

14-90

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Received & inspected

JUN 23 2014

FCC Mail Room

Edmond E. Bates, Jr.
712 Oak Avenue
Rockport, TX 78382-5904
June 14, 2014

Tom Wheeler, Chairman
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

RE: Opposition to Direct TV merger into AT&T

Dear Mr. Wheeler:

Enclosed is a copy of the letter I sent to the Director of the Southwest Region of the FTC stating my opposition to the merger of Direct TV, or any other communications company, into AT&T.

You are being provided with a copy of the material because the issue involves the billing policies and procedures used by AT&T and the lack of regulatory oversight by the Public Utilities Commission of Texas. It may be necessary for the FCC to take action to cause the billing policies and procedures to be changed.

Sincerely,



Edmond E. Bates, Jr.

Edmond E. Bates, Jr.
712 Oak Avenue
Rockport, TX 78382
June 12, 2014

Received & Inspected

JUN 23 2014

FCC Mail Room

Dama J. Brown, Director
Southwest Region
Federal Trade Commission
1999 Bryan St., Ste 2150
Dallas, TX 75201-6808

RE: AT&T and Direct TV merger

Dear Director Brown:

This letter is to convey my concern for the reduced competition and choice that the approval of a merger of Direct TV, or any other communications company, into AT&T would create. Such a reduction could seriously impact fixed income seniors, single mothers and others with limited resources for maintaining their daily life.

The problem is illustrated by the attached copies of letters to and from the Texas PUC regarding my "final bill" as generated by AT&T when I terminated my DSL service due to Microsoft's decision to discontinue supporting my Windows XP system. It now operates as a stand alone computer.

As you will see in the response from the Texas PUC, they agreed with AT&T's position that the issue pertains to non-regulated service.

It took only 8 days for AT&T to generate the \$96.14 "final bill." It took another 30 days for AT&T to call me to inform me that I now had a "zero balance," although nothing additional had been paid. If any customer were to have paid such a bill, presumably it would have taken 30 days for AT&T to determine that a refund was due. That amount of time could be devastating to a person on limited income.

The determination that I had a zero balance is not accurate, nor does it solve the larger problem. I believe that a correctly computed "final bill" would show that I utilized 3 days of service during the 30-day-forward billing period. That calculates as one tenth (1/10) of the \$48.07 basic charge, or \$4.81, versus the \$96.14 which was shown on my "final bill." Although I am grateful that the \$4.81 is not being charged, I really think that AT&T's "final bill" should be accurate.

To resolve the matter, AT&T, and any others applying similar billing procedures, should be required to:
not issue any bill declaring a past due amount until said due date has passed, and then
not issuing a "final bill" until it has been properly constructed,
unless the final billing is a result of a delinquent account.

Until such procedures are required and have been implemented, I state my opposition to any merger that reduces competition and choice in the communications industry.

Sincerely,



Edmond E. Bates, Jr.

cc: FTC Consumer Response Center, Washington
→ Tom Wheeler, Chairman, FCC
Ms. Donna L Nelson, Chairman, Texas PUC
Texas Governor Rick Perry
Texas Attorney General Gregg Abbott
Office of the President, AT&T

Edmond E. Bates, Jr.
712 Oak Avenue
Rockport, TX 78382-5904
May 8, 2014

Public Utility Commission of Texas
P O Box 13326
Austin, TX 78711-13326

RE: AT&T billing practices

Dear Sir or Madam:

I have enclosed an annotated copy of my "Final Bill" from AT&T which illustrates billing procedures that I believe should be prohibited by the State of Texas. As you can see from the notes which I made when disputing this bill with AT&T, their representative, Trudy, said that I will receive a "revised final bill." She further affirmed that said revised bill would be received prior to the stated due date of May 22, 2014. Even if that actually occurs, had I not challenged the billing practices, AT&T would have collected nearly \$100.00 which, theoretically, would have eventually been refunded to me. I suspect that many people who receive such billings do not realize the nature of the issues set forth below and send in the payment which might result in their going without food or medicine while AT&T is making money from the overpayment prior to issuing any refund.

