

NOWALSKY, BRONSTON & GOTHARD

A Professional Limited Liability Company

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October 13, 2011

Via Electronic Filing

Chief Clerk
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3793

RE: First Choice Technology, Inc.
Detariffing application

Dear Sir or Madam:

Enclosed please find the Detariffing Application and Telecommunications Retail Service Offering Form for Non-BLES Carriers for First Choice Technology, Inc.

An additional copy of this filing has been enclosed to be file-stamped and returned in the envelope provided as evidence of the filing.

Should you have any questions, please do not hesitate to call.

Sincerely,


Becky Heggelund

Enclosures

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 First Choice Technology, 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. _____ - _____ **TP - ATA**

NOTE: Unless you have reserved a Case No. leave the "Case No." fields BLANK.

Name of Registrant(s) First Choice Technology, Inc.

DBA(s) of Registrant(s)

Address of Registrant(s) 903 Lake Lily Drive., Suite A-125, Maitland, FL 32751

Company Web Address www.firstchoicetele.com

Regulatory Contact Person(s) Scott Howsare

Phone (407) 629-0950

Fax (407-629-5320)

Regulatory Contact Person's Email Address showsare@firstchoicetele.com

Contact Person for Annual Report Mark Lammert, CPA, Compliance Solutions, Inc.

Phone (407) 260-1101

Address (if different from above) 740 Florida Central Pkwy., Suite 2008, Longwood FL 32750

Consumer Contact Information Scott Howsare

Phone

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	<input type="checkbox"/> ILEC	<input type="checkbox"/> CLEC	<input type="checkbox"/> CTS
Tariff for Basic Local Exchange Service (BLES) and/or other services required to be tarified pursuant to 4901:1-6-11(A); detariffing of all other services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other changes required by Chapter 4901:1-6 (Describe in detail in Exhibit C)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Part II – Exhibits

Note that the following exhibits are required for all filings using this form.

Included	Identified As:	Description of Required Exhibit:
<input checked="" type="checkbox"/>	Exhibit A	The existing affected tariff pages.
<input type="checkbox"/>	Exhibit B	The proposed revised tariff pages. No pages remain after detariffing.
<input checked="" type="checkbox"/>	Exhibit C	Narrative summarizing all changes proposed in the application, and/or other information intended to assist Staff in the review of the Application.
<input checked="" type="checkbox"/>	Exhibit D	One-time customer notice of detariffing and related changes consistent with rule 4901:1-06-07
<input checked="" type="checkbox"/>	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.

AFFIDAVIT

Compliance with Commission Rules

I am an officer/agent of the applicant corporation, First Choice Technology, Inc., and am authorized to make this statement on its behalf.
(Name)

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) Oct. 13, 2011 at (Location) Metairie, LA
(Signature and Title) Becky Heggenland (Date) 10-13-2011

- 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, Becky Heggenland
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) Becky Heggenland, Regulatory Asst. (Date) 10-13-2011

*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**

Or

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

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 First Choice Technology, Inc.
Company Address 903 Lake Lily Drive, Suite A-125, Maitland, FL 32751
Company Web Address www.firstchoicetele.com
Regulatory Contact Person Scott Howsare Phone (407) 629-0950 Fax (407) 629-5320
Regulatory Contact Person's Email Address showsare@firstchoicetele.com
Contact Person for Annual Report Mark Lammert Phone (407) 260-1011 Fax _____
Consumer Contact Information Scott Howsare Phone (407) 629-0950 Fax (407) 629-5320
TRF Docket No. _____ - -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
☐ 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, First Choice, and am authorized to make statements on it behalf.
(Name) Technology, Inc.

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.

Becky Heggenlund, Regulatory Asst.
(Signature and Title)

10-13-11
(Date)

Exhibit A

First Choice Technology, Inc.

Existing Tariff Pages

PUCO 1

FIRST CHOICE TECHNOLOGY, INC.

(D)

(D)

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 and reconnection of service.

ISSUED: January 28, 2009

EFFECTIVE: January 29, 2009

ISSUED BY: First Choice Technology, Inc.
601 N. Orlando Avenue, Suite 211
Maitland, FL 32751

(D)

(D)

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2.7.3 Deposits

The Company may require a customer who has a proven history of late payment of whose financial ability is not a matter of record to make a deposit to be held as a guarantee for payment of charges. Deposits shall not exceed two hundred thirty percent (230%) of one of the following:

1. The estimated average monthly bill for the individual customer's regulated services for the ensuing twelve months.
2. The customer's average monthly bill based upon the customer's service account billing history for the same recurring regulated charges for the class of service seeking to be established with the telecommunication provider.
3. The telecommunications provider's tariffed statewide average monthly bill (deposit amount) for residential or small business customer service for local, long distance, or packaged services.

