

ORIGINAL



5408 N99th St. Suite C,  
Omaha, NE 68124  
Voice: 402-392-1110 Fax: 402-392-7583  
www.telenational.net

RECEIVED  
07 APR 23 AM 9:35

April 20, 2007

Office of Commission Clerk  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Docket No. 070050-TI  
Order No. PSC-07-0278-PAA-TA  
Issued: April 2, 2007

DISSEMINATION CENTER  
COMMISSION CLERK  
07 APR 23 AM 9:32

RE: Compliance investigation of NETECOM, Inc. for apparent violation of Rules 25-24.470

Dear Sir or Madam:

Our company, Telenational Communications, Inc., (TNC) is a registered IXC (Our agency ID is TJ660) in the state of FL. Our place of business is 5408 N99th St. Suite C, Omaha, NE 68124. Our telephone number is 402-392-1110. Netecom, Inc. is a sales agency that represents our services and handles customer service and cash collection for some of our customers, specifically those for whom English is not their primary spoken language. Netecom's place of business is 16200 Ventura Blvd. #300, Encino, CA 91436 and their phone number is 888-632-6600.

On March 12, 2007 Netecom brought to my attention the fax they had received regarding the commissions agenda for March 13, 2007 (Att. A). On the agenda was the above referenced docket item regarding Netecom's apparent rule violation. Most of the PSC staff was gone for the day when I called, so I left a voice mail message for Mr. Ray Kennedy who contacted me on the morning of March 13<sup>th</sup>, prior to the commission meeting. He advised me that there was very little he could do prior to the commission meeting, but that we would be advised as to their decision and we would be granted an opportunity to respond at that time if necessary.

FORWARDED  
CD (Attachment B)  
CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
ECL 1  
EPC \_\_\_\_\_  
ECA \_\_\_\_\_  
ECR \_\_\_\_\_  
EGA \_\_\_\_\_  
IEC \_\_\_\_\_  
ETH K.P.

DOCUMENT NUMBER-DATE  
03392 APR 23 5  
FPSC-COMMISSION CLERK

On March 23, 2007 Ms. Kiwanis Curry contacted me with her supervisor by telephone. At that time I related to them all of the facts regarding this matter to the best of my knowledge. Also at that time, they informed me that I would need to provide the information in the form of a written protest once the proposed agency action was received by Netecom. This document is that protest.

My understanding of the facts is as follows:

On March 25, 2006, Ms. Shamlou signed up for TNC Long Distance service for telephone number 386-676-3129. We have a verified Voicelog TPV file on record; this was emailed to Ms. Curry on April 10, 2007. Another copy is also enclosed on CD-ROM (Att. B) . Mr. Kevin Shamlou filed a complaint with the FL PSC on 10/13/2006 (Att. C), stating that his mother made the switch and she should not have been authorized. On April 16, 2007 a letter was mailed to Mr. Shamlou apologizing for any confusion and crediting his account in full for the \$42.74 owed.(Att. D)

Several factors contributed to this matter being misunderstood and escalated to the commission:

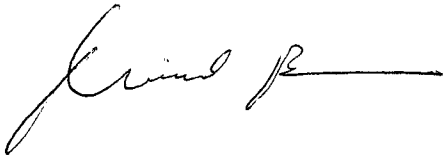
1. Netecom should have replied to the certified letters appropriately and/or forwarded them to us for review. Apparently certain individuals in their service department where mail is received did not understand what the letters were about and set them aside for further review.
2. The customer forwarded the collection letter he received for his account to the PSC. This letter did not properly identify TNC as the provider of IXC services.
3. The PSC researched the Netecom web site for further information. This website also did not properly identify TNC.

