



ORIGINAL

October 18<sup>th</sup> 2002

021122-TX

Dear Ms. Bayo

ORIGINAL

Enclosed please find a copy of my file that was compiled by the Florida Public service commission. After reviewing all information, it was determined that the six day outage of my business telephone service was caused by the actions of Florida Digital Network. At this time I would like to submit a official complaint against FDN and request compensation for loss of business that resulted from the service outage. Please contact me at 407 331 5669 or 407 921 1682 if you have any questions.

Thank You

Donald Chapman

RECEIVED FPSC  
COMMISSION  
CLERK  
02 NOV - 1 PM 12:03

OCT 24 2002

: Don Chapman  
440 Oakhurst St.  
Altamonte Sp. Fl  
32701

DOCUMENT NUMBER - DATE  
81-NOV 26 11  
FPSC-COMMISSION CLERK

Request No. 448701T

Name DON CHAPMAN

Business Name MASTERS DRY MIST

**Consumer Information**

Name: DON CHAPMAN

Business Name: MASTERS DRY MIST

Svc Address: 440 OAKHURST STREET

Phone: (407)-869-7776

Can Be Reached: (407)-331-5669

City/Zip: Altamonte Springs / 32701-

Date Transferred to BCO: 08/15/2002

Date Received by BCO: 08/15/2002

Suspense Date: 05/23/2002

Sent to Agenda:

Conf. Agenda Date: / /

Form X Date Sent: 08/20/2002

Form X Date Due: 09/05/2002

Form X Received Late:

**Florida Public Service  
Commission - Consumer Request  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
850-413-6100**

Mediation Settlement Deadline: / /

Mediation Analyst: KATE SMITH

Pre. Conf. Sett. Amount: 0.00

Pre. Conf. Settlement:

Informal Conference Deadline: / /

Informal Conf. Sch.: Conference Analyst:

Date of Informal Conference: / /

Informal Conf. Sett. Amount: 0.00 Informal Conf. Settlement:

Informal Conf. Resolve: Conf. Closed Date: / /

Post Conf. Sett. Amount: 0.00

Post Conf. Settlement:

**Utility Information**

Company Code: TL727

Company: SPRINT-FLORIDA, INCORPORATED

Attn. Teesie Crebs448701T

Customer states that he called on behalf of his company to apply for new service on 3/26/02. Customer states they were promised telephone number with an installation date of 4/4/02. Customer states that the company did not have service until 4/10. Customer wants restitution for income lost. Customer states that he has made previous contact with the company to discuss this issue. Please investigate this matter, contact the customer and provide the Fl. Public Service Commission with a detailed written report by the due date.

Case taken by Michelle Watson-Livingston

FAX# 850-413-7168

E-mail: PSCREPLY@PSC.STATE.FL.US

04/12/2002 Report received via email. AHashisho

Request No. 448701T

Name DON CHAPMAN

Business Name MASTERS DRY MIST

PAGE NO: 1

04-16-2002 The company is reporting the delay was due to FDN not sending back the order to bring the customer over. They offered to give the customer a credit equal to three months of service. They state the customer declined. The company is not liable for loss of service. He will need to get a private attorney to handle this matter. Closed by letter. VMcKay

04/23/2002 Customer called to check the resolution of the case. He states that FDN tells him the opposite of what Sprint reports. He will leave a voice message for VMcKay. kmarshall

05-06-2002 Faxing the customer a copy of the report. VMcKay

05-06-2002 The information was successfully sent. I have a copy in the pending section on my desk. VMcKay

5-8-2002 Customer called and was transferred to vmckay voicemail. pbarnes

08-14-2002 After speaking with the customer, he states he is going to file for an informal conference. A copy of the response from Florida Digital (453086-T) states: The company sent a response stating Sprint ported out his number without going thru the normal process ( sending then an LSR for verification). They are also stating on April 3, 2002, Sprint created a port 2 original subscription without sending them a port out LSR. This made the customer to have to wait on paperwork from Sprint which they state was never furnished. This was sent after Sprint ported the customer to then on April 20, 3002. This was confirmed by Chuck from Sprint. Closed by phone. VMcKay

8-14-2002 Received request for an informal conference. LRasberry

8-14-2002 Case file and informal conference request hand delivered to Carmen Pena. LRasberry

August 15, 2002: At approximately 10:49 a.m. I received an e-mail from Leroy Rasberry indicating that Mr. Don Chapman of Masters Dri Mist had requested an informal conference. I tried to retrieve the case from the conference system but was unable to do so. An e-mail was forwarded to Andy Flowers at 1:46 p.m. with copies to Rhonda Hicks and Leroy Rasberry indicating that I have tried numerous times and ways to retrieve this case, but I have been unable to do so. A request was made to Andy to help fix the problem with the system. A copy of the e-mail has been included in the case for documentation purposes. Carmen Peña - Supervisor Bureau of Consumer Outreach

