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FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

DEC - 2 2003

Federal Communications Commission  
Office of the Secretary

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**  
**MOTION FOR PARTIAL SUMMARY DECISION**

**I. INTRODUCTION**

1. The Enforcement Bureau (the "Bureau"), pursuant to section 1.251 of the Commission's rules (the "rules"),<sup>1</sup> hereby submits its Motion for Partial Summary Decision<sup>2</sup> in the above-captioned proceeding. As demonstrated herein with respect to the designated issues for which summary decision is sought, "the truth is clear" and "the basic facts are undisputed."<sup>3</sup> Thus, because there is no genuine issue of material fact for determination at a hearing, summary decision is warranted.<sup>4</sup>

2. On April 7, 2003, the Commission issued an *Order to Show Cause and Notice of*

<sup>1</sup> 47 C.F.R. § 1.251.

<sup>2</sup> On October 27, 2003, the Bureau filed a separate Motion for Partial Summary Decision with respect to issues (b), (c) and (d) specified in the OSC. The instant Motion for Partial Decision concerns only issues (g), (h) and (i), which were added to this proceeding by *Memorandum Opinion and Order*, FCC O3M-33 (rel. August 20, 2003) ("MO&O").

<sup>3</sup> *Big Country Radio, Inc.*, 50 FCC 2d 967 (Rev. Bd. 1975).

<sup>4</sup> *See New Broadcasting Corp.*, 44 FCC 2d 386 (Rev. Bd. 1973).

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*Opportunity for Hearing* (“OSC”).<sup>5</sup> Among other things, the OSC specified an issue against Business Options, Inc. (“BOI”) to determine whether BOI failed to file Form 499-A, the Telecommunications Reporting Worksheet (the “Worksheet”), in willful or repeated violation of section 64.1195 of the Commission’s rules.<sup>6</sup> The Worksheet not only serves to register a telecommunications carrier with the Commission, but also provides information that various entities, including the Universal Service Administrative Company (“USAC”) and the National Carrier Exchange Corporation, Inc. (“NECA”), use to assess required contributions to the federal universal service fund<sup>7</sup> and the telecommunications relay services (“TRS”) fund,<sup>8</sup> respectively.

3. During discovery in this proceeding, the Bureau ascertained that BOI not only had failed to meet the registration requirement imposed on a telecommunications carrier by section 64.1195 of the rules but also had never filed a Worksheet and had never contributed either to federal universal service or to TRS. Consequently, on July 15, 2003, the Bureau filed a Motion to Enlarge Issues. As noted above, the presiding Administrative Law Judge (the presiding “ALJ”) granted the Bureau’s motion and specified the following additional issues against BOI:

- (g) to determine whether Business Options, Inc., Buzz Telecom Corp., U.S. Bell, Inc. and/or Link Technologies failed to make required contributions to universal service support programs, in violation of § 254(d) of the Communications Act of 1934, as amended, 47 U.S.C § 254(d), and § 54.706 of the Commission’s rules, 47 C.F.R. § 54.706;
- (h) to determine whether Business Options, Inc., Buzz Telecom Corp., U.S. Bell, Inc. and/or Link Technologies failed to make required contributions to the Telecommunications Relay Services Fund, in violation of § 64.605(c)(5)(iii)(A) of the Commission’s rules, 47 C.F.R. § 64.604(c)(5)(iii)(A).

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<sup>5</sup> 18 FCC Rcd 6881 (2003).

<sup>6</sup> 47 C.F.R. § 64.1195.

<sup>7</sup> See 47 C.F.R. § 54.711.

<sup>8</sup> See 47 C.F.R. § 64.604(c)(5)(iii).

