

State of Florida



# Public Service Commission

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

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** March 14, 2012  
**TO:** Ann Cole, Commission Clerk, Office of Commission Clerk  
**FROM:** Laura V. King, Economic Analyst, Division of Regulatory Analysis *[Signature]*  
**RE:** Docket No. 110303-OT - Section 120.745, F.S. (201 1), Legislative review of agency rules in effect on or before November 16,2010

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Please find attached responses from three telecommunications providers to the Compliance Economic Review Survey issued in this docket on February 24, 2011. Please place these documents in the docket file. Thank you.

RECEIVED-FPSC  
12 MAR 14 PM 3:12  
COMMISSION  
CLERK

DOCUMENT NUMBER-DATE

01508 MAR 14 2012

FPSC-COMMISSION CLERK

TG-967

**Laura King**

**From:** Ken Dawson [kdawson@icsolutions.com]  
**Sent:** Monday, February 27, 2012 5:41 PM  
**To:** Jessica Miller  
**Cc:** Laura King  
**Subject:** Industry Survey - docket No. 110303-OT (Consumer Complaint Rule)  
**Attachments:** FL Data Request - consumer complaints.pdf

Ms. Miller and/or King,

Please see responses for the above captioned matter embedded in the survey questionnaire, attached.

Regards,

*Ken Dawson,*

*Director Contracts & Regulatory*

*210-581-8104*

2/28/2012

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

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?

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.

**Section 3 – The Company has no mechanism to disconnect service.**

**Section 6(a) – The Company offers a single point of contact for complaints and, in any event, would never request Staff to redirect a complaint within the Company's own organization.**

**Section 6(b) – Standard operating procedure.**

**Section 6(c) – Standard operating procedure.**

**Section 10(a) – Standard operating procedure.**

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?

**Company received only two consumer complaints through the FL PSC in all of 2010 and just one such complaint in 2011. Since the requirements identified in 1a., to the extent operational, are Company's standard procedure, the estimated transactional cost is negligible.**

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?

DOCUMENT NUMBER-DATE

01508 MAR 14 2011

FPSC-COMMISSION CLERK

**The Company received no consumer complaints through the FL PSC during the stated period and, therefore, compliance costs were negligible.**

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?

**As long as Sections 4 and 5 remain optional and a small business does not trigger the provisions of Sections 7 or 8, the impact is negligible. Adopting the provisions of Sections 4(a) or 4(b) would be burdensome for any small business that, like the Company, receives very few complaints since the overhead of maintaining the technical knowledge and operational readiness of a FL-specific complaint reporting mechanism far outweighs any benefit that it provides.**

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?

**No material impact estimated.**

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?

**No material impact estimated.**

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?

**No material impact estimated.**

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?

**No material impact estimated.**

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

**The Company sees no benefits to the subject rule. From the Company's perspective, consumer complaints are minimal and the efficient and timely handling of minimal complaints is not aided by the implementation of a complex and precise rule. Moreover, the amounts and matters at issue with respect to consumer complaints are typically petty so the formal processes imposed by Sections 7 thru 9 of the Rule are excessive and burdensome.**

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.

**No material change is expected over the next five years.**

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. It is prudent business practice to provide prompt and thorough resolution of any customer complaints since, in the Company's view, the detrimental effect of not doing so far outweighs the cost.**

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.

**No.**

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:

a. Staffing	90%
b. Document storage and retention	5%
c. Postage and shipping	2%
d. Communications (dedicated phone lines, emails or faxes)	2%
e. Other	1%

13. How many staff members at your Company are currently responsible for handling consumer complaints associated with 25-22.032, F.A.C.? 1

- a. Are they full time employees? **Yes.**  
b. 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.**
- a. 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? **None.**
- b. How many times within 2010 through 2011, has your Company had a complaint process that was escalated beyond the informal conference stage? **None.**
17. Approximately what percentage of complaints from your customers filed with the Florida Public Service Commission are successfully resolved within 30 days? **100%**
18. How has Rule 25-22.032, F.A.C., affected the way your Company processes complaints?
- No material effect.**
- a. Has the rule had a positive, negative, or neutral impact on your Company?
- b. How has the rule affected the Company's cost of handling complaints?



ATTN:

Laura King

Fax 850-413-6589

Following pages 7 pages

TD 940

Wiljac Management

FROM:

John Talamas

SMWB, INC

305-661-8050

Cell = 798-1615

COMMISSIONERS:  
RONALD A. BRISÉ, CHAIRMAN  
LISA POLAK EDGAR  
ART GRAHAM  
EDUARDO E. BALBIS  
JULIE I. BROWN

## STATE OF FLORIDA



DIVISION OF REGULATORY ANALYSIS  
BETH W. SALAK  
DIRECTOR  
(850) 413-6600

*Public Service Commission*

February 24, 2012

To: [South Miami Wash Bowl, Inc n/k/a  
Wiljac Management, Inc]  
PSC# TD 940

Re: Industry survey for legislative review of agency rules in effect on or before November 16, 2010  
Docket No. 110303-OT

To whom this may concern:

Please see attached staff's survey questions. Your timely response to these survey questions regarding Rule 25-22.032, Florida Administrative Code (F.A.C.) will be used to complete the Commission's Compliance Economic Review required by Sections 120.745 and 120.541, Florida Statutes. All responses should be filed in Docket No. 110303-OT by 5:00 p.m., Wednesday, March 14, 2012, and addressed to:

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

If you have any questions, please contact Jessica Miller at (850) 413-6546 or [jemiller@psc.state.fl.us](mailto:jemiller@psc.state.fl.us) or Laura King at (850) 413-6588 or [lking@psc.state.fl.us](mailto:lking@psc.state.fl.us).

