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BOYD B. FERRIS  
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—  
ALISON B. FORCHE

FLORIDA PUBLIC SERVICE COMMISSION  
00 MAY 22 AM 8:59  
MAIL ROOM  
(614) 889-4777  
FAX (614) 889-6515  
E-Mail: info@lawsome.com

May 19, 2000

Florida Public Service Commission  
Division of Records and Reporting  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

DEPOSIT                      DATE  
D 2 97                      MAY 22 2000

000614-TI

Re: First Communications, LLC  
Application for Approval of Assignment of Existing Certificate

Dear Sir or Madame:

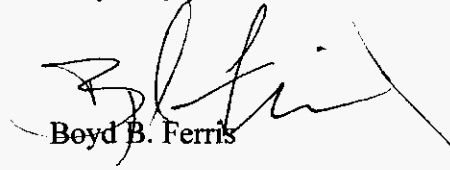
I am enclosing herewith for filing the original and six (6) copies of an Application for Approval of Assignment of Existing Certificate on behalf of First Communications, LLC. Please accept the same for filing.

Also enclosed herewith is a check made payable to the Florida Public Service Commission in the amount of Two Hundred Fifty Dollars (\$250.00) for the filing fee.

This transmittal letter is being provided in duplicate. Please receipt the copy thereof and return it to the undersigned in the enclosed, self-addressed, stamped envelope.

Thank you for your attention to this matter.

Very truly yours,



Boyd B. Ferris

BBF:prj  
Enclosures

cc: Mr. Thomas E. Williams, III  
Engineer IV  
Certification and Tariff Administration  
  
First Communications, LLC

DOCUMENT NUMBER-DATE  
06293 MAY 22 8  
FPSC-RECORDS/REPORTING

**\*\* FLORIDA PUBLIC SERVICE COMMISSION \*\***

**DIVISION OF TELECOMMUNICATIONS**  
**BUREAU OF CERTIFICATION AND SERVICE EVALUATION**

Application Form  
for Authority to Provide  
Interexchange Telecommunications Service  
Between Points Within the State of Florida

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Instructions

- ◆ This form is used as an application for an original certificate and for approval of assignment or transfer of an existing certificate. In the case of an assignment or transfer, the information provided shall be for the assignee or transferee (See Appendix A).
- ◆ Print or Type all responses to each item requested in the application and appendices. If an item is not applicable, please explain why.
- ◆ Use a separate sheet for each answer which will not fit the allotted space.
- ◆ Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of **\$250.00** to:

**Florida Public Service Commission  
Division of Records and Reporting  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
(850) 413-6770**

**Note: No filing fee is required for an assignment or transfer of an existing certificate to another certificated company.**

- ◆ If you have questions about completing the form, contact:

**Florida Public Service Commission  
Division of Telecommunications  
Bureau of Certification and Evaluation  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
(850) 413-6600**

1. This is an application for  $\sqrt{\quad}$  (check one):

( ) **Original certificate** (new company).

( ) **Approval of transfer of existing certificate:**

Example, a certificated company purchases an existing certificated company and desires to retain the authority of both certificates.

(X) **Approval of assignment of existing certificate:**

Example, a non-certificated company purchases an existing company and desires to retain the certificate of authority rather than apply for a new certificate.

( ) **Approval of transfer of control:**

Example, a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

2. Name of company:

First Communications, L.L.C.

3. Name under which applicant will do business (fictitious name, etc.):

Same

4. Official mailing address (including street name & number, post office box, city, state, zip code):

One Cascade Plaza, Suite 1350, Akron, Ohio 44308

5. Florida address (including street name & number, post office box, city, state, zip code):

None

6. Select type of business your company will be conducting  $\checkmark$ (check all that apply):

- Facilities-based carrier** - company owns and operates or plans to own and operate telecommunications switches and transmission facilities in Florida.
- Operator Service Provider** - company provides or plans to provide alternative operator services for IXCs; or toll operator services to call aggregator locations; or clearinghouse services to bill such calls.
- Reseller** - company has or plans to have one or more switches but primarily leases the transmission facilities of other carriers. Bills its own customer base for services used.
- Switchless Rebiller** - company has no switch or transmission facilities but may have a billing computer. Aggregates traffic to obtain bulk discounts from underlying carrier. Rebills end users at a rate above its discount but generally below the rate end users would pay for unaggregated traffic.
- Multi-Location Discount Aggregator** - company contracts with unaffiliated entities to obtain bulk/volume discounts under multi-location discount plans from certain underlying carriers, then offers resold service by enrolling unaffiliated customers.
- Prepaid Debit Card Provider** - any person or entity that purchases 800 access from an underlying carrier or unaffiliated entity for use with prepaid debit card service and/or encodes the cards with personal identification numbers.

7. Structure of organization;

- |  |  |
|--|--|
| <input type="checkbox"/> Individual  | <input type="checkbox"/> Corporation         |
| <input type="checkbox"/> Foreign Corporation                               | <input type="checkbox"/> Foreign Partnership |
| <input type="checkbox"/> General Partnership                               | <input type="checkbox"/> Limited Partnership |
| <input checked="" type="checkbox"/> Other <u>Limited Liability Company</u> |  |

8. **If individual**, provide:

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Internet E-Mail Address: \_\_\_\_\_

Internet Website Address: \_\_\_\_\_

9. **If incorporated in Florida**, provide proof of authority to operate in Florida:

(a) **The Florida Secretary of State Corporate Registration number:**

\_\_\_\_\_

10. **If foreign corporation**, provide proof of authority to operate in Florida:

(a) **The Florida Secretary of State Corporate Registration number:**

\_\_\_\_\_

11. **If using fictitious name-d/b/a**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida:

(a) **The Florida Secretary of State fictitious name registration number:** \_\_\_\_\_

12. **If a limited liability partnership**, provide proof of registration to operate in Florida:

(a) **The Florida Secretary of State registration number:** Applied for.

13. **If a partnership**, provide name, title and address of all partners and a copy of the partnership agreement.

