

**ORIGINAL**

APR 22 99

EX-7 SAN FRANCISCO OFFICE

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Investigation on the Commission's )  
own motion into the operations, )  
practices, and conduct of Vista Group )  
International, Inc. [U-5650-C], doing )  
business as Vista Communications )  
(Vista), Thomas Coughlin, Chief )  
Executive Officer of Vista, and Philip )  
Bethune, President of Vista, to determine )  
whether they have violated the laws, )  
rules, and regulations governing the )  
manner in which California consumers )  
are switched from one long distance )  
carrier to another. )  
\_\_\_\_\_ )

I. 99 04 020

**ORDER INSTITUTING INVESTIGATION INTO THE OPERATIONS OF  
VISTA GROUP INTERNATIONAL, INC.**

Vista Group International, Inc. (Vista), doing business in California as Vista Communications, is an Ohio corporation with its principal place of business in Westlake, Ohio. Vista is a family owned and operated business. Vista's Chief Executive Officer is Thomas M. Coughlin. Mr. Coughlin owns ninety percent of the outstanding shares of Vista. Vista's President is Philip A. Bethune, Mr. Coughlin's son-in-law. Mr. Bethune owns the remaining ten percent of outstanding shares of Vista.

On October 17, 1995, Vista filed Application (A.) 95-10-030 seeking authority to operate as a switchless reseller of interLATA and intraLATA telecommunications services within California. On July 17, 1996, the Commission

Procedure. This proceeding is categorized as an adjudicatory proceeding and will be set for evidentiary hearing. The issues of this proceeding are framed in the above order. A prehearing conference shall be scheduled for the purpose of setting a schedule for this proceeding, including dates for the exchange of additional written testimony, determining which of the Staff's percipient and collaborative witnesses will need to testify, and addressing discovery issues. We preliminarily propose that hearings be held in August and that any additional testimony of the Staff and testimony of the Respondents be issued three weeks prior to hearings. This order, as to categorization of this proceeding, is appealable under the procedures in Rule 6.4. Any person filing a response to this order instituting investigation shall state in the response any objections to the order regarding the need for hearings, issues to be considered, or proposed schedule. However, objections must be confined to jurisdictional issues which could nullify any eventual Commission decision on the merits of the alleged violations, and not on factual assertions which are the subject of evidentiary hearings.

The Executive Director shall cause the order, complete with unredacted declarations submitted by Staff, to be personally served on Vista's registered agent of service in California:

Warner Bott Berry  
One Maritime Plaza, Suite 700  
San Francisco, California 94111

A copy of the order and unredacted Staff declarations will also be sent by certified mail to Vista's Chief Executive Officer and Vista's President:

Thomas M. Coughlin, CEO  
Vista Group International, Inc.  
821 Westpoint Parkway, Suite 920  
Westlake, OH 44145

Philip A. Bethune, President  
Vista Group International, Inc.  
821 Westpoint Parkway, Suite 920  
Westlake, OH 44145

issued Decision (D.) 96-07-051 granting Vista a certificate of public convenience and necessity (CPCN) to operate as a switchless reseller of intraLATA and interLATA service within California and assigning Vista corporate identification number U-5650-C.

The Consumer Services Division's Enforcement Branch (CSD or Staff) has investigated consumer complaints and other information that indicate that Vista has violated regulations governing how telephone subscribers are switched from one interexchange carrier to another. Staff alleges that Vista sales agents misrepresented themselves to consumers as representing local exchange carriers (LEC) or other long distance carriers and offered consumers consolidated billing of local and long distance charges on the subscribers' local telephone bill. Consumers agreeing to consolidated billing had their presubscribed long distance service switched to Vista Communications. If these alleged misrepresentations are true, subscribers were not thoroughly informed of the service being offered and did not intend to have their presubscribed service switched to Vista as required by Public Utilities Code (P.U. Code) § 2889.5, and Vista's fitness to operate in California is in question.

