

Eric Fryson

From: Tom Armstrong [tom.armstrong.sr@gmail.com]
Sent: Wednesday, March 14, 2012 12:18 AM
To: Filings@psc.state.fl.us
Subject: Re: DOCKET NO. 110303-OT
Attachments: 01046-12_data request - consumer complaints - ll providers - REPLY EPSI.doc; 01047-12_data request - raf rule - all telecom - REPLY EPSI.doc

THOMAS M. ARMSTRONG
1803 W. FAIRFIELD DRIVE, UNIT 1
PENSACOLA, FL 32501
TOM.ARMSTRONG.SR@GMAIL.COM

Docket 110303 -- Section 120.745, F.S. (2011),
Legislative review of agency rules in effect on or before
November 16, 2010

EXPRESS PHONE SERVICE, INC.

5 PAGES

**Rule 25-22.032, F.A.C. - Survey Questions - Response Data
from Express Phone Service, Inc.**

3 PAGES

**Rule 25-4.0161, F.A.C. - Survey Questions - Response Data
from Express Phone Service, Inc.**

--

Tom Armstrong
850.291.6415 mobile
850.607.2280 office
850.308.1151 fax
tom.armstrong.sr@gmail.com

1. The total number of pages in each attached document., and
2. A brief but complete description of each attached document.

DOCUMENT NUMBER DATE
01480 MAR 14 2012
FPSC-COMMISSION CLERK

3/14/2012

EXPRESS PHONE SERVICE, INC.

1803 M. HARRISON BLVD, SUITE 1

PENSACOLA, FL 32501

850-291-6415

FAX 850-308-1151

MARCH 13, 2012

Judy Harlow
c/o Ann Cole
Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RE: INDUSTRY SURVEY FOR LEGISLATIVE REVIEW OF AGENCY RULES IN EFFECT ON OR BEFORE NOVEMBER 16, 2010 - DOCKET NO. 110303-OT

Please see attached responses to staff's survey questions regarding Rule 25-22.032, Florida Administrative Code (F.A.C.) to be used to complete the Commission's Compliance Economic Review required by Sections 120.745 and 120.541, Florida Statutes. Responses are filed in Docket No. 110303-OT.

If you have any questions, please contact Tom Armstrong (850) 291-6415 or tom.armstrong.sr@gmail.com.

Sincerely,

/s/ Thomas M. Armstrong
President

DOCUMENT NUMBER-DATE

01480 MAR 14 2012

FPSC-COMMISSION CLERK

Rule 25-22.032, F.A.C. - Survey Questions

Response Data from Express Phone Service, Inc.

The following survey questions apply to **Rule 25-22.032, F.A.C, Consumer Complaints**. For responding to these questions, please refer to Subsection 120.541(2), F.S., and Subparagraph 120.745(1)(b)2, F.S. "Transactional costs" are defined in Subparagraph 120.541(2)(d), F.S., as:

...direct costs that are readily ascertainable based upon standard business practices, including filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

The Company's response data to these survey questions *should be provided for the entire rule, unless the response data is available by rule section, in which case we request the response data be provided by rule section.* Please present data in annualized format, if possible, and all cost or benefit dollar estimates should be stated in nominal terms.

1. What are the Company's estimated transactional costs resulting from the Company's compliance with Rule 25-22.032, F.A.C., for the five year period beginning July 1, 2011?

Express Phone Service, Inc. does not have sufficient data with which it could compute transactional costs.

- a. For the five year period beginning July 1, 2011, which requirements of Rule 25-22.032, F.A.C., if any, would be performed by the Company assuming the rule were not in effect? Please explain.

Each instance would be considered on an individual case basis and handled according to the merits of the instance thereby making it impossible to say which requirements would be performed assuming there is no longer a rule in effect making them requirements.

- b. For each of the requirements identified in 1a., what are the estimated transactional costs associated with such requirements for the five year period beginning July 1, 2011?

Express Phone Service, Inc. does not have sufficient data with which it could compute transactional costs.

- c. What are your actual transactional costs resulting from your Company's compliance with Rule 25-22.032, F.A.C., for the period July 1, 2011 to December 31, 2011?

Express Phone Service, Inc. does not have sufficient data with which it could compute transactional costs.

2. What is the Company's estimate of the likely impact, stated in terms of costs and/or benefits, on small businesses (as defined by Section 288.703, F.S.) located in the Company's service territory, resulting from the implementation of 25-22.032, F.A.C., for the five year period beginning July 1, 2011?

