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 Arthur Mutual Telephone Company to File a Tariff Pursuant to Chapter 4901:1-3 O.A.C. Concerning Pole Attachment and Conduit Occupancy))	Case No. 15 - 0946 TP NOTE: Unless you have reserved a BLANK.	- ATA
Name of Registrant(s) Arthur Mutual Telephone Company		
DBA(s) of Registrant(s)		
Address of Registrant(s) 21980 State Route 637, Defiance, OH 43512		
Company Web Address www.artelco.net		
Regulatory Contact Person(s) Jessica Meyer	Phone 402-441-4315	Fax 402-441-4317
Regulatory Contact Person's Email Address imever@consortiac	onsultina.com	
Contact Person for Annual Report Eric W. Roughton, General Manager		Phone 419-393-2233
Address (if different from above)		
Consumer Contact Information Arthur Mutual Telephone Company		Phone 419-393-2233
Address (if different from above)		
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:		

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

Section III - Carrier to Carrier is Pursuant to 4901:1-7 OAC, and Wireless is Pursuant to 4901:1-6-24 OAC.

Section I and II are Pursuant to Chapter 4901:1-6 OAC.

Section IV - Attestation.

- (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	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.		
С	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 Other (explain below	For Prof		fit ILEC	Not For Profit ILEC		☐ CLEC	
Change terms & condition existing BLES	ATA <u>1-</u> 6 (Auto 30 day		ATA <u>1-6</u> (Auto 30 day			ΓΑ <u>1-6-14(H)</u> 30 days)	
Introduce non-recurring ch surcharge, or fee to BLES	arge,						ΓΑ <u>1-6-14(H)</u> 30 days)
Introduce or Increase Late	Payment	ATA <u>1</u> -(Auto 30 day	ys)	ATA <u>1-6</u> (Auto 30 days			ΓΑ <u>1-6-14(I)</u> 30 days)
Revisions to BLES Cap.		ZTA <u>1-0</u> (0 day Notic	e)				
Introduce BLES or expand service area (calling area)	local	ZTA <u>1-0</u> (0 day Notic		TTA <u>1-6-</u> (0 day Notice			TA <u>1-6-14(H)</u> Notice)
Notice of no obligation to facilities and provide BLE		ZTA <u>1-0</u> (0 day Notic		ZTA <u>1-6-</u> (0 day Notice			
Change BLES Rates		TRF <u>1-6</u> (0 day Notic		TRF <u>1-6-14(F)(4)</u> (0 day Notice)		TRF <u>1-6-14(G)</u> (0 day Notice)	
To obtain BLES pricing flexibility		BLS <u>1-6-6</u> (C)(1)(c) (Auto 30 da	nys)				
Change in boundary		ACB <u>1-6-32</u> (Auto 14 days)		ACB <u>1-6-32</u> (Auto 14 days)			
Expand service operation area							RF <u>1-6-08(G)</u> (0 day)
BLES withdrawal							TA <u>1-6-25(B)</u> Notice)
Other* (explain)							
Section I – Part II – Cus	stomer Not	ification Of	ferings Pur	suant to Chapt	er <u>4901:1-6-7</u>	OAC	
Type of Notice	Direc	t Mail	Bill	Insert	Bill Nota	tion	Electronic Mail
☐ 15-day Notice							
30-day Notice							
Date Notice Sent:							
Section I – Part III –IO	S Offerings	Pursuant to	Chapter 49	01:1-6-22 OAC			
IOS	Introdu	ce New	Tariff	Tariff Change		ange	Withdraw
	Г	7					

Section II - Part I - Carrier Certification - Pursuant to Chapter 4901:1-6-08, 09 & 10 OAC

	ILEC	CLEC	Telecommunications	CESTC	CETC
Certification	(Out of Territory)		Service Provider		
	-		Not Offering Local		
* See Supplemental	ACE <u>1-6-08</u>	ACE <u>1-6-08</u>	ACE <u>1-6-</u> 08	ACE <u>1-6-</u> 10	UNC <u>1-6-</u> 09
form	* (Auto 30- day)	*(Auto 30 day)	*(Auto 30 day)	(Auto 30 day)	*(Non-Auto)