Staff has prepared declarations documenting its investigation to date. A copy of this OII and the Staff declarations will be personally served on the designated agent for service of process in California for Vista, Warner Bott Berry at One Maritime Plaza, Suite 700, San Francisco, CA 94111. A copy of this OII and Staff declarations will also be sent by certified mail to Vista's Chief Executive Officer, Thomas M. Coughlin, and Vista's President, Philip A. Bethune, at 821 Westpoint Parkway, Suite 920, Westlake, OH 44145. A copy of this OII will also be sent to MCI Worldcom, Sprint Communications, Cable & Wireless, and The Furst Group, four interexchange carriers ordered by this OII to provide certain data to Staff on Vista's operations.

**I. STAFF ALLEGATIONS**

The Staff's declarations set forth the following facts and allegations:

The Consumer Services Division's Enforcement Branch began a preliminary investigation of Vista in July of 1998 as a result of consumer complaints alleging that Vista had switched consumers' presubscribed long distance service to Vista without the subscribers' authorization.

Staff reports that Vista markets primarily (95 percent) to business customers and uses independent marketing firms to market Vista's service. Vista contracts with billing aggregator U.S. Billing, Inc. (USBI) to bill California consumers for Vista's services on the subscribers' local exchange telephone bill.

CSD reports that from September of 1997 through March of 1999, the Consumer Affairs Branch (CAB) received 238 contacts from California consumers about Vista. Staff interviewed 134 consumers who complained to CAB, Pacific Bell, the FCC, or the Better Business Bureau about Vista. Staff's investigation reveals that the overwhelming majority of consumers allege that they received a marketing call from someone offering to consolidate local and long distance charges on the subscribers' local telephone bill. Over 70 of these consumers, mostly small businesses, allege that Vista's sales representatives deceptively represented themselves to be employees of, or some other way associated with, Pacific Bell or some other local or long distance telephone company. Consumers consistently allege that they were offered consolidated billing of local and long distance service or some other simplified billing plan. Consumers report that when they agreed to the consolidated billing, their long distance carrier was switched to Vista. Many consumers state that they were assured by the solicitors that their long distance telephone service would not be changed.

The majority of complaints received by the Commission concerning Vista were from business customers. An insurance agent wrote:

I received a telephone call from a person identifying himself as 'James Watkins an employee of Pac Bell' indicating he is looking at my account and wants to save me some money. He indicated Pac Bell is offering a courtesy service to customers with bills in excess of \$35.00 per month. Customers may choose to combine the billing instruments from Pac Bell and their long distance carrier (such as AT&T) into one billing instrument handled by Pac Bell, eliminating the need for the customer to sign two checks every month.

The President of a Professional Risk Management Services business wrote:

The caller represented herself as a GTE employee and offered me a new plan with GTE for local and long distance calls (within my LATA). I specifically asked if her offer would affect my long distance plan with AT&T. She replied 'no'. I asked her to again confirm that she worked for GTE. At this point she 'clarified' her earlier statement. She said that she actually worked for Vista Communications, but that Vista had been hired by GTE to market this calling plan. I agreed to change to the GTE plan that she offered.

A Personal Financial Advisor wrote:

Having worked in the telecommunications industry for years, I am aware of slamming practices and [am] very skeptical about sales calls. I asked the sales representative at least three times what company he represented. Each time his reply was 'Pacific Bell.' I also asked him repeatedly if anything would change. Each time his reply was 'No, this will merely consolidate your local and long distance bills.'

CSD reports that each of these businesses had their service switched to Vista.

Representatives from sixteen different businesses have provided CSD with signed declarations documenting their experience with Vista.

While the majority of consumers allege that they were switched to Vista after agreeing to some consolidated billing arrangement, CSD reports that there were also some variations to these alleged misrepresentations. Some subscribers allege that they were switched to Vista as a result of a telephone

survey or a telephone call from a purported local telephone company representative seeking to verify billing information. In addition, some consumers allege that they were switched to Vista without any contact with Vista.

