

LOUISIANA PUBLIC SERVICE COMMISSION

ORDER NUMBER D-27886

LOUISIANA PUBLIC SERVICE COMMISSION
VERSUS
SOUTHERN SIDING CO., INC.
(BATON ROUGE, LOUISIANA)

Docket No. D-27886: In re: Alleged violation of Title 45, Chapter 4 of the Revised Statutes of 1950, Sections 844.11 through 844.15, as amended, by telephonically soliciting residential subscribers in violation of the Commission's General Order dated November 7, 2001.

(Decided at Business and Executive Session held November 10, 2004)

Background

This proceeding was instituted as a result of the Commission's investigation of a series of complaints received by the Commission between June 18, 2003 and March 17, 2004. The complaints came from residential telephone subscribers who claim to have received telemarketing calls from Southern Siding Company, Inc. despite having registered in the Do Not Call Program. On April 20, 2004, the Commission issued a citation to Southern Siding Co., Inc. (the "Defendant" or "Southern Siding"), directing the Defendant to appear at a hearing on May 4, 2004 to show cause why the company should not be found guilty of violating the Commission's Do Not Call regulations, as set out in the Commission's General Order dated May 16, 2003 and amended on July 10, 2003. Notice of the proceeding and hearing was published in the Commission's Official Bulletin dated April 23, 2004.

The hearing was convened as scheduled on May 4, 2004. Edmond Jordan appeared on behalf of the Commission Staff and called as the Staff's witness Brenda Headlee, Program Manager for Louisiana's Do Not Call program. No one appeared on behalf of the Defendant.

The Administrative Law Judge issued a Proposed Recommendation in this docket on October 1, 2004. No party filed an exception to the Proposed Recommendation within the time frame prescribed in the Commission's Rules of Practice and Procedure.

The Staff's Allegations

The citation issued to the Defendant alleges thirteen incidents, or counts, of illegal telephone solicitation by Southern Siding between June 18, 2003 through March 17, 2004, in violation of Section (V)(C)(4) of the Commission's General Order dated May 16, 2003 and the Commission's General Order dated July 10, 2003. In addition to those counts, the citation alleges that Southern Siding further violated the Do Not Call Order, Section (V)(C)(2), by failing

to register with the Commission for the year 2004 for authority to conduct telephone solicitation. The Commission Staff seeks the assessment of administrative penalties against Southern Siding.

Southern Siding's Defense

No one appeared on behalf of Southern Siding to present a defense at the hearing.

Applicable Law

In 2001, the Louisiana Legislature enacted the Telephone Solicitation Relief Act of 2001, recognizing that "there is a compelling state interest to protect the privacy of . . . [residential telephone] subscribers who wish to avoid unsolicited and unwanted telephonic solicitations." *La. R.S. 45: 844.11*. The Act directed the Louisiana Public Service Commission to establish a database of residential telephone subscribers who object to receiving telephone solicitations and to have the database operational by January 1, 2002. In subsequent legislation, the Louisiana Legislature directed the Commission to include in its database, by January 1, 2006, residential telephone subscribers listed in the National Do Not Call Registry. *La. R.S. 45:844.13*.

The Commission was also directed by the legislation to promulgate rules to provide for registration in the Do Not Call database, registration and access to the Do Not Call database by telephone solicitors, investigation of complaints received by residential subscribers, and enforcement of the Do Not Call regulations by the Commission. *La. R.S. 45:844.13, 844.14, and 844.15*. The Act defined "telephonic solicitation" for purposes of the Act as follows:

"Telephonic solicitation" means any voice or data communication made by a telephonic solicitor to a residential telephonic subscriber for the purpose of encouraging a sale or rental of or investment in property, consumer goods, or services; or for the purpose of encouraging an extension of credit for property, consumer goods, or services; or for the purpose of obtaining information that will or may be used for the direct solicitation of a sale or rental of or investment in property, consumer goods, or services or an extension of credit for such purposes; or for the solicitation of a contribution to a charitable organization,

Finally, the Act provided for the Commission's imposition of administrative penalties, upon the Commission's determination, after notice and hearing, that a violation has occurred. Such administrative penalties are not to exceed \$1,500 per violation, or \$3,000 per violation in instances involving a residential subscriber who is age 65 or older at the time of the violation. The Act further directs that the Commission may assess additional costs and attorney fees if a violator refuses to pay the assessed fine. *La. R.S. 45:844.15*.

In accordance with the Act, the Commission enacted regulations, contained in General Order dated November 7, 2001, amended by General Order dated May 16, 2003 and again by

General Order dated July 10, 2003 (together, the "Do Not Call Order"), which prohibits the telephone solicitation of a residential telephone subscriber whose number appears on the Do Not Call registry. The Commission's regulations also provide for registry in the Do Not Call database, registry of telephone solicitors, procedures for the filing of complaints by residential subscribers, investigation of those complaints, and assessment of administrative penalties against telephone solicitors determined, after notice and hearing, to have violated the Do Not Call Order. Telephone solicitors found to have violated the Do Not Call regulations by telephonically soliciting a residential subscriber registered in the Do Not Call database shall be subject to a penalty of up to \$1,500 if the residential subscriber is under the age of 65 and \$3,000 if the subscriber is 65 years of age or older. A telephone solicitor found to have violated the Do Not Call regulations by failing to register with the Commission shall be fined in an amount not to exceed \$10,000.

