90-9011-TP-TRF



December 20, 2006 Via Overnight Delivery

210 N. Park Ave. Winter Park, FL 32789 Renée Jenkins, Secretary of Commission Public Utilities Commission of Ohio 180 East Broad Street Columbus, Ohio 43266-0573

P.O. Drawer 200 Winter Park, FL

32790-0200

PUCO Tariff No. 6

Tel: 407-740-8575 Fax: 407-740-0613 tmi@tminc.com Enclosed for filing please find one original and three (3) copies of the Application to Revise Time Warner Telecom of Ohio, LLC's private line tariff No. 5. This filing extends the On-Net and On-Net Satisfaction Guarantee Promotions through June 30, 2007. The Company

Private Line Tariff Revision of Time Warner Telecom of Ohio, LLC

respectfully requests this tariff revision to become effective on December 31, 2006.

The following documents are included with this filing:

Telecommunications Application Form

Exhibit A - Superseded Tariff Pages Exhibit B - Revised Tariff Pages

Exhibit C - Customer Notice

Exhibit D - Rationale for Tariff Revision

PUCO

Any questions you may have regarding this filing may be directed to my attention at (407) 740-3002 or via e-mail at cwightman@tminc.com. Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for this purpose. Thank you for your assistance.

Sincerely

RE:

Dear Ms. Jenkins:

Connie Wightman

Consultant to Time Warner Telecom of Ohio, LLC

CW/im Enclosures

cc:

Office of Ohio Utilities Consumer Counsel

Connie Simon, Time Warner Telecom- CO

File:

Time Warner Telecom of Ohio – Private Line

TMS:

OHP0622

Project: 06-327

This is to certify that the images emission and assistant desired and complete representation of the desired desired desired in the regular course religions to the processed 12-21-00

RECEIVED-DOCKETING BIT

The Public Utilities Commission of Ohio **TELECOMMUNICATIONS APPLICATION FORM**

(Effective: 10/01/2004) (Pursuant to Case Nos. 99-998-TP-COI and 99-563-TP-COI)

