

July 31, 2009 *Via E- Filing*

2600 Maitland Center Pkwy. Suite 300 Maitland, FL 32751 P.O. Drawer 200 Winter Park, FL 32790-0200 Tel: 407-740-8575 Fax: 407-740-0613 www.tminc.com

 Renée Jenkins, Secretary of Commission Public Utilities Commission of Ohio 180 East Broad Street Columbus, Ohio 43266-0573

RE: Case No.: 90-9030-TRF Local Tariff Revision for Talk America Inc. d/b/a Cavalier Telephone, d/b/a Cavalier Business Communications d/b/a Cavalier Telephone and TV - Telecommunications Application Form for Routine Proceedings Tier 2 Regulatory Treatment

Dear Ms. Jenkins:

Enclosed for filing please find the Telecommunications Application Form for Routine Proceedings, submitted on behalf of Talk America Inc. d/b/a Cavalier Telephone, d/b/a Cavalier Business Communications and also d/b/a Cavalier Telephone and TV. This filing introduces a new Tier 1 Service - Residential Basic Local Exchange Service. The Company respectfully requests this filing to become effective on September 6, 2009.

The following documents are included with this filing:

Telecommunications Application Form for Routine Proceedings

- Exhibit A Superseded Tariffs (PUCO No. 4)
- Exhibit B Proposed Revised Tariff Pages (PUCO No. 4)
- Exhibit C Narrative summarizing the changes
- Exhibit D Notice

Questions regarding this filing may be directed to my attention at (407) 740-3031 or via e-mail at sthomas@tminc.com. Thank you for your assistance.

Sincerely,

Shan This

Sharon Thomas Consultant to Talk America Inc.

ST/im.

Enclosures	
cc:	Office of Ohio Utilities Consumer Counsel
	M. Ring, Talk America, Inc.
File:	Talk America – OH Local
TMS:	OHL0902

The Public Utilities Commission of Ohio TELECOMMUNICATIONS APPLICATION FORM for ROUTINE PROCEEDINGS (Effective: 1/18/2008)

In the Matter of the Application of)	TRF Docket N	o. 90-9030-TP-TRF
Talk America Inc. dba Cavalier Telephone, dba Cavalier Business)	Case No.	90-9030-TP-TRF
Communications, dba Cavalier Telephone and TV)		
to Revise its Local Services Tariff PUCO Tariff No. 4)	NOTE: Unless yo	u have reserved a Case # or are filing a Contract,
	Ì	leave the "Case N	o" fields BLANK

Name of Registrant(s)	Talk America Inc.	Talk America Inc.							
DBA(s) of Registrant(s)	dba Cavalier Telephone, dba Cavalie	ba Cavalier Telephone, dba Cavalier Business Communications, dba Cavalier Telephone and TV							
Address of Registrant(s)	2134 W. Laburnum, Richmond, VA	23227							
Company Web Address	www.cavtel.com	/ww.cavtel.com							
Regulatory Contact Person(s)	Margaret Ring, Dir. Reg. Affairs	Fax	850-432-0218						
Regulatory Contact Person's E	mail Address mhring@cavtel.com								
Contact Person for Annual Rep	oort Xandria Lemon	Phone (407) 740-3013	Fax	(407) 740-0613					
Address (if different from abov	/e) 2600 Maitland Center Parkwa	2600 Maitland Center Parkway, Suite 300, Maitland, FL 32751							
Consumer Contact Information	Valerie Herbenick, Departmen	Valerie Herbenick, Department Head, Customer Service							
Address (if different from abov	(e) 2704 Alt. US 19 North, Palm Ha	arbor, FL 34683							
Motion for protective order inc	luded with filing? 🗌 Yes 🔀 No								
Motion for waiver(s) filed affect	cting this case? 🗌 Yes 🔀 No [Note:	Waivers may toll any automat	ic timefrai	me.]					

