

The Public Utilities Commission of Ohio
TELECOMMUNICATIONS FILING FORM

(Effective: 01/20/2011)

This form is intended to be used with most types of required filings. It provides check boxes with rule references for the most common types of filings. It does not replace or supersede Commission rules in any way.

In the Matter of the Application of AT&T Ohio) TRF Docket No. 90-_____
For Review and Approval of an Agreement Amendment) Case No. 13 - 0546 - **TP** - NAG
Pursuant to Section 252 of the Telecommunications Act of)
1996) **NOTE: Unless you have reserved a Case #, leave the "Case No" fields BLANK.**

Name of Registrant(s) The Ohio Bell Telephone Company

DBA(s) of Registrant(s) AT&T Ohio

Address of Registrant(s) 150 E. Gay St., Room 4C, Columbus, Ohio 43215

Company Web Address www.att.com

Regulatory Contact Person(s) Jon F. Kelly

Phone 614-223-7928

Fax 614-223-5955

Regulatory Contact Person's Email Address jk2961@att.com

Contact Person for Annual Report Michael R. Schaedler

Phone 216-822-8307

Address (if different from above) 45 Erieview Plaza, Room 1600, Cleveland, Ohio 44114

Consumer Contact Information Michael R. Schaedler

Phone 216-822-8307

Address (if different from above) 45 Erieview Plaza, Room 1600, Cleveland, Ohio 44114

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.]

Notes:

Section I and II are Pursuant to Chapter [4901:1-6 OAC](#)

Section III – Carrier to Carrier is Pursuant to [4901:1-7 OAC](#), and Wireless is Pursuant to [4901:1-6-24 OAC](#).

Section IV – Attestation

(1) Indicate the Carrier Type and the reason for submitting this form by checking the boxes below.

(2) For requirements for various applications, see the identified section of Ohio Administrative Code Section 4901 and/or the supplemental application form noted.

(3) Information regarding the number of copies required by the Commission may be obtained from the Commission's web site at 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.

(4) An Incumbent Local Exchange Carrier (ILEC) offering basic local exchange service (BLES) outside its traditional service area should choose CLEC designation when proposing to offer BLES outside its traditional service area or when proposing to make changes to that service.

All Filings that result in a change to one or more tariff pages require, at a minimum, the following 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 I – Part I - Common Filings

Carrier Type <input type="checkbox"/> Other (explain below)	<input type="checkbox"/> For Profit ILEC	<input type="checkbox"/> Not For Profit ILEC	<input type="checkbox"/> CLEC
Change terms & conditions of existing BLES	<input type="checkbox"/> ATA 1-6-14(H) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-14(H) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-14(H) (Auto 30 days)
Introduce non-recurring charge, surcharge, or fee to BLES			<input type="checkbox"/> ATA 1-6-14(H) (Auto 30 days)
Introduce or Increase Late Payment	<input type="checkbox"/> ATA 1-6-14(I) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-14(I) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-14(I) (Auto 30 days)
Revisions to BLES Cap.	<input type="checkbox"/> ZTA 1-6-14(F) (0 day Notice)		
Introduce BLES or expand local service area (calling area)	<input type="checkbox"/> ZTA 1-6-14(H) (0 day Notice)	<input type="checkbox"/> ZTA 1-6-14(H) (0 day Notice)	<input type="checkbox"/> ZTA 1-6-14(H) (0 day Notice)
Notice of no obligation to construct facilities and provide BLES	<input type="checkbox"/> ZTA 1-6-27(C) (0 day Notice)	<input type="checkbox"/> ZTA 1-6-27(C) (0 day Notice)	
Change BLES Rates	<input type="checkbox"/> TRF 1-6-14(F) (0 day Notice)	<input type="checkbox"/> TRF 1-6-14(F)(4) (0 day Notice)	<input type="checkbox"/> TRF 1-6-14(G) (0 day Notice)
To obtain BLES pricing flexibility	<input type="checkbox"/> BLS 1-6-14(C)(1)(c) (Auto 30 days)		
Change in boundary	<input type="checkbox"/> ACB 1-6-32 (Auto 14 days)	<input type="checkbox"/> ACB 1-6-32 (Auto 14 days)	
Expand service operation area			<input type="checkbox"/> TRF 1-6-08(G) (0 day)
BLES withdrawal			<input type="checkbox"/> ZTA 1-6-25(B) (0 day Notice)
Other* (explain) _____			

Section I – Part II – Customer Notification Offerings Pursuant to Chapter [4901:1-6-7 OAC](#)