In the Matter of the Applicati Time Warner Telecom of O		se No.90_9	011- TP -TRF		
to Revise its Private Line Tar		_			
Name of Registrant(s) DBA(s) of Registrant(s)	Time Warner Telecom of Ohio, LLC Not applicable	17000			
Address of Registrant(s)	4625 West 8 th Street, Suite 500, Indianapolis	Indiana 46268	<u> </u>		
Company Web Address	www.twtelecom.com	, 1110101111 10201	<u></u>		
Regulatory Contact Person(s)		Phone	407-740-8575	Fax 407-740-0613	
Regulatory Contact Person's				7-1110	
Contact Person for Annual R	·		317-713-8977		
Consumer Contact Information	on Pamela Sherwood, Time Warner Telecon	n Phone	317-713-8977		
Date December 20, 2006	TRF Docket No. 90 - 9011 -C1	<u>Γ-TRF</u> <u>or</u>		TP-T	RF
Company Type (check all app	fecting this case? □ Yes ■ No [Note: waiver(s) to plicable):		-	.00	
		JEC 🗆	CMRS	□ AOS	
	Other (explain)		-		
promulgated in Case No. 99-	company all applications filed by telecommunic 1998-TP-COI, as well as by ILECs filing an ARB preferable NOT to combine different types of filing period.	or NAG case p	oursuant to the guidelin	nes established in Case	
I. Please indicate the rea	son for submitting this form <i>(check <u>one</u>)</i>				
	to Amend Certificate by a CLEC to modify Servin	ig Area (0-day r	notice, 7 copies)		
	nt of all Services				
	90-day approval, 10 copies) b. CTS (14-day)			NOT automatic, 10 copies)	
☐ 3 (ACE) New Operati	ing Authority for providers other than CMRS (30- ed Local	day approval, /	copies); <i>for CMRS, se</i> ocal and CTS = e	e item No.15 on inis page. Other (evaluin)	
	ation to Change Ownership (30-day approval, 10 c		war and C13 G C	. Other (explain)	
	ation to Change Name (30-day approval, 10 copies				
	arrier Contract Amendment to an agreement appro		or ARB case (30-day a	pproval, 7 copies)	
NC	OTE: see item 25 (CTR) on page two of this form j	for all other con	tract filings		
	(30-day approval, 10 copies)	10			
	for Arbitration (see 96-463-TP-COI for applicable			Cl to Non Tion	Camria
	for Tariff Amendment for Tier 1 Services, Applicar- t-to-Carrier tariff filings as set-forth in 95-845-TP		ity service Among Th	as, or change to Non-The	OCI VICI
	g submittal (30-day pre-filing submittal with Staff		Not Docket, 4 copies)		
	User Service which has been preceded by a 30-d.			all submittals and also with	OCC
for Tier 1	l residential services (0-day filing, 10 copies)	,,			
	I User Service (NOT preceded by a 30-day filing s				
	rier-to-Carrier Service which has been preceded b				
	in Terms and Conditions, textual revision, correcti	on of error, etc.	(30-day approval, 10	copies)	
	her service (30-day approval, 10 copies) arrier-to-Carrier Services Tariff subsequent to AC	F approval (60-	day approvat 10 napie	.c)	
	wal of Tier I service must be filed as an "ATW", n			·a <i>j</i>	
	of Service Among Tiers (NOT automatic, 10 copie				
	with no effect on rates for non-specific or non-tier		approval, 10 copies)		
	n to Transfer Certificate (30-day approval, 7 copies				
	cation to Conduct a Transaction Between Utilities	(30-day approv	al, 10 copies)		
	to Withdraw a Tier 1 Service	1 17 17	1 A 7 A 7 A 4 A 4 A 4 A 4 A 4 A 4 A 4 A 4		
	-day approval, 10 copies)		C (NOT automatic, 10	copies)	
	n for Change in Operations by Non-LEC Providers Interconnection Agreement Between Carriers (0-c			A S)	
	providers only to Register or to Notify of a Chang				
` .	aint Application	, Jpermioni	(- and money, reopte	~/	
a. CLEC only	Tier 1 (60-day automatic, 10 copies)				
□ b. Introduce or	increase maximum price range for Non-Specific S	ervice Charge (
n 17 (UNC) Unclassif	ied (explain)		(NOT automat	ic, 15 copies)	