The Netecom/TNC invoice (Att. E) does, indeed cite TNC as the provider of IXC services. In the past, this has proven sufficient to avoid these issues in other states. In order to prevent this type of confusion in the future, the following steps have been taken:

1. Netecom has trained ALL of their personnel on the proper handling of all regulatory and/or compliance paperwork. Future issues will be resolved in a timely and expedient manner.
2. The Netecom collections documents have been updated to include the appropriate TNC information. (Att. F)
3. The Netecom website contact page ([http://www.netecominc.com/html/contact\\_us.html](http://www.netecominc.com/html/contact_us.html)) has also been updated to include the appropriate TNC information.

In light of the fact that TNC is a licensed carrier in Florida, and that Netecom is merely a sales agency, we feel that there was no violation of rule 25-24.470, F.A.C. and that the \$25,000 penalty imposed should be dropped.

Sincerely,



Michael Prachar

V.P. & COO, Telenational Communications, Inc.

Enclosures:

- A. Commission agenda fax
- B. Shamlou TPV on CD-ROM
- C. Shamlou PSC complaint
- D. Shamlou resolution letter
- E. Netecom/TNC Statement
- F. Netecom Collection letter (current)

Agenda for  
Commission Conference  
March 13, 2007

**ITEM NO.****CASE**

15\*\*PAA

**Docket No. 070050-TI** – Compliance investigation of NETECOM, Inc. for apparent violation of Rules 25-24.470, F.A.C., Registration Required.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners  
**Prehearing Officer:** Administrative

**Staff:** CMP: Curry  
GCL: Tan

**Issue 1:** Should the Commission impose a penalty in the amount of \$25,000 upon NETECOM, Inc. for its apparent violation of Rule 25-24.470, F.A.C., Registration Required, to be paid to the Florida Public Service Commission within fourteen calendar days after the issuance of the Consummating Order?

**Recommendation:** Yes. The Commission should impose a penalty in the amount of \$25,000 upon NETECOM, Inc. for its apparent violation of Rule 25-24.470, F.A.C., Registration Required, to be paid to the Florida Public Service Commission within fourteen calendar days after the issuance of the Consummating Order.

**Issue 2:** Should this docket be closed?

**Recommendation:** The Order issued from this recommendation will become final and effective upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest that identifies with specificity the issues in dispute, in the form provided by Rule 28-106.201, Florida Administrative Code, within 21 days of the issuance of the Proposed Agency Action Order. As provided by Section 120.80(13) (b), Florida Statutes, any issues not in dispute should be deemed stipulated. If NETECOM fails to timely file a protest and request a Section 120.57, Florida Statutes, hearing, the facts should be deemed admitted, the right to a hearing waived, and the penalty should be deemed assessed. If payment of the penalty is not received within fourteen (14) calendar days after the issuance of the Consummating Order the penalty should be referred to the Department of Financial Services for collection and the company should be required to immediately cease and desist providing intrastate interexchange telecommunications services in Florida. This docket should be closed administratively upon receipt of the company's current contact information, tariff, and payment of the penalty, or upon the referral of the penalty to the Department of Financial Services.

# FLORIDA PUBLIC SERVICE COMMISSION

## COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: March 13, 2007, 9:30 a.m.

LOCATION: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148

DATE ISSUED: March 2, 2007

---

### NOTICE

Persons affected by Commission action on certain items on this agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at this conference. These items are designated by double asterisks (\*\*) next to the agenda item number.

