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**FILE**

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40  
08-528-TP-ACE

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April 17, 2008

**VIA OVERNIGHT DELIVERY**

Renee J. Jenkins  
Director of Administration  
Public Utilities Commission of Ohio  
180 E. Broad St.  
Columbus, OH 43215-3793  
(614) 466-3016

RECEIVED-DOCKETING DIV  
2008 APR 18 AM 9:43  
PUCO

Re: Earth Telecom, Inc. d/b/a Union Telecom USA  
Carrier Certification – ACE/CTS

Dear Ms. Jenkins:

Enclosed please find for filing an original and seven (7) copies of Earth Telecom, Inc. d/b/a Union Telecom USA 's Telecommunications Application Form for Routine Proceedings, along with the Telecommunications Supplemental Application Form for Carrier Certification and required exhibits.

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self-addressed, postage prepaid envelope.


If you have any questions, or if I may provide you with additional information, please do not hesitate to contact me. Thank you.

Respectfully submitted,

  
Lance J.M. Steinhart  
Attorney for Earth Telecom, Inc. d/b/a Union Telecom USA

Enclosures

cc: Maria Menendez

This is to certify that the images appearing are as  
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document delivered in the regular course of business.  
Technician  Date Processed 4-18-08

**The Public Utilities Commission of Ohio**  
**TELECOMMUNICATIONS APPLICATION FORM for ROUTINE PROCEEDINGS**  
(Effective: 01/18/2008)

In the Matter of the Application of Earth Telecom, Inc. )  
To Provide Resold Interexchange Services )  
throughout the State of Ohio )

TRF Docket No. 90-

Case No. 08-528-TP-ACE

NOTE: Unless you have reserved a Case # or are filing a Contract, leave the "Case No" fields BLANK.

Name of Registrant(s) Earth Telecom, Inc.

DBA(s) of Registrant(s)

Address of Registrant(s) 1688 Meridian Avenue, Suite 509, Miami Beach, Florida 33139

Company Web Address [www.uniontelecomusa.com](http://www.uniontelecomusa.com)

Regulatory Contact Person(s) Maria Menendez, President

Phone (305) 531-5218 Fax (305) 673-6938

Regulatory Contact Person's Email Address: n/a

Contact Person for Annual Report Maria Menendez, President

Phone (305) 531-5218

Address (if different from above)

Consumer Contact Information Maria Menendez, President

Phone (800) 585-0671

Address (if different from above)

Motion for protective order included with filing? ☐ Yes ☒ No

Motion for waiver(s) filed affecting this case? ☐ Yes ☒ No [Note: Waivers may toll any automatic timeframe.]

**Section I – Pursuant to Chapter 4901:11-6 OAC – Part I – Please indicate the Carrier Type and the reason for submitting this form by checking the boxes below. CMRS providers: Please see the bottom of Section II.**

NOTES: (1) For requirements for various applications, see the identified section of Ohio Administrative Code Section 4901 and/or the supplemental application form noted.

(2) Information regarding the number of copies required by the Commission may be obtained from the Commission's web site at [www.puco.ohio.gov](http://www.puco.ohio.gov) under the docketing information system section, by calling the docketing division at 614-466-4095, or by visiting the docketing division at the offices of the Commission.

Carrier Type <input type="checkbox"/> Other (explain below)	<input type="checkbox"/> ILEC	<input type="checkbox"/> CLEC	<input checked="" type="checkbox"/> CTS	<input type="checkbox"/> AOS/IOS
<b>Tier 1 Regulatory Treatment</b>				
Change Rates within approved Range	<input type="checkbox"/> TRF 1-6-04(B) (0 day Notice)	<input type="checkbox"/> TRF 1-6-04(B) (0 day Notice)		
New Service, expanded local calling area, correction of textual error	<input type="checkbox"/> ZTA 1-6-04(B) (0 day Notice)	<input type="checkbox"/> ZTA 1-6-04(B) (0 day Notice)		
Change Terms and Conditions, Introduce non-recurring service charges	<input type="checkbox"/> ATA 1-6-04(B) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-04(B) (Auto 30 days)		
Introduce or Increase Late Payment or Returned Check Charge	<input type="checkbox"/> ATA 1-6-04(B) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-04(B) (Auto 30 days)		
Business Contract	<input type="checkbox"/> CTR 1-6-17 (0 day Notice)	<input type="checkbox"/> CTR 1-6-17 (0 day Notice)		
Withdrawal	<input type="checkbox"/> ATW 1-6-12(A) (Non-Auto)	<input type="checkbox"/> ATW 1-6-12(A) (Auto 30 days)		
Raise the Ceiling of a Rate	Not Applicable	<input type="checkbox"/> SLF 1-6-04(B) (Auto 30 days)		
<b>Tier 2 Regulatory Treatment</b>				
Residential - Introduce non-recurring service charges	<input type="checkbox"/> TRF 1-6-05(E) (0 day Notice)	<input type="checkbox"/> TRF 1-6-05(E) (0 day Notice)		
Residential - Introduce New Tariffed Tier 2 Service(s)	<input type="checkbox"/> TRF 1-6-05(C) (0 day Notice)	<input type="checkbox"/> TRF 1-6-05(C) (0 day Notice)	<input type="checkbox"/> TRF 1-6-05(C) (0 day Notice)	
Residential - Change Rates, Terms and Conditions, Promotions, or Withdrawal	<input type="checkbox"/> TRF 1-6-05(E) (0 day Notice)	<input type="checkbox"/> TRF 1-6-05(E) (0 day Notice)	<input type="checkbox"/> TRF 1-6-05(E) (0 day Notice)	
Residential - Tier 2 Service Contracts	<input type="checkbox"/> CTR 1-6-17 (0 day Notice)	<input type="checkbox"/> CTR 1-6-17 (0 day Notice)	<input type="checkbox"/> CTR 1-6-17 (0 day Notice)	
Commercial (Business) Contracts	Not Filed	Not Filed	Not Filed	
Business Services (see "Other" below)	Detariffed	Detariffed	Detariffed	
Residential & Business Toll Services (see "Other" below)	Detariffed	Detariffed	Detariffed	

