

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

JUN 11 2003

In the Matter of) EB Docket No. 03-85
)
BUSINESS OPTIONS, INC.) File No. EB-02-TC-151
) NAL/Acct. No. 30033217002
Order to Show Cause and) FRN: 0007179054
Notice of Opportunity for Hearing)

To: Chief Administrative Law Judge
Richard L. Sippel

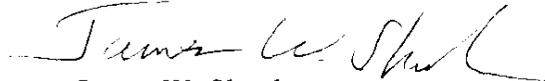
ENFORCEMENT BUREAU'S REQUEST FOR SUBPOENA *DUCES TECUM*

1. The Enforcement Bureau ("the Bureau"), pursuant to Section 1.333 of the Commission's rules, 47 C.F.R. § 1.333, requests that the Presiding Administrative Law Judge sign the attached subpoena *duces tecum* to Ms. Diane Barnes, Qwest Services Corporation ("Qwest"), 1801 California Street, Suite 3800, Denver, CO 80202. From interviews and correspondence with Qwest employees, the Bureau has learned that Qwest received from Business Options, Inc. or its affiliates (collectively, "BOI"), explicit directives to change the telephone service of the eight persons named in this proceeding's *Order to Show Cause Notice of Opportunity for Hearing*, FCC 03-68, released April 7, 2003 ("the *OSC*"), who complained that BOI had "slammed" them. *See OSC* at p. 16 (Appendix A). The Bureau believes that the materials sought from Qwest, which are described in detail in the attached subpoena, will help establish that BOI, in fact, made such requests of Qwest. In addition, the Bureau believes that the materials described in the subpoena will also show on what days and how many times BOI requested a change of service from Qwest for the eight complainants. Finally, the Bureau believes that the materials described in the subpoena may also provide evidence as to the identity of the BOI employees who made the requests of Qwest on behalf of BOI.

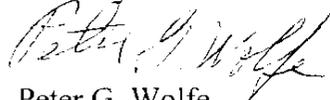
2. Accordingly, the Bureau requests that the attached subpoena be signed.

Respectfully submitted,
David H. Solomon
Chief, Enforcement Bureau


Maureen F. Del Duca
Chief, Investigations and Hearings Division


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June 11, 2003

Verification

James W. Shook, an attorney in the Enforcement Bureau's Investigations and Hearings Division, declares under penalty of perjury that the facts alleged in the foregoing "Enforcement Bureau's Request for Subpoena *Duces Tecum*" are true and correct. Executed on June 11, 2003.


James W. Shook