Commission Order D-26759 (A)

On July 29, 2003, the Commission issued Order D-26759(A) in a docketed proceeding entitled "Louisiana Public Service Commission versus Southern Siding Company, Inc." According to the Order, that proceeding resulted from a series of 189 complaints received by the Commission between April 2, 2002 and August 28, 2002 from residents claiming to have received telephone solicitations from Southern Siding despite those residents having registered in the Do Not Call database. As stated in the Commission's Order, the Commission found Southern Siding guilty and fined the company in the amount of \$222,500, with \$75,000 of that amount to be paid in three installments and the remaining \$147,500 to be suspended. The Commission's Order directed that if further complaints against Southern Siding were received after the effective date of the Order and found, after notice and hearing, to be valid, the company would be fined in the amount of \$5,000 per violation, up to the suspended amount of the fine.

Southern Siding Company, Inc. appealed the Commission's decision to the Louisiana Nineteenth Judicial District Court. *Southern Siding Company, Inc. versus Louisiana Public Service Commission, Suit No. 511327*. The appeal was subsequently dismissed by that court as untimely filed, in a judgment issued on December 17, 2003.

Findings of Fact

Upon consideration of the testimony and evidence presented at the hearing, the Commission makes the following findings of fact:

Service of Process

Brenda Headlee, Program Manager of the Commission's Do Not Call program, identified for the record the citation issued by the Commission to the Defendant on April 20, 2004. The citation directed the Defendant to appear and show cause at a hearing on May 4, 2004 why it should not be found to have violated the Do Not Call Order and penalized accordingly with regard to fourteen described counts. Ms. Headlee testified that the citation was mailed by certified mail to the Defendant through its owner and through its agent for service of process, utilizing contact and service of process information provided by the Defendant in its telephone solicitor's registration application filed with the Commission for the year 2003. Ms. Headlee further identified certified mail return receipts, evidencing the receipt of both certified mailings on April 21, 2004.

Status of Fines Due Pursuant to Commission Order D-26759(A)

In Order D-26759(A), the Commission found Southern Siding guilty of violating the Do Not Call regulations and fined the company in the amount of \$222,500. The Commission ordered that \$75,000 of the fine be paid in three installments, with the remaining \$147,500 to be suspended. The Commission's Order directed that if further complaints against Southern Siding were received after the effective date of the Order and found, after notice and hearing, to be valid, the company would be fined in the amount of \$5,000 per violation, up to the suspended amount of the fine.

At the hearing in this proceeding, Ms. Headlee testified with regard to the status of the fines owed by Southern Siding pursuant to Order D-26759(A). Ms. Headlee testified that Southern Siding, itself, has not paid any portion of the fine. However, the Commission has collected the proceeds of a bond – in the amount of \$20,000 – posted by the company in conjunction with its Do Not Call registration application for the year 2003. Thus, \$55,000 of the \$75,000 which was to be paid in three installments remains outstanding, in addition to the suspended portion of the fine in the amount of \$147,500.

The Commission Staff's Procedure for Investigating Complaints

Ms. Headlee described the procedure utilized by the Commission Staff in investigating complaints filed by residential subscribers. Complaints are filed on a form provided by the Commission. The complaint form requests pertinent information about the alleged solicitation, including such information as: the name, address and phone number of the subscriber (and whether the subscriber is age 65 or older); the subscriber's local and long distance telephone service providers; the date and time of the call; the product or service offered in the call; the name and address and telephone number of the caller if known; whether the caller's telephone number was obtained by Caller ID; whether the residential subscriber has an existing or prior business relationship with the caller; and a description of the complaint. After completing the form, the complaining subscriber signs the form and submits it to the Commission.

Upon receipt of a complaint, the Staff first verifies that the residential subscriber is in the Do Not Call registry and that the subscriber was in the registry at the time of the alleged telephone solicitation. The Staff also attempts to investigate the possibility that the call at issue was exempt from the Do Not Call regulations. If the complaint appears to be valid, the Staff sends a letter to the alleged solicitor, advising of the complaint and requesting that the solicitor provide a call log for the day in question, as is required by the Do Not Call Order. If the solicitor fails to provide the requested call log, the Staff may issue a subpoena to the local telephone service provider for a listing of all telephone calls received by the complaining subscriber on the day in question. The Staff may also subpoena the local telephone service provider for information identifying the holder of the telephone number from which the alleged solicitation was received. Utilizing the information gathered, the Staff decides whether to issue a citation to the alleged solicitor.

Count 1 - Complaint Number 1716

(In Count 1, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 2253550694 on June 18, 2003. The Staff alleges that the subscriber was 65 years old or older at the time of the telephone solicitation and seeks a fine of \$3,000 for this count.)

Baton Rouge, Louisiana residential telephonic subscriber 2253550694 filed a complaint with the Commission's Do Not Call program alleging that he received a solicitation call from Southern Siding on June 18, 2003, in which the caller offered "siding" for sale. The complaint states that the telephone number of the caller - (225) 751-8009 - was recorded by the subscriber's Caller ID. The complaint further states that the subscriber is 65 years of age or

older and that the subscriber has no existing or prior business relationship with Southern Siding. The subscriber filled out the complaint by hand and signed it at the bottom. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do Not Call program at the time of the alleged call. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the database on January 3, 2002 and that the registration was valid at the time of the solicitation.

On June 19, 2003, Ms. Headlee sent a letter to Southern Siding, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for June 18, 2003. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding on June 23, 2003. The company did not respond to the request.

The Commission Staff next issued a subpoena duces tecum to the subscriber's local telephone service provider, BellSouth Telecommunications, Inc. ("BellSouth"), seeking a log of all the calls received by the subscriber on June 18, 2003. The log provided by BellSouth confirmed that a call was made to the residential subscriber from subscriber number (225) 751-8009 on June 18, 2003. The Commission Staff determined that number (225) 751-8009 is an "unlisted" number and subpoenaed the telephone company to provide subscriber information for the number. The information provided by the telephone company shows that this number is registered to the Defendant, Southern Siding. The Commission Staff entered into evidence copies of both subpoenas, together with the responses provided by the telephone company.

