

WASHINGTON, D.C. OFFICE
fifth floor
flour mill building
1000 potomac street nw
washington, d.c. 20007-3501
TEL 202 965 7880 FAX 202 965 1729

other offices / beijing, china new york, new york portland, oregon seattle, washington GSBLAW.COM

# GARVEY SCHUBERT BARER

Please reply to R. BRUCE BECKNER bbeckner@gsblaw.com TEL EXT 1735

11-2356-TP-ATA

April 7, 2011

#### BY OVERNIGHT DELIVERY

Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street, 13<sup>th</sup> Floor
Columbus, OH 43215-3793

Re:

ABA Net, LLC: Docket No. 90-6366-CT-TRF

Dear Sir or Madam:

As required by the Commission's order in Case No. 10-1010-TP-ORD (January 19, 2011), I enclose an original and ten copies of Application for Detariffing and Related Actions, together with Exhibits thereto, and a Telecom Retail Service Offering form on behalf of ABA Net, LLC, a certificated provider of inter-exchange telecommunications service in the state of Ohio and elsewhere.

Please contact me if there are any issues relating to the enclosed documents.

Sincerely,

R Bruce Beckner

Enclosures

DC\_DOCS:701018.1 [22606.00100]

2011 APR-8 AM 10: 2

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 100 2011

# The Public Utilities Commission of Ohio TELECOMMUNICATIONS APPLICATION FORM for

# **DETARIFFING AND RELATED ACTIONS**

Per the Commission's 01/19/2011 "Implementation Order" in Case No. 10-1010-TP-ORD (Effective: 01/20/2011 through 05/20/2011)

In the Matter of the Application of ABA Net, LLC	) Case NoTP - ATA
to Detariff Services and make other changes related to the	NOTE: Unless you have reserved a Case No. leave the "Case No."
Implementation of Case No. 10-1010-TP-ORD	) fields BLANK. 11-2356 - TP-ATA
Name of Registrant(s) ABA Net, LLC	11-2006-11-1111
DBA(s) of Registrant(s)	
Address of Registrant(s) 11510 Georgia Avenue, Suite 101, S	ilver Sprint, MD 20902
Company Web Address www.abanet.us	
Regulatory Contact Person(s) Delila Causevic	Phone <u>240-413-6168</u> Fax <u>301-603-9017</u>
Regulatory Contact Person's Email Address delila.causevic@	abanet, us
Contact Person for Annual Report Delila Causevic	Phone <u>240-413-6168</u>
Address (if different from above)	
Consumer Contact Information Delila Causevic	Phone <u>240-413-6168</u>
Address (if different from 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.

<u>Carrier Type</u>	☐ ILEC	CLEC	X CTS
Tariff for Basic Local Exchange Service (BLES) and/or other services required to be tariffed pursuant to 4901:1-6-11(A); detariffing of all other services			x
Other changes required by Chapter 4901:1-6 (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:
х	Exhibit A	The existing affected tariff pages.
	Exhibit B	The proposed revised tariff pages.
$\boxtimes$	Exhibit C	Narrative summarizing all changes proposed in the application, and/or other information intended to assist Staff in the review of the Application.
X	Exhibit D	One-time customer notice of detariffing and related changes consistent with rule 4901:1-06-07
X	Exhibit E	Affidavit that the Customer Notice described in Exhibit C has been sent to Customers.

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

#### **AFFIDAVIT**

#### Compliance with Commission Rules

l am an	officer/agent o	of the	applicant	corporation,	ABA Net,	LLC
					(Name)	

, and am authorized to make this statement on its behalf.

I attest that these tariffs comply with all applicable rules for the state of Ohio. I understand that tariff notification filings do not imply Commission approval and that the Commission's rules, 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)

at (Location) Silver Spring, Maryland

April 5, 2011.

Plenum Delila

\*(Signature and Title)

April 5, 2011.

(Date)

CHIEF OF STAFF

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

#### VERIFICATION

I. Richard Bruce Beckner

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.

\*(Signature and Title)
\*Verification is require

COLUNSO he applicant, or an authorized as

17,2011

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 Tariff Pages** 

## **REGULATIONS RATES AND SCHEDULES**

#### **OF CHARGES APPLICABLE TO**

#### RESOLD INTRASTATE INTEREXCHANGE TELECOMMUNICATIONS

SERVICES

**FURNISHED BY** 

ABA NET, LLC

**BETWEEN POINTS** 

WITHIN THE STATE OF OHIO

AS PROVIDED FOR HEREIN

Service is provided by means of wire, radio, terrestrial or satellite facilities or any combination thereof, as specified herein.