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 <u>www.puco.ohio.gov</u> 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 Other (explain below)	ILEC	CLEC	CTS	AOS/IOS
Tier 1 Regulatory Treatment				
Change Rates within approved Range	☐ TRF <u>1-6-04(B)</u> (0 day Notice)	TRF <u>1-6-04(B)</u> (0 day Notice)		
New Service, expanded local calling area, correction of textual error	C ZTA <u>1-6-04(B)</u> (0 day Notice)	[] ZTA <u>1-6-04(B)</u>) (0 day Notice)		
Change Terms and Conditions, Introduce non-recurring service charges	☐ ATA <u>1-6-04(B</u>) (Auto 30 days)	☐ ATA <u>1-6-04(B)</u> (Auto 30 days)		
Introduce or Increase Late Payment or Returned Check Charge	☐ ATA <u>1-6-04(B</u>)) (Auto 30 days)	☐ ATA <u>1-6-04(B)</u> (Auto 30 days)		
Business Contract	CTR <u>1-6-17</u> (0 day Notice)	CTR <u>1-6-17</u> (0 day Notice)		
Withdrawal	☐ ATW <u>1-6-12(A)</u> (Non-Auto)	ATW <u>1-6-12(A)</u> (Auto 30 days)		
Raise the Ceiling of a Rate	Not Applicable	SLF <u>1-6-04(B)</u> (Auto 30 days)		
Tier 2 Regulatory Treatment				
Residential - Introduce non-recurring service charges	☐ TRF <u>1-6-05(E)</u> (0 day Notice)	TRF <u>1-6-05(E)</u> (0 day Notice)		
Residential - Introduce New Tariffed Tier 2 Service(s)	☐ TRF <u>1-6-05(C</u>) (0 day Notice)	[] TRF <u>1-6-05(C)</u> (0 day Notice)	☐ TRF <u>1-6-05(C)</u> (0 day Notice)	
Residential - Change Rates, Terms and Conditions, Promotions, or Withdrawal	TRF <u>1-6-05(E)</u> (0 day Notice)	⊠ TRF <u>1-6-05(E)</u> (0 day Notice)	☐ TRF <u>1-6-05(E)</u> (0 day Notice)	
Residential - Tier 2 Service Contracts	CTR <u>1-6-17</u> (0 day Notice)	CTR <u>1-6-17</u> (0 day Notice)	CTR <u>1-6-17</u> (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

		0150	070	100/100
<u>Certificate Status</u>	ILEC	CLEC	CTS	AOS/IOS
Certification (See Supplemental ACE form)		ACE <i>1-6-10</i> (Auto 30 days)	ACE <u>1-6-10</u> (Auto 30 days)	ACE <u>1-6-10</u> (Auto 30 days)
Add Exchanges to Certificate	ATA <u>1-6-09(C)</u> (Auto 30 days)	AAC <u>1-6-10(F)</u> (0 day Notice)	CLECs must attach a c Exchange Listing Form	
Abandon all Services - With Customers	ABN <u>1-6-11(A)</u> (Non-Auto)	ABN <u>1-6-11(A)</u> (Auto 90 day)	ABN <u>1-6-11(B)</u> (Auto 14 day)	☐ ABN <u>1-6-11(B)</u> (Auto 14 day)
Abandon all Services - Without Customers		☐ ABN <u>1-6-11(A)</u> (Auto 30 days)	☐ ABN <u>1-6-11(B)</u> (Auto 14 day)	☐ ABN <u>1-6-11(B)</u> (Auto 14 day)
Change of Official Name (See below)	ACN <u>1-6-14(B)</u> (Auto 30 days)	ACN <u>1-6-14(B)</u> (Auto 30 days)	CIO <u>1-6-14(A)</u> (0 day Notice)	CIO <u>1-6-14(A)</u> (0 day Notice)
Change in Ownership (See below)	ACO <u>1-6-14(B)</u> (Auto 30 days)	ACO <u>1-6-14(B)</u> (Auto 30 days)	CIO 1-6-14(A) (0 day Notice)	CIO <u>1-6-14(A)</u> (0 day Notice) (
Merger (See below)	AMT <u>1-6-14(B)</u> (Auto 30 days)	☐ AMT <u>1-6-14(B)</u> (Auto 30 days)	CIO 1-6-14(A) (0 day Notice)	CIO <u>1-6-14(A)</u> (0 day Notice)
Transfer a Certificate (See below)	☐ ATC <u>1-6-14(B)</u> (Auto 30 days)	ATC <u>1-6-14(B)</u> (Auto 30 days)	CIO 1-6-14(A) (0 day Notice)	O day Notice)
Transaction for transfer or lease of property, plant or business (See below)	☐ ATR <u>1-6-14(B)</u> (Auto 30 days)	☐ ATR <u>1-6-14(B)</u> (Auto 30 days)	CIO 1-6-14(A) (0 day Notice)	CIO <u>1-6-14(A)</u> (0 day Notice)
Procedural				
Designation of Process Agent(s)	TRF (0 day Notice)	(0 day Notice)	(0 day Notice)	TRF (0 day Notice)