We conclude from the evidence presented by the Staff that on June 18, 2003, Southern Siding telephonically solicited residential subscriber 2253550694. On the date of the solicitation, the residential subscriber was registered with the Do Not Call program and was 65 years of age or older. Finally, the record contains no evidence that the telephone solicitation was exempted from Do Not Call regulation.

Count 2 – Complaint Number 1817

(In Count 2, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 2256735501 on July 17, 2003. The Staff seeks a fine of \$1,500 for this count.)

Gonzales, Louisiana residential telephone subscriber 2256735501 filed a complaint with the Commission's Do Not Call program alleging that she received a solicitation call from

Southern Siding on July 17, 2003, in which the caller offered "siding" for sale. The complaint states that the subscriber does not have Caller ID and was unable to obtain the number of the caller. The complaint further states that the subscriber is under the age of 65 and has no prior or existing business relationship with Southern Siding. The complaint was filled out by hand and signed at the bottom. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do No Call program at the time of the alleged call. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the database on October 18, 2002 and that the registration was valid at the time of the solicitation.

On August 7, 2003, Ms. Headlee sent a letter to Southern Siding, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for July 17, 2003. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding on August 8, 2003. A law firm representing Southern Siding at that time responded to the request, forwarding to the Commission Staff an electronic copy of Southern Siding's Louisiana call log for July 17, 2003. A printout of the call log, which evidences that Southern Siding placed a call to residential telephonic subscriber 2256735501 on July 17, 2003, was submitted into evidence by the Commission Staff.

Thus, we conclude with regard to Count 2, that Southern Siding telephonically solicited residential telephonic subscriber 2256735501 on July 17, 2003. We further conclude that the residential subscriber was registered with the Do Not Call program at the time of the call and was under the age of 65. Finally, the record contains no evidence that the telephone solicitation was exempt from Do Not Call regulation.

Count 3 – Complaint Number 1953

(In Count 3, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 2253580074 on October 3, 2003. The Staff seeks a fine of \$5,000 for this count, pursuant to Commission Order D-26759 (A).)

Baton Rouge, Louisiana residential telephonic subscriber 2253580074 filed a complaint with the Commission's Do Not Call program alleging that he received a solicitation call from Southern Siding on October 3, 2003, in which the caller offered "siding" for sale. The complaint states that the number of the caller – (225) 751-8009 - was recorded by the subscriber's Caller ID. The complaint further states that the subscriber was under 65 years of age at the time of the

call and had no prior or existing business relationship with Southern Siding. The subscriber filled out the complaint by hand and signed it at the bottom. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do Not Call program at the time of the alleged call. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the database on January 25, 2002 and that the registration was valid at the time of the solicitation.

Ms. Headlee then sent a letter to Southern Siding, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for October 3, 2003. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding on October 20, 2004. The company did not respond to the request.

The Commission Staff next issued a subpoena duces tecum to the subscriber's local telephone service provider, BellSouth, seeking a log of all the calls received by the subscriber on October 3, 2003. A copy of the subpoena was submitted into the record, together with the response. The log provided by BellSouth evidences that a call was made to the residential subscriber from subscriber number (225) 751-8009 on October 3, 2003. Evidence in the record establishes that the number (225) 751-8009 is registered to the Defendant, Southern Siding.

Thus, we conclude with regard to Count 3, that Southern Siding telephonically solicited residential subscriber 2253580074 on October 3, 2003. We further conclude that the residential subscriber was registered with the Do Not Call program at the time of the call and was under the age of 65. Finally, there is nothing in the record that suggests that this telephone solicitation was exempt from Do Not Call regulation.

Count 4 – Complaint Number 1962

(In Count 4, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 2253579767 on October 2, 2003. The Staff seeks a fine of \$5,000 for this count, pursuant to Commission Order D-26759 (A).)

Baton Rouge, Louisiana residential telephonic subscriber 2253579767 filed a complaint with the Commission's Do Not Call program alleging that he received a solicitation call from Southern Siding on October 2, 2003, in which the caller offered "siding" for sale. The complaint states that the number of the caller – (225) 751-8009 - was recorded by the subscriber's Caller ID. The complaint further states that the caller was 65 years of age or older and that the

subscriber had no prior or existing business relationship with Southern Siding. The complaint also states that the caller was not a personal acquaintance and that the call was not the result of a referral by someone known to the subscriber. The subscriber filled out the complaint by hand and signed it at the bottom. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do Not Call program at the time of the alleged call. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the database on January 10, 2002 and that the registration was valid at the time of the solicitation.

Ms. Headlee sent a letter to Southern Siding on October 16, 2003, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for October 2, 2003. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding on October 20, 2004. The company did not respond to the request.

The Commission Staff next issued a subpoena duces tecum to the subscriber's local telephone service provider, BellSouth, seeking a log of all the calls received by the subscriber on October 2, 2003. A copy of the subpoena was submitted into the record, together with the response. The log provided by BellSouth evidences that a call was made to the residential subscriber from subscriber number (225) 751-8009 on October 2, 2003. Evidence in the record establishes that the number (225) 751-8009 is registered to the Defendant, Southern Siding.

Thus, we conclude with regard to Count 4, that Southern Siding telephonically solicited residential subscriber 2253579767 on October 2, 2003. We further conclude that the residential subscriber was 65 years of age or older and was registered in the Do Not Call program at the time of the call. Finally, there is nothing in the record that suggests that this telephone solicitation was exempt from Do Not Call regulation.

Count 5 - Complaint Number 1981

(In Count 5, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 2253556512 on November 4, 2003. The Staff seeks a fine of \$5,000 for this count, pursuant to Commission Order D-26759 (A).)