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

Section II - Part II - Certificate Status & Procedural

Certificate Status	ILEC	CLEC	Telecommunications Service Provider Not Offering Local
Abandon all Services		ABN <u>1-6-26</u> (Auto 30 days)	ABN <u>1-6-26</u> (Auto 30 days)
Change of Official Name *	ACN <u>1-6-29(B)</u> (Auto 30 days)	ACN <u>1-6-29(B)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
Change in Ownership *	ACO <u>1-6-29(E)</u> (Auto 30 days)	ACO <u>1-6-29(E)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
Merger *	AMT <u>1-6-29(E)</u> (Auto 30 days)	AMT <u>1-6-29(E)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
Transfer a Certificate *	ATC <u>1-6-29(B)</u> (Auto 30 days)	ATC <u>1-6-29(B)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	ATR <u>1-6-29(B)</u> (Auto 30 days)	ATR <u>1-6-29(B)</u> (Auto 30 days)	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	☐ NAG <u>1-7-07</u>	☐ NAG <u>1-7-07</u>
an approved agreement	(Auto 90 day)	(Auto 90 day)
Request for Arbitration	☐ ARB <u>1-7-09</u>	☐ ARB <u>1-7-09</u>
Troduction in the state of the	(Non-Auto)	(Non-Auto)
Introduce or change c-t-c service tariffs,	☐ ATA <u>1-7-14</u>	☐ ATA <u>1-7-14</u>
introduce of change e-t-e service tariffs,	(Auto 30 day)	(Auto 30 day)
Request rural carrier exemption, rural carrier	UNC <u>1-7-04</u> or 05	
suspension or modification	(Non-Auto)	
Changes in rates, terms & conditions to Pole	☐ UNC 1-7-23(B)	
Attachment, Conduit Occupancy and Rights-	(Non-Auto)	
of-Way.		
	RCC	□NAG
Wireless Providers See 4901:1-6-24	[Registration &	[Interconnection
	Change in Operations]	Agreement or

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

AFFIDAVIT Compliance with Commission Rules						
am an officer/agent of the applicant corporation, Arthur Mutual Telephone Company am an officer/agent of the applicant corporation, Arthur Mutual Telephone Company 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) 5/14/2015 at (Location) Defiance, Ohio *(Signature and Title) En Roughton Sec. (Date) 5/14/2015						
*(Signature and Title) Ever Koughton Sec. (Date) 5/14/2015						
 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						
Jessica Meyer 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) (Date) 5-14-2015						
*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						

Public Utilities Commission of Ohio Attention: Docketing Division 180 East Broad Street, Columbus, OH 43215-3793

Ur

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

EXHIBIT A CURRENT TARIFF PAGES

The Pole Attachment and Conduit Tariff being filed by Arthur Mutual Telephone Company is a new tariff filing. No current tariff sheets apply.

EXHIBIT B PROPOSED TARIFF PAGES

ARTHUR MUTUAL TELEPHONE COMPANY
POLE ATTACHMENT AND CONDUIT TARIFF

Pole Attachment and Conduit Tariff

POLE ATTACHMENTS AND CONDUIT OCCUPANCY

A. Terms and Conditions

- This tariff shall apply to all parties, including affiliates of the Attaching Entity, which attach
 to Arthur Mutual Telephone Company (referred to as "Company") poles and occupy
 conduit, except those parties that attach to the Company's poles and occupy conduit
 pursuant to a separate agreement.
- 2. The services in this tariff will be provided in accordance with Chapter 4901:1-3 of the Ohio Administrative Code.
- 3. Should any phrase, sentence, paragraph or section of this Rate Schedule be held to contravene any part of Chapter 4901:1-3, only that portion of this Rate Schedule which so contravenes the Rule, and not the entire Rate Schedule, shall be suspended until modified so as to comply with the requirements of Chapter 4901:1-3.

