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Federal Communications Commission
Office of the Secretary

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

In the Matter of)	EB Docket No. 07-197
)	
Kurtis J. Kintzel, Keanan Kintzel, and all)	File No. EB-06-IH-5037
Entities by which they do business before)	NAL/Acct. No. 200732080029
the Federal Communications Commission)	
)	FRN No. 0007179054
)	

To: Kurtis J. Kintzel, Keanan Kintzel, and all
Entities by which they do business before
the Federal Communications Commission

**ENFORCEMENT BUREAU'S FIRST SET OF
INTERROGATORIES TO ALL DEFENDANTS**

The Enforcement Bureau (the "Bureau"), pursuant to sections 1.311 and 1.323 of the Commission's Rules, 47 C.F.R. §§ 1.311 and 1.323, submits the following interrogatories to Kurtis J. Kintzel, Keanan Kintzel, and all Entities by which they do business before the Federal Communications Commission (collectively, "Defendants"). Defendants' responses shall be delivered to the offices of the Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, Suite 3-B443, 445 12th Street, S.W., Washington, D.C. 20554 (or at some place mutually acceptable to the Bureau and Defendants) within 14 days of the date of these interrogatories.

Defendants' obligation to answer these interrogatories is continuing in nature. Defendants have an obligation to provide in the future any and all additional responsive information that may come to their attention subsequent to their answering these interrogatories but not initially disclosed at the time, date and place set forth herein or in

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their supplemental answers. In this regard, Defendants must supplement their initial and subsequent responses if they learn that, in some material respect, the responses initially provided were incomplete or incorrect or if additional responsive information is acquired by or has become known to Defendants after their initial responses.

Definitions and Instructions

a. As used herein, the term “Avatar” means Avatar Enterprises, any affiliate, d/b/a, predecessor-on-interest, parent company, any wholly or partially owned subsidiary, successor-in-interest or other affiliated companies or businesses, and all directors, officers, employees, shareholders or agents, including consultants and any other persons working for or on behalf of the foregoing at any time during the periods covered by these Interrogatories, unless otherwise noted.

b. As used herein, the term “BOI” means Business Options, Inc., any affiliate, d/b/a, predecessor-on-interest, parent company, any wholly or partially owned subsidiary, successor-in-interest or other affiliated companies or businesses, and all directors, officers, employees, shareholders or agents, including consultants and any other persons working for or on behalf of the foregoing at any time during the periods covered by these Interrogatories, unless otherwise noted.

c. As used herein, the term “Buzz” means Buzz Telecom Corporation, any affiliate, d/b/a, predecessor-on-interest, parent company, any wholly or partially owned subsidiary, successor-in-interest or other affiliated companies or businesses, and all directors, officers, employees, shareholders or agents, including consultants and any other persons working for or on behalf of the foregoing at any time during the periods covered by these Interrogatories, unless otherwise noted.

- d. As used herein, the term "Commission" means the Federal Communications Commission.
- e. As used herein, the term "Companies" BOI, Buzz, Avatar and US Bell, or any one of those entities.
- f. As used herein, the term "Consent Decree" means the consent decree entered into between the Commission and BOI on or about February 11, 2004 in connection with a proceeding under EB Docket No. 03-85.
- g. As used herein, the term "Order to Shows Cause" means the Order to Show Cause and Notice of Opportunity for Hearing issued September 10, 2007 in the above-captioned proceeding.
- h. As used herein, the term "Qwest" means Qwest Communications Corp., any affiliate, d/b/a, predecessor-in-interest, parent company, any wholly or partially owned subsidiary, successor-in-interest or other affiliated companies or businesses for which any of the Companies acted as a switchless reseller.
- i. As used herein, the term "US Bell" means U.S. Bell, Inc., its successor Link Technologies, any affiliate, d/b/a, predecessor-in-interest, parent company, any wholly or partially owned subsidiary, successor-in-interest or other affiliated companies or businesses, and all directors, officers, employees, shareholders or agents, including consultants and any other persons working for or on behalf of the foregoing at any time during the periods covered by these Interrogatories, unless otherwise noted.
- j. The term "document" means the complete original (or in lieu thereof, exact copies of the original) and any draft or other non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or

location, of any written, typed, printed, transcribed, taped, recorded, filmed, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced disseminated, or made, including, but not limited to, any advertisement, book, pamphlet, periodical, contract, correspondence, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minute, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form) in the possession, custody or control of any of the Defendants.

