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March 13, 1997

VIA OVERNIGHT DELIVERY

Ms. Daisy Crockron, Chief
Public Utilities Commission of Ohio
Attention: Docketing Division
180 East Broad Street
Columbus, Ohio 43215-3793

Re: Opus Correctional Inc., d/b/a LocTel 563 Registration Form

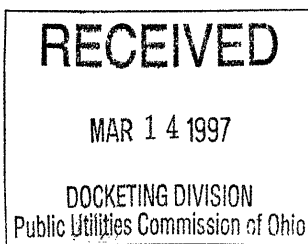
Dear Ms. Crockron:

97-291-CT-ACE

Enclosed for filing on behalf of Opus Correctional Inc., d/b/a LocTel ("LocTel"), please find an original and ten (10) copies of LocTel's registration for New Operating Authority as an interexchange reseller and alternative operator service provider, submitted on the Commission's 563 Registration Form.

Please date-stamp the enclosed extra copy of this filing and return it in the attached self-addressed, stamped envelope.

Should you have questions concerning this filing, please do not hesitate to contact the undersigned.



Very truly yours,

Michael H. Erdman

Grace R. Chiu
Michael H. Erdman

Counsel for Opus Correctional Inc., d/b/a LocTel

Enclosures

cc: Jay L. Gainsboro
Dana Frix (w/o encl.)

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 *Dana M. Frix* Date Processed *March 17, 1997*

PUBLIC UTILITIES COMMISSION OF OHIO

PUBLIC COMPETITIVE TELECOMMUNICATIONS SERVICE PROVIDER
563 REGISTRATION FORM
ISSUED: December 21, 1995

RECEIVED-DOCKETING DIV
97 MAR 14 AM 9:46

PUCO

In the Matter of the Registration of)
Opus Correctional Inc., d/b/a LocTel)
To Provide Resold Telecommunications) Case No. 97-291-CT-ACE
Services Within the State of Ohio)

Name of Registrant: Opus Correctional Inc., d/b/a LocTel

Registrant's Address: 119 Herbert Street, Framingham, Massachusetts 01702

Contact Person: Jay L. Gainsboro

Date: March 13, 1997

TRF Docket No. _____ -CT-TRF

I. Indicate the reason for submitting this form (check 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) Withdraw or Abandonment of all Services (14-day notice, 13 copies)
- ☒ 2. (ACE) New Operating Authority (30-day approval, 10 copies)
☒ IXC (Reseller) ☒ 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) 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)

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) *Please see Exhibit E.*
- ☒ 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) *Please see Exhibit A.*
- ☒ List of names, addresses, and phone numbers of officers and directors, or partners. (2-4) *Please see Exhibit B.*
- ☒ Brief description of service(s) proposed, as well as targeted market(s). (2) *Please see Exhibit C.*
- ☐ Copy of tariff sheets & price list(s) superseded, marked as Exhibit A. (1, 3-4, 6, 8, 10, 12-16)
- ☐ Copy of revised tariff sheets & price lists, marked as Exhibit B. (1, 3-4, 6, 10, 12-16)

RECEIVED

MAR 14 1997

DOCKETING DIVISION
Public Utilities Commission of Ohio

- ☐ 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, 2, 10-12, 16) **Not applicable.**
- ☐ 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 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) **Please see Exhibit C.**
- ☒ 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). **Please see Exhibit D.**
- ☐ 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) **Not applicable.**
- ☐ 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. Please see Exhibit F.

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 of Liability Language

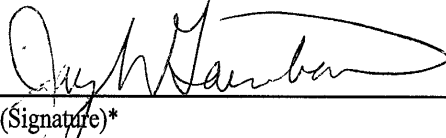
IV. List names, titles, and addresses of those persons authorized to make and/or verify filings at the Commission on behalf of the registrant:

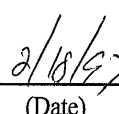
Grace R. Chiu, Esq./Michael H. Erdman, Esq.	Jay L. Gainsboro
Swidler & Berlin, Chtd.	President
3000 K Street, N.W. Suite 300	Opus Correctional Inc., d/b/a LocTel
Washington, D.C. 20007-5116	119 Herbert Street
(202) 424-7500 (Tel.)	Framingham, Massachusetts 01702
(202) 424-7645 (Fax)	(508) 875-4444 (Tel.)
	(508) 875-1429 (Fax)

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, Jay L. Gainsboro, President of Opus Correctional Inc., d/b/a LocTel, 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. _____ is true and correct to the best of my knowledge.