<u>18</u>	(ZTA) Tariff A	pplication Involving only Tier 2 Services				
	□ a. New End U	Jser Service (0-day notice, 10 copies)				
	☐ b. Change in Terms and Conditions, textual revision, correction of error, etc. (0-day notice, 10 copies)					
	□ c. Withdrawal of service (0-day notice, 10 copies)					
o 19	19 Other (explain) (NOT automatic, 15 copies)					
TUF	FOLLOWING ARE TH	RF FILINGS ONLY, NOT NEW CASES (0-day notice, 3 copies)				
<u>711</u> 2	To Associate and The	xtension of Promotional Offering				
	O .	ate for Existing Service				
	a. Tier l	D b. Tier 2				
D 22		egistrant's Process Agent(s)				
D 23						
□ 2 ⁴	only permitted on	tion For Tier 2 Services – indicate which option you intend to adopt to maintain the tariff. NOTE, changing options is ace per calendar year.				
	□ Paper Tariff	☐ Electronic Tariff If electronic, provide the tariff's web address:				
		TR FILINGS ONLY, NOT NEW CASES (0-day notice 7 copies)				
D 25	amendments)	tablish, revise, or cancel an end-user contract. (NOTE: see item 6 on page 1 of this form for carrier-to-carrier contract				
		- TP - CTR (Use same CTR number throughout calendar year)				
II.		which of the following exhibits have been filed. The numbers (corresponding to the list on page (1) and				
		at a minimum, the types of cases in which the exhibit is required:				
₽	[all]	A copy of any motion for waiver of O.A.C. rule(s) associated with this filing. NOTE: the filing of a motion for waiver tolls any automatic timeframe associated with this filing.				
	[3]	Completed Service Requirements Form.				
Q	[3, 9(vii)]	A copy of registrant's proposed tariffs. (Carrier-to-Carrier resale tariff also required if facilities-based)				
	[3]	Evidence that the registrant has notified the Ohio Department of Taxation of its intent to conduct operations as a				
	[2]	telephone utility in the State of Ohio.				
<u> </u>	[3] [3a-b,3d]	Brief description of service(s) proposed. Explanation of whether applicant intends to provide resold services, facilities-based services, or both resold and				
u	[58-0,54]	facilities-based services.				
0	[3a-b,3d]	Explanation as to whether CLEC currently offers CTS services under separate CTS authority, and whether it will be				
	50 1 0 1	including those services within its CLEC filing, or maintaining such CTS services under a separate affiliate.				
<u> </u>	[3a-b,3d] [3a-b,3d]	Explanation of how the proposed services in the proposed market area are in the public interest. Description of the proposed market area.				
<u></u> -	[3a-b,3d]	Description of the proposed market area. Description of the class of customers (e.g., residence, business) that the applicant intends to serve.				
-	[3a-b,3d]	Documentation attesting to the applicant's financial viability, including the following:				
	,	1) An executive Summary describing the applicant's current financial condition, liquidity, and capital resources.				
		Describe internally generated sources of cash and external funds available to support the applicant's operations				
		that are the subject of this certification application. 2) Copy of financial statements (actual and pro forma income statement and a balance sheet). Indicate if financial				
		statements are based on a certain geographical area(s) or information in other jurisdictions				
		3) Documentation to support the applicant's cash and funding sources.				
	[3a-d]	Documentation attesting to the applicant's technical and managerial expertise relative to the proposed service offering(s)				
_	[3a-d]	and proposed service area. Documentation indicating the applicant's corporate structure and ownership.				
<u> </u>	[3a-b,3d]	Information regarding any similar operations in other states. Also, if this company has been previously certified in the				
-	[54 5,54]	State of Ohio, include that certification number.				
0	[3a-b,3d]	Verification that the applicant will maintain local telephony records separate and apart from any other accounting records				
	F2 - 1 - 2 12	in accordance with the GAAP.				
<u> </u>	[3a-b,3d] [3a-b,3d]	Verification of compliance with any affiliate transaction requirements. Explanation as to whether rates are derived through (check all applicable):				
0	[วต-บ,วน]	□ interconnection agreement, □ retail tariffs, or □ resale tariffs.				
0	[1,3a-b,3d]	Explanation as to which service areas company currently has an approved interconnection or resale agreement.				
0	[3a-b,3d, 9a(i-iii)]	Explanation of whether applicant intends to provide Local Services which require payment in advance of Customer				
	F2 - 21 - 2.1	receiving dial tone.				
	[3a,3b,3d, 9a,(I-iii)]	Tariff sheet(s) listing the services and associated charges that must be paid prior to customer receiving dial tone (if applicable).				
0	[3a-b,3d,8]	Letters requesting negotiation pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 and a proposed				
_	[,,-]	timeline for construction, interconnection, and offering of services to end users.				
	[3-5,7,10-11,13]	Certification from Ohio Secretary of State as to party's proper standing (domestic or foreign corporation, authorized use				
	12 4 7 10 11 123	of fictitious name, etc.). In transfer of certificate cases, the transferee's good standing must be established.				
	[3-4,7,10-11,13]	List of names, addresses, and phone numbers of officers and directors, or partners. A sample copy of the customer bill and disconnection notice the applicant plans to utilize.				
	[3]	A sample copy of the customer our and disconnection notice the applicant plans to utilize.				

	[1,4,9,10-13,16-21]	Copy of superseded tariff sheet(s) & price list(s), if applicable marked as Exhibit A.	
	[1,4,9,10-13,16-21]	Copy of revised tariff sheets & price lists, marked as Exhibit B.	
	[3]	Provide a copy of any customer application form required in order to establish residential service, if applicable	
0	[1,2,4-7,9,12- 13,16,18-23,25]	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 \square business; \square residence; or both. Also indicate whether it is a \square switched or \square dedicated service. Include this information in either the cover letter or Exhibit C.	

