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March 22, 2011

**VIA E-MAIL AND U.S. MAIL**

Ms. Ann Cole  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

Re: Docket No. 110071-TP; Emergency Complaint of Express Phone Service, Inc. Against BellSouth Telecommunications, Inc., d/b/a AT&T Florida

Dear Ms. Cole:

On March 15<sup>th</sup>, Express Phone Service, Inc. (Express Phone) filed an Emergency Complaint against AT&T due to its threatened suspension of service on March 18<sup>th</sup> (this has already occurred) and its threatened termination of service on March 29<sup>th</sup>. On March 18<sup>th</sup>, Express Phone filed a Motion for Emergency Consideration by the Prehearing Officer to Maintain the Status Quo.<sup>1</sup> Despite best efforts on Express Phone's part, we have been unable to reach any agreement with AT&T whereby it would refrain from terminating service on March 29<sup>th</sup> pending consideration by the full Commission. Nor has there been a ruling on Express Phone's Emergency Motion. Thus, Express Phone expects that AT&T will terminate service on Tuesday March 29<sup>th</sup>.

Though this is obviously not a voluntary termination of service on the part of Express Phone, Staff has made it clear that it expects Express Phone to notify its subscribers about the imminent termination of service. The earliest possible date that Express Phone can deliver the notices would be Monday, March 28<sup>th</sup>. Having one day notice before service termination is clearly not in the public interest of Express Phone's 3,500 Florida Lifeline customers. AT&T continues to refuse to mutually work with Express Phone to forestall such termination. Express Phone will endeavor to send the attached notice as soon as possible but providing notice that only gives the customer 24 hours notice of termination seems somewhat pointless.

<sup>1</sup> The purpose of this Emergency Motion was to have the parties maintain the status quo until this matter could reach the full Commission on April 5<sup>th</sup>.

850.681.3828  
850.681.8788 fax  
118 N. Gadsden Street  
Tallahassee, Florida 32301

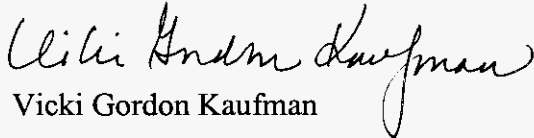
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The most recent data available to Express Phone indicates that on average it takes AT&T a minimum of 7 days to complete orders submitted by Express Phone to establish service. It would seem reasonable to allow Express Phone enough time to provide notice to its customers so that the customers would have at least 7 days to choose a new provider. Anything the Commission can do to help ensure adequate notice would certainly be in the public interest.

Sincerely,

  
Vicki Gordon Kaufman

Encl.

cc: Lee Eng Tan  
Manual Gurdian  
Tom Armstrong

DRAFT

Date

Dear Customer:

This letter is to notify you that your local telephone service from Express Phone Service, Inc. (Express Phone) will **not be available after March 29, 2011**. AT&T and Express Phone have been in a billing dispute since 2006 and **AT&T intends to terminate our ability to purchase lines from them in order to serve you**. Express Phone has worked in good faith to resolve this dispute for many months but AT&T has refused to cooperate. Express Phone has asked the Florida Public Service Commission for assistance in resolving the billing dispute and to prevent termination of your local telephone service but to date the matter remains pending.

**You may wish to select another carrier as your local telephone company before March 29<sup>th</sup>.**

You have a choice of different telephone service providers. If you do not complete the process of changing service to another provider before March 29<sup>th</sup>, your service from Express Phone is subject to termination and, after that date, it could be difficult to keep your same telephone number with a new provider. There are a number of local providers in your area. A list can be found in your local telephone directory.

If you have any questions, you may contact an Express Phone customer service representative at 877-439-1010 or contact the **FLORIDA PUBLIC SERVICE COMMISSION** at their **TOLL FREE CONSUMER ASSISTANCE LINE -- 1-800-342-3552**.

Sincerely,

Express Phone

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