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Tel: 407-740-8575 407-740-0613

www.tminc.com

RE: Ernest Communications, Inc.

Renée Jenkins, Secretary of Commission Public Utilities Commission of Ohio

Application to Detariff Certain Tier 2 Services

Case No. 08- 830-TP-ATA

Dear Ms. Jenkins:

90-9248-TP-TRF

In compliance with Case No. 06-1345-TP-ORD, enclosed for filing please find one original and ten (10) copies of the Application to Detariff Certain Tier 2 Services and to make other changes related to the implementation of the Case No. 06-1345-TP-ORD, submitted on behalf of Ernest Communications, Inc.

In accordance with Rule 4901:1-05(g), certain Tier 2 Services have been deleted from the proposed revised tariff which are now available on the Company's website at www.ernestgroup.com.

Included in this filing is:

- Commission's Telecommunications Application Form for Detariffing and Related Actions
- Exhibit A (existing affected tariff pages)
- Exhibit B (proposed revised tariff pages)
- Exhibit C (narrative summarizing changes proposed in the application and Commission's requested matrix of changes)
- Exhibit D (explanation of how Company complies with Rule 4901:1-6-05(G)(3))
- Exhibit E (copy of Customer Notices)
- Exhibit F (affidavit indicating that customer notice was sent to Customers).

Questions regarding this filing may be directed to my attention at (407) 740-3006 or via e-mail at croesel@tminc.com. Please acknowledge receipt of this filing by date stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for this purpose.

Thank you for your assistance.

Sincerely.

Carey Roesel, Consultant Ernest Communications, Inc.

CR/gs

Enclosures

Office of Ohio Utilities Consumer Counsel CC:

Bryan Cornett - Ernest is to certify that the images appearing are an

accurate and complete reproduction of a case file File: Ernest - OH Local document delivered in the regular course of business TMS: OHL0801

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Ine Public Utilities Commission of Ohio TELECOMMUNICATIONS APPLICATION FORM for

DETARIFFING AND RELATED ACTIONS

Per the Commission's 09/19/07 "Implementation Order" In Case No. 06-1345-TP-ORD (Effective: 10/01/2007 through 04/01/2008)

| In the Matter of the Application of Ernest Communications Inc. | | | TRF Docke | et 90 - | 9248 | TP - TRF |
|--|-------------------------------|--------|------------------------------------|-----------------|-------|--------------|
| Ernest Communications, Inc. To Detariff Certain Tier 2 Services and make other changes related to the Implementation of Case No. 06-1345-TP-ORD | |) | Case No. NOTE: Unles fields BLANK | • | | TP - TAA |
| Name of Registrant(s) | Ernest Communications, In | ıc. | | | | _ |
| DBA(s) of Registrant(s) | | | | | | |
| Address of Registrant(s) 5275 Triangle Parkway, Su | | ite 15 | 50, Norcross | , Georgia 30092 | ! | |
| Company Web Address | www.ernestgroup.com | | | | | |
| Regulatory Contact Person(s) | Paul Masters | | Phone | 770-242-9069 | Fax | 770-448-4115 |
| Regulatory Contact Person's Email | Address <u>pmasters@ernes</u> | group | p.com | | | - |
| Contact Person for Annual Report | Paul Masters | | Phone | 770-242-9069 | Fax | 770-448-4115 |
| Address (if different from above) | Same as Above | | | | | |
| Consumer Contact Information | Paul Masters | | | | Phone | 800-456-8353 |
| Address (if different from above) | Same as Above | | | | | |

Part I - Tariffs

Please indicate the Carrier Type and the reason for submitting this form by checking the boxes below.

NOTE: All cases are ATA process cases, tariffs are effective the day they are filed, and remain in effect unless the Commission acts to suspend.

| Carrier Type | LEC | ⊠ CLEC | □ CTS |
|--------------------------------------|-----|-------------|-------------|
| Business Tier 2 Services | | X | |
| Residential & Business Toll Services | | | \boxtimes |
| Other Changes required by Rule | | \boxtimes | \boxtimes |
| (Describe in detail in Exhibit C) | | | |

Part II - Exhibits

Note that the following exhibits are required for all filings using this form.

