

ORIGINAL

Docket # 991644-TX

TO: TOM WILLIAMS
FROM: RICK AUSTIN, C.I.O., INC
DATE: November 3, 1999
SUBJECT: PRE-CELL

MR. WILLIAMS:

I HAVE NOW BEEN MADE AWARE THAT PRE-CELL SOLUTIONS HAS MADE A REQUEST FOR A NAME CHANGE AND HAS BEEN DOCKETED FOR THAT REQUEST.

I WOULD NOW LIKE TO BE ENTERED INTO THE RECORD AS AN INTERESTED PARTY.

I ALSO WANT TO MAKE A FORMAL OBJECTION TO THE APPROVAL OF THIS NAME CHANGE, TOGETHER WITH A FORMAL REQUEST FOR A SHOW CAUSE ORDER ON WHY THE COMPANY SHOULD NOT HAVE THEIR CERTIFICATION CANCELLED FOR THE FOLLOWING REASONS.

1. THEIR CERTIFICATE WAS ISSUED IN 1997 WITH THE CONDITION THAT A PRICE LIST BE FILED PRIOR TO OFFERING LOCAL EXCHANGE SERVICE IN THE STATE OF FLORIDA. THEY BEGAN OFFERING SERVICE IN THE STATE OF FLORIDA IN 1997 AND CONTINUED TO DO SO THROUGH THIS DATE. THEY WERE AWARE OF THE REQUIREMENT TO FILE A PRICE LIST IN ORDER TO PROVIDE SERVICE TO FLORIDA RESIDENT SINCE THEY RECEIVED CERTIFICATION AND CHOSE TO IGNORE THE REQUIREMENT UNTIL JULY OF 1998 WHEN THEY SUBMITTED A PRICE LIST THAT WAS REJECTED. IT THEN TOOK THEM FROM JULY 1999 TO SEPTEMBER TO FILE A PRICE LIST AND STILL PROVIDED LOCAL EXCHANGE SERVICE TO FLORIDA RESIDENTS.
2. PRE-CELL SOLUTIONS CHANGED THEIR NAME TO PRE-CELL SOLUTIONS/FAMILY PHONE SERVICES INC. IN JULY 1999, AND FAILED TO ADVISE THE PSC OF THAT NAME CHANGE AS REQUIRED BY PSC RULES. DURING THIS PERIOD THEY OFFERED LOCAL EXCHANGE SERVICE TO FLORIDA RESIDENTS WITH NEITHER A PRICE LIST ON FILE NOR AN APPROVED NAME CHANGE. THUS CONTINUING TO OFFER SERVICE IN VIOLATION OF THE PSC RULES AND REGULATIONS. I BELIEVE THIS TO BE A FLAGRANT DISREGARD FOR THE PSC MANDATES ON HOW AND UNDER WHAT CONDITIONS A LOCAL EXCHANGE CARRIER CAN OPERATE IN THE STATE OF FLORIDA.
3. EVEN NOW AFTER THEY HAVE NOW FILED THE REQUIRED INFORMATION WITH THE PSC FOR A NAME CHANGE AND FILED A PRICE LIST, THEY CONTINUE TO USE NAMES OTHER THAN THAT WHICH WAS CERTIFIED, AND NAMES OTHER THAN WHICH THEY HAVE SOUGHT RECENT PSC APPROVAL TO USE. (PRE-CELL / FAMILY PHONE) RATHER THAN PRE-CELL SOLUTIONS/FAMILY PHONE SERVICES INC. PRE-CELL/HOME PHONES, AND PRE-CELL.
4. THE BILLS THAT ARE SENT TO CUSTOMERS DIRECTLY BY THEIR COMPANY DO NOT LIST BILLING DISPUTE OR QUESTION NUMBERS, REPAIR NUMBERS AND IN SOME CASE NO COMPANY TELEPHONE NUMBERS AT ALL.
5. THE REASONS THAT THIS COMPANY HAS NOT BEEN SANCTIONED AT ALL FOR THEIR CONTINUED ACTION ARE NOT MY ISSUE AT THIS TIME BUT I DO NOT BELIEVE IT IS IN THE BEST INTEREST OF THE PUBLIC TO CONTINUE CERTIFICATION OF A COMPANY

AFA _____
 APP _____
 CAF _____
 CMU 1 _____
 CTR _____
 EAG _____
 LEG 1 _____
 MAS _____
 OPC _____
 PAI _____
 SEC 1 _____
 WAW _____
 OTH _____

[Handwritten signature]

Done 11/17/99

DOCUMENT NUMBER-DATE

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PSC RECORDS/REPORTING

THAT HAS NO REGARD FOR THE RULES THAT ARE SET TO GOVERN THEIR CONDUCT AS IT RELATES TO RULES THAT ARE IN PLACE TO PROTECT THE PUBLICS INTERESTS

6. I STILL MAKE THE ALLEGATIONS THAT PRIOR TO THEIR RECENT FILLINGS THAT THEY WERE A NON COMPLIANT COMPANY AND THUS MISLED OUR COMPANY INTO A BUSINESS RELATIONSHIP THAT CAUSED BOTH OUR COMPANY AND THE CONSUMERS TO SUFFER DAMAGES AND HARDSHIPS.

FOR THE ABOVE STATED REASONS I ASK THAT THIS LETTER BE TREATED AS A FORMAL OBJECTION TO THE APPROVAL OF PRE-CELLS REQUEST FOR A NAME CHANGE.
A FORMAL REQUEST FOR THE CANCELLATION OF PRE-CELLS CERTIFICATION
A FORMAL REQUEST TO BE NAMED AS AN INTERESTED PARTY TO THE APPLICATION AND DOCKET

Rick Austin
C.I.O./INC/FAMILY PHONES

Address per
Tommy Williams:
2350 Commerce Park Dr.
NE #3
Palm Bay, FL 32905