- (i) to determine whether Business Options, Inc., Buzz Telecom Corp., U.S. Bell, Inc. and/or Link Technologies failed to file Telecommunications Reporting Worksheets, in violation of §§ 54.711, 54.713, and 64.604(i)<sup>9</sup> of the Commission's rules, 47 C.F.R. §§ 54.711, 54.713, 64.604(c)(iii)(B); and
- (j) to determine whether an Order for Forfeiture should be issued pursuant to § 503(b) of the Communications Act of 1934, as amended, 47 U.S.C. § 503(b), against Business Options, Inc., Buzz Telecom Corp., U.S. Bell, Inc. and/or Link Technologies [for] failure to make the required universal service contributions in a timely manner, in violation of § 254(d) of the Communications Act of 1934, as amended, 47 U.S.C. § 254(d) and § 54.706 of the Commission's rules, 47 C.F.R. § 54.706; \$10,000 for each failure to file the required Forms 499 in a timely manner, in violation of §§ 54.711, 54.713, 64.604(c)(5)(iii)(B) of the Commission's rules, 47 C.F.R. §§ 54.711, 54.713, 64.604(c)(5)(iii)(B); and \$10,000 for each failure to file required contributions to the Telecommunications Relay Services Fund, in violation of § 64.604(c)(5)(iii)(A) of the Commission's rules, 47 C.F.R. § 64.604(c)(5)(iii)(A).<sup>10</sup>

4. The undisputed facts establish that issues (g), (h) and (i) should be resolved against BOI as a matter of law. Specifically, BOI's own statements conclusively demonstrate that it has failed to make required contributions to universal service support programs, in willful and/or repeated violation of section 254(d) of the Act and section 54.706 of the rules; has failed to make required contributions to the TRS Fund, in willful and/or repeated violation of section 64.605(c)(5)(iii)(A) of the rules; and has failed to file Semi-annual, Annual and Quarterly Worksheets, Forms FCC 499-A and Q, when due, in willful and/or repeated violation of sections 54.711, 54.713 and 64.604(c)(5)(iii)(B) of the rules.<sup>11</sup>

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<sup>9</sup> The correct rule section is 64.604(c)(5)(iii)(B).

<sup>10</sup> On November 21, 2003, the Bureau filed a Motion to Clarify Issue (j). Therein, the Bureau requested that the presiding ALJ specify a maximum potential forfeiture for BOI's apparent failure to make required universal service contributions. That motion is pending.

<sup>11</sup> Section 312(f)(1) of the Act defines willful as "the conscious and deliberate commission or omission of [any] act, irrespective of any intent to violate" the law. 47 U.S.C. § 312(f)(1). The legislative history to section 312(f)(1) of the Act clarifies that this definition of willful applies to both sections 312 and 503(b) of the Act, H.R. Rep. No. 97-765, 97<sup>th</sup> Cong. 2d Sess. 51 (1982), and the Commission has so interpreted the term in the section 503(b) context. *See, e.g., Application for Review of Southern California Broadcasting Co., (MO&O)*, 6 FCC Rcd 4387, 4388 (1991) ("*Southern California Broadcasting Co.*"). The Commission may also assess a

## II. The Undisputed Facts Establish That BOI Did Not File Required Worksheets and Did Not Make Required Contributions to the Federal Universal Service or TRS Funds.

5. Issue (i): Failure to File Telecommunications Reporting Worksheets. Section 254(d) of the Act requires that interstate telecommunications carriers “contribute . . . to the specific, predictable, and sufficient mechanisms established by the Commission to preserve and advance universal service.”<sup>12</sup> In implementing section 254, the Commission authorized USAC to administer the universal service support mechanisms and to perform billing and collection functions.<sup>13</sup> USAC uses the Telecommunications Reporting Worksheet to calculate and bill for contributions.<sup>14</sup> Before March 14, 2001, carriers were required to file Worksheets twice a year.<sup>15</sup> Beginning March 14, 2001, the Commission modified its reporting requirements to require carriers to file an Annual Worksheet, which covers revenues for the entire calendar year and is to be filed by the following April, as well as a Quarterly Worksheet, which covers interstate and international revenues accrued during the previous quarter.<sup>16</sup>

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forfeiture for violations that are merely repeated, and not willful. *See, e.g., Callais Cablevision, Inc., Grand Isle, Louisiana*, Notice of Apparent Liability for Monetary Forfeiture, 16 FCC Rcd 1359 (2001) (issuing a Notice of Apparent Liability for, *inter alia*, a cable television operator’s repeated signal leakage). “Repeated” merely means that the act was committed or omitted more than once, or lasts more than one day. *Southern California Broadcasting Co.*, 6 FCC Rcd at 4388, ¶ 5; *Callais Cablevision, Inc.*, 16 FCC Rcd at 1362, ¶ 9.

<sup>12</sup> 47 U.S.C. § 254(d).