Baton Rouge, Louisiana residential telephonic subscriber 2253556512 filed a complaint with the Commission's Do Not Call program alleging that she received a solicitation call from Southern Siding on November 4, 2003, in which the caller offered "siding" for sale. The complaint states that the number of the caller - (225) 751-8009 - was recorded by the

subscriber's Caller ID. The complaint further states that the caller was under the age of 65 at the time of the call and had no prior or existing business relationship with Southern Siding. The complaint also states that the caller was not a personal acquaintance and that the call was not the result of a referral by someone known to the subscriber. The subscriber filled out the complaint by hand and signed it at the bottom. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do Not Call program at the time of the alleged call. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the database on May 25, 2002 and that the registration was valid on the date of the solicitation.

Ms. Headlee sent a letter to Southern Siding on November 7, 2003, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for November 4, 2003. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding. The company did not respond to the request.

Evidence in the record establishes that the number (225) 751-8009 is registered to the Defendant, Southern Siding.

Thus, we conclude with regard to Count 5, that Southern Siding telephonically solicited residential subscriber 2253556512 on November 4, 2003. We further conclude that the residential subscriber was registered with the Do Not Call program and under the age of 65 at the time of the call. Finally, there is nothing in the record that suggests that this telephone solicitation was exempt from Do Not Call regulation.

Count 6 – Complaint Number 1992

(In Count 6, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 2257746907 on November 11, 2003. The Staff seeks a fine of \$5,000 for this count, pursuant to Commission Order D-26759 (A).)

Baton Rouge, Louisiana residential telephonic subscriber 2257746907 filed a complaint with the Commission's Do Not Call program alleging that he received a solicitation call from Southern Siding on November 11, 2003, in which the caller offered "siding" for sale. The complaint states that the number of the caller – (225) 751-8009 - was recorded by the subscriber's Caller ID. The complaint further states that the caller was under the age of 65 at the time of the call and had no prior or existing business relationship with Southern Siding. The

complaint also states that the caller was not a personal acquaintance and that the call was not the result of a referral by someone known to the subscriber. The subscriber filled out the complaint by hand. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do Not Call program at the time of the alleged call. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the database on January 4, 2002 and that the registration was valid on the date of the solicitation.

Ms. Headlee sent a letter to Southern Siding on November 17, 2003, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for November 11, 2003. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding. The company did not respond to the request.

The Commission Staff next issued a subpoena duces tecum to the subscriber's local telephone service provider, BellSouth, seeking a log of all the calls received by the subscriber on November 11, 2003. A copy of the subpoena was submitted into the record, together with the response. The log provided by BellSouth evidences that a call was made to the residential subscriber from subscriber number (225) 751-8009 on November 11, 2003. The Commission Staff has demonstrated in this proceeding that (225) 751-8009 is registered to the Defendant, Southern Siding.

Thus, we conclude with regard to Count 6, that Southern Siding telephonically solicited residential subscriber 2257746907 on November 11, 2003. We further conclude that the residential subscriber was registered with the Do Not Call program and under the age of 65 at the time of the call. Finally, there is nothing in the record that suggests that this telephone solicitation was exempt from Do Not Call regulation.

Count 7 – Complaint Number 1999

(In Count 7, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 2256546391 on November 18, 2003. The Staff seeks a fine of \$5,000 for this count, pursuant to Commission Order D-26759 (A).)

Zachary, Louisiana residential telephonic subscriber 2256546391 filed a complaint with the Commission's Do Not Call program alleging that she received a solicitation call from Southern Siding on November 18, 2003, in which the caller offered "siding" for sale. The complaint states that the number of the caller – (225) 751-8003 - was recorded by the

subscriber's Caller ID. The complaint further states that the caller was under the age of 65 at the time of the call and had no prior or existing business relationship with Southern Siding. The complaint also states that the caller was not a personal acquaintance and that the call was not the result of a referral by someone known to the subscriber. The subscriber typed in the responses on the complaint form and signed it at the bottom. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do Not Call program at the time of the alleged call. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the database on January 25, 2002 and that the registration was valid on the date of the solicitation.

Ms. Headlee sent a letter to Southern Siding on November 20, 2003, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for November 18, 2003. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding on November 25, 2003. The company did not respond to the request.

The Commission Staff next issued a subpoena duces tecum to the subscriber's local telephone service provider, BellSouth, seeking a log of all the calls received by the subscriber on November 18, 2003. A copy of the subpoena was submitted into the record, together with the response. The log provided by BellSouth evidences that a call was made to the residential subscriber from subscriber number (225) 751-8003 on November 18, 2003.

The Commission Staff also subpoenaed the telephone company to provide subscriber information for subscriber number (225) 751-8003. The information provided by the telephone company evidences that this number is registered to the Defendant, Southern Siding. The Commission Staff entered into evidence the second subpoena, as well as the information received in response.

Thus, we conclude with regard to Count 7, that Southern Siding telephonically solicited residential subscriber 2256546391 on November 18, 2003. We further conclude that the residential subscriber was registered with the Do Not Call program and under the age of 65 at the time of the call. Finally, there is nothing in the record that suggests that this telephone solicitation was exempt from Do Not Call regulation.

Count 8 – Complaint Number 2011

(In Count 8, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 2257743500 on November 18, 2003. The Staff seeks a fine of \$5,000 for this count, pursuant to Commission Order D-26759 (A).)

Baker, Louisiana residential telephonic subscriber number 2257743500 filed a complaint with the Commission's Do Not Call program alleging that she received a solicitation call from Southern Siding on November 18, 2003, in which the caller offered "siding" for sale. The complaint alleges that the number of the caller – (225) 751-8009 - was recorded by the subscriber's Caller ID. The complaint further states that the caller was 65 years of age or older at the time of the call and had no prior or existing business relationship with Southern Siding. The complaint also states that the caller was not a personal acquaintance and that the call was not the result of a referral by someone known to the subscriber. The subscriber completed the complaint by hand and signed it at the bottom. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do Not Call program at the time of the alleged call. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the database on January 2, 2002 and that the registration was valid on the date of the solicitation.