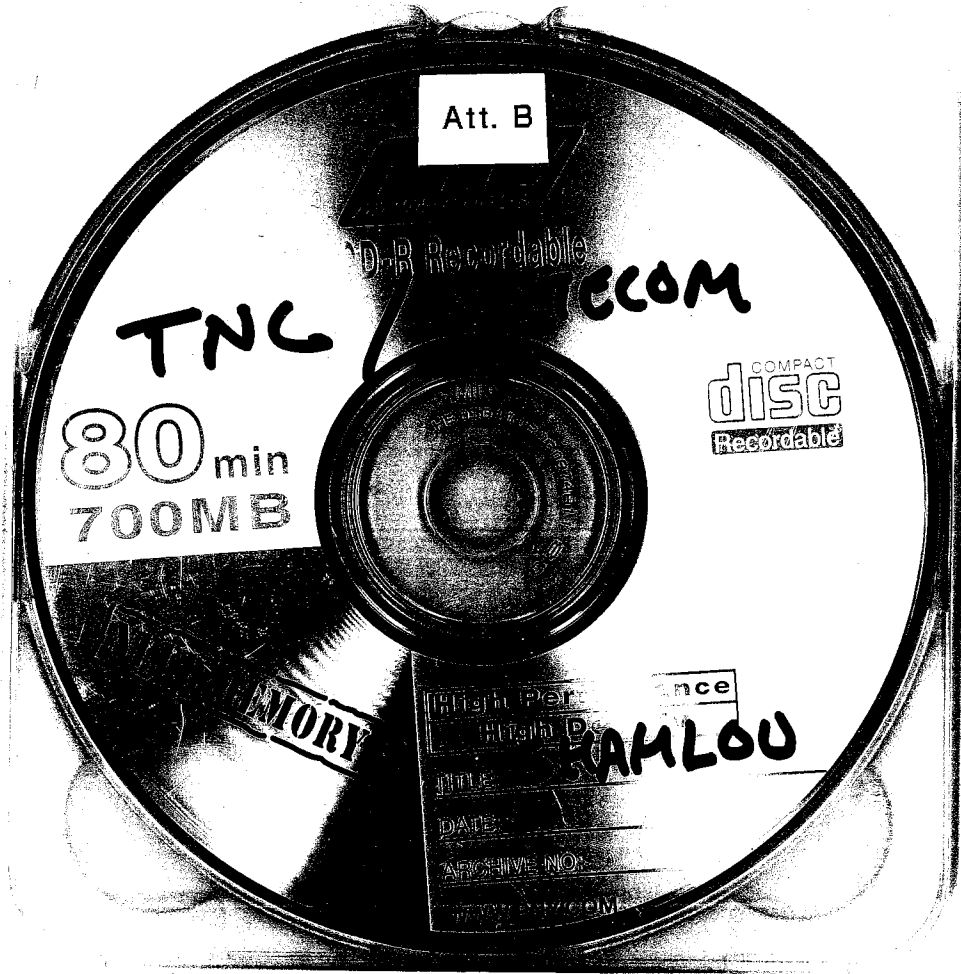
To participate informally, affected persons need only appear at the agenda conference and request the opportunity to address the Commission on an item listed on agenda. Informal participation is not permitted: (1) on dispositive motions and motions for reconsideration; (2) when a recommended order is taken up by the Commission; (3) in a rulemaking proceeding after the record has been closed; or (4) when the Commission considers a post-hearing recommendation on the merits of a case after the close of the record. The Commission allows informal participation at its discretion in certain types of cases (such as declaratory statements and interim rate orders) in which an order is issued based on a given set of facts without hearing.

See Rule 25-22.0021, F.A.C., concerning Agenda Conference participation and Rule 25-22.0022, F.A.C., concerning oral argument.


To obtain a copy of staff's recommendation for any item on this agenda, contact the Division of the Commission Clerk and Administrative Services at (850) 413-6770. There may be a charge for the copy. The agenda and recommendations are also accessible on the PSC Website, at <http://www.floridapsc.com>, at no charge.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770 at least 48 hours before the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD). Assistive Listening Devices are available in the Division of the Commission Clerk and Administrative Services, Betty Easley Conference Center, Room 110.

Video and audio versions of the conference are available and can be accessed live on the PSC Website on the day of the Conference. The audio version is available through archive storage for up to three months after the conference.



