APPENDIX 1

Appendix 1:

I.02-06-003, Ordering Paragraph 1, as modified by D.02-10-061

1. An investigation on the Commission's own motion is instituted into the operations of Cingular, and all of its subsidiaries or affiliates responsible for the conduct described above (Collectively, Respondents) to determine whether:

   (a) Respondents violated P.U. Code § 451 by failing to provide adequate, efficient, just and reasonable service as necessary to promote the safety and convenience of its customers and the public;

   (b) Respondents violated P.U. Code § 451 by rules pertaining to its charges and service to the public, which rules are unjust and unreasonable, defeating the reasonable expectations of the consumer;

   (c) Respondents violated P.U. Code § 451by failing to comply with standards (described in P.U. Code Section 2896 *inter alia*) that require all relevant, available, and accurate information to be provided to customers so that they can make an intelligent choice between similar services where such a choice exists;

   (d) Respondents violated P.U. Code §§ 451 and 702 and Ordering Paragraph 1(5) of D.95-04-028 by marketing and selling bundled packages of services and goods in a way that was illegal, and therefore unjust and unreasonable, under the consumer protection laws of the State of California, including the Song-Beverly Consumer Warranty Act (CC §§ 1792-1792.4), the Consumer Legal Remedies Act (CC §§ 1770), and Sections 2314-2316 of the California Commercial Cod;

   (e) Respondents violated P.U. Code §§ 451 and 702 and Ordering Paragraph 1(5) of D.95-04-028 by structuring their marketing and consumer contracts for bundled cellular service in ways that violate fundamental rules of honesty and fair dealing, prevent true competition in the consumer marketplace, and thus violate the standards developed under Section 17200 et seq. and 17500 et seq. of the California Business & Professions Code and Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45(a);

(f) Respondents violated P.U. Code § 2896 by failing to provide its customers with sufficient information upon which to make informed choices among wireless telecommunications services and providers, including but not limited to information regarding the provider's service options, pricing, and terms and conditions of service, and also by failing to provide reasonable statewide service quality standards.

(END OF APPENDIX 1)

APPENDIX 2

APPENDIX 2: MATRIX of CPSD and UCAN DECLARANTS (from Ex. 1, 5, 6, 200, 202; Tr. 610:13, 998:9)

NAME	Date & Point of Sale	Coverage Problems - No service/ltd service (includes no coverage & spotty coverage)	Capacity Problems (dropped calls & frequent network busy signals)	Voice Mail Problems	ETF	Activation Fees & Other Charges (including Sim card & service charges)	Customer Credits/Refunds	Phone Equipment Issues	Promised New Towers/Better Coverage
1) Pamela Anderson	approx 8/98	10/01: service problems began - missed 3 emergency calls, no coverage in areas of San Diego	from 10/01: frequent network busy signals		ETF prevented customer from canceling contract		2/02: received 2 free mos of service & 2 discounted mos of service		10/01: promised improved service after new towers built
2) Sarah Arnold	12/22/02: Cingular store - Mobile System Wireless	1/4/03: no service in Campo & Jacumba (east San Diego county)			Cingular waived $150 ETF & said agent waived also				1/03: told coverage will be available mid-year or before
3) Mel John Bator	6/24/00: PCS Smart Mart (customer thought it was a PBW store)	approx 6/24/00: 1st phone had no service (later improved to 20%) & 2nd phone had 20% service	7/00: dropped calls around town		told cancellation charge $150/phone, so didn't cancel until 1 yr contract expired	7/24/00: approx $250/phone charges also prevented customer from canceling 1 yr plan	8/29/00: after CPUC complaint (8/14/00), received $15/mo credit for 10 mo because of coverage problems & an addt'l $9.90/mo for 10 mo to offset charge for landlink to permit msg retrieval since no wireless reception at home	1 phone replaced & service improved from 0% to 20%	7/15/00: told of plans to install new cell sites
4) Lara Rosemary Buchanan	4/30/01: Best Buy	5/1/01 - 5/3/01 (phones returned): no coverage in office			5/3/01: ETF waived	initially, $36/phone activation fee waived for 3 of 4 phones; 6/4/01: charges for the 4th phone waived/credited back after CPUC complaint (5/24/01)			