Ms. Headlee sent a letter to Southern Siding on December 2, 2003, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for November 18, 2003. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding. The company did not respond to the request.

The Commission Staff has previously demonstrated in this proceeding that subscriber number (225) 751-8009 is registered to the Defendant, Southern Siding.

Thus, we conclude with regard to Count 8, that Southern Siding telephonically solicited residential subscriber 2257743500 on November 18, 2003. We further conclude that the subscriber was 65 years of age or older and was registered with the Do Not Call program at the time of the call. Finally, there is nothing in the record that suggests that this telephone solicitation was exempt from Do Not Call regulation.

Count 9 – Complaint Number 2013

(In Count 9, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 2256546391 on November 26, 2003. The Staff seeks a fine of \$5,000 for this count, pursuant to Commission Order D-26759 (A).)

Zachary, Louisiana residential telephonic subscriber 2256546391 filed a complaint with the Commission's Do Not Call program alleging that he received a solicitation call from Southern Siding on November 26, 2003, in which the caller offered "siding" for sale. The complaint states that the number of the caller – (225) 751-8004 - was recorded by the subscriber's Caller ID. The complaint further states that the caller was under 65 years of age at the time of the call and had no prior or existing business relationship with Southern Siding. The complaint also states that the caller was not a personal acquaintance and that the call was not the result of a referral by someone known to the subscriber. The subscriber typed in the responses on the complaint form and signed it at the bottom. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do Not Call program at the time of the alleged call. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the database on January 25, 2002 and that the registration was valid on the date of the solicitation.

Ms. Headlee sent a letter to Southern Siding on December 2, 2003, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for November 26, 2003. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding. The company did not respond to the request.

The Commission Staff also subpoenaed the telephone company to provide subscriber information for subscriber number (225) 751-8004. The information provided by the telephone company evidences that this number is registered to the Defendant, Southern Siding. The Commission Staff entered into evidence the second subpoena, as well as the information received in response.

Thus, we conclude with regard to Count 9, that Southern Siding telephonically solicited residential subscriber 2256546391 on November 26, 2003. We further conclude that the residential subscriber was registered with the Do Not Call program and under the age of 65 at the

time of the call. Finally, there is nothing in the record that suggests that this telephone solicitation was exempt from Do Not Call regulation.

Count 10 – Complaint Number 2030

(In Count 10, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 9854465222 on January 15, 2004. The Staff seeks a fine of \$5,000 for this count, pursuant to Commission Order D-26759 (A).)

Thibodaux, Louisiana residential telephonic subscriber 9854465222 filed a complaint with the Commission's Do Not Call program alleging that she received numerous solicitation calls from Southern Siding between November 29, 2003 and January 15, 2004, in which the callers offered "siding" for sale. The subscriber states in her complaint that three originating numbers of the caller – (225) 751-8003, (225) 751-8005, and (225) 751-8006 - were recorded by Caller ID. The complaint further states that the caller was under 65 years of age at the time of the call and had no prior or existing business relationship with Southern Siding. The complaint also states that the caller was not a personal acquaintance and that the call was not the result of a referral by someone known to the subscriber. The subscriber filled out the complaint by hand and signed it at the bottom. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do Not Call program at the time of one of the alleged calls – a call allegedly received on January 15, 2004. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the federal Do Not Call database and that the registration was valid, for the Commission's purposes, when the alleged January 15, 2004 solicitation was received. The Commission cited the Defendant only for the solicitation allegedly received on January 15, 2004, since the residential telephonic subscriber was not enrolled in the Do Not Call program at the time the other solicitation calls were allegedly received.

Ms. Headlee sent a letter to Southern Siding on January 21, 2004, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for January 15, 2004. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding on January 22, 2004. The company did not respond to the request.

The Commission Staff has previously demonstrated in this proceeding that the caller numbers recorded on the residential subscriber's Caller ID - numbers (225) 751-8003, (225) 751-8005, and (225) 751-8006 – are registered to the Defendant, Southern Siding.

Thus, we conclude with regard to Count 10, that Southern Siding telephonically solicited residential subscriber 9854465222 on January 15, 2004. We further conclude that the residential subscriber was registered with the Do Not Call program and under the age of 65 at the time of the call. Finally, there is nothing in the record that suggests that this telephone solicitation was exempt from Do Not Call regulation.

Count 11 – Complaint Number 2047

(In Count 11, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 2256275413 on January 30, 2004. The Staff seeks a fine of \$5,000 for this count, pursuant to Commission Order D-26759 (A).)

Port Allen, Louisiana residential telephonic subscriber 2256275413 filed a complaint with the Commission's Do Not Call program alleging that he received a solicitation call from Southern Siding on January 30, 2004, in which the caller offered "siding" for sale. The complaint states that the number of the caller – (225) 751-8005 - was recorded by the subscriber's Caller ID. The complaint further states that the caller was under 65 years of age at the time of the call and had no prior or existing business relationship with Southern Siding. The complaint also states that the caller was not a personal acquaintance and that the call was not the result of a referral by someone known to the subscriber. The subscriber filled in the form by hand and signed it at the bottom. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do Not Call program at the time of the alleged call. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the federal database on December 1, 2003 and that the registration was valid on the date of the alleged solicitation.

Ms. Headlee sent a letter to Southern Siding on February 5, 2004, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for January 30, 2004. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding on February 9, 2004. The company did not respond to the request.

