

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Excel Telecommunications, Inc.) File No. EB-99-TC-012
) NAL/Acct. No. X3217-004
)

ORDER

Adopted: April 20, 2000;

Released: April 25, 2000

By the Enforcement Bureau:

1. In this Order, we adopt a Consent Decree terminating an informal investigation regarding unauthorized preferred carrier charges (slamming) by Excel Communications, Inc. (Excel). The investigation was based on a large number of consumer complaints filed with the Commission.

2. The Bureau and Excel have negotiated the terms of a Consent Decree that would resolve this matter. A copy of the Consent Decree is attached and is incorporated by reference. As detailed in the Consent Decree, Excel has agreed, among other things, to make a voluntary contribution to the U.S. Treasury in the amount of four hundred thousand dollars (\$400,000), and to strengthen its slamming compliance and monitoring policies.

3. We have reviewed the terms of the Consent Decree and evaluated the facts before us. In light of Excel's commitment to be bound by various principles regarding its verification mechanisms and procedures for its independent representatives, as well as certain other pro-consumer steps and commitments, we believe that the public interest would be served by approving the Consent Decree and terminating the investigation.

4. Accordingly, IT IS ORDERED, pursuant to section 4(i) of the Communications Act, 47 U.S.C. § 154(i), and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, that the attached Consent Decree IS ADOPTED.

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5. IT IS FURTHER ORDERED that the above-captioned case as well as the Commission staff inquiry into the matter described herein ARE TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau