

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the matter of	:	
Comprehensive Review of	:	
the Revenue Requirements	:	DOCKET NO. 920260-TL
and Rate Stabilization	:	
Plan of SOUTHERN BELL	:	
TELEPHONE AND TELEGRAPH	:	
COMPANY.	:	

PROCEEDINGS: ORLANDO SERVICE HEARING

BEFORE: CHAIRMAN J. TERRY DEASON
 COMMISSIONER LUIS J. LAUREDO
 COMMISSIONER JULIA F. JOHNSON
 COMMISSIONER DIANE K. KIESLING

DATE: Wednesday, December 15, 1993

TIME: Commenced at 6:00 p.m.
 Concluded at 6:45 p.m.

PLACE: City Counsel Chambers
 400 South Orange Avenue
 Orlando, Florida

REPORTED BY: JOY KELLY, CSR, RPR
 Official Commission Reporter

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1 APPEARANCES:

2 HARRIS R. ANTHONY, and COURT LANTAFF, c/o
3 Marshall M. Criser, III, 150 South Monroe Street, Suite
4 400, Tallahassee, Florida 32302, Telephone No. (904)
5 222-1201, on behalf of BellSouth Telecommunications,
6 Inc., d/b/a Southern Bell Telephone and Telegraph
7 Company.

8 CHARLES J. BECK, Office of Public Counsel,
9 c/o The Florida Legislature, 111 West Madison Street,
10 Room 812, Tallahassee, Florida 32399-1400, Telephone
11 No. (904) 488-9330, on behalf of the Citizens of the
12 State of Florida.

13 NOREEN DAVIS, FPSC Division of Legal
14 Services, 101 East Gaines Street, Tallahassee, Florida
15 32399-0863, Telephone No. (904) 487-2740, appearing on
16 behalf of the Commission Staff.

17 ALSO PRESENT:

18 BEVERLY DeMELLO, FPSC Office of Public
19 Information.

20 BRENDA MONROE, FPSC Office of Public
21 Information.

22 MARGARET RING, FPSC Division of Consumer
23 Affairs.

24 STAN GREER, FPSC Division of Communications.
25

I N D E XMISCELLANEOUS

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WITNESSESName:

8		
9	ERNEST H. J. STEED	16
10	DANIEL T. PULFORD	23
11	VALERIE HICKEY-PATTON	26
12	MONTE BELOTE	28

EXHIBITS

	<u>Number:</u>	<u>Identified</u>	<u>Admitted</u>
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P R O C E E D I N G S

(Hearing convened at 6:00 p.m.)

CHAIRMAN DEASON: Call this hearing to order, please. We will begin with having the notice read.

MS. DAVIS: Thank you, Mr. Chairman.

This time and place have been set for a service hearing by notice issued September 28th, 1993 in the consolidated Southern Bell dockets, Nos. 920260-TL, 910163-TL, 910727-TL, 900960-TL, and 911034-TL.

CHAIRMAN DEASON: Thank you. Take appearances.

MR. ANTHONY: Hank Anthony and Court Lantaff on behalf of Southern Bell Telephone and Telegraph Company.

MR. BECK: Charlie Beck, Office of the Public Counsel, appearing on behalf of Southern Bell's customers.

MS. DAVIS: Noreen Davis, appearing on before of the Commission Staff.

CHAIRMAN DEASON: Thank you. I'd like to take this opportunity to welcome everyone to the hearing this evening. In the way of introductions, my name is Terry Deason. I'm Chairman of the Public Service Commission. To my left --

1 UNIDENTIFIED SPEAKER: We can't hear you.

2 CHAIRMAN DEASON: Apparently, the microphone
3 is not working.

4 (Brief recess.)

5 CHAIRMAN DEASON: Now the microphones are on.
6 Can everyone still hear very well?

7 What we're going to do is just basically
8 begin all over again and hopefully things will go
9 smoothly this time. To make sure that everyone can
10 hear what has transpired here before we will just start
11 over. And, Counsel, will you please read the notice
12 again.

13 MS. DAVIS: Yes, sir. This time and place
14 have been set for a service hearing by notice issued
15 September 28th, 1993 in the consolidated Southern Bell
16 dockets, Nos. 920260-TL, 910163-TL, 910727-TL,
17 900960-TL and 911034-TL.

18 CHAIRMAN DEASON: Take appearances.

19 MR. ANTHONY: Hank Anthony and Court Lantaff
20 on behalf of Southern Bell Telegraph & Telephone
21 Company.

22 MR. BECK: Charlie Beck, Office of the Public
23 Counsel appearing on behalf of Southern Bell's
24 customers.

25 MS. DAVIS: Noreen Davis, appearing on behalf

1 of the Commission Staff.

2 CHAIRMAN DEASON: Thank you. Now I will take
3 this opportunity to welcome everyone to the hearing
4 this evening. I will begin by making some
5 introductions. My name is Terry Deason. I'm Chairman
6 of the Public Service Commission. To my left is
7 Commissioner Julia Johnson, to my immediate right is
8 Commissioner Luis Lauredo and to my far right is
9 Commissioner Diane Kiesling. We also have a number of
10 Staff personnel from the Public Service Commission here
11 this evening.

12 In the foyer area, from our Office of Public
13 Information is Ms. Bev DeMello and Ms. Brenda Monroe.
14 Also in the audience this evening from our Division of
15 Communications is Stan Greer. Stan, could you stand
16 and raise your hand there. And we also have a
17 representative from our Consumer Affairs Division, Ms.
18 Margaret Ring. And Margaret is standing towards the
19 back. Any of these individuals from the Commission
20 Staff would be more than happy to give you whatever
21 assistance that you may have and try to answer any
22 questions that you have.

23 The purpose of the hearing this evening is to
24 hear from you, the customers of Southern Bell. We are
25 eager to hear your comments concerning the quality of

1 service which is provided to you by Southern Bell, as
2 well as the various rate proposals which are currently
3 pending before the Commission and are the subject
4 matter of the dockets which were just identified by the
5 counselor.

6 I'd like to take a moment now to outline
7 briefly the procedure which we're going to be following
8 this evening.

9 First, let me state that this is an official
10 hearing of the Public Service Commission. The
11 testimony that you will be giving this evening will
12 become part of the official record, and will become
13 evidence in the case, and can and will be relied upon
14 by the Commissioners in making the decision in these
15 cases. Everything that is being said here this evening
16 is being recorded by the Commission's court reporter.
17 The procedure we're going to follow this evening is
18 that we will begin by having brief opening statements,
19 one given by Southern Bell and one given by the Office
20 of Public Counsel.

