



ANDREW O. ISAR

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Via Overnight Delivery

November 27, 2007

Ms. Renee J. Jenkins  
Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215-3793

RE: 360networks USA inc., Case No. 07-1219-TP-ATA

Dear Ms. Jenkins:

Pursuant to the Public Utilities Commission of Ohio's ("Commission") detariffing Implementation Order,<sup>1</sup> enclosed for filing with the Commission is an original of 360networks USA inc.'s *Telecommunications Application Form for Detariffing and Related Actions* and supporting documents ("Application"), in the above reference Case. An electronic copy of the Application was filed using the Commission's on line E-File system.

360 has no retail subscribers in Ohio. Customer notification is inapplicable, as addressed in Exhibits D through F, accordingly. Further, in light of the number of amendments that would be required to update the Company's retail tariff since first filed, the Company takes this opportunity to submit a replacement tariff, which complies with the Implementation Order, attached to the Application at Exhibit B.

Please acknowledge receipt of this filing by file-stamping and returning the extra copy of this transmittal letter in the self-addressed, postage-paid envelope provided for this purpose. Questions concerning this filing may be directed to the undersigned

Sincerely,

MILLER ISAR, INC.

Andrew O. Isar

Enclosures

Regulatory Consultants to  
360networks USA inc.

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<sup>1</sup> In the Matter of the Review of Chapter 4901:1-6, Ohio Administrative Code, Case No. 06-1345-TP-ORD (September 19, 2007)

**The Public Utilities Commission of Ohio**  
**TELECOMMUNICATIONS APPLICATION FORM for**  
**DETARIFFING AND RELATED ACTIONS**

**Per the Commission's 09/19/07 "Implementation Order" in Case No. 06-1345-TP-ORD**  
(Effective: 10/01/2007 through 04/01/2008)

In the Matter of the Application of 360networks USA inc. )  
to Detariff Certain Tier 2 Services and make other changes )  
related to the Implementation of Case No. 06-1345-TP-ORD )

TRF Docket No. 90-\_\_\_\_\_

Case No. **07 - 1219 - TP - ATA**

NOTE: Unless you have reserved a Case No. leave the "Case No." fields BLANK.

Name of Registrant(s) **360networks USA inc.**

DBA(s) of Registrant(s) **Applicant does not use a fictitious name.**

Address of Registrant(s) **867 Coal Creek Circle, Suite 160, Louisville, CO 80027**

Company Web Address **www.360networks.com**

Regulatory Contact Person(s) **Michel Singer Nelson**

Phone **303.854.5513**

Fax **303.854.5100**

Regulatory Contact Person's Email Address **MNelson@360.net**

Contact Person for Annual Report **Charles Forst**

Phone **303.854.5210**

Address (if different from above) **Same**

Consumer Contact Information **Customer Service Department**

Phone **800.609.1025**

Address (if different from above) **Same**

**Part I – Tariffs**

**Please indicate the Carrier Type and the reason for submitting this form by checking the boxes below.**

*NOTE: All cases are ATA process cases, tariffs are effective the day they are filed, and remain in effect unless the Commission acts to suspend.*

<u>Carrier Type</u>	<input type="checkbox"/> ILEC	<input checked="" type="checkbox"/> CLEC	<input checked="" type="checkbox"/> CTS
Business Tier 2 Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Residential & Business Toll Services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Changes required by Rule (Describe in detail in Exhibit C)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part II – Exhibits**