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

Carrier to Carrier	ILEC	CLEC				
Interconnection agreement, or	NAG <u>1-7-07</u>	🗌 NAG <u>1-7-07</u>				
amendment to an approved agreement	(Auto 90 day)	(Auto 90 day)				
Request for Arbitration	☐ ARB <u>1-7-09</u> (Non-Auto)	ARB <u>1-7-09</u> (Non-Auto)				
Introduce or change c-t-c service tariffs,	☐ ATA <u>1-7-14</u> (Non-Auto)	ATA <u>1-7-14</u> (Auto 30 day)				
Introduce or change access service pursuant to 07-464-TP-COI	ATA (Auto 30 day)					
Request rural carrier exemption, rural carrier suspension or modification	UNC <u>1-7-04</u> or (Non-Auto) <u>1-7-05</u>	UNC <u>1-7-04 or</u> (Non-Auto)				
Pole attachment changes in terms and conditions and price changes.	UNC <u>1-7-23(B)</u> (Non-Auto)	UNC <u>1-7-05</u> (Non-Auto)				
CMRS Providers See 4901:1-6-15	RCC [Registration & Change in (0 day)	n Operations]	☐ NAG [Interconnection Agree (Auto 90 days)	ment or Amendment]		
Other* (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 <u>the 4901:1-6-14 Filing Requirements on the</u> Commission's Web Page for a complete list of exhibits.

Exhibit	Description:
А	The tariff pages subject to the proposed change(s) as they exist before the change(s)
В	The Tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked in the right margin.
С	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).

AFFIDAVIT

Compliance with Commission Rules and Service Standards

I am an officer/agent of the applicant corporation, Sharon Thomas, Consultant to Talk America, Inc. dba Cavalier Telephone, dba Cavalier Business Communications and also dba Cavalier Telephone and TV, 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 July 31, 2009 at Maitland, Florida 32751

Sha 11_

July 31, 2009

Sharon Thomas, Consultant to Talk America Inc. dba Cavalier Telephone dba Cavalier Business Communications dba Cavalier Telephone and TV

Technologies Management, Inc. 2600 Maitland Center Parkway, Suite 300 Maitland, Florida 32750 Telephone: (407) 740-3031 Email: sthomas@tmic.com

• 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, Sharon Thomas, Consultant to Talk America, Inc. dba Cavalier Telephone, dba Cavalier Business Communications and also dba Cavalier Telephone and TV 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.

July 31, 2009

Sharon Thomas, Consultant to Talk America Inc. dba Cavalier Telephone dba Cavalier Business Communications dba Cavalier Telephone and TV

Technologies Management, Inc. 2600 Maitland Center Parkway, Suite 300 Maitland, Florida 32750 Telephone: (407) 740-3031 Email: sthomas@tmic.com

*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

SUPERSEDED TARIFF PAGES

*

CHECK SHEET

The Page and pages listed below are inclusive and effective as of the date shown. Original and revised pages as named below contain all changes from the original tariff that are in effect on the date shown on each page.

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	30	Original		59	Original		88.1	Original

* Indicates Tariff Pages Included with this Filing.

			CILLOR		.)	
Revision			Revision		Revision	
Sheet No.	Level		Sheet No.	Level	Sheet No.	Level
89	Original	*				
90	Original	*				
91	Original	*				
92	Original	*				
93	Original	*				
94	Original	*				
95	Original	*				
96	Original	*				
97	Original	*				
98	Original	*				
99	Original	*				
100	Original	*				
101	Original	*				
102	Original	*				
103	Original	*				
104	Original	*				
105	Original	*				
106	Original	*				

CHECK SHEET, (Cont'd.)

SECTION 7 – MISCELLANEOUS SERVICES, (Cont'd.)