CSD reports that consumers also allege that Vista's rates were significantly higher than the rates charged by their carrier of choice. Consumer bills attached to consumer complaints substantiate these claims showing that Vista charged a domestic rate of 25 cents a minute which was two or more times higher than the rate many consumers indicate their carrier of choice charged. Vista also charged some consumers an "LD line charge" of \$3.60 or \$5.75 per line and a monthly fee of \$3.00 or \$5.00 per line although these monthly charges do not appear in Vista's California tariff. Businesses with multiple lines were charged these fees on each line. Staff reports that a few consumers also allege that they were billed for calls that they never made.

CSD attempted to determine the scope of the alleged slamming by Vista by looking at primary interexchange carrier (PIC) dispute data recorded by the local exchange carriers. However, CSD learned that although Vista has a Carrier Identification Code (CIC) of 480 and an Access Customer Name Abbreviation (ACNA) of VGI, Vista does not submit PIC change requests to the local exchange carriers in California under its own CIC and instead submits them under the codes of its underlying carriers, Wiltel (now MCI Worldcom), Cable & Wireless, and Sprint (submitted through The Furst Group). Because of this, CSD could not get PIC dispute data from the local exchange carriers and had to request the information from Vista's underlying carriers.

CSD reports that, to date, it has been unable to get complete and detailed data from Vista's underlying carriers. While Sprint and Worldcom provided partial data, Cable & Wireless indicated it had no dispute information for Vista. CSD asked Vista to attempt to obtain PIC dispute data from Worldcom and Cable & Wireless directly because of the difficulty CSD was having obtaining this

data. Vista complied and was able to provide CSD with some PIC dispute information. The raw PIC dispute numbers obtained from the various sources shows the following: Data provided by Sprint shows that from January through November of 1998, Sprint received 1,659 PIC disputes from California LECs that were attributable to Vista. Sprint's records also show that over ten percent of all PIC changes made by Vista through Sprint's CIC were disputed by customers. The data CSD eventually received from Worldcom showed that in 1998 Worldcom received 2,061 PIC disputes from California LECs that were attributable to Vista. Data provided by Vista for Worldcom shows that from December 1997 through October 1998, Worldcom received 2,252 PIC disputes attributable to Vista. Data provided by Vista for Cable & Wireless shows that from April 1998 through October 1998, Cable & Wireless received 106 PIC disputes attributable to Vista. In total, Vista has received at least 4000 PIC disputes from all three underlying carriers for the partial months of data available. CSD notes that it does not have any underlying account information for these disputes and requests that the Commission order Vista's underlying carriers to provide this information to Staff.

CSD reports that while Pacific Bell is unable to track PIC dispute information for Vista it does track and record escalated complaints it receives concerning Vista. Pacific Bell's Business Office Referral Report, which tracks escalated complaints of alleged unethical business practices, shows that from March of 1997 through August 1998 (the most recent data available), Pacific Bell received 590 escalated complaints of unethical business practices by Vista. Pacific Bell's Total Cramming Complaints Report, which tracks escalated complaints alleging the inclusion of unauthorized charges on a subscribers' telephone bill, shows that from January of 1998 through December of 1998, Pacific Bell received 180 escalated complaints of cramming by Vista. Escalated cramming complaints rose from 3 complaints in January 1998 to 43 complaints in December of 1998. Staff reports it has reviewed a half dozen or more cramming

complaints and at least two complaints involve allegations of unauthorized charges billed by Vista in 1999. Staff reports that it is currently investigating this and other cramming allegations and will document its findings in a supplemental declaration.

Vista uses third party verification and voice capture systems to attempt to verify a subscriber's decision to switch to Vista. Staff requested verification tapes for twenty-five consumers that alleged to have been slammed by Vista. Because some of the verifications requested were over a year old, Vista could only provide nineteen taped verifications. Staff reviewed the verification tapes to determine if the tapes record a valid verification that the subscriber had authorized a switch to Vista.