Before discussing the specific practices to which I object, it should be noted that I converted a land line & DSL account to a DSL internet line only almost one year ago when I acquired a Smart Phone which is served by AT&T under a two year contract. Since my XP computer has now been abandoned by Microsoft, and since it was not compatible with their upgrade to Windows 8, I have chosen to use it in stand alone mode while relying on my Smart Phone for Internet connectivity. Thus I terminated my DSL connection. AT&T acknowledges this termination under "Additions and Changes to Service," which I have annotated on the bill as item f-1. The "f" stands for "front." Annotations appearing on the back will be labeled "b-#." AT&T is correct, at this point in time, in stating that no refund is due. I may ultimately owe for two or three days service in the new billing period which began April 21, 2014 (see item b-1) on a properly constructed billing such as the "revised final bill."

You will notice that the item flagged as b-2 states that this is a final bill which must be paid in full by the due date to avoid possible collection charges. The item flagged as b-3 states that this final bill reflects "all charges applied to your account through Apr 29." Why would charges apply to my account after the date of service disconnection? There could, of course, be postings to the account after said date. The item further states "Payment in full of this bill is due upon receipt." I find the wording to be unnecessarily intimidating and threatening. It would be appropriate to use such wording if AT&T were the ones who initiated a service disconnect.

Further intimidation is found on the payment stub (see item f-2) which enumerates "Past Due Charges" and the billing date of May 1, 2014, and the mailing date of May 6, 2014. A copy of the previous month's bill is enclosed in support of the fact that there could not be past due charges since the payment due date for that bill was stated to be May 12, 2014. In fact, the information provided by "robo-rep," the automated phone system, showed the alleged past due payment was posted on May 2, 2014, which is prior to the date of mailing of the offending bill, and is 10 days prior to the stated due date of said payment.

In closing I wish to reemphasize that I believe the billing practices applied to my account could cause many Texas citizens to go without some necessities while AT&T uses their money until a refund is eventually issued to the customer. The solution would be a requirement that in situations where the customer is in good standing and initiates the service disconnection, then the final billing would not occur prior to the stated due date of the prior month's payment. Further, such final bill would be constructed to reflect service from the last billing period to the date of service disconnection. This would result in a truly final bill if paid by the customer.

Sincerely,

orig signed

Edmond E. Bates, Jr.

PER COMPUTER VOICE

712 OAK AVE
ROCKPORT TX 78382 - 5904

Account Number

Billing Date May 1, 2014

PYMT REC. -- \$48.07 5/2/14

Web Site att.com

at&t

5/5 THIS WAS 10 DAYS BEFORE ~~ALLEGED~~ DUE DATE OF ALLEGED PAST DUE CHARGES.

SYLVIA ROSS -

TRUDY

I WILL RECEIVE A REVISED FINAL BILL BEFORE STATED DUE DATE.

Bill-At-A-Glance

Previous Bill	48.07
Payment	.00
Adjustments	.00
Past Due - Please Pay Immediately	48.07
Current Charges	48.07
Total Amount Due	48.07
Current Charges Due in Full by	May 22, 2014

Handwritten: 48.07, 5/5/14, 5/5/14

Billing Summary

Billing Questions? Visit att.com/billing

Plans and Services	.00
1 800 288-2020	
Payment Arrangements:	
1 800 288-2020	
Service Changes:	
1 800 288-2020	
Repair Services:	
1 800 246-8464	
AT&T Internet Services	48.07
1 877 722-3755	
Total Current Charges	48.07

News You Can Use Summary

- FINAL BILL
- ELECTRONIC PAYMENTS
- PAYMENT OPTIONS
- COLLECTION POLICY
- RE: YOUR ACCOUNT
- RATE NOTICE
- MOVING SOON?

