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May 10, 2002

# Via Federal Express

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

RE:

Viva Telecom, L.L.C. Docket No.: 011593-TI

Our File No.: 7704-0003

## Dear Sir/Madam:

Enclosed for filing in your office please find seven copies of the following revised pages of Viva Telecom, L.L.C.'s tariff:

- 1. First Revised Page 2
- 2. First Revised Pages 17-24

The changes to the tariff reflect changes to Viva's existing rate structures as well as the introduction of several new rate structures.

If you have any questions, please contact me.

Very truly yours, Kilottin Steehally

Kristin S. Carnaby FOR THE FIRM

KSC:ksc Enc. #220083.1

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

## CHECK SHEET

The following sheets 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.

PAGE REVISION		
1 2	Original First Revised*	
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### SECTION 4 RATES AND CHARGES

## 4.1 <u>Viva Prepaid Calling Cards</u>

Viva Prepaid Calling Cards are available in various unit and dollar denominations. Many Viva Prepaid Calling Cards have the same rate structure even though they may have different names or different unit or dollar denominations. The rates and charges listed herein are based on the rate structure of the card, rather than the card name. Each of Viva's rate structures has been given a Tariff Identification Number. The Tariff Identification Number for a card's particular rate structure is printed on the back of the card. The rates, charges and billing increments listed herein are the maximum for the particular rate structure, and an End User may actually be charged lower rates and be subject to smaller billing increments than those listed. The rates include taxes that are calculated based on usage, but they do not include sales or excise taxes due at the point of purchase.

Viva will deduct an additional \$0.60 per call for calls made from payphones on all products contained herein.

Viva's Prepaid Calling Cards expire at a predefined period of time after the last call.

Viva will enter into agreements with Retailers or other distributors of its prepaid phone cards to discount the price of cards purchased by a particular Retailer or other distributor in order to induce the Retailer or other distributor to offer the cards to End Users. These distribution arrangements will not affect the rates charged to End Users of the cards. Viva may also enter into special arrangements with certain End Users who purchase cards in volume directly from Viva. Discounts on direct purchases will apply to intrastate rates.

## 4.1.1 Tariff Id. No. 5

Billing	Initial Minute	Each Additional Minute	
60 sec. increment	\$0.078	\$0.078	I
Service fee: \$1.00 <sup>1</sup>			

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Rates and Cha	arges, continued			
4.1.2	Tariff Id. No. 8			T
	Billing	Initial Minute	Each Additional Minute	
	60 sec. increment	\$0.078	\$0.078	•
	Service fee: \$0.35 <sup>1</sup>			
4.1.3	Tariff Id. No. 9			T
	Billing	Initial Minute	Each Additional Minute	
	60 sec. increment	\$0.09375	\$0.09375	
	Service fee: \$1.00 <sup>1</sup>			
4.1.4	Tariff Id. No. 15			D T
7.1.7	Billing	Initial Minute	Each Additional Minute	1 -
	-			1
	60 sec. increment	\$0.1665	\$0.1665	I
	Service fee: \$1.00 <sup>1</sup>			
4.1.5	Tariff Id. No. 16			T
	Billing	Initial Minute	Each Additional Minute	
	60 sec. increment	\$0.15	\$0.15	
	Service fee: \$0.50 <sup>1</sup>			
4.1.6	Tariff Id. No. 17			T
	Billing	Initial Minute	Each Additional Minute	
	60 sec. increment	\$0.21125	\$0.21125	
	Service fee: \$0.25 <sup>1</sup>			
				<del></del>

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## Rates and Charges, Continued T 4.1.7 Tariff Id. No. 18 Each Additional Minute Initial Minute Billing \$0.0145 \$0.0145 60 sec. increment Service fee: \$1.391 Surcharge: \$0.25<sup>2</sup> T 4.1.8 Tariff Id. No. 19 **Initial Minute** Each Additional Minute Billing \$0.0564 60 sec. increment \$0.0564 Service fee: \$0.50<sup>1</sup> Surcharge: \$0.25<sup>2</sup> T Tariff Id. No. 20 4.1.9 Initial Minute Each Additional Minute Billing \$0.0159 \$0.0159 60 sec. increment Service fee: \$1.001 Surcharge: \$0.29<sup>2</sup> T 4.1.10 Tariff Id. No. 22 Each Additional Minute Initial Minute Billing \$0.0228 60 sec. increment \$0.0228 Service fee: \$0.25<sup>1</sup>

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Surcharge: \$0.49<sup>2</sup>

## Rates and Charges, continued 4.1.11 Tariff Id. No. 23 T Billing Initial Minute Each Additional Minute \$0.03 60 sec. increment \$0.03 Service fee: \$0.50<sup>1</sup> Surcharge: \$0.49<sup>2</sup> 4.1.12 Tariff Id. No. 24 T Each Additional Minute **Initial Minute Billing** \$0.0348 60 sec. increment \$0.0348 Service fee: \$0.50<sup>1</sup> Surcharge: \$0.49<sup>2</sup> 4.1.13 Tariff Id. No. 26 T Each Additional Minute **Initial Minute** Billing \$0.0204 60 sec. increment \$0.0204 Service fee: \$0.501 Surcharge: \$0.59<sup>2</sup> T 4.1.14 Tariff Id. No. 27 Each Additional Minute Billing Initial Minute 60 sec. increment \$0.04485 \$0.04485