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5) Karen Ann Busse	12/23/00: Good Guys	12/24/00 - 1/12/01 (phones returned): no or ltd service in or around home or in dorm room			1/12/01: $150/phone ETF waived	1/12/01: other charges not waived; 3/26/01: activation fees waived after CPUC complaints (2/9/01 & 3/15/01)			
6) Joanne Coxum	8/27/02: Cingular store	8/27/02 - 9/8/02 (phones returned): no service in or around home			9/8/2002: ETF waived because phone returned within the 1st 15 days	$35 waived (activation fee/charge for phone) after acct sent to 2 collection agencies			
7) Verna Lee Craig	11/10/01: Cingular store	from 11/10/01: spotty coverage in or around home	from 11/10/01: frequent network busy signal		customer felt "trapped" into 1 yr contract				promised new towers
8) Deborah Lynn Davis	11/99: PBW store; service with Cingular since 1998	2/00 - mid-00 (service cancelled): no signal in or around home/neighborhood after customer moved							told neighbor-hood targetted for upgrade
9) Mohamad Dashtizad	3/4/01: Cingular store (agent)	from 3/5/01: no service at home & spotty coverage while driving			$150 charged, later reversed (after contract reinstated)	activation fee waived after CPUC complaint (4/18/01)	service charge reduced by $10/mo after CPUC complaint		
10) Dermot Delaney	6/10/02: Buy.com	from 6/02: no service in or around home & neighborhood	from 6/02: dropped calls		ETF prevented customer from canceling 1 yr contract				

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11) Noori Dehnahi-Townsend	2/01: wireless store	from 2/01: no signal at office; from summer '01: poor coverage throughout San Diego		from 2/01: voicemail notices delayed	ETF prevented customer from canceling 1 yr contract				
12) Mary Dickerson	1/01: Mobile System Wireless	approx 2/01: no coverage at Colorado River area, contrary to representation in Calif			$1100 ETF (for 2 phones) prevented customer from canceling 1 yr contract - $150/phone to Cingular & $400/phone to agent; Cingular offered to waive ETF for 1 phone only				
13) Edward & Darrin Drucker	7/01: Cingular kiosk	from 7/01: ltd coverage around San Diego & on road trip to St. Louis, contrary to representation in Calif			ETF prevented customer from canceling 1 yr contract			3/18/02: phone replaced - did not improve service; approx 7/02: offered free upgrade if new 1 yr contract signed - customer refused	
14) Danique Fraser	8/28/2001: store unkown	from 8/28/01: missed calls, no signal in or around home, downtown San Diego, & other areas; initially only affected off-peak hours, but service degraded in 5/02	from 8/28/01: dropped calls & frequent network busy signals	from 5/02: voicemail not available or notices delayed	ETF prevented customer from canceling 1 yr contract		5/1/02: received $10 credit for network issues; 5/24/02: received $12/mo pro-ration until 8/28/02		

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15) Larry Geraci	approx 10/99: PBW (renewed 12/23/01)	from approx 2001: service degraded - no service in areas previously covered	5/13/02: dropped calls while driving through certain areas		7/02: $549 cancellation fee for 5 phones; 10/8/02: ETF credited back		10/8/02: last payment refunded	12/23/01: upgrade of 5 phones required new 1 yr contract - did not improve service - calls went through 40% of the time	told new cell sites being built
16) Mike J. George	approx 10/00	approx 10/00: no signal at home or at workplaces; spotty coverage while driving			ETF prevented customer from canceling 2 yr contract		11/9/02: overpayment refund	replaced phones - did not improve service	promised towers around San Diego
17) Anne Grillot	7/00: PBW store	10/00 - 11/00 (services cancelled 2/6/01): no coverage in Ohio, contrary to representation in Calif)			$150 ETF charged initially; 2/6/01: waived on day customer called PBW & after letter from attorney (1/16/01)	no waiver, even after CPUC complaint (2/6/01)			
18) Donna Halow	5/16/00: PCS Smart Mart	5/16/00 - 8/22/00 (phones returned & service cancelled): no signal in downtown SF or btwn SF & Sonoma counties, contrary to representation in SF			8/22/00: ETF charge; 2/16/01: waived after CPUC complaint (2/2/01)		9/00: charges for phone refunded		
19) Joan Howey	6/02: Cingular kiosk - Mobile System Wireless	prior to 6/02: on company phones - poor reception around home & work; after 6/02: same problems			Cingular waived $150 ETF, agent did not (agent $150 ETF not disclosed)		bill reduced to $64 at time of cancellation		told Cingular working on getting rid of dead zones at time of sale