<sup>13</sup> *See Amendment of Parts 54 and 69 -- Changes to the Board of Directors of the National Exchange Carriers Association, Inc.*, Report and Order and Second Order on Reconsideration, 12 FCC Rcd 18400, 18415, ¶ 25 (1997); 47 C.F.R. § 54.702(b).

<sup>14</sup> *See* 47 C.F.R. § 54.709.

<sup>15</sup> *See Globcom, Inc. Apparent Liability for Forfeiture*, Notice of Apparent Liability for Forfeiture and Order, FCC 03-231 ¶ 4 & nn. 15-16 (rel. Sept. 30, 2003).

<sup>16</sup> *See id.* at nn. 17-18. *See also* 47 C.F.R. § 54.711(a). As of April 1, 2003, USAC bases a carrier’s universal service obligation on the carrier’s projected collected revenue rather than its historical gross-billed revenue. *See Globcom, Inc.*, *supra* note 15, at n. 31.

6. BOI has been a toll reseller of long-distance service since at least 1998.<sup>17</sup> Between 1998 through 2002, BOI had interstate and international revenues that it estimates to have varied between \$1,016, 795 and \$2,727,182, annually.<sup>18</sup> BOI therefore should have filed its first Worksheet no later than March 31, 1999, to account for the interstate and international revenues obtained in calendar year 1998. By its own admission, however, BOI did not file any Worksheets until September 2003.<sup>19</sup> Thus, BOI repeatedly violated section 54.711 of the Commission's rules by failing to file required Worksheets between March 31, 1999 and September 2003. Accordingly, issue (i) should be resolved against BOI.

7. Issue (g): Failure to Contribute to the Universal Service Fund. The Commission's rules require all carriers that provide interstate telecommunications service to contribute to the federal universal service fund.<sup>20</sup> Section 54.713 of the Commission's rules cautions that a carrier's failure to submit its contributions "may subject the contributor to the enforcement provisions of the Act and any other applicable law."<sup>21</sup> As a reseller of interstate long-distance service, BOI must contribute to the federal universal service fund.<sup>22</sup> By document dated July 6,

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<sup>17</sup> See Transcript of July 14, 2003 Deposition of Kurtis Kintzel, pp. 10-11 (Attachment 1); Letter from Shannon Dennie, Director of Corporate Affairs, BOI, dated December 9, 2002, to Peter Wolfe, FCC ("Dennie Letter") at p. 5 (Policy Letter) (Attachment 2); Business Options, Inc.'s Answers to the Enforcement Bureau's Fourth Set of Interrogatories filed November 21, 2003, at pp. 3-4, Response 5 ("BOI's Fourth Interrogatory Answers") (Attachment 3); BOI Worksheets (Attachment 4).

<sup>18</sup> *Id.*

<sup>19</sup> Business Options, Inc.'s Answers to the Enforcement Bureau's Third Set of Interrogatories, dated October 14, 2003, filed October 20, 2003, at p. 5, Response 6 ("BOI's Third Interrogatory Answers") (Attachment 5)

<sup>20</sup> 47 C.F.R. § 54.706(b). See also 47 C.F.R. § 54.709 (describing method for determining carrier contributions to the universal service fund).

<sup>21</sup> 47 C.F.R. § 54.713.

<sup>22</sup> See 47 C.F.R. § 54.713.

2002, however, BOI's co-owner, Kurtis Kintzel, acknowledged the company's failure to pay any federal universal service.<sup>23</sup> Nor has BOI paid any federal universal service contributions since Mr. Kintzel's acknowledgement.<sup>24</sup> The undisputed facts therefore establish that BOI has repeatedly violated section 254(d) of the act and section 54.706 of the Commission's rules by failing to make its universal service contributions. Accordingly, issue (g) should be resolved against BOI.

8. Issue (h): Failure to contribute to the TRS Fund. Finally, section 64.604 of the Commission's rules requires every carrier providing interstate telecommunications services to contribute to the interstate TRS Fund on the basis of interstate end-user telecommunications revenues.<sup>25</sup> Carrier contributions are based upon the same Worksheet used for calculating universal service contributions.<sup>26</sup> Each carrier must contribute at least \$25 per year and, therefore, all carriers must at least make an annual contribution.<sup>27</sup> Nonetheless, BOI has acknowledged that it had not yet made any payments to the TRS fund as of October 14, 2003.<sup>28</sup> The undisputed facts therefore establish that BOI has repeatedly violated section 64.604(c)(5)(iii)(A) and (B). Accordingly, issue (h) should be resolved against BOI.