B. Restrictions on Access

- 1. Access to poles and conduit owned by the Company is restricted to Attaching Entities (as that term is defined in Ohio Revised Code Chapter 4901:1-3) in accordance with the provisions and definitions of Public Utilities Commission Chapter 4901:1-3.
- 2. The Company may deny an Attaching Entity access to its poles and conduits, on a nondiscriminatory basis where there is insufficient capacity or for reasons of safety, reliability, and generally applicable engineering purposes.

C. Limitation on Liability

1. The Company reserves to itself the right to locate and maintain its poles and conduit to operate its facilities in conjunction therewith in such a manner as will best enable it to fulfill its own service requirements. Except in the event of the Company's gross negligence or willful default, the Company shall not be liable to the Attaching Entity for any interruption of or interference with the operation of the Attaching Entity's services arising in any manner out of the use of the Company's poles and conduit. The Company shall make an immediate report to the Attaching Entity of the occurrence of any damage to the Attaching Entity's facilities.

Pole Attachment and Conduit Tariff

POLE ATTACHMENTS AND CONDUIT OCCUPANCY (Continued)

D. Indemnification

- 1. Except as may be caused by the negligence of the party seeking indemnification, the Attaching Entity and the Company shall each defend, indemnify and save harmless the other against and from any and all liabilities, claims, suits, fines, penalties, damages, losses, fees, costs and expenses (including reasonable attorneys= fees) including, but not limited to, those which may be imposed upon, incurred by or asserted against the party seeking indemnification by reason of (a) any work done upon the poles and conduit or any part thereof by the indemnifying party or any of its agents, contractors, servants, or employees, or (b) any use or occupation of said poles and conduit or any part thereof by the indemnifying party, or (c) any act or omission on the part of the indemnifying party or any of its agents, contractors, servants, or employees, for which the Company may be found liable.
- 2. The Attaching Entity shall indemnify, save harmless and defend the Company from any and all claims and demands of whatever kind which arise directly or indirectly from the operations of the Attaching Entity's attachments, including, without limitation, taxes, special charges by others, claims and demands for damages or loss due to infringement of copyright, libel, slander, unauthorized use of television broadcast programs, or unauthorized use of other program material. The Attaching Entity shall also hold the Company harmless against all claims and demands for infringement of patents with respect to the manufacture, use and operation of the Attaching Entity's attachments to the Company's poles or occupied conduit.

E. <u>Assurance of Payment and Insurance</u>

- 1. The Attaching Entity shall provide to the Company a performance bond in the amount of Fifteen Thousand Dollars (\$15,000). The purpose of the bond is to insure the Attaching Entity's performance of all of its obligations and any License issued hereunder and for the payment by the Attaching Entity of any claims, liens, taxes, liquidated damages, penalties and fees due to Company which arise by reason of the construction, operation, maintenance or removal of The Attaching Entity's Facilities on or about Company's Poles and Conduits.
- 2. The Attaching Entity shall obtain and maintain insurance, including endorsements insuring the contractual liability and indemnification provisions of this License Agreement, issued by an insurance carrier licensed to do business in the state in which The Attaching Entity's Facilities are to be located and having an A.M. Best Company rating of A minus or better, and reasonably satisfactory to the Company to protect the Company, other authorized Attaching Entities, municipal and governmental authorities and Joint Users from and against all claims, demands, causes of action, judgments, costs, including reasonable attorneys' fees, expenses and liabilities of every kind and nature which may arise or result, directly or indirectly, from or by reason of such loss, injury or damage as covered by any License issued hereunder.

Issued: May 15, 2015 Effective: May 15, 2015

Pole Attachment and Conduit Tariff

POLE ATTACHMENTS AND CONDUIT OCCUPANCY (Continued)

- E. Assurance of Payment and Insurance (cont'd)
 - 3. License shall maintain the following amounts of insurance, Commercial General Liability Insurance with limits of not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate. Umbrella or Excess Liability Insurance with limits of not less than \$10,000,000 per occurrence and in the aggregate. Workers Compensation Insurance in statutory amounts and Employers Liability Insurance in the amount \$1,000,000 per accident. Automobile Liability insurance covering any auto with combined single limits of \$1,000,000.
 - 4. All insurance must be effective before the Attaching Entity attaches to any pole or occupies any conduit and shall remain in force until such attachments have been removed from all such poles.
 - The Attaching Entity's property insurance policy shall contain a waiver-of subrogation clause running to the Company. This must be reflected on the certificate of insurance provided by the Attaching Entity. Such policy shall be the primary remedy for all losses covered by the policy.