Forwarded to  
Staff  
04/23/07  
KMP

<p style="text-align: center;"><b>STATE OF FLORIDA</b></p>  <p style="text-align: center;"><b>PUBLIC SERVICE COMMISSION</b></p> <p style="text-align: center;"><b>2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-0850</b></p>	<p>March 23, 2007, 4:05 PM</p>
	<p><b>To:</b> Mike Prachar</p>
	<p><b>Fax:</b> 402-392-7585</p>
	<p><b>From:</b> Kiwanis Curry</p>
	<p><b>Voice:</b> 850-413-6662</p>
	<p><b>Fax:</b> 850-413-6663</p>
	<p><b>No. of Pages (Including Cover):</b> 5</p>
<p><b>Re:</b> NETECOM</p>	
<p><b>Notes:</b> Mr. Prachar,</p> <p>Per our telephone conversation, I have faxed you a copy of the customer's complaint along with the collection notice that was sent by NETECOM to the customer. I will also email you the link to the Public Service Commission's website. The web address is <a href="http://www.psc.state.fl.us">www.psc.state.fl.us</a>.</p> <p>If you have any questions, please feel free to contact me.</p> <p>Kiwanis</p>	

Request No. 715326T

Name SHAMLOU ,KEVIN DR.

Business Name

<p><b>Consumer Information</b></p> <p>Name: KEVIN SHAMLOU</p> <p>Business Name:</p> <p>Svc Address: 1507 OAK FOREST DRIVE</p> <p>County: Volusia Phone: (386)-676-3129</p> <p>City/Zip: Ormond Beach / 32174-</p> <p>Account Number:</p> <p>Caller's Name: KEVIN SHAMLOU</p> <p>Mailing Address: 1507 OAK FOREST DRIVE</p> <p>City/Zip: ORMOND BEACH ,FL 32174-</p> <p>Can Be Reached: (386)-846-3086</p> <p>E-Tracking Number:</p>	<p><b>Florida Public Service Commission - Consumer Request</b></p> <p><b>2540 Shumard Oak Boulevard Tallahassee, Florida 32399 850-413-6100</b></p>	<p><b>PSC Information</b></p> <p>Assigned To: ANGIE CALHOUN</p> <p>Entered By: AC</p> <p>Date: 10/13/2006</p> <p>Time: 13:29</p> <p>Via: E-MAIL</p> <p>Prelim Type: SLAMMING</p> <p>PO:</p> <p>Disputed Amt: 42.74</p> <p>Supmntl Rpt Req'd: / /</p> <p>Certified Letter Sent: / /</p> <p>Certified Letter Rec'd: / /</p> <p>Closed by:</p> <p>Date: / /</p> <p>Closeout Type:</p> <p>Apparent Rule Violation: N</p>
<p><b>Utility Information</b></p> <p>Company Code: NA</p> <p>Company: NETECOM</p> <p>Attn.</p> <p>Response Needed From Company? Y</p> <p>Date Due: 11/03/2006</p> <p>Fax: R</p>		
<p>Interim Report Received: / /</p> <p>Reply Received: / /</p> <p>Reply Received Timely/Late:</p> <p>Informal Conf.: N</p>		

Customer indicates his service was switched without authorization. Customer has received a bill from Netecom for \$42.74.

"I'd like to file a complain against a company that phone slammed me, changed my long distance carrier without my permission, and continues to send ne bills despite the fact that I switched back to my original long distance carrier within 30 days.

The company is Netecom Inc 9663 Santa Monica Blvd Beverly Hills, CA 90210 Ph-888-632-6600

They claim that they spoke with my mother who authorized the switch. The phone line, 386-676-3129, is in my name and not my mother's.

The account number with Netecom is 284440.

Thank you for your proper attention to this matter.

Request No. 715326T

Name SHAMLOU ,KEVIN DR.

Business Name



Kevin Shamlou M.D."

NETECOM does not appear in MCD. Forwarding complaint to supervisor for review. ACalhoun  
10/20/2006 - Case forwarded to Rhonda Hicks for review and forwarding to CMP. rmchargue

Request No. 715326T

Name SHAMLOU ,KEVIN DR.

