

Windstream Communications  
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Kathy E. Hobbs  
VP- State Government Affairs

**FILE**



August 29, 2008

Ms. Renee J. Jenkins  
Director of Administration  
Secretary of the Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215

RECEIVED-DOCKETING DIV  
2008 SEP -5 AM 9:19  
PUCO

Re: Case No. 08-437-TP-ATA  
TRF No. 90-5002-TP-TRF

Dear Ms. Jenkins:

Pursuant to staff discussions, enclosed are an original and three (3) copies of tariff revisions to be filed on behalf of Windstream Ohio, Inc. in the above-captioned matter. The effective date for these tariff sheets is April 2, 2008.

Thank you for your assistance. If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Kathy Hobbs".

Kathy Hobbs


This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician  Date Processed 9-5-08

Exhibit A

Existing pages

GENERAL EXCHANGE TARIFF  
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S2. GENERAL REGULATIONS

S2.4 Payment Arrangements and Credit Allowances (Continued)

(D)

S2.4.1 Deposits

(T)

- A. The Company will comply with the Commission's Minimum Telephone Service Standards Regarding deposits, set forth in O.A.C. 4901:1-5-13(B)(2b), and found in Section 23 of the Tariff. (N)  
(N)
- B. The Company will comply with the Commission's Minimum Telephone Service Standards regarding third-party guarantors, set forth in O.A.C. 4901:1-5-14, and found in Section 23 of this tariff. (N)  
|  
(N)
- C. Interest shall be paid by the Company upon such deposits at the rate of 6% per year payable annually for the time such deposits were held by the Company and the customer was served by the Company unless the period is less than six months. Payment shall be made by credit to customer's account annually. (T)
- D. The fact that a deposit has been made in no way relieves the applicant or customer from complying with the Company's regulations as to advance payments or constitutes a waiver or modification of the regular practices of the Company providing for the discontinuance of service for nonpayment of any sums due the Company. (T)

S2.4.2 Payment for Service

(T)

- A. The Company will endeavor to mail its bills for telephone service on or before the same date each month.
- B. The customer is responsible for payment of all charges in conjunction with the service furnished him/her including "collect", "third number", or "special billed" long distance messages which have been accepted at the customer's telephone and long distance messages originating at the customer's station.
- C. The customer shall pay on a monthly basis in advance all charges for service and shall pay on demand all charges for long distance service. Special billing arrangements may be

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**S23 MINIMUM TELEPHONE SERVICE STANDARDS**

ALLTEL Ohio, Inc. will comply with all of the Commission's Minimum Telephone Service Standards (MTSS), set forth in Chapter 4901:1-5 of the Ohio Administrative Code (O.A.C.), including the following:

**23.1 HANDLING OF CONSUMER COMPLAINTS**  
**(O.A.C. 4901:1-5-05)**

23.1.1 For purposes of this rule, a complaint is an informal investigation conducted by the public interest center staff or telecommunications provider at the request of a consumer or as a method for staff to determine the telecommunications provider's compliance with this chapter and other Commission policies. Each telecommunications provider shall fully and promptly investigate all complaints. The telecommunications provider shall provide a report of each complaint's resolution within ten business days of the date of receipt of the complaint to:

- (1) the subscriber, when investigating a complaint made directly to the telecommunications provider; or
- (2) the subscriber and the Commission staff when investigating a complaint referred to the telecommunications provider by the Commission staff.

23.1.2. After ten business days, if the investigation is not complete, the telecommunications provider shall provide an interim report to the subscriber when investigating a complaint made directly to the telecommunications provider for to both the subscriber and the Commission staff when investigating a complaint referred to the telecommunications provider by the Commission staff. The interim report shall include:

- (1) the date when a final resolution is expected to be complete;
- (2) a report of the current status of the complaint; and
- (3) a report explaining what work or research needs to be completed.

23.1.3. The Commission staff may request interim reports at other intervals containing the same or other data due to the nature of the complaint.

23.1.4. The telecommunications provider shall inform the subscriber, or both the subscriber and the Commission staff, of the results of the investigation, either orally or in writing. The subscriber, the Commission staff, or both may request the final report to be in writing. If the telecommunications provider provides the results of the investigation orally to the subscriber, it shall inform the subscriber of the right to have this final report in writing.