(Signature)*


(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

EXHIBITS

- Exhibit A** Notification Letter to Ohio Department of Taxation
- Exhibit B** Officers and Directors of Opus Correctional Inc., d/b/a LocTel
- Exhibit C** Description of Services & Service Area
- Exhibit D** Authorization to Transact Business in Ohio and Fictitious Name Certificate
- Exhibit E** Informational Tariff
- Exhibit F** Service Requirements Form

EXHIBIT A

Notification Letter to Ohio Department of Taxation

SWIDLER
&
BERLIN
CHARTERED

March 13, 1997

VIA OVERNIGHT DELIVERY

Mr. Lou Spisak
Ohio Department of Taxation
c/o Public Utilities Section
30 East Broad Street
Columbus, Ohio 43266-0420

Re: Opus Correctional Inc., d/b/a LocTel

Dear Mr. Spisak:

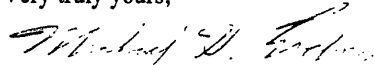
On behalf of Opus Correctional Inc., d/b/a LocTel ("LocTel"), this letter is to formally notify the Ohio Department of Taxation of LocTel's intent to conduct operations as a telephone utility in the State of Ohio. Questions concerning the ongoing operations of LocTel, following certification, should be directed to the undersigned and to:

Mr. Jay L. Gainsboro
President
Opus Correctional Inc., d/b/a LocTel
119 Herbert Street
Framingham, Massachusetts 01702
(508) 875-4444 (Tel.)
(508) 875-1429 (Fax)

Please date-stamp the enclosed extra copy of this filing and return it in the attached self-addressed, stamped envelope.

Should you have any questions concerning this notification, please do not hesitate to contact us.

Very truly yours,



Grace R. Chiu
Michael H. Erdman

Counsel for Opus Correctional Inc., d/b/a LocTel

cc: Jay L. Gainsboro
Dana Frix, Esq.

181267.1

3000 K STREET, N.W. ■ SUITE 300
WASHINGTON, D.C. 20007-5116
(202)424-7500 ■ TELEX 701131 ■ FACSIMILE (202)424-7645

EXHIBIT B

Officers and Directors of Opus Correctional Inc., d/b/a LocTel

Jay L. Gainsboro
Director, President, and Treasurer
119 Herbert Street
Framingham, Massachusetts 01702
(508) 875-4444

Barbara Gainsboro
Director, Secretary
697 Grove Street
Framingham, Massachusetts 01701
(508) 877-6787

EXHIBIT C

Description of Proposed Services & Service Area

Registrant seeks authority to provide resold intrastate, interexchange telecommunications services, including operator services, to inmates at the Federal Bureau of Prison's correctional facility located in Elkton, Ohio. Only collect calls will be permitted. These calls will be handled on a fully automated basis, without intervention of a live operator, utilizing the Opus Telecom Enforcer® inmate telephone control system. This system is being installed by registrant's affiliate, Opus Telecom, Inc. All calls will be "branded" with an announcement of LocTel's name, and called parties will be required to positively accept a collect call before it is connected by the equipment. LocTel's inmate services will be available on a full-time basis, twenty-four hours a day, seven days a week. However, the correctional facility administrator will possess the authority to restrict the times during which inmates may access LocTel's services, and the duration of the inmates' calls.

Registrant seeks authority to terminate service to all points in the State of Ohio and may, in the future, expand its services to other originating locations within the State. LocTel, therefore, seeks statewide authority.

EXHIBIT D

Authority to Transact Business in Ohio

and

Fictitious Name Certificate

00754-0799



The State of Ohio

Bob Taft

Secretary of State

FL969410

Certificate

It is hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous

Filings; that said records show the filing and recording of: FLF PER

of:

Opus CORRECTIONAL INC.

STATE OF INCORP: MA

TYPE OF LICENSE: PERMANENT

EXPIRATION DATE: VALID UNTIL CANCELLED FOR FAILURE TO FILE REPORTS

United States of America
State of Ohio
Office of the Secretary of State

Recorded on Roll 5754 at Frame 0800 of
the Records of Incorporation and Miscellaneous Filings.

Witness my hand and the seal of the Secretary of State at

Columbus, Ohio, this 13TH day of FEB ,

A.D. 19 97 .



Bob Taft

Bob Taft

Secretary of State



Prescribed by
Bob Taft, Secretary of State
30 East Broad Street, 14th Floor
Columbus, Ohio 43266-0418
Form FLF (August 1992)

05751-0800

Approved	KN
Date	2/3/97
Fee	51.60

97021401001

FOREIGN CORPORATION APPLICATION FOR LICENSE

1. The name of the corporation is Opos Correctional Inc.
2. The application is made to secure a ☒ permanent ☐ temporary license.
3. The corporation was incorporated on July 1 1992 under the laws of the state of Massachusetts
(month) (day) (year)
4. The corporation's principal office is located at 119 Herbert St
FRAMINGHAM MA 01702
(city, village or township) (state) (zip code)
5. The corporation's principal office within Ohio is to be located in Cleveland
in Cuyahoga County, Ohio 44114
(city, village or township) (zip code)
(If the corporation will not have an office in the state of Ohio, please state this fact in line 5. NOTE: "N/A" is not acceptable.)
6. The corporation hereby appoints the following as its statutory agent upon whom process against the corporation may be served in the state of Ohio. The name and complete address of the statutory agent is: (SEE INSTRUCTION NO. 4 ON SECOND PAGE)
CT Corporation System 815 Superior Ave, NE
Cleveland Ohio 44114
(name) (city, village or township) (state) (zip code)
(NOTE: P.O. Box addresses are not acceptable.)
7. The corporation irrevocably consents to service of process on the statutory agent listed above as long as the authority of the agent continues, and to service of process upon the SECRETARY OF STATE IF:
(a) the agent cannot be found, or
(b) the corporation fails to designate another agent when required to do so, or
(c) the corporation's license to do business in Ohio expires or is cancelled.
8. The corporation will exercise the following corporate purpose(s) in Ohio:
(Please provide a brief but specific description; a general purpose clause is not sufficient.)
Provide automated collect call operator
services to correctional facilities in Ohio
9. Has the corporation obtained a license to transact business in Ohio at any time in the past? ☐ yes ☒ no.
If yes, prior License No. _____ issued _____ (date)
10. The date on which the corporation began transacting business in Ohio:
☐ Date _____
OR
☒ will begin business upon approval of application.
11. Is this application being made to enable the corporation to prosecute or defend a legal action? ☐ yes ☒ no.
(SEE INSTRUCTION NO. 5 ON SECOND PAGE)
12. The corporation has currently authorized 200,000 shares of stock and has issued 0 shares.

