



May 1, 2013  
Via Web Filing

Ms. Betty McCauley, Commission Secretary  
Ohio Public Utilities Commission  
180 East Broad Street  
Columbus, OH 43215

RE: Birch Telecom of the Great Lakes, Inc., dba Birch Communications  
P.U.C.O. Tariff No. 3- Access Tariff Revision  
Case No. 13-1104-TP-ATA and 10-2387-TP-COI; TRF Docket No. 90-9134-TP-TRF

Dear Ms. McCauley:

Enclosed for filing please find the above referenced tariff filing and application submitted on behalf of Birch Telecom of the Great Lakes, Inc., dba Birch Communications. This filing is submitted in compliance with the second phase of the FCC 2011 Report and Order in WC Docket No. 07-135, et al. and it makes the required access rate reductions. The Company respectfully requests an effective date for this filing of July 1, 2013.

The following tariff pages are included with this filing:

2 <sup>nd</sup> Revised Page 2	Updates Check Sheet
2 <sup>nd</sup> Revised Page 59	Makes rate reductions

Any questions you may have regarding this filing should be directed to my attention at 407-740-3006 or via email to [croesel@tminc.com](mailto:croesel@tminc.com). Thank you for your assistance in this matter.

Sincerely,

Carey Roesel  
Consultant to Birch Telecom of the Great Lakes, Inc.,  
dba Birch Communications

cc: Tara Jackson - Birch  
file: Birch - OH Access  
tms: OHa1301

Enclosures  
CR/gs

**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 )  
Birch Telecom of the Great Lakes, Inc. )  
dba Birch Communications )  
to Provide Local Exchange Services in Ohio )

TRF Docket No. 90-9134-TP-TRF

Case No. **13 - 1104 -TP-ATA**

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

Name of Registrant(s) Birch Telecom of the Great Lakes, Inc.  
DBA(s) of Registrant(s) Birch Communications  
Address of Registrant(s) 2300 Main St. Suite 600 Kansas City, MO 64108  
Company Web Address www.birch.com  
Regulatory Contact Person(s) Sharyl D Fowler  
Regulatory Contact Person's Email Address Sharyl.fowler@birch.com  
Contact Person for Annual Report Sharyl D Fowler  
Address (if different from above) \_\_\_\_\_  
Consumer Contact Information Sharyl D Fowler  
Address (if different from above) \_\_\_\_\_

Phone 478 476-1165

Fax 478 405-3112

Phone 478 476-1165

Phone 478 476-1165

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

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

## 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 <u>1-6-08</u> * (Auto 30- day)	<input type="checkbox"/> ACE <u>1-6-08</u> *(Auto 30 day)	<input type="checkbox"/> ACE <u>1-6-08</u> *(Auto 30 day)	<input type="checkbox"/> ACE <u>1-6-10</u> (Auto 30 day)	<input type="checkbox"/> UNC <u>1-6-09</u> *(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 <u>1-6-26</u> (Auto 30 days)	<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)
Change of Official Name *	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Change in Ownership *	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Merger *	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transfer a Certificate *	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (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 type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)
Request for Arbitration	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)
Introduce or change c-t-c service tariffs,	<input type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)	<input checked="" type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC <u>1-7-04</u> or 05 (Non-Auto)	
Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights- of-Way.	<input type="checkbox"/> UNC <u>1-7-23(B)</u> (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, Birch Telecom of the Great Lakes, Inc. dba Birch Communications, and am authorized to make this statement on its behalf.

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 May 1, 2013 at Maitland, FL 32751

  
\_\_\_\_\_  
\*Carey Roesel  
Consultant to Birch Telecom of the Great Lakes,  
Inc. dba Birch Communications

May 1, 2013

\_\_\_\_\_  
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, Carey Roesel, 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.

  
\_\_\_\_\_  
\*Carey Roesel  
Consultant to Birch Telecom of the Great Lakes,  
Inc. dba Birch Communications

May 1, 2013

\_\_\_\_\_  
Date

*\*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*

**Birch Telecom of the Great Lakes, Inc. dba Birch Communications**

**EXHIBIT A**

**Superseded Tariff Sheets**

**ACCESS SERVICES TARIFF**

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**CHECK SHEET**

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

<b>PAGE</b>	<b>REVISION</b>		<b>PAGE</b>	<b>REVISION</b>	<b>PAGE</b>	<b>REVISION</b>
1	Original		26	Original	51	Original
2	1 <sup>st</sup> Revised	*	27	Original	52	Original
3	Original		28	Original	53	Original
4	Original		29	Original	54	Original
5	Original		30	Original	55	Original
6	Original		31	Original	56	Original
7	Original		32	Original	57	Original
8	Original		33	Original	58	Original
9	Original		34	Original	59	1 <sup>st</sup> Revised *
10	Original		35	Original	60	Original
11	Original		36	Original	61	Original
12	Original		37	Original	62	Original
13	Original		38	Original	63	Original
14	Original		39	Original	64	Original
15	Original		40	Original	65	Original
16	Original		41	Original	66	Original
17	Original		42	Original	67	Original
18	Original		43	Original	68	Original
19	Original		44	Original	69	Original
20	Original		45	Original	70	Original
21	Original		46	Original	71	Original
22	Original		47	Original		
23	Original		48	Original		
24	Original		49	Original		
25	Original		50	Original		