Type of Notice	Direct Mail	Bill Insert	Bill Notation	Electronic Mail
<input type="checkbox"/> 15-day Notice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> 30-day Notice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Date Notice Sent:				

Section I – Part III –IOS Offerings Pursuant to Chapter [4901:1-6-22 OAC](#)

IOS	Introduce New	Tariff Change	Price Change	Withdraw
<input type="checkbox"/> IOS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section II – Part I – Carrier Certification - Pursuant to Chapter [4901:1-6-08, 09 & 10 OAC](#)

Certification	ILEC (Out of Territory)	CLEC	Carrier's Not Offering BLES	CESTC	CETC
* See Supplemental form	<input type="checkbox"/> ACE 1-6-08 * (Auto 30- day)	<input type="checkbox"/> ACE 1-6-08 * (Auto 30 day)	<input type="checkbox"/> ACE 1-6-08 * (Auto 30 day)	<input type="checkbox"/> ACE 1-6-10 (Auto 30 day)	<input type="checkbox"/> UNC 1-6-09 * (Non-Auto)

*Supplemental Certification forms can be found on the Commission Web Page.

Section II – Part II – Certificate Status & Procedural

Certificate Status	ILEC	CLEC	Carrier's Not Offering BLES
Abandon all Services		<input type="checkbox"/> ABN 1-6-26 (Auto 30 days)	<input type="checkbox"/> ABN 1-6-26 (Auto 30 days)
Change of Official Name *	<input type="checkbox"/> ACN 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> ACN 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)
Change in Ownership *	<input type="checkbox"/> ACO 1-6-29(E) (Auto 30 days)	<input type="checkbox"/> ACO 1-6-29(E) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)
Merger *	<input type="checkbox"/> AMT 1-6-29(E) (Auto 30 days)	<input type="checkbox"/> AMT 1-6-29(E) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)
Transfer a Certificate *	<input type="checkbox"/> ATC 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> ATC 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)
Transaction for transfer or lease of property, plant or business *	<input type="checkbox"/> ATR 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> ATR 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)

* Other exhibits may be required under the applicable rule(s). ACN, ACO, AMT, ATC, ATR and CIO applications see [the 4901:1-6-29 Filing Requirements on the Commission's Web Page](#) for a complete list of exhibits.

Section III – Carrier to Carrier (Pursuant to [4901:1-7](#)), and Wireless (Pursuant to [4901:1-6-24](#))

Carrier to Carrier	ILEC	CLEC
Interconnection agreement, or amendment to an approved agreement	<input checked="" 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)
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC 1-7-04 or 05 (Non-Auto)	
Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights- of-Way.	<input type="checkbox"/> UNC 1-7-23(B) (Non-Auto)	
Wireless Providers See 4901:1-6-24	<input type="checkbox"/> RCC [Registration & Change in Operations]	<input type="checkbox"/> NAG [Interconnection Agreement or

Section IV. – 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, _____, and am authorized to make this statement on its behalf.

(Name)

Please Check ALL that apply:

☐ 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 attest that customer notices accompanying this filing form were sent to affected customers, as specified in Section II, in accordance with Rule 4901:1-6-7, Ohio Administrative Code.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on (Date) _____ at (Location) _____

*(Signature and Title) _____ (Date) _____

- *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, Jon F. Kelly, verify that I have utilized the Telecommunications Filing Form for most 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) /s/ Jon F. Kelly, General Attorney

(Date) February 27, 2013

**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

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In The Matter Of The Application)	
For Approval Of An Agreement Amendment)	
Between AT&T Ohio and)	Case No. 13-0546-TP-NAG
Infotelecom, LLC and)	
Broadvox-CLEC, LLC)	
Pursuant To Section 252 of the)	
Telecommunications Act of 1996.)	

APPLICATION FOR APPROVAL OF AN AGREEMENT
AMENDMENT PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996

AT&T Ohio¹ hereby files the attached Third Amendment dated February 27, 2013 ("the Amendment") to the agreement between AT&T Ohio and Infotelecom, LLC and Broadvox-CLE, LLC, dated September 24, 2007 ("the Agreement") for review and approval by the Commission pursuant to the provisions of Section 252(e) of the Telecommunications Act of 1996, 47 U.S.C. § 252(e) ("the Act"). The amendment allows the CLEC to assume the agreements and other obligations of another CLEC.

The Agreement was approved by the Commission on December 25, 2007, in Case No. 07-1065-TP-NAG. AT&T Ohio requests that the Commission approve the Amendment.