August 19, 2002: FAXED TO THE COMPANY: DUE TO THE CUSTOMER'S INFORMAL CONFERENCE REQUEST, PLEASE DO NOT TAKE COLLECTION ACTION ON THE CUSTOMER'S ACCOUNT FOR ANY DISPUTED AMOUNT, IF APPLICABLE, REGARDING THIS CASE, PENDING THE OUTCOME OF THE INFORMAL CONFERENCE PROCESS. A member of the PSC's Bureau of Consumer Outreach will be following up with the customer and the company regarding this case. Carmen Peña - Supervisor Bureau of Consumer Outreach

August 19, 2002: The above message was faxed from my computer at approximately 11:19 a.m.

An informal conference acknowledgment letter along with Form X will be forwarded to the customer via certified and

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Request No.	448701T	Name	DON CHAPMAN	Business Name	MASTERS DRY MIST
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regular mail. Carmen Peña - Supervisor Bureau of Consumer Outreach

August 20, 2002: On August 20, 2002, the mail room of the Public Service Commission forwarded the certified letter to the customer. A copy of the post office receipt has been included in this case file for documentation purposes. Carmen Peña - Supervisor Bureau of Consumer Outreach

8/30/2002: The customer contacted the PSC around 4:12 pm and he was informed that the informal conference request was received and that the form x letter was mailed to him on 8/20/2002. He was satisfied. njSantiago.

September 6, 2002: I spoke at length with Mr. Chapman. I explained that we could not give him an informal conference for two reasons. First, we did not receive his Form X. He said he never got one, but I pointed out that we have the return receipt from the post office indicating it was placed in his postal box. Second, Mr. Chapman's request is for \$3,000 in compensation for lost business when he changed his local provider from an alec to Sprint Florida. I explained that the PSC cannot grant damages or compensation and suggested that Mr. Chapman may want to consult with his attorney on this issue.

In our discussion, the customer indicated that he would like a letter from the PSC stating who was at fault in the handling of the switch from Florida Digital to Sprint Florida so that he could take the letter to his attorney. I told the customer I would have to get input from our technical division and/or legal division before I could prepare and send such a letter, if it was appropriate.

The customer then asked me to contact Sprint to see if it would give him some kind of reconciliatory offer such as a reasonable courtesy adjustment. It appears Sprint did offer \$90, but the customer felt that was "grossly insufficient and an insult." I told the customer I would talk with Sprint. We ended the call. KSmith

September 9, 2002: I called Sprint and spoke with Pamela. I asked her to present the above request to Mr. Spears for his consideration. She said she would and ask Mr. Spears to call me. I reviewed the file again. I need a copy of the file that was opened against Florida Digital Network, 453086T. I gave my request to my supervisor. KSmith

September 9, 2002: At approximately 11:05 a.m. an e-mail was forwarded to Bureau Chief Rhonda Hicks requesting she help us obtain case number 453096T filed against Florida Digital Network, an ALEC. This case will be used as a cross-reference with the requested informal conference case against Sprint-Florida. The mediation process cannot continue until we receive the original case file. It appears that BCR offered the customer an informal conference on a damage claim issue. Our investigation further reveals that the cases filed on behalf of Mr. Chapman are an ALEC VS. ILEC issue. The customer has requested information on all his filed cases because he will be taking his concerns to a court of proper jurisdiction. A copy of the e-mail has been placed in the file for documentation purposes. Carmen Peña - Supervisor Bureau of Consumer Outreach

September 10, 2002: Copy of file faxed to Harvey Spears at Sprint. KSmith

September 10, 2002: Received customers certified copy of Form X letter back from the post office as unclaimed. KSmith

September 18, 2002: Received the following update from Harvey Spears. KSmith

I plan on having a detailed response to you by Friday, 9-19-02. Right now, it appears I can demonstrate Sprint faxed the appropriate info to FDN (4-5 times) with no response, FDN did not provide the appropriate confirming service transfer info to Sprint and that FDN did not meet their obligation to continue service to the customer until a transfer was finalized with Sprint.

This is all I have for now as an update.

Harvey Spears  
Docket Manager-Regulatory  
Sprint  
Voice (850)599-1401  
Fax (850)878-0777  
Internet harvey.spears@mail.sprint.com

September 30, 2002: I received a voice message from Mr. Chapman asking for an update on his case. He left me the following numbers to call: 407-331-5669 or his cell phone 407-921-1682. KSmith

October 1, 2002; Received the following supplementary report from Sprint. Sprint declines to participate in the informal conference as the matter is nonjurisdictional. Customer is requesting compensation. KSmith

The customer was to be ported from FDN to Sprint on April 4. An LSR was faxed to FDN on (5) separate occasions. It wasn't until April 10 when Sprint's SRC escalated the situation to our carrier markets field services manager who brought Brian Boles (FDN) and Lorey Wiand, Sprint National Assistance Center (SNAG) Supervisor, together on a call. Ms. Wiand confirmed the FDN fax number that her team had sent the previous LSR's to and Mr. Boles confirmed the number was the correct one. Until FDN presents the LSR to Sprint and concurrence is obtained, we cannot perform a/the port.