## Section I – Part II – Certificate Status and Procedural

<b>Certificate Status</b>	<b>ILEC</b>	<b>CLEC</b>	<b>CTS</b>	<b>AOS/IOS</b>
Certification (See Supplemental ACE form)		<input type="checkbox"/> ACE 1-6-10 (Auto 30 days)	<input checked="" type="checkbox"/> ACE 1-6-10 (Auto 30 days)	<input type="checkbox"/> ACE 1-6-10 (Auto 30 days)
Add Exchanges to Certificate	<input type="checkbox"/> ATA 1-6-09(C) (Auto 30 days)	<input type="checkbox"/> AAC 1-6-10(F) (0 day Notice)	CLECs must attach a current CLEC Exchange Listing Form	
Abandon all Services - With Customers	<input type="checkbox"/> ABN 1-6-11(A) (Non-Auto)	<input type="checkbox"/> ABN 1-6-11(A) (Auto 90 day)	<input type="checkbox"/> ABN 1-6-11(B) (Auto 14 day)	<input type="checkbox"/> ABN 1-6-11(B) (Auto 14 day)
Abandon all Services - Without Customers		<input type="checkbox"/> ABN 1-6-11(A) (Auto 30 days)	<input type="checkbox"/> ABN 1-6-11(B) (Auto 14 day)	<input type="checkbox"/> ABN 1-6-11(B) (Auto 14 day)
Change of Official Name (See below)	<input type="checkbox"/> ACN 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> ACN 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Change in Ownership (See below)	<input type="checkbox"/> ACO 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> ACO 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Merger (See below)	<input type="checkbox"/> AMT 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> AMT 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Transfer a Certificate (See below)	<input type="checkbox"/> ATC 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> ATC 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Transaction for transfer or lease of property, plant or business (See below)	<input type="checkbox"/> ATR 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> ATR 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
<b>Procedural</b>				
Designation of Process Agent(s)	<input type="checkbox"/> TRF (0 day Notice)	<input type="checkbox"/> TRF (0 day Notice)	<input type="checkbox"/> TRF (0 day Notice)	<input type="checkbox"/> TRF (0 day Notice)

## Section II – Carrier to Carrier (Pursuant to 4901:1-7), CMRS and Other

<b>Carrier to Carrier</b>	<b>ILEC</b>	<b>CLEC</b>		
Interconnection agreement, or amendment to an approved agreement	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)		
Request for Arbitration	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)		
Introduce or change c-t-c service tariffs,	<input type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)	<input type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)		
Introduce or change access service pursuant to 07-464-TP-COI	<input type="checkbox"/> ATA (Auto 30 day)			
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC <u>1-7-04</u> or <u>1-7-05</u> (Non-Auto)	<input type="checkbox"/> UNC <u>1-7-04</u> or <u>1-7-05</u> (Non-Auto)		
Pole attachment changes in terms and conditions and price changes.	<input type="checkbox"/> UNC <u>1-7-23(B)</u> (Non-Auto)	<input type="checkbox"/> UNC <u>1-7-05</u> (Non-Auto)		
<b>CMRS Providers</b> See <u>4901:1-6-15</u>		<input type="checkbox"/> RCC [Registration & Change in Operations] (0 day)		
		<input type="checkbox"/> NAG [Interconnection Agreement or Amendment] (Auto 90 days)		
<b>Other*</b> (explain)				

\*NOTE: During the interim period between the effective date of the rules and an Applicant's Detariffing Filing, changes to existing business Tier 2 and all toll services, including the addition of new business Tier 2 and all new toll services, will be processed as 0-day TRF filings, and briefly described in the "Other" section above.

All Section I and II applications that result in a change to one or more tariff pages require, at a minimum, the following exhibits. Other exhibits may be required under the applicable rule(s). ACN, ACO, AMT, ATC, ATR and CIO applications see the 4901:1-6-14 Filing Requirements on the Commission's Web Page for a complete list of exhibits.

Exhibit	Description:
A	The tariff pages subject to the proposed change(s) as they exist before the change(s)
B	The Tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked in the right margin.
C	A short description of the nature of the change(s), the intent of the change(s), and the customers affected.
D	A copy of the notice provided to customers, along with an affidavit that the notice was provided according to the applicable rule(s).