Staff reports that the verifiers first seek information about the account, including the name and address of the company, the telephone numbers, and the monthly usage, and ask the consumers if they are authorized to make decisions about the telephone service. The verifiers then ask the consumer for his or her birthday or the last four digits of the consumer's social security number for "security purposes" or to "authorize that [the verifier] has spoken [to the customer]." The verifiers do not inform the consumer that this information is being sought to verify the subscriber's intent to switch to Vista's service, and Staff notes that at the point the consumer gives the verifier this information, the verifier has not yet told the consumer that the consumer's service will be switched Vista.

Staff reports that in many verifications only the last verification question provides any reference to a switch to Vista. For example, after obtaining the subscriber's birthday, one verification recording says, "Okay, this will authorize Vista as your long distance carrier utilizing one of the four major networks, with billing through Pac Bell, okay?" The customer responds, "Yes, for the one bill." CSD reports that consumers it interviewed state that they believed that they had only authorized consolidated billing. Staff also reports that some



consumers allege that the tapes were edited or altered and that consumers told the verifier that they were not agreeing to any change in service providers. Finally, Staff reports that similar to the sales scripts, the verifications make no mention of any fee or charge for switching long distance carriers.

CSD reports that Vista has been the subject of investigations and lawsuits in other states for allegations similar to those it raises here. The Oregon Department of Justice entered an Assurance of Voluntary Compliance with Vista in the Marion County Circuit Court in Oregon. Although not admitting to any violations, Vista agreed to obey Oregon's Unlawful Trade Practices Act and to make specific and accurate disclosures to consumers about switching long distance carriers.

Staff also reports that three Bell Operating Companies have taken some type of action against Vista. Staff reports that Bell South obtained a preliminary injunction preventing Vista from doing anything to induce the mistaken belief that Bell South's services were in any way associated with Vista's products. Staff also informs us that U.S. West has filed a lawsuit against Vista for falsely claiming connections to U.S. West and that Ameritech reached a court approved settlement in which Vista was ordered to stop representing itself as Ameritech and to run a series of newspaper ads clarifying that it is not affiliated with Ameritech.

Vista has informed Staff that effective November 15, 1998 it has voluntarily ceased all sales efforts in California. Vista continues to provide service to existing California customers.

## II. DISCUSSION

If the allegations set forth in the Staff's declarations are true, Vista does not meet the public convenience and necessity requirements we expect of telecommunications providers and there are ample grounds to suspend or revoke Vista's authority to operate within California. Staff's allegations that Vista is

slamming California consumers by misrepresenting itself as Pacific Bell or other local and long distance telephone companies causes us great concern.

P.U. Code § 2889.5 requires telephone corporations and their agents to thoroughly inform the subscriber of the nature and extent of the service offered and specifically requires the telephone corporation to establish whether the subscriber intends to make any change to the subscriber's telephone service. In addition, Section 2889.5 requires the telephone corporation and its agents to explain any charges associated with the change. Despite these requirements, the Commission is receiving numerous consumer complaints alleging that subscribers did not authorize the change of their telephone service to Vista. Consumers, most of whom are businesses, are alleging that Vista sales representatives were misrepresenting themselves as employees of Pacific Bell or other local and long distance service providers. Staff has provided signed declarations from a number of businesses and residents claiming that they never intended to switch to Vista's service and only intended to take advantage of the consolidated billing arrangement that they thought was being offered by their existing carrier. These allegations, if true, violate P.U. Code § 2889.5.