Mr. Boles did state that his team at FDN had taken down Mr. Chapman's service a few days before April 10 in an effort to turn up service to Mr. Chapman even though FDN knew no LSR had been sent to Sprint. In a porting environment, until the port is completed and the end user resides within the receiving party's switch, the originating CLEC/ILEC has the responsibility to retain the end user within their switch. Until April 10 there was no concurrence between FDN and Sprint; therefore, FDN was responsible for maintaining dial tone to Mr. Chapman.

The following chronological sequence of events is from Sprint's records:

• On 3-26-02, customer called Sprint to start comeback process. Rep initiated N892340 and sent major account comeback form to Sprint National Access Center (SNAC) CLEC group.

. On 4-4-02, Sprint faxed LOA to above customer fax #. Customer signed LOA and sent back to Sprint on 4-4-02. On 4-4-02, Sprint faxed an LSR to FDN at (407)447-1220. The delay in faxing a LOA to Mr. Chapman (March 26 to April 4) resulted from a Sprint Small Business/Home Business (SBHB) rep error that inadvertently indicated the customer had participated in a LOA Third Party Verification (3PV) process which negates the need to fax the applicant an LOA.

. The records reflect that a SBHB coach (Mike) called a friend at FDN to discuss Mr. Chapman's service issues with FDN and was advised FDN had not received a LSR. Mike then called the SNAC to arrange for another copy of the LSR to be faxed to FDN. (no date provided in the records for this notation)

On 4-8-02, Sprint faxed another LSR to FDN.

On 4-9-02, the customer called regarding the status of his order. He spoke with one of the SNAC reps handling CLEC related matters to advise that FDN was stating they never received the 1st LSR faxed to FDN on 4-4-02. Therefore, Sprint faxed another copy of the LSR to FDN on the 9th and marked it urgent. Customer stated he would call FDN to let them know he had spoken with Sprint and that a copy of the LSR was being re-faxed.

On 4-10-02, the SNAC received a call from a Sprint Business Customer Account Center (BCAC) supervisor and FDN CLEC supervisor Lenny Hall requesting a fax copy of the LSR that was faxed on 4-8-02 and this fax was to be sent to Lenny's attention. On 4-10-02, at 8:40 am the subject LSR was faxed to FDN at (407)447-1220 (per Lenny) with a notation that the LSR due date was 4-12-02, but Sprint would accept a 4-10-02 due date because the customer was without service.

On 4-10-02 @ 12:19, a SNAC rep followed up to see if a Firm Order Confirmation (FOC) had been received from FDN and it had not. A note on the account reflected FDN advised a SNAC rep that the wrong LSR was faxed, so LSR was reissued and faxed to supervisor Lenny Hall @ 12:30 pm.

On 4-10-02 @ 1:33 pm, SNAG supervisor Lorey Wiand received a call from Joan Seymour, Sprint Field Services Manager-Carrier Markets, advising customer had called the FPSC to register a complaint concerning a delay in having their service activated by Sprint. Ms. Seymour conferenced up Bryan Boles @ FDN at (407)835-0521 and they reviewed the dates and activities associated with Sprint faxing copies of the LSR to FDN to gain concurrence to port the customer's number. Mr. Boles claimed they never received the faxes. A SNAC rep did in fact have direct communications with FDN's Lenny Hall concerning the LSR, yet FDN still claimed no receipt of the LSR.

Mr. Boles stated FDN had removed the customer from their switch a few days earlier to accommodate moving service to Sprint, so it was ok for Sprint to give the customer service. On the 10th, with Ms. Wiand and Mr. Boles working together, FDN confirmed receipt of the LSR.

NOTE: During a conversation with Ms. Wiand, Mr. Boles stated he was going to escalate this issue to a VP at FDN and Sprint would eventually receive a FOC pertaining to Mr. Chapman. He also commented that Lenny had not handled something correctly, so he was a little frustrated with what happened and this was the reason he was going to escalate

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Request No. 448701T	Name DON CHAPMAN	Business Name MASTERS DRY MIST
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this to a FDN VP.

On 4-10-02, a SNAG supervisor changed the Local Number Portability (LNP) value on the order because it had FDN's SPID on it. Since FDN had already disconnected the customer, the SPID had to be changed to Sprint's 0661 SPID. SNAG supervisor then issued a disconnect & a new service order that same day to make the necessary changes so Sprint could activate the service.

On 4-11-02, Ms. Wiand closed out the new service order because customer's service was activated.