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S23 MINIMUM TELEPHONE SERVICE STANDARDS

HANDLING OF CONSUMER COMPLAINTS (Continued)

(O.A.C. 4901 :I-5-05)

- 23.1.5. If the subscriber disputes the telecommunications provider's report(s), the telecommunications provider shall inform the subscriber that the Commission staff is available to mediate complaints. The telecommunications provider shall provide the subscriber with the address, local/toll-free numbers, and TDD/TTY number of the Commission's public interest center.
- 23.1.6 All telecommunications providers shall provide the Commission staff with a name, telephone number, facsimile number, and e-mail address of a contact person who will respond to Commission concerns pertaining to consumer complaints. If any of the required information relating to the contact person should change, the telecommunications provider shall provide advance notice of such changes to the Commission.

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Filed under authority of  
Case No. 00-1265-TP-ORD  
Issued by the Public Utilities  
Commission of Ohio

Issued by:  
Vice President/State Government Affairs  
Little Rock, Arkansas

Issued: January 25, 2002  
Effective: January 25, 2002

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S23 MINIMUM TELEPHONE SERVICE STANDARDS

23.2 ESTABLISHMENT OF SERVICE  
(O.A.C. 4901:12.5-13)

23.2.1 Service applicants may be required to establish creditworthiness.

- (A) Chapter 4901:1-17 of the Administrative Code pertains, generally, to the manner in which credit may be established by residential utility customers. Except as otherwise indicated in this rule, in each instance where a provision of Chapter 4901:1-17 of the Administrative Code has application to residential telephone service provided by a telecommunications provider, it shall be deemed, under this rule, as also having application to nonresidential telephone service by such companies.
- (B) Telecommunications providers may required service applicants to establish financial responsibility as a condition precedent to establishing service. Both may rely on pertinent information obtained from credit reporting bureaus in determining whether creditworthiness need be established. However, a service applicant cannot be denied service, on creditworthiness grounds, unless the service applicant has been provided an opportunity to establish financial responsibility through every means available for doing so provided for in Chapters 4901:1-5 and 4901:1-17 of the Administrative Code.
- (C) When a telecommunications provider requires the financial responsibility of a service applicant to be established, it must inform the service applicant of all options available for meeting that requirement.
  - (1) Paying a deposit must be among the available options, except where unpaid debt for regulated service is already owed by the service applicant to the telecommunications provider with whom the service applicant is seeking to establish service. Where unpaid debt for regulated service is owed, the Company may require the applicant to pay such debt pursuant to Rule 4901:1 5-13 (A)(3) (d) of the Administrative Code.
  - (2) Telecommunications providers are permitted, but not required, to make use of toll caps as a method of extending limited credit to subscribers or service applicants unable to maintain or establish their creditworthiness through other means, so long as the terms and conditions of the toll cap are set forth in a Commission-approved tariff. The terms and conditions under which a toll cap is imposed as well as the steps that the subscriber or service applicant may take to have the toll cap removed must be disclosed, in writing, by the telecommunications service provider at he time a toll cap is imposed.

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S23 MINIMUM TELEPHONE SERVICE STANDARDS

23.2 ESTABLISHMENT OF SERVICE  
(O.A.C. 4901:12,5-13)

23.2.1 (Cont'd)

- (3) If an applicant for service owes to a telecommunications service provider an unpaid bill for telecommunications service previously provided but discontinued for nonpayment, where the service applicant is presently seeking to establish or reestablish service with the same provider who previously provided the service, and is presently seeking to establish or reestablish the same class of service as that previously provided, the telecommunications service provider who provided the previous service is not obligated to deem the service applicant's creditworthiness as having been satisfactorily established under the Commission's establishment of credit and establishment of service rules so long as the bill for previous service remains unpaid. However, in no event, shall local exchange service be denied to any local exchange service applicant on grounds that the service applicant has failed to pay for a type of service other than local exchange service.
  - (4) An unpaid bill for previous toll service can be considered as a reason to deny service to an applicant seeking a new 1+ pre-subscription toll service account only when the unpaid bill is owed to the same telecommunications provider with whom the applicant is now seeking to establish or reestablish service and the class of service previously provided is the same as that the applicant is now seeking to establish or re-establish. If the previous unpaid bill is owed to a provider other than that with whom the applicant is seeking to establish service, the subsequent toll provider may not deny service on that basis alone, but may consider the applicant's unpaid debt, as well as any pertinent information obtained from a credit reporting bureau, in determining whether there exists a need to assess a toll deposit or take other measures to assure creditworthiness. Moreover, in no event shall local exchange service be denied to any local exchange service applicant on grounds that the service applicant has failed to pay for a type of service other than local exchange service.
- (D) So long as it acts in a just, reasonable, and nondiscriminatory manner, a local service provider may, pursuant to a contract obligating it to do so, enforce the tariff-established credit and deposit policies of another telecommunications provider.