NOTARIZATION

STATE OF OhioCOUNTY OF Cuyahoga }

05751-0801

ss.

I, Jay L Gainsboro, being duly sworn, state that I am the☒ President☐ Vice President☐ Secretary☒ Treasurer of Opus Correctional Inc. and that the foregoing statements are true and correct to the best of my knowledge and belief.
(name of corporation)

(Signature)

SWORN TO AND SUBSCRIBED IN MY PRESENCE

THIS 22 DAY OF February 19 97

(Signature of notary)

My commission expires 10/1/2001

NOTARY SEAL.

INSTRUCTIONS

1. This application must be accompanied by an original certificate of good standing from the state in which the applicant is incorporated, dated not more than 60 days prior to the filing of the application. (O.R.C. 1703.04(A))
2. The filing fee for a permanent license is \$100.00 and for a temporary license is \$125.00. (O.R.C. 1703.04 (C), 1703.13)
3. The application must be signed by the president, vice-president, secretary or treasurer of the corporation and must be notarized. (O.R.C. 1703.041)
4. In item 6, the agent for service of process may be (a) a natural person who is a resident of Ohio, or (b) an Ohio corporation or a foreign corporation licensed in Ohio which is explicitly authorized by its articles to act as statutory agent and which has a business address in Ohio. (O.R.C. 1703.041)
5. No foreign corporation which previously should have obtained a license to do business in Ohio shall maintain any action in any court until it has obtained such a license. Before the corporation shall maintain such action on any cause of action arising at the time when it was not licensed to transact business in this state, it shall pay to the Secretary of State a forfeiture of two hundred fifty dollars with this license application. (O.R.C. 1703.29) It is only under these circumstances that question no. 11 should be answered "yes". Under all other circumstances the answer to this question should be "no".

NOTE: Foreign corporations doing business in Ohio must file each year with the Secretary of State an Annual Statement of Proportion of Capital Stock (Form 7), showing activity in Ohio during the preceding calendar or fiscal year. This report is due March 31st, unless an extension has been requested in writing and has been granted. (O.R.C. 1703.07).

The report is separate and distinct from the Ohio Franchise Tax Report.

If the corporation has been doing business in Ohio prior to the date of licensing, it must submit a Form 7 for each of the years of unlicensed operation in Ohio, together with a certificate from the Ohio Department of Taxation showing that all applicable Franchise Taxes have been paid. For information on this certificate (D-4), call the Department of Taxation at 614-433-7636.

05767-1373



The State of Ohio

Bob Taft

Secretary of State

FN 76458

Certificate

It is hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous

Filings; that said records show the filing and recording of: NFO MIS

of:

LOCTEL

REGISTRANT: OPUS CORRECTIONAL INC.
ADDRESS: 119 HERBERT ST
FRAMINGHAM MA 01701

STATE OF INCORP: MA

EXPIRATION DATE: 03/03/2002

United States of America
State of Ohio
Office of the Secretary of State

Recorded on Roll 5757 at Frame 1359 of
the Records of Incorporation and Miscellaneous Filings.

Witness my hand and the seal of the Secretary of State at

Columbus, Ohio, this 3RD day of MARCH ,

A.D. 19 97 .



Bob Taft
Bob Taft
Secretary of State



Prescribed by
BOB TAFT, Secretary of State
30 East Broad Street, 14th Floor
Columbus, Ohio 43266-0418

05782-1379

Approved 20Date 3/3/97

Fee \$10.00

REPORT OF USE OF FICTITIOUS NAME 97030311301

1. The exact fictitious name being reported is: LoTel

(SEE INSTRUCTIONS # 1 ON REVERSE)

Please note that the filing of a fictitious name report is NOT an AUTHORIZATION from the Secretary of State's Office to use the name. Filing such a report will not protect the user from any lawful claims of persons/entities having superior rights in the same or a similar name.

2. The user of the above name is: (check appropriate box)

- ☐ an individual
☐ a General Partnership
☐ a Limited Partnership; County in OHIO where certificate or application of limited partnership is filed in; OR Secretary of State registration no. _____
☐ an Ohio Limited Liability Company, registration no. _____
☐ an Ohio corporation, charter no. _____
- ☒ a foreign corporation incorporated in the state of Massachusetts holding Ohio license no. 969410 (SEE INSTRUCTIONS # 2 ON REVERSE)
☐ an unincorporated association
☐ a foreign limited liability company organized in the state of _____ and holding Ohio registration no. _____

3. The name of the user designated in item 2 is: Opus Correctional Inc.

NOTE: Where the user is a partnership, the name of the partnership must appear on this line. If the registrant is a foreign corporation licensed in Ohio under an assumed name, both the assumed name and actual corporate title of such foreign corporation must appear on this line.