Sprint will not entertain discussion pertaining to the customer's desire to be compensated for alleged loss of income pursuant to the facts herein, but more specifically, the attached copy of Sprint's General Exchange Tariff General Regulations section, Liability Limitation.

I trust this information will be adequate enough to close out this customer's complaint and request for informal conference. Please let me know if additional information of action is needed.

Harvey Spears  
Docket Manager-Regulatory  
Sprint  
Voice (850)599-1401  
Fax (850)878-0777  
Internet harvey.spears@mail.sprint.com

October 1, 2002: I called the customer to discuss the report from Sprint. Mr. Chapman was not available so I left a voice message asking for a return call. I left my direct number as well as the 800#. KSmith

October 1, 2002: Mr. Chapman returned my call. We discussed Spraint's report. Mr. Chapman is going to send me a request to withdraw from the informal conference process. I agreed to send him a complete copy of this file and to ask my supervisor to send his file to technical for a determination of fault between Sprint and FDN. KSmith

October 1, 2002: Received customer's e-mail asking that the PSC withdraw his request to participate in an informal conference with Sprint Florida. A copy of the file will be made and mailed to the customer. File given to Carmen Peña to be closed. KSmith

**Kate Smith**

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To: BCHAPS2@aol.com  
Subject: RE: Sprint / FDN Complaint

**Thank you for your e-mail withdrawal request. I will process it this afternoon. I am in the process of copying your file and will have it in the mail by Thursday. You should get it the first part of next week.**  
**Kate Smith**

**-----Original Message-----**

**From: BCHAPS2@aol.com [mailto:BCHAPS2@aol.com]  
Sent: Tuesday, October 01, 2002 12:38 PM  
To: ksmith@psc.state.fl.us  
Subject: Sprint / FDN Complaint**

**October 1st 2002**

**At this time I would like to drop my request for a conference and proceed with the alternative actions discussed today.**

**Thanks**

**Don Chapman**



Kate Smith

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Sent: Tuesday, October 01, 2002 12:38 PM  
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**At this time I would like to drop my request for a conference and proceed with the alternative actions discussed today.**

**Thanks**

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*Received from Sprint  
10-1-02 LK*

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I trust this information will be adequate enough to close out this customer's complaint and request for informal conference. Please let me know if additional information of action is needed.

**Harvey Spears**  
**Docket Manager-Regulatory**  
**Sprint**  
**Voice (850)599-1401**  
**Fax (850)878-0777**  
**Internet harvey.spears@mail.sprint.com**

GENERAL EXCHANGE TARIFF

SPRINT-FLORIDA, INCORPORATED SECTION A2

First Revised Sheet 45

BY: F. B. Poag Cancelling Original Sheet 45

Director Effective: May 3, 1999

GENERAL REGULATIONS

F. LIABILITY OF THE COMPANY (Cont'd)

3. Indemnifying Agreement

The Company shall be indemnified and saved harmless by the subscriber or subscribers against claims for libel, slander, or the infringement of copyrighting arising directly or indirectly from the material transmitted over the facilities or the use thereof; against claims for infringement of patents arising from combining with or using in connection with, facilities furnished by the Company, apparatus and systems of the subscriber; and against all other claims arising out of any act or omission of the subscriber in connection with the facilities provided by the Company.

4. Liability Limitation (N)

The Telephone Company will not be liable for any consequential, incidental or indirect damages for any cause of action, whether in contract or tort. Consequential, incidental and indirect damages include, but are not limited to, lost projects, lost revenues and loss of business opportunity, whether or not the Telephone Company was aware or should have been aware of the possibility of these damages. (N)

5. Defacement of Premises (T)

The Company is not liable for any defacement of or damage to the premises of a subscriber resulting from the furnishing of service or the attachment of equipment or apparatus furnished by the Company on such premises or by the installation or removal thereof, when such defacement or damage is not the result of negligence of the employees of the Company.

6. Period for the Presentation of Claims (T)

The Company shall not be liable for damages or statutory penalties in any case where a claim is not presented in writing within 60 days after alleged delinquency occurs.



ORIGINAL

~~August 14<sup>th</sup>~~ 2002

~~8/20/02~~ ~~8/26/02~~ ~~8/30/02~~

SEP 5 2002

ATTN: Bev Demello

RE: Complaint involving Sprint # 448701T

I have made every effort to settle my complaint with Sprint with no luck. Under the advise of Victor Mckay, I would like to have an informal conference with Sprint to settle this issue. Please contact me at 407 331 5669 or 407 921 1682

Thank You

A handwritten signature in black ink, appearing to read "Don Chapman", written in a cursive style.