**Section III. – Attestation**

Registrant hereby attests to its compliance with pertinent entries and orders issued by the Commission.

**AFFIDAVIT**

***Compliance with Commission Rules and Service Standards***

I am an officer/agent of the applicant corporation, Earth Telecom, Inc. d/b/a Union Telecom USA, and am authorized to make this statement on its behalf.

I attest that these tariffs comply with all applicable rules, including the Minimum Telephone Service Standards (MTSS) Pursuant to Chapter 4901:1-5 OAC for the state of Ohio. I understand that tariff notification filings do not imply Commission approval and that the Commission's rules, including the Minimum Telephone Service Standards, as modified and clarified from time to time, supersede any contradictory provisions in our tariff. We will fully comply with the rules of the state of Ohio and understand that noncompliance can result in various penalties, including the suspension of our certificate to operate within the state of Ohio.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 8, 2008

at Miami Beach, Florida

Maria Menendez  
President

April 8, 2008

- This affidavit is required for every tariff-affecting filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.

**VERIFICATION**

I, Maria Menendez, verify that I have utilized the Telecommunications Application Form for Routine Proceedings provided by the Commission and that all of the information submitted here, and all additional information submitted in connection with this case, is true and correct to the best of my knowledge.

\* Maria Menendez, President

April 8, 2008

\*Verification is required for every filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.

***Send your completed Application Form, including all required attachments as well as the required number of copies, to:***

**Public Utilities Commission of Ohio  
Attention: Docketing Division  
180 East Broad Street, Columbus, OH 43215-3793**

*Or*

***Make such filing electronically as directed in Case No 06-900-AU-WVR***

**The Public Utilities Commission of Ohio**  
**TELECOMMUNICATIONS SUPPLEMENTAL APPLICATION FORM**  
**for CARRIER CERTIFICATION**

(Effective: 09/19/2007)

(Pursuant to Case Nos. 06-1344-TP-ORD and 06-1345-TP-ORD)

NOTE: This SUPPLEMENTAL form must be used WITH the  
TELECOMMUNICATIONS APPLICATION FORM for ROUTINE PROCEEDINGS.

In the Matter of the Application of  
Earth Telecom, Inc.  
To Provide Resold Interexchange Services  
throughout the State of Ohio

Case No. \_\_\_ - \_\_\_ -TP -

Name of Registrant(s) Earth Telecom, Inc.  
DBA(s) of Registrant(s)  
Address of Registrant(s) 1688 Meridian Avenue, Suite 509, Miami Beach, Florida 33139

Motion for protective order included with filing? ☐ Yes ☒ No

Motion for waiver(s) filed affecting this case? ☐ Yes ☒ No [Note: waiver(s) tolls any automatic timeframe]

**List of Required Exhibits**

**Tariffs: (Include all that apply)**

☒ Interexchange Tariff<sup>1</sup>

☐ Local Tariff<sup>1</sup>

☒ Carrier-to-Carrier (Access) Tariff

**Description of Services**

NOTE: All Facilities-Based carriers must file an Access Tariff.

☒ Service provisioned via Resale

☐ Service provisioned via Facilities

☐ Both Resold and Facilities-based

☒ Description of Proposed Services

☐ Statement about the provision of  
CTS services

☒ Description of the proposed  
market area

☒ Explanation of how the proposed  
services in the proposed market  
area are in the public interest.

☒ Description of the class of customers (e.g., residence, business) that the  
applicant intends to serve

**Business Requirements**

**Evidence of Registration with:**

☒ Ohio Department of Taxation

☒ Ohio Secretary of State<sup>2</sup> &  
Certificate of Good Standing

**Documentation attesting to the applicant's financial viability, including the following:**

- ☒ An executive Summary describing the applicant's current financial condition, liquidity, and capital resources. Describe internally generated sources of cash and external funds available to support the applicant's operations that are the subject of this certification application.
- ☒ Copy of financial statements (actual and pro forma income statement and a balance sheet). Indicate if financial statements are based on a certain geographical area(s) or information in other jurisdictions
- ☒ Documentation to support the applicant's cash and funding sources.

**Documentation attesting to the applicant's managerial ability and corporate structure, including the following:**

- ☒ Documentation attesting to the applicant's technical and managerial expertise relative to the proposed service offering(s) and proposed service area
- ☒ List of names, addresses, and phone numbers of officers and directors, or partners.
- ☒ Documentation indicating the applicant's corporate structure and ownership
- ☒ Information regarding any similar operations in other states.

<sup>1</sup> Detariffed services are regulated but not required to be filed in a tariff. For purposes of Certification, all detariffed services offered must be provided as an exhibit.

<sup>2</sup> Certification from Ohio Secretary of State (domestic or foreign corporation, authorized use of fictitious name, etc.), and Certificate of Good Standing is required.

- ☐ Verification that the applicant will maintain local telephony records separate and apart from any other accounting records in accordance with the GAAP.

**Documentation attesting to the applicant's managerial ability and corporate structure (cont'd):**

- ☐ Verification of compliance with any affiliate transaction requirements

**Documentation attesting to the applicant's proposed interactions with other Carriers**

- ☐ Explanation as to whether rates are derived through (check all applicable):
- ☐ interconnection agreement ☐ retail tariffs ☐ resale tariffs
- ☐ Explanation as to which service areas company currently has an approved interconnection or resale agreement.
- ☐ A notarized affidavit accompanied by bona fide letters requesting negotiation pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 and a proposed timeline for construction, interconnection, and offering of services to end users.

**Documentation attesting to the applicant's proposed interactions with Customers**

- ☐ Explanation of whether applicant intends to provide Local Services which require payment in advance of Customer receiving dial tone.
- ☐ Tariff sheet(s) listing the services and associated charges that must be paid prior to customer receiving dial tone (if applicable)
- ☒ A sample copy of the customer bill and disconnection notice the applicant plans to utilize.
- ☐ Provide a copy of any customer application form required in order to establish residential service, if applicable.
- ☐ For CLECs, List of Ohio ILEC Exchanges the applicant intends to serve  
(Use spreadsheet from: [http://www.puc.state.oh.us/puco/forms/form.cfm?doc\\_id=357](http://www.puc.state.oh.us/puco/forms/form.cfm?doc_id=357))
- ☐ If Mirroring the entire ILEC exchanges for both serving area and local calling areas, tariffs may incorporate by reference. If not mirroring the entire ILEC serving and/or local calling areas, the CLEC shall specifically define their service and local calling areas in the tariff.

**Affidavit**

I am an authorized representative of the applicant corporation Earth Telecom, Inc. d/b/a Union Telecom USA  
(Name)

and I am authorized to make this statement on its behalf. I attest that I have utilized the Telecommunications Supplemental Application Form for Carrier Certification provided by the Commission, and that all of the information submitted here, and all additional information submitted in connection with this case, is true and correct.

Executed on Maria Menendez, President 4/8/08

at Miami Beach, FL

Maria Menendez  
Maria Menendez, President

4/8/08  
(Date)

## **LIST OF EXHIBITS**

**EXHIBIT A – Interexchange Tariff**

**EXHIBIT B - Description of proposed services**

**EXHIBIT C– Description of the proposed Market Area**

**EXHIBIT D– Explanation of how the proposed services in the proposed market area are in the public interest**

**EXHIBIT E– Description of the class of customers (e.g., residence, business) that the applicant intends to serve**

**EXHIBIT F- Statement affirming that the registrant has notified the Ohio Department of Taxation of its intent to conduct operations as a telephone utility in the State of Ohio**

**EXHIBIT G- Certification from Ohio Secretary of State and Certificate of Good Standing**

**EXHIBIT H– Summary describing Earth Telecom, Inc. d/b/a Union Telecom USA 's current financial condition, liquidity and capital resources. Describe internally generated sources of cash and external funds available to support the applicant's operations that are the subject of this certification application**

**EXHIBIT I- Copy of financial statements (actual and pro forma income statement and a balance sheet). Indicate if financial statements are based on a certain geographical area(s) or information in other jurisdictions**

**EXHIBIT J– Documentation to support the applicant's cash and funding sources**

**EXHIBIT K– Documentation attesting to the applicant's technical and managerial expertise relative to the proposed service offering (s) and proposed service area**

**EXHIBIT L- List of names, addresses, and phone numbers of officers and directors, or partners**

**EXHIBIT M– Documentation indicating the Applicant's corporate structure and ownership**

**EXHIBIT N- Information regarding any similar operations in other states**

**EXHIBIT O– A sample copy of the customer bill and disconnection notice the applicant plans to utilize**

## **EXHIBIT A – Interexchange Tariff**

**Detariffed services are regulated but not required to be filed in a tariff. All detariffed services offered are provided as an exhibit attached hereto.**



**TITLE SHEET**

**OHIO TELECOMMUNICATIONS TARIFF**

**Tariff schedule applicable to Telecommunications Services furnished by Earth Telecom, Inc. ("Earth Telecom"), with principal offices at 1688 Meridian Avenue, Suite 509, Miami Beach, Florida 33139. This tariff applies for services furnished within the State of Ohio and is on file with the Ohio Public Utilities Commission. Copies may be inspected, during normal business hours, at the company's principal place of business.**

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**ISSUE DATE: April 18, 2008**

**EFFECTIVE DATE: May 19, 2008**

**Maria Menendez, President  
1688 Meridian Avenue, Suite 509  
Miami Beach, Florida 33139**

**Issued Under the Authority of the Public Utilities Commission of Ohio in Case No. \_\_\_\_-TP-ATA**

**CHECK SHEET**

The 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 sheet.

<u>SHEET</u>	<u>REVISION</u>
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original

\* New or Revised Sheet

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**ISSUE DATE: April 18, 2008****EFFECTIVE DATE: May 19, 2008**

**Maria Menendez, President  
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**ISSUE DATE: April 18, 2008**

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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 pages 11 and 12 would be page 11.1.

B. Sheet Revision Numbers: Revision numbers also appear in the upper right corner of each sheet where applicable. These numbers are used to indicate the most current page version on file with the Commission. For example, 4th Revised Sheet 13 cancels 3rd Revised Sheet 13. Consult the Check Sheet for the sheets 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 Commission, 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 sheets 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 sheet if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest Check Sheet to find out if a particular sheet is the most current on Commission file.