21 At the conclusion of the opening statements
22 we will ask all those individuals from the public who
23 wish to testify to stand and be sworn in. This is
24 necessary for your testimony to become part of the
25 official record.

1 When your name is called by Mr. Charlie Beck,
2 who is with the Office of Public Counsel, please come
3 forward and give your name and your address for the
4 court reporter. And if you think there may be
5 difficulty in the spelling of your last name, if you
6 could give that, also, that would be helpful.

7 We're going to at that point just proceed
8 with your statement. You also have the option, if you
9 wish, instead of giving the statement this evening,
10 there is a blue information handout, which is in the
11 foyer area. The last page of this handout may be
12 detached. It gives you the opportunity to make written
13 comments, and it may be folded and mailed to the Public
14 Service Commission. This is another means of making
15 your comments known to the Public Service Commission.
16 I think that fairly well takes care of the preliminary
17 matters.

18 Is there a proof of publication of this
19 hearing, Mr. Anthony?

20 MR. ANTHONY: Yes, Mr. Chairman, I have one,
21 if I could have that entered into the record as an
22 exhibit.

23 CHAIRMAN DEASON: We will do so, and it will
24 be identified as Exhibit No. 7.

25 MR. ANTHONY: Thank you.

1 CHAIRMAN DEASON: You can give a copy of that
2 to the court reporter.

3 MR. ANTHONY: Yes.

4 CHAIRMAN DEASON: As I indicated, we will
5 begin with opening statements. Mr. Lantaff.

6 MR. LANTAFF: Good evening. Can you hear me
7 out there? I'm Court Lantaff, and I'm Assistant Vice
8 President of Corporate and Community Affairs for
9 Southern Bell and Florida. I want to thank all of you
10 for coming. I'm going to be very brief tonight, so we
11 can get to your views. However, there are a few things
12 I believe need to be said to set the context for
13 tonight's discussion.

14 We need to look no further than the headlines
15 of recent newspaper, news and magazine articles to
16 realize that the telephone business is changing at an
17 ever-increasing pace. A recent front-page article in a
18 major Florida newspaper said, and I quote, "In Florida
19 the merger of Bell Atlantic and TCI may challenge
20 Southern Bell's decades' old dominance of local
21 telephone service," end quote.

22 The story continues that "By mid-1994 the
23 Bell Atlantic and TCI system will link living rooms in
24 major portions of Florida with America's data
25 superhighway through a single outlet in your home."

1 And one doesn't have to look very far to look
2 for samples of changes that are on top of all of us.
3 Right here in Orlando, national news was made with the
4 announcement earlier this year that Time Warner will
5 try one of their most innovative experiments offering
6 thousands of homes access to hundreds of channels,
7 including those that offer movies on demand, video
8 games, data transmission, video shopping, and, yes,
9 telephone service.

10 Writing about Time Warner's announcement, the
11 Orlando Sentinel said, "Look on top of your television,
12 it's a personal computer, it's a telephone. No, it's a
13 cable converter. Actually it's all three."

14 The Sentinel went on to describe the
15 situation as, "A revolution is underway and Orlando is
16 ground zero. Yes, America, and Florida in particular,
17 are in the middle of a communications revolution, not
18 an evolution, and yet our traditional regulatory
19 process never envisioned this changing market. The
20 regulatory policies of the past do not address the
21 changes that are occurring today, let alone tomorrow's
22 changes."

23 That brings me to the proposal we have before
24 the Public Service Commission. That proposal is really
25 about continuing Florida's transition to this new

1 world. It's about providing you options. It's about
2 providing reasonably priced, reliable service and, yes,
3 about positioning Southern Bell to be able to compete
4 in this new world of competition. Since we have
5 already sent you, our customers, a bill insert that
6 describes our proposal in detail, and the Commission
7 has provided information as well, I will not belabor
8 those points tonight. If you still have questions, we
9 do have employees here tonight who can talk about them
10 with you individually.

11 However, I do want to emphasize three primary
12 points about our proposal. First, this is a rate
13 reduction case.

14 Since 1988 when the Florida Public Service
15 Commission approved Southern Bell's current incentive
16 regulatory plan, you, our customers, have received more
17 than \$1.4 billion in rate reductions and refunds. In
18 our proposal that we're talking about tonight, we're
19 suggesting another reduction of over 26 million to you,
20 in addition to the 49 million in reductions already
21 scheduled.

22 And secondly, if Southern Bell is to be able
23 to continue offering reasonably priced service, we must
24 have a regulatory environment that encourages
25 efficiency and provides the capital resources so we can

1 bring the benefits of the Information Age to you.

2 And third, there has been a great deal of
3 publicity about Southern Bell's proposed expanded local
4 service plan. Despite what you may have heard here is
5 the truth: This is not a mandatory plan. It is and
6 will remain an option that will benefit some of our
7 customers. Even if our proposal was approved, you
8 would still have the option of having the same flat
9 rate services you have today.

10 We believe there are many other beneficial
11 features of our proposal, but I did promise to be
12 brief. Tonight is about hearing from you. Thank you
13 and I look forward to hearing your comments.

14 That ends my remarks, Mr. Chairman.

15 CHAIRMAN DEASON: Thank you. Mr. Beck.

16 MR. BECK: Thank you, Mr. Chairman. Mr.
17 Lantaff, speaking for Southern Bell, referred you to
18 the changes that are going on in technology that is
19 used to provide the telephone service.

20 One of the things he didn't mention is that
21 that technology is reducing the cost. In other words,
22 the amount of cost to provide you telephone service and
23 reducing those costs dramatically, and Southern Bell
24 doesn't want your rates to go down like they should to
25 reflect those reduced costs. If you think of the way

1 hand-held calculators have gone down in price, from
2 \$100 ten to twenty years ago, and now you can get them
3 for a dollar. The same with computers. The price of
4 computers has been dropping for years and continues to
5 drop.

6 Much of the network used to provide you
7 telephone service is computerized. Southern Bell's
8 switching centers are virtually all digital now. They
9 have fiber optics connecting those switching centers.
10 Those technology advances which have been paid for by
11 customers in the past through your rates should be
12 bringing you lower prices now. And Southern Bell is
13 trying very hard not to reduce rates to the extent they
14 should. Let me give you a couple of examples.