Vista apparently uses third party verification to verify consumers' authorization to switch to Vista's service. However, verification itself cannot and does not authorize a service order switch -- a carrier must first have a valid authorization. Here, consumers allege that they thought they were talking to their local or long distance carrier and were only authorizing some type of consolidated billing arrangement. Consumers state they did not authorize or intend to authorize a switch to Vista and in some cases were assured no switch would occur. A verification which might briefly, at the end of the verification and within the mist of providing other information, mention a switch to Vista, does not establish valid verification of an authorization because no prior authorization occurred. We are also very concerned with some consumers' allegations that these verification tapes

have been altered or edited and ask Staff to further investigate this issue. In addition, it appears from Vista's own sales and verification scripts that Vista never informed consumers of the fees associated with the service order switches which is a separate violation of P.U. Code § 2889.5. Had Vista informed consumers of these switching fees perhaps consumers may have realized that Vista was intending to switch their long distance service provider and not merely consolidate their billing.

Although carriers are free to focus their marketing efforts on certain types of customers, businesses tend to have multiple lines, make more long distance calls, and make those calls during the day when rates are highest. A business can experience a significant financial impact when it is slammed by a carrier that charges higher rates than the business' carrier of choice. Businesses and residents are alleging that Vista's rates are significantly higher than the rates of the subscribers' carrier of choice and that Vista charges subscribers other fees such as a monthly fees and LD line charges. While many consumers have indicated that they obtained credits from Vista, we have learned from prior slamming cases that consumers' dissatisfaction goes beyond just the financial loss. Business customers are especially frustrated with the time and energy it takes to obtain appropriate credits and return to their carrier of choice.

CSD's declarations indicate that Vista was aware of the large number of slamming complaints it has received and blames the problem, at least in part, on Vista's independent telemarketing firms. P.U. Code § 702 requires every public utility to obey and comply with every order, decision, direction, or rule of the Commission and to do everything necessary or proper to secure the compliance by its agents. Although Vista is legally responsible and liable for the actions of agents it uses to provide telecommunication services, we instruct CSD to review the actions Vista has taken to secure compliance by its sales representatives to our

rules and regulations as this may have bearing on any penalties that may be imposed.

The Commission has an important interest in protecting the public from unauthorized long distance service switches as well as protecting the long distance marketplace from unfair competition. Vista's practices, if true, are especially egregious because they include misrepresentations involving other public utilities. These misrepresentations could potentially tarnish the reputations of these other utilities. Newly enacted P.U. Code § 2889.9, effective January 1, 1999, prohibits a person or corporation from misrepresenting its association or affiliation with a telephone carrier when soliciting a subscriber to purchase a product or service and have that product or service billed on the subscriber's telephone bill. Although P.U. Code § 2889.9 was not in place at the time of Vista's alleged actions if Vista ceased all marketing in California in November of 1998 as it has informed Staff, we put Vista on notice that should it begin marketing while this proceeding is open, Staff is instructed to bring any alleged violations of P.U. Code § 2889.9 to our attention via a motion with supporting declarations and we will consider adding the violation to this proceeding. We also put Vista on notice that its actions, if true, appear to violate Penal Code § 538f which prohibits any person, other than an employee of a public utility, from fraudulently personating or inducing the belief that he or she is an employee of a public utility.

Staff's declarations also indicate that Vista may be engaged in cramming. According to Pacific Bell reports, complaints of cramming by Vista are on the rise. In addition, Staff has seen at least two cramming complaints that involve alleged unauthorized charges appearing on consumers' telephone bills in 1999. If this is true, Vista would be violating the recently enacted anti-cramming statute P.U. Code § 2890 in addition to charging unjust or unreasonable rates in violation of P.U. Code § 451. We instruct CSD to complete its investigation of

alleged cramming by Vista and submit its findings in any supplemental declarations it seeks to issue in this proceeding.

CSD reports that it has had some difficulty obtaining PIC dispute data from the Vista's underlying carriers. Because underlying PIC dispute data in this case is not available through the local exchange carriers it is important for the underlying carriers to cooperate with our Staff in its investigation of Vista. Therefore, we order MCI Worldcom, Cable & Wireless, and Sprint Communications and reseller The Furst Group to cooperate fully with Staff in its requests for information. We also order these carriers to maintain certain PIC dispute records they receive from the LECs regarding PICs of Vista.