Thank you for your assistance.

Sincerely,

Judy Harlow  
Senior Analyst  
Division of Regulatory Analysis

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

Page 1

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

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.

**February 29, 2012**

**Attention: Judy Harlow  
c/o PSC Commission Clerk  
Ann Cole**

**South Miami Wash Bowl n/k/a Wiljac Management Inc (PSC#TD940) has not maintained payphones in the field for public service since April 2008. The Physical phone route was sold to another provider; therefore I have not had any issues regarding this survey to offer the data requested. SMWB n/k/a Wiljac Management, Inc has kept the license active by paying the minimum annual regulatory assessment fee of \$100. The following questions are not applicable (N/A) in my case as explained.**

**I trust that this meets with your satisfaction. If you have any questions, please feel free to contact me.**

**Sincerely Yours**

**John Talamas, President  
South Miami Wash Bowl  
N/k/a Wiljac Management, Inc  
522 San Esteban Ave  
Coral Gables, FL 33146  
305-798-1615**

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?
  - 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

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

## Page 2

- not in effect, due to requirements imposed by other governmental regulators or for other reasons? Please explain. N/A
- 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? N/A
- 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? N/A
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? N/A
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? N/A
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? N/A
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? N/A
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? N/A
7. What does the Company believe are the benefits of Rule 25-22.032, F.A.C.? N/A
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. N/A
9. Does your Company currently have procedures/personnel in place to address complaints received directly from your consumers? N/A
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. N/A

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

Page 3

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. N/A
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:
  - a. Staffing N/A
  - b. Document storage and retention N/A
  - c. Postage and shipping N/A
  - d. Communications (dedicated phone lines, emails or faxes) N/A
  - e. Other
13. How many staff members at your Company are currently responsible for handling consumer complaints associated with 25-22.032, F.A.C.? N/A
  - a. Are they full time employees? N/A
  - b. Do these employees have responsibilities apart from handling complaints? N/A
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?
  - a. In the majority of these cases, is the Company able to recoup these costs after the complaint is resolved? N/A
15. Does your Company subscribe to the Florida Public Service Commission's telephone "transfer-connect" or email transfer system? N/A
  - 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.? N/A
  - 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? N/A
  - b. How many times within 2010 through 2011, has your Company had a complaint process that was escalated beyond the informal conference stage? N/A
17. Approximately what percentage of complaints from your customers filed with the Florida Public Service Commission are successfully resolved within 30 days? N/A
18. How has Rule 25-22.032, F.A.C., affected the way your Company processes complaints? N/A
  - a. Has the rule had a positive, negative, or neutral impact on your Company? N/A
  - b. How has the rule affected the Company's cost of handling complaints? N/A

COMMISSIONERS:  
RONALD A. BRISÉ, CHAIRMAN  
LISA POLAK EDGAR  
ART GRAHAM  
EDUARDO E. BALBIS  
JULIE L. BROWN

## STATE OF FLORIDA



DIVISION OF REGULATORY ANALYSIS  
BETH W. SALAK  
DIRECTOR  
(850) 413-6600

*Public Service Commission*

February 24, 2012

To: (South Miami Wash Bowl n/k/a  
Wiljac Management, Inc)  
PSC # 940

Re: Industry survey for legislative review of agency rules in effect on or before November 16, 2010  
Docket No. 110303-OT

To whom this may concern:

Please see attached staff's survey questions. Your timely response to these survey questions regarding Rule 25-4.0161, Florida Administrative Code (F.A.C.) will be used to complete the Commission's Compliance Economic Review required by Sections 120.745 and 120.541, Florida Statutes. All responses should be filed in Docket No. 110303-OT by 5:00 p.m., Wednesday, March 14, 2012, and addressed to:

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

If you have any questions, please contact Kiwanis Curry at (850) 413-6662 or [kcurry@psc.state.fl.us](mailto:kcurry@psc.state.fl.us) or Judy Harlow at (850) 413-6842 or [jharlow@psc.state.fl.us](mailto:jharlow@psc.state.fl.us).

Thank you for your assistance.

Sincerely,

Judy Harlow  
Senior Analyst  
Division of Regulatory Analysis

Rule 25-4.0161, F.A.C. – Survey Questions  
Page 1

**Rule 25-4.0161, F.A.C. – Survey Questions**

The following survey questions apply to Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies. 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.