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City/State/Zip:** \_\_\_\_\_

**Telephone No.:** \_\_\_\_\_ **Fax No.:** \_\_\_\_\_

**Internet E-Mail Address:** \_\_\_\_\_

Internet Website Address: \_\_\_\_\_

14. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable.

(a) **The Florida registration number:** \_\_\_\_\_

15. Provide **F.E.I. Number** (if applicable): 34-1870807

16. Provide the following (if applicable):

(a) Will the name of your company appear on the bill for your services?  
(  ) **Yes** (  ) **No**

(b) If not, who will bill for your services?

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City/State/Zip:** \_\_\_\_\_

**Telephone No.:** \_\_\_\_\_ **Fax No.:** \_\_\_\_\_

(c) How is this information provided?

\_\_\_\_\_  
\_\_\_\_\_

17. Who will receive the bills for your service?

( <input checked="" type="checkbox"/> ) Residential Customers	( <input checked="" type="checkbox"/> ) Business Customers
( <input type="checkbox"/> ) PATs providers	( <input type="checkbox"/> ) PATs station end-users
( <input type="checkbox"/> ) Hotels & motels	( <input type="checkbox"/> ) Hotel & motel guests
( <input type="checkbox"/> ) Universities	( <input type="checkbox"/> ) Universities dormitory residents
( <input type="checkbox"/> ) Other: (specify) _____	

18. Who will serve as liaison to the Commission with regard to the following?

(a) **The application:**

**Name:** Boyd B. Ferris  
**Title:** Attorney  
**Address:** 2733 W. Dublin-Granville Road  
**City/State/Zip:** Columbus, Ohio 43235-2798  
**Telephone No.:** (614) 889-4777 **Fax No.:** (614) 889-6515  
**Internet E-Mail Address:** bbferris@lawsome.com  
**Internet Website Address:** \_\_\_\_\_

(b) Official point of contact for the ongoing operations of the company:

**Name:** Joseph R. Morris  
**Title:** Secretary  
**Address:** 1 Cascade Plaza, Suite 1350  
**City/State/Zip:** Akron, OH 44308  
**Telephone No.:** (330) 252-2475 **Fax No.:** (330) 996-4569  
**Internet E-Mail Address:** \_\_\_\_\_  
**Internet Website Address:** \_\_\_\_\_

(c) Complaints/Inquiries from customers:

**Name:** Joseph R. Morris  
**Title:** Secretary  
**Address:** 1 Cascade Plaza, Suite 1350  
**City/State/Zip:** Akron, OH 44308  
**Telephone No.:** (330) 252-2475 **Fax No.:** (330) 996-4569  
**Internet E-Mail Address:** \_\_\_\_\_

**Internet Website Address:** \_\_\_\_\_

19. List the states in which the applicant:

(a) has operated as an interexchange telecommunications company.

None.

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(b) has applications pending to be certificated as an interexchange telecommunications company.

Ohio

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(c) is certificated to operate as an interexchange telecommunications company.

None.

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(d) has been denied authority to operate as an interexchange telecommunications company and the circumstances involved.

None.

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(e) has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.

None.

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(f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.

None.

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20. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(a) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, please explain.

N/A

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(b) an officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

N/A

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21. The applicant will provide the following interexchange carrier services  $\checkmark$  (check all that apply):

a.   x   **MTS with distance sensitive per minute rates**

       Method of access is FGA  
       Method of access is FGB  
       Method of access is FGD  
  x   Method of access is 800

b.        **MTS with route specific rates per minute**

       Method of access is FGA  
       Method of access is FGB  
       Method of access is FGD  
       Method of access is 800

c.  **MTS with statewide flat rates per minute (i.e. not distance sensitive)**

Method of access is FGA  
 Method of access is FGB  
 Method of access is FGD  
 Method of access is 800

d.  **MTS for pay telephone service providers**

e.  **Block-of-time calling plan (Reach Out Florida, Ring America, etc.).**

f.  **800 service (toll free)**

g.  **WATS type service (bulk or volume discount)**

Method of access is via dedicated facilities  
 Method of access is via switched facilities

h.  **Private line services (Channel Services)**  
(For ex. 1.544 mbs., DS-3, etc.)

i.  **Travel service**

Method of access is 950  
 Method of access is 800

j.  **900 service**

k.  **Operator services**

Available to presubscribed customers  
 Available to non presubscribed customers (for example, to patrons of hotels, students in universities, patients in hospitals).  
 Available to inmates

l. **Services included are:**

Station assistance  
 Person-to-person assistance  
 Directory assistance  
 Operator verify and interrupt  
 Conference calling

22. Submit the proposed tariff under which the company plans to begin operation. Use the format required by Commission Rule 25-24.485 (example enclosed).

See Attached.

23. Submit the following:

**A. Financial capability.**

The application **should contain** the applicant's audited financial statements for the most recent 3 years. If the applicant does not have audited financial statements, it shall so be stated.

The unaudited financial statements should be signed by the applicant's chief executive officer and chief financial officer affirming that the financial statements are true and correct and should include:

1. the balance sheet;
2. income statement; and
3. statement of retained earnings.

**NOTE:** *This documentation may include, but is not limited to, financial statements, a projected profit and loss statement, credit references, credit bureau reports, and descriptions of business relationships with financial institutions.*

Further, the following (which includes supporting documentation) should be provided:

1. **A written explanation** that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.
2. **A written explanation** that the applicant has sufficient financial capability to maintain the requested service.
3. **A written explanation** that the applicant has sufficient financial capability to meet its lease or ownership obligations.

**B. Managerial capability;** give resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

C. **Technical capability;** give resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.

**\*\* APPLICANT ACKNOWLEDGMENT STATEMENT \*\***

1. **REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of .15 of one percent of its gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$50 is required.
2. **GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of two and one-half percent on all intra and interstate business.
3. **SALES TAX:** I understand that a seven percent sales tax must be paid on intra and interstate revenues.
4. **APPLICATION FEE:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application.