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**ISSUE DATE: April 18, 2008****EFFECTIVE DATE: May 19, 2008**

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**SYMBOLS**

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

- (C) to signify change in regulation
- (D) to signify a deletion
- (I) to signify a rate increase
- (L) to signify material relocated in the tariff
- (N) to signify a new rate or regulation
- (R) to signify a rate reduction
- (T) to signify a change in text, but no change in rate or regulation

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**ISSUE DATE: April 18, 2008**

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**Maria Menendez, President  
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Miami Beach, Florida 33139**

**Issued Under the Authority of the Public Utilities Commission of Ohio in Case No. \_\_\_\_-TP-ATA**

**SECTION 1 - GENERAL****1.1 Undertaking of the Company**

This tariff contains the regulations applicable to intrastate interexchange telecommunications services provided by the Company for telecommunications between points within the State of Ohio. All terms and conditions herein will comply with Ohio Minimum Telephone Service Standards. Services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff in compliance with limitations set forth in the Commission rules. The Company's services are provided on a statewide basis and are not intended to be limited geographically. The Company offers service to all those who desire to purchase service from the Company consistent with all of the provisions of this tariff. Customers interested in the Company's services shall file a service application with the Company which fully identifies the Customer, the services requested and other information requested by the Company. The Company 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 a service provided by the Company. The Customer shall be responsible for all charges due for such service arrangement.

The services provided by the Company are not part of a joint undertaking with any other entity providing telecommunications channels, facilities, or services, but may involve the resale of the Message Toll Services (MTS) and Wide Area Telecommunications Services (WATS) of underlying common carriers subject to the jurisdiction of this Commission.

**1.2 Responsibilities and Rights of the Customer**

Customers have certain rights and responsibilities under the Minimum Telephone Service Standards (Ohio Adm.Code 4901:1-5)(MTSS). These safeguards can be found in the Appendix to Ohio Adm.Code 4901:1-5-03, which is entitled "Telephone Customer Rights and Responsibilities". These rights and responsibilities include complaint handling, ordering or changing service, service repair, payment of bills, and disconnection and reconnection of service.

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**ISSUE DATE: April 18, 2008****EFFECTIVE DATE: May 19, 2008**

**Maria Menendez, President  
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**SECTION 1 – GENERAL (CONT'D.)**

**1.3 Late Charge**

A late fee of 1.5% monthly or the amount otherwise authorized by law, whichever is lower, will be charged on the undisputed portion of any past due balances. Late payment fees should not include interest on previously charged late payment fees. The late payment charge will not be applied to previous late payment charges that have been assessed but not yet paid for, but will apply to the accumulated services for which the customer is in arrears. Late payment charges will be applied without discrimination.

**1.4 Returned Check Charge**

A fee of \$25.00 will be charged whenever a check or draft presented for payment for service is not accepted by the institution on which it is written. The Company may waive the returned check charge under appropriate circumstances.

**1.5 Customer Complaints and/or Billing Disputes**

Customer inquiries or complaints regarding service or accounting may be made in writing or by telephone at any time to the Company at the below. There is no time limit for submitting disputes.

1688 Meridian Avenue, Suite 509  
Miami Beach, Florida 33139  
(800) 585-0671

If you have a complaint that is not resolved after you have called Earth Telecom, Inc. or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at [www.puco.ohio.gov](http://www.puco.ohio.gov).

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**ISSUE DATE: April 18, 2008**

**EFFECTIVE DATE: May 19, 2008**

**Maria Menendez, President  
1688 Meridian Avenue, Suite 509  
Miami Beach, Florida 33139**

**Issued Under the Authority of the Public Utilities Commission of Ohio in Case No. \_\_\_\_-TP-ATA**

**SECTION 1 – GENERAL (CONT'D.)**

Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at [www.pickocc.org](http://www.pickocc.org)

The Company will not collect attorney fees or court costs from Customers.

**1.6 Service Offerings**

A complete description of the services, rates & terms and conditions that are offered by the Company can be found on the Company's website at [www.uniontelecomusa.com](http://www.uniontelecomusa.com).

**1.7 Deposits**

The Company does not require deposits to commence service.

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**ISSUE DATE: April 18, 2008**

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1688 Meridian Avenue, Suite 509  
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**EXHIBIT B - Description of Proposed Services**

**See Exhibit A**

**EXHIBIT C– Description of the proposed Market Area**

**Applicant intends to provide service on a statewide basis.**

**EXHIBIT D— Explanation of how the proposed services in the proposed  
market area are in the public interest**

**Granting this application will promote the public interest by increasing competition in the provision of telecommunications services in Ohio. Earth Telecom, Inc. d/b/a Union Telecom USA will provide customers high quality, cost effective telecommunications service, with an emphasis on customer service. In addition to driving prices closer to costs, thereby ensuring just and reasonable rates, competition also promotes efficiency in the delivery of services and in the development of new services. These very real benefits work to maximize the public interest by providing continuing incentives for carriers to reduce costs, while simultaneously promoting the availability of potentially desirable services.**