\* - indicates those pages included with this filing

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Issued: May 1, 2012

Effective: July 1, 2012

Case No.: 09-887-TP-ATA

Issued by: Christopher J. Bunce, Vice President Legal, and General Counsel  
Birch Telecom of the Great Lakes, Inc. dba Birch Communications  
2300 Main St. Suite 600  
Kansas City, MO 64108

OHa1201

ACCESS SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES, (CONT'D)

5.4 Rates and Charges, (Cont'd)

5.4.2 Switched Transport, (Cont'd)

C. Common Transport

		<u>Nonrecurring Charge</u>
1.	Installation	
	First Trunk	\$115.00
	Additional Trunks	\$30.00
		<u>Usage Charge</u>
2.	Tandem Switched Transport - Termination, per Minute	
	Zone 1	\$0.00010300
	Zone 2	\$0.00010300
	Zone 3	\$0.00010500
	Zone 4	\$0.00010700
	Zone 5	\$0.00010900
3.	Tandem Switched Transport – Facility, per Minute, per Mile	
	Zone 1	\$0.00001300
	Zone 2	\$0.00001400
	Zone 3	\$0.00001400
	Zone 4	\$0.00001400
	Zone 5	\$0.00001400
4.	Tandem Switching, per Minute	
		<u>Originating</u> <u>Terminating</u>
	Zone 1	\$0.00111800      \$0.0011010 (R)
	Zone 2	\$0.00115100      \$0.0011335 (R)
	Zone 3	\$0.00115500      \$0.0011375 (R)
	Zone 4	\$0.00129100      \$0.0012715 (R)
	Zone 5	\$0.00185600      \$0.0018280 (R)

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Issued: May 1, 2012

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Case No.: 09-887-TP-ATA

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2300 Main St. Suite 600  
Kansas City, MO 64108

OHa1201



**Birch Telecom of the Great Lakes, Inc. dba Birch Communications**

**EXHIBIT B**

**Proposed Tariff Sheets**

**ACCESS SERVICES TARIFF**

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**CHECK SHEET**

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1	Original		26	Original	51	Original
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4	Original		29	Original	54	Original
5	Original		30	Original	55	Original
6	Original		31	Original	56	Original
7	Original		32	Original	57	Original
8	Original		33	Original	58	Original
9	Original		34	Original	59	2 <sup>nd</sup> Revised *
10	Original		35	Original	60	Original
11	Original		36	Original	61	Original
12	Original		37	Original	62	Original
13	Original		38	Original	63	Original
14	Original		39	Original	64	Original
15	Original		40	Original	65	Original
16	Original		41	Original	66	Original
17	Original		42	Original	67	Original
18	Original		43	Original	68	Original
19	Original		44	Original	69	Original
20	Original		45	Original	70	Original
21	Original		46	Original	71	Original
22	Original		47	Original		
23	Original		48	Original		
24	Original		49	Original		
25	Original		50	Original		

\* - indicates those pages included with this filing

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Issued: May 1, 2013

Effective: July 1, 2013

Case No.: 09-887-TP-ATA

Issued by: Christopher J. Bunce, Vice President Legal, and General Counsel  
Birch Telecom of the Great Lakes, Inc. dba Birch Communications  
2300 Main St. Suite 600  
Kansas City, MO 64108

OHa1301

ACCESS SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES, (CONT'D)

5.4 Rates and Charges, (Cont'd)

5.4.2 Switched Transport, (Cont'd)

C. Common Transport

		<u>Nonrecurring Charge</u>
1.	Installation	
	First Trunk	\$115.00
	Additional Trunks	\$30.00
		<u>Usage Charge</u>
2.	Tandem Switched Transport - Termination, per Minute	
	Zone 1	\$0.00010300
	Zone 2	\$0.00010300
	Zone 3	\$0.00010500
	Zone 4	\$0.00010700
	Zone 5	\$0.00010900
3.	Tandem Switched Transport – Facility, per Minute, per Mile	
	Zone 1	\$0.00001300
	Zone 2	\$0.00001400
	Zone 3	\$0.00001400
	Zone 4	\$0.00001400
	Zone 5	\$0.00001400
4.	Tandem Switching, per Minute	
	Zone 1	\$0.00108400 (R)
	Zone 2	\$0.00111600 (R)
	Zone 3	\$0.00112000 (R)
	Zone 4	\$0.00125200 (R)
	Zone 5	\$0.00180000 (R)

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Issued: May 1, 2013

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Issued by: Christopher J. Bunce, Vice President Legal, and General Counsel  
Birch Telecom of the Great Lakes, Inc. dba Birch Communications  
2300 Main St. Suite 600  
Kansas City, MO 64108

OHa1301

**Birch Telecom of the Great Lakes, Inc. dba Birch Communications**

**EXHIBIT C**

**Description of Tariff Change**

This filing makes the required rate revisions in compliance with the FCC's November 2011, Order.

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

**Commission of Ohio Docketing Information System on**

**5/1/2013 3:33:23 PM**

**in**

**Case No(s). 10-2387-TP-COI, 13-1104-TP-ATA**

Summary: Tariff Access Tariff Revision to Comply with FCC ICC/USF Reform Order  
electronically filed by Mrs. Grace D Stanley on behalf of BIRCH TELECOM OF THE GREAT  
LAKES INC DBA BIRCH COMMUNICATIONS LEGAL & REG MGR