DOCUMENT NUMBER - DATE

01480 MAR 14 2011

FPSC-COMMISSION CLERK

Express Phone Service, Inc. does not have sufficient data with which it could compute estimated costs and/or benefits.

3. What is the Company's estimate of the likely impact, stated in terms of costs and/or benefits, on small counties and small cities (as defined in Section 120.52, F.S.) located in the Company's service territory, resulting from the implementation of 25-22.032, F.A.C., for the five year period beginning July 1, 2011?

Express Phone Service, Inc. does not have sufficient data with which it could compute estimated costs and/or benefits.

4. What is the Company's estimate of the likely impact, stated in terms of costs and/or benefits, on entities located in the Company's service territory other than those specifically identified in Questions 2 and 3, resulting from the implementation of 25-22.032, F.A.C., for the five year period beginning July 1, 2011?

Express Phone Service, Inc. does not have sufficient data with which it could compute estimated costs and/or benefits.

5. What does the Company believe is the expected impact of Rule 25-22.032, F.A.C., on economic growth, private sector job creation or employment, and private sector investment for the five year period beginning July 1, 2011 in the company's service territory?

Express Phone Service, Inc. does not have sufficient data with which it could compute an expected impact.

6. What does the Company believe is the expected impact of Rule 25-22.032, F.A.C., on business competitiveness, including the ability of persons doing business in the Company's service territory to compete with persons doing business in states other than Florida or other domestic markets, productivity, and innovation, for the five year period beginning July 1, 2011?

Express Phone Service, Inc. does not have sufficient data with which it could compute an expected impact.

7. What does the Company believe are the benefits of Rule 25-22.032, F.A.C.?

Express Phone Service, Inc. does not have a belief one way or the other on any benefits of the proposed rule.

8. Assuming Rule 25-22.032, F.A.C., is unchanged over the next five years, do you expect your Company's costs to comply with the rule going forward, to increase, decrease, or remain the same. Please explain your response.

Express Phone Service, Inc. does not have sufficient data with which it could compute costs.

9. Does your Company currently have procedures/personnel in place to address complaints received directly from your consumers?

Yes

10. If Rule 25-22.032, F.A.C., were repealed would your Company continue to accept and address consumer complaints? Please explain your response.

Yes. Each instance would be considered on an individual case basis and handled according to the merits of the instance. Customers would be able to submit complaints the same way they are now – calling customer service.

11. Do you believe the costs, if any, incurred by your Company to comply with the records retention, reporting, and auditing requirements of Rule 25-22.032(10), F.A.C., for the five year period beginning July 1, 2011, if any, have an adverse impact on your Company? If so, please provide any and all data which supports your response.

Express Phone Service, Inc. does not have sufficient data with which it could compute costs.

12. Of the transactional costs estimated to be associated with compliance with 25-22.032, F.A.C., what percentage is spent on the following items:
- Staffing
 - Document storage and retention
 - Postage and shipping
 - Communications (dedicated phone lines, emails or faxes)
 - Other

Express Phone Service, Inc. does not have sufficient data with which it could compute costs.

13. How many staff members at your Company are currently responsible for handling consumer complaints associated with 25-22.032, F.A.C.?

One

- Are they full time employees?
Yes
- Do these employees have responsibilities apart from handling complaints?
Yes

14. Section 3 of Rule 25-22.032, F.A.C., states that a customer's service shall not be discontinued during the complaint resolution process. Have there been instances within 2010 through 2011, when your Company was uncompensated for service provided as a result of a billing dispute?

Yes

- In the majority of these cases, is the Company able to recoup these costs after the complaint is resolved?

No

15. Does your Company subscribe to the Florida Public Service Commission's telephone "transfer-connect" or email transfer system?

No

a. What are the annual costs associated with subscription to these systems, including costs due to additional requirements for staffing, operating hours and document retention?

N/A

16. Approximately what percentage of complaints are resolved prior to reaching the Informal Conference stage described in section 8 of Rule 25-22.032, F.A.C.?

100

a. How many times has your Company had a consumer complaint that has escalated all the way to the informal conference stage in the previous two years?

Zero

b. How many times within 2010 through 2011, has your Company had a complaint process that was escalated beyond the informal conference stage?

Zero

17. Approximately what percentage of complaints from your customers filed with the Florida Public Service Commission are successfully resolved within 30 days?

Zero

18. How has Rule 25-22.032, F.A.C., affected the way your Company processes complaints?

No change.

a. Has the rule had a positive, negative, or neutral impact on your Company?

Neutral

b. How has the rule affected the Company's cost of handling complaints?

Express Phone Service, Inc. does not have sufficient data with which it could compute costs.