The Commission Staff issued a subpoena duces tecum to the subscriber's local telephone service provider, BellSouth, seeking a log of all the calls received by the subscriber on January 30, 2004. A copy of the subpoena was submitted into the record, together with the response from BellSouth. The log provided by BellSouth evidences that a call was made to the residential subscriber from subscriber number (225) 751-8005 on January 30, 2004. Commission Staff has

previously demonstrated in this proceeding that subscriber number (225) 751-8005 is registered to the Defendant, Southern Siding.

Thus, we conclude with regard to Count 11, that Southern Siding telephonically solicited residential subscriber 2256275413 on January 30, 2004. We further conclude that the residential subscriber was registered with the Do Not Call program and under the age of 65 at the time of the call. Finally, there is nothing in the record that suggests that this telephone solicitation was exempt from Do Not Call regulation.

Count 12 – Complaint Number 2056

(In Count 12, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 2253556512 on February 13, 2004. The Staff seeks a fine of \$5,000 for this count, pursuant to Commission Order D-26759 (A).)

Baton Rouge, Louisiana residential telephonic subscriber 2253556512 filed a complaint with the Commission's Do Not Call program alleging that she received a solicitation call from Southern Siding on February 13, 2004, in which the caller offered "siding" for sale. The complaint states that the number of the caller – (225) 751-8009 - was recorded by the subscriber's Caller ID. The complaint further states that the caller was under 65 years of age at the time of the call and had no prior or existing business relationship with Southern Siding. The complaint also states that the caller was not a personal acquaintance and that the call was not the result of a referral by someone known to the subscriber. The subscriber filled in the complaint form by hand and signed it at the bottom. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do Not Call program at the time of the alleged call. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the database on May 25, 2002 and that the registration was valid on the date of the alleged solicitation.

Ms. Headlee sent a letter to Southern Siding on March 3, 2004, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for February 13, 2004. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding on March 5, 2004. The company did not respond to the request.

The Commission Staff has previously demonstrated that the telephone number recorded by the complaining subscriber's Caller ID - (225) 751-8009 - is registered to the Defendant, Southern Siding.

Thus, we conclude with regard to Count 12, that Southern Siding telephonically solicited residential subscriber 2253556512 on February 13, 2004. We further conclude that the residential subscriber was registered with the Do Not Call program and under the age of 65 at the time of the call. Finally, there is nothing in the record that suggests that this telephone solicitation was exempt from Do Not Call regulation.

Count 13 – Complaint Number 2079

(In Count 13, the Commission Staff alleges that Southern Siding violated the Do Not Call regulations by telephonically soliciting residential subscriber 2259296039 on March 17, 2004. The Staff seeks a fine of \$5,000 for this count, pursuant to Commission Order D-26759 (A).)

Baton Rouge, Louisiana residential telephonic subscriber 2259296039 filed a complaint with the Commission's Do Not Call program alleging that she received a solicitation call from Southern Siding on March 17, 2004, in which the caller offered "home repairs" for sale. The complaint states that the number of the caller was (225) 751-8006, but does not indicate whether it was recorded by the subscriber's Caller ID. The complaint further states that the caller was under 65 years of age at the time of the call and had no prior or existing business relationship with Southern Siding. The complaint also states that the caller was not a personal acquaintance and that the call was not the result of a referral by someone known to the subscriber. The complaint is filled out by hand and signed at the bottom. The Commission Staff submitted the complaint into evidence.

Ms. Headlee confirmed that the subscriber was registered with the Do Not Call program at the time of the alleged call. The Staff submitted into evidence a computer printout from the Do Not Call database, demonstrating that the subscriber had registered with the database on October 10, 2003 and that the registration was valid on the date of the alleged solicitation.

Ms. Headlee sent a letter to Southern Siding on March 17, 2004, advising of the complaint, asking if the alleged solicitation should be considered "exempt" from Do Not Call regulation, and requesting a call log for March 17, 2004. The Staff submitted into evidence a copy of the letter, as well as a certified mail return receipt, evidencing that the letter was received by Southern Siding on March 22, 2004. The company did not respond to the request.

The Commission Staff next issued a subpoena duces tecum to the subscriber's local telephone service provider, BellSouth, seeking a log of all the calls received by the subscriber on March 17, 2004. A copy of the subpoena was submitted into the record, together with the response from BellSouth. The log provided by BellSouth evidences that a call was made to the residential subscriber from subscriber number (225) 751-8006 on November 18, 2003. The Commission Staff has previously demonstrated in this proceeding that telephone number (225) 751-8006 is registered to the Defendant, Southern Siding.

Thus, we conclude with regard to Count 13, that Southern Siding telephonically solicited residential subscriber 2259296039 on March 17, 2004. We further conclude that the residential subscriber was registered with the Do Not Call program and under the age of 65 at the time of the call. Finally, there is nothing in the record that suggests that this telephone solicitation was exempt from Do Not Call regulation.

Count 14

(In Count 14, the Commission Staff alleges that Southern Siding violated the Commission's General Order dated July 10, 2003 by failing to register with the Commission for the authority to conduct telephonic solicitation in Louisiana for the year 2004. The Commission seeks a fine of \$10,000 on this count.)

According to testimony and evidence presented by the Staff, Southern Siding submitted, on January 29, 2004, a Do Not Call registration application for the year 2004. Ms. Headlee sent a letter to Southern Siding on February 5, 2004, notifying the company that its registration application was incomplete. Ms. Headlee's letter advised that payment of the penalties due pursuant to Order D-26759(A) had to be paid and a new letter of credit or surety bond in the amount of \$20,000 had to be on file with the Commission before the company's application for the year 2004 could be accepted. The Staff submitted into the record a copy of the company's application, as well as the letter sent by Ms. Headlee. Southern Siding never completed its application and was not registered with the Do Not Call program for the year 2004.