23.2.2 Deposits.

- (A) Deposits for local service shall be calculated separately from deposits for toll service.
- (B) Telecommunication service providers must choose only one, from between two alternative methods available for calculating deposits. Whichever method is chosen must be uniformly applied with respect to all service applicants and customers who are assessed a deposit.
  - (1) The first method, which may be referred to as "the individual service history method" involves calculating the amount of the deposit based on the known or estimated service history of the individual who is being assessed a deposit.

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S23 MINIMUM TELEPHONE SERVICE STANDARDS

23.2.2 Deposits (Con'td)

- (a) Under this method, the amount of a deposit assessed for local service shall not exceed two hundred and thirty per cent of the estimated or, where the customer or service applicant has either an existing or a previous local service account billing history with the local service provider, the historic monthly average total charge for all regulated local services provided (or to be provided) to the customer by the company or companies on whose behalf the deposit is assessed.
- (b) Under this method, the amount of a deposit assessed for toll service shall not exceed two hundred and thirty per cent of the estimated or, where the customer or service applicant has either an existing or a previous toll service account billing history with the toll service provider, the historic monthly average total charge for all regulated toll services provided (or to be provided) to the customer by the company or companies on whose behalf the deposit is assessed.
- (2) The second method, which may be referred to as "the uniform statewide deposit amount method", involves calculating uniform statewide average deposit amounts for each of four categories of service: residence local exchange service, residence toll service, non-residence local exchange service, and non-residence toll service.
  - (A) Under this method, a local service provider shall develop and may apply a tariffed, single, company-specific, statewide deposit amount for residence local service accounts and/or a tariffed single company-specific statewide deposit amount for non-residence local service accounts. Likewise, a toll service provider shall develop and may apply a tariffed, single, company-specific, statewide deposit amount for residence toll service accounts and/or a tariffed, single, company specific statewide deposit amount for non-residence toll service accounts.
  - (B) Using the second alternative, the toll service provider shall develop and may apply a tariffed, single, company-specific, statewide deposit amount for residence toll service accounts and/or statewide deposit amount for non-residence toll service accounts.
  - (C) The amount of the deposit may not exceed two hundred and thirty per cent of the statewide average bill amount for the class and type of service involved, based on a study of all the provider's customers in the state of Ohio.
  - (D) A subscriber who is assessed a deposit based on the service provider's statewide average deposit amount may, at any time after the first three months of service and up to the end of the first full year of service, upon request, receive credit on his or her bill for the difference between the amount of the deposit actually paid and an amount equal to two hundred and thirty per cent of the subscriber's actual monthly average total bill for the type of service on which the deposit was based (where the actual monthly average is based on the subscriber's average actual monthly usage of that service, dating from the time of the assessment of the statewide deposit to the point at which the request for credit is made). Any amount so credited shall thereafter no longer accrue interest to be refunded with the deposit and, thereafter, be considered as deducted from the amount of the deposit which, along with the interest accrued, must be refunded pursuant to Rule 4901:1-17-06 of the Administrative Code.