4. The business address of the user is: 119 Herbert St
Framingham Middlesex County, Ma 01401
 (City, village or Township) (State) (Zip Code)

NOTE: P.O. Box addresses are not acceptable.

5. Complete only if registrant is a partnership:

NAMES OF ALL GENERAL PARTNERS

COMPLETE RESIDENCE ADDRESS
(including zip code)

NOTE: Pursuant to OAG 89-081, if a general partner is a foreign (out-of-state) corporation, it must be licensed to transact business in Ohio; if a general partner is a foreign corporation licensed in Ohio under an assumed name, please note both the assumed name and actual corporate title of such general partner.

6. The nature of business conducted by the user under the fictitious name is:

Provide automated collect call operator services to
correctional facilities within Ohio.

This document is signed by a corporate officer, general partner, association member or officer, or the individual registrant.

By: [Signature]

FICTNM

TOTAL P.02

EXHIBIT E

Informational Tariff

OPUS CORRECTIONAL INC.,
d/b/a LocTel

P.U.C.O. Tariff No. 1
Original Page 1

P.U.C.O. TARIFF NO. 1

OPUS CORRECTIONAL INC.,
d/b/a LocTel

Case No. __-____-CT-TRF

RESOLD TELECOMMUNICATIONS SERVICES

This tariff applies to the Resold Telecommunications Services between one or more points in the State of Ohio provided by Opus Correctional Inc., d/b/a LocTel ("Carrier"). This tariff is on file with the Public Utilities Commission of Ohio, and copies may be inspected, during normal business hours, at Carrier's principal place of business, 119 Herbert Street, Framingham, MA 01702.

COMPETITIVE TELECOMMUNICATION SERVICES:

Page Reference:

Collect Call Service_____

20 thru 20

Issued: March 14, 1997

Effective: April 14, 1997

Issued under authority of Order of the Public Utilities Commission of Ohio, dated _____
_____, in Case No. ____-____-CT-_____.

Issued by: Jay Gainsboro, President
Opus Correctional Inc., d/b/a LocTel
119 Herbert Street
Framingham, MA 01702

OPUS CORRECTIONAL INC.,
d/b/a LocTel

P.U.C.O. Tariff No. 1
Original Page 2

CHECK SHEET

The pages of this tariff are effective as of the date shown at the bottom of the respective page(s). 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.

<u>PAGE</u>	<u>REVISION</u>	<u>PAGE</u>	<u>REVISION</u>
1	Original	16	Original
2	Original	17	Original
3	Original	18	Original
4	Original	19	Original
5	Original	20	Original
6	Original	21	Original
7	Original	22	Original
8	Original	23	Original
9	Original	24	Original
10	Original		
11	Original		
12	Original		
13	Original		
14	Original		
15	Original		

* New or Revised Page.

Issued: March 14, 1997

Effective: April 14, 1997

Issued by: Jay Gainsboro, President
Opus Correctional Inc., d/b/a LocTel
119 Herbert Street
Framingham, MA 01702

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Issued: March 14, 1997

Effective: April 14, 1997

Issued by: Jay Gainsboro, President
Opus Correctional Inc., d/b/a LocTel
119 Herbert Street
Framingham, MA 01702

SYMBOLS

The following are the only symbols used for the purposes indicated below:

- D - Delete or Discontinue
- I - Change Resulting In An Increase to A Customer's Bill
- M - Moved From Another Tariff Location
- N - New
- R - Change Resulting In A Reduction to A Customer's Bill
- T - Change In Text or Regulation But No Change In Rate or Charge

TARIFF FORMAT

- A. Page Numbering - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages are occasionally added to the tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between pages 14 and 15 would be 14.1.
- B. Page Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current version on file with the Commission. For example, the 4th Revised Page 14 cancels the 3rd Revised Page 14.

Issued: March 14, 1997

Effective: April 14, 1997

Issued by: Jay Gainsboro, President
Opus Correctional Inc., d/b/a LocTel
119 Herbert Street
Framingham, MA 01702

TARIFF FORMAT (cont'd)

- C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

2.
2.1.
2.1.1.
2.1.1.A.
2.1.1.A.1.
2.1.1.A.1.(a).
2.1.1.A.1.(a).I.
2.1.1.A.1.(a).I.(i).
2.1.1.A.1.(a).I.(i).(1).

- D. Check Sheets - When a tariff filing is made with the Commission, an updated check sheet accompanies the tariff filing. The check sheet lists the pages contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on the check sheet if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular page is the most current on file with the Commission.

Issued: March 14, 1997

Effective: April 14, 1997

Issued by: Jay Gainsboro, President
Opus Correctional Inc., d/b/a LocTel
119 Herbert Street
Framingham, MA 01702

SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects Subscriber's location to Carrier's location or switching center.

Authorization Code - A numerical code, one or more of which may be assigned to Subscriber, to enable Carrier to identify the origin of service user so it may rate and bill the call. All authorization codes shall be the sole property of Carrier and no Subscriber shall have any property or other right or interest in the use of any particular authorization code.

Automatic Numbering Identification (ANI) - A type of signalling provided by a local exchange telephone company which automatically identifies the local exchange line from which a call originates.