See "News You Can Use" for additional information

Plans and Services

Additions and Changes to Service

This section of your bill reflects charges and credits resulting from account activity.

Item No.	Description	Quantity	Monthly Rate	Amount Billed
	Activity on Apr 23, 2014			
	Order No. D868334			
	Services Disconnected			
	(Monthly Charges were Billed in Advance and are Prorated from Apr 24, 2014 through May 16, 2014)			
1.	Credit for service from Apr 24 thru May 16	1		.00

Handwritten: f-1

Taxes

2. Federal Excise Tax	.00
3. Federal (Non-regulated & Toll Charges)	.00
4. State and Local (Local Charges)	.00
5. State and Local (Non-regulated & Toll Charges)	.00
Total Taxes	.00

Total Plans and Services .00

AT&T Internet Services

Important Information

For Billing Inquiries:
 High Speed Internet (DSL): 1.877.722.3755
 Web Hosting: 1.888.932.4578
 ConnectTech: 1.888.354.1233
 AT&T Wi-Fi contact information located at attwifi.com.

Notice: Charges appearing in this section are for services provided by AT&T Corp. and/or by AT&T Missouri, AT&T Oklahoma, AT&T Kansas, AT&T Arkansas, or AT&T Texas, based upon your service address location.

Local Services provided by AT&T Arkansas, AT&T Kansas, AT&T Missouri, AT&T Oklahoma, or AT&T Texas based upon the service address location.

GO GREEN - Enroll in paperless billing.

Return bottom portion with your check in the enclosed envelope.

att.com

Total Amount DUE
BY May 22, 2014

\$96.14

Past Due Charges - \$48.07 - Please Pay Immediately

Billing Date May 1, 2014

Date Mailed May 6, 2014

Account Number

Please include your account number on your check

EDMOND BATES

712 OAK AVE

ROCKPORT TX 78382 - 5904

Make check payable to:
AT&T

at&t

F-2



EDMOND BATES
712 OAK AVE
ROCKPORT TX 78382 - 5904

Page 2 of 3
Account Number
Billing Date May 1, 2014

AT&T Internet Services

Itemized Charges and Credits

Item	No. Date	Description	
Charges for 088 054-5864			
Account Code 21105010			
1.4-22		AT&T HSI PRO II SERVICE DATE: 04/21/14 - 05/20/14 EDMOND BATES HSI No. 088 054-5864 edmondbates@bcg10bal.net	46.00
Surcharges and Other Fees			
2.		State Cost-Recovery Fee	.32
Taxes			
3.		Federal	.00
4.		State and Local	1.75
Total Taxes			1.75
Total AT&T Internet Services			48.07

News You Can Use

UPDATE YOUR ACCOUNT

We noticed that you made a change in your AT&T service. We invite you to call us at 866.212.2198 or visit att.com/winback if you have any questions or want to learn about special offers for wireless, home phone, Internet and TV.

ELECTRONIC PAYMENTS

When making a secure electronic bill payment from your bank account over the phone, you will need to provide sufficient information to authenticate yourself as the account owner. By providing this information, you are authorizing AT&T and our financial institution to process a one-time debit from your bank account for payment of your bill. Other bill payment options are available at www.att.com.

RATE NOTICE

The per minute rate for out-of-state (interstate intraLATA) toll calls will increase from \$0.90 to \$1.10 on 7/1/2014. This change does not apply to AT&T Long Distance rates. If you have any questions or to learn more about our money-saving services, please visit us at att.com or call 800.288.2020.

PAYMENT OPTIONS

Visit att.com to pay your AT&T bills online FREE of charge. Additional payment options can also be viewed online. Self-service is available anytime day or night by calling 800.288.2020 - just say "Pay My Bill". Payments made with an AT&T representative may be subject to a \$5.00 payment convenience fee.

MOVING SOON?