15 They are asking for a profit level return on
16 their equity that they expect this year to equal 13.5%,
17 and that's after they pay the taxes on that profit
18 level. They want to keep all of their profits up to a
19 14% level and their share they've kept at a 16% level
20 of profits after taxes.

21 Given the rate of inflation that is now very
22 low, interest costs are at the lowest point they have
23 been in several decades, we think the profit level they
24 are asking for is outrageous. It should be much lower
25 than they have asked.

1 Another thing going on with Southern Bell is
2 they are undergoing a reorganization and thousands of
3 employees will be leaving Southern Bell service through
4 1996. In Florida the savings, excessive cost from that
5 reorganization will exceed \$100 million, and Southern
6 Bell does not want any of that to come back to
7 customers through lower rates.

8 We've proposed there be step decreases each
9 year reflecting those savings, and the people that are
10 no longer needed to provide you telephone service.
11 Again, that goes back to technology.

12 Besides the profit level Southern Bell is
13 asking, that we think is far too high, we have numerous
14 accounting adjustments that will be presented to the
15 Commission about the way they calculate their profits.
16 There will be issues in the case about falsification of
17 sales, the number of customers here in Orlando had
18 services added to their bills without ever even talking
19 to a representative of Southern Bell. We're also
20 presenting evidence to the Commission that they falsify
21 the reports they have submitted to the Commission
22 concerning the quality of the service that they have
23 provide you.

24 With respect to the option Mr. Lantaff
25 mentioned about local measured service, Southern Bell

1 is proposing that your long distance rates be reduced
2 if, and only if, you chose local measured service.
3 This is their expanded local calling plan that they are
4 proposing. We want very much for the long distance
5 prices to be lowered in this case, and think that there
6 should be no tie-in or connection between your getting
7 lower long distance prices and being required to take
8 local measured service as a condition for getting that.
9 So we're opposing the way Southern Bell is proposing
10 that.

11 We're also proposing that Touch-Tone charges
12 be eliminated. This is a service that costs virtually
13 nothing to provide and the ratepayer would be paying a
14 dollar for it; we think that should be eliminated.
15 We're working very hard to try to bring you -- or to
16 get a result of having lower prices that you pay for
17 telephone service. And the hearings will be starting
18 next month in Tallahassee. Thank you.

19 CHAIRMAN DEASON: Thank you, Mr. Beck.

20 At this time I'm going to ask all individuals
21 from the public who wish to make a formal statement to
22 the Commission this evening to please stand and to
23 raise your right hand.

24 (Witnesses sworn collectively.)

25 CHAIRMAN DEASON: Mr. Beck, you may call your

1 first witness.

2 MR. BECK: Dr. Ernest Steed.

3 ERNEST H. J. STEED

4 was called as a witness on behalf of the Citizens of
5 the State of Florida and, having been duly sworn,
6 testified as follows:

7 WITNESS STEED: Ernest Steed, and I live at
8 13 Pine Glen Drive, DeBary.

9 Mr. Chairman, Commissioners, I'd like to say
10 how much I appreciate the heavy responsibility you
11 have, because I know that getting consensus in the
12 modern world is very difficult. I spent some 22 years
13 as an NGO with the United Nations and the World
14 Health, and I know on some words you can go on for a
15 long time.

16 But I'm aware also that on this issue of the
17 telephone you have sent forth your very important
18 principles and objectives as I find in your
19 publication, that I find very interesting and helpful.
20 They sound actually inspiring.

21 "Regulatory decisions that are fair, just and
22 reasonable," and it goes on and it says, "The
23 Commission's actions taken without delay, and in full
24 accordance with the rules of Florida and the rules of
25 the Commission."

1 Well, I appeared before this Commission, I
2 think, a year ago and I followed with interest what's
3 been happening, and I find that somehow -- I'm not
4 going to belabor all the things that caused the delay
5 -- but I think you have to admit and others admit there
6 is delay. And I know that this might be your goal, but
7 I don't think it's being achieved. Because a very
8 simple but necessary item is robbing the telephone user
9 of the lack of a decision. It's not the Bell Telephone
10 Company that is the real problem here as I see it. The
11 problem is that no decision is being made.

12 Now, you might feel that you have to look at
13 all the facts but you can go on for all eternity and
14 look at all the facts. I think some decision has to be
15 made up or down. And I'm the one that's come in with
16 some idea here and some idea there that gives you
17 further reasoning, but there must be some time. And I
18 was told last year that a decision would be made no
19 later than March, and then we heard by this last
20 November; now we hear it's going to be by May.

21 Now, I don't know how all important this,
22 but it's important to me in the sense that I have come
23 to live in DeBary. The "Cinderella city," it just
24 became a city. And I found that it's struggled to
25 become a city because it's been victimized, because

1 it's been discriminated against.

2 We are in the telephone center like in a
3 little -- the area around us are all areas that are
4 long distance. We move over just a few chains, you
5 might say, and you could almost throw a stone to some
6 areas and it's long distance. We have such a little
7 area that we're paying the rates for that we call, for
8 instance, down into Orlando and I'm paying almost the
9 same rates that I would have to call my son in
10 Washington, D.C., and I think this is absolutely
11 ridiculous, when most of the people living in DeBary
12 are retired or young people, keeping in touch with
13 Orlando, most of the Orlando places for doctors,
14 hospitals, business and all the rest.

15 It is an outer suburb of Orlando, regardless
16 of what DeBary thinks of themselves as a city. The
17 facts are that we are being isolated. Isolated by the
18 most necessary and modern means today is the telephone,
19 in which our friend says is going to be improved, and I
20 would think rather than thinking ahead to all of this
21 stuff coming out through the telephone wires, what we
22 want now is a reasonable area. And I like the proposal
23 of the Bell Telephone Company to put a circle around
24 everybody everywhere of 40 miles. That if I'm in Lake
25 Mary, I've got a 40-mile radius; and if I'm in DeBary,

1 I've got a 40-mile radius for a reasonable price. I
2 would like to see it at the flat rate.

3 I think talking about 24 million, I think
4 that could be done. But whatever it is, let us have a
5 reasonable rate within a range. It might have been all
6 right in the horse-and-buggy days to have down from the
7 river from DeBary, and up a couple of blocks to Orange,
8 to where we then start long distance. But it's not
9 good enough today to have what you call your ordinary
10 phoning area, telephoning area.