Deposits will be returned to the customer when service is terminated or when satisfactory credit has been established. Satisfactory credit is defined in OAC 4901:1-17-06B as being established after the customer has paid his bills for service for twelve consecutive months without having had service discontinued for nonpayment of his bill, and without having had more than two occasions which his bill was not paid by the time specified by the regulations of the utility regarding prompt payment of bills, and the customer is not then delinquent in the payment of his bill, then the utility shall promptly refund the deposit plus interest accrued to date. If the customer has had service discontinued for nonpayment of his bill, or had more than two such past due bills for such period, the utility shall thereafter review the account every twelve months and shall promptly refund the deposit plus interest accrued to date after the customer has neither had service discontinued for nonpayment of his bill nor had more than two such past due bills during the twelve consecutive months prior to any review, and the customer is not then delinquent in the payment of his bills. The deposit will be returned when service is terminated or when the customer meets the requirements of 4901:1-17-06, whichever comes first.

In addition to the establishment of credit through a deposit, the customer will be afforded the opportunity to establish creditworthiness through every means available for doing so provided in OAC 4901:1-5 and 4901:1-17.

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2.7.5.1 Late Payment Charges

A late payment charge of 1.5 percent per month will be applied to charges not paid by their due date. The late payment charge will not be applied to previous late payment charges that have been assessed by not yet been paid for, but will apply to the accumulated services for which the customer is in arrears. Late payment charges will be applied without discrimination.

2.7.5.2 Returned Check Charge

When a customer's check is not honored by the financial institution and the check is returned to the Company due to "insufficient funds" in the customer's account or for similar reasons, a charge of \$20.00 shall apply, unless the customer can establish that the charge should not be assessed.

(D)

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Exhibit B

First Choice Technology, Inc.

Amended Tariff Pages

No tariff pages remain after this exercise.

Exhibit C

First Choice Technology, Inc.

Narrative of Tariff Changes

The following pages have been deleted in PUCO Tariff No. 1 and are being posted on the Company's website of www.firstchoicetele.com

<u>Section</u>	<u>Pages Affected</u>	<u>Text Deleted</u>
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All pages deleted - no pages remain

Exhibit D

First Choice Technology, Inc.

One-time customer notice of detariffing and related changes consistent with rule 4901:1-06-07

Residential Notice

Beginning on November 1, 2011 the prices, service descriptions, and the terms and conditions for services other than local flat rate service that you are provided by First Choice Technology, Inc. ("First Choice") 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. First Choice must still provide a customer notice at least fifteen days in advance of rate increases, changes in terms and conditions and discontinuance of existing services. Additionally, you will be able to view the company's future service offerings in a guidebook online at firstchoicetele.com or you can request a copy of this information by contacting First Choice at (888) 598-0672.

Since these services will no longer be on file with the Commission, this means that the agreement reached between the customer and the company will control new services or changes in service. 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 First Choice at the toll free number (888) 598-06722, or visit us at firstchoicetele.com.

Sincerely,

First Choice Technology, Inc.

Business Notice

Beginning on November 1, 2011, the prices, service descriptions, and the terms and conditions for services other than local flat rate service that you are provided by First Choice Technology, Inc. ("First Choice") 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. First Choice must still provide a customer notice at least fifteen days in advance of rate increases, changes in terms and conditions and discontinuance of existing services. Additionally, you will be able to view the company's future service offerings in a guidebook online at firstchoicetele.com or you can request a copy of this information by contacting First Choice at (888) 598-0672.

Since these services will no longer be on file with the Commission, this means that the agreement reached between the customer and the company will control new services or changes in service. 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 First Choice at the toll free number (888) 598-067, or visit us at firstchoicetele.com.

Sincerely,

First Choice Technology, Inc.

Exhibit E

Customer Notice Affidavit

CUSTOMER NOTICE AFFIDAVIT

AFFIDAVIT

I, Berkey Heggelund am an authorized agent of the applicant corporation, First Choice Technology, Inc. and am authorized to make this statement on its behalf. I attest that the customer notice(s) accompanying this affidavit were sent to affected customers through Bill Insert on Nov. 1, 2011 in accordance with Rule 4901:1-6-07, Ohio Administrative Code. I declare under penalty of perjury that the foregoing is true and correct.

Signature Berkey Heggelund, Oct. 13, 2011
(Date)

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

10/13/2011 5:50:28 PM

in

Case No(s). 10-1010-TP-ORD, 11-5458-TP-ATA

Summary: Application Detariffing Application and Telecommunications Retail Service Offering Form for Non-BLES Carriers for First Choice Technology, Inc. electronically filed by Ms. Becky Heggelund on behalf of First Choice Technology, Inc.