- 7.6 Directory Assistance Services
 - 7.6.1 Directory Assistance

A Customer may obtain Directory Assistance in determining telephone numbers within its local calling area or within the state by calling the Directory Assistance operator. A Customer may request a maximum of two telephone number per call to Directory Assistance service. A credit will be given for calls to Director Assistance if the Customer experience poor transmission during the call or the Customer is given an incorrect telephone number. Credit will be given after the Customer notifies the Company regarding the Customer's problem.

Charges for DA are not applicable to inquiries received from public and semipublic telephones, nor from telephone service furnished for the use of handicapped persons whose handicap prevents the use of the local telephone directory. Handicapped individuals must contact the company and provide certification of their handicap by a qualified medical professional in order to receive an exemption from directory assistance charges.

7.6.2 Directory Assistance Call Completion

Directory Assistance Call Completion is a service available to Customers who call the Directory Assistance Operator. After the operator provides the requested number, the operator will request whether the Customer wishes the operator to complete the call to the requested number. A charge will apply if the operator completes the call.

7.6.3 Per Call Charges

Local Directory Assistance	\$1.50
Directory Assistance Call Completion	\$1.95

EXHIBIT B

PROPOSED REVISED TARIFF PAGES

CHECK SHEET

The Page and pages listed below are inclusive and effective as of the date shown. Original and revised pages as named below contain all changes from the original tariff that are in effect on the date shown on each page.

Revision			Revision		Revision	
Sheet No.	Level		<u>Sheet No.</u>	Level	Sheet No.	Level
Title	Original		31	Original	60	Original
1	Third	*	32	Original	61	Original
2	First	*	33	Original	62	Original
3	Original		34	Original	63	Original
4	Original		35	Original	64	Original
5	Original		36	Original	65	Original
6	Original		37	Original	66	Original
7	Original		38	Original	67	Original
8	Original		39	First	68	Original
9	Original		39.1	Original	69	Original
11	Original		40	Original	70	Original
12	Original		41	Original	71	Original
13	Original		42	First	72	Original
14	Original		43	Original	73	Original
15	Original		44	Original	74	Original
16	Original		45	Original	75	Original
17	Original		46	Original	76	Original
18	Original		47	Original	77	Original
19	Original		48	Original	78	Original
20	Original		49	Original	79	Original
21	Original		50	Original	80	Original
22	Original		51	Original	81	Original
23	Original		52	Original	82	Original
24	Original		53	Original	83	Original
25	Original		54	Original	84	Original
26	Original		55	Original	85	Original
27	Original		56	Original	86	Original
28	Original		57	Original	87	Original
29	Original		58	Original	88	Original
30	Original		59	Original	88.1	Original

* Indicates Tariff Pages Included with this Filing.

Issued:	August 3, 2009	Effective:	Septemb	ber 6, 2009
By:	Francie McComb, Senior Vice President - Law & Public	Affairs		
-	2134 W. Laburnum	Case No	o. 09	-TP-TRF
	Richmond, Virginia 23227			OHL0902

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CHECK SHEET, (Cont'd.)

Revision		Revision		Revision	
Sheet No.	Level	Sheet No.	Level	Sheet No.	Level
89	Original				
90	Original				
91	Original				
92	Original				
93	Original				
94	Original				
95	Original				
96	Original				
97	Original				
98	Original				r
99	Original				
100	Original				
101	Original				
102	First *				
103	Original				
104	Original				
105	Original				
106	Original				
	0				

Issued:	August 3, 2009	Effective:	Septem	ber 6, 2009
By:	Francie McComb, Senior Vice President - Law & Public	Affairs		
	2134 W. Laburnum	Case No	o. 09	TP-TRF
	Richmond, Virginia 23227			OHL0902

SECTION 7 – MISCELLANEOUS SERVICES, (Cont'd.)

- 7.6 Directory Assistance Services
 - 7.6.1 Directory Assistance

A Customer may obtain Directory Assistance in determining telephone numbers within its local calling area or within the state by calling the Directory Assistance operator. A Customer may request a maximum of two telephone number per call to Directory Assistance service. A credit will be given for calls to Director Assistance if the Customer experience poor transmission during the call or the Customer is given an incorrect telephone number. Credit will be given after the Customer notifies the Company regarding the Customer's problem.