The Staff has demonstrated in this proceeding, with regard to Counts 10, 11, 12, and 13, that Southern Siding made solicitation calls in the year 2004 - on January 15, 2004, January 30, 2004, February 13, 2004, and March 17, 2004.

Thus, with regard to Count 14, we conclude that Southern Siding engaged in telephone solicitation in the year 2004 - on January 15, 2004; January 30, 2004; February 13, 2004; and March 17, 2004 - without having complied with Do Not Call registration requirements.

Conclusions of Law

Service of Process

From evidence and testimony presented at the hearing, we conclude that the Commission properly served Southern Siding with the citation issued in this proceeding, thereby providing the company fair and sufficient notice of the substance of the Staff's allegations and of the company's opportunity to appear at the hearing and present a defense. Nevertheless, Southern Siding failed to appear at the hearing and provided no defense to the Staff's allegations.

Alleged Violations

The Commission's Do Not Call Order, at Section (V)(C)(4), *prohibits* the telephonic solicitation of a residential telephonic subscriber whose telephone number is registered in the Commission's Do Not Call registry, unless the solicitation is of a type which is exempted from Do Not Call regulation. In this proceeding, the Commission Staff has proven that Southern Siding violated Section (V)(C)(4) of the Do Not Call regulations on thirteen counts, by telephonically soliciting residential subscribers whose numbers were listed in the Do Not Call registry. Nothing in the record indicates that any of the solicitations was of the type which is exempt from Do Not Call regulation.

The Commission's Do Not Call Order, at Section (V)(C)(2), requires telephonic solicitors to register with the Commission, pay a registration fee and provide all necessary documentation as required by the Commission. In this proceeding, the Commission demonstrated that Southern Siding violated this provision by conducting telephonic solicitation during the year 2004, despite having failed to comply with Do Not Call registration requirements.

Penalties

Counts 1 through 13 – Prohibited Telephone Solicitation of Residential Subscribers

The Commission's Do Not Call Order, at Section (V)(E), provides that any telephonic solicitor found, after notice and hearing, to have violated the provisions of the Order shall be fined in an amount not to exceed **\$1,500** per violation, if the residential subscriber who received the solicitation was younger than age 65, or an amount not to exceed **\$3,000**, if the residential subscriber who received the solicitation was age 65 or older.

Also pertinent to the penalty calculation in this proceeding is Commission Order D-26759(A), issued on July 29, 2003 in "Louisiana Public Service Commission versus Southern Siding Company, Inc." In that Order the Commission suspended \$147,500 of the \$222,500

penalty which was imposed by the Commission, with the directive that if further complaints against Southern Siding were received *after the effective date of the Order* and found, after notice and hearing, to be valid, the company would be fined in the amount of \$5,000 per violation, up to the suspended amount of the fine.

According to Rule 44 of the Commission's Rules of Practice and Procedure, all orders go into effect ten days after mailing unless otherwise provided or unless a motion for rehearing is filed timely. In Docket D-26759, the Commission first issued an Order on May 16, 2003. Southern Siding subsequently filed a motion for reconsideration. The Commissioners granted the motion for reconsideration at their June 18, 2003 Business and Executive Session, but only for the purpose of amending certain language of the Order to provide, among other things, that "this Order, as amended and any future Order contemplated herein *be effective on the date voted on by the Commission.*" Accordingly, the effective date of the amended Order – Order D-26759(A) is the date of the decision – June 18, 2003. And, thus, since counts 2 through 13 arose from complaints filed after the effective date of Order D-26759(A), the penalties for those violations shall be \$5,000 per violation.¹ The penalty for each such violation shall consist of two elements: (1) the amount imposed by the Do Not Call regulations - \$1,500 or \$3,000, depending upon the age of the solicited residential subscriber; and (2) previously suspended penalties from Docket D-26759, bringing the penalty total per violation to \$5,000.

Count 14 – Conducting Telephone Solicitation Despite Failure to Register

With regard to Count 14, the Commission's Do Not Call Order, at Section (V)(E), provides that any telephonic solicitor who is *not registered* with the Commission's Do Not Call program and who has been found in violation of Section (V)(C)(4) shall be fined in an amount not to exceed \$10,000. We find that Southern Siding's failure to comply with the rules and orders of the Commission, including, the company's failure to pay the unsuspended portion of the fine imposed by the Commission in Docket D-26759, provides ample justification for the imposition of the maximum \$10,000 fine in this proceeding in connection with Count 14 - conducting telephone solicitation in the year 2004 without complying with the Commission's registration requirements.

¹ We note that although the Staff requested only a \$1,500 penalty in connection with Count 2, the prohibited solicitation giving rise to that count occurred after the effective date of Order D-26759(A). Therefore, the penalty for that count is subject to the directives of that Order.

Calculation of Penalties

Accordingly, we impose the following penalties in connection with Counts 1 through 13:

Count 1 - \$3,000

- This complaint was filed before the effective date of Order D-26759(A).
- The residential subscriber was 65 years of age or older.

Count 2 - \$5,000

\$1,500 pursuant to Do Not Call regulations plus an additional \$3,500 of previously suspended penalties, pursuant to Order D-26759(A)

- This complaint was filed after the effective date of Order D-26759(A).
- The residential subscriber was under the age of 65.

Count 3 - \$5,000

\$1,500 pursuant to Do Not Call regulations plus an additional \$3,500 of previously suspended penalties, pursuant to Order D-26759(A)

- This complaint was filed after the effective date of Order D-26759(A).
- The residential subscriber was under the age of 65.

Count 4 - \$5,000

\$3,000 pursuant to Do Not Call regulations plus an additional \$2,000 of previously suspended penalties, pursuant to Order D-26759(A)

- This complaint was filed after the effective date of Order D-26759(A).
- The residential subscriber was 65 years of age or older.