Business Name

PAGE NO: 2



Date: 10/06/2006

Kevin Parvin Shamlou  
1507 OakForest Dr.  
Ormond Beach FL 32174

\*\*\*\*\*FINAL NOTICE\*\*\*\*\*

Dear Kevin Parvin Shamlou

Our records show that we have not received payment of your past-due account. We are requesting immediate payment of the remaining balance of \$ 42.74

As a customer in good standing, we know a good credit rating is important to you. To avoid referral of your account to our outside collection agency AMERICAN INVESTIGATIVE COLLECTION SERVICES, please pay the balance in full within the next 10 days.

If you choose to pay by check, a return envelope is included. You may also pay via credit card 24 hours / 7 days a week with no extra charge by calling our automated payment system at 1.888.770.7151. If you need to make payment arrangement, call 1.877.271.8384 8:00 A.M 5:00 P.M PST(Mon-Fri) within the next 10 business days. If we do not receive your payment within this period, your account is forwarded to the outside Collection Agency, and a \$25 fee and 10% collection charge will be added to your past-due amount.

Account 284440  
Amount due \$ 42.74

Sincerely,

NETECOM Receivables Management

Account 284440  
Amount due \$ 42.74  
Amount enclosed:\_\_\_\_\_

NETECOM INC  
Receivable Management Department  
15445 Ventura Blvd, Suite 888  
Sherman Oaks, CA 91403

[Home](#)

[Company](#)

[Services](#)

[Promotions!](#)

[Who](#)

## 1 LOW RATES

The best value in domestic and international long-distance telephone service.

## 2 SERVICE

Netecom is a national leader setting quality of service ahead of quality of customers.

## 3 VALUE

### [Company](#) > [Contact us](#)

#### **Send Inquiries to:**

NETECOM Inc.  
9663 Santa Monica Blvd. #731  
Beverly Hills, CA 90210

#### **Send payments to:**

NETECOM Inc.  
Payment Processing Department  
16200 Ventura Blvd. #300  
Encino, CA 91436

#### **CUSTOMER SERVICE**

1.888.632.5600 Telephone  
1.310.388.0704 Facsimile  
[cs@netecominc.com](mailto:cs@netecominc.com)

Please let us know how we are doing! We love to hear from y

[Home](#) :: [About us](#) :: [Services](#) :: [Promotions](#) :: [Wholesale](#)



Suite 300  
16200 Ventura Blvd.  
Encino, CA 91436  
Phone/Fax: +1 (888) 632-6600

April 15, 2007

Mr. Kevin Shamlou  
1507 Oak Forest Drive  
Ormond Beach, FL 32174

RE: Account Number: 284440 & Phone Number: (386) 676-3129

Dear Mr. Kevin Shamlou:

Please accept my apology for the tardiness of this response. Somehow it did not come into my hands until recently. Our normal policy would be to contact the customer and discuss the situation with him. In the few times we've been notified of a customer's belief his service was switched without authorization, it's merely a misunderstanding on someone's part. After this length of time, we're responding directly to you.

The long distance service for (386) 676-3129 was switched at the request of Mrs. Shamlou. On an electronic copy of an audio file (Third Party Verification, or TPV), she specifically states she is authorized to make changes on the account. We have no way of knowing which members of a household are authorized to make changes and do not question an adult who states he or she is authorized.

In good faith we became the long distance provider and the Shamlou's service started March 28, 2006. It continued until April 16, 2006. The first few days of service were in March and a total of \$2.64 in calls and taxes was billed. This amount was paid by check on April 28th. We had every expectation that the second month, \$22.74 would also be paid. Over the next few months late fees accumulated and the total amount due came to \$42.74 which appears to be the invoice which prompted Mr. Shamlou's report of unauthorized switching of phone service.

While we understand you did not want to continue using our service, we did expect to be paid for service used. We do make every effort to switch the long distance service only of those people who desire our services. Most of our residential customers select us as their long distance provider to take advantage of our low international rates.