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S23 MINIMUM TELEPHONE SERVICE STANDARDS

23.2 ESTABLISHMENT OF SERVICE (Cont'd)  
(O.A.C. 4901:1-5-13)

23.2.2 Deposits (Cont'd)

- (C) Local service must be provided to local service applicants who are able to meet the deposit requirements for local service regardless of whether the applicant is able to meet the deposit requirements for toll service.
  - (D) So long as payment of a toll deposit is in no way made a condition precedent to a local service applicant obtaining or maintaining local service, the assessment of a separately calculated deposit for local service may occur within the same bill as any separately calculated deposit for toll service.
  - (E) Any initial or additional deposit assessed by a telecommunications provider shall be based only on the credit history for the same class of service as the applicant is seeking to establish.
- 23.2.3 Toll providers, or local service providers acting on behalf of toll providers subject to billing and collection agreements, may otherwise block access to all toll providers for nonpayment of regulated toll charges, so long as the blocked customer is not, thereby, denied the right to select, through a pre-subscribed interexchange carrier (PIC) mechanism, any subsequent 1 + toll service provider under the terms of this chapter of the Administrative Code. Any such subsequent toll provider may not deny establishment of 1+ pre-subscribed toll service on grounds that the customer has failed to establish creditworthiness, if:
- (A) the customer is able to establish creditworthiness using one of the means for doing so available under Chapter 4901:1-5 or the Administrative Code; or
  - (B) the subsequent toll provider, exercising its own discretion, does not require the customer to establish creditworthiness (through any of the means available for doing so under Chapter 4901:1-5 of the Administrative Code); or
  - (C) the subsequent toll provider attempts to require the customer to establish creditworthiness using credit establishment procedures which do not comport with the Commission's credit establishment policies and/or are not set forth within a Commission-approved tariff.
- 23.2.4 When an applicant for 1 + toll service who has previously been universally blocked for nonpayment of toll charges seeks to select, through a PIC mechanism, some subsequent toll provider as the applicant's 1± carrier of choice, the subsequently PICed toll provider may, subject to its tariffed toll deposit policies and the Commission's minimum telephone service standards set forth in Chapter 4901:1-5 of the Administrative Code, require a deposit (Or other evidence of creditworthiness) from such applicant for toll service in accordance with Rule 4901:1-5-13(B) of the Administrative Code. However, the subsequently PICed toll provider may accept a lower deposit, or no deposit, based upon usage, toll cap provisions in its tariff, or credit information obtained either from a credit bureau or directly from the customer.

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S23 MINIMUM TELEPHONE SERVICE STANDARDS

23.2 ESTABLISHMENT OF SERVICE (Continued)  
(O.A.C. 4901:1-5-13)

- 23.2.5 Nothing should constrain telecommunications providers from furnishing credit information acquired from their own experiences with their own customers to consumer reporting agencies, within the meaning of the federal Fair Credit Reporting Act. However, if and when telecommunications providers furnish such information to others, they must comply with all of the requirements that consumer reporting agencies must follow in issuing credit reports within the meaning of the federal Fair Credit Reporting Act.
- 23.2.6 All forms of toll blocking services offered by local service providers to toll service providers must be provided on a nondiscriminatory basis to all toll service providers, regardless of whether the local service provider has established a billing and collection agreement with the toll provider. Any charges for toll blocking service offered by a local service provider to toll service providers must be set forth in a Commission-approved tariff.
- 23.2.7 Changes to local exchange service after initiation of service
- (A) Within sixty days of the date of initiation of service, new residential local service subscribers shall be allowed, at a minimum, a one-time change of their type of local exchange service (i.e., flat-rate, message, or measured service) without charge. This does not preclude the Company from charging for the original service connection, monthly charges for the period such service was used, or the addition or removal of any optional local service.
- (B) Within sixty days of the date of a change in their type of service, existing residential local service subscribers shall be allowed to return to their prior type of local exchange service once without charge. This does not preclude the Company from charging for the previous service connection, monthly charges for the period such service was used, or the addition or removal of any optional local service. This does not apply to subscribers who have availed themselves of the relief afforded in paragraph (G)(1) of this rule within the previous six months.

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S23 MINIMUM TELEPHONE SERVICE STANDARDS