### III. CONCLUSION

9. As demonstrated above, BOI has willfully and/or repeatedly failed to comply with

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<sup>23</sup> BUSOP 00716 (Attachment 6).

<sup>24</sup> As of October 14, 2003, BOI had not yet contributed to federal universal service. See BOI's Third Interrogatory Answers, p. 5, Response 7 (Attachment 5).

<sup>25</sup> This section specifically includes carriers -- like BOI -- that provide resale services. 47 C.F.R. § 64.604(c)(5)(iii)(A).

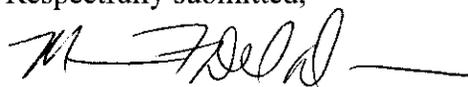
<sup>26</sup> 47 C.F.R. § 64.604(c)(5)(iii)(B).

<sup>27</sup> *Id.*

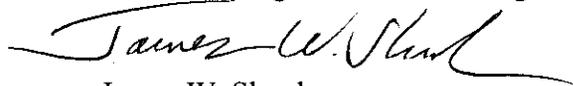
<sup>28</sup> BOI's Third Interrogatory Answers, p. 6, Response 8 (Attachment 5).

section 254(d) of the Act<sup>29</sup> and section 54.706 of the Commission's rules<sup>30</sup> by failing to contribute to universal service; sections 54.711 and 64.604(c)(5)(iii)(B) of the Commission's rules<sup>31</sup> by failing to file required Worksheets; and section 64.604(c)(5)(iii)(A) and (B) of the Commission's rules<sup>32</sup> by failing to contribute to the TRS fund. Thus, because there is no genuine issue of material fact for determination at a hearing, summary decision is warranted. Issues (g), (h) and (i) must be resolved against BOI.

Respectfully submitted,



Maureen F. Del Duca  
Chief, Investigations and Hearings Division



James W. Shook  
Attorney



Trent Harkrader  
Attorney

Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 3-B443  
Washington, D.C. 20554  
(202) 418-1420

December 2, 2003

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<sup>29</sup> 47 U.S.C. § 254(d).

<sup>30</sup> 47 C.F.R. § 54.706.

<sup>31</sup> 47 C.F.R. §§ 54.711 and 64.604(c)(5)(iii)(B).

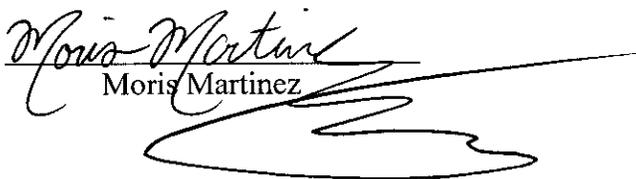
<sup>32</sup> 47 C.F.R. § 64.604(c)(5)(iii)(A) and (B).

CERTIFICATE OF SERVICE

Moris Martinez, a clerk in the Enforcement Bureau's Investigations and Hearings Division, certifies that he has, on this 2<sup>nd</sup> day of December, 2003, sent by first class United States mail or hand-served a copy of the foregoing "Enforcement Bureau's Motion to Partial Summary Decision" to:

\* Chief Administrative Law Judge Richard L. Sippel  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 1-C768  
Washington, D.C. 20054

Dana Frix, Esq.  
Kemal Hawa, Esq.  
Chadbourne & Parke, LLP  
1200 New Hampshire Avenue, N.W.  
Washington, D.C. 20036  
Counsel for Business Options, Inc.

  
Moris Martinez

\* Hand-delivered

# **ATTACHMENT 1**

# ORIGINAL

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BEFORE THE FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

IN THE MATTER OF: \* EB DOCKET NO. 08-85  
BUSINESS OPTIONS, INC., \* FILE NO. EB-02-TC-151  
ORDER TO SHOW CAUSE AND \* NAL ACCOUNT NUMBER:  
NOTICE OF OPPORTUNITY \* 30033217002  
FOR HEARING \* FRN: 0007179054

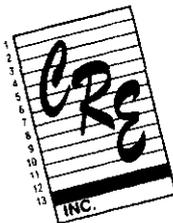
\* \* \* \* \*

DEPOSITION OF:

KURTIS KINTZEL,

was taken July 14, 2003, commencing at 9:30 a.m.,  
at the LaQuinta Inn, 8210 Louisiana Street,  
Merrillville, Indiana, before Donna J. Hannah,  
Notary Public.

