

ORIGINAL

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March 6, 1998

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

**Re: Docket No. 971399-TP Lifting of Marketing Restrictions
Imposed by Order No. PSC-96-1569-FOF-TP**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Direct Testimony of Hilda Geer, which we ask that you file in the above-captioned matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

ACK _____

AFA _____

APP _____

CAF _____

CMU Under

CTR _____

EAG _____

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All parties of record
A. M. Lombardo
R. G. Beatty
William J. Ellenberg II

Sincerely,

Nancy B. White (kr)

Nancy B. White

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE
Docket No. 971399-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served
by U.S. Mail this 6th day of March, 1998 to the following:

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Nancy B. White (ck)
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— BELLSOUTH TELECOMMUNICATIONS, INC.
DIRECT TESTIMONY OF HILDA GEER
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 971399-TP
MARCH 6, 1998

Q. PLEASE STATE YOUR NAME, ADDRESS AND POSITION WITH BELLSOUTH TELECOMMUNICATIONS, INC. ("BELLSOUTH" OR "THE COMPANY").

A. My name is Hilda Geer. I am employed by BellSouth as Director - Consumer - South Florida. My business address is 600 N.W. 79th Avenue, Miami, Florida.

Q. PLEASE GIVE A BRIEF DESCRIPTION OF YOUR BACKGROUND AND EXPERIENCE.

A. I am a graduate of the University of Miami with a degree in Mathematics and Psychology. I have 26 years of service with BellSouth. My career with BellSouth began in Engineering and has continued on to assignments in Network, Sales and Marketing, Human Resources and various Customer Services organizations. Most of the last 19 years has been spent in positions of increasing responsibility in the Customer Services environment, Business, Inter-exchange Carrier, and Residential Services.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

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A. The purpose of my testimony is to demonstrate that the marketing restrictions imposed on BellSouth by the Florida Public Service Commission ("Commission") should be removed. I will provide evidence that, a) a thriving competitive intraLATA toll market exists in Florida; b) the restrictions have resulted in much consumer confusion; and c) this evidence justifies the lifting of certain marketing restrictions imposed by the Commission's Order No. PSC-96-1569-FOF-TP in Docket Nos. 930330-TP and 960658-TP.

Q. DID THE MARKETING RESTRICTIONS IMPOSED ON BELLSOUTH BY THE COMMISSION PERTAIN TO NEW AND EXISTING CUSTOMERS ?

A. Yes. The Commission ordered that BellSouth be prohibited from marketing intraLATA toll services to existing customers for a period of eighteen (18) months. Therefore, the restrictions for existing customers will expire in June of 1998. However, the Commission's Order did not contain such term limitations for the restrictions imposed on BellSouth for marketing intraLATA toll services to new customers.

Q. GIVEN THAT THE RESTRICTIONS FOR MARKETING TO EXISTING CUSTOMERS WILL EXPIRE IN JUNE OF 1998, IS BELLSOUTH REQUESTING RELIEF FROM THE SPECIFIC RESTRICTION WITHIN THAT ORDER RELATIVE TO NEW CUSTOMERS?

1 A. Yes. BellSouth is specifically requesting relief from the restriction that BellSouth
2 cannot market its intraLATA toll service to a new customer unless the customer
3 introduces the subject.

4
5 Q. WHAT WAS THE INTENT OF THE RESTRICTION ON BELLSOUTH
6 REGARDING NEW CUSTOMERS?

7
8 A. BellSouth believes that it was the Commission's intent to promote intraLATA toll
9 competition with the imposition of marketing restrictions on BellSouth. By restricting
10 BellSouth's ability to market its intraLATA toll services to new customers, the
11 competing intraLATA carriers would be afforded an opportunity to establish their
12 presence in the intraLATA toll market.

13
14 Q. WHY SHOULD THE MARKETING RESTRICTION FOR NEW CUSTOMERS BE
15 LIFTED?

