

REQUEST TO ESTABLISH DOCKET
(Please Type)

Date November 16, 2004 Docket No. 041314 -TI

1. Division Name/Staff Name: Division of Competitive Markets and Enforcement/Curry

2. OPR: Curry, CMP

3. OCR: GCO

5. Suggested Docket Mailing List (attach separate sheet if necessary)
A. Provide NAMES OR ACRONYMS ONLY if a regulated company.
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)
1. Parties and their representatives (if any):

Inter Con Communications PO Box 610443 Bayside, NY 11361 (718) 225-1403 Fax	

2. Interested persons and their representatives (if any):

6. Check one:
 Documentation is attached.
 Documentation will be provided with recommendation.

DOCUMENT NUMBER-DATE
12229 NOV 16 04

TRANSMISSION VERIFICATION REPORT

TIME : 10/06/2004 09:52
NAME : PSC
FAX : 4137077
TEL : 4137077

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

10/06 09:51
617182251403
00:00:47
02
OK
STANDARD
ECM

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Avery Fischer
 Orion Telecommunications Corp
 42-40 Bell Blvd.
 Bayside, NY 11361

2. Article Num
 (Transfer fr

7002 0860 0001 1759 1751

PS Form 3811, March 2001

Domestic Return Receipt

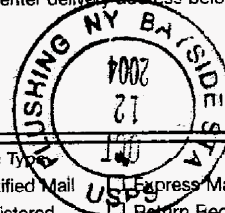
102595-01-N-1422

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) _____ B. Date of Delivery _____

C. Signature  Agent
 Addressee

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No



3. Service Type Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

UNITED STATES POSTAL SERVICE



First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Ms. Kiwanis L. Curry
 Florida Public Service Commission
 2540 Shumard Oak Boulevard
 Tallahassee, Florida 32399-0850

OCT 21 11:10 AM '01
 METRO STATION

STATE OF FLORIDA

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



DIVISION OF COMPETITIVE MARKETS &
ENFORCEMENT
BETH W. SALAK
DIRECTOR
(850) 413-6600

Public Service Commission

October 6, 2004

Mr. Avery Fischer
Orion Telecommunications Corp
42-40 Bell Blvd.
Bayside, NY 11361

Certified Mail and Facsimile
(718) 225-1403

Dear Mr. Fischer:

After receiving a complaint, staff has determined that Orion Telecommunications Corp. (Orion) may be providing prepaid calling card services under the name Inter Con Communications (ICC). If Orion is operating under the name ICC and chooses to continue doing business under that name, staff requests that Orion register ICC as a fictitious name with the Florida Department of State and submit a written request to the Commission for a name change to add ICC as a d/b/a for Orion. Along with your request, please submit a copy of ICC's fictitious name registration. You may submit your request for a name change along with proof of name registration to the following address:

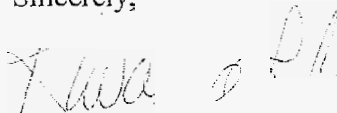
Florida Public Service Commission
Division of the Commission Clerk & Administrative Service
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

In addition, staff also requests that Orion provide staff with a list of all of the names that the company may be doing business as within the state of Florida. You may fax the list to me at (850) 413-6663 or you may send it by email to kcurry@psc.state.fl.us. If Orion is providing prepaid calling card services within the state of Florida under a name that is not on file with the Commission, staff requests that Orion either register the company with the Commission as an interexchange telecommunications company (IXC) or request a name change to add the additional name(s) as a d/b/a for Orion. Please note that any additional names that Orion may be operating under within Florida must be registered with the Florida Department of State prior to registering with the Commission as an IXC or requesting a name change.

Mr. Avery Fischer
Page 2
September 30, 2004

Please submit all of the requested information no later than **October 26, 2004**. If you have any questions, you may contact me at (850) 413-6662.