Count 5 - \$5,000

\$1,500 pursuant to Do Not Call regulations plus an additional \$3,500 of previously suspended penalties, pursuant to Order D-26759(A)

- This complaint was filed after the effective date of Order D-26759(A).
- The residential subscriber was under the age of 65.

Count 6 - \$5,000

\$1,500 pursuant to Do Not Call regulations plus an additional \$3,500 of previously suspended penalties, pursuant to Order D-26759(A)

- This complaint was filed after the effective date of Order D-26759(A).
- The residential subscriber was under the age of 65.

Count 7 - \$5,000

\$1,500 pursuant to Do Not Call regulations plus an additional \$3,500 of previously suspended penalties, pursuant to Order D-26759(A)

- This complaint was filed after the effective date of Order D-26759(A).
- The residential subscriber was under the age of 65.

Count 8 - \$5,000

\$3,000 pursuant to Do Not Call regulations plus an additional \$2,000 of previously suspended penalties, pursuant to Order D-26759(A)

- This complaint was filed after the effective date of Order D-26759(A).
- The residential subscriber was 65 years of age or older.

Count 9 - \$5,000

\$1,500 pursuant to Do Not Call regulations plus an additional \$3,500 of previously suspended penalties, pursuant to Order D-26759(A)

- This complaint was filed after the effective date of Order D-26759(A).
- The residential subscriber was under the age of 65.

Count 10 - \$5,000

\$1,500 pursuant to Do Not Call regulations plus an additional \$3,500 of previously suspended penalties, pursuant to Order D-26759(A)

- This complaint was filed after the effective date of Order D-26759(A).
- The residential subscriber was under the age of 65.

Count 11 - \$5,000

\$1,500 pursuant to Do Not Call regulations plus an additional \$3,500 of previously suspended penalties, pursuant to Order D-26759(A)

- This complaint was filed after the effective date of Order D-26759(A).
- The residential subscriber was under the age of 65.

Count 12 - \$5,000

\$1,500 pursuant to Do Not Call regulations plus an additional \$3,500 of previously suspended penalties, pursuant to Order D-26759(A)

- This complaint was filed after the effective date of Order D-26759(A).
- The residential subscriber was under the age of 65.

Count 13 - \$5,000

\$1,500 pursuant to Do Not Call regulations plus an additional \$3,500 of previously suspended penalties, pursuant to Order D-26759(A)

- This complaint was filed after the effective date of Order D-26759(A).
- The residential subscriber was under the age of 65.

Count 14 - \$10,000

Penalties Pursuant to Do Not Call Regulations

\$34,000

Additional Previously Suspended Penalties, Pursuant to Order D-26759(A)

\$39,000

Total Penalties To Be Paid by Southern Siding in this Proceeding


\$73,000

Conclusion

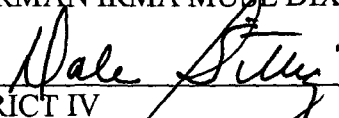
The Commission considered the matter at the November 10, 2004, Business and Executive Session. On motion of Commissioner Field, seconded by Commissioner Dixon, and unanimously adopted, the Commission voted to the Commission voted to amend the ALJ recommendation to find Southern Siding Co., Inc., violated, on thirteen occasions, the Commission's Do Not Call Order, Section (V)(C)(4), by telephonically soliciting residential subscribers whose telephone numbers were registered with the Do Not Call registry, and additionally violated Section (V)(C)(2) of the Commission's Do Not Call Order by conducting telephone solicitation during the year 2004, despite having failed to comply with Do Not Call registration requirements and to pay a fine in the amount of **\$73,000**, which shall be paid to the Commission within ten (10) days of the issuance of this Order. This amount includes \$34,000 in penalties pursuant to the Do Not Call Order, plus an additional \$39,000 in previously suspended penalties, pursuant to the Commission's Order D-26759(A). Additionally, if the fine is not paid within thirty (30) days, Southern Siding Co., Inc.'s Telephone Service Provider will commence disconnecting their phones.

BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA

November 30, 2004



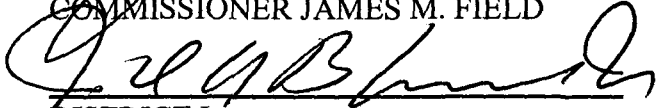
DISTRICT III
CHAIRMAN IRMA MUSE DIXON



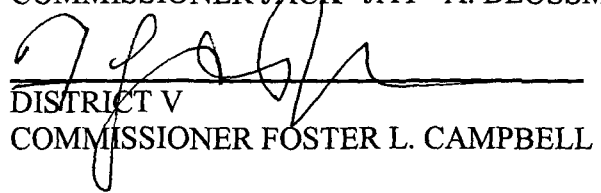
DISTRICT IV
VICE CHAIRMAN C. DALE SITTIG



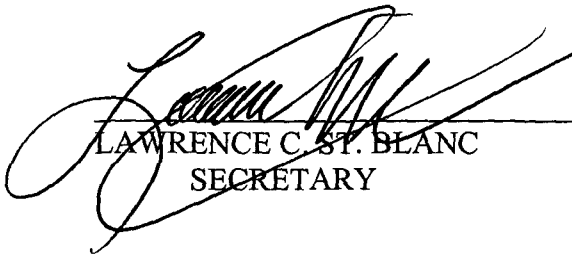
DISTRICT II
COMMISSIONER JAMES M. FIELD



DISTRICT I
COMMISSIONER JACK "JAY" A. BLOSSMAN



DISTRICT V
COMMISSIONER FOSTER L. CAMPBELL



LAWRENCE C. ST. BLANC
SECRETARY