As a rule, when a customer tries to resolve the situation and is willing to pay for services used, in this case \$22.74 including tax, we will forgive late charges when payment is received. Of course, this did not happen; however, we will write off the entire amount due, service charges, taxes, and late fees in this case so that matter can be closed for both of us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nathan Dominguez', is written over a faint, illegible printed name.

Nathan Dominguez  
Vice President of Operations  
Netecom, Inc.

Cc: Telenational Communications, Regulatory Department

Carrier Services  
16200 Ventura Blvd. Suite 300  
Encino, CA 91436  
CUSTOMER SERVICE 1.888.632.6600

# Statement Of Service



Page: 1  
Statement#: 16  
Statement date: Nov 30, 2006  
Account Number: [Redacted]  
Group: NET0AAAA

### PREVIOUS ACTIVITY

Amount of last bill		3.00CR
Nov 06 Credit adjust	Credit Memo 280345-111	3.00CR
Balance		6.00CR

### CURRENT ACTIVITY

Nov 30 [Redacted]	4.26
Nov 30 [Redacted]	17.48
Total current activity	21.74

### Taxes and Surcharges

STATE SALES TAX	1.51
TX TIF REIMBURSEMENT	0.30
TEXAS UNIVERSAL SERVICE	0.01
FEDERAL UNIVERSAL SERVICE FUND	1.98
FEDERAL TRS FUND	0.11
Total Taxes and Surcharges	3.91

<b>TOTAL DUE</b>	Payment due by December 31, 2006.	19.65
------------------	-----------------------------------	-------

Please return this portion with your payment.



Amount Enclosed \$ \_\_\_\_\_

Make your check payable to NETECOM Inc. Please include your account number on your check. Allow 7 days for processing your payment.

Account Number: [Redacted]

Total Due: \$19.65

Payment due by December 31, 2006.

Netecom Inc.  
Payment Processing Department  
16200 Ventura Blvd. Suite 300  
Encino, CA 91436

Account Number: [REDACTED]  
 Account Name: [REDACTED]

Statement#: 16  
 Statement date: Nov 30, 2006 Page: 2

Billing advisory for all NETECOM customers: ---Billable calls made during a prior month may not have appeared on the corresponding invoice. These calls will be reflected on this billing cycle.---

1.888.770.7151 NETECOM 24/7 Credit Card payment processing system (VISA/MC)  
 1.888.632.6600 NETECOM Customer service department (VISA/MC/AMEX/DISCOVER)

You can now make payments on your NETECOM account via credit card 24 hours a day 7 days a week without waiting to speak to a Customer Service representative.

Just call 1.888.770.7151 and follow the easy instructions and your payment will be posted to your account within 72 business hours.

You may also contact our Customer Service department at 1.888.632.6600 to make credit card payment.

Earn FREE MINUTES by referring your friends and family to NETECOM's "As Pure as it gets" telecom services.  
 NETECOM Customer Service: 1.888.632.6600  
 NETECOM Sales Department: 1.888.400.1680

Carrier services provided by Telenational Communications, Inc., a licensed common carrier. For tax & regulatory questions please forward your inquiries to: regulatory@netecominc.com.