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20) Russell Lyle Hurst	6/22/01: Cingular store	from 6/22/01: spotty coverage around town and no signal at home	from 6/22/01: dropped calls; frequent network busy signals		told $150 ETF applied to cancellation of 2 yr contract; waiver offered before CPUC complaint (9/18/02); customer stayed because of competitive rate plan		8/8/01, 10/17/01, 5/14/02, 9/17/02: received credits for charge on bill & dropped calls; received voicemail		promised new towers; approx 12/02: one built & service improved (signal at home now)
21) Deborah Gordon Johnson	approx 1996: SBC employee discount plan; 1/02: thought it was a Cingular Wireless store - actually not an authorized dealer	service degraded after Cingular took over PBW; weak signal in home	dropped calls in and around San Diego, contrary to representation of dropped calls only within metropolitan area of San Diego	calls do not go through to voicemail	ETF prevented customer from canceling 2 yr contract (signed in 1/02); approx 11/02: waived after CPUC complaint (9/13/02)		received $25 credit; approx 11/02: offered free unlimited service for 6 mos - customer declined	1/02 signed new contract in order to upgrade phones - service didn't improve	told new towers would be built
22) Jesse Jubal Johnson	5/98: PB Mobile; 6/14/02: PCS Smart Mart - new contract w/ Cingular Wireless to replace broken phone	5/01 - 5/02: service problems began; 6/14/02 - 7/11/02 (service cancelled): often no signal in Sacramento & Napa	5/01 - 7/11/02: frequent network busy signals & dropped calls when signal went through		told $150 ETF applied to cancellation of 1 yr contract; 7/11/02: waived & refunded service charge from 6/14/02 thru 7/11/02, after CPUC complaint (7/5/02)	$500 phone charge			6/02: promised new towers (renting service from AT&T in the meantime)

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23) Kelly Kauffman	approx 8/97	from approx 10/01: service problems began: no coverage in larger areas; from 1/02: phone often went into "Emergency Only" mode	from 3/02: frequent network busy signal	from 3/02: calls shunted straight to voicemail without ringing & notices delayed			8/7/02: after CPUC complaint (7/02), received 2 mos free service, 2 mos service @ 25/mo & $10/mo off all subsequent bills	phone settings changed, etc several times but service didn't improve	told new towers being built
24) John H. Keast	10/6/01: Parrot Cellular	no signal in and around home (up to 250 yds) & spotty coverage in town			customer declined to cancel service because uses phone internationally		after CPUC complaint (7/8/02), received 2 credits of $50 (8/2/02) & 3 of $25 (9/9/02)		8/2/02: told new antennas would be installed
25) Ian Langmore	11/18/00: Cingular AJB Inc dba Premier Wireless store; changing plans approx 4/01 required new 1 yr contract	from 11/18/00: poor reception on and around college campus; approx 12/01: service deteriorated; approx 7/02: service improved; 7/17/02: service cancelled	approx 12/01 - 7/02: dropped calls		11/20/00: Cingular agreed to waive ETF on 1st contract but Premier would not; customer retained service to avoid $150 for ETF; 4/25/02: Cingular agreed to prorate ETF on 2nd contract	11/20/00: $200 phone charge prevented customer from canceling 1 yr contract		3/30/01: replaced lost Sim Card no improvement	
26) Roger Larson	6/25/00: PCS Smart Mart	approx 7/23/00: no coverage outside Reno, contrary to representation in Calif; 6/25/00 - 8/8/02 (service cancelled): poor coverage in Hayward			8/8/00: told ETF waived after CPUC complaint (7/26/00); 9/4/00: ETF & other charges credited back	8/8/00: told charge for phone had to be negotiated w/ agent - agent would not waive; responsible for airtime used			