F. Rates

- 1. The rate provided below entitles a customer to attach to the poles and occupy conduit in all of the Company's franchise area. The Attachment Fee applies per pole, per year for each one foot of space occupied by Attaching Party's Attachments. The conduit rate applies to each linear foot of conduit occupied.
 - \$1.82 for all pole attachments
 - \$0.10 per linear foot of conduit occupied
- 2. Field survey or inspection: Actual costs and expenses.
- 3. Make-ready work: Actual costs and expenses.
- 4. Labor: Actual costs and expenses.
- 5. Contractors: Actual costs and expenses.

G. Payment Terms

- 1. Attachment and occupancy fees are payable annually in advance. Fees are calculated on the number of attachments and feet of conduit occupied.
- 2. All fees and charges are due and payable 30 days after presentation of an invoice. Late payments will be assessed a late payment charge of 1% per month on all unpaid balances, commencing on the date due and payable.

Issued: May 15, 2015 Effective: May 15, 2015

EXHIBIT C DESCRIPTION OF FILING

The Arthur Mutual Telephone Company Pole Attachment and Conduit Tariff is filed in accordance with the Commission's Entry entered on April 22, 2015 in Case No. 13-579-AU-ORD and in Case No. 15-0946-TP-ATA. The filing introduces a new tariff, P.U.C.O. NO. 5, for Arthur Mutual Telephone Company in accordance with the adoption of Chapter 4901:1-3, Ohio Administrative Code, concerning access to poles, ducts, conduits, and rights-of-way.

Arthur Mutual will be filing an amended Annual Report with the PUCO on or before May 22, 2015.

EXHIBIT D CUSTOMER NOTICE

At this time, there are no notifications required to be made to attaching entities under Chapter 4901:1-3-03, Ohio Administrative Code. Arthur Mutual Telephone Company will make all required notifications pursuant to Chapter 4901:1-3.

EXHIBIT E RATE SUPPORT

POLE AND CONDUIT RENTAL CALCULATION INFORMATION Financial Information

1 Telecommunications Plant-in-Service2 Gross Investment - Poles3 Gross Investment - Conduit	\$ 8,694,989 969 190,439
4 Accumulated Depreciation - Total Plant-in-Service5 Accumulated Depreciation - Poles6 Accumulated Depreciation - Conduit	4,487,630 969 15,256
7 Depreciation Rate - Poles 8 Depreciation Rate - Conduit	5.80% 4.20%
9 Net Current Deferred Operating Income Taxes - Poles 10 Net Current Deferred Operating Income Taxes - Conduit 11 Net Current Deferred Operating Income Taxes - Total	- - -
12 Net Non-current Deferred Operating Income Taxes - Poles 13 Net Non-current Deferred Operating Income Taxes - Conduit 14 Net Non-current Deferred Operating Income Taxes - Total	- - -
15 Pole Maintenance Expense 16 Pole Rental Expense 17 Pole Expense (15) + (16)	 229 - 229
18 Conduit Maintenance Expense 19 Conduit Rental Expense 20 Conduit Expense (18) + (19)	 - - -
21 General & Administrative Expense 22 Operating Taxes	\$ 257,571 3,192
Operational Data (Actual) 23 Equivalent Number of Poles 24 Conduit System Trench Kilometers 25 Conduit System Duct Kilometers 26 Number of inner-ducts (if no inner-ducts enter 2)	10 16.90 18.45 6

Maximum Pole Attachment Charge

\$ 92.06	Gross Cost of a Bare Pole
7.4074%	Space Factor
26.63%	Carrying Charge Rate
\$ 1.82	Maximum Pole Attachment Charge per annum