**Note that the following exhibits are required for all filings using this form.**

Included	Identified As:	Description of Required Exhibit:
<input checked="" type="checkbox"/>	Exhibit A	The existing affected tariff pages.
<input checked="" type="checkbox"/>	Exhibit B	The proposed revised tariff pages.
<input checked="" type="checkbox"/>	Exhibit C	Matrix or narrative summarizing all changes proposed in the application, and/or other information intended to assist Staff in the review of the Application.
<input checked="" type="checkbox"/>	Exhibit D	Explanation of how the Applicant intends to comply with Rule 4901:1-6-05(G)(3) regarding disclosure of rates, terms, and conditions for detariffed services, including: <ul style="list-style-type: none"> <li>• citation to the appropriate Web Page if any, in accordance with rule 4901:1-6-05(G)(4), and/or</li> <li>• copy of other materials and publications to be used to comply with 4901:1-6-05(G)(3).</li> </ul>
<input checked="" type="checkbox"/>	Exhibit E	One-time customer notice of detariffing and related changes consistent with rule 4901:1-06-16(B) , including where customers may find the information regarding such services as required by rule 4901:1-6-05(G)(3).
<input checked="" type="checkbox"/>	Exhibit F	Affidavit that the Customer Notice described in Exhibit C has been sent to Customers.

**Part III. – Attestation**

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

**AFFIDAVIT**

***Compliance with Commission Rules and Service Standards***

I am an officer/agent of the applicant corporation, **360networks (USA) inc.**, and am authorized to make this statement on its behalf.  
(Name)

I attest that these tariffs comply with all applicable rules, including the Minimum Telephone Service Standards (MTSS) Pursuant to Chapter 4901:1-5 OAC for the state of Ohio. I understand that tariff notification filings do not imply Commission approval and that the Commission's rules, including the Minimum Telephone Service Standards, as modified and clarified from time to time, supersede any contradictory provisions in our tariff. We will fully comply with the rules of the state of Ohio and understand that noncompliance can result in various penalties, including the suspension of our certificate to operate within the state of Ohio.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on (Date) **November 15, 2007** at (Location) **Louisville, CO**

(Signature and Title) **Gary Ray, Vice President and General Counsel**

(Date) **November 15, 2007**

- *This affidavit is required for every tariff-affecting filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.*

**VERIFICATION**

I, **Gary Ray**

verify that I have utilized the Telecommunications Application Form for Detariffing and Related Actions provided by the Commission and that all of the information submitted here, and all additional information submitted in connection with this case, is true and correct to the best of my knowledge.

(Signature and Title) **Gary Ray, Vice President and General Counsel**

(Date) **November 15, 2007**

*\*Verification is required for every filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.*

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

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

***Or***

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

*The Public Utilities Commission of Ohio*  
**TELECOMMUNICATIONS APPLICATION FORM for**  
**DETARIFFING AND RELATED ACTIONS**

Per the Commission's 09/19/07 "Implementation Order" in Case No. 06-1345-TP-ORD  
(Effective: 10/01/2007 through 04/01/2008)

**Listing of Exhibits**

<b>Exhibit</b>	<b>Description</b>
A	The existing affected tariff pages.
B	The proposed revised tariff pages.
C	Matrix or narrative summarizing all changes proposed in the application, and/or other information intended to assist Staff in the review of the Application.
D	Explanation of how the Applicant intends to comply with Rule 4901:1-6-05(G)(3) regarding disclosure of rates, terms, and conditions for detariffed services, including: <ul style="list-style-type: none"><li>▪ citation to the appropriate Web Page if any, in accordance with rule 4901:1-6-05(G)(4), and/or</li><li>▪ copy of other materials and publications to be used to comply with 4901:1-6-05(G)(3).</li></ul>
E	One-time customer notice of detariffing and related changes consistent with rule 4901:1-06-16(B) , including where customers may find the information regarding such services as required by rule 4901:1-6-05(G)(3).
F	Affidavit that the Customer Notice described in Exhibit C has been sent to Customers.

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## **Exhibit A**

### **The existing affected tariff pages.**

Applicant proposes to replace its existing tariff, Ohio Tariff No. 1, in its entirety with P.U.C.O. Tariff No. 2., attached hereto at Exhibit B. In that Applicant proposes to replace Ohio Tariff No. 1, the entire tariff is attached hereto.

## **Exhibit B**

**The proposed revised tariff pages.**

Applicant proposes to replace its existing tariff, Ohio Tariff No. 1, in its entirety with P.U.C.O. Tariff No. 2., attached, as discussed *infra*.