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27) Paul Levin	11/01 & 2/02: Parrot Cellular	11/01 - 9/02 (service cancelled): no signal inside apartment; ltd coverage in Washington, Oregon, & Vancouver	11/01 - 9/02: dropped calls		told $400 ETF would apply; later waived	no waiver of $38 activation fee	offered free service until 10/15/02 after complaint to BBB and CPUC (7/31/02); received $13.48 refund after cancellation		
28) George Luis Martinez, Jr	8/6/02: Cingular kiosk	from 8/6/02: no service at home, at campgrounds, or Linden, Calif; poor coverage around town	from 8/6/02: dropped calls		agent's ETF prevented customer from canceling 2 yr contract		10/2/02: credited 2 mos free service, after CPUC complaint (9/5/02)		
29) Mario Medrano	sometime in 2001	poor coverage & dead zones	dropped calls		ETF prevented customer from canceling 1 yr contract		received occasional credits		told new towers being built
30) Vicci Millsap/Janis V. Millsap	11/00: Cingular kiosk	from 11/00: no service at house or around neighborhood			customer has stayed w/Cingular because of inability to use phone w/ other carriers - wants service rectified		3/01 & 4/01: received several credits		
31) Joseph O'Donnell	sometime in 2002	spotty coverage			agent's $210 ETF prevented customer from canceling earlier; Cingular billed customer for $150 ETF, later waived		offered monthly service charge reduction of $5/mo	phone battery would not hold charge	

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32) Teri Paulsen/ Golden West Dental & Vision	3/30/01: Cingular sales rep	4/9/01 - 5/24/01 (service termination requested, but no response until 8/7/01): no signal in various parts of Calif and Las Vegas	4/01 - 5/24/01: dropped calls in various parts of Calif		8/20/01: customer filed informal CPUC complaint; 11/6/01: offered ETF waiver for phones w/ no more than 500 MOU - told remaining ETF would be $1,050; customer declined ETF waiver	paid $378.88 in activation fees			
33) Katherine Ramsey	11/29/00 PBW store	11/29/00 - 11/30/00 (phones returned): no coverage in or around home			approx 12/1/00: waived	12/12/00: no waiver (charges included Sim card fees), even after CPUC complaint (12/14/00)			
34) Toya Reece	1999 PBW; 5/02: new contract signed for phone replacement	service degraded after Cingular took over PBW - lost coverage in office & at home	dropped calls		customer wants out of 1 yr contract		after phone replaced, received credits of $60 off bills for 6 mos	told cleaning chip would improve service - it didn't; 5/02: phone replaced - service didn't improve	
35) Charles Rogers	5/02 or 6/02: authorized Cingular dealer	5/02 or 6/02 - 8/02 (service cancelled): dead zones & no service in northern Calif, contrary to representation of coverage in all of Calif	5/02 or 6/02 - 8/02: dropped calls		told $150 ETF applies to early cancellation; ETF neither billed nor waived, even after CPUC complaint (8/1/02)	told would have to pay for phone if contract cancelled (neither billed nor waived)			

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36) Mac Rogers	3/00: Good Guys	5/01: discovered no coverage in many spots	5/01: frequent network busy signals						
37) Nicole Schuler	4/01: Parrot Cellular	from 12/01: service deteriorated - almost no service during am/pm rush hours	from 12/01: frequent network busy signals during nights and weekends		told $150 ETF applies to early cancellation of 1 yr contract	told would have to pay for phone if contract cancelled			told Cingular investing lots of money in their infrastructure
38) Larry Edwin Scott	8/24/00: Parrot Cellular	8/24/00 - 11/17/00 (returned phone): no signal in dorm room, weak signal elsewhere	8/24/00 - 11/17/00: dropped calls		11/20/00: cancelled service, $150 charged; 4/2/01: refunded after CPUC complaint (2/18/01); agent waived ETF				9/30/00: told new transmitter tower being built
39) Colin Smith	3/14/01: PCS Smart Mart	from 3/14/01: no signal - around SF	from 3/14/01: frequent network busy signals	from 3/14/01: people can't leave msg in the evenings	customer didn't seek contract recession because likes Sim card technology				promised network upgrades
40) Ronald Hunter Smith	12/12/00: PBW store	12/13/00 - 12/15/00 (returned phones): no coverage in or around home office			12/15/00: store mgr took phones back & waived all charges	after 12/15/00: received monthly bills; Cingular said store mgr lacked authority to waive; bill later reduced to $117.90 & then reduced to $97 after CPUC complaint (5/14/01); customer paid to collection agency		12/13/00: 1 of 2 phones replaced, but service didn't improve	

