

**ATTACHMENT B
TO DECLARATION OF
BETTY YOUNG**

Complaint #87463

Identifying information withheld at customer's request

Excel Telecommunications, Inc.

(see hard file which includes a bill copy and letter from Excel to customer)

-On 12/5/03, customer switched her intra/interlata long distance from AT&T Communications to Qwest Communications.

-On 12/27/03, Excel Communications states Ms. switched her intra/interlata long distance service to them.

-1/21/04, Ms. has switched all of her long distance back to Qwest.

-Ms. asked for verification of the switch and Excel had Ms. listen to a tape. It is a woman's voice and the correct date of birth, but Ms. states its not her.

-I will mail out a self-addressed envelope to the customer so she can mail me copies of her bill statement, welcome letter and a copy of the order to switch her services to Qwest (not Excel).

*Customer doesn't want to be contacted by the company.

***1/28/04, 10:15-passed via e-mail to Co./Excel Complaints - response due to DJ Suits on or before 2/5/04.

Activity 01/28/2004 10:10 AM Email: Diana Jones-Suits << Co./Excel

return receipt

Activity 02/06/2004 06:10 AM Email: Diana Jones-Suits << Co./Excel-Vartec/Sue Lewis

Excel Telecommunications, Inc. ("Excel") has completed the investigation of (customer) inquiry regarding the unauthorized switch of her long distance service. At Excel, customer satisfaction within the telecommunications industry is an utmost priority. It is the Company's intent that the information provided herein will satisfactorily address (customer) concerns as they relate to Excel.

(Customer) indicated in her communication with the Washington Utilities and Transportation Commission ("WA-UTC") that Excel changed the long distance service for telephone number (number) without her knowledge or consent. Please note that in accordance with state and federal regulations, telecommunications service providers must verify orders from customers when changing the primary service provider for local and/or long distance services. The Company currently utilizes a third party verification process, among other methods, to verify orders for Excel's services to comply with these regulations. The Company's verification process is recorded to ensure that the customer's verbal authorization has been obtained to submit the service change order. A copy of the recorded verification is enclosed for the Commission review.

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According to the TPV recording, the party completing this process identified herself as (customer) and gave (date) as the date of birth to confirm that she had spoken with the verifier. Internal records show that (customer) contacted the Company's Customer Care Center on January 21, 2004 to inquire about and to dispute Excel service. (Customer) was advised the the service was established December 27, 2003 based upon a call in request. The TPV recording was reviewed with (customer). Although Excel maintains that proper verification was obtained to establish service for telephone number (number), in an effort to resolve this matter, and as a one-time goodwill gesture, the Company issued an adjustment in the amount of \$ 10.29 for charges billed during the first thirty days of service. The account was deactivated within Excel's database on January 21, 2004.

Again, the Company sincerely regrets any inconvenience this situation may have caused (customer) and appreciates the opportunity to address and resolve her concerns with Excel. If you have further questions regarding this correspondence, please contact the undersigned directly at (214) 424-1342.

Sincerely,

Sue Lewis
Regulatory Analyst II
Phone: 214/424-1342
e-mail: sblewis@vartec.net

Activity 02/25/2004 09:48 AM Letter: Diana Jones-Suits << customer-hard file

-12-5-2003, Customer with Qwest Long Distance
-12-27-2003, Customer received a welcome letter from Excel for Long Distance
-1-21-2004, Customer received a letter from Excel stating the customer owes \$10.29.

**Per documentation from Qwest, customer was with Qwest long distance at the time Excel mailed their letter and billed for general services. (customer wasn't billed for any calls)

Activity 04/16/2004 08:29 AM Email: Diana Jones-Suits >> Co./Excel/Sue Lewis

Sue, I've never received a copy of the TPV verification to review? Also, included in the company response, it states the TPV recording was reviewed with (customer), what date did this occur.