**UTILITY OFFICIAL:**

<i>Joseph R. Morris</i>	May 18, 2000
Signature	Date
Joseph R. Morris	(330) 252-2475
Title	Telephone No.
Address: 1 Cascade Plaza, Suite 1350	(330) 996-4569
Akron, OH 44308	Fax No.

**ATTACHMENTS:**

- A - CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT
- B - CUSTOMER DEPOSITS AND ADVANCE PAYMENTS
- C - CURRENT FLORIDA INTRASTATE NETWORK
- D - AFFIDAVIT
  - FLORIDA TELEPHONE EXCHANGES AND EAS ROUTES
  - GLOSSARY

**CERTIFICATE TRANSFER, OR ASSIGNMENT STATEMENT**

I, (Name) \_\_\_\_\_  
(Title) \_\_\_\_\_ of  
\_\_\_\_\_ BNI Telecommunications, Inc.  
(Name of Company)

and current holder of Florida Public Service Commission Certificate Number

# 3567 \_\_\_\_\_, have reviewed this application and join in the petitioner's request for a:

( ) transfer

(  ) assignment

of the above-mentioned certificate.

**UTILITY OFFICIAL:**

Signature \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_ Telephone No. \_\_\_\_\_

Address: \_\_\_\_\_ Fax No. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CUSTOMER DEPOSITS AND ADVANCE PAYMENTS**

A statement of how the Commission can be assured of the security of the customer's deposits and advance payments may be provided in one of the following ways (applicant, please  check one):

- (  ) The applicant will **not** collect deposits nor will it collect payments for service more than one month in advance.
  
- (  ) The applicant intends to collect deposits and/or advance payments for more than one month's service and will file and maintain a surety bond with the Commission in an amount equal to the current balance of deposits and advance payments in excess of one month.  
(The bond must accompany the application.)

**UTILITY OFFICIAL:**

<u>Joseph R. Morris</u>	<u>May 18, 2000</u>
Signature	Date
<u>Secretary</u>	<u>(330) 252-2475</u>
Title	Telephone No.
Address: <u>1 Cascade Plaza, Suite 1350</u>	<u>(330) 996-4569</u>
<u>Akron, OH 44308</u>	Fax No.
_____	_____
_____	_____
_____	_____

**CURRENT FLORIDA INTRASTATE SERVICES**

Applicant **has** ( ) or **has not** (  ) previously provided intrastate telecommunications in Florida.

If the answer is has, fully describe the following:

a) What services have been provided and when did these services begin?

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b) If the services are not currently offered, when were they discontinued?

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**UTILITY OFFICIAL:**

<u>Joseph R. Morris</u>	<u>May 18, 2000</u>
Signature	Date
<u>Secretary</u>	<u>(330) 252-2475</u>
Title	Telephone No.
<u>Address: 1 Cascade Plaza, Suite 1350</u>	<u>(330) 996-4569</u>
<u>Akron, OH 44308</u>	Fax No.

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**AFFIDAVIT**

By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide alternative local exchange company service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

**Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083."**

**UTILITY OFFICIAL:**

<u>Joseph R. Morris</u>	<u>May 18, 2000</u>
Signature	Date
<u>Secretary</u>	<u>(330) 252-2475</u>
Title	Telephone No.
<u>Address: 1 Cascade Plaza, Suite 1350</u>	<u>(330) 996-4569</u>
<u>Akron, OH 44308</u>	Fax No.
_____	_____
_____	_____
_____	_____

TITLE PAGE  
FLORIDA TELECOMMUNICATIONS TARIFF  
OF  
BN1 TELECOMMUNICATIONS, INC.

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by BN1 Telecommunications, Inc. (BN1) within the state of Florida.

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Issued: May 25, 1994  
by: James Leedy, President  
BN1 Telecommunications, Inc.  
One Cascade Plaza, Ste. 1350  
Akron, Ohio 44308  
(800) 860-1261

Effective: July 19, 1994

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**CHECK SHEET**

Sheets 1 through 29, 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.

<u>SHEET</u>	<u>REVISION</u>
1	Original
2	Eleventh Revised*
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
12	Original
13	Original
14	Original
14.1	Original
15	Second Revised
16	Original
17	Original
18	Original
19	Original
20	Original
21	Original
22	Original
23	Original
23.1	Original
23.2	Original
23.3	Original
23.4	Original
24	Seventh Revised*
25	Fourth Revised*
26	Original
27	Fourth Revised*
28	Original
29	Original

\*Pages included with this filing.

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Issued: September 30, 1998

Effective: October 1, 1998

By: Charles K. Leedy, Executive Vice President  
BN1 Telecommunications, Inc.  
One Cascade Plaza, Ste. 1350  
Akron, OH 44308  
(800) 860-1261

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Issued: May 25, 1994  
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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

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Issued: May 25, 1994  
by: James Leedy, President  
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**TARIFF FORMAT**

A. Sheet Numbering - 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. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version 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 its 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. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

- 2.
- 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).(1).

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 these are the only changes made to it (i.e., the format, etc. remain 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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Issued: May 25, 1994  
by: James Leedy, President  
BN1 Telecommunications, Inc.  
One Cascade Plaza, Ste. 1350  
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(800) 860-1261

Effective: July 19, 1994

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**

**Access Line** - An arrangement which connects the customer's location to a carrier switching center or point of presence.

**Calling Card** - A billing convenience whereby the End User may bill the charges for a call to an approved telephone company-issued calling card. The terms and conditions of the local telephone company will apply to payment arrangements.

**Collect Billing** - A billing convenience whereby the originating caller may bill the charges for a call to the called party, provided the called party agrees to accept the charges.

**Commercial Credit Card** - A billing convenience whereby the End user may bill charges for a call to an authorized national charge card such as VISA or MasterCard.

**Company or Carrier** - BN1 Telecommunications, Inc. (BN1) unless otherwise clearly indicated by the context.

**Customer Dialed Calling Card Call** - A service whereby the End User dials all of the digits necessary to route and bill the call.

**Customer or End User** - The person, firm, corporation or other entity which initiated a call on the Company's network, or accepts billing for a call on the Company's network, subject to the terms and conditions of the Company's tariff regulations.