Stay connected with AT&T. Please visit us online at att.com/move or call 800.MOVE.ATT (1.800.668.3288).

COLLECTION POLICY

As a customer in the process of disconnecting service, you have received your final bill. It is IMPORTANT that you pay the final balance no later than the DUE BY date. Otherwise, if it later becomes necessary to pursue collection efforts, you may also be responsible for costs associated with those efforts. If you have any questions, please contact us at 800.288.2020. AT&T appreciates your business and we look forward to doing business with you in the future.

UNIVERSAL SVC FEE

The Federal Universal Service Fee increased on 4/1/2014. This fee supports telecommunication needs of low-income households, consumers living in high-cost areas, schools, libraries and rural hospitals. Your current bill reflects the change. For more information, please contact an AT&T Service Representative at the phone number listed on the front of your bill.

FINAL BILL

This is your final bill for telephone service and reflects all charges applied to your account through Apr 29. Payment in full of this bill is due upon receipt. If payment cannot be made, please contact the business office on 1.800.288.2020 to arrange a satisfactory payment plan. Calling cards issued for this account are now void and should be destroyed. Third number calls may not be charged to this account. Thank you for the opportunity to serve you.

MAKING PAYMENTS EASY

AT&T offers several convenient ways to pay your bill. You can pay online at att.com, use the myAT&T app on your smartphone, or visit your local AT&T Mobility retail store. Try it today!

ONLINE BILL SUPPORT

Register at att.com/managedmyaccount to view or pay your bill, manage your account online, sign up for paperless billing, or enroll in AutoPay. It's quick, easy, and available 24x7!

CUSTOMER SUPPORT

AT&T speaks many languages. English 800.288.2020; Spanish 800.870.5865; Cantonese 800.281.2288; Mandarin 888.333.2828; Korean 800.300.6657; Vietnamese 800.300.5315; Japanese 800.573.7573. All other languages 800.203.8600; Disabilities and Aging 800.772.3140.

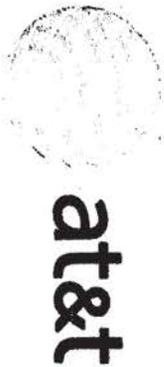
EASY ONLINE SUPPORT!

Online support is quick, easy and available 24x7! Have questions about your AT&T products, features or services? Visit att.com/support for self help tools, FAQs and troubleshooting tips. Check out att.com/repair to view our simplified online repair experience or visit att.com/bill to find answers to your billing questions.



EDMOND BATES
712 OAK AVE
ROCKPORT TX 75082-5904

Page 1 of 2
Account Number
Billing Date Apr 12, 2014
Web Site att.com



(PREVIOUS MONTH)

Bill At A Glance

Previous Bill	48.07
Payment Received 4-04 Thank you!	48.07CH
Adjustments	.00
Balance	.00
Current Charges	48.07
Total Amount Due	\$48.07
Amount Due in Full By	May 12, 2014

Billing Summary

Billing Questions? Visit att.com/billing

Plans and Services	1 800 288-2020	.00
Payment Arrangements:	1 800 288-2020	
Service Changes:	1 800 288-2020	
Repair Services:	1 800 246-9464	
AT&T Internet Services	1 877 772-3755	48.07
Total Current Charges		48.07

Pl. in full 4-28-14

News You Can Use Summary

- PREVENT DISCONNECT
 - ELECTRONIC PAYMENTS
 - PAYMENT OPTIONS
 - UNIVERSAL SVC FEE
- LONG DIST. PROVIDERS
 - RATE NOTICE
 - MOVING SOON?
- See "News You Can Use" for additional information

AT&T Internet Services

Important Information

For Billing Inquiries:
High Speed Internet (DSL): 1.877.772.3755
Web Hosting: 1.888.932.4578
Connect: 1.888.354.1290
AT&T Wi-Fi contact information located at attwifi.com.