To assist Staff in completing all facets of its investigation, we direct Vista to provide the Consumer Services Division with the information identified in ordering paragraph 2.

Slamming continues to be a problem in California and across the nation. Consumers are becoming disheartened with deregulation as unethical carriers enter the marketplace using deceptive business practices. Consumers abhor being removed from their carrier of choice and being forced to take service from another carrier.

Good cause appearing, therefore,

**IT IS ORDERED that:**

1. An investigation on the Commission's own motion is hereby instituted into the operations of Vista Group International, Inc., corporate respondent, and Thomas M. Coughlin, Chief Executive Officer and shareholder of Vista, and Philip A. Bethune, President and shareholder of Vista, individual respondents, (collectively Respondents) to determine whether:

- a) Respondents violated P.U. Code § 2889.5 by switching subscribers' long distance service provider without the subscribers' authorization;

- b) Respondents violated P.U. Code § 2890 by charging subscribers for products or services never authorized;
- c) Respondents violated P.U. Code § 451 by billing subscribers for services never ordered, authorized, or provided;
- d) Respondents violated P.U. Code § 489 by charging subscribers rates or services that were not tariffed;
- e) Respondents have violated P.U. Code § 702 which requires every public utility to obey and comply with every order, decision, direction, or rule of the Commission and to do everything necessary or proper to secure the compliance by its agents;
- f) Respondents should be ordered to cease and desist from any unlawful operations and practices;
- g) Respondents should be ordered to pay restitution to consumers;
- h) Respondents should be fined pursuant to P.U. Code §§ 2107 and 2108 for any violations of the P.U. Code or other order, decision, rule, direction, or requirement of the Commission; and whether
- i) Respondents are unfit to conduct utility service and whether Vista's certificate of public convenience and necessity should be suspended or revoked.

2. To facilitate this investigation, and consistent with the provisions of Section 314 of the Public Utilities Code, Respondents are ordered to provide Special Agent Maniscalco with the information identified below within 20 days of the date this order is served on the Respondents:

- a) A list of the names, titles, and business addresses of all current and prior officers, directors, and owners of Vista. For officers and directors include the dates which they were elected/appointed and their terms of office. For owners, provide the percentage of ownership.

- b) An organization chart down to the manager level.
- c) Copies of all Board of Directors minutes from inception to present.
- d) Financial statements for all years of operation since inception.

3. Respondents shall respond to all further Staff requests, including requests to obtain billing information from Vista's billing agent, U.S. Billing Inc. or other billing entities, and requests to obtain data from Vista's wholesale and underlying carriers.

4. MCI Worldcom, Sprint Communications, The Furst Group, and Cable & Wireless are ordered to cooperate with Staff in its investigation of Respondents and are ordered to retain all Customer Account Record Exchange (CARE) records received from California LECs that indicate that reseller, Vista, has lost a customer due to a disputed PIC change.

5. Because Staff has only received partial or incomplete responses to its data requests to the certain interexchange carriers, we order MCI Worldcom, Sprint Communications, Cable & Wireless, and The Furst Group to provide the following information, submitted under penalty or perjury, to Consumer Services Division Special Agent Richard Maniscalco within 30 days of the effective date of this order.

MCI Worldcom, Sprint Communications, and Cable & Wireless shall provide Staff with the following information or, if the information is not available, provide Staff with an explanation as to why it is not available:

- a) The total number of PIC changes each carrier submitted to each California LEC for Vista under the carrier's CIC. This information should be provided by month from January 1997 through March of 1999.

- b) The total number of PIC disputes each carrier received from each California LEC that was attributable to Vista (i.e. made by subscribers PICed to Vista.) This information should be provided by month from January 1997 through March of 1999.
- c) For each PIC dispute identified as attributable to Vista, provide the subscriber's name, address, telephone number, and unique customer identifier or customer code.