Don Chapman

This is proof that  
the certified letter  
was mailed on  
Aug 20 from the  
PSQ ————— Peña

Case 448701T  
Masters Dry Mist  
(Don Chapman)  
Ns.  
Sprint - Florida ORIGINAL

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.92
Sent To Mr. Donald Chapman Street, Apt. No., or PO Box No. P. O. Box 161386 City, State, ZIP+4 Altamonte Springs, FL 32716	

7001 2510 0007 6217 5941

Postmarked: AUG 20 2002  
Post Office: ALTAMONTE SPRINGS, FL 32716

COMMISSIONERS:  
LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI  
RUDOLPH "RUDY" BRADLEY

STATE OF FLORIDA



DIVISION OF CONSUMER AFFAIRS  
BEVERLEE DEMELLO  
DIRECTOR  
(850) 413-6100  
TOLL FREE 1-800-342-3552

## Public Service Commission

August 20, 2002

*Certified and Regular Mail*

Mr. Donald Chapman  
Masters Dry Mist  
P.O. Box 161386  
Altamonte Springs, FL 32716

**Re: Informal Conference Request  
PSC Inquiry No. 448701T**

Dear Mr. Chapman:

Thank you for contacting the Florida Public Service Commission (PSC) about Sprint -Florida Inc. We appreciate the opportunity to help you.

In accordance with Commission Rule 25-22.032(8), Florida Administrative Code, you must complete the attached PSC/CAF Form X, and return it to the Commission within 15 days from the date of this letter. **If the completed Form X is not postmarked by September 5, 2002, which is 15 days from the date of this letter, your informal conference request will be denied.**

The Director of the Division of Consumer Affairs (the Director) will review your Form X and recommend if an informal conference should be granted. In the event that the conference is granted, a staff member will be assigned to your case, and he/she will contact you.

If the Director finds that your case has no basis upon which relief may be granted, a recommendation will be made to the Commissioners to dismiss the complaint. You will be notified in writing about this decision.

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CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0862

An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)



Masters Dry Mist  
Page 2  
August 20, 2002

I hope this information is helpful. If you have any questions, please contact me at 1-800-342-3552, by toll-free fax at 1-800-511-0809, or by e-mail at [cpena@psc.state.fl.us](mailto:cpena@psc.state.fl.us).

Sincerely,

Carmen R. Peña  
Regulatory Program Administrator  
Bureau of Consumer Outreach

CRP:njs

Attachment

c: Sprint - Florida Inc.

ORIGINAL



## FLORIDA PUBLIC SERVICE COMMISSION INFORMAL CONFERENCE REQUEST FORM

FPSC Complaint Number: 448701T  
Customer's Name: Masters Dry Mist  
Authorized Representative: Mr. Donald Chapman  
Address: P.O.Box 161386  
Address: Altamonte Springs, Fl. 32716  
Telephone Number (voice): 407-869-7776 (Fax):  
407-331-5669 CBR  
E-mail address (if any):

7/21/02

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*Please address the following statements using additional pages if necessary.*

Please identify the issues to be resolved. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Please describe the facts that are in dispute. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Please identify the dollar amount in dispute. \_\_\_\_\_

Please provide a suggested resolution or the relief sought. \_\_\_\_\_

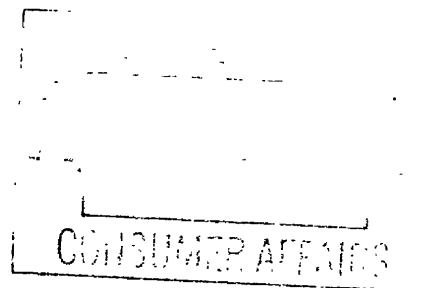
\_\_\_\_\_  
\_\_\_\_\_

**NOTICE:** This form must be postmarked by **September 5, 2002**. Failure to provide this information may result in denial of the informal conference request.



0211 11

August 14<sup>th</sup> 2002



ATTN: Bev Demello

RE: Complaint involving Sprint # 448701T

I have made every effort to settle my complaint with Sprint with no luck. Under the advise of Victor Mckay, I would like to have an informal conference with Sprint to settle this issue. Please contact me at 407 331 5669 or 407 921 1682

Thank You

A handwritten signature in black ink, appearing to read "Don Chapman".

Don Chapman

Request No. 448701T

Name ,

Business Name MASTERS DRY MIST

**Consumer Information**

Name:

Business Name:MASTERS DRY MIST

Svc Address: 440 OAKHURST STREET

County: Seminole Phone: (407)-869-7776

City/Zip: Altamonte Springs / 32701-

Account Number:

Caller's Name: DONALD CHAPMAN

Mailing Address: P O BOX 161386

City/Zip: ALTAMONTE SPRINGS ,FL 32716

Can Be Reached: (407)-331-5669

E-Tracking Number:

**Florida Public Service  
Commission - Consumer Request  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
850-413-6100**