Gross cost of a bare pole

\$ 969	Gross Investment Poles
0.95	Factor to remove investment in crossbars, etc.
\$ 921	Gross investment in <u>bare</u> poles
 10	Number of Poles
\$ 92.06	Gross cost of a bare pole

Space Factor

37.5 average pole height (feet)*

24 unusable space*

13.5 usable space

1 space occupied by attachment (feet)

7.4074% **Space Factor** (space occupied/usable space)

Net Investment in Bare Poles

\$	969	Gross Investment Poles
	969	(less) Accumulated depreciation Poles
	-	(less) Net Current Deferred Operating Income Taxes-Poles
	-	(less) Net Non-Current Deferred Operating Income Taxes-Poles
\$	-	Net Pole Investment
	0.95	Factor to remove investment in crossbars, etc.
\$	-	Net investment in <u>bare</u> poles

^{*}Avg pole height and unusable space are rebuttable presumptions

	Carrying Charge Rate
2.96% 0.00% 0.04% 0.00%	Maintenance Factor General and Administrative Factor Depreciation Factor Taxes Factor Cost of Capital Factor Carrying Charge Rate
	Maintenance Factor
\$ 229 -	Pole Maintenance Expense Pole Rental Expense
229	·
\$ 969	Gross Investment Poles
23.63%	Maintenance Factor
	General and Administrative Factor
\$ 257,571	General and Administrative Expense
8,694,989	Total Plant in Service
2.96%	General and Adm. Factor (G&A expense/Net TPIS) Depreciation Factor
0	Depreciation Rate-Poles Fully Depreciated? Yes = 0, No=1 Depreciation Factor

Γ

Taxes Factor

- \$ 3,192 Operating Taxes
- \$ 8,694,989 Total Plant in Service

0.04% Taxes Factor

Cost of Capital Factor

10.00% SLEC default Cost of Capital per Entry

- Net Investment in Poles
- 969 Gross Investment in Poles
- 0.00% Cost of Capital Factor

- 18,453 System duct Length in meters
 - 6.3 Number of Inner Ducts
- \$ 175,183 Net conduit Investment
 - 20.76% Carrying Charge-Conduit
- \$ 0.31 Maximum Rate Per Linear Meter
- \$ 0.10 Maximum Rate Per Linear Foot

Net Conduit Investment

- \$ 190,439 Gross Investment Conduit
 - 15,256 (less) Accumulated depreciation Conduit
 - (less) Net Current Deferred Operating Income Taxes-Conduit
 - (less) Net Non-Current Deferred Operating Income Taxes-Conduit
- \$ 175,183 **Net Conduit Investment**

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Carrying	Charge	Kate -	Conduit

0.00% Maintenance Factor

6.12% General and Administrative Factor

4.57% Depreciation Factor

0.08% Taxes Factor

10.00% Cost of Capital Factor

20.76% Carrying Charge Rate

Maintenance Factor

\$ - Conduit Maintenance Expense

Conduit Rental Expense

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\$ 175,183 Net Conduit Investment

0.00% Maintenance Factor

General and Administrative Factor

\$ 257,571 General and Administrative Expense

\$4,207,359 Net Total Plant in Service

6.12% General and Adm. Factor (G&A expense/Net TPIS)

Depreciation Factor

4.20% Depreciation Rate-Conduit

- \$ 190,439 Gross Conduit Investment
- \$ 175,183 Net Conduit Investment
 - 1.09 Gross Conduit Investment/Net conduit Investment
 - 4.57% Depreciation Factor

	Taxes Factor
\$ 3,192	Operating Taxes
\$ 4,207,359	Net Total Plant in Service
0.08%	5 Taxes Factor
	Cost of Capital Factor

10.00% SLEC default Cost of Capital per Entry

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

5/15/2015 10:22:57 AM

in

Case No(s). 15-0946-TP-ATA, 13-0579-AU-ORD

Summary: Tariff Pole Attachment and Conduit Occupancy electronically filed by Jessica L Meyer on behalf of Arthur Mutual Telephone Company