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41) Afshin Sooferian	4/00: PBW store	7/00: realized poor coverage (no signal inside buildings & ltd service outside)			7/00: ETF prevented customer from canceling 1 yr contract	told would have to pay for phone if contract cancelled			
42) Suzanne Strache	11/13/00: PBW store	11/14/00 - 11/19/00 (returned phones): no signal in office or in home	11/14/00 - 11/19/00: dropped calls (connections only lasted 15 - 30 secs)		11/19/00: $150/phone ETF waived	11/19/00: no waiver of $36/phone activation fee and other charges; 1/29/01: waived after CPUC complaint (1/12/01)		11/15/00: Sim card replaced in both phones, but service didn't improve	
43) Katy Summerland	2/21/99: PBW store	from approx 3/99: spotty coverage around town & no signal on boat	from approx 3/99: dropped calls		$150 ETF prevented customer from canceling 1 yr contract	$179 phone charge prevented customer from canceling 1 yr contract (told would have to pay for phone if contract cancelled)	2/25/00: received 1 mo service charge credit after CPUC complaint (1/18/00); 3/29/00: received addt'l 3 mos service charge credit after 2nd CPUC complaint	9/15/99: lost phone, reprogrammed a friend's phone for use - no change in service	
44) Virginia Vogel	7/24/01: Cingular agent; later: Cingular store	from 7/24/01: no signal in areas of Oakland, Berkeley, San Francisco, Stanford, & Bay Area; spotty coverage in home (but lives in hilly area)	from 7/24/01: a few dropped calls		4/02: told $450 ETF applies (for 3 phones); 4/22/02: told ETF could be prorated over remaining contract mos		11/30/01: received $15 credit		11/30/01: promised better service after 1/02 because new towers would be built
45) Christin Waiton	10/00: PBW store	from 10/00: no coverage at home & emergency calls failed to connect			12/26/00 & 1/5/01: $300 ETF ($150/phone) prevented customer from canceling 1 yr contract		received $25 credit & $10/mo service charge reduction after CPUC complaint (2/8/01)		