16
17 A. The first "buying experience" or interaction between a company and a new customer
18 is crucial. Generally, this first experience creates an impression that lasts throughout
19 the relationship. Therefore a company's ability to educate customers about its
20 products and services during the first contact is an essential cornerstone in developing
21 a long-term relationship built on trust. New customers who call BellSouth for the
22 first time may not know of the services the Company has to offer. The marketing
23 restrictions imposed on BellSouth preclude the Company from explaining in detail
24 products and services that can benefit consumers. These restrictions have virtually
25 silenced BellSouth during customer negotiations for intraLATA toll and have had an

1 impact on customer choices for various local services. Consequently, as I will
2 demonstrate later in my testimony, consumers often make uninformed choices.

3
4 Q. WILL ALLOWING BELLSOUTH TO ONCE AGAIN MARKET ITS INTRALATA
5 TOLL SERVICES TO NEW CUSTOMERS STIMULATE COMPETITION AND
6 INNOVATION IN THE INTRALATA TOLL MARKET?

7
8 A. Yes. Allowing BellSouth to once again market its intraLATA toll services to new
9 customers will stimulate competition. For nearly two years now BellSouth has been
10 unable to discuss its intraLATA toll services during negotiations with its new
11 customers. BellSouth's competitors have enjoyed an unshackled opportunity to gain
12 market share, and as I will demonstrate, they have done very well. Allowing
13 BellSouth to market once again will act as an incentive for other intraLATA providers
14 to develop competitive rates and calling plans and not rest comfortably on their laurels
15 under the guise of "protective regulation".

16
17 Q. IS IT BELLSOUTH'S POSITION THAT COMPETING CARRIERS HAVE
18 ESTABLISHED THEIR PRESENCE IN THE INTRALATA TOLL MARKET?

19
20 A. Yes. BellSouth has evaluated intraLATA presubscription statistics from January,
21 1997, to the present and concludes that competition is thriving in Florida (Exhibit
22 HG-1).

23
24 Exhibit HG-1 summarizes all LPIC change data extracted from the CARE (Customer
25 Accounts Records Exchange) system during the study period from January 1, 1997

1 through February 28, 1998. CARE is the mechanized LPIC change interface between
2 BellSouth and the interexchange carriers. Not only does CARE provide the
3 mechanized input for LPIC change orders from interexchange carriers, it also
4 provides confirmation to the receiving and losing carriers when a change has been
5 processed regardless of whether the change order originated through CARE or
6 through the BellSouth business office. It is this latter functionality that allows CARE
7 to provide the statistics for all LPIC change activity during the time period that is
8 summarized in Exhibit HG-1 and discussed below.

9
10 During the study period, BellSouth was not the customer's selection of his local toll
11 carrier on 32% of new residential lines and 20% of new business lines. These figures
12 represent total losses during the study period; the data indicate that for the specific
13 months of January, 1998 and February, 1998, BellSouth local toll service losses on
14 new residential lines were 39% and 41%, respectively. New business lines losses to
15 local toll competition were 27% during January, 1998 and 28% during February,
16 1998.

17
18 The target of competitors marketing activity appears to be existing customers.
19 Approximately 51% of all residential LPIC activity and 35% of business LPIC
20 activity during the study period was generated by changes on existing lines.
21 BellSouth was not the local toll carrier of choice on 84% of these residential LPIC
22 changes and 92% of the business LPIC changes. The last category summarized
23 during the study period was moves (from one address to another address). These
24 changes represented a loss to BellSouth as the local toll carrier for 25% of the
25 residential lines changed and 21% of the business lines changed.

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When considering all of the 4,569,797 LPIC changes from January, 1997 through February, 1998, BellSouth was not the intraLATA toll carrier on 57% of the residential lines and 46% of the business lines. This clearly demonstrates that intraLATA toll competition is thriving in Florida.

In addition, the Commission recently agreed that data provided by BellSouth in its petition to request lifting of the restrictions "...does indicate changed circumstances that may demonstrate that the purpose of our earlier Order has been met." (FPSC Order No. PSC-98-0293-FOF-TP, pages 2-3, in Docket 971399-TP.)