**Utility Information**

Company Code: TL727

Company: SPRINT-FLORIDA, INCORPORATED

Attn. Teesie Crebs448701T

Response Needed From Company? Y

Date Due: 05/02/2002

Fax: 61,407-886-0817

B

Interim Report Received: / /

Reply Received: 04/12/2002

Reply Received Timely/Late: T

Informal Conf.: N

**PSC Information**

Assigned To: VICTOR MCKAY

Entered By: AWA

Date: 04/11/2002

Time: 13:55

Via: PHONE

Prelim Type: DELAY IN

PO:

Disputed Amt: 0.00

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by: VSM

Date: 04/16/2002

Closeout Type: GI-99

Apparent Rule Violation: N

Customer states that he called on behalf of his company to apply for new service on 3/26/02. Customer states they were promised telephone number with an installation date of 4/4/02. Customer states that the company did not have service until 4/10. Customer wants restitution for income lost. Customer states that he has made previous contact with the company to discuss this issue. Please investigate this matter, contact the customer and provide the Fl. Public Service Commission with a detailed written report by the due date.

Case taken by Michelle Watson-Livingston

FAX# 850-413-7168

E-mail: PSCREPLY@PSC.STATE.FL.US

04/12/2002 Report received via email. AHashisho

Request No. 448701T

Name ,

Business Name MASTERS DRY MIST

04-16-2002 The company is reporting the delay was due to FDN not sending back the order to bring the customer over. They offered to give the customer a credit equal to three months of service. They state the customer declined. The company is not liable for loss of service. He will need to get a private attorney to handle this matter. Closed by letter. VMcKay

STATE OF FLORIDA

Commissioners:  
LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI  
RUDOLPH "RUDY" BRADLEY



DIVISION OF CONSUMER AFFAIRS  
BEVERLEE DeMELLO  
DIRECTOR  
(850) 413-6100  
TOLL FREE 1-800-342-3552

## Public Service Commission

April 18, 2002

Mr. Donald Chapman  
P. O. Box 161386  
Altamonte Springs, FL 32716

**RE: FPSC Inquiry #448701T**

Dear Mr. Chapman:

This is a response to your communications with the Florida Public Service Commission (PSC) concerning Sprint-Florida, Incorporated.

A review of the information developed in our investigation indicates that a company representative has been in touch with you and that the matter appears to be resolved.

If this is not the case, or if you have additional questions with which I can be of assistance, please contact me toll free at 1-800-342-3552, by toll free fax at 1-800-511-0809, or by e-mail at [vmckay@psc.state.fl.us](mailto:vmckay@psc.state.fl.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Victor S. McKay".

Victor S. McKay  
Regulatory Specialist II  
Division of Consumer Affairs

VSM:ewe

ORIGINAL

## Angie Hashisho

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**From:** Theresa.B.Chidester@mail.sprint.com  
**Sent:** Friday, April 12, 2002 4:23 PM  
**To:** pscreply@psc.state.fl.us  
**Subject:** Final Report-Chapman (Central)-448701T



1007516.doc

Please find the attached report for your review:

Ownership: CLEC

Theresa Chidester  
Service Recovery Analyst  
800 788-9806

10/10/10  
OFFICIAL

**ADDITIONAL INFORMATION  
FOR INTERNAL REVIEW**

**ROOT CAUSE:** Due to a delay in receiving the appropriate documents from Florida Digital, the customer was without service for an extended period of time.

**CORRECTIVE ACTION:** Apologies were offered on behalf of the company. Additionally, credit equivalent to three months of local service was offered; however, the offer was declined.

**OWNERSHIP:** CLEC

ORIGINAL



**SPRINT**  
**MEMORANDUM**

ORIGINAL

**DATE:** April 12, 2002

**TO:** Ruth McHargue

**RE:** Donald Chapman  
440 Oakhurst Street  
Altamonte Springs, FL 32701

(407) 869-7776 (Central)

448701T

**FINAL REPORT**

On April 11, 2002, Mr. Chapman contacted the FPSC regarding a service outage and related the following:

- He contacted Sprint-Florida to request new service and was given an installation date of April 4. His service was not working until April 10.
- He is seeking loss of business credit.

Sprint-Florida's records reflect the following:

- On March 26, Mr. Chapman contacted the Small Business department requesting to bring his local phone service from Florida Digital back to Sprint-Florida; therefore, the representative issued a service order reflecting a due date of April 4, 2002.
- On April 5, Mr. Chapman contacted the Small Business department to advise that his service was not working. The representative then advised him that we were waiting for a Local Service Request (LSR) from Florida Digital, so that Sprint-Florida is able to connect his local service. The representative then sent an additional copy of the LSR form to Florida Digital.