\* \* \* \* \*



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APPEARANCES:

On behalf of the BUSINESS OPTIONS:

KEMAL HAWA, ESQ.  
CHADBOURNE & PARKE, LLP  
1200 New Hampshire Avenue, N.W.  
Washington, D.C. 20036  
(202) 974-5600

On behalf of the FCC:

TRENT B. HARKRADER, ESQ.  
JAMES W. SHOOK, ESQ.  
FEDERAL COMMUNICATIONS COMMISSION  
445 12th Street, S.W.  
Washington, D.C. 20554  
202-418-2955

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I-N-D-E-X

EXAMINATION BY:

PAGE:

Mr. Shook

4

(NO EXHIBITS MARKED.)

1 companies as well. But for purposes of this  
2 deposition, I am going to try to separate out the  
3 various companies and hopefully clarify the  
4 situation for us in a way that perhaps some of  
5 our other documents have not.

6 WITNESS: Sure.

7 BY MR. SHOOK:

8 Q. I take it that you are familiar with  
9 an entity named Business Options, Inc.?

10 A. Yes.

11 Q. How would you describe Business  
12 Options, Inc.'s principal business?

13 A. It's a reseller of long-distance  
14 telecommunications service.

15 Q. Does Business Options, Inc. currently  
16 resell long-distance service?

17 A. Yes.

18 Q. Does it resell long-distance service  
19 provided by Quest?

20 A. Yes.

21 Q. Does it resell long-distance service

1 provided by any other entity?

2 A. Yes.

3 Q. What other entity?

4 A. Global Crossings.

5 Q. Is that the only other entity?

6 A. Yes.

7 Q. For how long has Business Options,  
8 Inc. resold long-distance service provided by  
9 Quest?

10 A. I am uncertain of the exact time, but  
11 I would estimate two years.

12 Q. When it comes to something like that,  
13 if I ask for a period of time or date, if you do  
14 not know the specific period of time, feel free  
15 to say so, and I will phrase the question then in  
16 terms of approximate time or approximate date.

17 A. Okay.

18 MR. HAWA: Can I interrupt for a  
19 second?

20 MR. SHOOK: Sure.

21 (Discussion held off the record.)

## **ATTACHMENT 2**

**Business Options, Inc.**  
8380 Louisiana Street  
Merrillville, Indiana 46410-6312

December 9, 2002

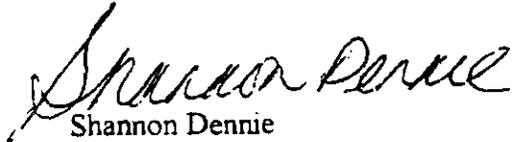
Peter Wolfe  
445 12<sup>th</sup> St. SW  
Washington, DC 20554

Dear Mr. Wolfe:

I am faxing the responses as you requested. We will be sending over the state complaints as soon as we receive them.

If you having questions, comments or concerns, please contact me at 219-756-5320.

Respectfully,

A handwritten signature in cursive script that reads "Shannon Dennie".

Shannon Dennie  
Dir. Of Corporate Affairs

## Business Options Responses

1. Business Options was incorporated in the State of Illinois on March 15, 1992. The company is privately held and does not own any property in any state.

Owners, Directors and Officers:

Kurtis Kintzel	70% owner	President/COB
Keanan Kintzel	28% owner	Secretary/Treasurer/Director

2. Certificate of Authority from the State of Illinois is attached

3. During this period no one representing BOI has changed the preferred carrier as specified in the complaints in Attachment A.

4. The telemarketing sales script along with instructions to telemarketers are attached.

5. During this time period there was a day shift and a night shift. Each shift had approximately 40 employees and had 3 managers. All of these employees were Business Options employees.

6. Telemarketers are monitored daily. However, individuals are not notified when they will be monitored. Please see attached letter from the Vice President of Administration for our policy on employees failing to adhere to BOI policies and procedures. Also included is the Policy Letter dated October 3, 2002

For questions 7-11 please see attached letter from VP of Administration

Gene Chill  
Vice President of Administration  
**Buzz Telecom**  
838380 Louisiana Street  
Merrillville, IN 46410  
(219) 756-5320  
gchill@ebuzz.bz

4 December 2002

To Whom It May Concern:

As the senior employee over all Human Resource matters at Buzz Telecom, I am happy to forward the answers to questions as of our legal department by the FCC.