Q. WHAT QUANTITATIVE DATA DO YOU HAVE TO SUBSTANTIATE YOUR ARGUMENT ?

A. A comparison of intraLATA toll competition results shows that in Florida, BellSouth lost 30% of its residential, 26% of its complex business and 32% of its small business intraLATA toll pic-able lines as of January 30, 1998.

As previously demonstrated in Exhibit HG-1, another important comparison relates to the average of new customers that are choosing a carrier other than BellSouth. From January 1, 1997 until February 28, 1998, BellSouth Florida numbers show that an average of 32% of new residential customers and 20% of business customers chose a carrier other than BellSouth.

1 Q. WHAT INTRALATA TOLL SUBSCRIPTION BUSINESS OFFICE PRACTICES
2 AND PROMPTS WOULD BELL SOUTH ADOPT FOR FLORIDA IF THE
3 CURRENT RESTRICTIONS ARE LIFTED?

4

5 A. BellSouth would continue its current prompts but would also advise the customer that
6 BellSouth can provide local toll service. As a restatement, these prompts call for
7 advising the customer on the following points in the order listed:

8

9 1. BellSouth would advise the customer that he has an option of selecting a long
10 distance carrier for local toll calls.

11 2. BellSouth would advise the customer that BellSouth can provide his local toll
12 service.

13 3. BellSouth would offer to read to the customer the list of available carriers. If
14 the customer responds affirmatively, then the list should be read.

15

16 Q. HAVE THE MARKETING RESTRICTIONS RESULTED IN CONSUMER
17 CONFUSION ?

18

19 A. Yes. Because BellSouth is prohibited from educating new consumers about its
20 services, customers are making uninformed choices with regard to their local service
21 options.

22

23 BellSouth has two types of local calling plans. First are those plans for which the
24 customer pays only when the service is used; i.e. ECS (Extended Calling Service).

25 ECS is expanded calling which includes additional exchanges in a customers existing

1 calling area. The ECS exchanges become a part of the customer's local calling area.
2 For residence customers a per message charge applies. For business customers, a per
3 minute charge applies to all calls in the ECS exchange. For example, customers in
4 Steinhatchee, Florida have ECS to Gainesville, Florida. This means that, for calls
5 from Steinhatchee to Gainesville, a residential customer is charged 25 cents for that
6 call and business customers are charged 10 cents for the first minute and 6 cents for
7 each additional minute.

8
9 The second type of local calling plan involves a customer paying a monthly flat rate
10 amount, no matter how often he uses the service. Examples of these local calling
11 plans include optional EAS (Extended Area service) and Area Plus, for residential
12 customers and Business Plus, for business customers.

13
14 Under the Commission restrictions, when a customer contacts BellSouth, the
15 Company is prohibited from discussing its intraLATA toll services unless the subject
16 is introduced by the customer. Consequently, when a new customer selects an
17 intraLATA toll carrier other than BellSouth, the Company is restricted from educating
18 the customer about the impact of that choice on the local calling plan he may have
19 chosen or to which he has access. As a result, new customers who choose an
20 intraLATA toll carrier other than BellSouth will not know how to obtain the benefits
21 of the first type of local plan previously described. Further, with the second type of
22 local calling plan I have described, a new customer will be paying for a service for
23 which he has received no benefit.

24
25

1 Regarding the latter case, BellSouth made a decision some time ago that when a
2 customer pays a monthly flat rate fee for a local plan, BellSouth will advise the
3 customer of the method to reach that service even with an intraLATA toll carrier other
4 than BellSouth. If BellSouth did not educate the customer in the second type of plan,
5 BellSouth would be guilty of fraud.

6
7 It is important that BellSouth be allowed to educate customers concerning the first
8 type of local calling plan. BellSouth must disclose that, to benefit from the ECS rates,
9 the customer must dial 1015124 (BellSouth's Carrier Access Code) plus the number
10 the customer is calling. This dial around must occur prior to each and every call. The
11 only other option is to PIC to BellSouth.