Sincerely,



Kiwanis L. Curry
Bureau of Service Quality

TMS # 1678

Kiwanis Curry

From: Customer Service Managers [csmanagers@oriontelcorp.net]
Sent: Friday, October 01, 2004 2:51 PM
To: Kiwanis Curry
Subject: Complaint #616411T Javier Delgado



Javier
Delgado.doc (57 k)

Attention: Kiwanis L. Curry,

We have received the complaint #616411T from Mr. Javier Delgado, in resolution to the complaint we are sending to the customer a money order for \$5.00 value as a full refund.

Attached you will find the letter send to Mr. Delgado.

Sincerely,

Gloria Pineda
Customer Service Department.

Orion telecommunications
P.O. Box 610443
Bayside, N.Y. 11361

Javier Delgado
14114 S. W. 62 St.
Miami, Fl. 33183

Hemos recibido la queja de Public Service Commission del estado de la Florida en su nombre. Noe disculpamos por cualquier inconveniente que le hayamos podido causar.

Adjunto le estamos enviando un money order por el valor de \$5.00 como reembolso a su tarjeta.

Si tiene alguna pregunta puede comunicarse con nosotros al 1800-330-1060.

Gracias por su atencion.

Sinceramnete,

Gloria Pineda
Customer Service Department.

TRANSMISSION VERIFICATION REPORT

TIME : 10/01/2004 12:15
NAME : PSC
FAX : 4137077
TEL : 4137077

DATE, TIME	10/01 12:12
FAX NO./NAME	617182251403
DURATION	00:03:15
PAGE(S)	08
RESULT	OK
MODE	STANDARD ECM

STATE OF FLORIDA



PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

October 1, 2004, 12:04 PM

To: Gloria Pineda

Fax: 718-225-1403

From: Kiwanis L. Curry

Voice: 850-413-6662

Fax: 850-413-6663

No. of Pages (Including Cover): 78

Re: Complaint 616411T

Notes: The following is a copy of the letter that was sent to Orion on September 29, 2004, by Mr. Javier Delgado along with staff's letter dated September 30, 2004. Mr. Delgado is requesting a full refund. Please investigate this matter.

Sincerely,

Kiwanis L. Curry

2nd Letter
regarding that
the calling cards
don't work

Orion Telecommunications Corporation
P.O. Box 610443
Bayside, NY 11361

Gloria Pineda
Departamento de Servicio al Cliente

Recibi su carta y las tarjetas telefonicas las cuales Ud. me ofrecio como pago a la anterior, que compre y no me sirvio para nada, a lo que le manifeste que yo ya no tenia ningun interes en volver a usar ninguna tarjeta telefonica a lo que Ud. me contesto que esa era la unica forma que Uds. tenian para reembolsarme el costo, y arreglar la situacion en que ya estaba por comprar dicha tarjeta ; y yo por tratar de llegar a un arreglo acepte. Pero tremendo error, cuando hable telefonicamente con Ud. , me dijo que cada tarjeta daba para hablar dieciocho minutos, despues cuando recibi su carta, en ella me dice que son quince minutos y cuando la llevo a usar lo que me da son diez minutos; razon por la cual le devuelvo las otras dos, pues sigo considerando que su compania no da ninguna satisfaccion al cliente, ya que el mismo es perjudicado de la peor manera, ya que confirmo que todo es mentira .

Ante esto le devuelvo las dos tarjetas que no use, pues no las acepto en estas circunstancias, quizas y lo mas seguro es que a alguna otra persona si le puedan seguir mintiendo.

Sinceramente,

Javier Delgado

2004 OCT -1 AM 10:21
DIVISION OF
COMPETITIVE SERVICES

1st Letter
regarding
fraud in the
company.