Calling Party - Refers to an inmate or other authorized user of Subscriber's telecommunications facilities.

Carrier - Refers to Opus Correctional Inc., d/b/a LocTel.

Collect Calls - Calls for which responsibility for the charges have been accepted by the called party.

Common Carrier - A company or entity providing telecommunications services to the public.

Commission - Refers to the Public Utilities Commission of Ohio.

Issued: March 14, 1997

Effective: April 14, 1997

Issued by: Jay Gainsboro, President
Opus Correctional Inc., d/b/a LocTel
119 Herbert Street
Framingham, MA 01702

SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS (Cont'd)

Holiday - New Year's Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

Local Access and Transport Area (LATA) - The term "Local Access Transport Area" denotes a geographical area established by the U.S. District Court for the District of Columbia in Civil Action No. 82-0192, within which a local exchange company provides communications services.

Measured Charge - A charge assessed on a per minute basis in calculating a portion of the charges due for a completed operator assisted call.

Operator Assisted Call Charge - A non-measured (fixed) charge which is added to a measured charge in calculating the total tariff charges due for a completed operator assisted call.

Subscriber - Refers to the Federal Bureau of Prisons.

Telecommunications - The transmission of voice communications or, subject to the transmission capabilities of the service, the transmission of data, facsimile, signaling, metering, or other similar communications.

User - The called party who accepts a collect call.

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SECTION 2. RULES AND REGULATIONS

2.1 Application of Tariff

- 2.1.1 This tariff contains the regulations and rates applicable to resold telecommunications services provided by Carrier at the Federal Bureau of Prison's correctional facility located in Elkton, Ohio. Carrier's services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff.
- 2.1.2 The rates and regulations contained in this tariff apply only to the services furnished by Carrier and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carrier for use in accessing the services of Carrier.
- 2.1.3 The services of Carrier are furnished to authorized users of telecommunications facilities at the Federal Bureau of Prison's correctional facility located in Elkton, Ohio. Carrier has entered into an arrangement with the Federal Bureau of Prisons providing for the availability of Carrier's nationwide services, including the intrastate services offered under the terms and conditions of this tariff.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.1 Application of Tariff (Cont'd)

- 2.1.4 Subscriber is entitled to limit the use of Carrier's services by individuals at Subscriber's facility.

2.2 Use of Services

- 2.2.1 Carrier's services may be used for any lawful purpose consistent with the transmission and switching parameters of the telecommunications facilities utilized in the provision of services.
- 2.2.2 The use of Carrier's services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another or in such a way as to unreasonably interfere with use by others is prohibited.
- 2.2.3 The use of Carrier's services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.2 Use of Services (Cont'd)

- 2.2.4 Carrier does not transmit messages pursuant to this tariff, but its services may be used for that purpose.
- 2.2.5 Carrier's services may be denied for nonpayment of charges or for other violations of this tariff.

2.3 Liability of Carrier

- 2.3.1 Carrier shall not be liable for loss or damage sustained by reason of any failure in or breakdown of facilities associated with Carrier's services or for any interruption or delay of services, whatever shall be the cause of such failure, breakdown, or interruption and whether negligent or otherwise and however long it shall last. In no event shall Carrier's liability for any service exceed the charges applicable under this tariff to such service.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.3 Liability of Carrier (Cont'd)

- 2.3.2 Carrier shall be indemnified and saved harmless by User or by any other entity against claims for libel, slander or the infringement of copyright arising from the material transmitted over its operator assisted services, and against all other claims arising out of any act or omission of Subscriber or of any other entity in connection with the services provided by Carrier.
- 2.3.3 Carrier is not liable for any act or omission of any entity furnishing facilities or services connected with or provided in conjunction with the services of Carrier.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.3 Liability of Carrier (Cont'd)

- 2.3.4 Carrier shall not be liable for any personal injury, or death of any person or persons, and for any loss or damage sustained by reason of acts, mistakes, omissions, errors or defects in providing its services, whatever shall be the cause and whether negligent or otherwise.
- 2.3.5 Carrier shall not be liable for and shall be indemnified and saved harmless by User or any other entity from any and all loss, claims, demands, suits, or other action or any liability whatever, whether suffered, made, instituted, or asserted by User or any other entity for any personal injury to, or death of, any person or persons, and for any loss, damage, defacement or destruction of the premises of User or any other entity or any other property whether owned or controlled by User or others, caused or claimed to have been caused, directly or indirectly, by any act or omission of User or others or by any installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of facilities or equipment provided by Carrier which is not the direct result of Carrier's negligence. No agents or employees of any other entity shall be deemed to be the agents or employees of Carrier.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.3 Liability of Carrier (Cont'd)

- 2.3.6 Carrier shall not be liable for any failure of performance due to causes beyond its control, including, without being limited to, acts of God, fires, floods or other catastrophes, national emergencies, insurrections, riots or wars, strikes, lockouts, work stoppage or other labor difficulties, acts or omissions of other carriers, and any law, order, regulation or other action of any governing authority or agency thereof.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.4 Responsibilities of the User

- 2.4.1 The User is responsible for payment of the charges set forth in this tariff.
- 2.4.2 The User is responsible for compliance with the applicable regulations set forth in this tariff.
- 2.4.3 The User is responsible for establishing its identity as often as necessary during the course of a call.
- 2.4.4 The User is responsible for identifying the station, party, or person with whom communications is desired and/or made at the called number.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.5 Billing Arrangements

2.5.1 Collect Calls

Charges for calls of this type will be included on the User's regular home or business telephone bill pursuant to billing and collection agreements established by Carrier or its intermediary with the applicable telephone company.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.6 Validation of Credit

Carrier reserves the right to validate the credit worthiness of all Users through acceptable verification procedures. Where a requested billing method cannot be validated, the User may be required to provide an acceptable alternate billing or validation of credit method or Carrier may refuse to place the call.