11 So I would appeal definitely that you folk,
12 somehow, regardless of what I say or anybody else, make
13 some decision so we know where to fight, so we know
14 what to do.

15 But this is robbing the customers month by
16 month when nothing is happening. And I don't think you
17 can blame -- I know some people are blaming the
18 telephone company. I've talked to them. They are just
19 as interested in getting some decision as anybody else.

20 I want to say a word on behalf of Bell
21 Telephone. I found them very respectful when I have
22 appealed to them. They have made an attempt to put up
23 some plan. And they have found just as great a
24 difficulty in somehow getting some decision, and I
25 believe that it's time that some decision was made.

1 Business is what we're talking about as well.

2 You know, we're reading in the newspapers
3 everyday about in Russia, we're seeing the great
4 changes there, the free market system. And from what I
5 can see, we're starting to kill off the free market
6 system in this country by overregulation.

7 And as a former churchman that spent time
8 helping people with alcohol, tobacco and drugs, I think
9 the story of Lazarus, when the Lord raised Lazarus and
10 pulled him out, and he was in his clothes, the Lord
11 said, "Loose him and let him go." I think that's what
12 we need to do if we're going to move in this country.
13 We've got to somehow loose people and let them go.

14 I can't believe -- I might be wrong -- I
15 can't believe that everybody is a crook. I can't
16 believe that Southern Bell was going to do some of
17 these terrible -- there might be occasions, none of us
18 are perfect. But I believe they want to give service.
19 I believe also the Commission wants to give service.
20 But as long as we don't get down and try to work
21 together we're going to make this whole community worse
22 than Communism, if we don't trust each other and say
23 let us get something and get it done.

24 And so I appeal to you today, approve this
25 plan, the 40-mile radius and develop it from there.

1 You might work out all the fine details, but once you
2 get a basic plan up you can shape it and hone it into
3 something. But it would be a wonderful service to
4 DeBary and Deltona if we can phone Orlando here for a
5 very reasonable rate. You've already started to make
6 some measures on this over in Lake Mary and other
7 areas. They can have a 25-cent call and you can talk
8 for ten minutes or half an hour whatever you want. We
9 don't have that in the great backwoods of DeBary.
10 Isolated, cut off, discriminated, simply because nobody
11 will make a decision to help us. And now that we're a
12 city, I can assure you that we will be complaining,
13 appealing, and praying that you folk will be successful
14 in what you're doing and that somehow we'll be brought
15 into the great realm of the community. We'll no longer
16 be that little back place but will truly be a city that
17 is giving us a hand to do something about decent
18 telephone. Thank you, sir.

19 CHAIRMAN DEASON: Thank you. Any questions?

20 COMMISSIONER LAUREDO: I think you need to
21 know that I, and I think the Commissioners, the
22 Commission in general, is just as anxious to get on
23 with this case and make a decision. And it was not our
24 decision to postpone the case. We accommodated other
25 parties who, because of the complexity of the case,

1 thought they needed to get more time to get more
2 information to prepare for the technical hearings that
3 start in January, just sort of like a trial, as you
4 know.

5 In the meantime, we've been doing this last
6 year. I was here this year, earlier this year. We
7 have been in total of almost 20 meetings statewide.
8 We've saturated the state reaching out to people to
9 hear from them.

10 I just want to make sure that you and people
11 that heard you on the point about the delay, it has not
12 been delayed because of us. And I, personally, wish it
13 would have been done last year, but you have to
14 accommodate the parties that require due process.

15 But I agree with you, we need to move on, and
16 we're doing it as fast as we can. We're confined to
17 the legal society in which we live, due process and all
18 that, and we accommodated that position. And I want
19 you to know it was not our motion.

20 WITNESS STEED: Maybe it's the legal arm that
21 needs moving a bit too. I think we can put down too
22 many robots. I heard the word "voluntary," I think
23 that would be good so that nobody is forced. But I
24 think the people that want to get into it, I think they
25 ought to have the right. That's what I'm appealing

1 for. At least let's try and move now. You can't
2 change the past. Yesterday is gone. We're here today.
3 And I think if you folk can say, you know, "We're
4 hearing it on so many things today, Mr. Chairman,
5 enough is enough." And I think you can hear so much
6 that it will never really change the ultimate thinking.
7 And I'm glad that you are willing to listen. I commend
8 you for that. And you're listening to me an extra
9 little bit too. But there must come a point --

10 COMMISSIONER LAUREDO: You're going to invite
11 us after this is over to your new city so we can --

12 WITNESS STEED: Oh, and when you make those
13 rates, we'll throw a party for you.

14 CHAIRMAN DEASON: Thank you, Dr. Steed.
15 (Witness Steed excused.)

16 - - - - -

17 MR. BECK: Daniel Pulford.

18 DANIEL T. PULFORD

19 was called as a witness on behalf of the Citizens of
20 the State of Florida and, having been duly sworn,
21 testified as follows:

22 WITNESS PULFORD: My name is Dan Pulford,
23 Aachen Electric. I'm at 1218 Oberry Hoover Road,
24 Orlando.

25 My complaint here is of a nature of quality

1 of service.

2 Back in May of 1992 I contacted Southern Bell
3 in regards to having my three 1-FB lines moved to a new
4 location. A Bell representative advised me to do this
5 by having my three lines changed to 1-FB lines and
6 ordering another line to anchor three RCF lines to my
7 one new 1-FB line. I started having problems with my
8 new lines immediately following this new service.

9 I contacted Bell's service department and all
10 other Bell departments that I knew of over and over for
11 a period of over 400 days.

12 My complaint is Bell negligently provided me
13 with an improper telephone system. Bell failed in
14 quality of service for a period of over 400 days
15 consulting with complaint No. 1. Bell violated a
16 Public Service Commission tariff, No. A 13-11 G. And,
17 four, the run-around system that Southern Bell used in
18 avoiding Complaints 1, 2 and 3. I've got documentation
19 of each one of these four complaints I'd like to
20 submit, and I'd like to keep this just as brief as
21 possible.

22 CHAIRMAN DEASON: Very well. You provide
23 that to -- perhaps the best thing to do would be to
24 provide that to Mr. Beck. Mr. Beck can then review
25 that and make copies and provide it to everyone. We'll

1 identify that as Exhibit No. 8.

2 (Exhibit No. 8 marked for identification.)

3 COMMISSIONER LAUREDO: You're aware if you
4 have any problems in the future that we have an office
5 that some of our Staff is here that would have been,
6 had you known, that also could have helped look into
7 the complaint from the Public Service Commission, as
8 well as your own. You're running a business yourself?