## Exhibit C

**Matrix or narrative summarizing all changes proposed in the application, and/or other information intended to assist Staff in the review of the Application.**

Applicant proposes to replace its existing tariff, Ohio Tariff No. 1, in its entirety with P.U.C.O. Tariff No. 2. No amendments to its currently filed Ohio Tariff No. 1 are proposed, accordingly. Applicant has no retail customers in Ohio as discussed further below. No customers or members of the public will be affected by the proposed tariff replacement. The proposed replacement tariff will enable Applicant to comply with the Commission's September 19, 2007 Implementation Entry<sup>1</sup> efficiently, while enabling Applicant to update Company-specific information, and simplifying the Commission's review process.

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<sup>1</sup> *In the Matter of the Review of Chapter 4901:1-6, Ohio Administrative Code*, Case No. 06-1345-TP-ORD (September 19, 2007).

## **Exhibit D**

**Explanation of how the Applicant intends to comply with Rule 4901:1-6-05(G)(3) regarding disclosure of rates, terms, and conditions for detariffed services, including:**

- **citation to the appropriate Web Page if any, in accordance with rule 4901:1-6-05(G)(4), and/or**
- **copy of other materials and publications to be used to comply with 4901:1-6-05(G)(3).**

At the time 360networks (USA) inc. sought intrastate operating authority, the company filed its retail local exchange and interexchange service tariff, Ohio Tariff No. 1. The Company anticipated that it would at some point provide retail local exchange and interexchange services, in addition to switched exchange access services provided to interconnecting carriers. Since the grant of its intrastate operating authority in Ohio, the Company has focused its Ohio operations exclusively on the provision of switched exchange access to interconnecting carriers. It has not developed nor provided retail interexchange or local exchange services to the public and has no customers to notify, accordingly.

Should 360networks (USA) inc. in the future provide retail telecommunications services in Ohio, the Company will post retail service descriptions and rates on its web site, [www.360networks.com](http://www.360networks.com) as well as provide rate and service information to customers upon request and upon changes to applicable rates pursuant to Rule 4901:1-6-05(G).



## **Exhibit E**

**One-time customer notice of detariffing and related changes consistent with rule 4901:1-06-16(B), including where customers may find the information regarding such services as required by rule 4901:1-6-05(G)(3).**

Please refer to response to Exhibit D, *supra*.

## **EXHIBIT F**

**Affidavit that the Customer Notice described in Exhibit E has been sent to Customers.**

Please see attached.

CUSTOMER NOTICE AFFIDAVIT

STATE OF COLORADO

SS:

COUNTY OF BOULDER

AFFIDAVIT

I Gary Ray, am an authorized officer of the applicant corporation, 360networks (USA) inc., and am authorized to make this statement on its behalf. I attest that 360networks (USA) inc. does not currently provide retail telecommunications services in Ohio and has no current retail customers. I attest further that in light of the fact that 360networks (USA) inc. has no Ohio retail customers, customer notice requirements as set forth in the Public Utilities Commission of Ohio's "Implementation Order" in Case No. 06-1345-TP-ORD and pursuant to Rule 4901:1-6-16, Ohio Administrative Code, are inapplicable to 360networks (USA) inc. immediate compliance with the "Implementation Order." I declare under penalty of perjury that the foregoing is true and correct.

Executed on November, 2007 at Louisville, CO  
(Date) (Location)

/s/ Gary Ray November 15, 2007  
(Signature and Title) (Date)  
Gary Ray  
Vice President and General Counsel

Subscribed and sworn to before me this \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

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

**Commission of Ohio Docketing Information System on**

**11/28/2007 2:21:08 PM**

**in**

**Case No(s). 07-1219-TP-ATA**

Summary: Application Word version of Applicant's Tariff and Replacement Tariff electronically filed by Mr. Andrew O. Isar on behalf of 360networks USA inc. and Miss