# VLA Associates, LLC

1075 Rosewood Drive, Grapevine, Texas 76051

ORIGINAL

November 19, 1999

FEORIDA PUBLIC SERVICE COMMISSION

99 NOV 24 AM 8: 37 MAIL ROOM

Florida Public Service Commission Docketing Division 2540 Shumard Oak Blvd. Tallahassee, Florida 32399

Re: Uni-Tel

991543-TI

Dear Sir:

This letter has the attached requested Tariff plus copies that were omitted from the original filing.

Please notify the undersigned regarding if there is any request for additional information.

Respectfully submitted,

VLA ASSOCIATES, LLC

Mark J. Angell

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## TITLE SHEET

#### FLORIDA TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of services and facilities for telecommunications services provided by United Technological Systems, Inc. d/b/a Uni-Tel, with principal offices at 8111 LBJ Freeway, Suite 1100, Dallas, Texas 75251. This tariff applies for services furnished within the state of Florida. This tariff is on file with the Florida Public Service Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.

Issued: November 10, 1999	Effective:

by:

# CHECK SHEET

Sheets 1 through 13 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

SHEET	REVISION
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Origina1
8	Original
9	Original
10	Original
11	Original
12	Original
13	Original

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<sup>\*</sup> New or Revised Sheet

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#### **SYMBOLS**

The following are the only symbols used for the purposes indicated below:

- D Delete or Discontinue
- I Change Resulting In An Increase to A Customer's Bill
- M Moved From Another Tariff Location
- N New
- R Change Resulting In A
  Reduction to A Customer's Bill
- T Change In Text or Regulation But No Change In Rate or Charge

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#### TARIFF FORMAT

- A. <u>Sheet Numbering</u> Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. <u>Sheet Revision Numbers</u> Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet revision on file with the FPSC. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the FPSC follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. <u>Paragraph Numbering Sequence</u> There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

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2.1.
2.1.1.
2.1.1.A.
2.1.1.A.1.
2.1.1.A.1.(a).
2.1.1.A.1.(a). I
2.1.1.A.1.(a). I.(i).
2.1.1.A.1.(a). I.(i).
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D. Check Sheets - When a tariff filing is made with the FPSC, an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this page if there are only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the FPSC.

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#### SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement which connects the consumer's location to a United Technological Systems, Inc. d/b/a Uni-Tel network switching center.

Authorization Code - A numerical code, one or more of which are available to a customer to enable him/her to access the carrier, and which are used by the carrier both to prevent unauthorized access to its facilities and to identify the customer for billing purposes.

Company or Carrier - United Technological Systems, Inc. d/b/a Uni-Tel.

Customer - The person, firm, corporation or other entity which orders service and is responsible for payment of charges due and compliance with the Company's tariff regulations.

Day - From 8:00 AM up to but not including 5:00 PM local time Monday through Friday.

Evening - From 5:00 PM up to but not including 11:00 PM local time Sunday through Friday.

Holidays - United Technological Systems, Inc. d/b/a Uni-Tel recognized holidays are New Year's Day, Christmas Day, July 4, Thanksgiving Day, and Labor Day.

Night/Weekend - From 11:00 PM up to but not including 8:00 AM Sunday through Friday, and 8:00 AM Saturday up to but not including 5:00 PM Sunday.

Billed Party - The party responsible for payment of charges applicable to interlata calls placed using United Technological Systems, Inc. d/b/a Uni-Tel services.

Called Station - The terminating point of a call (i.e. the called number).

Called Card - A card assigned by local telephone companies/Interexchange carriers which enables users to bill telephone calls to their telco account.

Commission - Florida Public Service Commission.

Consumer - See "End User".

End User - A consumer who places interlata calls using United Technological Systems, Inc. d/b/a Uni-Tel's services.

FCC - Federal Communication Commission.

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## SECTION 2 - RULES AND REGULATIONS

## 2.1. Undertaking of United Technological Systems, Inc. d/b/a Uni-Tel

United Technological Systems, Inc. d/b/a Uni-Tel services and facilities are furnished for communications originating at specific points within the state of Florida under terms of this tariff.