**EXHIBIT E— Description of the class of customers (e.g., residence, business)  
that the applicant intends to serve**

**The Applicant intends to serve residential and business customers.**

**EXHIBIT F Statement affirming that the registrant has notified the Ohio Department of Taxation of its intent to conduct operations as a telephone utility in the State of Ohio**

**See Attached**

**Earth Telecom, Inc. d/b/a Union Telecom USA**  
**1688 Meridian Avenue, Suite #509**  
**Miami Beach, Florida 33139**  
**(305) 531-5218 (Phone)**

March 26, 2008

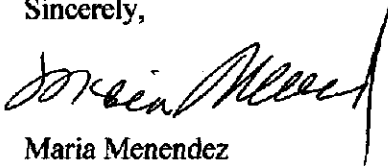
Ohio Department of Taxation  
c/o Public Utility Section  
21<sup>st</sup> Floor  
30 East Broad Street  
Columbus, OH 43215-3793  
(800) 282-1780

RE: Earth Telecom, Inc. d/b/a Union Telecom USA

Dear Sir/Madam:

Please be advised that the above referenced corporation intends to provide telecommunications service in the State of Ohio after receiving approval of its application filed with the Public Utilities Commission of Ohio.

Sincerely,



Maria Menendez  
President  
Earth Telecom, Inc. d/b/a Union Telecom USA

**EXHIBIT G- Certification from Ohio Secretary of State**

**See Attached**

**\*200810501568\***

DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
4/15/2008	200810501568	FOREIGN LICENSE/FOR-PROFIT (FLF)	125.00	.00	.00	.00	.00

**Receipt**

This is not a bill. Please do not remit payment.

EARTH TELECOM INC  
1688 MERIDAN AVE  
STE 509  
MIAMI BEACH, FL 33139

**STATE OF OHIO  
CERTIFICATE**

**Ohio Secretary of State, Jennifer Brunner**

**1773220**

It is hereby certified that the Secretary of State of Ohio has custody of the business records for  
**EARTH TELECOM, INC.**

and, that said business records show the filing and recording of:

Document(s):

**FOREIGN LICENSE/FOR-PROFIT**

Authorization to transact business in Ohio is hereby given, until surrender, expiration or  
cancellation of this license.

Document No(s):

**200810501568**



United States of America  
State of Ohio  
Office of the Secretary of State

Witness my hand and the seal of the  
Secretary of State at Columbus, Ohio  
this 11th day of April, A.D. 2008.

A handwritten signature in cursive script, appearing to read "Jennifer Brunner".

Ohio Secretary of State



**\*200810501570\***

DATE: 4/15/2008	DOCUMENT ID: 200810501570	DESCRIPTION: TRADE NAME/ORIGINAL FILING (RNO)	FILING: 50.00	EXPED: .00	PENALTY: .00	CERT: .00	COPY: .00
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**Receipt**

This is not a bill. Please do not remit payment.

EARTH TELECOM INC  
1688 MERIDIAN AVE  
STE 509  
MIAMI BEACH, FL 33139

**STATE OF OHIO  
CERTIFICATE**

**Ohio Secretary of State, Jennifer Brunner**

**1773147**

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

**UNION TELECOM USA**

and, that said business records show the filing and recording of:

Document(s):

**TRADE NAME/ORIGINAL FILING**

Date of First Use: 04/10/2008  
Expiration Date: 04/11/2013

Document No(s):

**200810501570**

EARTH TELECOM, INC.  
1688 MERIDIAN AVENUE  
STE 509  
MIAMI BEACH, FL 33139



United States of America  
State of Ohio  
Office of the Secretary of State

Witness my hand and the seal of the  
Secretary of State at Columbus, Ohio  
this 11th day of April, A.D. 2008.

A handwritten signature in cursive script, reading "Jennifer Brunner".

Ohio Secretary of State

**EXHIBIT H– Summary describing Earth Telecom, Inc. d/b/a Union Telecom USA ‘s current financial condition, liquidity and capital resources. Describe internally generated sources of cash and external funds available to support the applicant’s operations that are the subject of this certification application**

**See Exhibit I**

**EXHIBIT I- Copy of financial statements (actual and pro forma income statement and a balance sheet). Indicate if financial statements are based on a certain geographical area(s) or information in other jurisdictions**

**EARTH TELECOM INC**  
**Balance Sheet**  
**As of December 31, 2007**

	<u>Dec 31, 07</u>
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
EARTH TELECOM INC	<u>9,674.44</u>
Total Checking/Savings	<u>9,674.44</u>
Accounts Receivable	
ACCTS RECEIVABLE	<u>199,523.45</u>
Total Accounts Receivable	<u>199,523.45</u>
Total Current Assets	<u>209,197.89</u>
<b>TOTAL ASSETS</b>	<u><b>209,197.89</b></u>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Other Current Liabilities	
ACCOUNTS RECEIVABLE-DEPOSITS	<u>164,448.17</u>
Total Other Current Liabilities	<u>164,448.17</u>
Total Current Liabilities	<u>164,448.17</u>
Total Liabilities	164,448.17
Equity	
Opening Bal Equity	100.00
Net Income	<u>44,649.72</u>
Total Equity	<u>44,749.72</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><b>209,197.89</b></u>

