

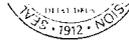


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**ARIZONA CORPORATION COMMISSION**

August 4, 2003

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Mr. Patrick Clisham  
AT&T  
320 E. Broadmoor Court  
Phoenix, AZ 85022

Arizona Corporation Commission

**DOCKETED**

AUG 06 2003

Re: Slamming and Cramming Rules  
Docket No. RT-00000J-99-0034

DOCKETED BY	
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Dear Mr. Clisham:

Thank you for your response to my letter regarding slamming and cramming. I understand your contention that since the independent contractor's telemarketing "slammer" was terminated, the episode is resounding vindication of your company's "zero tolerance" policy.

To best illustrate my concern, recall the famous statement of Peter Lorre, playing Captain Reynaud in the 1941 film classic *Casablanca*, "I am shocked to find gambling going on in these premises." The use of an independent contractor, a commission-obsessed telemarketer for which your company (arguably under prior law) bears no responsibility, combined with the fact that the relative profits are high, the prospects for detection remote and any serious consequence of slamming nil are all factors that led Mr. Haney to conclude the "culture" of the industry **breeds** this problem.

I happen to know Mr. Haney personally, and he is by no means anti-business. He (and I) simply feel that this is one area of American business where the general ethical constraints on business appear ineffectual. The remedy of filing a lawsuit in Superior Court for such infractions is unappealing, both for the consumer and the industry. Hence my view that processes should be put in place to discourage the improper conduct. The "culture" matter is well beyond my humble authority, but I believe I owe my constituents my best efforts to protect them from abuse such as suffered by Mr. Haney, and make a genuine effort to prevent its repetition.

I hope you understand that I have carefully considered the slamming issue for some time and I am therefore unimpressed by slogans such as "zero tolerance" where I feel the conduct not "tolerated" is in fact tolerated.

Very truly yours,

Marc Spitzer  
Chairman

cc: Docket Control