k. The terms "relate to" and "relating to" mean constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or in any way is pertinent to the specified subject, including documents concerning the preparation of the documents.

l. The term "and" also means "or" and the term "or" also means "and."

m. The term "each" also means "every" and the term "every" also means "each."

n. The term "all" also means "any" and the term "any" also means "all."

o. The term "identify" when used with reference to a person or persons, means to state his or her full name, last known business and residential addresses, and last known business and residential telephone numbers.

p. The term "identify" when used with reference to a document means to state the date, author, addressee, type of document (e.g., the types of documents

referenced in definition j., above), a brief description of the subject matter, its present or last known location and its custodian. If any such document was, but no longer is in the possession, custody or control of any of the Defendants, state the disposition that was made of it, the reason for such disposition, and the date thereof. In lieu of identifying any such document, it may be made available to the Bureau for inspection and copying by so stating in the answer.

q. With regard to each answer, identify the person(s) or document(s) relied upon by the Companies in determining the substance of the answer.

r. For each interrogatory response, indicate the number(s) of the interrogatory to which it is responsive.

s. Unless otherwise specified, the period covered by the Interrogatories is February 11, 2004 through the present.

Interrogatories

1. State the name and, if known, the address and telephone number of each individual likely to have discoverable information — along with the subjects of that information — regarding the allegations contained in the Order to Show Cause or any defenses thereto.

2. State the name and, if known, the address and telephone number of each individual likely to have discoverable information — along with the subjects of that information — that the Defendants may use to support their claims or defenses.

3. Identify the individual(s) responsible for preparing, reviewing, editing and/or approving the January 17, 2007 response to the December 20, 2006 letter from Trent B.

Harkrader, Deputy Chief, Investigations & Hearings Division, Enforcement Bureau, Federal Communications Commission, to Keanan Kintzel, Business Options, Inc.

4. Identify all current employees of the Companies.
5. Provide the last known business and residential addresses and telephone numbers for Elizabeth Ontiveros-Rosas.
6. Identify all meetings of the Boards of Directors of the Companies, including the date(s) on which such meetings were held, the locations of all such meetings and the names of all attendees at each such meeting.
7. Describe the services offered and provided by each of the Companies.
8. State whether any of the Companies have been subject to regulation by the Commission.
9. Identify the individual(s) responsible for ensuring the Companies' compliance with the terms of the Consent Decree.
10. Identify the individual(s) responsible for ensuring the Companies' compliance with their federal regulatory obligations regarding the provision of telecommunications services.
11. Identify all companies owned and/or controlled by Kurtis Kintzel and/or Keanan Kintzel that currently are an applicant for or hold a license, permit, certificate or other authorization issued by the Commission or otherwise are subject to regulation by the Commission.
12. Identify all companies of which Kurtis Kintzel and/or Keanan Kintzel are officers and/or directors that currently are an applicant for or hold a license, permit,

certificate or other authorization issued by the Commission or otherwise are subject to regulation by the Commission.

13. Identify all accounts with financial institutions of each of the Companies, including, for each account: (1) name of the financial institution where the account is held; (2) the name(s) on the account; (3) account number; and (4) authorized signatory(ies) on the account.

14. Identify all states in which the Companies provided telecommunications services during the period February 11, 2004 through through November 30, 2006.

15. Identify all billing agents used by the Companies during the period February 11, 2004 through November 30, 2006.

16. Identify, by state, all local exchange carriers through whom the Companies billed their customers for long distance telecommunications services during the period February 11, 2004 through November 30, 2006.

17. Identify all communications between Buzz or any of the Companies and Qwest in 2006 regarding allegations of unethical business practices by Buzz or any of the Companies.

18. Identify all individuals responsible for communicating with Qwest on behalf of the Companies and state those individuals' job duties within the Companies.

19. Identify all communications between any of the Defendants and Qwest in 2006 regarding the status of Buzz's or BOI's account with Qwest, including but not limited to communications regarding the past due status of Buzz's or BOI's account. Such identification should include the dates of such communications, all participants in the communications and a brief description of the subject matter of the communications.