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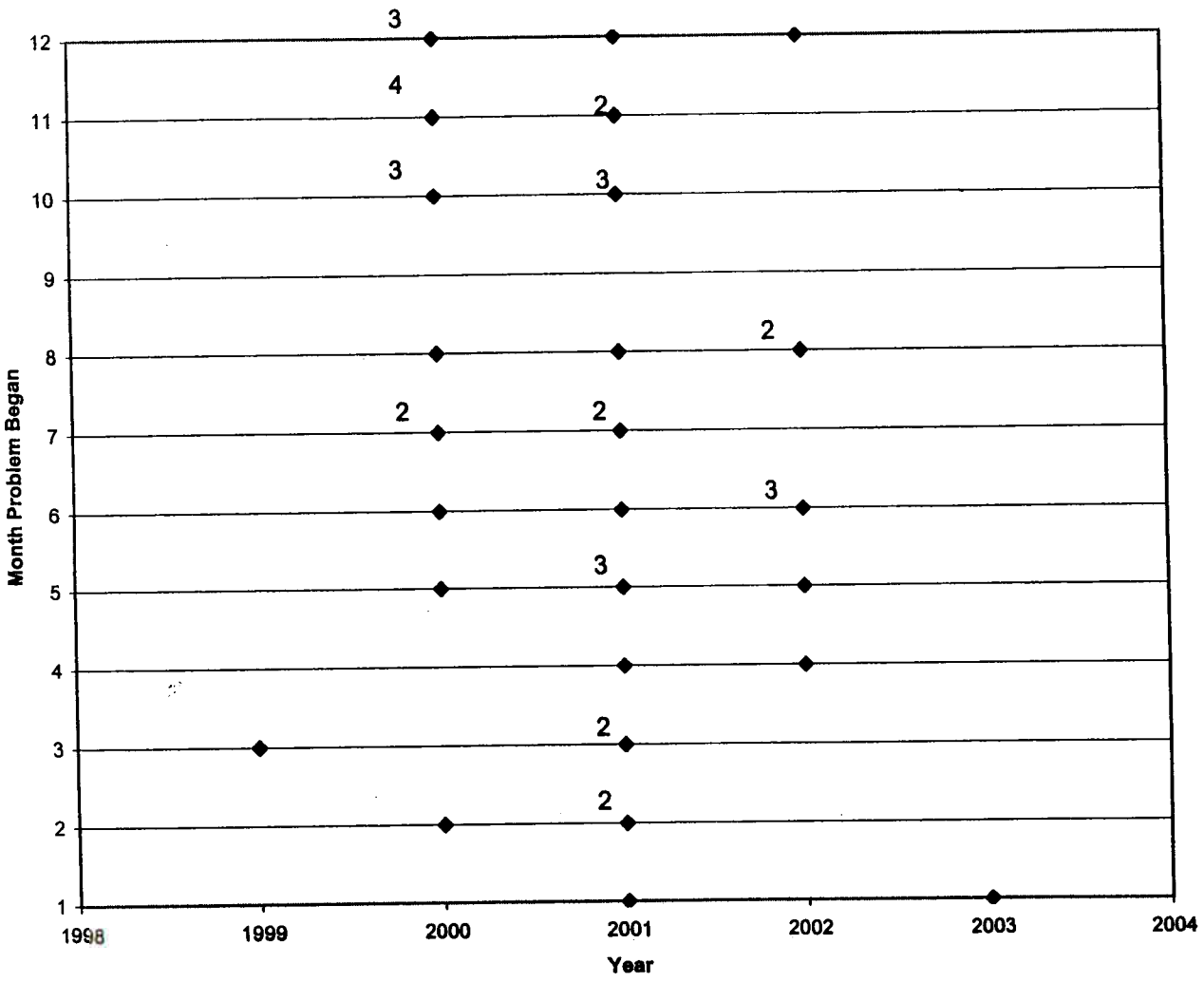
46) Cheryl Walker	12/02: Cingular store - Mobile System Wireless	approx 12/02: weak or no coverage at home	approx 12/02: dropped calls		Cingular waived $150 ETF, agent did not (agent $150 ETF not disclosed)			phone changed but service didn't improve	
47) Brian Whalen	4/27/02: The Mobile Solution; 5/22/02: contract renewed for equipment upgrade	from 4/27/02: no coverage at wife's office; spotty coverage at home		from 4/27/02: calls shunted directly to voicemail without phone ringing	$300 ($150/phone) ETF prevented customer from canceling	$400/phone to agent prevented customer from canceling		5/22/02: equipment upgraded	6/4/02: told of network upgrade
48) Charles Yamamoto	6/18/02: Cingular store - MS Wireless	from 6/18/02: no coverage at home or around college campus			told $900 ETF (for 3 phones) applies to early cancellation ($450 from Cingular & $450 from agent); approx 9/02: Cingular refused to waive, later waived; agent later reimbursed $50; 12/02: ETF reduced to $150				promised better coverage within 2 mos
49) Matthew Zumstein	12/00: Cingular kiosk; 12/01: Cingular store	from 12/00: no coverage at home & no signal on 2nd floor of office	from 12/00: dropped calls		told $150 ETF applies to early cancellation; kept phone to avoid changing cell phone #s, since no forwarding available		received credits for inability to use phone at home		12/01: extended contract because of promise of new towers

Appendix 3: Customer Witnesses' Service Quality Problems by Month and Year



Total Number of Complaints =	1	16	20	9	1

* Two witnesses had no dates listed

* One person's problems started sometime in 2001

* One person's problems started sometime in 2002

* Most people's problems terminated in a few months or when they cancelled their contracts

* Diamond = 1 complaint, unless otherwise specified by a number