| Included | Identified As: | Description of Required Exhibit: |
|----------|----------------|--|
| | Exhibit A | The existing affected tariff pages. |
| | Exhibit B | The proposed revised tariff pages. |
| | Exhibit C | Matrix or narrative summarizing all changes proposed in the application, and/or other information intended to assist Staff in the review of the Application. |
| | Exhibit D | Explanation of how the Applicant intends to comply with Rule 4901:1-6-05(G)(3) regarding disclosure of rates, terms, and conditions for detariffed services, including: • citation to the appropriate Web Page if any, in accordance with rule 4901:1-6-05(G)(4), and/or • copy of other materials and publications to be used to comply with 4901:1-6-05(G)(3). |
| | Exhibit E | One-time customer notice of detariffing and related changes consistent with rule 4901:1-06-16(B), including where customers may find the information regarding such services as required by rule 4901:1-6-05(G)(3). |
| | Exhibit F | Affidavit that the Customer Notice described in Exhibit C has been sent to Customers. |

AFFIDAVIT

Compliance with Commission Rules and Service Standards

I am an officer/agent of the applicant corporation, Ernest Communications, Inc. 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: | June 30, 2008 | at Maitland, FL 32751 | |
|--------------|---------------|--|---------------|
| | Date | | June 30, 2008 |
| | | * Carey Roesel Consultant to Ernest Communications, Inc. | Date |
| | | | |

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, Carey Roesel, verify that I have utilized the Telecommunications Application Form for Detariffing and Related Actions 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.

* Carey Roesel
Consultant to Ernest Communications, Inc.

June 30, 2008

Date

*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

EXHIBIT A

EXISTING AFFECTED LOCAL AND IXC TARIFF PAGES

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Issued: November 29, 2001

Effective: June 13, 2003

Joseph J. Ernest, Chief Executive Officer 5275 Triangle Parkway, Suite 150 Norcross, Georgia 30092 (800) 456-8353

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Issued: November 29, 2001 Effective: June 13, 2003

Joseph J. Ernest, Chief Executive Officer 5275 Triangle Parkway, Suite 150 Norcross, Georgia 30092 (800) 456-8353

2. RULES AND REGULATIONS

2.9 Payment for Service (continued)

The Company's billing invoices will be considered correct and binding upon the customer if no written or oral notice is received from the customer. Such notice may be provided to the Company using the following contact information:

Ernest Communications, Inc. 5275 Triangle Parkway, Suite 150 Norcross, Georgia 30092 (800) 456·8353

The Company reserves the right to request written or other documentation from the Customer to support any alleged billing discrepancies. Adjustments to customer's bills shall be made to the extent circumstances exist which reasonably indicate that such changes are appropriate.

Upon receipt of a billing inquiry, charges involved in the disputed element (s) of the invoice will be temporarily suspended pending resolution of the dispute. The customer, however, remains responsible for the timely payment of the non-disputed elements of the invoice.

If the customer is not satisfied with the Company's response to an inquiry or request for credit, he or she may appeal to the Ohio Public Utilities Commission for final resolution by contacting the Commission as follows:

Public Interest Center Ohio Public Utilities Commission 180 East Broad Street Columbus, Ohio 43215 (800) 686-7826

When service is established, the initial charge for local service for the fractional part of the current billing month will be a pro rata share of the monthly charge.

Issued: November 29, 2001

3. DESCRIPTION OF SERVICE

3.7 Toll Services

This tariff section applies to Long Distance Message Telecommunications Service furnished or made available by the Company over service components located wholly within or partly within the Local Access and Transport Areas (LATAs) of the State of Ohio between two or more points within LATAs of the State of Ohio and where the respective rate centers of such points are also located in said State. Service is furnished subject to the availability of the service components required. The Company will determine which of those components shall be used and made modifications to those components at its option.

- 3.8 Universal Emergency Telephone Number Service (911/E911) Universal Emergency Telephone Number Service allows customers to reach appropriate emergency services including police, fire and medical services. Subject to availability, Enhanced 911 has the ability to selectively route an emergency call to the primary E911 provider so that it reaches the correct emergency service located closest to the caller. In addition, the customer's address and telephone information will be provided to the primary E911 provider for display at the Public Service Answering Point (PSAP).
- 3.9 Public Telephone Access Service

Public Telephone Access Service provides a facility from a customer's location to the Company's central office. Any and all appropriate Service Charges as prescribed in Section 4.5 will apply.