**Credit Card** - A billing convenience whereby the End User may bill the charges for a call to an authorized national charge card. The terms and conditions of the agreement between the credit card company and its patrons will apply to payment arrangements.

**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.

**FPSC** - Florida Public Service Commission

**Holidays** - Holidays observed by the Carrier are: New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

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**by:** James Leedy, President  
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**Effective:** July 19, 1994

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS (CONT'D.)**

**LEC - Local Exchange Company**

**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.

**Operator-Station Call** - A service whereby the originating End User requests the assistance of a Company operator to place or bill the call. Calls billed Collect or to a telephone company-issued Calling Card or to an authorized Credit Card are Operator-Station calls unless the call is placed on a Person-to-Person basis. Automated Calling Card calls are not Operator-Station calls.

**PATS** - A Pay Telephone instrument which is owned and operated by a person or company which is not a local exchange telephone company.

**Pay Telephone** - A telephone instrument equipped with a device that allows a charge to be made for each call.

**Person-to-Person Call** - A service whereby the originating End User specifies to the Company operator a particular person to be reached, or a particular station, room number, department, or office to be reached through a PBX attendant.

**Serving Wire Center** - A geographic point from which the vertical and horizontal coordinate is used in calculation of airline mileage for the purposes of rating a call.

**Subscriber** - The person, firm, partnership, corporation, or other entity who owns, leases, or manages the pay telephone, PBX, or other switch vehicle from which a Customer or End User places a call utilizing the services of the Company. The Subscriber has a pre-existing business arrangement with the Company and may also be a Customer or an End User.

**Third Party Billing** - a billing convenience by which the charges for a call may be billed to a telephone number that is different from the calling number and the called number.

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**Issued:** May 25, 1994  
**by:** James Leedy, President  
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Akron, Ohio 44308  
(800) 860-1261

**Effective:** July 19, 1994



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**SECTION 2 - RULES AND REGULATIONS****2.1 Undertaking of BN1 Telecommunications, Inc.**

BN1's services and facilities are furnished for communications originating at specified points within the state of Florida under terms of this tariff.

BN1 installs, operates, and maintains the communications services provided herein in accordance with the terms and conditions set forth under this tariff. BN1 may act as the Subscriber's agent for ordering access connection facilities provided by other carriers or entities, when authorized by the Subscriber, to allow connection of a Subscriber's location to the BN1 network. The Subscriber shall be responsible for all charges due for such service arrangement.

The Company's services and facilities are provided on a monthly basis unless otherwise provided, 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 the necessary facilities and equipment and subject to the provisions of this tariff.
- 2.2.2 BN1 reserves the right to discontinue or limit service when necessitated by conditions beyond its control, or when the Subscriber or Customer is using service in violation of provisions of this tariff, or in violation of the law.
- 2.2.3 The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.

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Issued: May 25, 1994  
by: James Leedy, President  
BN1 Telecommunications, Inc.  
One Cascade Plaza, Ste. 1350  
Akron, Ohio 44308  
(800) 860-1261

Effective: July 19, 1994

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.2 Limitations (Cont'd.)**

- 2.2.4 All facilities provided under this tariff are directly or indirectly controlled by BN1 and the Subscriber may not transfer or assign the use of service to facilities without the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.
- 2.2.5 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 transferees, as well as all conditions of service.

**2.3 Use**

Services provided under this tariff may be used for any lawful purpose for which the service is technically suited. Customers or Subscribers reselling or rebilling the Company's Florida intrastate service must have a Certificate of Public Convenience and Necessity as an interexchange carrier from the Florida Public Service Commission.

**2.4 Liabilities of the Company**

- 2.4.1 BN1's liability for damages arising out of mistakes, interruptions, omission, delays, errors, or defects in transmission which occur in the course of furnishing service or facilities, in no event shall exceed an amount equivalent to the proportionate charge to the Customer for the period during which the faults in transmission occur.
- 2.4.2 The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage), for any interruption, delay, error, omission, or defect in any service,

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.4 Liabilities of the Company (Cont'd.)**

- 2.4.2 facility or transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.
- 2.4.3 The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer and Subscriber against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copy-right or patent, unauthorized use of any trademark, tradename or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted or used by the Company under this tariff; or for any act or omission of the Customer or Subscriber; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use or removal of equipment or wiring provided by the Company, if not directly caused by negligence of the Company.
- 2.4.4 No agent or employee of any other carrier shall be deemed to be an agent or employee of the Company, except independent sales agents who may from time to time be employed by another carrier.
- 2.4.5 The Company shall not be liable for any defacement of or damages to the premises of a Subscriber resulting from the furnishing of service which is not the direct result of the Company's negligence.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.9 Installation and Termination**

Service is installed upon mutual agreement between the Subscriber and the Company. The agreement will determine terms and conditions of installation, termination of service, any applicable sales commission structure, and sales commission payment schedule. The service agreement does not alter rates specified in this tariff.

**2.10 Payment for Service**

All charges due by the Customer are payable to any agency duly authorized to receive such payments. The billing agency may be a local exchange telephone company, credit card company, or other billing service. Terms of payment shall be according to the rules and regulations of the agency and subject to the rules of regulatory agencies, such as the Florida PSC. Any objections to billed charges must be promptly reported to the Company's billing agent. Adjustments to Customer's bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate.

**2.11 Notice Requirements**

As long as required by the FPSC, Subscribers to BN1's Operator Services must disclose the following information to transient end users by displaying the information on stickers or tent cards provided by the company:

- \* InterLATA operation assisted service is provided by BN1 Telecommunications Inc.
- \* Operator Service Charge information is available at no charge from the BN1 operator.
- \* Calls may be charged to most telephone company calling cards or to major credit cards such as American Express, MasterCard or VISA.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.11 Notice Requirements (Cont'd.)**

- \* For dialing instructions and rates for intraLATA calling, please consult your local telephone directory or local telephone company operator.
- \* To make interLATA calls: Dial 9 + 0 + area code + telephone number.
- \* InterLATA rates may be obtained through a BN1 operator by dialing 9 + 00.