A copy of this Tariff is on file with the Public Utilities Commission of Ohio.

A copy of this Tariff is available for review during normal business hours at the Company's principal place of business located at 11510 Georgia Avenue, Suite 101, Silver Spring, MD 20902.

Issued: February 26, 2009

Effective: March 1, 2009

Issued by:

Mirsad Causevic
President and CEO
ABA NET, LLC
11510 Georgia Avenue, Suite 101
Silver Spring, MD 20902
Case 06-1497-TP-ACE Tariff 90-6366-CT-TRF

# **TABLE OF CONTENTES**

<u>Description</u>	Sheet Number	
Table of Contents	2	
Section 1.0 – Deposits	3	
Section 2.0 - Late Payment Charge	3	
Section 3.0 - Dishonored Check Charge	3	
Section 4.0 – MTSS Language	4	

Issued: February 26, 2009

Effective: March 1, 2009

Issued by:

Mirsad Causevic
President and CEO
ABA NET, LLC
11510 Georgia Avenue, Suite 101
Silver Spring, MD 20902
Case 06-1497-TP-ACE Tariff 90-6366-CT-TRF

#### SECTION 1.0 - DEPOSITS

The Company does not require deposits at this time, but retains the right to require one subject to Ohio MTSS 4901:1-5-05 (B):

### SECTION 2.0 - LATE PAYMENT CHARGE

- A. Payment will be due as specified on the Customer bill. Commencing after that due date, a late charge of up to the highest interest rate allowable by law will be applied to all amounts past due. (Currently, the highest allowable rate is one and one half percent (1 ½ %) per month.)
- B. Collection procedures are unaffected by the application of a late payment charge. The late payment charge does not apply to unpaid balances associated with disputed amounts. Undisputed amounts on the same bill are subject to the late payment charge if unpaid and carried forward to the next bill.
- C. In accordance with Ohio MTSS 4901:1-5-17(K), payment shall not be due earlier than fourteen (14) 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. Service may be denied or disconnected after fourteen (14) days after the due date of the bill, subject to a prior written notice of disconnection, postmarked at least seven (7) days prior to the date of disconnection of service. Restoration will be subject to all applicable reconnection charges.

#### SECTION 3.0 - DISHONORED CHECK CHARGE

Customers whole payment by check is returned for insufficient funds, or is otherwise not processed for payment, will be subject to a returned check charge. Such charge will be applicable on each occasion when a check is returned or not processed.

\$30.00 per check

Issued: February 26, 2009

Effective: March 1, 2009

Issued by:

#### **SECTION 4.0 MTSS LANGUAGE**

All telephone companies are subject to the commission's rules for minimum telephone service standards (MTSS) found in chapter 4901:1-5 of the Administrative Code. Customers have certain rights and responsibilities under the Minimum Telephone Service Standards. These safeguards can be found in the Appendix to Ohio Adm. Code 4901:1-5-03, which is entitled "Telephone Customer Rights and Responsibilities." These rights and responsibilities include complaint handling, ordering or changing service, service repair, payment of bills, and disconnection of service.

Issued: February 26, 2009

Effective: March 1, 2009

Issued by:

Mirsad Causevic
President and CEO
ABA NET, LLC
11510 Georgia Avenue, Suite 101
Silver Spring, MD 20902
Case 06-1497-TP-ACE Tariff 90-6366-CT-TRF

# Exhibit C

## Case No.

# **ABA Net, LLC**

Narrative of Tariff Change, as mandated by P.U.C.O. Entry dated January 11, 2011in

Case No. 10-1010-TP-ORD

# **Tariff Pages**

<u>Remarks</u>

ABA Net, LLC, P.U.C.O. Tariff No. 2 (eff. March 1, 2009) all pages

Removed per detariffing Order of the Commission; no currently tariffed services are contained within the tariff

# Exhibit D

One-Time Customer Notice of Detariffing



ED KANLIC 14387 Pin Oak Dr Strongsville, OH 44136-2691

March 31, 2011

Dear Sir or Madam:

The Public Utilities Commission of Ohio ("PUCO") has ordered the "de-tariffing" of the services that we provide to you. Consequently, the prices, service descriptions, terms and conditions for services that you are currently being provided by ABA Net, LLC will no longer be on file at the PUCO after April 19, 2011.

