#### 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 MIRACLE )   COMMUNICATIONS, INC. )   to Detariff Services and make other changes related to the )   Implementation of Case No. 10-1010-TP-ORD )	TRF Docket No. 90 Case No <b>TP</b> - <b>ATA</b> NOTE: Unless you have reserved a Case I fields BLANK.	No. leave the "Case No."
Name of Registrant(s) Miracle Communications, Inc	_	
DBA(s) of Registrant(s)		
Address of Registrant(s) 725 Lakefield Road Suite G Westlake	Village, CA 91361	
Company Web Address <u>www.filamphoneclub.com</u>		
Regulatory Contact Person(s) Mark Soria	Phone (805) 374-1712	Fax (805) 374-2459
Regulatory Contact Person's Email Address <u>regulatory@miracle</u>	communicationsinc.com	
Contact Person for Annual Report <u>Mark Soria</u>		Phone (805) 374-1712
Address (if different from above)		
Consumer Contact Information Mark Soria		Phone (800) 220-5194
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.

Carrier Type		🖂 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		
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:
$\square$	Exhibit A	The existing affected tariff pages.
	Exhibit B	The proposed revised tariff pages.
$\square$	Exhibit C	Narrative summarizing all changes proposed in the application, and/or other
		information intended to assist Staff in the review of the Application.
	Exhibit D	One-time customer notice of detariffing and related changes consistent with rule
		4901:1-06-07
	Exhibit E	Affidavit that the Customer Notice described in Exhibit C has been sent to
		Customers.

## Part III. – Attestation Registrant hereby attests to its compliance with pertinent entries and orders issued by the Commission.

#### <u>AFFIDAVIT</u> Compliance with Commission Rules

I am an officer/agent of the applicant corporation, <u>Miracle Communications, Inc.</u>, and am authorized to make this statement on its (Name), where the statement of the applicant corporation of the applicant corporation of the applicant corporation.

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) August 26, 2011 at (Location) Westlake Village, CA

\*(Signature and Title) (Sgd.) MARK SORIA/President & COO (Date) 08/26/2011

• 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, MARK SORIA

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) (Sgd	1.) MARK SORIA /President & COO	(Date)	08/26/2011
*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

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Make such filing electronically as directed in Case No 06-900-AU-WVR

## MIRACLE COMMUNICATIONS, INC.

## EXHIBIT A

## **EXISTING AFFECTED TARIFF PAGES**

MIRACLE COMMUNICATIONS, INC.	P.U.C.O. Tariff No. 2
Mark Soria, President & COO	
725 Lakefield Road, Suite G	Original Sheet 1
Westlake Village, CA 91361	
Issued: April 3, 2008	Effective: April 3, 2008

Public Utilities Commission of Ohio Tariff No. 2 of Miracle Communications, Inc. replaces, in its entirety, Public Utilities Commission of Ohio Tariff No. 1 of Miracle Communications, Inc.

## TITLE SHEET

#### **OHIO TELECOMMUNICATIONS TARIFF**

Tariff schedule applicable to Telecommunications Services furnished by Miracle Communications, Inc. ("Miracle"), with principal offices at 725 Lakefield Road, Suite G, Westlake Village, California 91361. This Tariff applies for services furnished within the State of Ohio and is on file with the Ohio Public Utilities Commission. Copies may be inspected, during normal business hours, at the company's principal place of business.

MIRACLE COMMUNICATIONS, INC.	P.U.C.O. Tariff No. 2
Mark Soria, President & COO	
725 Lakefield Road, Suite G	Original Sheet 2
Westlake Village, CA 91361	
Issued: April 3, 2008	Effective: April 3, 2008

## CHECK SHEET

The Sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

<u>SHEET</u>	<b>REVISION</b>
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original

\*New or Revised Sheet

MIRACLE COMMUNICATIONS, INC.	P.U.C.O. Tariff No. 2
Mark Soria, President & COO	
725 Lakefield Road, Suite G	Original Sheet 3
Westlake Village, CA 91361	
Issued: April 3, 2008	Effective: April 3, 2008
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## TARIFF FORMAT

A. Sheet Numbering: Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between pages 11 and 12 would be page 11.1.

B. Sheet Revision Numbers: Revision numbers also appear in the upper right corner of each sheet where applicable. These numbers are used to indicate the most current page version on file with the Commission. For example, 4<sup>th</sup> Revised Sheet 13 cancels 3<sup>rd</sup> Revised Sheet 13. Consult the Check Sheet for the sheets currently in effect.