Question 7: I do have only one single such instance of the misrepresentation described in this point, and this occurred over five months ago. Our tape auditor caught this example and it did not result in a sale. I have no means by which I can retrieve the documents related to this situation as I don't recall even the representative involved. Any such instance, depending on how flagrant, would result in *immediate suspension or termination*.

Question 8: I have reviewed no such examples as described in this question.

Question 9: Our telemarketers alert the customer that the verifiers are there to assure that the representative is doing their job correctly; I have seen no examples where it is suggested the reps job would be lost based on the verification outcome.

Question 11: We terminated a Melissa Grissom in May, 2002, for violations that most closely approximate what is described in your questionnaire. This woman in fact sought to be rehired in late October but this was declined.

Warmly,

Gene Chill



**To all to whom these Presents Shall Come, Greeting:**

*I, George H. Ryan, Secretary of State of the State of Illinois, do hereby certify that*

**BUSINESS OPTIONS, INC., A DOMESTIC CORPORATION, INCORPORATED UNDER THE LAWS OF THIS STATE MARCH 8, 1993, APPEARS TO HAVE COMPLIED WITH ALL THE PROVISIONS OF THE BUSINESS CORPORATION ACT OF THIS STATE RELATING TO THE FILING OF ANNUAL REPORTS AND PAYMENT OF FRANCHISE TAXES, AND AS OF THIS DATE, IS IN GOOD STANDING AS A DOMESTIC CORPORATION IN THE STATE OF ILLINOIS\*\*\*\*\***

PAUL D. PATE  
Secretary of State  
FILED  
Date: 3-27-96  
Time: 10:53  
Receipt: W165248

**In Testimony Whereof,** *I hereto set*

*my hand and cause to be affixed the Great Seal of the State of Illinois this* \_\_\_\_\_ **22ND**  
*day of* \_\_\_\_\_ **MARCH** \_\_\_\_\_ **24**, 19 **96**



*George H Ryan*  
SECRETARY OF STATE

**POLICY LETTER  
BUZZ TELECOM**

November 8, 1993R

August 4, 1995R

October 11, 2000R

October 3, 2002

All Sales Personnel  
All Exec.s  
Qual Division  
Delivery Division

**"Our Relationship With Long Distance  
Carriers and Local Exchange Carriers"**

We at Buzz Telecom are not agents of AT&T, Illinois Bell, Ameritech, Verizon or any or other long distance or local exchange carrier. Buzz Telecom is a switch less long distance carrier with it's own license and tariffed products to market. We are not contracted by any carriers to do this for them.

Any misrepresentation by a Buzz Telecom employee that we are agents or part of a major or local carrier (AT&T, Sprint, MCI, LCI, Verizon, Ameritech, etc.) is cause for immediate dismissal.

Any misrepresentation endangers our company and thus the livelihood of every employee of the company. DO NOT take it lightly. If you witness any misrepresentation, report it immediately. It could very well be your own job and paycheck that you are saving.

---

Employee writes "I have read and understand this Policy Letter"

---

Employee's Signature

---

Date

---

Witness Signature

---

Date

William Brzycki  
Vice President of Administration

For and approved by the  
Chairman of the Board

**POLICY LETTER**  
**BUZZ TELECOM**  
April 24, 2002  
May 15, 2002 R

**Inside Sales Rep Hat**

**“STANDARD SALES PITCH”**

US Bell has been in business nearly ten years. We have experimented with many sales pitches over that time and created a sales pitch that produces new customers. The quantity and quality of orders produced are excellent. When sales Reps start changing the sales pitch, the following happens:

- They knowingly or unknowingly give the customer incorrect information;
- New and/or low producing Sales Reps start saying the same or similar things;
- The ratio of orders to verified orders (“submit percentage”) decreases;
- Cancels after a month increase;
- Customer Service refunds increase;
- Legal complaints increase;
- Legal expenses are incurred;
- And sometimes we are asked to not sell in a certain state.

For these reason, US Bell will hereafter have only one sales pitch that all Reps will use. This pitch will be referred to as the “Standard Sales Pitch”. Additionally, the objection handlings attached are the only approved handlings. If a Rep believes the script or the objection handlings can be improved, they may submit in writing a request to the COB via Executive Council to have their improvements reviewed. ~~Only~~ the COB may approve the script to be changed.