Ruth McHargue  
Re: Donald Chapman  
448701T-Final Report

April 12, 2002

Page 2

ORIGINAL

- On April 8, a LSR form was faxed to Florida Digital marked "Urgent".
- On April 9, Mr. Chapman contacted the Small Business department to inquire regarding the status of his order. He was advised that Florida Digital stated that they never received the first LSR that was faxed to their location. Mr. Chapman stated that they would contact Florida Digital to inquire further.
- On April 10, a representative from our Business Customer Assistance Center contacted Lenny Hall, a supervisor from Florida Digital, and was informed that Mr. Chapman did not have service due to a Sprint error and that if she would refax the LSR form he would ensure it was properly processed.
- April 10, our Business Customer Assistance Center received information from Florida Digital that the wrong LSR had been faxed to Sprint-Florida. Jane Seymour, Field Service Manager, contacted Florida Digital and spoke with Bryan Boles. He confirmed that Mr. Chapman had been removed from their equipment and that Sprint-Florida could not provide service. Additionally, Mr. Boles stated that he would escalate this issue to a Vice President at Florida Digital.

Later that day, I contacted Mr. Chapman, extended apologies for any inconvenience he may have experienced and reviewed the information stated herein. Mr. Chapman did confirm that his service was working. Additionally, Mr. Chapman stated that he wished to receive loss of income restitution. I advised that we were not tarified to do so; however, I would be willing to offer him credit equivalent to three months of local service. Mr. Chapman declined the offer. Mr. Chapman expressed dissatisfaction with the resolution of his inquiry. Additionally, I provided my telephone number and invited Mr. Chapman to call if I could be of further assistance or if he had any additional concerns.

With this information, I trust Mr. Chapman's complaint may be considered closed.

Theresa Chidester  
Service Recovery Analyst

Request No. 453086T

Name ,

Business Name MASTERS DRY MIST

**Consumer Information**

Name:

Business Name:MASTERS DRY MIST

Svc Address: 440 OAKHURST STREET

County: Seminole Phone: (407)-869-7776

City/Zip: Altamonte Springs / 32701-

Account Number:

Caller's Name: DONALD CHAPMAN

Mailing Address: P O BOX 161386

City/Zip: ALTAMONTE SPRINGS ,FL 32716

Can Be Reached: (407)-331-5669

E-Tracking Number:

**Florida Public Service  
Commission - Consumer Request  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
850-413-6100**

**Utility Information**

Company Code: TX230

Company: FLORIDA DIGITAL NETWORK, INC.

Attn. Lenny Hall453086T

Response Needed From Company? Y

Date Due: 05/23/2002

Fax: 61,407-447-0262

B

Interim Report Received: / /

Reply Received: 06/03/2002

Reply Received Timely/Late: T

Informal Conf.: N

**PSC Information**

Assigned To: VICTOR MCKAY

Entered By: VSM

Date: 05/02/2002

Time: 15:41

Via: PHONE

Prelim Type: DELAY IN

PO:

Disputed Amt: 0.00

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by: VSM

Date: 06/05/2002

Closeout Type: GI-11

Apparent Rule Violation: N

The customer original complaint against sprint states: Customer states that he called on behalf of his company to apply for new service on 3/26/02. Customer states they were promised telephone number with an installation date of 4/4/02. Customer states that the company did not have service until 4/10. Customer wants restitution for income lost. Customer states that he has made previous contact with the company to discuss this issue. Please investigate this matter, contact the customer and provide the Fl. Public Service Commission with a detailed written report by the due date. Sprint responded by stating :The delay was due to FDN not sending back the order to bring the customer over.

He states he has been in contact with the company on this issue.

Please investigate this issue, contact the customer and provide the PSC with a detailed written report.

Send response to:

**ORIGINAL**

Request No. 453086T

Name ,

Business Name MASTERS DRY MIST

CAF FAX: 850/413-7168  
CAF E-mail: pscreply@psc.state.fl.us  
Case taken by Victor McKay

5/6/02 Customer transferred to Victor. Shonna McCray

05-16-2002 I called the customer and informed him the response is not due until May 23, 2002. He states the company (Sprint) hooked the service up before all the information was give. VMcKay

05-28-2002 Lennie sent me an e-mail stating she will respond by the end of this week.  
VMcKay

05/28/2002 Customer called. Mr. Donald Chapman requested a return call at 407-921-1682 (cell phone). Email to Victor McKay. eplendl

05-28-2002 I spoke with the customer and informed him they are going to respond by the end of this week. He was informed the dial tone was installed on April 4, 2002. This is before the order was put in before the paper was stated. I will check to see if this is on the response from FDN. VMcKay

06/03/2002 Report received via email. AHashisho

06-05-2002 The company sent a response stating Sprint ported out his number without going thru the normal process ( sending then an LSR for verification). They are also stating on April 3, 2002, Sprint created a port 2 original subscription without sending them a port out LSR. This made the customer to have to wait on paperwork from Sprint which they state was never furnished. This was sent after Sprint ported the customer to then on April 20, 3002. This was confirmed by chuck from Sprint. Closed by phone. VMcKay

I have a copy in my files. VMcKay

0605202: Customer states he's returning VMcKay's call. Will call back later. mwlivingston