**EARTH TELECOM INC**  
**Profit & Loss**  
**January through December 2007**

	<u>Jan - Dec 07</u>
<b>Ordinary Income/Expense</b>	
Income	
<b>ACCOUNTS RECEIVABLE</b>	34,474.22
<b>Sales</b>	<u>200,000.00</u>
<b>Total Income</b>	<u>234,474.22</u>
Expense	
Automobile Expense	4,612.02
Bank Service Charges	622.00
<b>COMMISSIONS</b>	103,081.82
<b>CREDIT CARD CHARGES</b>	2,902.90
<b>DUES &amp; SUBSCRIPTIONS</b>	34.95
<b>SALES COMMISSIONS</b>	81,765.19
<b>MISCELLANEOUS SUPPLIES</b>	778.68
<b>Office EXPENSES</b>	3,848.26
<b>POSTAGE &amp; DELIVERY</b>	3,585.64
Telephone Expense	1,005.21
Travel Expense	<u>7,587.83</u>
<b>Total Expense</b>	<u>189,824.50</u>
Net Ordinary Income	<u>44,649.72</u>
Net Income	<u><u>44,649.72</u></u>

**EXHIBIT J- Documentation to support the applicant's cash and funding sources**

**See Exhibit I**

**EXHIBIT K- Documentation attesting to the applicant's technical and managerial expertise relative to the proposed service offering (s) and proposed service area**

**See attached biographical information**

636 East 42<sup>nd</sup> Street  
Hialeah, Florida 33013  
Phone Res 305-685-3646  
Cellular 305-323-7449

mm@TELCOUS.COM  
mm@UNIONTELECOM.COM

MARIA MENENDEZ

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**OBJECTIVE:** A challenging position in an organization where I can contribute my leadership abilities, communication skills and vast experience in the financial and administration arena.

**EDUCATION:**

Florida International University, Miami, Florida	1988
<b>Bachelor Business Administration, Finance and Marketing</b>	
Miami Dade Jr. College, Miami, Florida	1983
<b>Associate in Arts</b>	
Escuela Profesional de Comercio, Havana, Cuba	1961
<b>Bookkeeper</b>	

**PROFESISONAL EXPERIENCE:**

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1993 Present	World Pass Communications Corporation/MCG LLC/ <i>EARTH TELECOM INC</i> Miami, Florida Responsible for accounts payable, accounts receivables payroll and tax reporting <i>for COMMUNICATIONS</i>
1976 - 1993	Federated Department Stores Miami, Florida Responsible for ensuring excellent shortage results and accurate merchandise information through the training and monitoring of personnel. During the length of my employment, I acquired a vast experience in the different facets of the business. From Financial Analyst, including payroll, productivity analyst, expense control and budgeting.
1962 - 1976	Pathman Companies Surfside, Florida Bookkeeper responsible for the upkeep of accounting books of all four companies. Insurance, Mortgage, Real Estate and Retail Store.
OTHER	Fully bilingual - English/Spanish

2



**EXHIBIT L- List of names, addresses, and phone numbers of officers and directors, or partners**

**Officers**

**Maria Menendez**

**President**

**Directors**

**Maria Menendez**

**1688 Meridian Avenue, Suite 509  
Miami Beach, Florida 33139  
(305) 531-5218 (Phone)**

**EXHIBIT M– Documentation indicating the Applicant’s corporate structure and ownership**

**Applicant is a Florida Corporation  
Applicant’s ownership is as follows:**

**Name and percentage owned**

Maria Menendez	100%
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**EXHIBIT N- Information regarding any similar operations in other states**

The Applicant has not been previously certified in the State of Ohio. Earth Telecom is not currently authorized to provide interexchange service. Applicant has not been denied authority for any of the services for which it seeks authority in this Application.

**EXHIBIT O— A sample copy of the customer bill and disconnection  
notice the applicant plans to utilize**

**See Attached**

## Sample Bill

**Customer:** [Insert Customer's Name]

**Address:** [Insert Address]

**Account No.:** [Insert account number or phone number]

Billing Date	Billing Period	Date Due

### **EARTH TELECOM, INC. D/B/A UNION TELECOM USA**

1688 Meridian Avenue, Suite 509

Miami Beach, Florida 33139

FOR BILLING INQUIRIES: 1-XXX-XXX-XXXX

FOR SERVICE INQUIRIES: 1-XXX-XXX-XXXX

[www.uniontelecomusa.com](http://www.uniontelecomusa.com)

Description	Rate	Quantity	Amount
Current Month's Charges			
Credits applied to account:			
Unpaid charges from previous bill:			
Late payments:			
Charges for regulated competitive service:			
Non-Recurring, fractional or nonbasic service charges:			
Charges for nonregulated services or products:			
Taxes and surcharges: [include summary]			
9-1-1 charges:			
An itemization of local and/or toll charges is attached.			
Total Due	\$		

Please remit this bill via U.S. Mail to the address listed on this invoice.

If your complaint is not resolved after you have called Earth Telecom, Inc. d/b/a Union Telecom USA, or for general utility information, residential and business customers may call the Public Utilities Commission of Ohio (PUCO), toll free at 1-800-686-7826 or for TDD/TYY toll free at 1-800-686-1570 from 8:00 a.m. to 5:30 p.m. weekdays, or visit [www.puco.ohio.gov](http://www.puco.ohio.gov).

