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SQUIRE  
SANDERS

LEGAL  
COUNSEL  
WORLDWIDE

FILE

90-9310-TP-TRF

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November 12, 2010

**VIA OVERNIGHT DELIVERY**

Reneé J. Jenkins  
Secretary  
The Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215

PUCO

2010 NOV 15 AM 10:50

RECEIVED-DOCKETING DIV

**Re: Application to Amend P.U.C.O. Tariff No. 3**

Dear Ms. Jenkins:

Please find enclosed an original and two (2) copies of DCT Telecom Group Inc.'s ("DCT") application to amend its P.U.C.O. Tariff No. 3, which is on file with the Commission. As explained in further detail in Exhibit C of the application, the first page of P.U.C.O. Tariff No. 3 has been amended to clarify that it cancels and replaces DCT's P.U.C.O. Tariff No. 1. No other changes have been made to the proposed tariff. DCT's application includes the following materials:

- Telecommunications Application Form for Routine Proceedings
- Exhibit A – The tariff page that is currently in effect and subject to the proposed change
- Exhibit B – The proposed tariff page reflecting the change
- Exhibit C – A description of the nature of the change
- Exhibit D – A response to the customer notice requirement set forth in the Telecommunications Application Form

Please do not hesitate to contact me should you have any questions.

Sincerely,

SQUIRE, SANDERS & DEMPSEY L.L.P.



Robert E. Stup, Jr.  
Jonathan J. Nadler  
Counsel and Authorized Agent

Enclosures

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 Am Date Processed 11/15/10

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

In the Matter of the Application of DCT Telecom Group, Inc. )  
to Amend its Tariff No. 3 )

TRF Docket No. 90- 9310-TP-TRF  
Case No. 10-2654-TP-TRF

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

Name of Registrant(s) DCT Telecom Group, Inc.  
DBA(s) of Registrant(s) \_\_\_\_\_  
Address of Registrant(s) 27877 Clemens Road, Westlake, OH 44145  
Company Web Address www.4dct.com  
Regulatory Contact Person(s) J. Anthony Rehak Phone 440-892-0300 Fax 440-808-4841  
Regulatory Contact Person's Email Address trehak@4dct.com  
Contact Person for Annual Report J. Anthony Rehak Phone \_\_\_\_\_  
Address (if different from above) \_\_\_\_\_  
Consumer Contact Information J. Anthony Rehak Phone \_\_\_\_\_  
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 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 checked="" 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

Certificate Status	ILEC	CLEC	CTS	AOS/IOS
Certification (See Supplemental ACE form)		<input type="checkbox"/> ACE 1-6-10 (Auto 30 days)	<input 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

Carrier to Carrier	ILEC	CLEC		
Interconnection agreement, or amendment to an approved agreement	<input type="checkbox"/> NAG 1-7-07 (Auto 90 day)	<input type="checkbox"/> NAG 1-7-07 (Auto 90 day)		
Request for Arbitration	<input type="checkbox"/> ARB 1-7-09 (Non-Auto)	<input type="checkbox"/> ARB 1-7-09 (Non-Auto)		
Introduce or change c-t-c service tariffs,	<input type="checkbox"/> ATA 1-7-14 (Auto 30 day)	<input type="checkbox"/> ATA 1-7-14 (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 1-7-04 or 1-7-05 (Non-Auto)	<input type="checkbox"/> UNC 1-7-04 or 1-7-05 (Non-Auto)		
Pole attachment changes in terms and conditions and price changes.	<input type="checkbox"/> UNC 1-7-23(B) (Non-Auto)	<input type="checkbox"/> UNC 1-7-05 (Non-Auto)		
<b>CMRS Providers</b> See 4901:1-6-15	<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, Robert E. Stup, Jr., and am authorized to make this statement on its behalf.  
(Name)

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 (Date) 11/12/10 at (Location) 1201 Pennsylvania Avenue, NW, Suite 500, Washington, DC 20004

\*(Signature and Title) 

(Date) 11/11/10


Counsel & Authorized Agent

- 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, Robert E. Stup, Jr.

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.

\*(Signature and Title) 

Counsel & Authorized Agent

(Date)

11/11/10

\*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**

*This tariff P.U.C.O. Tariff No. 3 cancels and replaces in its entirety  
the Company's P.U.C.O. Tariff No. 2 for Local Exchange and  
Interexchange Services on file with the Commission*

REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES  
APPLYING TO LOCAL EXCHANGE SERVICE AND  
INTEREXCHANGE SERVICE FURNISHED BY  
DCT TELECOM GROUP, INC.  
THROUGHOUT THE STATE OF OHIO

The tariff describes the Company's terms, conditions, services and rates applicable to the provision of local exchange and interexchange telecommunications services regulated in accordance with Competitive Retail Telephone Rules (Case No. 06-1345-TP-ORD).