Date	Time	Number and Country Called	Minutes	Amount	Date	Time	Number and Country Called	Minutes	Amount
		[REDACTED]			Nov 16	10:47	526566205031 MEXICO	7.0	0.98
Nov 02	22:45	526566205031 MEXICO	17.0	2.37	Nov 20	00:05	982188092181 IRAN, TEHRAN	8.0	0.56
Nov 02	23:05	526566205031 MEXICO	2.0	0.28	Nov 20	08:53	982188081293 IRAN, TEHRAN	1.0	0.07
Nov 05	18:00	982188092181 IRAN, TEHRAN	3.0	0.21	Nov 20	19:48	526566803152 MEXICO	28.0	3.90
Nov 05	18:08	982188081293 IRAN, TEHRAN	2.0	0.14	Nov 20	21:40	982188081293 IRAN, TEHRAN	1.0	0.07
Nov 05	18:43	982188092181 IRAN, TEHRAN	16.0	1.11	Nov 20	21:56	982188081293 IRAN, TEHRAN	1.0	0.07
Nov 07	02:38	1-832-594-8303 TX, HOUSTON	3.0	0.15	Nov 20	22:04	982188081293 IRAN, TEHRAN	1.0	0.07
<b>Total</b>			<b>43.0</b>	<b>4.26</b>	Nov 20	23:04	982188081293 IRAN, TEHRAN	1.0	0.07
		[REDACTED]			Nov 21	22:32	982188081293 IRAN, TEHRAN	15.0	1.04
Nov 08	23:44	982188081293 IRAN, TEHRAN	18.0	1.25	Nov 21	22:50	982188081293 IRAN, TEHRAN	1.0	0.07
Nov 09	00:02	982188092181 IRAN, TEHRAN	2.0	0.14	Nov 28	22:41	982188081293 IRAN, TEHRAN	1.0	0.07
Nov 09	00:04	982188092181 IRAN, TEHRAN	1.0	0.07	Nov 29	22:26	982188081293 IRAN, TEHRAN	25.0	1.73
Nov 09	13:44	1-913-620-8035 KS, KANSAS CIT	1.0	0.05	<b>Total</b>			<b>184.0</b>	<b>17.48</b>
Nov 09	19:21	1-915-790-0878 TX, EL PASO	2.0	0.23					
Nov 10	10:11	1-913-449-2998 KS, KANSAS CIT	1.0	0.05					
Nov 12	11:54	982188092181 IRAN, TEHRAN	10.0	0.69					
Nov 14	12:40	526566256470 MEXICO	5.0	0.70					
Nov 14	16:27	1-717-918-4099 PA, MECHANICSB	2.0	0.10					
Nov 14	16:28	1-717-918-4099 PA, MECHANICSB	8.0	0.40					
Nov 14	18:32	526566205031 MEXICO	19.0	2.65					
Nov 15	21:33	526566205031 MEXICO	8.0	1.12					
Nov 15	21:47	526566205031 MEXICO	1.0	0.14					
Nov 16	00:01	526566205031 MEXICO	1.0	0.14					
Nov 16	00:12	982188081293 IRAN, TEHRAN	7.0	0.49					
Nov 16	00:19	982188092181 IRAN, TEHRAN	8.0	0.56					



Date: 04/20/2007

CLOSED Account Holder Here  
Address Here  
City Here State Here Zip Here

\*\*\*\*\*FINAL NOTICE\*\*\*\*\*

Dear Account Holder Here

Our records show that we have not received payment of your past-due account. We are requesting immediate payment of the remaining balance of **\$Past Due Balance Here**

As a customer in good standing, we know a good credit rating is important to you. To avoid referral of your account to our outside collection agency AMERICAN INVESTIGATIVE COLLECTION SERVICES, please pay the balance in full within the next 10 days.

If you choose to pay by check, a return envelope is included. You may also pay via credit card 24 hours / 7 Days a week with no extra charge by calling our automated payment system at 1.888.770.7151. If you need to make payment arrangement, call 1.877.271.8384 8:00 A.M 5:00 P.M PST(Mon-Fri) within the next 10 business days. If we do not receive your payment within this period, your account is forwarded to the outside Collection Agency, and a \$25 fee and 10% collection charge will be added to your past-due amount.

Sincerely,

Account **ACCT HERE**  
Amount due **\$Past Due Balance Here**

NETECOM Receivables Management

IXC Services provided by Telenational Communications, Inc.

Please contact TNC for regulatory and compliance complaints or questions:  
5408 N99th St. Suite C  
Omaha, NE 68124  
800-636-5436

Account **ACCT Here**  
Amount due **\$Past Due Balance Here**  
Amount enclosed:-----

Netecom Receivables Managment  
16200 Ventura Blvd, Suite 300  
Encino, CA 91436  
888-632-6600