¹ The Ohio Bell Telephone Company uses the name AT&T Ohio.

Respectfully submitted,

AT&T Ohio

By: /s/ Jon F. Kelly

Jon F. Kelly

AT&T Services, Inc.

150 E. Gay St., Rm. 4-C

Columbus, OH 43215

(614) 223-7928

Its Attorney

**AMENDMENT TO THE AGREEMENT
BETWEEN
INFOTELECOM, LLC
AND
BROADVOX-CLEC, LLC
AND
THE OHIO BELL TELEPHONE COMPANY D/B/A AT&T OHIO**

This Amendment (the "Amendment") amends the Interconnection Agreement by and between Ohio Bell Telephone Company d/b/a AT&T Ohio ("AT&T Ohio") and Infotelecom, LLC ("Infotelecom"). AT&T Ohio and CLEC are hereinafter referred to collectively as the "Parties" and individually as a "Party".

WHEREAS, AT&T Ohio and Infotelecom are Parties to an Interconnection Agreement under Sections 251 and 252 of the Communications Act of 1934, as amended (the "Act"), approved on December 26, 2007 in Docket #07-1065-TP-NAG ("Interconnection Agreement");

WHEREAS, on or about October 18, 2011, Infotelecom filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code in the United States Bankruptcy Court for the Northern District of Ohio (the "Bankruptcy Court"), Case No. 11-18945;

WHEREAS, on February 15, 2012, Infotelecom filed its Chapter 11 plan and disclosure statement, thereafter amended on April 27, 2012 and confirmed by the Bankruptcy Court on June 6, 2012 (the "Plan"), which provides for the sale of substantially all Infotelecom's assets, including the assumption and assignment of the Interconnection Agreements to The Broadvox Holding Company, LLC ("Broadvox Holding"), or such other entity that submits the highest and best bid for such assets;

WHEREAS, on March 21, 2012, the Bankruptcy Court approved the Stipulated Order Resolving Disputed Matters between certain AT&T companies, including AT&T Ohio, and Infotelecom, wherein AT&T consented to the assumption and assignment of the Interconnection Agreement (the "Stipulated Order");

WHEREAS, on April 20, 2012, an Asset Purchase Agreement ("APA") was executed between Infotelecom, LLC and Broadvox Holding. The APA was subsequently assigned to Broadvox-CLEC, LLC ("Broadvox-CLEC") pursuant to an Assignment and Assumption Agreement, dated July 2, 2012, whereby Broadvox-CLEC assumed all of Broadvox Holding's right, title and interest in the APA. Consequently, Broadvox-CLEC is the ultimate transferee of the acquired assets; and

WHEREAS, AT&T consents to the assumption by Infotelecom and Infotelecom's assignment to Broadvox-CLEC of the Interconnection Agreement;

NOW, THEREFORE, in consideration of the promises and mutual agreements set forth herein, AT&T Ohio, Infotelecom, LLC and Broadvox-CLEC agree to amend the Interconnection Agreement as follows:

1. The Interconnection Agreement is hereby amended to effectuate the modifications ordered in the Stipulated Order. Following the effective date of this Amendment, all references to "Infotelecom, LLC" in the Interconnection Agreement and its amendments shall constitute references to "Broadvox-CLEC, LLC".

2. AT&T Ohio shall reflect that name change from “Infotelecom, LLC” to “Broadvox-CLEC, LLC” only for the main billing account (header card) for each of the accounts previously billed to Infotelecom. AT&T Ohio shall not be obligated, whether under this Amendment or otherwise, to make any other changes to AT&T Ohio’s records with respect to those accounts, including to the services and items provided and/or billed thereunder or under the Interconnection Agreement.
3. Once this Amendment is effective, Broadvox-CLEC shall operate with AT&T Ohio under the “Broadvox-CLEC” name for those accounts. Such operation shall include, by way of example only, submitting orders under Broadvox-CLEC, and labeling (including re-labeling) equipment and facilities with Broadvox-CLEC.
4. Broadvox-CLEC is responsible for paying normal applicable service order processing/administration charges and/or nonrecurring charges for each service order submitted by Broadvox-CLEC, or by AT&T Ohio on behalf of Broadvox-CLEC, for updating billing accounts and End User records.
5. The Parties agree to revise subsection 17.1 of Section 17 of the General Terms and Conditions of the Interconnection Agreement to reflect that notices should be sent to the following. All other subsections in Section 17 shall remain unchanged.