9 WITNESS PULFORD: This is a complaint against
10 Southern Bell.

11 COMMISSIONER LAUREDO: But, I mean, as your
12 business line? You run a business?

13 WITNESS PULFORD: Oh, yes. Electrical
14 service business.

15 MR. BECK: Questions, Mr. Pulford? Have they
16 satisfied you yet?

17 WITNESS PULFORD: No, not at all. I've yet
18 to receive my final reply from Southern Bell.

19 CHAIRMAN DEASON: You have been in contact --

20 WITNESS PULFORD: All their information they
21 have, I have got a file that thick at home.

22 CHAIRMAN DEASON: Have you been in contact
23 with representatives from the Public Service
24 Commission?

25 WITNESS PULFORD: Yes, about seven or eight

1 of them.

2 CHAIRMAN DEASON: And they do have the basic
3 information surrounding your complaint then?

4 WITNESS PULFORD: They're putting it
5 together, yes.

6 CHAIRMAN DEASON: Okay. Very well. If you
7 could give that information to Mr. Beck, he'll see to
8 it that gets provided to the appropriate persons.

9 (Witness hands document to counsel.)

10 (Witness Pulford excused.)

11 MR. BECK: Valerie Hickey-Patton.

12 VALERIE HICKEY-PATTON

13 was called as a witness on behalf of the Citizens of
14 the State of Florida and, having been duly sworn,
15 testified as follows:

16 WITNESS HICKEY-PATTON: I'm Valerie
17 Hickey-Patton. I represent AARP. I am on the AARP
18 legislative committee.

19 My address is 5651 Jean Drive Orlando 32822.

20 AARP members want a basic affordable
21 telephone service with a reduced rate for all.

22 Now I might say that the AARP members have no
23 complaints with the service that Southern Bell gives.
24 It's just the rates that we're complaining about.

25 When you think of what Southern Bell proposes

1 -- measured service, it's like having a telephone booth
2 in your living room, so much for each call. And then
3 the operator will come in and she'll say, "Another two
4 cents, please."

5 That shouldn't be. Old people and young
6 people use the phone as a means of communication to
7 relatives, friends and business. They cannot afford to
8 socialize outside the home, so the phone is their
9 entertainment and many times they speak for 30 to 60
10 minutes and sometimes more. It would be a disaster to
11 charge 2 cents a minute for that.

12 Southern Bell should reduce the rate of
13 return. We, you and I, can get only 3 to 7% if we're
14 lucky. They receive 13.75%.

15 I'm in favor of Southern Bell making money.
16 We're in favor, that's the American way. But I think
17 13.75 is a little bit too much. I think it's a little
18 out of line.

19 So I say to Southern Bell you have some
20 employees with the smartest minds in the nation. Put
21 them to work to give us reduced rates across the board
22 with no increase. Thank you.

23 CHAIRMAN DEASON: Thank you, ma'am. Any
24 questions?

25 MR. ANTHONY: No, sir.

1 (Witness Hickey-Patton excused.)

2

- - - - -

3

MR. BECK: Mr. Belote.

4

MONTE BELOTE

5

was called as a witness on behalf of the Citizens of

6

the State of Florida and, having been duly sworn,

7

testified as follows:

8

WITNESS BELOTE: Thank you. Good evening,

9

Commissioners. My name is Monte Belote. I serve as

10

Executive Director of the Florida Consumer Action

11

Network, as a grassroots consumer environmental lobby.

12

I'm here to speak as a customer of Southern Bell both

13

past and present. FCAN has more than 42,000 members

14

from Key West to Tallahassee, including an office in

15

Fort Lauderdale and an office in Gainesville, which has

16

given us some specific experiences with Southern Bell

17

that I'd like to talk about, in addition to some

18

general statements about the rate plan in front of you.

19

We believe that it's time to bring Bell's

20

rates back in line with the economic and technological

21

realities of the 1990s. We agree with Public Counsel's

22

assertions that Bell's rates are at least \$250 million

23

in the totality too high. And the leading causes are a

24

failed incentive regulation plan, which is shared not a

25

penny with customers, and a rate of return or profit

1 that has hovered near 14% at a time when the average
2 customer is lucky to receive 3% on their savings. I
3 myself receive 2.5%.

4 Bell will tell you that they have a plan to
5 lower rates. In it they include more than \$48 million
6 a year in accumulating overcharges that were generously
7 given in 1988 by your predecessors on the Public
8 Service Commission. It was Bell's self-serving efforts
9 to attempt to redistribute the wealth of that \$48
10 million in 1991 that led us to intervene in a petition
11 along with Public Counsel, Attorney General and the
12 AARP that has resulted in this hearing on this rate
13 case tonight. We're here to tell you that we expect
14 real rate reductions from this case and not a double
15 counting of money that consumers are already getting
16 back.

17 One area that cries out for rate reductions
18 is the area of Touch-Tone service. In the 1970s it
19 made great sense to charge for Touch-Tone telephone
20 service. We needed to build a network. But with
21 today's digital switching and networks, it's as basic a
22 service as dial tone. In fact, about the only cost in
23 involved today in providing Touch-Tone telephone
24 service is the cost to put a blocking device on the
25 line of customers who don't subscribe so that their

1 rotary phones will work. And my question to Southern
2 Bell executives would be just how many rotary phones do
3 you have in your headquarters? I don't know too many
4 that are still working with rotary dial phones; more
5 than 80% of your customers are working on Touch-Tone.
6 It's time to put that cash cow out to pasture and quit
7 charging us a \$1 a month per line for something with
8 virtually no cost associated with it.

9 We applaud Bell for abandoning their proposal
10 for price cap regulation when they refiled this current
11 rate case, but suggest that they did not go far enough.
12 There's a need to overhaul or abandon the current
13 incentive regulation plan. While every other telephone
14 company in Florida has their rates based on reasonable
15 and prudent costs, plus a fair rate of return on
16 investment in their network, Southern Bell has enjoyed
17 a special incentive plan.

18 If this plan were done right it would result
19 in greater efficiency, it would reward workers for
20 helping to make that happen and it would let their
21 customers share in the savings generated by such a
22 plan. Instead, the current plan has led to falsified
23 repair orders because of Bell's inability to meet
24 service standards. Worker intimidation sells services
25 that customers did not want and consumer rip-offs so

1 blatant that they caught the eye of the statewide grand
2 jury.