Miami 1 de septiembre 2004
Publix Service Commission
2540 Sshumard Oak Blvd
Tallahasse, Fl. 32399

A quien concierne

El pasado 25 de Agosto del 2004, compre una tarjeta para llamadas telefonicas ICC por valor de \$5.00 (cinco dolares) para una llamada internacional en la siguiente direccion : Tinajas Tortilleria y Cafeteria 13925 S W 66 St Miami, Fl. 33183 Telefono 305-408-6020. Al hacer uso de sus respectivos codigos , la grabacion me dijo que tenia para hablar 50 minutos , al hacer la conexion y empezar a hablar esta se acabo a los 2 minutos , al tratar de hacer de nuevo la conexion me dijeron que la tarjeta ya no tenia fondos. Posteriormente llame al 1-800 de servicio al cliente de la misma tarjeta y despues de tenerme en espera por 57 minutos pude hablar con una representanate que dijo se llamaba Alexandra y me dijo que eso era asi y que no podia hacer nada a lo que le solicite hablar cn un supervisor y despues de esperar por 18 minutos mas pude hablar con alguien que dijo llamarse Victor y me dijo que esa tarjeta solamente daba 2 minutos a lo que le conteste que eso era un fraude y me dijo que tampoco podia hacer nada , que si habia alguna queja no la podia resolver , al preguntarle la direccion de esta compañia me dijo que me podia dirigir a

Costumer Service Department
P.O. BOX 610443
Bayside, New York 11361

Le dije que iba a poner la queja a proteccion al consumidor para que les pusieran orden y evitar estos fraudes al publico , a lo que contesto que eso era asunto mio , razon por la cual les estoy poniendo de su conocimiento , para que Uds. Como entidad nos den la proteccion que necesitamos ante este tipo de fraudes

Agradeciendoles de antemano su atencion a la presente ,

Javier Delgado
14114 S.W. 62 St.
Miami, Fl. 33183
Telefono:305-383-2259


Javier Delgado



26 Feb 2004 15 minutes
2:16 PM
18:27 PM

"Santo Domingo"

- 1 Dial the toll free number on the back of the card from any touch tone phone.
- 2 Follow the voice prompts.
- 3 Then you will be asked to dial the number you wish to call.

At the beginning of each call, a voice prompt will announce the balance remaining on your card. You will be reminded when you have 1 minute remaining on your card.

Prices are subject to change without notice. If used from a pay phone, additional pay phone charges may apply. A service fee may apply. This card has no cash value and is non-refundable. This card will expire three months after first use. Services provided by ORION TELECOMMUNICATIONS CORP.

Los precios pueden ser cambiados sin previo aviso. Si se usa de un telefono publico cargos adicionales se aplicaran. Un cargo de servicio sera aplicado. Esta tarjeta no tiene valor monetario y no es reembolsable. Esta tarjeta expira tres meses despues del primer uso. Servicios subministrados por ORION TELECOMMUNICATIONS CORP.

Get a FREE OTC Phone Card!

Send your name, address, and 20 scratched OTC brand phone cards to the address below and receive one \$5 phone card FREE! Please allow 6-8 weeks for delivery. If you have any questions, please call: 1-800-330-1060

¡Reciba una tarjeta GRATIS de OTC!

Mande 20 tarjetas raspadas con el logo de OTC junto con su nombre y dirección completos a la dirección indicada. Despues de 6-8 semanas usted recibira por correo una tarjeta de \$5 dolares GRATIS. Si tiene alguna pregunta por favor llame al: 1-800-330-1060.

"Free Phone Card Promo"
"Promoción de Tarjeta Gratis"
Orion Telecommunications
P.O. Box 610419
Bayside, NY 11361

CUSTOMER SERVICE: (800) 330-1060

©Copyright 2003 ORION TELECOMMUNICATIONS. All Rights Reserved

1 Dial: ENGLISH	1 Marque: ESPAÑOL
1-800-419-4893	1-800-419-4925
2 When prompted, enter your card number.	2 Cuando se le indique, marque los numeros:
3 For calls within the U.S. to Canada or the Caribbean: Dial 1 + area code and telephone number. For calls to any other country: dial 011, country code, city code and telephone number. To make another call, don't hang up press ##.	3 Para llamar dentro de los Estados Unidos, a Canada o el Caribe: Marque 1 + el código de area + numero telefonico. Para llamar a cualquier otro pais: Marque 011 + código del pais + código de la ciudad + numero telefonico. Para hacer otra llamada, no cuelgue Marque ##.