□ [1,24,9a(v-vi), 5,10,16,18(b-c), 21 □ Tier 1 price list increases must be within an approved range of rates. □ SLF Filings — Do NOT send customer notice until it has been reviewed and approved by Commission Staff Staff
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□ SLF Filings — Do NOT send customer notice until it has been reviewed and approved by Commission Staff [2,4-5,9a(v), 9b, 10,12-13,16, 18(b-e),20-21] □ [1,2,5,9a(v),11-13, 18, 21 (increase only)] □ [2,12] □ Copy of Notice which has been provided to ILEC(s). □ [2,12] □ Copy of Notice which has been provided to ILEC(s). □ [2,4,10,12-13,1] □ [14] □ The interconnection agreement adopted by negotiation or mediation. □ [15] □ For commercial mobile radio service providers, 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. □ [15] □ [24] □ Affidavit that total price of contract exceeds total cost of all regulated services. □ [13,13] □ [1,3,13] □ For CLECs, List of Ohio Exchanges the applicant intends to serve (Use spreadsheet from: http://www.puc.state.oh.us/puco/forms/form.cfm?doc id=357). Maps depicting the proposed serving and calling areas of the applicant. If Mirroring Large ILEC exchanges for both serving area and local calling areas: *Serving area must be clearly reflected on an Ohio map attached to the tariffs, and/or clearly delineated in tariffs; including a complete listing of each exchange being served and all exchanges to which local calls can be made from each of those exchanges.
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9b, 10,12-13,16, 18(b-c),20-21
18(b-c),20-21] [1,2,5,9a(v),11-13, 18, 21(increase only)]
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conjunction conjunction
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TERRIFORM CONTRACTOR AND
If Self-defining serving area and/or local calling area as an area other than that of the established ILEC exchange(s): •
Serving Area must be clearly reflected on an Ohio map attached to the tariffs, and textually described in tariffs by listing the
involved exchanges. • Local Calling Areas must be described in the tariff through textual delineation and clear maps. Maps
for self-defined serving and local calling areas are required to be traced on United States Geological Survey topography
maps. These maps are the Standard Topographic Quadrangle maps, 7.5 minute 1:24,000.
Other information requested by the Commission staff.
[3] Initial certification that includes Tier 2 Services, indicate which option you intend to adopt to maintain the tariff:
Li [5] Initial certification that fictures the 2 Services, indicate which option you litteria to adopt to maintain the farm.

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 BASIC LOCAL EXCHANGE AND CTS PROVIDERS:

- [x] Sales tax
- [x] Minimum Telephone Service Standards (MTSS)
- [x] Surcharges

MANDATORY REQUIREMENTS FOR ALL BASIC LOCAL EXCHANGE PROVIDERS:

[x] 1+ IntraLATA Presubscription

SERVICE REQUIREMENTS FOR PROVISION OF CERTAIN SERVICES (CHECK ALL APPLICABLE):

- Discounts for Persons with Communication Disabilities and the Telecommunication Relay Service [Required if toll service provided]
- Emergency Services Calling Plan [Required if toll service provided]
- Alternative Operator Service (AOS) requirements [Required for all providing AOS (including immate services) service]
- Limitation of Liability Language [Required for all who have tariff language that may limit their liability]
- Termination Liability Language [Required for all who have early termination liability language in their tariffs]
- ☐ Service Connection Assistance (SCA) [Required for all LECs]
- □ Local Number Portability and Number Pooling [Required for facilities-based LECs]
- □ Package Language [Required for tariffs containing packages or service bundles containing both local and toll and/or non-regulated services]

