

FILE

PUBLIC UTILITIES COMMISSION OF OHIO

PUBLIC COMPETITIVE TELECOMMUNICATIONS SERVICE PROVIDER

563 REGISTRATION FORM

ISSUED: December 21, 1995

In the Matter of the Application of)
All-Star Acquisition Corporation) Case No 90-6081-CT-TRF

Name of Registrant ALL-STAR ACQUISITION CORPORATION
Registrant's Address 1151 Seven Locks Road; Potomac, MD 20854
Contact Person James Morgan Phone (301) 610-4300
Date September 23, 2002 TRF Docket No. _____ -CT-TRF

PUCO

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- I. Indicate the reason for submitting this form (check only one) (NOTES: 1. If a waiver is filed in conjunction with an automatic case, see I.D.2.b. of the 563 guidelines for the applicable automatic time frame; and 2. The number of copies noted below must be accompanied by an original filing. Facsimiles are not acceptable.):

- ☐ 1. (ABN) Withdrawal or Abandonment of all Services (14-day notice, 13 copies)
☐ 2. (ACE) New Operating Authority (30-day approval, 10 copies)
☐ IXC ☐ AOS ☐ CAP ☐ Cellular ☐ Paging ☐ Other _____
☐ 3. (AMT) Merger (14-day notice, 13 copies)
☐ 4. (ATR) Transfer or Transaction Affecting Operating Authority (14-day notice, 7 copies)
☐ 5. (ARJ) All Other Requests for Relief from Jurisdiction (NOT automatic, 10 copies)
☐ 6. (MTW) "Me Too" Waiver (30-day approval, 10 copies)
☐ 7. (RRJ) Interexchange Switchless Rebiller Request for Relief from Jurisdiction (30-day approval, 10 copies)
☐ 8. (WVR) Request for Waiver from Portion(s) of 563 pursuant to I.D.3. of the 563 guidelines. (NOT automatic, 10 copies)
☐ 9. (ZAC) Contract (0-day notice, 10 copies)
☐ 10. (ZCN) Change of Name (0-day notice, 10 copies)
☐ 11. (ZCO) Change in Ownership (0-day notice, 10 copies)
☐ 12. (ZTA) Introduction of new tariffed service(s), textual revision, correction of error, addition of service area(s), etc. (0-day notice, 10 copies)
☐ 13. (UNC) Unclassified (explain) (NOT automatic, 10 copies)
☒ 14. Other (explain) (NOT automatic, 10 copies) Revisions as requested by staff

THE FOLLOWING ARE TRF FILINGS ONLY, NOT NEW CASES (0-day notice, 3 copies)

- ☐ 15. Introduction or Extension of Promotional Offering
☐ 16. New Price List Rate for Existing Service.
☐ 17. Designation of Registrant's Process Agent(s)

- II. Indicate which of the following exhibits have been filed. The numbers (corresponding to the list above) indicate, at a minimum, the types of cases in which the exhibit is required:

- ☐ A copy of registrant's proposed informational tariff. (2)
☐ Statement affirming that the registrant has notified the Ohio Department of Taxation of its intent to conduct operations as a telephone utility in the State of Ohio. (2)
☐ List of names, addresses, and phone numbers of officers and directors, or partners. (2-4)
☐ Brief description of service(s) proposed, as well as the targeted market(s). (2)
☐ Copy of tariff sheet(s) & price list(s) superseded, marked as Exhibit A. (1,3-4,6, 8,10,12-16)

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business
Technician KA Date Processed 9/24/02