17. Notices

- 17.1 Subject to Section 17.2, notices given by one Party to the other Party under this Agreement shall be in writing (unless specifically provided otherwise herein), and unless otherwise expressly required by this Agreement to be delivered to another representative or point of contact, shall be:
- 17.1.1 delivered personally;
 - 17.1.2 delivered by express overnight delivery service;
 - 17.1.3 mailed, via certified mail or first class U.S. Postal Service, with postage prepaid, and a return receipt requested; or
 - 17.1.4 delivered by facsimile; provided that a paper copy is also sent by a method described in (a), (b) or (c) of this Section 17;
 - 17.1.5 delivered by electronic mail (email) provided either Party has provided such information in Section 17.3 below.
 - 17.1.6 Notices will be deemed given as of the earliest of:
 - 17.1.6.1 the date of actual receipt;
 - 17.1.6.2 the next Business Day when sent via express overnight delivery service;
 - 17.1.6.3 five (5) days after mailing in the case of first class or certified U.S. Postal Service;
 - 17.1.6.4 the date set forth on the confirmation produced by the sending facsimile machine; when delivered to the recipient prior to 5:00 p.m. central standard time, but the next Business Day when delivered to the recipient 5:00 p.m. or later central standard time.
 - 17.1.6.5 notice by email shall be effective on the date it is officially recorded as delivered by the recipient’s delivery receipt when delivered prior to 5:00 p.m. central standard time, but the next Business Day when delivered to the recipient 5:00 p.m. or later central standard time. In the absence of such record of delivery, it shall be presumed to have been delivered on the date sent to CLEC by AT&T-13STATE.

17.1.7 Notices will be addressed to the Parties as follows:

NOTICE CONTACT	CARRIER CONTACT
NAME/TITLE	Kyle Bertrand VP of Network Planning and Regulatory
STREET ADDRESS	75 Erieview Plaza, Suite 400
CITY, STATE, ZIP CODE	Cleveland, Ohio 44114
PHONE NUMBER*	(216) 373-4636
FACSIMILE NUMBER	(216) 373-0950
EMAIL ADDRESS	kbertrand@broadvox.com

With a Copy To:

NOTICE CONTACT	CARRIER CONTACT
NAME/TITLE	Alex Gertsburg
STREET ADDRESS	75 Erieview Plaza, Suite 400
CITY, STATE, ZIP CODE	Cleveland, Ohio 44114
PHONE NUMBER*	(216) 373-4811
FACSIMILE NUMBER	(216) 373-4812
EMAIL ADDRESS	agertsburg@broadvox.com

	AT&T CONTACT
NAME/TITLE	Contract Management ATTN: Notices Manager
STREET ADDRESS	311 S. Akard St., 9 th floor Four AT&T Plaza
CITY, STATE, ZIP CODE	Dallas, TX 75202-5398
FACSIMILE NUMBER	(214) 464-2006
EMAIL ADDRESS	The current email address as provided on AT&T's CLEC Online website

*Informational only and not to be considered as an official notice vehicle under this Section.

- 17.1.8 Either Party may unilaterally change its designated contact, address, telephone number and/or facsimile number for the receipt of notices by giving written notice to the other Party in compliance with this Section. Any notice to change the designated contact, address, telephone and/or facsimile number for the receipt of notices shall be deemed effective ten (10) days following receipt by the other Party.
- EXCEPT AS MODIFIED HEREIN, ALL OTHER TERMS AND CONDITIONS OF THE UNDERLYING AGREEMENT SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.
 - This Amendment shall not modify or extend the Effective Date or Term of the underlying Agreement, but rather, shall be coterminous with such Agreement.
 - Based on the Public Utilities Commission of Ohio Rules, the Amendment is effective upon filing and is deemed approved by operation of law on the 91st day after filing ("Effective Date").

Broadvox-CLEC, LLC

The Ohio Bell Telephone Company d/b/a AT&T
Ohio by AT&T Services, Inc., its authorized
agent

By: 

By: 

Printed: Eugene Blumin

Printed: Patrick Doherty

Title: Chief Operational Efficiency Officer
(Print or Type)

Title: Director - Regulatory
(Print or Type)

Date: 2/18/13

Date: 2-27-13

Infotelecom, LLC

By: 

Printed: Kyle V. BERTRAND

Title: V.P. of Network Planning & Regulations
(Print or Type)

Date: 2/15/2013

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

2/27/2013 4:51:00 PM

in

Case No(s). 13-0546-TP-NAG

Summary: Application for approval of an interconnection agreement amendment electronically filed by Mrs. Verneda J. Engram on behalf of AT&T Ohio