Descriptions and rates for detariffed service offerings are found in the Company's Price Guide, available for viewing on the Company website at [www.4dct.com](http://www.4dct.com) or by contacting the Company at 27877 Clemens Road, Westlake, OH 44145.

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Issued: July 1, 2008

Effective: July 1, 2008

Issued by: J. Anthony Rehak, President  
DCT TELECOM GROUP, INC.  
27877 Clemens Road  
Westlake, OH 44145

## **Exhibit B**

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*This tariff P.U.C.O. Tariff No. 3 cancels and replaces in its entirety  
the Company's P.U.C.O. Tariff No. 2 for Local Exchange and  
P.U.C.O. Tariff No. 1 for Interexchange Services on file with the Commission*

(T)

**REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES**

**APPLYING TO LOCAL EXCHANGE SERVICE AND**

**INTEREXCHANGE SERVICE FURNISHED BY**

**DCT TELECOM GROUP, INC.**

**THROUGHOUT THE STATE OF OHIO**

The tariff describes the Company's terms, conditions, services and rates applicable to the provision of local exchange and interexchange telecommunications services regulated in accordance with Competitive Retail Telephone Rules (Case No. 06-1345-TP-ORD).

Descriptions and rates for detariffed service offerings are found in the Company's Price Guide, available for viewing on the Company website at [www.4dct.com](http://www.4dct.com) or by contacting the Company at 27877 Clemens Road, Westlake, OH 44145.

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Issued: November 12, 2010

Effective: November 12, 2010

Issued by: J. Anthony Rehak, President  
DCT TELECOM GROUP, INC.  
27877 Clemens Road  
Westlake, OH 44145



## **Exhibit C**

DCT Telecom Group, Inc. ("DCT") hereby respectfully requests that the Public Utilities Commission of Ohio ("PUCO") amend DCT's Tariff No. 3, which is on file with the Commission.

DCT assists multi-line business customers with designing and implementing integrated solutions for local, long-distance, voice, data and internet services. On August 12, 2003, DCT filed an application for a certificate of public convenience and necessity with the PUCO to provide interexchange services within the State of Ohio.<sup>1</sup> On September 24, 2003, DCT filed its Tariff No. 1 for the provision of interexchange services. On June 16, 2005, DCT filed an application for a certificate of public convenience and necessity with the PUCO to provide competitive local exchange services.<sup>2</sup> DCT subsequently filed its Tariff No. 2 for the provision of local exchange services.

Pursuant to the PUCO's Order requiring telecommunications carriers to detariff all interexchange services and all local exchange services provided to multi-line business customers in Ohio,<sup>3</sup> DCT filed with the PUCO a detariffing application along with a third tariff, Tariff No. 3, dated July 1, 2008. Tariff No. 3 states that it cancels and replaces, in its entirety, "Tariff No. 2 for Local Exchange and Interexchange Services on file with the Commission."<sup>4</sup>

DCT has complied with all of the PUCO's detariffing requirements. It has issued the proper notifications to its customers that the prices, service descriptions, and terms and conditions for its interexchange and local exchange services will no longer be on file at the PUCO. In addition, DCT has maintained on its company website a Price Guide that includes the prices, terms, and conditions related to its detariffed services. Finally, DCT has on file with the PUCO, as required, its Tariff No. 3, which includes certain standard provisions relating to return check fees, deposits and 9-1-1 services; general Minimum Telephone Services Standards ("MTSS"); and the website where its Price Guide can be found.

Taken together, these actions demonstrate that, at the time it filed its Tariff No. 3, DCT cancelled its tariffs for both interexchange and local exchange service. However, because Tariff No. 3 did not expressly reference Tariff No. 1, the PUCO has not removed Tariff No. 1 from its website. In order to avoid any misunderstanding, DCT hereby amends the first page of Tariff No. 3 to expressly state that it cancels "Tariff No. 1 for interexchange Services and Tariff No. 2 for Local Exchange Services on file with the Commission." DCT further respectfully requests that its former Tariff No. 1 be removed from the PUCO's website.

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<sup>1</sup> The PUCO granted the certificate (No. 90-6163) on September 11, 2003.

<sup>2</sup> The PUCO granted the certificate (No. 90-9310) on July 19, 2005.

<sup>3</sup> See In the Matter of Review of Chapter 4901:1-6, Ohio Administrative Code, Case No. 06-1345-TP-ORD (Sept. 19, 2007). The application for detariffing became effective upon filing.

<sup>4</sup> DCT PUCO Tariff No. 2.

## Exhibit D

As explained in Exhibit C, DCT issued the proper notifications to its customers when it filed its detarffing application that the prices, service descriptions, and terms and conditions for its interexchange and local exchange services will no longer be on file at the PUCO. DCT has not made any other changes to its rates or terms requiring notice to its customers. Accordingly, DCT is not providing additional notifications to its customers regarding this application.