For Customer Service dial: 1-800-330-1060

\$5

©Copyright 2003 ORION TELECOMMUNICATIONS. All Rights Reserved
This card expires three months after first use.
Esta tarjeta expira tres meses despues del primer uso.

1-800-330-1060-000043764

ORION TELECOMMUNICATIONS



calling card
that didn't
work



"Santo Domingo"

- 1 Dial the toll free number on the back of the card from any touch tone phone.
- 2 Follow the voice prompts.
- 3 Then you will be asked to dial the number you wish to call.

At the beginning of each call, a voice prompt will announce the balance remaining on your card. You will be reminded when you have 1 minute remaining on your card.

Prices are subject to change without notice. If used from a pay phone, additional pay phone charges may apply. A service fee may apply. This card has no cash value and is non-refundable. This card will expire three months after first use. Services provided by ORION TELECOMMUNICATIONS CORP.

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"Free Phone Card Promo"
"Promoción de Tarjeta Gratis"
Orion Telecommunications
P.O. Box 610419
Bayside, NY 11361

CUSTOMER SERVICE: (800) 330-1060

©Copyright 2003 ORION TELECOMMUNICATIONS. All Rights Reserved

\$5
OBTENGA UNA TARJETA GRATIS
(Instrucciones al reverso)

ES OTC O NADA!
DASY PLANES

"Santo Domingo"
ACCESO GRATUITO SIN CARGO DE CONEXION

1 Dial: ENGLISH 1-800-419-4893	1 Marque: ESPAÑOL 1-800-419-4925
2 When prompted, enter your card number.	2 Cuando se le indique, marque los numeros
3 For calls within the U.S. to Canada or the Caribbean: Dial 1 + area code and telephone number. For calls to any other country: dial 011, country code, city code and telephone number. To make another call, don't hang up press ##.	3 Para llamar dentro de los Estados Unidos, a Canada o el Caribe: Marque 1 + el código de área + número telefónico. Para llamar a cualquier otro país: Marque 011 + código del país + código de la ciudad + número telefónico. Para hacer otra llamada, no cuelgue Marque ##.
<p>For Customer Service dial: 1-800-330-1060 \$5 ©Copyright 2003 ORION TELECOMMUNICATIONS. All Rights Reserved This card expires three months after first use. Esta tarjeta expira tres meses despues del primer uso.</p> <p>1-800-701-0000/OTG</p>	

Calling cards
that were
sent back to
the company.



"Santo Domingo"

- 1 Dial the toll free number on the back of the card from any touch tone phone.
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- 3 Then you will be asked to dial the number you wish to call.

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Prices are subject to change without notice. If used from a pay phone, additional pay phone charges may apply. A service fee may apply. This card has no cash value and is non-refundable. This card will expire three months after first use. Services provided by ORION TELECOMMUNICATIONS CORP.

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Get a FREE OTC Phone Card!

Send your name, address, and 20 scratched OTC brand phone cards to the address below and receive one \$5 phone card FREE! Please allow 6-8 weeks for delivery. If you have any questions, please call: 1-800-330-1060

Reciba una tarjeta GRATIS de OTC!

Mande 20 tarjetas raspadas con el logo de OTC junto con su nombre y dirección completos a la dirección indicada. Despues de 6-8 semanas usted recibira por correo una tarjeta de \$5 dolares GRATIS. Si tiene alguna pregunta por favor llame al: 1-800-330-1060.