Notice: Changes appearing in this section are for services provided by AT&T Corp. and/or by AT&T Missouri, AT&T Oklahoma, AT&T Kansas, AT&T Arkansas, or AT&T Texas, based upon your service address location.

Financial Changes and Credits

Item Description
Change for 689 054-9864
Account Code 21HS010
1-3-12 A&T ISI PD #
SERVICE DATE: 03/21/14 - 04/20/14
EDMOND BATES
ISI No. 689 054-9864
edmond@att.net

*should be last bill in
of previous date of 48.00*

Swaps and Other Fees

2 State Cook-Recovery Fee .32

Taxes

3 Federal .00
4 State and Local 1.75
Total Taxes 1.75

Total AT&T Internet Services 48.07

News You Can Use

PREVENT DISCONNECT

Thank you for being a valued customer. Please be aware that all charges must be paid each month to keep your account current and prevent collection activities. We are required to inform you that certain charges such as your telephone line, fees and surcharges, and any feature package, if applicable, MUST be paid in order to prevent interruption of basic local service. These charges are already included in the Total Amount Due and are \$00. Also, neglecting to pay for other charges such as long distance, voice mail, hlnline®, wireless, and internet may result in those services being interrupted.

Donna L. Nelson
Chairman

Kenneth W. Anderson, Jr.
Commissioner

Brandy D. Marty
Commissioner

Brian H. Lloyd
Executive Director



Rick Perry
Governor

Public Utility Commission of Texas

Dear Utility Customer:

You are receiving this letter in confirmation that the Customer Protection Division (CPD) of the Public Utility Commission has begun an investigation of your complaint regarding your utility company. The company is required to submit a formal response to the investigation within 21 days. Once we receive the response from the company, a CPD staff member will review the facts, the applicable PUC substantive rules, and notify you of the results.

If you have any questions or need additional information, please contact the Public Utility Commission toll-free through our Customer Assistance Call Center at 1-888-782-8477 and a staff member will be happy to assist you. You can also find valuable information on our website (www.puc.texas.gov) at anytime.

As a public service to help Texans in understanding their utility bills, we have enclosed a fact sheet that helps explain the various charges included in your bill for telephone service and electric service (in areas open to competition). The Public Utility Commission has additional fact sheets available for Texas utility customers covering topics such as:

- Texas "Do Not Call" Lists
- Slamming and Cramming
- Low-Income Assistance Programs and Services
- And more...

Please call the Customer Assistance Call Center to request customer protection fact sheets, or view them online at www.puc.texas.gov/consumer/facts/Facts.aspx.

Thank you,

Customer Protection Division
Public Utility Commission of Texas

Donna L. Nelson
Chairman

Kenneth W. Anderson, Jr.
Commissioner

Brandy D. Marty
Commissioner

Brian H. Lloyd
Executive Director



Rick Perry
Governor

Public Utility Commission of Texas

06/03/2014

Mr Edmond Bates
712 Oak Ave
Rockport TX 78382-5904

RE: Complaint # CP2014050443

Dear Mr Bates:

Our office received your complaint concerning charges for internet service with AT&T Texas.

With the information you provided, we contacted AT&T Texas to research the issue and file a response within the 21-day period provided for by the rules. Today, we reviewed the company's response and determined the following.

AT&T reported that your complaint relates to a non-regulated service and one of their representatives will investigate your complaint and contact you in an effort to resolve this matter.

Please note that the Customer Protection Division has limited authority over non-regulated services such as TV, internet, and VoIP telephone service or service located in deregulated areas of Texas. If you continue to experience problems with the service, we recommend contacting AT&T's Office of the President at 1-800-283-6407 for assistance.

Thank you for the opportunity to address your concerns. If we can assist you with future utility concerns, please contact us toll free through our Customer Assistance Call Center at 1-888-782-8477.

Sincerely,

Customer Protection Division
Public Utility Commission of Texas

cc: AT&T Texas