- ☐ Copy of revised tariff sheets & price lists, marked as Exhibit B. (1,3-4,6,8,10,12-16)
- ☐ If increase to residential MTS, DA, or traditional operator surcharges, specify which notice procedure will be utilized: real time; or annual. (12, 16)
- ☐ Copy of real time notice, which has been provided to customers. (1,3,10-12,16)
- ☐ Copy of annual notice, which will be sent to customers, is: _____ included with this filing; or will be filed with the Commission _____ (month) _____ (year). (16)
- ☐ Description of and rationale for proposed tariff changes, including a complete description of the service(s) proposed or affected. Specify for each service affected whether it is business, residence, or both as well as whether it is a switched or dedicated service. Include this information in either the cover letter or label as "Exhibit C". (3,6,8,12-15)
- ☐ Delineation of any deaveraged message toll service, if applicable. (6, 12-16)
- ☐ Statement explaining rationale for proposal. (1,3-5,10-11)
- ☐ List of Ohio counties specifically involved or affected (1-6,8,10,16)
- ☐ Certification from Ohio Secretary of State as to party's proper standing (domestic or foreign corporation, authorized use of fictitious name, etc.). (2-4,7,10) (In transfer of certificate cases, the transferee's good standing must be established).
- ☐ Justification for waiver of specific element(s) of 563. (6,8)
- ☐ Responses to questions contained in Appendix A, Attachment 4 to the 563 guidelines (7)
- ☐ For radio common carriers, a statement affirming that registrant has obtained all necessary federal authority to conduct operations being proposed, and that copies have been furnished by cellular, paging, and mobile companies to this Commission of any Form 401, 463, and/or 489 which the applicant has filed with the Federal Communications Commission. (2-4)
- ☒ Other information requested by the Commission staff.

III. **Registrant hereby attests to its compliance with the following requirements in the Service Requirements Form, as well as all pertinent entries and orders issued by the Commission with respect to these issues. Further, registrant hereby affirms that it will maintain with its TRF docket an up-to-date, properly marked, copy of the Service Requirements Form available for public inspection.**

Mandatory requirements for all CTS providers:

- ☒ Sales tax
- ☒ Deposits

Service requirements for CTS providers of certain services (check all applicable):

- ☐ Discounts for Persons with Communication Disabilities and the Telecommunication Relay Service
- ☐ Emergency Services Calling Plan
- ☐ Alternative Operator Service (AOS) requirements
 - ☐ Limitation of Liability
- ☐ Termination Liability Language

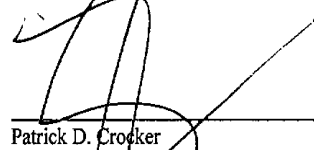
IV. **List names, titles, and addresses of those persons authorized to make and/or verify filings at the Commission on behalf of the registrant:**

Patrick D. Crocker
900 Comerica Building
Kalamazoo, MI 49007

NOTE: An annual report is required to be filed with the Commission by each company on an annual basis. The annual report form will be sent for completion to the address and individual(s) identified in this Section unless another address or individual is so indicated.

VERIFICATION

I, Patrick D. Crocker, Attorney, verify that I have utilized, verbatim, the Commission's 563 Registration Form issued December 21, 1995, and that all of the information submitted here, and all additional information submitted in connection with Case No. 90-6081-CT-TRF is true and correct to the best of my knowledge.



Patrick D. Crocker

9/23/02

(Date)

*A verification is required for every filing. It may be signed by counsel or a process agent designated by the Registrant, except that initial certification cases (ACE) must be signed by an officer of the registering entity.

Send your completed Registration 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

EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.

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900 COMERICA BUILDING
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BLAKE D. CROCKER

OF COUNSEL

THOMPSON BENNETT
JOHN T. PETERS, JR.

VINCENT T. EARLY
(1922 - 2001)
JOSEPH J. BURGIE
(1926 - 1992)

September 23, 2002

Ms. Daisy Crockron, Chief
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43266-0573

RE: All-Star Acquisition Corporation
Case No. 90-6081-CT-TRF

Dear Ms. Crockron:

In accordance with the request of staff members Angela Cavin and Monir Habib, enclosed herewith for filing with the Commission please find an original and ten (10) copies of the above captioned company's revised tariff, which includes the following revisions:

- Page 10, Cancellation of Order Definition – the language corresponds with that received from the Commission (see attached letter from Monir Habib).
- Page 16, Sections 2.1.5. – revised
- Page 18, Section 2.2.7. – correct as is; Section 2.2.8. – revised
- Pages 24-25, Sections 2.10.2.-2.10.3 – deleted
- Page 31, Section 4.3.1 – revised
- Page 33, Section 4.5.1 – revised
- Verification – attached as Exhibit H to original application

Should you have any questions concerning this matter, please contact my assistant, Beth Ronfeldt, or me.