23.3 RESIDENTIAL SERVICE GUARANTORS  
(O.A.C. 4901: 1-5-14)

- 23.3.1 If a local service provider or toll service provider requires a deposit as a condition of providing service, the Company must inform an applicant of the option of providing a third-party guarantor in lieu of a deposit.
- 23.3.2 Each applicant for residential service shall be deemed creditworthy and shall not be required to make a deposit as a precondition of receiving service if the applicant furnishes a written guarantee signed by a third-party guarantor who has a credit rating as defined in paragraph (A)(3) of Rule 4901:1-17-03 of the Administrative Code. The terms of the guarantee shall include the following:
- (A) the guarantor may terminate the guarantee after thirty day's notice to the Company. The subscriber may be required to reestablish creditworthiness when the guarantor terminates the guarantee. The guarantor shall be obligated for charges for the local exchange and/or interexchange services provided to the subscriber through the date of termination of the guarantee; and
  - (B) the Company shall review annually the account history of each subscriber who has provided a guarantor. Once the subscriber satisfies the requirements for the refund of deposits, as stated in Rule 4901:1-17-06 of the Administrative Code, the Company shall, within thirty days, notify the guarantor in writing that the guarantor is released from all further responsibility for the account.
- 23.3.3 If a subscriber has provided a guarantor, that guarantor shall be afforded the opportunity to receive all notifications relating to the subscriber's disconnection of service for nonpayment. These notices shall be sent in the same manner and at the same time as those sent to the subscriber.

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S23 MINIMUM TELEPHONE SERVICE STANDARDS

23.4 SUBSCRIBER BILLING ADJUSTMENTS FOR LOCAL EXCHANGE SERVICE  
(O.A.C. 4901:1-5-16)

23.4.1 The local service provider shall make an adjustment to a subscriber's bill in accordance with paragraph (B) of this rule whenever a subscriber's service is interrupted and remains out of service for more than twenty-four consecutive hours after being reported to the local service provider or after being found by the local service provider to be out of service. The length of the service interruption must be computed on a continuous basis, Saturdays, Sundays, and holidays included. This rule does not apply if the out-of-service condition:

- (A) occurs as a result of a negligent or willful act on the part of the subscriber;
- (B) occurs as a result of a malfunction of subscriber-owned telephone equipment or inside wire;
- (C) occurs as a result of a military action, war, insurrection, riot, or strike; or
- (D) cannot be repaired due to the subscriber missing a repair appointment.

Each local service provider must justify and document in its records each instance where it applied any of the exceptions listed in this paragraph.

23.4.2 If an out-of-service condition exceeds twenty-four hours but is less than forty-eight hours, the local service provider shall credit the subscriber's bill for at least the pro rata portion of the monthly charge(s) for all regulated local services rendered inoperative during the interruption. Credit for out-of-service conditions lasting longer shall be provided as follows:

- (A) The local service provider shall provide a subscriber who experiences an out-of-service condition of forty-eight hours but less than seventy-two hours a credit equal to at least one-third of one month's charges for any regulated local services rendered inoperative.
- (B) The local service provider shall provide a subscriber who experiences an out-of-service condition of seventy-two hours but less than ninety-six hours a credit equal to at least two-thirds of one month's charges for any regulated local services rendered inoperative.
- (C) The local service provider shall provide a subscriber who experiences an out-of-service condition of at least ninety-six hours a credit equal to at least one month's charges for any regulated local services rendered inoperative.

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S23 MINIMUM TELEPHONE SERVICE STANDARDS

23.4 SUBSCRIBER BILLING ADJUSTMENTS FOR LOCAL EXCHANGE SERVICE (Cont'd)  
(O.A.C. 4901:1-5-16)

23.4.3 A local service provider may apply for a waiver to paragraphs (A) and (B) of this rule in the event of a verifiable act of God. One copy of the waiver request shall be filed with the Commission's docketing division in the MTSS Docket, Case No. 00-1265-TP-ORD, and one copy shall be submitted to the PUCO Outage Coordinator within two business days of the onset of the claimed act of God. Such waiver request shall state the specific nature of the act of God, the extent and location of damaged facilities, and the number of customers affected. If the Commission or its staff takes no action within two business days of the filing of such waiver request, the act of God exception may be invoked by the local service provider. In the event an act of God exception is applied, the provisions of paragraph (B) of this rule will not apply until forty-eight hours after the onset of the verified act of God. Accordingly, forty-eight hours shall be added to each of the time frames established in paragraph (B) of this rule for purposes of determining credits to customer accounts. Each local service provider must justify and document in its records each instance where it has applied an act of God exception.