2.7 Contested Charges

All bills are presumed accurate, and shall be absolutely binding on the User unless objection is received by Carrier, within one year, after such bills are rendered. In the case of a billing dispute between the User and Carrier for service furnished to the User, which cannot be settled with mutual satisfaction, the User can take the following course of action:

- 2.7.1 First, the User may request, and Carrier will provide, an in-depth review of the disputed amount. (The undisputed portion and subsequent bills must be paid on a timely basis or future service may be denied.)

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.7 Contested Charges (Cont'd)

- 2.7.2 Second, if there is still a disagreement about the disputed amount after the investigation and review by a manager of Carrier, the User may file an appropriate complaint with the Public Utilities Commission of Ohio. The Commission's address is:

Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215-3793
(614) 466-3016

2.8 Billing Entity Conditions

When billing functions on behalf of Carrier are performed by local exchange telephone companies, credit card companies or others, the payment conditions and regulations of such companies apply, including any applicable interest and/or late payment charge conditions.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.9 Access to Competing Providers

Carrier will not take any action or enter into any arrangement which restricts end user selection among competing interexchange telephone corporations or which restricts end user access to competing providers of intrastate communications services, except for service provided to Prison/Correctional facilities. Any entity which Carrier knows to be engaged in such action or arrangement will be considered in violation of contract.

2.10 Taxes

All federal excise taxes, and state and local sales, use, and similar taxes, permitted under Commission rules and regulations, are billed as separate items and are not included in the quoted rates. Gross receipts tax will not be billed as a separate line item.

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SECTION 3. DESCRIPTION OF SERVICE

3.1 Timing of Calls

Billing for calls placed over Carrier's network is based in part on the duration of the call. In the case of a collect call, timing begins when the User accepts the responsibility for payment, and ends when the User hangs up.

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SECTION 3. DESCRIPTION OF SERVICE (Cont'd)

3.2 Calculation of Distance

Usage charges for all mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call. Carrier uses the rate centers, associated vertical and horizontal coordinates, and method of computing mileage set forth in AT&T Tariff F.C.C. No. 10.

$$\text{FORMULA} = \sqrt{\frac{(V1 - V2)^2 + (H1 - H2)^2}{10}}$$

3.3 Service Offerings

Carrier offers resold intrastate, interexchange telecommunications services, including operator services, to inmates at the Federal Bureau of Prison's correctional facility located in Elkton, Ohio. Service is provided to all counties within the State of Ohio. Only collect calls may be made, and are handled on a fully automated basis, without intervention of a live operator. Carrier's services are available on a full-time basis, twenty-four hours a day, seven days a week. However, the correctional facility administrator possesses the authority to restrict the times during which inmates may access Carrier's services, and the duration of the inmates' calls.

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SECTION 3. DESCRIPTION OF SERVICE (Cont'd)

3.4 Time Schedule

Day: 8:00 A.M. to, but not including 5:00 P.M., Monday through Friday.

Evening: 5:00 P.M. to, but not including 11:00 P.M., Sunday through Friday.

Night/

Weekend: 11:00 P.M. to, but not including 8:00 A.M., Sunday through Friday,
all day Saturday, and up to, but not including, 5:00 P.M. Sunday.

Holiday: For calls completed on Holidays, as defined in Section 1 of this tariff,
the Evening rate applies, unless a lower rate would normally apply.

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SECTION 4. RATES

This section sets forth the rates and charges applicable for the provision of alternative operator services for calls originating and terminating within the State.

The total charge for completed operator assisted calls consists of two charge elements (except as otherwise provided herein): an operator assisted call charge, and, if applicable, a measured charge dependent on the duration, distance, time of day, and day of week of the call. The measured charge element is specified as a rate per minute which applies to each minute of call duration, with a minimum charge for each call of one minute, and with fractional minutes of use thereafter counted as one full minute.

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SECTION 4. RATES (Cont'd)

4.1 CHARGES

4.1.1 Statewide Toll Service

(a) IntraLATA

	Day		Evening		Night/Weekend	
<u>Mile</u> <u>Band</u>	<u>First</u> <u>Min.</u>	<u>Add'l</u> <u>Min.</u>	<u>First</u> <u>Min.</u>	<u>Add'l</u> <u>Min.</u>	<u>First</u> <u>Min.</u>	<u>Add'l</u> <u>Min.</u>
1-10	0.31	0.16	0.12	0.045	0.12	0.045
11-22	0.34	0.22	0.16	0.088	0.16	0.088
23-55	0.34	0.22	0.16	0.088	0.16	0.088
56-124	0.34	0.22	0.16	0.088	0.16	0.088
125-3000	0.34	0.22	0.16	0.088	0.16	0.088

An operator assisted call charge applies to Carrier's provision of alternative operator services. The operator assisted call charge is \$1.10.