February 29, 2012  
Attention: Judy Harlow  
c/o PSC Commission Clerk  
Ann Cole

South Miami Wash Bowl n/k/a Wiljac Management,Inc (PSC#TD940) has not maintained payphones for public service in the field since April 2008. The physical phone route was sold to another Florida provider, I have kept the license active by paying the minimum regulatory assessment fee of \$100. It would be less of a burden if this was reduced to the original fee of \$50 for companies that do not have active service to the public. The cost of the RAF to me at this time is the cost of a check, the time to write the check and mail with the current stamp cost of 45 cents.

I trust that this meets with your satisfaction based on my particular case and if you have any questions, please feel free to contact me.

Sincerely Yours  
John Talamas, President  
South Miami Wash Bowl  
n/ka Wiljac Management, Inc  
522 San Esteban Ave  
Coral Gables, FL 33146  
305-798-1615

Please note: N/A- Not Applicable

## Rule 25-4.0161, F.A.C. – Survey Questions

## Page 2

1. What are the estimated transactional costs resulting from the Company's compliance of Rule 25-4.0161, F.A.C., for the five year period beginning July 1, 2011? N/A(not applicable at this time)
  - a. What are your actual transactional costs resulting from your Company's compliance with Rule 25-4.0161, F.A.C., for the period July 1, 2011 through December 31, 2011? N/A
2. What is your 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 compliance of Rule 25-4.0161, F.A.C., for the five year period beginning July 1, 2011? N/A
3. What is your 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 compliance of 25-4.0161, F.A.C., for the five year period beginning July 1, 2011? N/A
4. What is your 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 compliance of 25-4.0161, F.A.C., for the five year period beginning July 1, 2011? N/A
5. What expected impact do you believe Rule 25-4.0161, F.A.C., will have on economic growth, private sector job creation or employment, and private sector investment for the five year period July 1, 2011 in the Company's service territory? N/A
6. What expected impact do you believe Rule 25-4.0161, F.A.C., will have 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 July 1, 2011? N/A
7. What are the benefits to your Company associated with Rule 25-4.0161, F.A.C.? N/A
8. Since the December 4, 2011 rule change has your Company revised customer rates in order to comply with Rule 25-4.0161, F.A.C.? If so, please explain any rate changes that were made.N/A
9. If the Company did revise customer rates after the rule change, what were the specific costs associated with processing and implementing these rate changes? N/A
10. Does the Company anticipate having to revise customer rates in the future in order to comply with Rule 25-4.0161, F.A.C.? If so, please explain any anticipated rate changes for the five year period beginning July 1, 2011. N/A
11. If the company anticipates revising customer rates in order to comply with Rule 25-4.0161, F.A.C., what costs does the company expect to incur to process and implement the rate changes for the five year period beginning July 1, 2011? N/A

Laura King

TL 731

**From:** Hall, Lynn B. [LBHall@smartcity.com]  
**Sent:** Tuesday, March 13, 2012 11:24 AM  
**To:** Jessica Miller; Laura King  
**Cc:** Truesdale, Kathleen  
**Subject:** RE: Docket No. 110303-OT - Rule 25-22.032 Data Request  
**Attachments:** SCT - FPSC 01046-12\_data request - consumer complaints - telecom.doc

Please see the attached Smart City Telecom response to the above referenced Data Request.

Lynn

**Lynn B. Hall**

**Director - Customer Support, Contracts and Regulatory Affairs**

P.O. Box 22555 | 3100 Bonnet Creek Road | Lake Buena Vista, FL 32830-2555

O: 407.828.6730 | F: 407.828.6701

E: [lbhall@smartcity.com](mailto:lbhall@smartcity.com)

**Smart City**

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3/14/2012

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

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?

**Estimated transactional costs are negligible.**

- 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.

**Smart City Telecom would continue to expeditiously respond to, and handle and resolve all customer complaints whether the Rule was in effect or not.**

- 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?

**Estimated transactional costs are negligible.**

- 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?

**Zero, as no Consumer Complaints were received by Smart City Telecom in 2011.**

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?

**No impact on small businesses is expected.**

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?

**No impact on small counties and cities is expected.**

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?

**No impact is expected.**

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?

**No impact is expected.**

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?

**No impact is expected.**

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

**For Smart City Telecom, none as we have historically received very few Consumer Complaints. But when we have received customer complaints, they have been responded to, handled and resolved expeditiously as is any customer complaint whether received from the FPSC or directly from the customer.**

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.

**Remain the same as Smart City Telecom historically has had very few Consumer Complaints filed.**

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.**

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.

**No.**

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:
- a. Staffing
  - b. Document storage and retention
  - c. Postage and shipping
  - d. Communications (dedicated phone lines, emails or faxes)
  - e. Other

**Unknown as our estimated transactional costs are negligible.**

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

**Two (2).**

- a. Are they full time employees?

**Yes.**

- b. 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?

**No.**

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

**N/A.**

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 (0).**

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

**Zero (0).**

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

**100%.**

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

**No.**

- 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?

**The Rule has not affected the Company's cost of handling complaints.**