"Free Phone Card Promo"
"Promoción de Tarjeta Gratis"
Orion Telecommunications
P.O. Box 610419
Bayside, NY 11361

CUSTOMER SERVICE: (800) 330-1060

©Copyright 2003 ORION TELECOMMUNICATIONS. All Rights Reserved

1 Dial: ENGLISH
1-800-419-4893

2 Marque: ESPAÑOL
1-800-419-4925

3 When prompted, enter your card number.

4 Cuando se le indique, marque los numeros:



5 For calls within the U.S. to Canada or the Caribbean: Dial 1+area code and telephone number. For calls to any other country: dial 011, country code, city code and telephone number. To make another call, don't hang up press ##.

6 Para llamar dentro de los Estados Unidos, a Canada o el Caribe: Marque 1 + el código de area + número telefonico. Para llamar a cualquier otro país: Marque 011 + código del país + código de la ciudad + número telefonico. Para hacer otra llamada, no cuelgue. Marque ##.

For Customer Service dial: 1-800-330-1060

©Copyright 2003 ORION TELECOMMUNICATIONS. All Rights Reserved \$5
This card expires three months after first use.
Esta tarjeta expira tres meses despues del primer uso.

1-800-7891-6000/3763

ORION TELECOMMUNICATIONS CORP.



TRANSMISSION VERIFICATION REPORT

TIME : 09/30/2004 14:06
NAME : PSC
FAX : 4137077
TEL : 4137077

DATE, TIME	09/30 14:05
FAX NO./NAME	617182251403
DURATION	00:00:37
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM

STATE OF FLORIDA

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



DIVISION OF COMPETITIVE MARKETS &
ENFORCEMENT
BETH W. SALAK
DIRECTOR
(850) 413-6600

Public Service Commission

September 30, 2004

Ms. Gloria Pineda
Orion Telecommunications Corporation
PO Box 610443
Bayside, NY 11361

First Class Mail and Facsimile
(718) 225-1403

Re: Compliant 616411T-Javier Delgado

Dear Ms. Pineda:

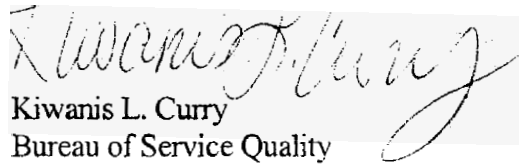
Thank you for responding to my letter dated September 13, 2004, regarding Mr. Javier Delgado's complaint. According to your response, Orion Telecommunications Corporation, (Orion) agreed to issue Mr. Delgado three calling cards in an effort to resolve his complaint (Complaint No. 616411T). After receiving your response, staff contacted Mr. Delgado and was informed that he did receive the phone cards. However, when he attempted to use one of the phone cards he was only able to use the card for ten minutes. The phone card indicated that he would receive fifty minutes of calling time. As a result, Mr. Delgado is requesting a full refund for the cost of the calling card that he initially purchased. Mr. Delgado mailed the unused calling cards back to the Orion on September 29, 2004.

At this time, staff requests that you investigate this matter, contact Mr. Delgado, and submit a written response to this complaint. The response should verify that Mr. Delgado was contacted and that his complaint has been resolved. You may fax your response to me at (850) 413-6663, or you may respond by email to kcurry@psc.state.fl.us. Please submit your response not later than, **October 15, 2004**.

Gloria Pineda
Page 2
September 29, 2004

If you have any questions you may contact me at (850) 413-6662.

Sincerely,


Kiwanis L. Curry
Bureau of Service Quality

cc: Mr. Javier Delgado
14114 SW 62 St
Miami, Florida 33183

TMS #1674

Kiwanis Curry

From: Customer Service Managers [csmanagers@oriontelcorp.net]
Sent: Wednesday, September 22, 2004 1:05 PM
To: Kiwanis Curry
Subject: resolution to complaint #616411T Javier Delgado



Javier
Delgado.doc (26 k)

Attention: Loyda Lopez,

WE contacted Mr. Delgado on September 22-04 in regard to complaint 616411T, in resolution to the complaint we reimbursed the customer with three replacement calling cards to which he agreed.