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SECTION 4. RATES (Cont'd)

4.1 CHARGES (Cont'd)

4.1.1 Statewide Toll Service

(b) InterLATA

	Day		Evening		Night/Weekend	
Mile Band	First Min.	Add'l Min.	First Min.	Add'l Min.	First Min.	Add'l Min.
1-10	0.26	0.16	0.20	0.16	0.17	0.12
11-22	0.27	0.22	0.22	0.19	0.22	0.19
23-55	0.30	0.27	0.22	0.21	0.20	0.17
56-124	0.32	0.30	0.23	0.23	0.22	0.19
125-999	0.33	0.32	0.24	0.24	0.22	0.21

An operator assisted call charge applies to Carrier's provision of alternative operator services. The operator assisted call charge is \$2.30.

4.1.2 Local Service Rate

An operator assisted call charge applies to Carrier's provision of alternative operator services. The local message charge is \$0.25, in addition to the operator assisted call charge of \$1.10.

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EXHIBIT F

Service Requirements Form

SERVICE REQUIREMENTS FORM

The provider affirms that it is in compliance with Commission directives concerning the following checked items, and that this represents an up-to-date listing of applicable "generic" service requirements. The provider understands that this in no way supersedes the context of the applicable Commission orders described below.

A. MANDATORY REQUIREMENTS FOR ALL CTS PROVIDERS:

☒ 1. SALES TAX

Applicable to all competitive telecommunication service providers. (See also Case No. 87-1010-TP-UNC.)

Certain telecommunication services, as defined in the Ohio Revised Code, are subject to state sales tax at the prevailing tax rates, if the services originate, or terminate in Ohio, or both, and are charged to a subscriber's telephone number or account in Ohio.

☒ 2. DEPOSITS

If a deposit is requested, it may not exceed the estimated charges for two months tariffed services plus 30 percent of the monthly estimated charge for a specified customer. Deposits held for less than 180 days shall not accrue interest. Interest on intrastate deposits held for 180 days or longer will be handled in accordance with Rule 4901:1-17-05 of the Ohio Administrative Code.

B. REQUIREMENTS FOR PROVIDERS OF CERTAIN CTSs, OR WHERE CERTAIN CONDITIONS OF SERVICE ARE UTILIZED (check all applicable):

☒ 1. DISCOUNTS FOR PERSONS WITH COMMUNICATION DISABILITIES AND THE TELECOMMUNICATION RELAY SERVICE

Applicable to all competitive telecommunication service providers offering message toll service (MTS). (See also Case No. 87-206-TP-COI and 91-113-TP-COI):

- a. For purposes of these requirements, the definition of disabled refers to those persons with communication disabilities, including those hearing disabled, deaf, deaf/blind, and speech disabled persons who have a disability that prevents them from communicating over the telephone without the aid of a telecommunications device for the communicatively disabled.

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- b. Residential disabled customers or disabled members of a customer's household, upon written application and upon certification of their disabled status, which is evidenced by either a certificate from a physician, health care official, state agency, or a diploma from an accredited educational institution for the disabled, are eligible to receive a discount off their MTS rates, and, if they utilize telebraille services, they are eligible to receive free access to local and intrastate long distance director assistance. Additionally, TDD lines maintained by non-profit organizations and governmental agencies, upon written application and verification that such lines are maintained for the benefit of the disabled are eligible to receive a discount off their MTS rates.
- c. Upon receipt of the appropriate application, and certification or verification by a person with a communication disability, one of the following discounts shall be made available for the benefit of the disabled person:
 - i. Off the basic MTS, current, price list day rates: a 40 percent discount off the intrastate, interexchange, customer-dialed, station-to-station calls occurring between 8:00 a.m. and 4:59 p.m. Monday through Friday; a 60 percent discount off the intrastate, interexchange, customer-dialed, station-to-station calls occurring between 5:00 p.m. and 10:59 p.m. Sunday through Friday, and New Year's Day, Independence Day, Labor Day, Thanksgiving, and Christmas; and a 70 percent discount off the intrastate, interexchange, customer-dialed, station-to-station calls occurring between 11:00 p.m. and 7:59 a.m. any day, 8:00 a.m. and 4:59 p.m. Sunday, and all day Saturday; or
 - ii. Off the basic MTS, current price list day rates: no less than a straight 70 percent discount shall be made available on a 24-hour a day basis; or
 - iii. For MTS offered pursuant to the mileage-banded rate structure established in the Commission's April 9, 1985 Opinion and Order in Case No. 84-944-TP-COI, with the traditional day, evening, and night/weekend discounts: the "evening" discount off the intrastate, interexchange, customer-dialed, station-to-station calls placed during the "day" period Monday through Friday; and then "night/weekend" discount off the intrastate, interexchange, customer-dialed, station-to-station calls placed during the "evening" period Sunday through Friday, and on New Year's Day, Independence Day, Labor Day, Thanksgiving, and Christmas. Furthermore, the "night/weekend" discount plus an additional discount equivalent to no less than ten percent of the company's current, price

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list, "day" rates for basic MTS shall be made available for intrastate, interexchange, customer-dialed, station-to-station calls placed during the "night/weekend" period any day, the "day" period Sunday, and all day Saturday.