IV.	List names, titles, phone numbers, and addresses of those persons authorized to respond to inquiries from the Consumer Services Department on behalf of the applicant regarding end-user complaints:				
	Connie Simon, Time Warner Telecom, 4625 West 8 th Street, Suite 500, Indianapolis, Indiana 46268				
v.	List names, titles, phone numbers, and addresses of those persons authorized to make and/or affirm or verify filings at the Commission on behalf of the applicant:				
	Connie Wightman, Consultant to Time Warner Telecom, 210 North Park Avenue, Winter Park, Florida 32789 or Pamela Sherwood, Time Warner Telecom, 4625 West 8 th Street, Suite 500, Indianapolis, Indiana 46268				
	E: 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 letion to the address and individual(s) identified in this Section unless another address or individual is so indicated.				
VI.	List Name(s), DBA(s) and PUCO Certification Number(s) of any affiliates you have operating in Ohio under PUCO authority, whether Telecommunication or other. (If needed, use a separate sheet and check here: a)				
	Not Applicable				
	<u>AFFIDAVIT</u>				
	Compliance with Commission Rules and Service Standards				
on its Ohio. Telepi with toperar	an authorized representative of the applicant corporation, Time Warner Telecom of Ohio , LLC , and am authorized to make this statement behalf. I attest that these tariffs comply with all applicable rules, including the Minimum Telephone Service Standards (MTSS) for the state of I understand that tariff notification filings do not imply Commission approval and that the Commission's rules, including the Minimum hone Service Standards, as modified and clarified from time to time, supersede any contradictory provisions in our tariff. We will fully comply the rules of the state of Ohio and understand that noncompliance can result in various penalties, including the suspension of our certificate to the within the state of Ohio.				
	ted on. at Winter Park, FK 32789 Connie Wightman Consultant to Time Warner Telecom of Ohio, LLC				
mix	* 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.				
4000	<u>VERIFICATION</u>				
I, Cor	nnie M. Wightman, verify that I have utilized, verbatim, the Commission's Telecommunications Application Form and that all of the information				
submi	itted here, and all additional information submitted in connection with this case, is true and correct to the best of my knowledge. Connie Wightman Consultant to Time Warner Telecom of Ohio, LLC				
	*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.				

Public Utilities Commission of Ohio

Attention: Docketing Division (or to the Telecommunications Division Chief if a prefiling submittal)
180 East Broad Street, Columbus, OH 43215-3793

Send your completed Application Form, including all required attachments as well as the required number of copies, to:

Exhibit A

Superseded Tariff Sheets

PRIVATE LINE SERVICES

SECTION 6 - PROMOTIONS continued

6.1 Promotional Offerings continued

6.1.3 On-Net Promotion

A. Promotion Description

This promotion offers a one-month service credit to eligible Customers located in existing On-Net buildings who purchase any service with a monthly recurring charge and a service term of at least 24 months.

B. Terms and Conditions

- 1. Internet Service Providers and carrier Customers are not eligible to receive this promotion.
- 2. Customers in Off-Net buildings or areas not currently On-Net are not eligible for this promotion.
- 3. The promotional service credit will be applied against the monthly recurring charge for the purchased service.
- 4. This promotion is effective through December 31, 2006. Service must be installed no later than two months after the date of the service order.
- 5. Local usage fees for measured and message rated service are not included in the promotional price.
- 6. Applicable taxes and surcharges, including Federal Subscriber Line Charge, will be billed at standard rates.
- 7. All monthly recurring charges will be billed in advance of service.
- 8. Inclusion of early termination liability by the Company in its tariff or a contract does not constitute a determination by the Commission that the termination liability imposed by the Company is approved or sanctioned by the Commission. Customers shall be free to pursue whatever legal remedies they may have should a dispute arise.

(N)

(N)

Issued: June 18, 2002

Effective: June 18, 2002 Case No. 06-746-TP-TRF

OHP0210

(N)

PRIVATE LINE SERVICES

SECTION 6 - PROMOTIONS continued

6.1 Promotional Offerings continued

6.1.4 On-Net Satisfaction Guarantee

A. Promotion Description

This promotion allows eligible new Customers in existing On-Net buildings to disconnect any service for any reason within the first 30 days of service without incurring termination liability.