Any location surcharges for local or long distance calls will be billed by the hotel/motel and must be stated on the tent card.

When a local PBX functions differently than as stated above (i.e., does not use "9" for interLATA calls), the tent card will be changed to reflect the actual dialing pattern.

**2.12 Other Rules**

- 2.12.1 The Company reserves the right to refuse Third Party billing at its discretion.
- 2.12.2 The Company reserves the right to refuse to process Credit Card or Calling Card billed calls when authorization for use of the card cannot be validated.
- 2.12.3 The Company reserves the right to discontinue service, limit service, or to impose requirements on Subscribers as required to meet changing regulatory rules and standards of the FPSC.
- 2.12.4 The Company will not bill for Subscriber surcharges for non-PATS locations.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.13 Interruption of Service**

- 2.13.1 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 2.4. 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.
- 2.13.2 For purposes of credit computation, every month shall be considered to have 720 hours.
- 2.13.3 No credit shall be allowed for an interruption of a continuous duration of less than two hours.
- 2.13.4 The customer shall be credited for an 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 thereof that the interruption continues.

Credit Formula: 
$$\text{Credit} = \frac{A}{720} \times B$$

"A" - outage time in hours

"B" - total monthly charge for affected facility

**2.14 Restoration of Service**

- 2.14.1 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.

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**SECTION 3 - DESCRIPTION OF SERVICE**

**3.1 Timing of Calls**

- 3.1.1 Long distance usage charges are based on conversation time. BN1 will determine that a call has been established by signal from the terminating local telephone company. Where such signaling is unavailable, BN1 will determine that an initiated call has been answered after 60 seconds of ring time. Timing for Person-to-Person Calls (other than Collect) begins when the designated party comes on the line, or when the caller agrees to speak with a substitute party. A call is terminated when either party disconnects from the call.
- 3.1.2 Unless otherwise specified in this tariff, the minimum call duration for billing purposes is 1 minute.
- 3.1.3 Unless otherwise specified in this tariff, usage is measured in six (6) second increments for billing purposes.
- 3.1.4 There will be no billing applied for incomplete calls.

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**SECTION 3 - DESCRIPTION OF SERVICE (CONT'D.)****3.2 Calculation of Distance**

Usage charges for all mileage sensitive products are based on the airline distance between serving wire centers associated with the originating and terminating points of the call.

The serving wire centers of a call are determined by the area codes and exchanges of the origination and destination points.

The distance between the serving wire center of the Subscriber's equipment and that of the destination point is calculated by using the "V" and "H" coordinates found in NECA FCC Tariff No. 4, in the following manner:

- Step 1 - Obtain the "V" and "H" coordinates for the serving wire centers of the Subscriber's switch and the destination point.
- Step 2 - Obtain the difference between the "V" coordinates of each of the wire centers. Obtain the difference between the "H" coordinates.
- Step 3 - Square the differences obtained in Step 2.
- Step 4 - Add the squares of the "V" difference and "H" difference obtained in Step 3.
- Step 5 - Divide the sum of the square obtained in Step 4 by ten (10). Round to the next higher whole number if any fraction results from the division.
- Step 6 - Obtain the square root of the whole number obtained in Step 5. Round to the next higher whole number if any fraction is obtained. This is the distance between the serving wire centers.

Formula:

$$\sqrt{\frac{(V_1 - V_2)^2 + (H_1 - H_2)^2}{10}}$$

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**SECTION 3 - DESCRIPTION OF SERVICE (CONT'D.)****3.3 BN1 Long Distance Dial-Up Service**

- 3.3.1 BN1 Long Distance Service is offered to customers for calling within the state of Florida. Customers may originate and terminate calls via BN1 provided local business telephone lines. Subscriber's may originate calls in any BN1 switch site city by dialing the local access number and a six-digit access code before their desired long distance number. Calls are routed over the Company's leased and/or owned transmission and switching facilities to any valid NPA-NXX in the state of Florida.
- 3.3.2 BN1 Long Distance Service is provided for interLATA calling only. Zero minus "0-" and "0+" intraLATA calls will be routed to the Local Exchange Company.
- 3.3.3 At no additional cost, each Dial-Up customer can use an optional accounting code service by dialing two extra digits after each long-distance number for cost or accounting allocations. The monthly BN1 bill will separate the calls according to the six digit access number and/or the accounting codes.

**3.4 BN1 Universal Termination Wats**

- 3.4.1 Universal Termination Wats is a service that allows Wats termination for all of the United States and its possessions.
- 3.4.2 Universal Termination Wats can be accessed on a Dial-Up or a direct access line (DAL) basis.

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**SECTION 3 - DESCRIPTION OF SERVICE (CONT'D.)****3.5 BN1 Travel Access**

3.5.1 Service provided pursuant to a BN1 Travel Card is available.

**3.6 BN1 Rapid-Dial Service**

3.6.1 Rapid-Dial Service is BN1's trade name for an electronic network accessing device that dials the BN1 access number and adds the access code transparently.

3.6.2 Rapid-Dial Service requires the use of specific equipment for which there is an additional charge.

3.6.3 Rapid-Dial Service requires that a customer using the service be responsible for damage to the on-premise equipment up to the full replacement value of the equipment.

**3.7 BN1 Dedicated Access Line Service (DAL)**

3.7.1 DAL Service is a switched service that does not require access codes because customer identification is made by the DAL port authorization/location.

3.7.2 DAL Service requires that an access line be leased by the customer from the LEC and paid for by the customer.

**3.8 BN1 Inward Wats Extension**

3.8.1 Inward Wats Extension service is a dial-in-dial-out multipoint service which allows customers to originate calls from any location in the lower 48 states, the Virgin Islands and Puerto Rico.

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**SECTION 3 - DESCRIPTION OF SERVICE (CONT'D.)****3.8 BN1 Inward Wats Extension (Cont'd.)**

3.8.2 Authorized users of Inward Wats Extension service may include the general public since the customer elects to dedicate one telephone number at his location to be accessed by the calling party after dialing a BN1 network 800 access number and then entering a Wats Extension number. BN1 then routes the call to the customer's previously dedicated number, supplied by the customer.