23.4.4 If the local service provider fails to install new access line service and any associated features within five business days of receiving an application for new service, or by the requested date, when at least five business days notice is given, the provider must waive at least one-half of all regulated nonrecurring installation charges associated with the new service or features. If the local service provider fails to install new access line service and any associated features within ten business days of an application for new service or fails to install such service by the requested installation date, when at least ten business days notice is given, the provider shall waive all regulated nonrecurring installation charges associated with the new service or features. Such credits shall not be required where:

- (A) Special equipment or service is involved:
  - (1) "Cable pairs" are not deemed to be special equipment for purposes of this rule unless the requested service is in a completely undeveloped area where no facilities of any kind exist.
  - (2) When special equipment or a service exception is invoked, it shall be fully documented. The documentation of the required specific special equipment or service shall be maintained with the application for new service and include a description of the special equipment or service involved.
- (B) Applicant or subscriber has not met pertinent tariff requirements;
- (C) The installation cannot be completed as a result of a military action, war, insurrection, or strike; or
- (D) The installation cannot be completed due to a subscriber missing an installation appointment.

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23.4 SUBSCRIBER BILLING ADJUSTMENTS FOR LOCAL EXCHANGE SERVICE (Cont'd)  
(O.A.C. 4901:1-5-16)

23.4.5 Missed customer appointments.

- (A) When the local service provider fails to meet a scheduled installation appointment, the Company shall waive at least one-half of the subscriber's regulated nonrecurring installation charges associated with the new service or features.
- (B) When the local service provider fails to meet a repair appointment or a repair commitment, the Company shall credit the subscriber's bill in the amount of at least one-half of one month's charges for any regulated local services rendered inoperative.
- (C) The credits required by paragraph (E)(f) of this rule do not apply when the local service provider provides the subscriber twenty-four hour notice of its inability to meet an installation appointment, or when the effects of a natural disaster prohibit the local service provider from providing such notice. In no event shall the application of Rule 4901:1-5-1 6(E)(3) of the Administrative Code, affect the service installation deadline and credit required under Rule 4901:1-5-16(D) of the Administrative Code.

23.4.6 In the event the local service provider omits a subscriber's listing from the white pages of the telephone directory or lists an incorrect telephone number, the Company shall issue the subscriber a credit for the equivalent of not less than three months' regulated local service charges. Such credit shall not apply in cases where the subscriber has provided such listing information after the deadline for directory publication. The subscriber shall be given the Option of taking the credit or pursuing other remedies.

23.4.7 When it is confirmed that a local service provider has undercharged or overcharged any subscriber as the result of a miscalculation, inaccuracy, billing or other continuing problem under the service provider's control or under the control of the entity for whom the telecommunications carrier is billing charges:

- (A) The maximum portion of the undercharge that may be recovered from the customer is any billing month, based on the appropriate rates, shall be determined by dividing the amount of the undercharge by the number of months of undercharged or unbilled service, unless the customer agrees to alternative payment arrangements.
- (B) The total overcharge and accrued interest, at a rate of at least five per cent per annum, shall be reimbursed to the customer within two billing periods after the propriety of the reimbursement is confirmed.
- (C) Each local service provider shall state the total amount to be collected for an undercharge by the second bill mailed to the customer after such collection is discovered. This rule shall not affect the local service provider's recovery of regular monthly charges.
  - (1) No local service provider shall recover any service or billing fee pursuant to this rule; and

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S23 MINIMUM TELEPHONE SERVICE STANDARDS

23.4 SUBSCRIBER BILLING ADJUSTMENTS FOR LOCAL EXCHANGE SERVICE (Cont'd)  
(O.A.C. 4901:1-5-16)

23.4.7 (Cont'd)

- (2) No local service provider shall disconnect service to any customer to collect an undercharge under this rule, except for nonpayment of the amount lawfully billed under this rule.
- (D) The adjustment for an overcharge shall be in the form of either a direct payment to the subscriber or a credit to the subscriber's account within the next two billing periods.

