telephone lines, we used Capsule communications, another low-cost provider. I would NEVER have authorized a company like Qwest.

At this point I would like to say what I recommend.

- 1) My bill get repriced at the correct rates. These rates are:

Interstate:	\$.04
Intralata:	\$.06
Intrastate:	\$.06

- 2) Total Call International, Qwest, and Bellsouth figure out together what went wrong (so it doesn't happen again).

That's it. Enough is enough. This is past ridiculous.

4/13/03 - Monday - I am faxing a copy of this document, as well as the letters from Total Call International and Qwest, and the invoice from Bellsouth to:

Joy Anderson
FL Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

Pscreply@psc.state.fl.us

Randy Roland
FL Public Services Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

Lila Jaber, Chairman
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2540 Shumard Oak Blvd.
Tallahassee, FL 32399
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Luis Lopez
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Fax: 213-239-0963

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Total Call International
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Mark Leafstedt
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707 Wilshire Blvd., 9th Floor
Los Angeles, CA 90017-3501

Kevin D. Manwarren
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Qwest
1801 California Street, 4th Floor
Denver, CO 80202
Fax: 303-965-3464

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Tallahassee, FL 32399-0001
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Tallahassee, FL 32399-1050

Office of Attorney General
Division of Economic Crimes
West Palm Beach Bureau
1515 N. Flagler Ave., Suite 900
West Palm Beach, FL 33401

Bellsouth
Joseph P. Lacher
President, State of Florida
1.866.222.2086

CCA Official Filing:

4/25/03*** 1:58 PM*****Marguerite Lockard *****1**

Marguerite Lockard

PSC-03-0546-CO-TI

From: LaSandra Givens
Sent: Friday, April 25, 2003 1:57 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

Date and Time: 4/25/03 1:56:00 PM

3 pgs

021089-TI 021089CO.LHD
030107-TI, 030133-TI 030107CO.VSM

CONSUMMATING ORDERS

14/0