**3.9 BN1 Miscellaneous and Special Services**

3.9.1 Field Checkout and Survey Visits may be requested to determine if subscriber provided equipment will properly interface with company's system and to make minor adjustments, if required.

3.9.2 Special Billing Arrangements

3.9.3 Space Rental at BN1 Switch Site for customer-owned or leased equipment.

3.9.3.A Space Rental at BN1 Switch Sites is available only if space is available.

3.9.4 Trouble Shooting at Customer's Premises to identify equipment that has malfunctioned.

3.9.5 Operator Services

3.9.5.A Customers' of BN1 may obtain operator services for intrastate interLATA calls for which various charges are set forth in Section 4. Operator services are available on a full-time basis, 24 hours a day, seven days a week. Terminal equipment accessing BN1 services will route operator assisted calls over designated BN1 switches served by BN1 operator centers. Calls requiring

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**SECTION 3 - DESCRIPTION OF SERVICE (CONT'D.)****3.9 BN1 Miscellaneous and Special Services (Cont'd.)****3.9.5 Operator Services (Cont'd.)****3.9.5.A (Cont'd.)**

operator intervention such as collect, third party bill, person-to-person and certain calling/credit card bills will be routed to an operator position by the processor. BN1 operators and automated interfaces will identify themselves audibly and distinctly to the end user at the beginning of each telephone call, again before connecting the call, before the billed party incurs any charge for the call. The operator will collect billing information and perform validation and call acceptance functions. If the call is authorized, the operator will release the call from completion and call timing will be performed in the processing switch. Automated interface calling card and credit card calls, i.e., where the authorized user dials all of the digits required to route and bill the call, are validated through an automated interface and if authorized will be completed without operator intervention.

**3.9.5.B Operator Assisted Call Types**

**3.9.5.B.1 Customer Dialed Calling/Credit Card:** Charges apply in lieu of Operator Station charges and in addition to the Measured Usage Charge for calls billed to a calling card or credit card where the authorized user dials all of the digits required to route and bill the call.

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SECTION 3 - DESCRIPTION OF SERVICE (CONT'D.)

3.9 BN1 Miscellaneous and Special Services (Cont'd.)

3.9.5 Operator Services (Cont'd.)

3.9.5.B Operator Assisted Call Types (Cont'd.)

3.9.5.B.2 Operator Station: Charges apply in addition to the Measured Usage Charge for calls requiring operator assistance. Unless otherwise tariffed, Operator Station charges encompass Collect and Calling Card or Credit Card calls that require assistance of an operator.

3.9.5.B.3 Third Number Bill: Charges apply in addition to the Measured Usage Charge and, where tariffed as a separate charge, in lieu of Operator Station charges, for calls billed to a number other than the calling number or called number.

3.9.5.B.4 Person-to-Person: Charges apply in addition to the Measured Usage Charge and in lieu of Operator Station charges for calls completed on a person-to-person basis.

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SECTION 3 - DESCRIPTION OF SERVICE (CONT'D.)

3.9 BN1 Miscellaneous and Special Services (Cont'd.)

3.9.5 Operator Services (Cont'd.)

3.9.5.C Operator Call Billing Arrangements

3.9.5.C.1 Collect Call: A billing arrangement by which the charge for a call may be billed to the called party, provided the called party accepts the charge.

3.9.5.C.2 Credit Card Call: A billing arrangement by which a call may be charged to an authorized credit card number, such as MasterCard, VISA, or American Express.

3.9.5.C.3 Person-to-Person: A billing arrangement whereby the person originating the call specifies to the Company operator a particular person to be reached. No charges are incurred unless the person is reached.

3.9.5.C.4 Calling Card: A card issued by local exchange companies which enables users to bill the company's charges to accounts established with the local exchange company.

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**SECTION 3 - DESCRIPTION OF SERVICE (CONT'D)****3.13 The Perfect "10" Distributor Discount Service****3.13.1 Description of Service**

The Perfect "10" Distributor Discount Service is a program offered to commercial accounts with minimal monthly billing exceeding Five Hundred Dollars (\$500.00).\*

**3.13.2 Eligibility**

This discount service is available to qualified commercial accounts willing to sign a 12-month service commitment with the Company. Qualified customers shall remain eligible for the program once the 12-month service commitment has expired, on a month-to-month basis.

**3.13.3 Early Termination Charges**

Any customer subscribing to this service and receiving the rates set forth herein, which terminates service prior to the expiration of its initial 12-month service commitment, shall be charged the difference between the rates set forth herein and the rates set forth in paragraph 3.2, for each of the months during which service was received pursuant to this program. The customer shall also be charged liquidated damages of Fifty Dollars (\$50.00) per month for each month remaining on the initial period of the agreement.

**3.13.4 Rates**

The maximum rates to be charged for service provided pursuant to this program shall be \$0.25 per minute. Current rates to be offered customers subscribing to this program shall be \$0.10 per minute for outbound service and \$0.10 per minute for inbound service.

\*The minimum usage requirement is currently waived.

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**SECTION 3 - DESCRIPTION OF SERVICE (CONT'D)****3.14 Pre-Paid Calling Services****3.14.1 Description of Service**

The company offers pre-paid telecommunications service that allows end-users to originate outbound intrastate calls through an access number and authorization code, whether manually or electronically dialed.

**3.14.2 Eligibility**

Pre-paid calling cards shall be available to every customer of the Company. Individual end-users will be furnished service pursuant to the terms and rates set forth in this section.

**3.14.3 Rates**

The rates applicable to Pre-Paid Calling Services shall be:

- a) For each card issued, there shall be a per call surcharge of \$0.185.
- b) The per-minute charge applicable for each card sold shall be: \$0.185.
- c) Each call shall be rounded to the next full cent.

**3.14.4 Billing**

For purposes of this section, timing of a billable call will begin when the called parties phone is answered and shall end when either the calling or called party hangs up. The billing increment shall be one (1) minute.