3 The current incentive rate plan, in our
4 opinion, has only provided incentives to rip off Bell's
5 customers and should be abandoned. Our experience is
6 Bell's customers backs this up.

7 When we first ordered service for our
8 Gainesville office we could not leave the line without
9 being forced to sit through a sales pitch for inside
10 wire maintenance plans, and after this Commission
11 ordered refunds to customers in 1991, it took us nearly
12 six months to finally get that refund. Hardly a
13 stellar track record worthy of incentive rates.

14 Of course, the most controversial portion of
15 the plan is Bell's attempt to open the Pandora's Box of
16 local measured service. Bell will tell you it's just
17 choice. We're here to tell you that what Bell is
18 offering is no real choice at all. If you want the
19 lowest local long distance rates, you have no choice;
20 you get local measured service and begin paying by the
21 minute for your local calls.

22 The experience in other states shows that
23 once started, local measured service quickly becomes
24 the only choice. Do you want to pay two cents per
25 minute for all your local calls? I don't. And we

1 don't, and I doubt many people here tonight do either.
2 Just being put open hold would cost on fortune under
3 Bell's proposed plan.

4 Bell, unfortunately, has made all the choices
5 for us. They could have lowered local long distance
6 rates without tying to local measured service, as GTE
7 did in the Tampa Bay area, instead they chose not to.
8 They could have offered expanded area service, what
9 their customers have been clamoring for for years,
10 larger areas of flat rate local calling as the
11 gentlemen earlier tonight requested, but they chose not
12 to. Instead, Bell has chosen to attempt to start down
13 the slippery slope to installing a pay phone in every
14 living room. We don't want local measured service,
15 period.

16 Bell's customer rip-offs, in our opinion,
17 should not go unpunished. Although the grand jury
18 found nearly \$15 million in rip-offs on inside wire
19 maintenance repairs orders, all they could do was order
20 refunds. It's up to the Public Service Commission to
21 order a penalty.

22 We're here tonight to ask you for the
23 strongest possible penalty, because without such a
24 penalty there is no disincentive for overeager
25 management to simply do the same things again, and next

1 time maybe they won't get caught.

2 The gentlemen earlier talked about endless
3 delays in the case, which points primarily to Bell's
4 foot-dragging in turning over documents necessary to
5 prosecute this case. In fact, Southern Bell has pled
6 cases all the way to the Florida Supreme Court in an
7 effort to keep from turning over audits and other
8 documents critical to this case. This foot-dragging,
9 in our opinion, goes beyond the definition of a
10 reasonable and prudent cost, as does many other things
11 that have come to light in this case, including artwork
12 which hangs in the Company's headquarters in
13 Jacksonville, chauffeur service for key executives,
14 membership dues to chambers of commerce and lobbying
15 organizations and sponsorships of major supporting
16 events, including golf tournaments and the Orange Bowl.
17 We're here to urge you to set Bell's rates on the basis
18 of reasonable and prudent costs and a fair rate of
19 return. We all expect to pay that but not a penny
20 more.

21 In conclusion, I'd like to urge everyone
22 that's here tonight to come forward and tell the
23 Commissioners, and applaud you all for coming out. As
24 Commissioner Laredo pointed out you're 14 to 15 so far
25 on service hearings in this case.

1 If you don't want these things that we've
2 talked about, come forward and tell the Commissioners.
3 If you don't want to pay for Touch-Tone service, come
4 forward and tell the Commission. If you don't want to
5 pay for local measured service under any circumstances,
6 come forward and tell the Commission. If you want
7 expanded local calling areas, as this gentlemen does,
8 this is your chance to come forward and tell the
9 Commission.

10 We thank you for this opportunity for folks
11 to come forward and tell the Commission, and I'll stop
12 and I'll answer any questions if I can. Thank you.

13 CHAIRMAN DEASON: Questions for Mr. Belote?

14 Thank you, sir.

15 MR. BECK: Thank you, Mr. Belote.

16 (Witness Belote excused.)

17 - - - - -

18 MR. BECK: Mr. Chairman, that's all the
19 customers we have that have signed up ahead of time.

20 CHAIRMAN DEASON: Okay. Are there customers
21 of Southern Bell who wish to testify who have not yet
22 signed up on Mr. Beck's list? If you do wish to
23 testify, would you please raise your hand? A
24 representative from the Public Service Commission will
25 sign you up so that you may come forward and testify.

1 Any other individuals who wish to testify this
2 evening?

3 Let the record reflect that there are no
4 other individuals indicating that they wish to testify
5 this evening.

6 I'd like to take this opportunity to thank
7 everyone for coming out this evening. We appreciate
8 your comments, and as I indicated to you earlier, your
9 comments will become part of the official record and
10 will be evidence in this case. And will be relied upon
11 by the Commission in deciding the outcome. And I would
12 want the record to reflect that we are striving to keep
13 this case on its present schedule. There have been
14 delays, as Mr. Belote indicated. There were, as
15 Commissioner Lauredo indicated, there are some due
16 process questions that came into play and the
17 Commissioners felt obligated to make sure that all the
18 parties be given their due process and it necessitated
19 the delay. But everything indicates now that the case
20 will be going to hearing early next year in January,
21 and right now we hope that the case will proceed on
22 schedule. It's certainly been the intent of the
23 Chairman and other Commissioners to see that it stays
24 on schedule.

25 Once again thank you for your input and

1 comments. If there's nothing else to come before the
2 Commission this evening, this hearing is adjourned.
3 Thank you.

4 (Hearing adjourned at 6:45 p.m.)

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1 F L O R I D A)
2 :
3 COUNTY OF LEON)

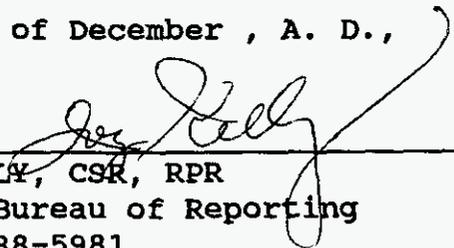
CERTIFICATE OF REPORTER

4 I, JOY KELLY, CSR, RPR, Official Commission
5 Reporter,

6 DO HEREBY CERTIFY that the service hearing
7 in this cause, Docket No. 920260-TL, was heard by the
8 Florida Public Service Commission at the time and place
9 herein stated; it is further

10 CERTIFIED that I stenographically reported
11 the said proceedings; that the same has been
12 transcribed under my direct supervision, and that this
13 transcript, consisting of 36 pages, inclusive,
14 constitutes a true transcription of my notes of said
15 proceedings.