United Technological Systems, Inc. d/b/a Uni-Tel installs, operates, and maintains the communication service provided hereinunder in accordance with the terms And conditions set forth under this Tariff. It may act as the customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the customer, to allow connection of a customer's location to the United Technological Systems, Inc. d/b/a Uni-Tel network. The customer shall be responsible for all charges due for such service arrangement.

The Company's services and facilities are provided on a monthly basis unless ordered on a longer term basis, and are available twenty-four hours per day, seven days per week.

#### 2.2. Limitations

- 2.2.1. Service is offered subject to the availability of facilities and the provisions of this Tariff.
- 2.2.2. United Technological Systems, Inc. d/b/a Uni-Tel reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control; or when the customer is using service in violation of the law or the provisions of this Tariff
- 2.2.3. All facilities provided under this Tariff are directly controlled by United Technological Systems, Inc. d/b/a Uni-Tel and the customer may not transfer or assign the use of service or facilities, except with the express written consent of The Company. Such transfer or assignment shall only apply where there is no interruption of the use of service or facilities.

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## SECTION 2 - RULES AND REGULATIONS (Continued)

2.2.4. Prior written permission from The Company is required before any assignment or transfer. All regulations and conditions contained in this Tariff shall apply to all such permitted assignees or transferee, as well as all service conditions.

#### 2.3. Liabilities of The Company

- 2.3.1. United Technological Systems, Inc. d/b/a Uni-Tel's liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission occurring in the course of furnishing service or facilities, and not caused by the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which the aforementioned faults in transmission occur.
- 2.3.2. United Technological Systems, Inc. d/b/a Uni-Tel shall be indemnified and held harmless by the customer against:
  - (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over The Company's facilities.
  - (B) All other claims arising out of any act or omission of the customer in connection with any service or facility provided by United Technological Systems, Inc. d/b/a Uni-Tel

## 2.4. <u>Interruption of Service</u>

- 2.4.1. Credit allowance for the interruption of service which is not due to The Company's testing or adjusting, negligence of the customer, or to the failure of channels or equipment provided by the customer, are subject to the general liability provisions set forth in 2.3.1 herein. It shall be the obligation of the customer to notify The Company immediately of any interruption in service for which a credit allowance is desired. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission by the customer within his control, or is not in wiring or equipment, if any, furnished by the customer and connected to The Company's facilities.
- 2.4.2. For purposes of credit computation, every month shall be considered to have 720 hours.

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#### SECTION 2 - RULES AND REGULATIONS

- 2.4.3. No credit shall be allowed for an interruption of a continuous duration of less than two hours.
- 2.4.4. The customer shall be credited for a interruption of two hours or more at the rate of 1/720th of the monthly charge for the facilities affected for each hour or major fraction that the interruption continues. Credit Formula:

Credit =  $\frac{A}{720}$  x B

"A" - outage time in hours

"B" - total monthly charge for affected facility

## 2.5. Restoration of Service

The use and restoration of service shall be in accordance with the priority system specified in part 64 Subpart D of the Rules and Regulations of the Federal Communications Commission.

## 2.6. Deposits

The Company dose not require a deposit from the customer.

#### 2.7. Advance Payment

For customers whom The Company feels an advance payment is necessary, United Technological Systems, Inc. d/b/a Uni-Tel reserves the right to collect an amount not to exceed one (1) month's estimated charges as an advance payment for service. This will be applied against the next month's charges and if necessary a new advance payment will be collected for the next month.

#### 2.8. Taxes

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

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by:

S.K. Mohan, President Quantum Communications, Inc 8111 LBJ Freeway, Suite 1100 Dallas, Texas 75251

#### SECTION 2 - RULES AND REGULATIONS

## 2.9. Billing Arrangements

- 2.9.1. Charges for residential calls will be included on the party's local exchange carrier bill in accordance with billing and collections contracts established between United Technological Systems, Inc. d/b/a Uni-Tel's billing agent and applicable local exchange carriers all other calls will be direct billing to the billed party.
- 2.9.2. United Technological Systems, Inc. d/b/a Uni-Tel validates the credit-worthiness of billed parties through available validation procedures.
- 2.9.3. In the event of disputed charges, billed parties may contact United Technological Systems, Inc. d/b/a Uni-Tel directly at the posted toll- free number or may contact United Technological Systems, Inc. d/b/a Uni-Tel's billing agent at the toll-free number listed on the bill for charges.

#### SECTION 3 - DESCRIPTION OF SERVICE

## 3.1. <u>Timing of Calls</u>

The customer's long distance usage charge is based on the actual usage of United Technological Systems, Inc. d/b/a Uni-Tel's network. Usage begins when the called party picks up the receiver. When the called party picks up is determined by hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. When software answer supervision is employed, up to 60 seconds of ringing is allowed before it is billed as usage of the network. A call is terminated when either party hangs up.

## 3.2. <u>Time of Day Calculation</u>

Usage charges for all products are based on time of day associated with the originating time of the call.

Day rates are applied for calls originating from 8:00am to 5:00pm Monday through Friday. Non-Day rates are applied for calls originating after 5:00 pm to 7:59am Monday through Friday and all day Saturday and Sunday.

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#### SECTION 3 - DESCRIPTION OF SERVICE

#### 3.3. Minimum Call Completion Rate

A customer can expect a call completion rate of 98% (number of calls completed / number of calls attempted) of not less than 90% during peak use periods for all FG D services ("1+" dialing).

#### 3.4. Service Offerings

3.4.1. Uni-Tel Business

Uni-Tel Business is a flat rate, direct access service. This service is designed for businesses that conduct the majority of their business during the day.

3.4.2. Uni-Tel Residential

Uni-Tel Residential is a flat rate, direct access service. This service is designed for the residential user.

3.4.3. Uni-Tel 800

Uni-Tel 800 is a direct access, incoming only, flat rate offering. This is an inbound service only. The customer can use a regular telephone line to receive calls with this service.

3.4.4. Uni-Tel Travel Service

Uni-Tel Travel Service allows the customer to call an 800 access number and authorization code to gain access to Quantum Communications, Inc.'s network from any of the contiguous 48 states.

3.4.5. Uni-Tel Flat Rate

Uni-Tel Flat Rate is a flat rate product, direct access service. This service has the same rate regardless of time of day. It is available for both residential and business customers.

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#### SECTION 4 - RATES

#### 4.1. Uni-Tel Business

\$ .1250 flat rate day

\$ .1150 flat rate non-day

Installation Fee: none

Monthly Recurring charge: none

Calls are rounded to the next higher 1/10 minute for billing purposes.

## 4.2. Uni-Tel Residential

\$ .1400 flat rate day

\$ .1150 flat rate non-day

Installation Fee: none

Monthly Recurring charge: none

Calls are rounded to the next higher 1/10 minute for billing purposes.

## 4.3. <u>Uni-Tel 800</u>

\$ .1500 flat rate day

\$ .1400 flat rate non-day

Installation Fee: \$20.00

Monthly Recurring charge: \$10.00

Calls are rounded to the next higher 1/10 minute for billing purposes.

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#### SECTION 4 - RATES

## 4.4. Uni-Tel Travel Service

\$ .2900 flat rate day and non-day

No surcharge per call Installation Fee: \$10.00

Monthly Recurring charge: none

Calls are rounded to the next higher 1/10 minute for billing purposes.

## 4.5. Uni-Tel Flat Rate

\$ .1150 flat rate day and non-day

Installation Fee: None

Monthly Recurring charge: None

Calls are rounded to the next higher 1/10 minute for billing purposes.

## 4.6. Exemptions and Special Rates

# 4.6.1. Discounts for Hearing Impaired Customers

Intrastate toll message rates for TDD users, which is communicated using a telecommunications device for the deaf (TDD) by properly certified business establishments or individuals equipped with TDDs for communication with hearing or speech impaired persons, shall be evening rates for daytime calls and night rates for evening and night calls. These discounts shall be offered by all interexchange carriers and LECs.

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