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Service fee: \$0.50<sup>1</sup> Surcharge: \$0.69<sup>2</sup>

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Rates and Ch	arges, continued			
4.1.15	Tariff Id. No. 28			T
	Billing	Initial Minute	Each Additional Minute	
	60 sec. increment	\$0.02185	\$0.02185	
	Service fee: \$0.25 <sup>1</sup> Surcharge: \$0.99 <sup>2</sup>			
4.1.16	Tariff Id. No. 29			T
	Billing	Initial Minute	Each Additional Minute	
	60 sec. increment	\$0.0972	\$0.0972	
	Service fee: \$0.59 <sup>1</sup> Surcharge: \$0.99 <sup>2</sup>			D
4.1.17	Tariff Id. No. 40			T
	Billing	Initial Minute	Each Additional Minute	
	60 sec. increment	\$0.107	\$0.107	
	Service fee: \$0.70 <sup>1</sup>			
4.1.18	Tariff Id. No. 41			T
	Billing	Initial Minute	Each Additional Minute	
	60 sec. increment	\$0.012	\$0.012	

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Service fee: \$0.70<sup>1</sup>

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## Rates and Charges, continued

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Billing Initial Minute Each Additional Minute

60 sec. increment \$0.0115 \$0.0115

Service fee: \$0.25<sup>1</sup> Surcharge: \$0.39<sup>2</sup>

# 4.1.20 Tariff Id. No. 51

BillingInitial MinuteEach Additional Minute60 sec. increment\$0.12798\$0.12798

Service fee: \$0.70<sup>1</sup>

## 4.1.21 Tariff Id. No. 52

Billing Initial Minute Each Additional Minute

60 sec. increment \$0.104 \$0.104

Service fee: \$2.45<sup>1</sup>

## 4.1.22 Tariff Id. No. 53

Billing Initial Minute Each Additional Minute
60 sec. increment \$0.13407 \$0.13407

Service fee: \$2.80<sup>1</sup>

## 4.1.23 Tariff Id. No. 54

BillingInitial MinuteEach Additional Minute60 sec. increment\$0.113\$0.113

Service fee: \$2.45<sup>1</sup>

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- The service fee is deducted in minutes once every five (5) days after first use.
- The surcharge is an additional charge per call, in addition to the per minute rate.

## 4.2 Billing Arrangements

# 4.2.1 Viva Prepaid Calling Card Charges

Charges for calls of this type will be prepaid upon purchase by the End User of a Viva Prepaid Calling Card.

## 4.2.2 Wholesale Calling Card Customers

- 4.2.2.A <u>Late Payment Charges.</u> Charges for these accounts will be invoiced on a monthly basis. Invoices will be due upon receipt, and delinquent 30 days thereafter. Delinquent accounts will accrue interest at the rate of 1.5% per month, or the highest rate authorized under Florida law.
- 4.2.2.B Return Check Charges. A return check charge of \$25.00 will be assessed for checks returned for insufficient funds if the face value does not exceed \$50.00, \$30.00 if the face value does exceed \$50.00 but does not exceed \$300.00, \$40.00 if the face value exceeds \$300.00 or 5% of the value of the check, whichever is greater. In the event of suit for payment, Viva may recover all its costs expended therein, including reasonable attorneys' fees.

### 4.3 Restoration of Service.

A reconnection fee of \$25.00 per occurrence is charged when Service is reestablished for End Users who had been disconnected for nonpayment.

## 4.4 Special Promotions

Viva, its agents and distributors may, from time to time, offer special promotions to End Users. End User credits may be issued for term commitments, special incentives and promotions, etc. Special promotions shall not be longer than 90 days for any 12-month period. Any special promotions otherwise subject to the jurisdiction of the FPSC will be filed with the Commission before implementation.

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# 4.5 <u>Special Handicap Provisions</u>

## 4.5.1 <u>Directory Assistance</u>

Florida Public Service Commission Rules and Regulations require Companies to void charges for the first 50 directory assistance calls initiated per billing cycle by handicapped persons. When calls are originated using a Viva Calling Card, it is impossible to distinguish handicapped persons because origination is not linked to a particular end user common line. However, if Viva modifies this tariff to include additional services which are linked to particular end user common lines in the future, this provision will be implemented.

## 4.5.2 Hearing and Speech Impaired Persons

The Viva Prepaid Calling Card rate per minute is not time or distance sensitive. Consequently, Florida Public Service Commission Rules and Regulations discount provisions for hearing impaired End Users requiring 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 TDD's for communications with hearing or speech impaired persons, shall be evening rates for daytime calls and night rates for evening and night calls, are not currently applicable. However, if the rate structure is modified to be time sensitive these provisions would be implemented.

## 4.5.3 <u>Telecommunications Relay Service</u>

Florida Public Service Commission Rules and Regulations require Companies to discount relay service calls by 50 percent off the otherwise applicable rate. When calls are originated using a Viva Prepaid Calling Card, it is impossible to distinguish a relay service call because origination is not linked to a particular end user common line. However, if Viva modifies this tariff to include additional services which are linked to particular end user common lines in the future, this provision will be implemented.

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