12
13 Q. CAN BELLSOUTH EDUCATE NEW CUSTOMERS WHO ARE PIC'D TO
14 ANOTHER CARRIER ABOUT THE LOCAL CALLING PLANS?

15
16 A. Because BellSouth is forced to remain silent, the typical way that a customer will
17 introduce the subject is during a subsequent call. Generally, this is in the form of a
18 complaint.

19
20 Q. WHAT IS THE GENERAL NATURE OF SUCH COMPLAINTS ?

21
22 A. Generally the customers are upset because they believe they were not completely
23 informed of their options. Moreover, they believe that BellSouth knowingly allowed
24 them to subscribe to a plan that billed them a higher per minute of use charges than
25 those available from BellSouth's ECS. This creates a more than uncomfortable

1 dialogue between the Company's service representative and the customer. As a
2 result, the relationship between the Company, the customer and the other carrier is
3 needlessly compromised. Unless the marketing restrictions against BellSouth are
4 lifted, the customer may never become aware of BellSouth's alternatives such as ECS,
5 such as was the case in the public hearing on EAS in Steinhatchee.

6
7 At this hearing, several of the public witnesses were asked if they knew that they had
8 ECS to Gainesville. The majority said no and upon further investigation it was found
9 that they were presubscribed to a carrier other than BellSouth for their local toll
10 calling. (Transcript of Steinhatchee, Florida Public Hearing, FPSC Docket 930235-
11 TL, January 29, 1998; pp. 13, 32, 96-97)

12
13 Q. IF THE MARKETING RESTRICTIONS ARE LIFTED, WILL A NEW
14 CUSTOMER BE ADVISED OF CONFLICTS WITH SUBSCRIBED BELL SOUTH
15 SERVICES BASED UPON THE INTRALATA CARRIER THAT HE HAS
16 SELECTED?

17
18 A. Yes. If BellSouth is allowed to market its intraLATA toll services, customers can be
19 educated and such conflicts can be explained. BellSouth should be allowed to inform
20 customers of such conflicts without having to wait "until the subject is introduced by
21 the customer." BellSouth will inform the customer in as competitively neutral a
22 manner as possible.

23
24 Q. ARE THERE OTHER EXAMPLES OF RECURRING CUSTOMER CONFUSION
25 THAT HAVE RESULTED FROM THE MARKETING RESTRICTIONS ?

1

2 A. Yes, BellSouth has attached some examples of the kind of misinformation that is
3 being presented to the customer (Exhibit HG-2). These Letter of Authorization
4 (LOA) examples contain statements to the effect that only one long distance company
5 may be designated for the telephone number that is provided on the LOA. This is
6 clearly not the case in Florida and is misleading to the customer. The customer is
7 entitled to complete, accurate information on which to base his decision. BellSouth
8 should be free to educate the customer so that he can be better informed as to his
9 options and thus make a better decision about his intraLATA service.

10

11 Q. WOULD YOU PLEASE SUMMARIZE YOUR TESTIMONY ?

12

13 A. For nearly two years BellSouth has been prohibited from marketing its intraLATA
14 toll services. The data contained in my testimony is evidence that competition in the
15 intraLATA market is flourishing in Florida. Absent any marketing restrictions,
16 competition for this market will continue to evolve and flourish.

17

18 While the marketing restrictions have been in place, other intraLATA service
19 providers have gained a significant amount of the intraLATA toll market, though
20 largely at the expense of the consumer in two areas. The first area is that of consumer
21 confusion. Forced to remain silent unless the customer was "lucky enough" to say the
22 right words, BellSouth has been put in the uncomfortable position of allowing
23 consumers to select calling plans containing benefits that may never be realized unless
24 the customer complained. These types of situations only aggravate the customers and
25 jeopardize any long-term relationship that BellSouth might attempt to establish.