The approved Standard Sales Pitch and Standard Objection Handlings are signed and distributed Sales Directives.

Kurtis Kintzel  
COB

Written for and approved by the Executive  
Council and Chairman of the Board

## Standard Sales Pitch

April 24, 2002

May 15, 2002r

Hello, may I please speak with the person in charge of the telephone bill, Mr./Mrs. \_\_\_\_\_?

Hi, how are you today? *(attempt to get in communication with the customer here on subjects other than telecommunications)*

My name is \_\_\_\_\_ and I am calling from Business Options to inform you that you are qualified to receive the Super Saver. The Supersaver may save you 25% - 50% on your long distance calls. You were selected for the savings because customers in your area have an excellent record with our company.

The Supersaver will lower your state to state rates down to 5.9 cents per minutes 24 hours per day, 7 days per week. The Business Options Supersaver is GUARANTEED to be one of the lowest rates in the telecommunications industry, especially compared to the 10-15 cents per minute you might be paying. Also, instead of paying almost \$10.00 in your monthly service fee like many people in the country, the Supersaver is only \$4.90 /month.

In order to receive the savings, what will simply happen is that Business Options will be handling all your long distance calls, including your local long distance calls. You will only have one phone bill for your local and long distance calls because we utilize your local telephone company for billing.

Will you be available in the next 15-20 minutes? The reason I ask is, a verifier will be giving you a quick call to verify that you are giving Business Options permission to change the long distance for (\_\_\_\_) \_\_\_\_\_. They will also make sure that you understand that Business Options is not your local phone company, you understand that you are guaranteed to receive 5.9 cents per minute on your state to state calls, and that your monthly fee will only be \$4.90, okay?

Now when they call, they are not permitted to answer any questions. So, do you have any questions for me?

Okay, congratulations on being selected for the Business Options Supersaver and I hope you enjoy the savings.



Katrina Reillo  
Director of Sales Training

# The Business Options Supersaver Objection Handlings

April 26, 2002 revised

## I am not interested...

- I understand how you feel, most people call wanting you to spend money. I'm calling to show you how you can save money. *Back to pitch...*
- If I could show you how to save money every month, then would you be interested? *Back to pitch...*
- I understand that you are very busy, if you could give me 2 minutes I can show you how to save money. *Back to pitch...*

## Who is Business Options?

- I am glad you asked, Business Options is a nationwide phone company. We have provided over 1/2 million customers with service over the past ten years. *Back to pitch...*
- We are a nationwide telephone company that provides savings to small businesses and we are now also passing those same savings to residential customers like you. *Back to pitch...*
- We are a national phone company that for the past ten years has saved over 1/2 million customers money on their phone bill. *Back to pitch...*

## I pay less per minute...

- How many average phone calls do you make per month?
- What kind of time restrictions do you have? *Back to pitch...*
- What is your monthly service fee? *Back to pitch...*
- What are your state-to-state rates? *Back to pitch...*

## I don't have a monthly service fee...

- What is your price per minute?

## I don't make any long distance calls...

- Do you have friends or family living outside your state? *Back to pitch...*
- Do you call other towns or cities in your own state? *Back to pitch...*
- Do you know what your currently paying for monthly service? *Back to pitch...*

## Are you a telemarketer?

- I am a professional sales representative *Back to pitch...*
- I am a professional chair sitter... *Back to pitch...*

### **I don't want to change my local phone service...**

- We are not your local phone company. *Back to pitch...*

### **Can you send me something...**

- Our firm spends its money on professional sales reps like myself to answer your questions personally. What questions do you have? *Back to pitch...*
- Your savings will appear on your local phone bill in a few months. *Back to pitch...*

### **Are There Any Other Fees or Charges?**

- You will be charged the normal telecommunication taxes, but that is it. *Back to pitch...*

### **Does switching cost me anything?**

- We don't charge you a switch fee. Your local phone company may charge you a small one-time switching fee which we will be happy to reimburse you if you call us after you incur the charge. *Back to pitch...*

### **Why was I Qualified/selected?**

- You were selected because customers in your area have an excellent record with our company.
- Our lead generation system selects potential customers that are able to use our service.
- I don't know, you were on my list.

Kurtis Kintzel  
COB