Very truly yours,

EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.


Patrick D. Crocker

PDC/bmr

enc



The Public Utilities Commission of Ohio

Bob Taft, Governor

Alan R. Schriber, Chairman

July 10, 2002

FAX

614-752-8353

Patrick D. Crocker
900 Comerica Building
Kalamazoo, MI 49007



To: Patrick Crocker
Fax #: 616-349-8525 Pages

Name: Monir Habib

RE: Case Nos. 02-1469-CT-ACE and 02-1470-CT-ACE

Dear Mr. Crocker:

The following is the required text for Cancellation of Order (Original Page No. 11, Technical Terms and Abbreviations Section) or "Cancellation Fee":

When a customer cancels an application for service prior to the start of service or prior to any special construction, no charges will be imposed except for those specified below:

Where the Company has notified a customer or prospective customer of the possibility that special expenses may be incurred in connection with provisioning their service, and then the Company does incur such expenses. Expenses could include special construction, or where special arrangements of facilities or equipment have begun before the Company received a cancellation notice. The change will be equal to the costs actually incurred, less net salvage.

If you have any questions regarding the above topic, please contact me at telephone number (614) 644-8925. Thank You.

Monir Habib

Telecommunications specialist
Telecommunications and Technology

2. RULES AND REGULATIONS

2.1. Description and Limitations of Services

- 2.1.1. Intrastate Telecommunications Service ("Service") is the furnishing of Company communication Services contained herein between specified locations under the terms of this Tariff.
- 2.1.2. Company, when acting at the Customer's request and as its authorized agent, will make reasonable efforts to arrange for Service requirements, such as special routing, Diversity, Alternate Access, or circuit conditioning.
- 2.1.3. Service is offered in equal access exchanges subject to the availability of facilities and the provisions of this Tariff. Company reserves the right to refuse to provide Service to or from any location where the necessary facilities and/or equipment are not available.
- 2.1.4. The Company will comply with Rule 4901:1-5-17, Ohio Administration Code, in denying or disconnecting service.
- 2.1.5. Service begins on the date that billing becomes effective and is available 24 hours per day. For the purposes of computing charges in this Tariff, a month is considered to have 30 days.
- 2.1.6. Nothing herein, or in any other provision of this Tariff, or in any marketing materials issued by the Company shall give any person any ownership, interest, or proprietary right in any code or 800 number issued by the Company to its Customers.
- 2.1.7. The Company reserves the right to discontinue furnishing Services or billing options, upon written notice, when necessitated by conditions beyond its control. Conditions beyond the Company's control include, but are not limited to, a Customer's having Call volume or a calling pattern that results, or may result, in network blockage or other Service degradation which adversely affects Service to the calling party, the Customer, or other Customers of the Company.

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Case No.

Effective: October 3, 2002

Issued by: Christine, Greene, President
All-Star Acquisition Corporation
1151 Seven Locks Road
Potomac, MD 20854

- 2.2.6. The rate or volume discount level applicable to a Customer for a particular Service or Services shall be the rate or volume discount level in effect at the beginning of the monthly billing period applicable to the Customer for the particular Service or Services. When a Service is subject to a minimum monthly charge, account charge, port charge or other recurring charge or Nonrecurring Charge for both intrastate and interstate Service, only one such charge shall apply per account and that charge shall be the interstate charge.
- 2.2.7. Service requested by Customer and to be provided pursuant to this Tariff shall be requested on Company Service Order forms in effect from time to time or Customer's forms accepted in writing by an authorized headquarters representative of the Company (collectively referred to as "Service Orders").
- 2.2.8. The Service Commitment Period for any Service shall be established by the Service Order relevant thereto and commence on the Start of Service Date. Upon expiration, each Service Commitment Period for such Service shall automatically be extended subject to termination by either Company or Customer. The charges for Interexchange Service during any such extension shall not exceed the then current Company month-to-month charges applicable to such Service.