1 —
2 Secondly, though it appears to consumers (by BellSouth's silence) that other
3 alternatives are available to them, it is not clear that these other providers have been
4 quick to develop competitive calling plans to "win customers". Winning customers is
5 the cornerstone of a competitive environment. The alternative intraLATA providers
6 have enjoyed two years of protective regulation. Certainly they have gained market
7 share, certainly with the marketing restrictions more alternatives "appear" to be
8 available, but those customers have not been won. They have in essence been
9 "handed over". By lifting the marketing restrictions imposed on BellSouth, the
10 Commission would insure that the industry would not rest on its laurels. Unleashing
11 BellSouth now would certainly stimulate innovation and facilitate the further
12 development of competitive rates and calling plans. Only then will consumers realize
13 the economic benefits of competition in the intraLATA market.

14

15 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

16

17 A. Yes.

18

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Florida LPIC Activity From 1/1/97 - 3/1/98

	Residence		Business		Total	
	Access Lines	%	Access Lines	%	Access Lines	%
New Service Connections	1,017,369		735,663		1,753,032	
To BST	688,802	68%	587,825	80%	1,276,627	73%
To Other	328,567	32%	147,838	20%	476,405	27%
Existing Service Changes:	1,632,841		474,941		2,107,782	
To BST	255,661	16%	38,648	8%	294,309	14%
To Other	1,377,180	84%	436,293	92%	1,813,473	86%
Via Business Office	205,388		115,857		321,245	
To BST	155,954	76%	38,451	33%	194,405	61%
To Other	49,434	24%	77,406	67%	126,840	39%
Via CARE	1,427,453		359,084		1,786,537	
To BST	99,707	7%	197	0%	99,904	6%
To Other	1,327,746	93%	358,887	100%	1,686,633	94%
Changes Through Moves	578,735		130,248		708,983	
To BST	436,453	75%	102,372	79%	538,825	76%
To Other	142,282	25%	27,876	21%	170,158	24%
TOTAL	3,228,945		1,340,852		4,569,797	
To BST	1,380,916	43%	728,845	54%	2,109,761	46%
To Other	1,848,029	57%	612,007	46%	2,460,036	54%

LONG DISTANCE APPLICATION
PLEASE PRINT — FILL OUT COMPLETELY
ONLY ONE PER HOUSEHOLD

AGE (REQUIRED)

to 35

over

52D

DATE (REQUIRED) _____

00188849

NAME _____

ADDRESS _____

CITY Miami STATE Fl. ZIP 33135

HOME PHONE (REQUIRED) (305) 241-1111

02-TS-M7

SIGNATURE (REQUIRED) X _____

I certify that I am at least 18 years of age. I further understand that I may cancel this agreement at any time. I hereby authorize Preferred Carrier Services, Inc. (PCS) to act as my agent, and to convert the long distance service on my phone listed above from my current carrier to PCS. I understand that this LOA changes my carrier, and that I may designate only one carrier at a time for any 1 number. I understand that I will be billed through my local telephone company by PCS. I understand that my local phone company may assess a charge for my conversion to PCS. If this occurs, PCS will pay me back if I send a copy of my bill to: PCS, 4902 Colleyville Blvd., Suite 108, Colleyville, TX 76034.

REGISTRATION APPLICATION FOR LONG DISTANCE SERVICE

REG. CONF. P.O. BOX 116000, ATLANTA, GA 30301

FILL OUT COMPLETELY TAKE COPY FOR YOUR RECORDS DATE: _____

I am of legal age. The phone number/s listed on this application are listed in my name and/or I am authorized to change the long distance service. I know that I can only have one long distance service for my 10 digits. I request BCT as my agent and ask to be placed on BCT's long distance telephone service immediately. I know my personal carrier will be switched. Changing my long distance carrier might involve a change by my local phone company. I agree to send a photocopy of said change to BCT and BCT will credit this change after 30 days of service. By my signature below I request to have my long distance service immediately changed to BCT.