Activity 04/16/2004 08:32 AM Email: Diana Jones-Suits << Co./Excel/Sue Lewis

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return receipt

Activity 04/16/2004 02:47 PM Email: Diana Jones-Suits << Co./Excel/Sue Lewis-wav file attached

Diana,

I have enclosed the original wav file that was emailed to you on February 6, 2004. Please let me know if there is a problem retrieving this file.

Sue Lewis

Activity 04/26/2004 02:19 PM Email: Diana Jones-Suits >> Co./Excel/Sue Lewis

Hi Sue, when the company switched the customer's long distance service, were both the customer's intra and interlata long distance switched?

Response due on or before 4/29/04.

Activity 04/26/2004 02:21 PM Email: Diana Jones-Suits << Co./Exel-Nicole

return receipt

Activity 04/26/2004 02:25 PM Email: Diana Jones-Suits << Co./Excel-Vartec/Nicole Mizell

Ms. Jones-Suits,

Please note that all complaints should be forwarded to my attention at nymizell@vartec.net.

Activity 04/29/2004 02:18 PM Email: Diana Jones-Suits << Co./Vartec/Sue Lewis

Diana,

Internal records show that the only service switched was the interlata service. Please contact me if I can be of further assistance.

Activity 05/03/2004 03:36 PM Email: Diana Jones-Suits >> Co./Qwest

Hello, can a staff member look at this inquiry and tell me if Qwest has always had the customer for intralata service. The customer thinks both - intra/interlata - services were slammed to Excel.

Activity 05/03/2004 04:56 PM Email: Diana Jones-Suits << Co./Qwest/Marilyn Spence

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Steve Oxnevad will handle this

Activity 05/05/2004 05:31 PM Email: Diana Jones-Suits << Co./Qwest/Steve Oxnevad

DJ--misc/slamming complaint response--

Qwest account (number) is local residential service billed to (customer). I've reviewed the intralata(LPIC) and interlata(PIC) carrier history on the account, back to 7/3/01, when (customer) moved to the address noted. At that time, PIC & LPIC were both 0244, Touch America. Here's a summary from that time forward:

1/13/03 interlata PIC changed from 0244 to 0236 Qwest LD
due date 1/18/04-per customer request
intralata LPIC remained 0244
1/25/03 intralata LPIC also changed from 0244 to 0236 Qwest LD
per customer request
8/16/03 intralata LPIC & interlata PIC were both changed from
0236 Qwest LD to 0288 AT&T-due date 8/17/03
per carrier request
12/5/03 intralata LPIC & interlata PIC were both changed from
0288 AT&T to 0236 Qwest LD-due date 12/10/03
per customer request
12/31/03 interlata PIC changed from 0236 Qwest LD to 0752 Excel Comms
per carrier request-intralata LPIC remained 0236 Qwest LD
1/21/04 interlata PIC was changed from 0752 Excel back to 0236 Qwest
LD-due date 1/26/04-per customer request(alleged carrier
slam) PIC change charge from 12/31/03 order was adjusted

On 1/29/04, (customer) added local service/PIC/LPIC freeze onto her local account records. Let me know if there's any other information you need.

Thanks
Steve

Activity 05/10/2004 12:40 PM Voice Mail: Diana Jones-Suits >> customer

Left message stating the company did provided a TPV as verification to switch her long distance. Stated I understand she says its not her on the tape. Advised Ms. she would take that up with the company in court if she wished. The company did give a courtesy credit of the total amount billed which = \$10.29.

Stated I have closed the informal complaint with the commission.

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Activity 05/10/2004 12:44 PM Email: Diana Jones-Suits >> Co./Excel/Nicole Mizell

Nicole, I have closed the informal complaint via e-mail to the customer and closed with the commission. I have noted 1 violation of 480-120-166(7), company failed to respond to the commission within 5 business days. The response was due on 2/5/04 and I receive the response on 2/6/04.

Disposition: Company Upheld with Arrangements (credits)

Activity 05/10/2004 12:49 PM Email: Diana Jones-Suits << Co./Excel/Nicole Mizelle

return receipt