20. Identify all employees or agents of the Companies who communicated with Qwest regarding: (i) Buzz's or BOI's account status with Qwest; (ii) any complaints regarding Buzz's or BOI's business practices; (iii) the suspension and/or discontinuance of service to Buzz or BOI long distance customers; or (iv) the transfer of Buzz or BOI long distance customers to another switchless reseller.

21. Identify when Buzz and/or BOI first began having difficulties paying invoices received from Qwest.

22. Identify the individual(s) responsible for making or authorizing payments by Buzz and BOI to Qwest.

23. Identify when Buzz and/or BOI first learned that Qwest might suspend and/or discontinue service to Buzz and BOI long distance customers.

24. Identify all steps taken by Buzz and BOI to ensure the continuation of long distance telecommunications service to its customers.

25. Identify all steps taken by Buzz and BOI to notify any regulatory authorities of the possible discontinuance of long distance service to its customers in any state during the period September 2006 through December 2006.

26. Identify all communications between any of the Defendants and Qwest in 2006 regarding the transfer of Buzz and/or BOI long distance customers to another switchless reseller.

27. State whether the Companies earned any revenues from interstate and international telecommunications services during the period February 11, 2004 through November 30, 2006 and, if so, identify the amounts of such revenues disaggregated by Company and month.

28. State whether the Companies filed annual and quarterly FCC Form 499 Telecommunications Reporting Worksheets (“Worksheets”) with the Universal Service Administrative Company (“USAC”) since February 11, 2004. If any of the Companies filed such forms, identify: (i) which Company(ies); (ii) which form; and (iii) the date the form was filed. If any of the Companies did not file such forms, identify: (i) which Company(ies); (ii) which form(s) were not filed; and (iii) why.

29. Describe the process used by the Companies to prepare the Companies’ Worksheets since February 11, 2004. Such description must include identification of all employees or agents of the Companies who prepared, reviewed, edited, approved and executed the Worksheets and identification of all documents used to prepare the Worksheets.

30. State whether any of the Companies made federal universal service contributions during the period February 11, 2004 through the present. If any of the Companies did make such contributions, identify: (i) which Company(ies); (ii) the date(s) of such payment(s); and (iii) the amount(s) of such payment(s). If any of the Companies did not make such contributions, identify: (i) which Company(ies); (ii) which payments were not made; and (iii) why.

31. State whether the Companies charged their customers a universal service recovery fee and, if so, state when and how the Companies decided to charge their customers for recovery of universal service contributions and describe the formula used by the Companies in calculating the amounts charged to customers for such recovery.

32. State whether any of the Companies made federal telecommunications relay service (“TRS”) contributions during the period November 11, 2004 through the present.

If any of the Companies did make such contributions, identify: (i) which Company(ies); (ii) the date(s) of such payment(s); and (iii) the amount(s) of such payment(s). If any of the Companies did not make such contributions, identify: (i) which Company(ies); (ii) which payments were not made; and (iii) why.

33. Identify all payments made by the Companies pursuant to the Consent Decree, including the date(s) and amount(s) of such payments and the entity making the payment(s).

34. State when the Companies stopped making payments pursuant to the Consent Decree and explain why.

35. Identify the individual(s) responsible for authorizing and making payments on behalf of the Companies pursuant to the Consent Decree.

36. Identify the individual(s) responsible for ensuring the Companies' compliance with the terms of the Consent Decree.

37. Identify all employees of the Companies responsible for addressing complaints received from consumers.

38. Identify all employees of the Companies responsible for addressing inquiries received from the Commission state regulatory bodies.

39. Identify all states in which the Companies have been subject to regulatory action for purported violations of regulations related to the provision of telecommunications services, and state: (i) the date(s) of such regulatory action; (ii) the nature of the violation(s) at issue; and (iii) the result of such regulatory action.

40. Identify all employees or agents of the Companies who communicated with consumers Margary Anderson, Alesia Cummings, Rita Harvey, Martin Houseman, Gary

Ingram, Norbert Kleitsch, Roy Morris, Irene Mowan, Betty Nolan and Mindy Stoltzfus for the purposes of soliciting, confirming, and/or verifying these consumers' switch to Buzz long distance service or their intent to cancel Buzz long distance service.

41. Identify all employees or agents of the Companies who communicated with Qwest relating to change requests to switch the telephone service of Margary Anderson, Alesia Cummings, Rita Harvey, Martin Houseman. Gary Ingram, Norbert Kleitsch, Roy Morris, Irene Mowan, Betty Nolan and Mindy Stoltzfus.