Attached you will find the letter send to Mr. Delgado.

Sincerely,

Gloria Pineda
Customer Service Department.

Orion Telecommunications Corporation
P.O. Box 610443
Bayside, NY 11361

Javier Delgado
14114 S.W. 62 St.
Miami, Fl. 33183

Estimada Señor Delgado :

Hemos recibido su carta y sinceramente agradecemos por el tiempo que se ha tomado para escribirnos, nos disculpamos por cualquier inconveniente que le hayamos podido causar. La satisfaccion del cliente es nuestro principal objetivo.

Come habiamos acordado en nuestra conversacion telefonica,le estoy haciendo envio de tres tarjetas telefonicas por el volor de \$5.00 cada una que le permitiran hablar por quince minutos cada una, para un celular en Nicaragua que es le lugar domde usted llama. Estas tarjetas tiene un cargo de servicio de mantenimineto que aplicara a su tarjeta al dia siguiente que active el numero de pin.

Si tiene alguna otra pregunta contactenos al 1800-643-3185.

Sinceramente

Gloria Pineda.
Departamento de Servicio al Cliente.

TRANSMISSION VERIFICATION REPORT

TIME : 09/14/2004 11:03
NAME : PSC
FAX : 4137077
TEL : 4137077

DATE, TIME
FAX NO. /NAME
DURATION
PAGE(S)
RESULT
MODE

09/14 10:53
617182251403
00:09:12
30
OK
STANDARD
ECM

STATE OF FLORIDA

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



DIVISION OF COMPETITIVE MARKETS &
ENFORCEMENT
BETH W. SALAK
DIRECTOR
(850) 413-6600

Public Service Commission

September 13, 2004

Inter Con Communications
P.O. Box 610443
Bayside, NY 11361

First Class Mail and Facsimile
(718) 225-1403

Dear Sirs:

Recently the Florida Public Service Commission received a complaint (Enclosure 1) regarding the purchase of a prepaid calling card. The complaint was filed by Mr. Javier Delgado. The network service provider listed on the card is Inter Con Communications (ICC). At this time, staff requests that you investigate this complaint, contact Mr. Delgado, and submit a written response to his complaint. The response should verify that Mr. Delgado was contacted and that his complaint was resolved. You may fax your response to me at (850) 413-6663, or you may respond by email to kcurry@psc.state.fl.us.

In addition, ICC has not provided the Commission with the company's contact information. Section 364.02(13)(g), Florida Statutes (F.S.), requires each intrastate interexchange telecommunications company to provide the Commission with information to contact and communicate with the company. Please complete and submit the contact information requested on the enclosed IXC Registration form (Enclosure 2). Also, Section 364.04, F.S., requires that all telecommunications companies providing services within the state of Florida file a tariff with the Commission. The tariff should include the rates, tolls, rentals, contracts, and charges of the company for the services to be performed within the state. A sample tariff and a tariff checklist are enclosed to assist you (Enclosure 3). Please submit the IXC Registration form and the tariff to the following address:

Florida Public Service Commission
Division of the Commission Clerk & Administrative Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Inter Con Communications

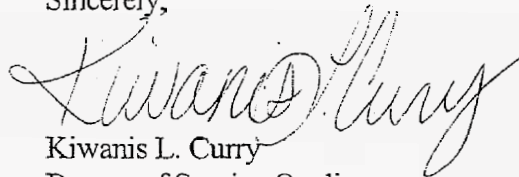
Page 2

September 13, 2004

In conclusion, the following information should be submitted by **October 5, 2004:**

- 1) A written response to Mr. Delgado's complaint.
- 2) Completed IXC Registration form and tariff.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kiwanis L. Curry".

Kiwanis L. Curry
Bureau of Service Quality

Enclosures (3)

cc: Florida Department of Revenue

TMS #1614