16 DATED this 17th day of December , A. D.,
17 1993.

18 
19 _____
20 JOY KELLY, CSR, RPR
21 Chief, Bureau of Reporting
22 (904) 488-5981

23 STATE OF FLORIDA)
24 :
25 COUNTY OF LEON)

26 The foregoing certificate was acknowledged
27 before me this 17th day of December, 1993, by JOY
28 KELLY, CSR, RPR, who is personally known to me.

29 
30 _____
31 PATRICIA A. CHURCH
32 Notary Public - State of Florida
33 COM. NO. CC-90785
34 Notary Public, State of Florida
35 My Commission Expires April 20, 1995
36 Bonded Thru Troy Fain - Insurance Inc.

#1

The Orlando Sentinel

633 North Orange Avenue
Orlando, Florida 32801-1349

DATE: 12/9/93

TO WHOM IT MAY CONCERN:

This confirms that the advertisement Legal Notice DO: 9202100TL
for Southern Bell published in The Orlando
Sentinel on Dec 2, 1993.

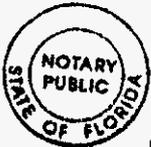
~~Tear sheets are not available.~~

Cordially,

Barbara Trimble

Barbara Trimble
The Orlando Sentinel
Accounting Department

Beverly C. Simmons



BEVERLY C. SIMMONS
My Comm Exp. 3/10/97
Bonded By Service Ins
No. CC263839
 Personally Known Other I.D.

LINDA -
There will
also be an
Ck # 8 to this
So Bell SH in
Orlando -
Public Counsel
is proposed to
deliver to us.
JA

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

The Florida Public Service Commission has scheduled a public hearing in Docket No. 920260-TL. The purpose of this docket is to review Southern Bell's operations under its incentive sharing plan and to consider Southern Bell's proposal for extension of that plan. It will also consider the Company's proposed rate changes, including the proposed optional Expanded Local Service Plan, reductions in intraLATA access charges and certain custom calling feature rates, a restructuring of service order charges and a reduction of certain business line rates.

For the convenience of the public, the Florida Public Service Commission has also scheduled a service hearing as follows:

Tuesday, December 14, 1993—6:00 PM
City Council Chambers
400 S. Orange Avenue
Orlando, Florida

At the above time and place, members of the public may appear to testify as to their interest in this matter. All persons desiring to present testimony at the hearing should, if possible, bring bills or other documentations regarding their telephone service. Customers are urged to attend on time. If no customers are present, the hearing will be adjourned. The Public Counsel, the citizens' representative in matters before the commission, will be available at least 30 minutes prior to each hearing in order to meet members of the public who wish to testify. Prior to that time, inquiries should be directed to The Office of Public Counsel, c/o Florida House of Representatives, The Capitol, Tallahassee, Florida 32399-1300.

the big chill is

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off or

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- Selected*
- Refrigerators
- Some with Ice
 - Some with Adj
 - Both Top Freez
 - Various Colors
 - 18 Cubic Feet

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- Selected*
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 - Various Model

Seaworn (436)	1/2 mile	Aloma	3825 Fo Winter Pa 677 Mon-Sat Sun 12 Now more way
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Hwy. 50		Colonial Dr. E.	

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920260

Orl
Service Hearing

SHORTS

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File

1))

Sometime in April-May of 1992 I Daniel T. Pulford contacted Southern Bell in regards to having my 3 IFB lines moved to a new location. A Bell representative advised me to do this by having 365-6771 * 249-3876 * 281-0136 *(IFB lines) changed to RCF lines and anchor them to ~~my~~ a new IFB line.

2)

I started having problems with my new lines immediately following this new service.

COMPLAINT

I contacted Bells service Dept. and other Bell Depts. that I could know of over and over for a period of May of 1992 thru July of 1993.

a.

Complaint # 1
Ma Bell negligently provided me with an improper telephone system.

2)
4)

Complaint # 2
Ma Bell failed in quality of service for a period of over 1 year in solving Complaint # 1

Complaint # 3
Ma Bell violated Public Service Commission Tariff # A13.11.2 G

COMPLAINT # 4 Maybe your lawyers can figure this one. Complaint # 4 The runaround system that Ma Bell used in avoiding complaint # 1, 2, 3

BELLSOUTH
TELECOMMUNICATIONS, INC.
d/b/a SOUTHERN BELL
TELEPHONE AND TELEGRAPH COMPANY

GENERAL SUBSCRIBER SERVICE TARIFF

Fifth Revised Page
Cancels Fourth Revised Page

ISSUED September 5, 1991
BY Joseph P. Lacher, President - FL
Miami, Florida

EFFECTIVE: November 4, 1991

A13. MISCELLANEOUS SERVICE ARRANGEMENTS

A13.11 Remote Call Forwarding (Cont'd)

- C. The Company will not provide identification of the originating telephone number to the Remote Call Forwarding customer.
- D. Transmission characteristics may vary depending on the distance and routing necessary to complete the remotely forwarded call.
- E. Remote Call Forwarding is not represented as suitable for satisfactory transmission of data.
- F. ~~Call Forwarding to another RCF number is not permitted.~~
- G. Remote Call Forwarding is provided on the condition that the customer subscribe to sufficient RCF features and facilities to adequately handle calls to the RCF customer without interfering with or impairing any services offered by the Company.
- H. When the Call Forwarding number is to be located in a multioffice exchange, the Company will determine the serving central office.
- I. Remote Call Forwarding will be provided for local calling where the RCF telephone number and the terminating station are both located in the same exchange. Further, Remote Call Forwarding will be provided for local calling on an interchange basis in those instances where the exchange serving the RCF telephone number and the exchange serving the terminating station have the identical local calling area, or are within an Extended Area Service arrangement as specified in Section A3 of this Tariff.
- J. If the use of Remote Call Forwarding service is primarily or substantially of business, professional, institutional or otherwise occupational nature, i.e., nonresidential, or if the listing used is such as to indicate nonresidential use, then calls will not be forwarded to any telephone number for which residential rates apply.

Marie:

Here is a list of the employees involved in the Pulford Electric case, telephone 407 349-6999.

1. Natalie Herring, 05-18-92. This service rep placed the 3 T&P orders, changing three LPB lines to 3 RCF lines, all with the same CPN number.