This modification of regulatory practice does not change the prices, terms, or conditions of those services to which you currently subscribe in Ohio. ABA Net must still provide you — the customer — with at least fifteen days' advance notice of any rate increases, changes in terms and conditions or discontinuance of existing services. Additionally, you will be able to view rates, terms and conditions for the company's current and future service offerings online at <a href="https://www.abanet.us">www.abanet.us</a> or you can request a written copy of this information by contacting the Customer Service Department toll free at 1-866-862-7232 or by mail at 11510 Georgia Avenue, Suite 101, Silver Spring MD 20902.

Since the information about these services will no longer be on file with the PUCO, the terms and conditions accepted by you pursuant to the "Customer Service Agreement – All Jurisdictions" together with the applicable Ohio Price List, as posted online at <a href="https://www.abanet.us">www.abanet.us</a>, will control new services or changes in existing service. For any new services or changes in existing service, it will be important that you carefully review and confirm the price, terms and conditions prior to their becoming effective.

If you have any questions about this matter, please call ABA Net Customer Service Department at the toll free number, 866-862-7232, or visit us at <a href="www.abanet.us">www.abanet.us</a>. You may also visit the consumer information page on the PUCO's website at puco.ohio.gov for further information.

Sincerely, Customer Service ABA Net, LLC

Olumini Delita

Secry On Dlan 3/31/2011



# Exhibit E

Affidavit of Mailing of Customer Notice

STATE OF MARYLAND	)	
<b>x</b>	)	SS.
COUNTY OF MONTGOMERY	)	

#### **AFFIDAVIT**

Delila Causevic, being duly sworn, hereby deposes and states:

- 1. I am an authorized agent of the applicant corporation, ABA Net, LLC; and I am authorized to make this statement on its behalf.
- 2. I attest that the customer notice attached as Exhibit A to this affidavit was sent to affected customers via first class mail, postage paid, on March 31, 2011, in accordance with Rule 4901:1-6-07, Ohio Administrative Code.
- 3. I declare under the penalties for perjury of the laws of the State of Ohio and the State of Maryland that the foregoing is true and correct to my knowledge and belief.
- 4. Further affiant sayeth not.

Delila Causevic

Subscribed and sworn to before me on this 31 day of March, 2016

Notary Pullic



# The Public Utilities Commission of Ohio

## TELECOMMUNICATIONS RETAIL SERVICE OFFERING FORM

#### For Non-BLES Carriers

# Per the Commission's 01/19/2011 "Implementation Order" in Case No. 10-1010-TP-ORD (Effective: 01/20/2011)

Company Name ABA Net, LLC
Company Address 11510 Georgia Avenue, Suite 101, Silver Spring, MD 20902
Company Web Addresswww.abanet.us
Regulatory Contact Person Delila Causevic Phone 240-413-6168 Fax 301-603-9017
Regulatory Contact Person's Email Addressdelila.causevic@abanet.us
Contact Person for Annual Report Delila Causevic Phone 240-413-6168 Fax 301-603-9017
Consumer Contact Information Delila Causevic Phone 240-413-6168 Fax 301-603-9017
TRF Docket No. 90-6366-TP-TRF
I. Company Type (Check all applicable):
Non-BLES CLEC IXC Other (explain)
II. Services offered (Check all applicable):
Toll services (intrastate)
☐ Local Exchange Service (i.e., residential or business bundles)
Other (explain)
III. Tariffed Provisions/Services (To the extent offered, check all applicable and attach tariff pages):
□ Toll Presubscription
$\square$ Intrastate Special and Switched Access Services to Carriers (facilities-based local carriers only)*
□ N-1-1 Service
□ Pole Attachment and Conduit Occupancy
Pay Telephone Access Lines
☐ Inmate Operator Service
□ Telephone Relay Service
*Access service tariffs shall be maintained separately and are subject to the Commission's carrier-to-carrier rules found in Chapter 4901:1-7, Ohio Administrative Code.

#### Part IV. - Attestation

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

I am an officer/agent of the carrier/telephone company, <u>ABA Net, LLC</u>, and am authorized to make statements on it behalf. I understand that Telephone companies have certain responsibilities to its customers under the Telecommunications Rules (Ohio Adm. Code 4901:1-6). These responsibilities include: warm line service; not committing unfair or deceptive acts and practices; truth in billing requirements; and slamming and preferred carrier freeze requirements. We will comply with the rules of the state of Ohio and understand that non-compliance 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.

(Signature and Title)

OH. 05- 2011.

(Date)