23.5 DENIAL OR DISCONNECTION OF LOCAL AND TOLL SERVICE  
(O.A.C. 4901:1-5-17)

- 23.5.1 Local service may only be disconnected for subscriber nonpayment of charges for local services regulated by the Commission. For purposes of this rule, local service is defined as every regulated service provided by the local service provider other than toll service and 900 and 976-like services.
- 23.5.2 Toll service may be disconnected for subscriber nonpayment of toll service, subject to the following conditions:
  - (A) Toll disconnection procedures shall comport with all applicable billing, notice, credit/deposit, and disconnection standards set forth in this chapter of the Administrative Code and shall be tariffed.
  - (B) A local service provider, including one which also provides toll service, may enforce the Commission-approved, tariffed disconnection procedures of a separate provider of toll services pursuant to a contract entered into between the local service provider and the separate toll service provider.
- 23.5.3 Partial payments applied towards any past due amount on a bill or the balance due on a disconnection notice must be apportioned to past due regulated local service charges, then to any current local charges, before being applied by a telecommunications provider to any toll or non-regulated charges unless the subscriber pays the entire amount past due or more. In that case, any amount paid over the amount past due shall be applied first to current local charges.
- 23.5.4 A telecommunications provider must notify, or attempt to notify through any reasonable means, a subscriber before service is refused or disconnected when any of the following conditions exist:
  - (A) a violation of or noncompliance with the telecommunications provider's rules or tariffs on file with the Commission;
  - (B) a failure to comply with municipal ordinances or other laws pertaining to telecommunications services; or
  - (C) a refusal by the subscriber to permit the local service provider access to its facilities.

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S23 MINIMUM TELEPHONE SERVICE STANDARDS

23.5 DENIAL OR DISCONNECTION OF LOCAL AND TOLL SERVICE (Cont'd)  
O.A.C. 4901:1-5-17)

- 23.5.5 A telecommunications provider must notify or attempt to notify, through any reasonable means, the subscriber before service is disconnected when the subscriber has committed a fraudulent practice as set forth and defined in its tariffs on file with the Commission.
- 23.5.6 The telecommunications provider may not disconnect the local or toll service of a subscriber who pays the Company the total amount due (or an amount agreed upon between the Company and the subscriber) on his/her account by the close of business on the disconnection date listed on the disconnection notice.
- 23.5.7 No notice is required prior to disconnection when:
- (A) an emergency may threaten the health or safety of a person, or the local service provider's distribution system. If service is disconnected, the Company shall act promptly to restore service as soon as possible;
  - (B) a subscriber's use of telecommunications equipment adversely affects the Company's equipment, its service to others, or the safety of the Company's employees or subscribers; or
  - (C) a subscriber tampers with facilities or equipment owned by the telecommunications provider.
- 23.5.8 If a subscriber or a member of the subscriber's household demonstrates that disconnection of service would be especially dangerous to his/her health, the local service provider must consider this circumstance when offering extended payment arrangements to avoid disconnection. Payment arrangements shall be offered regardless of the credit class of the subscriber.
- 23.5.9 When a residential subscriber's local service is disconnected for nonpayment, the local service provider shall maintain the subscriber's access to emergency services for a period of at least fourteen days following such disconnection.
- 23.5.10 Local service may not be refused or disconnected to any applicant or subscriber for any of the following reasons:
- (A) failure to pay for service furnished to a former subscriber unless the former subscriber and the new applicant for service continue to be members of the same household;
  - (B) failure to pay for a different class of service. Residential service may not be denied or disconnected for nonpayment of a nonresidential account and vice versa;
  - (C) failure to pay any amount which is in bona fide dispute. The Company may not disconnect service if the subscriber pays either the undisputed portion of the bill or where the disputed amount is in question, the subscriber pays the amount paid for the same billing period in the previous year; or
  - (D) failure to pay any non-regulated service charges.



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S23 MINIMUM TELEPHONE SERVICE STANDARDS

23.5 DENIAL OR DISCONNECTION OF LOCAL AND TOLL SERVICE (Cont'd)  
(O.A.C. 4901:1-5-17)

23.5.11 Payment schedule and disconnection procedures for nonpayment.

- (A) A subscriber's bill shall not be due earlier than fourteen days from the date of the postmark on the bill. If the bill is not paid by the due date, it then becomes past due.
- (B) *The Company shall not disconnect the service:*
  - (1) sooner than fourteen days after the due date of the bill; and
  - (2) without sending a written notice of disconnection, postmarked at least seven days prior to the date of disconnection of service.
- (C) A telecommunications provider may disconnect service during its normal business hours; however, no disconnection for past due bills may be made after twelve-thirty p.m. on the day preceding a day that all services necessary for reconnection are not available.