42. Identify all contracts between any and all of the Companies and third party verification companies, including but not limited to:

- a. The name of the third party verification company(ies) used by any or all of the Companies;
- b. The address of the third party verification company(ies) used by any of the Companies; and
- c. The date(s) of the contract(s) between the Companies and the third party verification company(ies).

43. Identify all scripts used by the third party verifier(s) identified in response to Interrogatory 42 in performing services for any or all of the Companies.

44. Identify all documents reflecting instructions or guidance provided by any or all of the Companies to the third party verifier(s) identified in response to Interrogatory 42 regarding performance of third party verification services.

45. Identify all employees or agents of the Companies who acted as a liaison to, or who were responsible for the management or oversight of the relationship with, each of the third party verifier(s) identified in response to Interrogatory 42.

46. Identify all documents reflecting attempts by any or all of the Companies to ensure that the third party verification services being performed by the third party

verifier(s) identified in response to Interrogatory 42 on the Company's or Companies' behalf were being performed in accordance with applicable rules and regulations.

47. State whether the third party verifier(s) identified in response to Interrogatory 42 were not located in the same building as any of the Companies and provide documentation regarding same.

48. Identify the third party verifier(s) used in connection with the customers listed in Attachment Two to the Companies' third Compliance Report, dated July 10, 2006, submitted in accordance with Paragraph 14(o) of the Consent Decree, including the physical location of the third party verification service employees, and state whether the Companies have copies of the third party verification tapes related to the complaints from these nine customers.

49. Identify the third party verifier(s) used in connection with the consumers referred to in Interrogatory 40 above, including the physical location of the third party verification service employees, and state whether the Companies have copies of the third party verification tapes related to the complaints from these ten customers.

50. For all complaints received by the Companies other than those referred to in Interrogatories 40 and 48, identify the third party verification tapes related to those complaints. Identify the third party verifier for each of the complaints, including the physical location of the third party verification service employees.

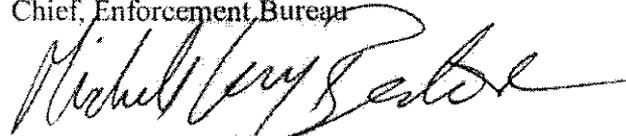
51. Explain how the Companies' Sales Representatives, as defined in the Consent Decree, determined whom to contact for the purpose of soliciting potential customers for long distance telephone service. With regard to potential solicitations:

- a. identify and provide all documents constituting or relating to criteria for selecting potential customers to contact, including calling lists used by Sales Representatives.
- b. state whether the Companies targeted their sales efforts to individuals of any particular group including, but not limited to, age or membership in particular organizations and provide all documents discussing such targeting efforts.

52. Identify all external agents, parties, businesses, or individuals (hereafter "external parties") engaged by the Companies to market or sell long distance services to consumers on behalf of the Companies. To the extent that the Companies utilized external parties to market or sell long distance services to consumers on behalf of the Companies:

- a. identify and provide all agreements, contracts, or memoranda of understanding between the Companies and such external parties for the marketing or sale of long distance services;
- b. identify and provide all scripts used by such external parties since the Effective Date of the Consent Decree, as that date is defined in the Consent Decree, for the marketing or sale of long distance telephone services.

Respectfully submitted,
Kris Anne Monteith
Chief, Enforcement Bureau



Michele Levy Berlove
Attorney, Investigations and Hearings Division

Federal Communications Commission
445 12th Street, S.W., Room 4-C330
Washington, D.C. 20554
(202) 418-1420
February 5, 2008

CERTIFICATE OF SERVICE

Rebecca Lockhart, a Paralegal Specialist in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 5th day of February, 2008, sent by first class United States mail copies of the foregoing **Enforcement Bureau's First Set of Interrogatories to All Defendants to:**

Catherine Park, Esq.
2300 M Street, NW, Suite 800
Washington, D.C. 20037

Counsel for Kurtis J. Kintzel, Keanan Kintzel, Business Options, Inc., Buzz Telecom Corporation, US Bell, Inc., Link Technologies and Avatar Enterprises

A copy of the foregoing was also served via hand-delivery to:

Administrative Law Judge Richard L. Sippel
Federal Communications Commission
445 12th Street, S.W., Room 1-C861
Washington, D.C. 20054

Rebecca Lockhart