Charges for DA are not applicable to inquiries received from public and semipublic telephones, nor from telephone service furnished for the use of handicapped persons whose handicap prevents the use of the local telephone directory. Handicapped individuals must contact the company and provide certification of their handicap by a qualified medical professional in order to receive an exemption from directory assistance charges.

7.6.2 Directory Assistance Call Completion

Directory Assistance Call Completion is a service available to Customers who call the Directory Assistance Operator. After the operator provides the requested number, the operator will request whether the Customer wishes the operator to complete the call to the requested number. A charge will apply if the operator completes the call.

7.6.3 Per Call Charges

Local Directory Assistance	\$1.95 (I)	
Directory Assistance Call Completion	\$1.95	

EXHIBIT C

DESCRIPTION AND TYPE OF CUSTOMERS AFFECTED

This filing increase the Directory Assistance per call charge. The Company's customers were notified of this increase via a bill message which was sent in the July billing cycles.

EXHIBIT D

CUSTOMER NOTICE

The bill message was send on the customer's bill in the July 2009 billing cycles. A copy of this notice was submitted to the Commission via email to <u>telecommrule16@puc.state.oh.us</u>

av*ali*

3300 North Pace Boulevard Pensacola, FL 325055148

Return Service Requested



Statement Date7/8/2009Account\$56.24Amount Due\$56.209*Current Charges Due8/5/2009Amount Enclosed:\$572009



To pay by credit card, please call (800) 609-2799 or visit us online at www.cavtel.com/paymybill

Remit Payment To:

Cavalier Telephone P.O. Box 9001111 Louisville, KY 40290-1111

103021656124770000000000000056240000004228653200907082

Please detach here and return above portion with payment. Make checks payable to **Cavalier** and note your phone number or account number on your check. This bill was prepared on **7/8/2009**. A late payment charge will apply to any amounts not received by 8/5/2009. Any past due balance is considered delinquent and should have been paid prior to the new statement date. Please remit past due balance immediately.

Statement Date: July 8,	, 2009 Account Number:		*Current Charges Due: August 5, 2009			
• .	Previous Balance		\$	0.00		
	Payments		\$	0.00		
	Adjustments		\$	0.00		
	Past Due Balance		\$	0.00		
	Current Charges		\$	56,24		
	Finance Charge (1.	50 percent)/Late Fee	\$	0.00		
	- · · ·		\$	56.24		
	Total Amount Due		\$	56.24		
an a		Important Message	S	a francés de verse en la company esta en la company actual de la company de la company de la company de la comp	an a sharan a markan an ar	

TO BETTER PROTECT YOUR PRIVACY

When calling Cavalier's automated system, you must enter both your Cavalier account number and the related phone number to access most billing details. Thank you!

Cavalier's automated system: 1.800.291.9699

Cavalier is committed to protecting the privacy of your customers information, and must comply with all state and federal privacy laws. Cavalier can discuss account information <u>only</u> with authorized users on the account. If you have any questions about Cavlier's privacy policies, or need to discuss adding authorized users on the your account, please call Customer Care at 800-291-9699.

The Universal Service Fund (USF) contribution rate for 3rd Quarter 2009 has been increased to 12.9% of certain interstate and international telecommunications charges. The federal Communications Commission (FCC) sets these rates for all regulated telecommunications carriers. For more information about the FCC and USF, please visit www.fcc.gov/wcb.

The USF was established in 1996 to ensure that all consumers in the USA have access to affordable and quality telecommunications services. It is the primary source of funding to bring advanced services, like high speed internet, to schools and libraries. Rural health care facilities also receive funding for telecommunications services from the USF.

Effective September 6, 2009, the charge for local directory assistance will increase from \$1.50 to \$1.95 per call. You may call Cavalier toll free at 800-291-9699 if you have questions or would like to review service options, or visit www.cavtel.com.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

7/31/2009 4:59:27 PM

in

Case No(s). 90-9030-TP-TRF

Summary: Application to Revise Talk America Inc. d/b/a Cavalier Telephone d/b/a Cavalier Business Communications d/b/a Cavalier Telephone Local Services Tariff - PUCO Tariff No. 4 electronically filed by Ms. Iris D. Mennens on behalf of Talk America Inc.