Issued: November 29, 2001

4. RATES AND CHARGES

4.1 Local Exchange Service

| Local Ex | change Service | Mont Rate | • |
|----------|-----------------------------------|--------------|----------------|
| | | Minimum | Maximum |
| 4.1.1 Bu | siness Exchange Access Line | | |
| A. | Each Line | \$9.00 | \$39.00 |
| 4.1.3 Op | tional Features | | |
| A. | Monthly Rate Per Access Line | | |
| | 1. Anonymous Call Rejection | \$1.75 | \$5.75 |
| | 2. Automatic Busy Redial | \$1.85 | \$5.85 |
| | 3. Automatic Call Return | \$1.85 | \$5.85 |
| | 4. Call Forwarding | \$1.00 | \$5.00 |
| | 5. Call Waiting | \$1.50 | \$5.50 |
| | 6. Calling Number Delivery | \$5.50 | \$9.50 |
| | 7. Calling Name & Number Delivery | \$6.50 | \$10.50 |
| | 8. Calling Number Delivery Block | \$0.00 | \$5.00 |
| | 9. Speed Calling (8-Code) | \$1.40 | \$5.40 |
| | 10. Speed Calling (30-Code) | \$2.75 | \$6.75 |
| | 11. Three-Way Calling | \$2.15 | \$ 6.15 |
| | 12. Toll Restriction | \$1.85 | \$ 5.85 |
| В. | Per Call Features -Charge per Use | | |
| | 1. Automatic Busy Redial | \$0.25 | \$1.50 |
| | 2. Automatic Call Return | \$0.25 | \$1.50 |

Issued: November 29, 2001

4. RATES AND CHARGES

| Dire | ectory Listings | Mon | thly Rate |
|------|-----------------------------------|--|---|
| | | Minimum | Maximum |
| A. | First Listing | \$0.01 | \$5.00 |
| B. | Each Additional Listing | \$0.25 | \$3.50 |
| Ope | erator Assisted Service | | |
| A. | Operator Service Charges per Call | Rate | Per Call |
| | - | Minimum | Maximum |
| | 1. Calling Card | \$0.25 | \$2.75 |
| | 2. Operator Station | \$0.25 | S380 |
| | 3. Person-to-Person | \$1.00 | \$5.00 |
| | 4. Operator Dialed Surcharge | \$0.25 | \$2.80 |
| Dire | ectory Assistance | | |
| | - | Minimum | Maximum |
| Eac | h Call | \$0.05 | \$2.3 1 |
| | A. B. Ope | B. Each Additional Listing Operator Assisted Service A. Operator Service Charges per Call 1. Calling Card 2. Operator Station 3. Person-to-Person | A. First Listing \$0.01 B. Each Additional Listing \$0.25 Operator Assisted Service A. Operator Service Charges per Call Rate Minimum 1. Calling Card \$0.25 2. Operator Station \$0.25 3. Person-to-Person \$1.00 4. Operator Dialed Surcharge \$0.25 Directory Assistance Minimum |

Issued: November 29, 2001

4. RATES AND CHARGES

4.1.7 Busy Line Verification and Interruption Service

A. Busy Line Verification, each request \$0.50 \$4.00

B. Busy Line Interruption, each request \$2.00 \$6.00

Note: A Busy Line Verification charge also applies for each Busy Line Interruption

| 4.2 | Private B | ranch Exchange (PBX) Servi | | Nonrecurring Charge | Month Rate | ıly |
|-----|-----------|---------------------------------------|---------|------------------------|---------------|---------|
| | | | Minimum | Maximum | Minimum | Maximum |
| | 4.2.1 | PBX Access Line A. Each Access Line | \$0.00 | \$2.50 | \$9.00 | \$39.00 |
| | 4.2.2. | Optional Features Per Line Hunting | \$0.00 | \$2.50 | \$4.50 | \$24.50 |

Issued: November 29, 2001

4. RATES AND CHARGES

4.5 Toll Services

| Operator Service Charges | | |
|---|---------------|-------------|
| - | Minimum | Maximum |
| Description | Rate | <u>Rate</u> |
| | | |
| Station-to-Station Service Calling Card | | |
| Non-Automated | \$0.50 | \$3.65 |
| Semi-Automated | 0.50 | 3.65 |
| Fully Automated | .05 | 2.45 |
| • | | |
| <u>Collect</u> | | |
| Non-Automated | \$0.50 | \$3.65 |
| Semi-Automated | 0.50 | 3.65 |
| Fully Automated | 0.50 | 3.65 |
| • | | |
| Billed to a Third Number | | |
| Non-Automated | \$ 0.50 | 3.65 |
| Semí-Automated | 0 .50 | 3.65 |
| Fully Automated | 0.50 | 3.65 |
| • | | |
| Sent-Paid | | |
| Non-Automated | \$ 0.50 | 3.65 |
| Semi-Automated | 0.50 | 3.65 |
| | | |
| Person-to-Person Service | | |
| Non-Automated | \$1.00 | \$5.00 |
| Semi-Automated | 1.00 | 5.00 |
| | | |
| Other Services | | |
| Line Status Verification | \$0.50 | \$4.00 |
| Busy Interrupt | 1.00 | 5.00 |
| - | | |