C. Paragraph Numbering Sequence: There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

2. 2.1 2.1.1 2.1.1.A 2.1.1.A.1 2.1.1.A.1(a) 2.1.1.A.1(a).I 2.1.1.A.1(a).I.(i) 2.1.1.A.1(a).I.(i).(1)

D. Check Sheets: When a tariff filing is made with the Commission, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the sheets contained in the tariff, with a cross reference to the current Revision Number. When new sheets are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this sheet if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest Check Sheet to find out if a particular sheet is the most current on Commission file.

P.U.C.O. Tariff No. 2

Original Sheet 5

Effective: April 3, 2008

## **SYMBOLS**

The following are the only symbols used for the purposes indicated below:

- to signify change in regulation (C)
- to signify a deletion (D)
- to signify a rate increase (I)
- to signify material relocated in the tariff (L)
- to signify a new rate or regulation (N)
- to signify a rate reduction (R)
- to signify a change in text, but no change in rate or regulation (T)

MIRACLE COMMUNICATIONS, INC. Mark Soria, President & COO 725 Lakefield Road, Suite G Westlake Village, CA 91361 Issued: April 3, 2008

## <u>SECTION 1 – GENERAL</u>

#### 1.1 <u>Undertaking of the Company</u>

This tariff contains the regulations applicable to intrastate interexchange telecommunication services provided by the Company for telecommunications between points within the State of Ohio. All terms and conditions herein will comply with Ohio Minimum Telephone Service Standards. Services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff in compliance with limitations set forth in the Commission rules. The Company's services are provided on a statewide basis and are not intended to be limited geographically. The Company offers service to all those who desire to purchase service from the Company's services shall file a service application with the Company which fully identifies the Customer, the services requested and other information requested by the Company. The Company may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the Customer, to allow connection of a Customer's location to a service provided by the Company. The Customer shall be responsible for all charges due for such service arrangement.

The services provided by the Company are not part of a joint undertaking with any other entity providing telecommunications channels, facilities, or services, but may involve the resale of the Message Toll Services (MTS) and Wide Area Telecommunications Services (WATS) of underlying common carriers subject to the jurisdiction of this Commission.

#### 1.2 <u>Responsibilities and Rights of the Customer</u>

Customers have certain rights and responsibilities under the Minimum Telephone Service Standards (Ohio Adm. Code 4901:1-5) (MTSS). 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 and reconnection of service.

MIRACLE COMMUNICATIONS, INC. Mark Soria, President & COO 725 Lakefield Road, Suite G Westlake Village, CA 91361 Issued: April 3, 2008 P.U.C.O. Tariff No. 2 Original Sheet 7 Effective: April 3, 2008

## **SECTION 1 – GENERAL (CONT'D.)**

#### 1.3 Late Charge

A late fee of 1.5% monthly or the amount otherwise authorized by law, whichever is lower, will be charged on the undisputed portion of any past due balances. Late payment fees should not include interest on previously charged late payment fees. The late payment charge will not be applied to previous late payment charges that have been assessed but not yet paid for, but will apply to the accumulated services for which the customer is in arrears. Late payment charges will be applied without discrimination.

#### 1.4 <u>Returned Check Charge</u>

A fee of \$25.00 will be charged whenever a check or draft presented for payment for service is not accepted by the institution on which it is written. The Company may waive the returned check charge under appropriate circumstances.

#### 1.5 <u>Customer Complaints and/or Billing Disputes</u>

Customer inquiries or complaints regarding service or accounting may be made in writing or by telephone at any time to the Company at the below. There is no time limit for submitting disputes.

725 Lakefield Road, Suite G Westlake Village, California 91361 (800) 220-5194

If you have a complaint that is not resolved after you have called Miracle Communications, Inc. or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.puco.ohio.gov.

P.U.C.O. Tariff No. 2 Original Sheet 8

Effective: April 3, 2008

## **SECTION 1 – GENERAL (CONT'D.)**

Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. Weekdays, or at <u>www.pickocc.org</u>

The Company will not collect attorney fees or court costs from Customers.