B. Terms and Conditions

- 1. This offer is available only to new eligible Customers and existing eligible Customers purchasing new services in existing On-Net buildings.
- 2. Internet Service Providers and carrier Customers are not eligible to receive this promotion.
- 3. Customers in Off-Net buildings or areas not currently On-Net are not eligible for this promotion.
- 4. Customers who wish to invoke the On-Net Satisfaction Guarantee must notify the Company of their desire to terminate service in writing within 30 days of service installation. The Customer is responsible for all service charges incurred up to the date of disconnection.
- 5. This promotion is effective through December 31, 2006. Service must be installed no later than two months after the date of the service order.
- 6. All monthly recurring charges will be billed in advance of service.
- 7. Inclusion of early termination liability by the Company in its tariff or a contract does not constitute a determination by the Commission that the termination liability imposed by the Company is approved or sanctioned by the Commission. Customers shall be free to pursue whatever legal remedies they may have should a dispute arise.
- 8. This promotion may not be combined with any other promotional offer other than the "On-Net Promotion".

Effective: June 18, 2002

Case No. 06-746-TP-TRF

OHP0210

(N)

Issued: June 18, 2002

Exhibit B

Proposed Revised Tariff Sheets

PRIVATE LINE SERVICES

SECTION 6 - PROMOTIONS continued

6.1 Promotional Offerings continued

6.1.3 On-Net Promotion

A. Promotion Description

This promotion offers a one-month service credit to eligible Customers located in existing On-Net buildings who purchase any service with a monthly recurring charge and a service term of at least 24 months.

B. Terms and Conditions

- 1. Internet Service Providers and carrier Customers are not eligible to receive this promotion.
- 2. Customers in Off-Net buildings or areas not currently On-Net are not eligible for this promotion.
- 3. The promotional service credit will be applied against the monthly recurring charge for the purchased service.
- 4. This promotion is effective through June 30, 2007. Service must be installed no later than two months after the date of the service order.
- 5. Local usage fees for measured and message rated service are not included in the promotional price.
- 6. Applicable taxes and surcharges, including Federal Subscriber Line Charge, will be billed at standard rates.
- 7. All monthly recurring charges will be billed in advance of service.
- 8. Inclusion of early termination liability by the Company in its tariff or a contract does not constitute a determination by the Commission that the termination liability imposed by the Company is approved or sanctioned by the Commission. Customers shall be free to pursue whatever legal remedies they may have should a dispute arise.

Issued: December 21, 2006

Effective: December 31, 2006 Case No. 90-9011-TP-TRF

OHP0621

(T)

PRIVATE LINE SERVICES

SECTION 6 - PROMOTIONS continued

6.1 Promotional Offerings continued

6.1.4 On-Net Satisfaction Guarantee

A. Promotion Description

This promotion allows eligible new Customers in existing On-Net buildings to disconnect any service for any reason within the first 30 days of service without incurring termination liability.

B. Terms and Conditions

- 1. This offer is available only to new eligible Customers and existing eligible Customers purchasing new services in existing On-Net buildings.
- 2. Internet Service Providers and carrier Customers are not eligible to receive this promotion.
- 3. Customers in Off-Net buildings or areas not currently On-Net are not eligible for this promotion.
- 4. Customers who wish to invoke the On-Net Satisfaction Guarantee must notify the Company of their desire to terminate service in writing within 30 days of service installation. The Customer is responsible for all service charges incurred up to the date of disconnection.
- 5. This promotion is effective through June 30, 2007. Service must be installed no later than two months after the date of the service order.
- 6. All monthly recurring charges will be billed in advance of service.
- 7. Inclusion of early termination liability by the Company in its tariff or a contract does not constitute a determination by the Commission that the termination liability imposed by the Company is approved or sanctioned by the Commission. Customers shall be free to pursue whatever legal remedies they may have should a dispute arise.
- 8. This promotion may not be combined with any other promotional offer other than the "On-Net Promotion".

Issued: December 21, 2006

Effective: December 31, 2006 Case No. 90-9011-TP-TRF OHP0621

Pamela Sherwood, Vice President of Regulatory - Midwest Region 4625 West 86th Street, Suite 500 Indianapolis, IN 46268 (T)

Exhibit C

Copy of Notice and Procedure

Not Applicable

Exhibit D

Rationale for Tariff Changes

This filing extends the On-Net and On-Net Satisfaction Guarantee Promotion through June 30, 2007.