The Ohio Consumers' Counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted toll free at 1-877-742-5622 from 8:00 a.m. to 5:00 p.m. weekdays, or visit [www.pickocc.org](http://www.pickocc.org).

## ITEMIZATION OF CHARGES

Itemization of local service charges:

- Toll charge per call –

Itemization of toll service charges:

Date and time of placement	Destination (City, State)	Telephone Number Called	Total Charge per call (e.g., day, night / weekend, calling card)	Duration of Call	Total Toll Charges

Please note: Nonpayment of toll charges may result in the disconnection of toll service and may be subject to collection actions but will not result in the disconnection of local service.

## RESIDENTIAL DISCONNECTION NOTICE

Earth Telecom, Inc. d/b/a Union Telecom USA      April 17, 2008

Customer Name

Account Number: xxxxxxxxx

Address 1

**Amount Past Due: \$xxxx.xx**

Address 2

City, State, Zip

This will serve as notice that Earth Telecom, Inc. d/b/a Union Telecom USA intends to disconnect your long distance telephone service. Earth Telecom, Inc. d/b/a Union Telecom USA has decided to take this action, because it has not received payment for services since [insert date]. The total amount past due is [insert amount]. Failure to pay the amount required at the company's office or to one of its authorized agents by [insert date] may result in the disconnection of toll services. Payments to an unauthorized payment agent may result in the untimely or improper crediting of your account.

The reasons for disconnection of service are [insert reasons]. In order to avoid the disconnection, the subscriber must take the following action [insert action taken and amount of payment to be made which is not greater than past due balance, not including nonregulated services]. The earliest date when disconnection will occur is [insert date].

Please note that the total amount due for toll charges is [insert figure]. [If applicable – The total amount due for nonregulated charges is [insert figure]. However, nonpayment of nonregulated charges cannot result in the disconnection of local service or regulated toll service.]

If you wish to contact Earth Telecom, Inc. d/b/a Union Telecom USA to discuss your account, please call or send all correspondence to:

Maria Menendez, President

Earth Telecom, Inc. d/b/a Union Telecom USA

1688 Meridian Avenue, Suite 509

Miami Beach, Florida 33139

Phone: (800) 585-0671

Hours: 8:00 a.m. to 5:00 p.m. EST

If you have a complaint in regard to this disconnection notice that cannot be resolved after you have called Earth Telecom, Inc. d/b/a Union Telecom USA, or for general utility information, residential and business customers may call the Public Utilities Commission of Ohio (PUCO), toll free at 1-800-686-7826 or for TDD/TYY toll free at 1-800-686-1570 from 8:00 a.m. to 5:30 p.m. weekdays, or visit [www.puco.ohio.gov](http://www.puco.ohio.gov).

The Ohio Consumers' Counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted toll free at 1-877-742-5622 from 8:00 a.m. to 5:00 p.m. weekdays, or visit [www.pickocc.org](http://www.pickocc.org).

## NON-RESIDENTIAL DISCONNECTION NOTICE

Earth Telecom, Inc. d/b/a Union Telecom USA      April 17, 2008

Customer Name

Account Number: xxxxxxxx

Address 1

**Amount Past Due: \$xxxx.xx**

Address 2

City, State, Zip

This will serve as notice that Earth Telecom, Inc. d/b/a Union Telecom USA intends to disconnect your long distance telephone service. Earth Telecom, Inc. d/b/a Union Telecom USA has decided to take this action, because it has not received payment for services since [insert date]. The total amount past due is [insert amount]. Failure to pay the amount required at the company's office or to one of its authorized agents by [insert date] may result in the disconnection of toll services. Payments to an unauthorized payment agent may result in the untimely or improper crediting of your account.

The reasons for disconnection of service are [insert reasons]. In order to avoid the disconnection, the subscriber must take the following action [insert action taken and amount of payment to be made which is not greater than past due balance, not including nonregulated services]. The earliest date when disconnection will occur is [insert date].

Please note that the total amount due for toll charges is [insert figure]. [If applicable – The total amount due for nonregulated charges is [insert figure]. However, nonpayment of nonregulated charges cannot result in the disconnection of local service or regulated toll service.]

If you wish to contact Earth Telecom, Inc. d/b/a Union Telecom USA to discuss your account, please call or send all correspondence to:

Maria Menendez, President

Earth Telecom, Inc. d/b/a Union Telecom USA

1688 Meridian Avenue, Suite 509

Miami Beach, Florida 33139

Phone: (800) 585-0671

Hours: 8:00 a.m. to 5:00 p.m. EST

If you have a complaint in regard to this disconnection notice that cannot be resolved after you have called Earth Telecom, Inc. d/b/a Union Telecom USA, or for general utility information, residential and business customers may call the Public Utilities Commission of Ohio (PUCO), toll free at 1-800-686-7826 or for TDD/TYY toll free at 1-800-686-1570 from 8:00 a.m. to 5:30 p.m. weekdays, or visit [www.puco.ohio.gov](http://www.puco.ohio.gov).