**3.14.5 Rechargeable Cards**

Rechargeable cards shall be made available for purchase at a rate-per-minute equal to the rates set forth in section 3.14.3 above.

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## SECTION 3 - DESCRIPTION OF SERVICE (CONT'D)

3.14 Pre-Paid Calling Services3.14.6 Card Expiration

Pre-Paid Calling Service cards shall expire on the expiration date printed on the card. Cards without a printed expiration date and with time remaining shall be considered active for a minimum of two (2) years from the date of first use or last recharge, whichever is later. The Company may declare a card inactive after the minimum time period has passed.

3.14.7 Refunds

For cards where a printed expiration date has not passed or are otherwise considered active, the Company shall provide a cash refund equal to the value remaining in the account in the event that the Company or the carrier providing the network access deactivates the Pre-Paid Calling Service. Additionally, the Company shall provide a cash refund or replacement card equal to the value remaining in the account when an end-user is unable to use the pre-paid service as a result of technical difficulties with the card or the service, the card being defaced; the magnetic strip having been demagnetized, or a similar problem. All refunds will be made within sixty (60) days of notification by the end-user. No refund shall be required when a card has legitimately expired or is lost or stolen.

3.14.8 Individually Negotiated Contracts

The Company may provide individually negotiated contract rates for Pre-Paid Calling Services to other certificated telephone companies, and in other instances where the Public Service Commission has authorized contract rates for specific offerings. In any such individually negotiated contract services, the following conditions shall apply:

- a) Such contracts will only be made available where the purchaser's calling volume exceeds \$100,000.
- b) The per-minute rate applicable to such contract service shall be \$0.185 per MOU.
- c) The customer purchasing network access shall pay the Company a deposit not to exceed three (3) months estimated minutes of use charges.

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SECTION 3 - DESCRIPTION OF SERVICE (CONT'd)

3.14 Pre-Paid Calling Services (CONT'd)

3.14.9 Surety Bond

Upon request by any customer purchasing in excess of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) monthly of this service, the Company will provide a surety bond for such service. The surety bond contemplated herein shall contain provisions rendering it null and void if the customer's purchases drop below the level of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in any month. Further, the Company shall not be obligated to provide such a surety bond in any jurisdiction where such a bond is prohibited.

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**SECTION 4 - RATES**

## 4.1 BN1 Long Distance Dial-Up Service Rates

Usage Charges: \$0.1270 per minute (R)

## 4.2 BN1 Universal Termination Wats Rates

Usage Charge: \$0.2740 per minute (R)

## 4.3 BN1 Travel Access

Usage Charge: \$0.2192 per minute (R)

Surcharge: \$0.15 per call

## 4.4 BN1 Rapid-Dial Service

Usage Charge: \$0.1370 per minute (R)

Equipment Charges: \$20.00 per month per location

Installation Charge: \$100.00 per location, non-recurring, which may be  
waived if customer agrees to pay for equipment for a minimum of one year.

## 4.5 BN1 Dedicated Access Line Service (DAL)

Usage Charge: \$0.1370 per minute (R)

Set-Up Fee: \$150.00 non-recurring

## 4.6 BN1 Inward Wats Extension

Usage Charge: \$0.1507 per minute (R)

Monthly Recurring Charge: \$25.00

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by: Charles K. Leedy, Executive Vice President

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**SECTION 4 - RATES (Cont'd.)**

4.7 BN1 Miscellaneous and Special Service Charges described in Section 3.9.1 and 3.9.4 will be charged on an hourly basis with a one hour minimum charge:

\* Hourly rate: \$35.00

\* The hourly rate applies from the time BN1 personnel are dispatched until the work is accomplished.

4.8 BN1 800 Service

Usage charge: \$ 0.1507 per minute (R)

4.9 Rate Discounts

4.9.1 Associations - Customers who are members of an association with which BN1 has reached an agreement may be provided a 7% discount applicable to usage charges.

4.9.2 Message Toll Calls Placed Through the Telephone Relay Service (TRS):

Intrastate toll calls received from the relay services will be discounted fifty percent (50%) off of the otherwise applicable rate for a voice nonrelay call, except that where either the calling or called party indicates that either party is both hearing and visually impaired, the call shall be discounted 60% off of the otherwise applicable rate for a voice nonrelay call. The discount applies to the time sensitive element of a charge for the call and does not apply to per call charges such as a credit card surcharge.

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**SECTION 4 - RATES (CONT'd.)****4.9 Rate Discounts (Cont'd.)****4.9.3 Hearing Impaired**

Intrastate toll message rates for TDD users (which is communication using a telecommunications device for the deaf (TDD) by properly certified hearing or speech impaired persons or 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 in those instances where rates are time-of-day sensitive.

**4.9.4 Holidays**

For operator service rates that are on a time of day basis, lower rates will apply on certain holidays. On Christmas Day (December 25), New Year's Day (January 1), Independence Day (July 4), Thanksgiving Day and Labor Day the evening rate is applicable unless a lower rate would apply.

**4.10 Operator Service Rates**

**4.10.1** The following rates are applicable to intrastate operator-assisted calls placed from telephones pre-subscribed to BN1. A set use charge of \$ 0.25 will be added to all calls which originate from a non-LEC pay telephone Subscriber's premises. Non-discounted

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SECTION 4 - RATES (Cont'd.)

4.10 Operator Service Rates (Cont'd.)

4.10.1 (Cont'd.)

operator handling charges are applicable to all calls, as shown below.