2. Kate McClain, 06-23-93, 07-08-93, 07-09-93, 07-15-93, 07-27-93. This service rep handled the problem by investigating the customer's complaints with repair, making the recommendation to increase the number of lines, issuing the "C" order for the two lines and jacks, reaching an agreement with the customer to install the two lines at no charge in lieu of a local service adjustment.

3. Sandy Dailey, 06-25-93. This service rep took a message for Kate McClain (she was off that day). The customer told her that the trouble started in 1992 and ended in January or February 1993.

4. Debbie Nations, 07-29-93. Mr. Pulford spoke to her regarding a facility delay with the two new lines (CF condition). She notified the engineer to expedite the order and the service was connected on 07-30.

As you can see, Kate McClain dealt with Mr. Pulford on several occasions, and she was instrumental in solving the problem.

If I can assist you any further, please let me know.

Karen Entalalla
305 492-3819

2



Southern Bell
15551 Southern Bell Tower
301 West Bay Street
Jacksonville, FL 32203

November 19, 1992

A Aschen Electric
175 Lake Proctor Road
Gen, FL 32732

Dear Dan:

Per our conversation on November 18, 1993, here is the information you requested. On your phone number 407-349-5999. The repair reports from May, 1992 thru January, 1993 are as follows:

Reported

5/26/92
5/28/92
6/28/92
8/11/92
12/17/92
1/27/93

Cleared

5/26/92
5/28/92
6/29/92
8/12/92
12/17/92
1/26/93

On the phone numbers 407-249-3876, 281-0136 and 365-6771 the additional pathways on the Remote Call Forwarding were added September 10, 1993.

Sincerely,

3

15881 So. Bell Tower
301 W. Bay St
Jacksonville FL 32202

December 1, 1993

A Achen Electric
75 Lake Proctor Road
Jen FL 32732

W,

Per your Request here are the dates phone number
407 349-5999 was reported to So. Bell. The repair reports
from January 93 thru September 1993 are as follows:

Reported

01-27-93

02-05-93

07-27-93

07-29-93

09-13-93

Cleared

01-28-93

02-05-93

07-28-93

07-29-93

09-13-93

The last 2 weeks in January 1993 the telephone
number 407 349-5999 had tests run on it every day
on the central office. The two people involved with this
are Jim Burke and Larry Daughtey. This is all the records
the out of service reports for 1993

Sincerely,

Lynne Ricci

Lynne Ricci

Service Representative

4



Southern Bell

September 3, 1993

Pulford Electric Inc.
DBA A Aachen Electric
175 Lake Proctor Rd.
Geneva, FL 32732

Re: 407 349-5999-021

Dear Mr. Pulford:

I am writing this letter in reference to your complaint registered with the Public Service Commission.

As we discussed, you had arranged to have three separate Remote Call Forwarding lines connected on different dates. We determined that there isn't any means of knowing whether you or the Southern Bell service representative had discussed the number of lines in existence each time that you requested an additional Remote Call Forwarding line.

I am pleased that we were able to resolve this problem for you. I apologize if there was any misunderstanding regarding your telephone service.

Sincerely,

Karen Payne
Customer Service Specialist



Southern Bell

Special Assistance Bureau
888 NW 70th Avenue
Room 804
Miami Florida 33128
(305) 263-4810
1-800-321-4327

September 3, 1993

Memorandum to: Ruth McHargue

From: Marie Forbes

Re: Dan Pulford
DBA A Aachen Electric
175 Lake Proctor Road
Geneva Fl.
407-349-5999

5

Case No. 74059-P

Our investigation reveals that on 6-23, the customer called to advise that he had been having problems with his service since sometime in 1992 up until January or February of 1993. The customer advised that he had reported this to a supervisor in repair and that he wanted an adjustment for 5 months to a year. We agreed to investigate and call back.

~~Working with the repair department it was learned that~~
~~the problem was caused by outside lines.~~

The customer had one business line and 3 separate Remote Call Forwarding lines. There was not enough lines to handle the incoming call load from the 3 remote lines.

On 7-9, we called the customer and explained that he would need to add two more lines with hunting, or disconnect two of the remote lines. The customer decided to have 2 additional lines connected, with hunting and call waiting service on the last line of the group.

We explained that we would not bill an installation charge for the 2 new lines and three jacks. The customer stated that he would agree to this in lieu of a local service adjustment. The 2 lines were installed on 7-30 -93.

Upon receipt of the appeal, Ms. Karen Payne, attempted to contact the customer to discuss the appeal. Word was left with the customer's secretary for him to call.

15BB1 Southern Bell Tower
301 West Bay Street
Jacksonville, FL 32202

July 9, 1993

Pulford Electric Inc.
DBA A Aachen Electric
175 Lake Proctor Rd.
Geneva, FL 32732

Dear Mr. Pulford,

This letter is to confirm our conversation on July 9, 1993. We have agreed to install tow telephone lines at no connection fee. This should alleviate the problem you have experienced on your remote call forwarding telephone numbers.

Your monthly charge rate that you would be responsible for is as follows: Line Charge \$25.75 per line -
FCC \$ 6.00 per line -
anything beyond this point is optional rollover per line is \$13.15. If you decide not to add the lines you will need to disconnect two of your RCF telephone numbers.

Mr. Pulford I will be on vacation from July 12 to July 14. I will call you on July 15th or you can call me collect 904 350-4251. I will be glad to set them up for you.

Thank You,

Kate

Kate McClain

November 2, 1963

Memorandum to: Paula Isler

From: Marie Forbes

Re: Dan Pulford
407-261-0136
407-855-7636
407-855-6771

Trouble history on the above three remote calls lines from 5-02 to 2-63.

407-261-0136:

There are no report of any kind on this account.

407-855-7636

On 5-21 reported a problem of calling party receiving a busy signal. We changed out the serial facilities.

On 5-25, the customer report a no dial tone condition. We were in the process of changing the type of service to the remote call forwarding service and this was a natural condition while the work was in progress.

407-855-6771

There were no reports on this account.

The customer did call 4 times and gave this number, however, the correct number that the trouble involved was 407-349-5999 his other service number.

City Council Chambers
400 S. Orange Ave 12/4/93 6:00 PM

Southern Bell negligently provided
A Aachen Electric Inc. with an improper
telephone system. Documents # 1a.
verifies this.

Southern Bell violated Public Service Com.
Tariff in doing about complaint.
Document is copy of Tariff.