- d. All MTS calls placed through the telecommunication relay service (TRS) are eligible to receive a discount off the MTS rates. The rate discounts are the same as those set forth in paragraph 1.c. preceding. The discount shall not apply to sponsor charges associated with calls placed to pay-per-call services, such as 900, 976, or 900-like calls.

☒ 2. EMERGENCY SERVICES CALLING PLAN

Applicable to all competitive telecommunication service providers offering MTS. (See also Case Nos. 85-1466-TP-COI and 89-54-TP-COI):

Message toll telephone calls, to governmental emergency service agencies as set forth in (a) following, having primary or principal responsibility with respect to the provision of emergency services to persons and property in the area from which the call is made, meeting the definition and criteria of an emergency call as set forth in (b) following, are offered at no charge to customers:

- a. Governmental fire fighting, Ohio State Highway Patrol, police, and emergency squad service (as designated by the appropriate governmental agency) qualify as governmental emergency service agencies provided they answer emergency service calls on a personally attended (live) 24-hour basis, 365 days a year, including holidays.
- b. An emergency is an occurrence or set of circumstances in which conditions pose immediate threat to human life, property, or both, and necessitate that prompt action be taken. An emergency call is an originated call of short duration to a governmental emergency service agency in order to seek assistance for such an emergency.

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☒ 3. ALTERNATIVE OPERATOR SERVICES

The following applies to the provision of alternative operator services (AOS). (See also Case No. 88-560-TP-COI):

Preceding the maximum operator-assisted surcharges set forth in the text of the proposed tariff, as well as preceding the operator-assisted surcharges set forth in the price list attached to the proposed tariff, the CTS provider must insert a statement which specifies whether the rates as set forth apply to the provider's provision of traditional operator services, AOS, or both.

a. Definitions

- i. AOS are those services provided by the provider in which the customer and the end user are totally separate entities. The provider contracts with the customer to provide the AOS; however, the provider does not directly contract with the end user to provide the services even though it is the end user who actually pays for the processing of the operator-assisted calls.
- ii. Traditional operator services are those services provided by the provider in which the end user has a customer relationship with the provider, the provider contracts with the customer/end user to provide the services, and the customer/end user pays for the actual processing of the operator-assisted calls.

b. AOS Service Parameters

- i. For local operator-assisted calls, the AOS provider shall not charge the billed party more than the local exchange company (LEC) price list rates for a local operator-assisted call in the same exchange. This requirement includes both the rates for MTS and operator surcharges.
- ii. For intraLATA, intrastate calls, the AOS providers serving secured facilities shall not charge the billed party more than the LEC price list rates for an intraLATA, interstate call. This requirement includes both the rates for MTS and operator surcharges. This requirement is only applicable in those situations where the billed party does not have access to other operator service providers (OSPs) for the call from the secured facility.

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- iii. For intraLATA and interLATA, intrastate calls, each AOS provider must apply one of the following MTS price ceilings to the MTS provided in conjunction with AOS. (See also Case No. 89-563-TP-COI):

<u>Mileage</u> <u>Band</u>	<u>Initial</u> <u>Minute</u>	<u>Each Additional</u> <u>Minute</u>
1 - 10	.32	.16
11 - 22	.40	.22
23 - 55	.48	.28
56 - 124	.57	.37
125 - end	.58	.39

or;

\$.36 per minute of use

This rule does not apply to the provision of intraLATA, intrastate calls from secured inmate facilities where there is not access to other OSPs; the rates for those types of calls are addressed in 3.B.i. and ii., above.

- iv. For intraLATA and interLATA, intrastate calls, each AOS provider's maximum interexchange operator-assisted rates shall be no more than:

- i. \$1.70 for customer-dialed calling card calls;
- ii. \$2.50 for operator-handled calls; and
- iii. \$4.80 for person-to-person calls.

This rule does not apply to the provision of intraLATA, intrastate calls from secured inmate facilities where there is no access to other OSPs; the rates for those types of calls are addressed in 3.B.1, above.

- v. Notice of any change in the rates stated in 3.B.i. through iv., whether it be upward or downward, must be filed by the OSP with the Commission in the form of a new price list, on or before the effective date in accordance with Commission-established filing rules.

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☒ 4. LIMITATION OF LIABILITY

The following is applicable to all competitive telecommunications providers that choose to include in their tariffs language which may limit their liability. (See also Case No. 85-1406-AU-COI):

Approval of limitation liability language by the PUCO does not constitute a determination by the Commission that the limitation of liability imposed by the company should be upheld in a court of law. Approval by the Commission merely recognizes that since it is a court's responsibility to adjudicate negligence and consequent damage claims, it is also the court's responsibility to determine the validity of the exculpatory clause.

☐ 5. TERMINATION LIABILITY

The following is applicable to all competitive telecommunication providers that choose to include in their tariffs language which may limit their liability for early termination of a contract or term payment plan:

Commission authorization of the termination liability language pursuant to the 0-day notice procedure is not intended to indicate that the Commission has approved or sanctioned any terms or provisions contained therein. Signatories to such contracts shall be free to pursue whatever legal remedies they may have should a dispute arise.

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