The Furst Group shall provide Staff with the following information or, if the information is not available, provide Staff with an explanation as to why it is not available:

- d) The number of PIC changes The Furst Group submitted to each underlying carrier or local exchange carrier for Vista. This information should be provided by month from January 1997 through March of 1999.
- e) The number of PIC disputes The Furst Group received from each underlying carrier or local exchange carrier that was attributable to Vista (i.e. made by subscribers PICed to Vista.) This information should be provided by month from January 1997 through March of 1999.
- f) For each PIC dispute identified as attributable to Vista, provide the subscriber's name, address, telephone number, and unique customer identifier or customer code.

6. CSD has redacted certain customer information from the public version of its declarations. Copies of CSD's unredacted declarations shall be provided to Respondents. Respondents are ordered to keep this customer information confidential.

7. Staff's declarations include some information that Vista, Pacific Bell, Sprint, MCI Worldcom, and The Furst Group have identified as proprietary. This information includes Vista PIC change and dispute information, Vista



contracts, and Vista customer turn over information. This information shall be made public.

8. All advice letters submitted by Respondents after today will be consolidated with this OII for consideration.

9. Respondents are directed to disclose to Staff any plans to transfer the operating authority which is the subject of this proceeding, and/or any part of the control of the business in which Respondents are entitled to use that authority, and shall further disclose to Staff any such plans, and any actions and/or applications in pursuit of such plans, which it may commit itself to pursue during the course of this proceeding, until such time as there is a final Decision disposing of this matter.

10. Staff will continue discovery and will continue to investigate the operations of the Respondents, as there are several important issues, such as allegations of cramming, which it needs to finish investigating. Any additional information which Staff wishes to advance as direct showing evidence in this proceeding shall be provided to the Respondents in advance of any hearings, in accordance with the schedule directed by the Administrative Law Judge. Staff need only respond to discovery requests directed at Staff's prepared testimony offered in this proceeding.

11. Staff shall monitor consumer complaints made against Vista. We expect Staff to bring additional evidence of any harmful business practices by Respondents to our attention (e.g., new types of violations). Staff may propose to amend the OII to add additional respondents or to raise additional charges. Any such proposal shall be presented to the Commission in the form of a motion to amend the OII and shall be supported by Staff declarations supporting the proposed amendments or additional respondents.

12. This ordering paragraph suffices for the "preliminary scoping memo" required by Rule 6 (c) of the Commission's Rules of Practice and

The Executive Director shall cause this order to be sent, by certified mail, to the regulatory contacts for the four interexchange carriers ordered to provide information and maintain certain records involving the Respondents' operations. The order shall be accompanied by a letter from CSD informing the carriers of the information that needs to be provided and retained pursuant to this order.

MCI Worldcom  
201 Spear Street, 9<sup>th</sup> Floor  
San Francisco, CA 94105  
Attention: William Harrelson, Senior Counsel

Sprint Communications Company, L.P.  
1850 Gateway Drive, 7<sup>th</sup> Floor  
San Mateo, CA 94404-2467  
Attention: Richard Purkey, Director

Cable & Wireless USA, Inc.  
8219 Leesburg Pike  
Vienna, VA 22182  
Attention: Flack La Rene, Tariff and Regulatory Manager

The Furst Group  
459 Oakshade Road  
Shamong, NJ 08088  
Attention: Jill Papenhausen, Director

The Executive Director shall cause this order to be sent to Pacific Bell and GTE California because implementation of a decision in this proceeding could require these carriers' cooperation. Pacific Bell and GTE California will be included on the service list so they are assured notice of actions taken in this proceeding.

Pacific Bell  
140 New Montgomery Street, Room 1805  
San Francisco, CA 94105  
Attention: Jim Young, Senior Counsel

I. \_\_\_\_\_

L/IRA/pds

GTE California, Inc.  
One GTE Place (RC 3412)  
Thousand Oaks, CA 91362-3811  
Attention: Jenny Wong

This order is effective today.

Dated \_\_\_\_\_ at San Francisco, California