23.5.12 A notice of disconnection for nonpayment shall state the following:

- (A) Failure to pay the amount required at the Company's office or to one of its authorized agents by the date specified on the notice may result in the disconnection of local or toll services;
- (B) The earliest date when disconnection will occur;
- (C) The reason(s) for disconnection and any actions which the subscriber must take in order to avoid the disconnection, including the total amount required to be paid (which shall not be greater than the past due balance);
- (D) The total amount due to avoid disconnection of local service as defined in paragraph (A) of this rule, which must be listed separately from charges for regulated toll and charges for unregulated services;
- (E) The total amount due for toll charges and a statement that nonpayment of toll charges may result in the disconnection of toll service;
- (F) The total amount due for non-regulated charges and a statement that nonpayment of such charges cannot result in the disconnection of local service or regulated toll service;
- (G) The address and telephone number of the office of the telecommunications provider that the subscriber may contact in reference to the subscriber's account;

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S23 MINIMUM TELEPHONE SERVICE STANDARDS

DENIAL OR DISCONNECTION OF LOCAL AND TOLL SERVICE (Cont'd)

(O.A.C. 4901:1-5-17)

- (H) The following statement:

If your questions are not resolved after you have called (name of utility), customers may call the Public Utilities Commission of Ohio (PUCO) toll free at 1-800-686-7826 or 1-614-466-3292 or for TDD/TTY toll free at 1-800-686-1570 or 1-614-466-8180 from 8:00 A.M. to 5:00 P.M. weekdays, or visit the PUCO website at [www.puco.ohio.gov](http://www.puco.ohio.gov).

Residential customers may call the Ohio Consumers' Counsel (OCC), toll free at 1-877-742-5622 from 8:30 A.M. to 5:30 P.M. weekdays, or visit the OCC website at [www.pickocc.org](http://www.pickocc.org); and

- (I) A statement that an additional charge for reconnection may apply if service is disconnected. The statement shall also include a notice that payments to an unauthorized payment agent may result in the untimely or improper crediting of the subscriber's account.

23.5.13 Reconnection of local and toll service.

- (A) Unless prevented by circumstances beyond the Company's control or unless a subscriber requests otherwise, each telecommunications provider shall reconnect previously disconnected service by five P.M. on the next business day following either:
- (1) receipt by the Company or its authorized agent of the full amount in arrears for which service was disconnected, or upon verification by the Company that conditions which warranted disconnection of service have been eliminated; or
  - (2) agreement by the Company and the subscriber on a deferred payment plan and a payment, if required, under the plan.
- (B) Before restoring service under this rule, a telecommunications provider may not insist upon payment of any amount that has not been included on a notice of disconnection.

## Exhibit B

### Revised Pages

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S2. GENERAL REGULATIONS

S2.4 Payment Arrangements and Credit Allowances (Continued)

S2.4.1 Deposits

- A. The Company will comply with the Commission's Minimum Telephone Service Standards regarding deposits, set forth in Rule 4901:1-5-05. Deposit requirements shall be uniformly applied to all residential and small business customers who are assessed a deposit. Such deposit shall conform to the following:
  - 1. Cash deposits are not to exceed two hundred thirty percent of the following:
    - a. The telecommunications provider's tarified statewide average monthly bill (deposit amount) for residential or small business customer service for local, long distance or packaged services.
- B.
- C. Interest shall be paid by the Company upon such deposits at the rate of 6% per year payable annually for the time such deposits were held by the Company and the customer was served by the Company unless the period is less than six months. Payment shall be made by credit to customer's account annually.
- D. The fact that a deposit has been made in no way relieves the applicant or customer from complying with the Company's regulations as to advance payments or constitutes a waiver or modification of the regular practices of the Company providing for the discontinuance of service for nonpayment of any sums due the Company.

S2.4.2 Payment for Service

- A. The Company will endeavor to mail its bills for telephone service on or before the same date each month.
- B. The customer is responsible for payment of all charges in conjunction with the service furnished him/her including "collect", "third number", or "special billed" long distance messages which have been accepted at the customer's telephone and long distance messages originating at the customer's station.
- C. The customer shall pay on a monthly basis in advance all charges for service and shall pay on demand all charges for long distance service. Special billing arrangements may be

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