6/6/02: Customer wished to speak with VMcKay, said he would call again. AKambo

6/12/02 Customer transferred to VMCKAY's voicemail and followed up with an email. tmorgan

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Request No. 453086T Name , Business Name MASTERS DRY MIST

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06-18-2002 I spoke with the customer and am sending him a copy of the report from Florida Digital. I also informed him he will need to contact a private attorney to receive any damages caused by his loss of business.  
VMcKay

7/12/02 Transferred this customer to Victor's voice mail. Shonna McCray

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Request No. 453086T Name , Business Name MASTERS DRY MIST

PAGE NO: 3

## Angie Hashisho

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**From:** Paula Weed [pweed@floridadigital.net]  
**Sent:** Monday, June 03, 2002 8:15 AM  
**To:** 'PSCREPLY@PSC.STATE.FL.US'  
**Subject:** DUE 5-23 MASTERS DRI MIST/CAT 453086T

Subject: FW: DUE 5-23 MASTERS DRI MIST/CAT 453086T

FDN RESPONSE VIA EMAIL--

Sprint ported out his nbr without going thru the normal process (namely sending us an LSR and allowing us to review it and either FOC it or Clarify it for invalid/incomplete info). It appears on 4/3/02 Sprint created a port 2 original subscription in NPAC and took the number without sending us a port out LSR. Before FDN could do anything to the customers account we had to wait on the proper paperwork from Sprint which they had never furnished to FDN. See below the FOC with the due date of April 10,02 for port to Sprint. This was sent after Sprint ported the cust to them.

RECEIVED LSR FROM SPRINT. PORTING 1 TN. FULL PORT.

FIRM ORDER CONFIRMATION (FOC)

DATE: April 10, 2002

COMPANY: SPRINT  
TO: LAURIE WIAND  
FAX NBR: 717-245-6231

CUST: MASTERS DRI MIST

ATN: 407-869-7776

PON: N704520

VER: 00

DUE DATE: 04-10-02

'D'SERVICE ORDER #: N/A

FDN ORDER #: 216947LM

-----Original Message-----

From: Victor McKay [mailto:VMcKay@PSC.STATE.FL.US]  
Sent: Tuesday, May 28, 2002 11:21 AM  
To: 'Lenny Hall'  
Subject: RE: DUE 5-23 MASTERS DRI MIST/CAT 453086T

thanks

-----Original Message-----

From: Lenny Hall [mailto:lhall@floridadigital.net]  
Sent: Friday, May 24, 2002 2:04 PM

ORIGINAL

To: 'Victor McKay'  
Subject: RE: DUE 5-23 MASTERS DRI MIST/CAT 453086T

STILL WORKING, WILL HAVE RESPONSE BY END OF NEXT WEEK. THX

-----Original Message-----

From: Victor McKay [mailto:VMcKay@PSC.STATE.FL.US]  
Sent: Thursday, May 02, 2002 3:51 PM  
To: 'lhall@floridadigital.net'  
Subject: DUE 5-23 MASTERS DRI MIST/CAT 453086T

NAME:  
CASE NO: 453086T  
CALLER NAME: CHAPMAN DONALD  
COMPANY: FLORIDA DIGITAL NETWORK, INC.  
BUSINESS: MASTERS DRY MIST  
CITY: Altamonte Springs  
ZIP: 32701-  
ADDRESS: 440 OAKHURST STREET  
TIME REC'D: 15:41  
DATE REC'D: 05/02/2002  
CONSUMER TELEPHONE: (407)-869-7776  
CAN BE REACHED: (407)-331-5669  
TIME SENT TO COMPANY:  
DATE SENT TO COMPANY: / /  
BILLING TYPE: S  
ACCOUNT NO.:  
CATEGORY/INFRACTION CODE:  
ENTERED BY: VSM  
ASSIGNED ANALYST: VICTOR MCKAY  
DUE DATE: 05/23/2002  
CLOSEOUT ANALYST:  
DATE CLOSED: / /  
TIMELY/LATE:  
DISPUTED AMOUNT: \$0.00  
NOTES: The customer original complaint against sprint states: Customer states that he called on behalf of his company to apply for new service on 3/26/02. Customer states they were promised telephone number with an installation date of 4/4/02. Customer states that the company did not have service until 4/10. Customer wants restitution for income lost. Customer states that he has made previous contact with the company to discuss this issue. Please investigate this matter, contact the customer and provide the Fl. Public Service Commission with a detailed written report by the due date. Sprint responded by stating :The delay was due to FDN not sending back the order to bring the customer over.

He states he has been in contact with the company on this issue.

Please investigate this issue, contact the customer and provide the PSC with a detailed written report.

Send response to:  
CAF FAX: 850/413-7168  
CAF E-mail: pscreply@psc.state.fl.us  
Case taken by Victor McKay