2.3. Liability

- 2.3.1. Except as provided otherwise in this Tariff, the Company shall not be liable to Customer or any other person, firm or entity for any failure of performance hereunder if such failure is due to any cause or causes beyond the reasonable control of the Company. Such causes shall include, without limitation, fire, explosion, vandalism, cable cut, storm or other similar occurrence, any law, order, regulation, direction, action or request of the United States government or of any other government or of any civil or military authority, national emergencies, insurrections, riots, wars, strikes, lockouts or work stoppages or other labor difficulties, supplier failures, shortages, breaches or delays, or preemption of existing Services to restore service in compliance with Part 64, Subpart D, Appendix A, of the FCC's Rules and Regulations.

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2.8.2. The Company's bills are due 14 days after postmarked. Amounts not paid within 30 days from the Bill Date of the invoice will be considered past due.

2.8.3. If a LEC has established or establishes a Special Access surcharge, the Company will bill the surcharge beginning on the effective date of such surcharge for Special Access arrangements presently in Service. The Company will cease billing the Special Access surcharge upon receipt of an Exemption Certificate or if the surcharge is removed by the LEC.

2.8.4. Company will not require deposits or advance payments by Customers for Services.

2.9. Assignment

2.9.1. The obligations set forth in this Tariff shall be binding upon and inure to the benefit of the parties hereto and their respective successors or assigns, provided, however, the Customer shall not assign or transfer its rights or obligations without the prior written consent of the Company.

2.10. Tax and Fee Adjustments

2.10.1. The customer is responsible for the payment of all state, local and E911 taxes, surcharges, utility fees, or other similar fees (i.e. sales tax, municipal utilities tax) that may be levied by the governing body or bodies in conjunction with or as a result of the service furnished under this tariff. These charges may appear as separate line items on the customer's bill as opposed to be included in the rates contained in the tariff. Any such line item charges will be reflected in the company's tariff. The company shall not assess separately any fees or surcharges, other than government-approved sales taxes, without seeking Commission approval under the appropriate procedures required by the Commission in Case No. 89-563-TP-COI. The company shall comply with Commission procedures by sending notice to all customers informing them of the new line item charges. Additionally, an addendum to the price list stating what the line item charge is and the length of time the charge will be imposed will be filed with the Commission.

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2.11. Method for Calculation of Airline Mileage

2.11.1. The airline mileage between two cities can be calculated using the Vertical (V) and Horizontal (H) coordinates of the serving wire centers associated with the Company's POP locations. The method for calculating the airline mileage is obtained by reference to AT&T's Tariff F.C.C. No. 10 in accordance with the following formula:

$$\text{the square root of: } \frac{(V1-V2)^2 + (H1-H2)^2}{10}$$

where V1 and H1 correspond to the V&H coordinates of City 1 and V2 and H2 correspond to the V&H coordinates of City 2.

Example:	<u>V</u>	<u>H</u>
City 1	5004	1406
City 2	5987	3424

$$\text{the square root of: } \frac{(5004-5987)^2 + (1406-3424)^2}{10}$$

The result is 709.83 miles. Any fractional miles are rounded to the next higher whole number; therefore, the airline mileage for this example is 710 miles.

4.3. Dedicated Inbound Usage Rates

4.3.1. Reserved for future use.

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All-Star Acquisition Corporation
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Potomac, MD 20854

4.5. Dedicated Outbound Usage Rates

4.5.1. Reserved for future use.

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Case No.

Effective: October 3, 2002

Issued by: Christine, Greene, President
All-Star Acquisition Corporation
1151 Seven Locks Road
Potomac, MD 20854