PRINT NAME AS LISTED BY PHONE BOOK: _____ 240286

PHONE NUMBERS: 1 _____

ADDRESS: _____ CITY: Greenville ST.: Fl ZIP: 27037

AUTHORIZED SIGNATURE X _____

PLEASE PRINT IF YOU DO NOT WANT TO CHANGE YOUR LONG DISTANCE SERVICE TO BCT, BUT DO WANT TO ENTER THE SERVICE, PLEASE PRINT YOUR BCT SERVICE NUMBER FOR COMPLETE REGISTRATION IN THE SERVICE. (BCT SERVICE NUMBER IS 240286)

240286

82-139

SUBSCRIBER NAME _____

As listed on the local telephone bill

DATE OF BIRTH _____

I am 21 years of age

DATE _____

PHONE NUMBER _____

(1 1 1) 1 1 1 1 1 1 - 1 1 1 1 1 1

ADDRESS _____

CITY Jacksville STATE FL ZIP 32277

AUTHORIZED SIGNATURE _____

You are not required to sign the order form for long distance service changing your long distance carrier to enter the central. No purchase necessary. You must be 21 years of age or older to sign this order form for long distance service. Do not sign this order form for long distance service unless you are the subscriber. The information requested on the order form and submit the order form only. Do not return the order form for long distance service.

By signing above, I hereby authorize ABERNET SERVICES CORP to act as my agent in all matters relating to the primary interexchange carrier for my long distance service. I understand that by signing this form of agency, ABERNET SERVICES CORP shall become my long distance carrier. I also understand that my local telephone company may charge me for my long distance service. I further understand that I may designate only one long distance carrier for my long distance service. I understand that I may designate only one long distance carrier for my long distance service, and therefore hereby revoke any previous appointments or instructions concerning the telephone numbers listed on this order form.



**SWITCH TO AT&T LONG DISTANCE FOR FREE—
AND PICK UP 180 FREE MINUTES.**

Who would you call with three hours of free long distance service? Would you call someone special? Maybe a faraway friend or family member? It's up to you. Because now, when you switch your long distance to AT&T, you'll automatically get your first 60 minutes of direct-dialed long distance calling per month for free—for three months.* That's 180 free minutes. You can use your free minutes each month to call anyone, anywhere, anytime you'd like.

But that's only half the story.

You'll also get the guaranteed simplicity of one low rate.

The AT&T One Rate Plan can make your direct-dialed long distance calls from home so simple, you'll never have to think about it. You'll pay just 15¢ a minute—24 hours a day, 7 days a week—on calls made to anywhere in the U.S. No restrictions. No spending minimum. No gimmicks. And no fees. Compare that with other companies' "flat-rate" plans, which come with time-of-day restrictions, monthly fees, and minimum spending requirements.

*Unused minutes cannot be carried over to subsequent months.

SWITCHING IS SIMPLE...AND FREE. JUST CALL 1 800 242-1019, EXT. 36451, TODAY.

Or complete and return the reply form below.

Detach here

Yes! Switch me to AT&T today for free,
give me my 180 minutes of free calls, and enroll me
in your simple new AT&T One Rate Plan.

APUB

Name _____

Address _____

City _____

State _____

ZIP _____

()

Telephone Number To Be Switched (required) _____

Signature (required to switch your long distance service) _____

Date _____

Endorsement of this voucher switches your long distance service to AT&T. Voucher must be endorsed to be valid. Voucher expires 6/30/97.

Your AT&T Service Agreement

Your signature authorizes AT&T to switch your long distance service to AT&T and notify your local telephone company of your decision to switch to AT&T Dial-1 Long Distance Service.

Only one long distance company may be designated for the telephone number you provide us. Your selection of AT&T will apply only to that number.

Your local telephone company may charge you a fee to switch your long distance service. If so, it will appear on a future telephone bill and we'll reimburse you with AT&T Long Distance Certificates.

If you've recently accepted another offer to switch to AT&T, we can fulfill only on the first response received.

There is no connection between AT&T and BellSouth Corporation and its Operating Telephone Companies.

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