Issued: November 29, 2001

Effective: June 13, 2003

Joseph J. Ernest, Chief Executive Officer 5275 Triangle Parkway, Suite 150 Norcross, Georgia 30092 (800) 456-8353

6. PRICE LIST

6.5 Toll Services

Operator Service Charges

| Description | Rate |
|----------------------------|--------|
| Station-to-Station Service | |
| Calling Card | |
| Non-Automated | \$1.65 |
| Semi-Automated | 1.65 |
| Fully Automated | .45 |
| Collect | |
| Non-Automated | \$1.65 |
| Semi-Automated | 1.65 |
| Fully Automated | 1.65 |
| Billed to a Third Number | |
| Non-Automated | \$1.65 |
| Semi-Automated | 1.65 |
| Fully Automated | 1.65 |
| Sent-Paid | |
| Non-Automated | \$1.65 |
| Semi-Automated | 1.65 |
| Person-to-Person Service | |
| Non-Automated | \$3.00 |
| Semi-Automated | 3.00 |
| Other Services | |
| Line Status Verification | \$2.00 |
| Busy Interrupt | 3.00 |

Issued: November 29, 2001

EXHIBIT B

PROPOSED REVISED LOCAL AND IXC TARIFF PAGES

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Issued: July 1, 2008

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Issued: July 1, 2008

2. RULES AND REGULATIONS

2.9 Payment for Service (continued)

The Company's billing invoices will be considered correct and binding upon the customer if no written or oral notice is received from the customer. Such notice may be provided to the Company using the following contact information:

Ernest Communications, Inc. 5275 Triangle Parkway, Suite 150 Norcross, Georgia 30092 (800) 456·8353

The Company reserves the right to request written or other documentation from the Customer to support any alleged billing discrepancies. Adjustments to customer's bills shall be made to the extent circumstances exist which reasonably indicate that such changes are appropriate.

Upon receipt of a billing inquiry, charges involved in the disputed element (s) of the invoice will be temporarily suspended pending resolution of the dispute. The customer, however, remains responsible for the timely payment of the non-disputed elements of the invoice.

If the Customer and the Company are unable to resolve the dispute to their mutual satisfaction, the Customer may file a complaint with the Public Utilities Commission of Ohio in accordance with the Commission's rules of procedure. The address of the Commission is as follows:

Service Monitoring and Enforcement Department Public Utilities Commission of Ohio 180 East Broad Street, Tenth Floor Columbus, Ohio 43215-3793 Toll Free Telephone: 1-800-686-7826 TTY Toll Free Telephone: 1-800-686-1570

From 8:00 AM to 5:30 PM (EST) weekdays or at www.PUCO.ohio.gov.

When service is established, the initial charge for local service for the fractional part of the current

billing month will be a pro rata share of the monthly charge.

(T)

(T)

3. DESCRIPTION OF SERVICE

3.7 [Reserved for Future Use]



- 3.8 Universal Emergency Telephone Number Service (911/E911) Universal Emergency Telephone Number Service allows customers to reach appropriate emergency services including police, fire and medical services. Subject to availability, Enhanced 911 has the ability to selectively route an emergency call to the primary E911 provider so that it reaches the correct emergency service located closest to the caller. In addition, the customer's address and telephone information will be provided to the primary E911 provider for display at the Public Service Answering Point (PSAP).
- 3.9 Public Telephone Access Service

Public Telephone Access Service provides a facility from a customer's location to the Company's central office. Any and all appropriate Service Charges as prescribed in Section 4.5 will apply.

Issued: July 1, 2008

4. RATES AND CHARGES

| 41 | Local | Exchange | Service |
|-----|-------|-----------|----------|
| 4.1 | Local | CYCHOTISE | DCI AICC |

| | Monthly <u>Rate</u> | | |
|--|------------------------|----------------|--|
| | <u>Minimum</u> | <u>Maximum</u> | |
| 4.1.1 Business Exchange Access Line A. Each Line | \$9.00 | \$39.00 | |
| 4.1.3 [Reserved for Future Use] | | | |

(**D**)

(D)

Issued: July 1, 2008

4. RATES AND CHARGES

4.1.4 [Reserved for Future Use]

4.1.5 [Reserved for Future Use]

4.1.6 [Reserved for Future Use]

Issued: July 1, 2008

4. RATES AND CHARGES

4.1.7 [Reserved for Future Use]



| 4.2 | Private Branch Exchange (PBX) Service | | Nonrecurring Charge | Montl Rate | Monthly Rate | |
|-----|---------------------------------------|-------------------------------------|------------------------|---------------|-----------------|-----------------|
| | | | Minimum | Maximum | Minimum | Maximum |
| | 4.2.1 | PBX Access Line A. Each Access Line | \$0.00 | \$2.50 | \$9.00 | \$39.00 |
| | 4.2.2. | Optional Features Per Line Hunting | \$0.00 | \$2.50 | \$4.50 | \$24.5 0 |