Mileage	DAY		EVENING		NIGHT/WEEKEND		
	1st Minute	Each Add'l. Min.	1st Minute	Each Add'l. Min.	1st Minute	Each Add'l. Min.	
0-10	.1735	.0822	.1301	.0616	.0868	.0412	(R)
11-22	.2375	.1461	.1780	.1095	.1233	.0731	(R)
23-55	.2466	.1991	.1850	.1493	.1415	.1042	(R)
56-124	.2466	.2010	.1850	.1506	.1448	.1083	(R)
125-292	.2466	.2065	.1850	.1551	.1471	.1129	(R)
293-430	.2466	.2101	.1850	.1576	.1484	.1129	(R)
431+	.2466	.2147	.1850	.1576	.1516	.1174	(R)

4.10.2 Operator Service Rates - Applicable Rate Periods

	Mon	Tues	Wed	Thur	Fri	Sat	Sun
8:00 AM							
to							
5:00 PM							
5:00 PM							
to							
11:00 PM							
11:00 PM							
to							
8:00 PM							

Issued: September 30, 1998

Effective: October 1, 1998

By: Charles K. Leedy, Executive Vice President  
 BN1 Telecommunications, Inc.  
 One Cascade Plaza, Ste. 1350  
 Akron, OH 44308  
 (800) 860-1261

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**SECTION 4 - RATES (CONT'd.)****4.11 Per Call Surcharges**

4.11.1 Per call surcharges are applicable to calls originated by Customers, based upon the type of call origination, i.e., operator assisted, person-to-person, station-to-station and credit card. Surcharges apply in all rate periods and are in addition to per minute of use charges.

4.11.1.A Operator Assistance Call Surcharge - applicable to calls originated to an operator for:

4.11.1.A.1	Operator-Station	\$1.00*
4.11.1.A.2	Operator Person-to-Person	\$2.50
4.11.1.A.3	Directory Assistance Charge per call	\$ .75**
4.11.1.A.4	Conference Service, per called station	\$2.50
4.11.1.A.5	Busy Line Verification	\$ .95
4.11.1.A.6	Busy Line Interruption	\$1.40

4.11.1.B Credit Card Call Surcharge - applicable to calls without operator assistance.

4.11.1.B.1 Per call \$ .80

\* Does not apply to calls where a customer cannot otherwise dial the call due to a) defective equipment or trouble on the network or (b) identifies himself or herself as handicapped and in need of assistance to make the call or c) the customer wants to make a credit card call that the customer is having difficulty making without operator assistance.

\*\* Not applicable to handicapped persons who are unable to use the telephone directory.

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Issued: May 25, 1994  
by: James Leedy, President  
BN1 Telecommunications, Inc.  
One Cascade Plaza, Ste. 1350  
Akron, Ohio 44308  
(800) 860-1261

Effective: July 19, 1994



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SECTION 4 - RATES (CONT'd.)

4.12 Emergency Calls

In the event that an emergency call is sent to BN1, no charge will apply to calls placed to recognized emergency agencies (such as fire, police, and poison control).

4.13 Directory Assistance Charges

4.13.1 Charges for Directory Assistance are not applicable to calls received from services furnished for the primary use of handicapped persons who are unable to use the telephone directory. Such persons must contact the Company for credit on their directory assistance calls.

Per Inquiry

Directory Assistance Usage Charge           \$ 0.40

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Issued: May 25, 1994  
by: James Leedy, President  
BN1 Telecommunications, Inc.  
One Cascade Plaza, Ste. 1350  
Akron, Ohio 44308  
(800) 860-1261

Effective: July 19, 1994

FERRIS & FERRIS  
 ATTORNEYS AT LAW  
 2733 WEST DUBLIN - GRANVILLE ROAD  
 COLUMBUS, OHIO 43235-2798

RECEIVED  
 FLORIDA PUBLIC  
 SERVICE COMMISSION  
 00 MAY 22 AM 8:59  
 MAIL ROOM  
 (614) 889-4777  
 FAX (614) 889-6515  
 E-Mail: info@lawsome.com

BOYD B. FERRIS  
 DAVID A. FERRIS  
 ALISON B. FORCHE

May 19, 2000

Florida Public Service Commission  
 Division of Records and Reporting  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL 32399-0850

DEPOSIT DATE  
 D297 MAY 23 2000

000614-TI

Re: First Communications, LLC  
 Application for Approval of Assignment of Existing Certificate

Dear Sir or Madame:

I am enclosing herewith for filing the original and six (6) copies of an Application for Approval of Assignment of Existing Certificate on behalf of First Communications, LLC. Please accept the same for filing.

Also enclosed herewith is a check made payable to the Florida Public Service Commission in the amount of Two Hundred Fifty Dollars (\$250.00) for the filing fee.

This transmittal letter is being provided in duplicate. Please receipt the copy thereof and return it to the undersigned in the enclosed, self-addressed, stamped envelope.

Thank you for your attention to this matter.

ORIGINAL DOCUMENT IS PRINTED ON CHEMICAL REACTIVE PAPER & HAS A MICROPRINTED BORDER

FIRST COMMUNICATIONS, LLC  
 1 CASCADE PLAZA, SUITE 1350  
 AKRON, OHIO 44308

NATIONAL CITY BANK  
 ASHLAND, OHIO

183511

56-389/412

183511

\*TWO HUNDRED FIFTY DOLLARS AND NO CENTS

DATE

AMOUNT

05/18/00

\*\*\*\*\*250.00\*

PAY TO THE ORDER OF  
 Florida Public Service Comm  
 Attn: Fiscal Services  
 2540 Shumard Oak Boulevard  
 Tallahassee FL 32399-0876  
 03-FLOPUB

FIRST COMMUNICATIONS, LLC  
 VOID AFTER 90 DAYS

DOCUMENT NUMBER DATE  
 06293 MAY 22 2000  
 2ND SIGNATURE REQUIRED FOR AMOUNTS EXCEEDING \$5,000

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

183511

REPORTING

FERRIS & FERRIS  
ATTORNEYS AT LAW  
2733 WEST DUBLIN - GRANVILLE ROAD  
COLUMBUS, OHIO 43235-2798

BOYD B. FERRIS  
DAVID A. FERRIS  
—  
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Thank you for your attention to this matter.

Very truly yours,

  
Boyd B. Ferris

BBF:prj  
Enclosures

cc: Mr. Thomas E. Williams, III  
Engineer IV  
Certification and Tariff Administration

First Communications, LLC

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward a copy of check to RAR with proof of deposit.

Initials of person who forwarded check:  