## 1.6 <u>Service Offerings</u>

A complete description of the services, rates & terms and conditions that are offered by the Company can be found on the Company's website at <u>www.filamphoneclub.com</u>.

#### 1.7 <u>Deposits</u>

The Company does not require deposits to commence service.

## EXHIBIT C

# Matrix or narrative summarizing all changes proposed in the application, and/or other information intended to assist Staff in the review of the Application

Pursuant to the Commission's January 19, 2011 Entry in Case No. 10-1010-TP-ORD, Miracle Communications, Inc. files this application in order to remove from the Commission's records its remaining tariff sheets that were issued and effective on April 3, 2008 (Please see Exhibit A).

Miracle filed a detariffing application on April 3, 2008 pursuant to this Commission's September 19, 2007 Entry in Case No. 06-1345-TP-ORD. That filing accomplished the detariffing of all of Miracle's services at that time and customers were so notified. The notice for both residential and non-residential customers dated March 14, 2008 accompanying that application is hereto attached.

Since there is no additional services remaining in the tariff and the services being offered by Miracle Communications, Inc. have been available and used by customers since April 2008, no additional customer notice is deemed necessary and none is being sent. In addition, Exhibit B is not attached to this filing since PUCO Tariff No. 2 is completely removed from the Tariff.

## Miracle Communications, Inc. 725 Lakefield Road, Suite G Westlake Village, California 91361

## **IMPORTANT RESIDENTIAL CUSTOMER NOTICE**

March 14, 2008

Dear Valued Subscriber:

Beginning on March 29, 2008, the prices, service descriptions, and the terms and conditions for long distance services that you are provided by Miracle Communications, Inc. will no longer be on file at the Public Utilities Commission of Ohio (PUCO).

This modification does not automatically result in a change in the prices, terms or conditions of those services to which you currently subscribe. Miracle Communications, Inc. must still provide a customer notice at least fifteen (15) days in advance of rate increases, changes in terms and conditions and discontinuance of existing services. Additionally, you will be able to view Miracle Communications, Inc.'s future service offerings in a (guidebook/catalog) online at <u>www.filamphoneclub.com</u> or you can request a copy of this information by contacting Miracle Communications, Inc. at 725 Lakefield Road, Suite G, Westlake Village, California 91361 or via telephone at (800) 220-5194.

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

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

If you have any questions about this matter, please call Miracle Communications, Inc. at the toll free number (800) 220-5194 or visit us at <u>www.filamphoneclub.com</u>. You may also visit the consumer information page on the PUCO's website at puco.ohio.gov for further information.

Sincerely,

Miracle Communications, Inc.

## Miracle Communications, Inc. 725 Lakefield Road, Suite G Westlake Village, California 91361

## **IMPORTANT NON-RESIDENTIAL CUSTOMER NOTICE**

March 14, 2008

Dear Valued Subscriber:

Beginning on March 29, 2008, the prices, service descriptions, and the terms and conditions for certain telecommunication services that you are provided by Miracle Communications, Inc. will no longer be on file at the Public Utilities Commission of Ohio (PUCO).

Miracle Communications, Inc. provides a wide range of Telecommunication services in the state of Ohio.

This modification does not automatically result in a change in the prices, terms or conditions of those services to which you currently subscribe. Miracle Communications, Inc. must still provide a customer notice at least fifteen (15) days in advance of rate increases, changes in terms and conditions and discontinuance of existing services. Additionally, you will be able to view Miracle Communications, Inc.'s future service offerings in a (guidebook/catalog) online at <u>www.filamphoneclub.com</u> or you can request a copy of this information by contacting Miracle Communications, Inc. at 725 Lakefield Road, Suite G, Westlake Village, California 91361 or via telephone at (800) 220-5194.

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

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

If you have any questions about this matter, please call Miracle Communications, Inc. at the toll free number (800) 220-5194 or visit us at <u>www.filamphoneclub.com</u>.

Sincerely,

Miracle Communications, Inc.

## This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

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in

Case No(s). 11-4935-TP-ATA

Summary: Application In the Matter of the Application of Miracle Communications, Inc. to Detariff Services and make other changes related to the Implementation of Case No. 10-1010-TP-ORD electronically filed by Mr. Mark Soria on behalf of Miracle Communications, Inc.