Issued: July 1, 2008

4. RATES AND CHARGES

4.5 [Reserved for Future Use]

(D)

Issued: July 1, 2008

Effective: July 15, 2008

(D)

6. PRICE LIST

6.5 [Reserved for Future Use]

(D)

Issued: July 1, 2008

Effective: July 15, 2008

(D)

EXHIBIT C

SUMMARY OF CHANGES

This filing is made in compliance with Case No. 06-1345-TP-ORD - Application to Detariff Certain Tier 2 Services and to make other changes related to the implementation of the Case No. 06-1345-TP-ORD.

In accordance with Rule 4901:1-05(g), certain Tier 2 Services have been deleted from the proposed revised tariffs which are now available on the Company's website at www.ernestgroup.com.

Included is a listing of changes made to the local and IXC tariff.

SUMMARY OF CHANGES

Tariff No. 1 - Local/Interexchange Services Tariff

| Section | Pages Revised | Service Affected | |
|----------------------------|------------------|---|--|
| 2 - Rules and Regulations | 15 | Makes changes to dispute language and address | |
| 3 - Description of Service | 48 | Removes Toll Services | |
| 4 - Rates and Charges | 52 | Removes Tier 2 min/max feature rates | |
| | 53 | Removes Tier 2 min/max feature rates | |
| | 54 | Removes Tier 2 min/max feature rates | |
| | 56 | Removes Toll Services | |
| 6 - Price List | 62 | Removes Toll Service rates | |

EXHIBIT D

EXPLANATION OF COMPLIANCE WITH RULE 4901:1-6-05(G)(3) REGARDING DISCLOSURE OF RATES, TERMS AND CONDITIONS FOR DETARIFFED SERVICES

Web Address, and Company physical address where Customers may obtain copies of the materials and publications in Compliances with Rules 4901:1-6-05(G)(4) and 4901:1-6-05(G)(3).

In accordance with Rule 4901:1-05(g), certain Tier 2 Services have been deleted from the proposed revised tariffs which are now available on the Company's website at www.ernestgroup.com.

Or the Customer may contact the Company at:

Ernest Communications, Inc. 5275 Triangle Parkway, Suite 150 Norcross, Georgia 30092

Toll Free Telephone Number: 1-800-456-8353

EXHIBIT E

CUSTOMER NOTICE

A copy of the non-residential customer notice is included in this Exhibit.

6/27/2008

Dear Valued Customer:

Beginning on July 15, 2008, the prices, service descriptions, and terms and conditions for any long distances services that you are provided by Ernest Communications, Inc., will no longer be on file at the Public Utilities Commission of Ohio (PUCO).

This modification does not automatically result in a change in the prices, terms, or conditions of these services. Ernest Communications must still provide a customer notice at least fifteen days in advance of rate increases, changes in terms and conditions and discontinuance of existing services. Additionally, you will be able to view the company's future service offerings in a guidebook online at www.ernestgroup.com or you can request a copy of this information by contacting 5275 Triangle Parkway, Suite 150, Norcross, GA 30092, toll free 1–800–456–8353.

Since these services will no longer be on file with the Commission, this means that the agreement reached between the customer and the company, instead of the document on file at the PUCO, will now control new services or changes in service. This agreement, whether it is verbal or written, will still be subject to consumer protections required and enforced by the PUCO.

For any new services or changes in service, it will be important that you carefully review and confirm the prices, terms and conditions.

If you have any questions about this matter, please call Ernest Communications, inc., at the toll free number 800-456-8353 or visit us at www.ernestgroup.com.

Sincerely, Ernest Communications, Inc.

CUSTOMER NOTICE AFFIDAVIT

STATE OF GEORGIA

COUNTY OF GWINNETT

SS:

AFFIDAVIT

I, Paul Masters, am an authorized agent of the applicant, Ernest Communications, Inc., and am authorized to make this statement on its behalf. I attest that customer notices accompanying this affidavit were sent to affected customers through direct mail on June 27, 2008 in accordance with Rule 4901:1-6-16, Ohio Administrative Code. I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 27, 2008 at 5275 Triangle Parkway, Suite 150, Norcross, Georgia 30092.

/s/

Paul Masters Lh

President

Ernest Communications, Inc.

5275 Triangle Parkway, Suite 150

Norcross, Georgia 30092

Subscribed and sworn to before me this

June 27, 200

Notary Public

My Commission Expires: