

January 3, 2008

*By Electronic Delivery*

Ms. Reneé J. Jenkins  
Director of Administration  
Secretary of the Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215

RE: In the Matter of the Application of The Ayersville Telephone Company to Make Text Changes to its Tariff to Reflect New MTSS; PUCO Case No. 08-0006-TP-ATA

Dear Ms. Jenkins:

The Ayersville Telephone Company submits an Application for electronic filing. The TRF Number for The Ayersville Telephone Company is 90-5005-TP-TRF.

Thank you for your assistance. If you have any questions, please do not hesitate to call.

Very truly yours,

/s/ Carolyn S. Flahive

Enclosure

**The Public Utilities Commission of Ohio**  
**TELECOMMUNICATIONS APPLICATION FORM**  
for  
**ILECs Not Subject to Alternative Regulation**  
(Effective December 3, 2004)

In the Matter of the Application of The Ayersville )

Telephone Company to Make Text Changes to its Tariff ) Case No. 08-0006 -**TP** - ATA  
to Reflect new MTSS )

Name of Company The Ayersville Telephone Company

Address of Company 27932 Watson Road, Defiance, Ohio 43512

Company Web Address \_\_\_\_\_

Regulatory Contact Person(s) Carolyn S. Flahive Phone (614) 469-3200 Fax (614) 469-3361

Regulatory Contact Person's Email Address Carolyn.S.Flahive@ThompsonHine.com

Date \_\_\_\_\_ TRF Docket No. 90-5005-TP-TRF

Motion for protective order included with filing? ☐ Yes ☒ No

Motion for waiver(s) filed affecting this case? ☐ Yes ☒ No [Note: waiver(s) tolls any automatic timeframe]

NOTE: This form must accompany:

- ✓ All automatic approval/notice applications filed by incumbent local exchange companies (ILECs) not subject to a qualifying alternative regulation plan when making an application pursuant to Case Nos. 84-944-TP-COI, 86-1144-TP-COI, 89-564-TP-COI, or 99-563-TP-COI.
- ✓ All non-automatic approval applications filed by incumbent local exchange companies (ILECs) not subject to a qualifying alternative regulation plan when making an application pursuant to Section 4909.18, Ohio Revised Code.

**I. Please indicate the reason for submitting this form (*check one*)**

- ☐ 1 (AEC) Application For Approval Of A Customer Contract For Competitive Services
- ☐ a. Stand-Alone Contract (90-day approval, 7 copies)
- ☐ b. Pre-Approved Contract (0-day notice, 7 copies)
- ☐ 2 (ACO) ILEC Application for Change in Ownership Pursuant to 4905.402, Ohio Revised Code (30-day approval, 10 copies)
- ☐ 3 (ALI) Small, For-Profit, ILEC Application For A Limited Increase In Non-Basic Rates (60-day approval, 10 copies)
- ☒ 4 (ATA) Application For Tariff Amendment That Does Not Result In An Increase In Rates
- ☐ a. Large ILEC, Competitive Offerings Other Than Those Listed Under 5., Below (60-day approval, 7 copies)
- ☒ b. Small, for-profit ILECs (45-day approval, 10 copies) (Not-for-profit, see item 6, NFP, below)
- ☐ 5 (ZTA) Tariff Notification Not For An Increase In Rates Involving Message Toll, Toll-Free Service, 900 And 900-Like Services, 500 Service, Calling Card, Prepaid Calling Card, Private Line, and Speed Dialing In Accordance With Waiver Granted in 99-563-TP-COI (5/11/2000 and 11/21/2002) (0-day notice, 7 copies)
- NOTE:** Notifications do not require or imply Commission Approval.
- ☐ 6 (NFP) Small, not-for-profit ILEC tariff amendment
- ☐ a. Tariff Change Not Resulting In An Increase In Rates (0-day notice, 7 copies)
- ☐ b. Tariff Application Resulting In An Increase In Non-Basic Rates (45-day notice, 7 copies)
- ☐ c. Tariff Application Resulting In An Increase In Basic Rates (60-day notice, 10 copies)
- ☐ 7 (Non-Auto) All Others (non-automatic approval, indicate appropriate 3 letter code for case type in Case No. above)

THE FOLLOWING ARE TRF FILINGS ONLY, NOT NEW CASES

- ☐ 8 Introduction or Extension of Promotional Offering (10-day notice, 3 copies)
- ☐ 9 New Price List Rate Within an Approved Rate Range for Existing Competitive Service (0-day notice, 3 copies)

**II. The following exhibits corresponding to the list of cases above, at a minimum, are required to be filed:**

<input checked="" type="checkbox"/>	3, 4, 5, 6, 7	Current Tariff Sheets (to be superseded), if applicable
<input checked="" type="checkbox"/>	3, 4, 5, 6, 7	Proposed Tariff Sheets
<input checked="" type="checkbox"/>	2, 3, 4, 5, 6, 7	Rationale or Explanation for Change
<input type="checkbox"/>	1.a., 4.a.	Justification for Competitive Treatment
<input type="checkbox"/>	1.a., 4.a.	Cost support for non-MTS service
<input type="checkbox"/>	2, 3, 4, 5, 6, 7, 9	Customer Notice to customers affected by proposal, and statement as to the form and timing of the notice
<input type="checkbox"/>	1	Copy of Contract

III. Applicant is filing this application under the regulatory requirements:

- ☒ Established by the Commission in Case No. 89-564-TP-COI.  
☐ Established in 4909.18 Ohio Revised Code.

IV. Applicant respectfully requests the Commission to permit the filing of the proposed tariff sheets, to become effective on the date shown on the proposed tariff sheets (which is a date no earlier than the day after the applicable automatic approval date), modified by any further revisions that have become effective prior to the effective date of the proposed schedule sheets.

Respectfully submitted,

THE AYERSVILLE TELEPHONE COMPANY

By: /s/ Carolyn S. Flahive

Thomas E. Lodge (0015741)

Carolyn S. Flahive (0072404)

THOMPSON HINE LLP

10 West Broad Street, Suite 700

Columbus, Ohio 43215-3435

614-469-3200

Its Attorneys

#### VERIFICATION

I verify that all of the information submitted herein, and all additional information submitted in connection with this case, is true and correct to the best of my knowledge.

/s/ Carolyn S. Flahive 01/03/08

\*(Signature and Title)

(Date)

\*Verification is required for every filing, and need **not** be notarized except for Applications for a Limited Increase in Rates (ALIs). The verification may be signed by an officer of the applicant, its counsel, or an authorized agent of the applicant, except for ALIs. ALI applications must be signed by an officer of the company and be notarized.

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 200\_.

\_\_\_\_\_  
Notary Public, State of Ohio

My commission expires \_\_\_\_\_

**EXHIBIT A**  
**(SUPERSEDED TARIFF SHEETS)**

P.U.C.O. NO. 5  
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<u>SUBJECT</u>	<u>TARIFF</u>	<u>SECTION</u>	<u>SHEET</u>	
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<u>SUBJECT</u>	<u>TARIFF</u>	<u>SECTION</u>	<u>SHEET</u>
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<u>SUBJECT</u>	<u>TARIFF</u>	<u>SECTION</u>	<u>SHEET</u>
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ISSUED: April 23, 2007

EFFECTIVE: June 8, 2007

In Accordance with Case No. 07-453-TP-ATA  
Issued by the Public Utilities Commission of Ohio  
Phillip Maag, General Manager  
Defiance, Ohio

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## P.U.C.O. NO. 5

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Issued: October 29, 2003

Effective: December 15, 2003

In Accordance with Case No. 03-2190-TP-ATA  
Issued by the Public Utilities Commission of Ohio  
Phillip Maag, General Manager  
Defiance, Ohio

The following identified service rates entitle the subscribers of telephone service to call, without additional charge, the subscribers of Arthur Exchange of the Arthur Mutual Telephone Company, the Continental Exchange of the Continental Telephone Company, the New Bavaria Exchange of the New Bavaria Telephone Company, the Defiance, Holgate and Jewel Exchanges of the United Telephone Company of Ohio, in addition to the other subscribers of the Ayersville Exchange.

The following listed rates for local exchange telephone service shall apply within the exchange area as depicted on the Ayersville Exchange map (Section 1, Original Sheet No. 2, P.U.C.O. No. 5, Local Exchange Tariff).

CLASS OF SERVICE	EXCHANGE ACCESS CHARGE	MONTHLY LEASED INSTRUMENT CHARGE	COIN SUPERVISION CHARGE	(N)
One Party Business	\$15.70	\$ 1.35	-----	
One Party Residence	\$12.35	\$ 1.35	-----	
Payphone	\$15.70	-----	\$ 7.20	(N)

If a customer does not lease an instrument from the Company, then the customer will not be assessed a monthly rate for an instrument.

This service, more commonly known as push button dialing or as Touch Tone under the Bell System registered trademark, will be offered to subscribers of the Ayersville Telephone Company. There will be no distinction between business and/or residence.

Tel-Tone Touch Dial	\$-0- per each mainline service
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Ayersville Telephone Company may offer to connect individual customers to Tel-Tone Touch Dialing and waive the Service Connection and Service Order charges for a period not to exceed thirty (30) days. The dates and duration of offering will be determined by the Telephone Company. This offer is limited to one-party lines which are not already equipped with Tel-Tone Touch Dialing.

P.U.C.O. NO. 5  
GENERAL EXCHANGE TARIFFSMISCELLANEOUS SERVICE OFFERINGSMONTHLY CHARGEPay Stations (also see Section 3, Sheets 8 and 9)

Public Paystations	\$0.20/call +	\$-0-
Semi-Public Paystations	\$0.20/call +	\$25.00

End user paystation coin rates are effective until October 7, 1997, at which time such rates will be deregulated and detariffed pursuant to the FCC's Report and Order in Docket No. 96-128 issued September 20, 1996.

RECURRING CHARGESExtension Service

Off Premise Extension Charge (per ¼ mile)	\$1.00
-------------------------------------------	--------

Vacation Rate (SEE TEMPORARY SUSPENSION OF SERVICE)

For equipment retained in a subscriber name during extended subscriber absence, there will be a charge of:  
50% Regular Rate. Payment for local service equal to the anticipated suspension period shall be made in advance and the allowance applied after the service is restored.

Delayed Payment Charge

A five (5) percent late payment charge will apply to the unpaid balance carried forward to the next month's statement. The late payment charge will not be assessed before twenty days after the date the monthly bill is issued.

Trunk Rotation Service

(N)

Trunk Rotation Service is an arrangement whereby two or more lines of the same class and grade or trunks of the same class furnished to a subscriber on continuous property are grouped so that calls to the first number of the grouped lines are automatically routed to the first non-busy line of the group, and a busy signal or busy report is not given unless all the grouped lines are busy.

The number of Trunk Rotation Services required depends upon the number of lines in a group. One Trunk Rotation Service is required for the second line and each succeeding line.

The charge for Trunk Rotation Service is \$2.00 per line per month.

P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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Ayersville Telephone Company will comply with all of the Commission's Minimum Telephone Service Standards set forth in Chapter 4901:1-5 of the Ohio Administrative Code (O.A.C.).

(N)

**A. APPLICATION**

The rules and regulations specified herein are in addition to those contained in the Local Exchange Service Tariffs. They apply to the intrastate service and facilities furnished by the Ayersville Telephone Company, in the Ayersville Exchange, herein referred to as the Telephone Company or Company.

In the event of a conflict between any rates, rules, regulations or provision contained in these General Rules and Regulations and any rate, rule, regulation or provision contained in the other sections of this Telephone Service Tariff, the rate, rule regulation or provision contained in the specific section of this tariff shall prevail.

**B. OBLIGATION AND LIABILITY OF TELEPHONE COMPANY****1. Subscriber Billing Adjustments For Local Exchange Service**

The Company will comply with the Commission's Minimum Telephone Service Standards regarding subscriber billing adjustments for local exchange service, set forth in O.A.C. 4901:1-5-16, and found in Section 9 of this Tariff.

(T)  
|  
(T)**2. Availability of Facilities**

The Telephone Company's obligation to furnish exchange and toll service is dependent upon its ability to secure and retain, without unreasonable expense, suitable facilities and rights for the construction and maintenance of the necessary facilities to provide service.

**3. Interruption of Service**

The Company will comply with the Commission's Minimum Telephone Service Standards regarding interruption of service, set forth in O.A.C. 4901:1-5-16, and found in Section 9 of this Tariff.

(T)  
|  
(T)

## B. OBLIGATION AND LIABILITY OF TELEPHONE COMPANY (Continued)

## 4. Directory Errors and Omissions

The Telephone Company, except as provided herein, shall not be liable for damages claimed on account of, or errors in, or omissions from its directories, nor for the result of the publication of such errors in the directory, nor will the Telephone Company be a party to controversies arising between subscribers or others as a result of listing published numbers in the directories.

The Company will comply with the Commission's Minimum Telephone Service Standards regarding omission of a subscriber's listing from the white pages of the telephone directory or the listing of an incorrect telephone number, set forth in O.A.C. 4901:1-5-16, and found in Section 9 of this Tariff.

(T)

|  
(T)

5. The Telephone Company does not transmit messages but offers the use of its facilities for communication between patrons. If because of the transmission difficulties, the operator, in order to accommodate the subscriber, repeats messages, she is deemed to be acting as the agent of the persons involved and no liability shall attach to the Telephone Company because of any errors made by the operator or misunderstanding that may arise between the subscribers because of errors.

## 6. Use of Connecting Company Lines

When suitable arrangements can be made, lines of other telephone companies may be used in establishing wire connections to points not reached by this Company's lines. In establishing connections with the lines of other companies, the Telephone Company is not responsible for any action of the Connecting Company.

P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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## B. OBLIGATION AND LIABILITY OF TELEPHONE COMPANY (Continued)

## 7. Defacement of Premises

The Telephone Company shall exercise due care in connection with all work done on the subscriber's premises. No liability shall attach to the Telephone Company by reason of any defacement or damage to the subscriber's premises resulting from the existence of the Telephone Company's wiring on such premises, or by the installation or removal thereof, unless such defacement or damage is the result of the sole negligence of the Telephone Company.

## 8. Adjustment of Charges

The Company will comply with the Commission's Minimum Telephone Service Standards regarding overbilling and underbilling, set forth in O.A.C. 4901:1-5-16, and found in Section 9 of this Tariff.

(T)  
|  
(T)

## 9. Handling of Consumer Complaints

The Company will comply with the Commission's Minimum Telephone Service Standards regarding the handling of consumer complaints, set forth in O.A.C. 4901:1-5-5, and found in Section 9 of this Tariff.

(N)  
|  
(N)

P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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## C. USE OF SERVICE AND FACILITIES (Continued)

## 4. Misuse of Facilities (Continued)

- e. causing or allowing Telephone Company equipment to be tampered with, damaged or destroyed through negligence.

When service is restored after denial, the Telephone Company will make a pro rata allowance at the scheduled rate for the service denied for the entire period of denial. (T)

The Company will comply with the Commission's Minimum Telephone Service Standards regarding denial or disconnection of local and toll service, set forth in O.A.C. 4901:1-5-17, and found in Section 9 of this Tariff. (N)

(D)

## D. ESTABLISHMENT AND FURNISHING SERVICE

The Company will comply with the Commission's Minimum Telephone Service Standards regarding establishment of service, set forth in O.A.C. 4901:1-5-13, and found in Section 9 of this Tariff. (N)

## 1. Application for Service

Application for service shall constitute a contract when accepted verbally or in writing by the Company or upon the establishing of service. The initial minimum contract period for exchange service is one (1) month from the date service is established unless otherwise specified herein or elsewhere in the Telephone Company tariff.

## 2. Advance Payments

Applicants for service involving special construction may be required to make an advance payment. The amount of the advance payment is credited to the customer's account as applying to any indebtedness under the contract. (C)

## 3. Deposits

The Company will comply with the Commission's Minimum Telephone Service Standards regarding deposits, set forth in O.A.C. 4901:1-5-13(B)(2)(b), and found in Section 9 of this Tariff. (T)

P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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## D. ESTABLISHMENT AND FURNISHING SERVICE (Continued)

## 7. Payment for Service

The subscriber is required to pay all charges for exchange service and facilities and for toll messages in accordance with provisions contained in Section 2.

The subscriber is held responsible for all charges for telephone service rendered at his telephone, both exchange and toll including charges for toll messages on which the charges have been reversed.

## 8. Maintenance and Repair

All ordinary expense of maintenance and repairs, unless otherwise specified in the Telephone Company's Tariff, is borne by the Telephone Company. Effective January 1, 1987, the subscriber assumed financial responsibility for installation and maintenance of simple and complex inside wire. The Company will offer an optional maintenance agreement on a detariffed basis. Subscribers may not rearrange, disconnect or remove any appurtenance or wiring installed by the Telephone Company, except upon the written consent of the Telephone Company.

## 9. Unusual Installation Costs

Where special conditions or special requirement of the subscriber involve unusual construction or installation costs, the subscriber may be required to pay a reasonable proportion of such costs.

## 10. Guarantors

(N)

The Company will comply with the Commission's Minimum Telephone Service Standards regarding third-party guarantors, set forth in O.A.C. 4901:1-5-14, and found in Section 9 of this Tariff.

## E. TELEPHONE DIRECTORIES

## 1. Distribution

The Telephone Company will furnish to its subscriber without charge one directory per assigned telephone number. Other directories of the Telephone Company will be furnished at the discretion of the Telephone Company at the charge of \$1.50.

P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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## PAYMENT FOR SERVICES AND FACILITIES

## A. PAYMENT FOR SERVICES AND FACILITIES

1. The Telephone Company will endeavor to mail its bills for telephone service on or before the same date each month. In accordance with O.A.C. 4901:1-5-17, and found in Section 9 of this Tariff, a subscriber's bill shall not be due earlier than fourteen (14) days from the date of the postmark on the bill. If the bill is not paid by the due date, it then becomes past due. Bills are payable at the office of the Telephone Company or any agency authorized by the Telephone Company to receive such payment. (T)
2. The failure of the customer to promptly pay the delinquent bill (regular billing or special toll billing) may subject the customer's service to either temporary suspension or discontinuance of service pursuant to O.A.C. 4901:1-5-17. (T)  
(D)  
|  
(D)
3. Each month is considered to have thirty (30) days for the purpose of computing charges, and shall be the basis for computing fractional portions of monthly billing, pro rated charges and adjustments to customer accounts. (T)
4. Failure to receive a bill will not exempt a subscriber from payment of any sum or sums due the Company (T)

P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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## TEMPORARY SUSPENSION OF SERVICE (Continued)

- C. The reduction in rate for the period of suspension is equal to 50 percent of the exchange service charges, including charges for access lines, directory listings, mileage, and miscellaneous charges.
- D. Bills are rendered at the regular rate at regular billing dates during the period of suspension. Payment shall be made in advance and the allowance applied after the service is restored.

## GENERAL REGULATIONS

## A. Liability of Telephone Company

- 1. The liability of the Company for damages arising out of mistakes, omissions, interruptions, delays or errors or defects in transmission occurring in the course of furnishing service or facilities and not caused by subscriber-provided equipment or facilities or by the negligence of the subscriber, shall not exceed an amount equivalent to the proportionate charge for the affected service or facility for the period of such impairment.
- 2. The use of customer owned and provided terminal equipment (C.O.P.E.) and other subscriber-provided facilities in connection with the facilities of the Telephone Company are permitted only on the condition that the liability of the Telephone Company shall in no instance be greater than that provided in the preceding paragraph and that the Telephone Company will not be liable for any loss, damage, impairment, or failure of service, arising from or in connection with, the use of subscriber-provided facilities or equipment not caused solely by negligence of the Telephone Company.
- 3. When the lines of other telephone companies are used in establishing connections to points not reached by the Telephone Company's lines, the Telephone Company is not liable for any act or omission of the other company or companies.
- 4. The Company will comply with the Commission's Minimum Telephone Service Standards regarding subscriber billing adjustments for local exchange service, set forth in O.A.C. 4901:1-5-16, and found in Section 9 of this Tariff. (N)

## B. Obligation of Customer

- 1. The calling party (or customer) shall be solely responsible for establishing the identity of the person or persons with whom connection is made at the called station.

P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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(D)

(D)

C. Application of Construction Charges

(T)

1. When special construction charges for individual customers are necessary, special construction charges may apply as set forth in Section 3, Original Sheet No. 11, "Construction, Installation and Maintenance Charges".

DENIAL OR DISCONNECTION OF LOCAL AND TOLL SERVICE

- A. The Company will comply with the Commission's Minimum Telephone Service Standards regarding denial or disconnection of local and toll service, set forth in O.A.C. 4901:1-5-17, and found in Section 9 of this Tariff.

(T)

(D)

(D)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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Ayersville Telephone Company will comply with all of the Commission's Minimum Telephone Service Standards (MTSS), set forth in Chapter 4901:1-5 of the Ohio Administrative Code (O.A.C.), including the following:

HANDLING OF CONSUMER COMPLAINTS  
(O.A.C. 4901:1-5-05)

- (A) For purposes of this rule, a complaint is an informal investigation conducted by the public interest center staff or telecommunications provider at the request of a consumer or as a method for staff to determine the telecommunications provider's compliance with this chapter and other Commission policies. Each telecommunications provider shall fully and promptly investigate all complaints. The telecommunications provider shall provide a report of each complaint's resolution within ten business days of the date of receipt of the complaint to:
- (1) the subscriber, when investigating a complaint made directly to the telecommunications provider; or
  - (2) the subscriber and the Commission staff, when investigating a complaint referred to the telecommunications provider by the Commission staff.
- (B) After ten business days, if the investigation is not complete, the telecommunications provider shall provide an interim report to the subscriber when investigating a complaint made directly to the telecommunications provider or to both the subscriber and the Commission staff when investigating a complaint referred to the telecommunications provider by the Commission staff. The interim report shall include:
- (1) the date when a final resolution is expected to be complete;
  - (2) a report of the current status of the complaint; and
  - (3) a report explaining what work or research needs to be completed.
- (C) The Commission staff may request interim reports at other intervals containing the same or other data due to the nature of the complaint.
- (D) The telecommunications provider shall inform the subscriber, or both the subscriber and the Commission staff, of the results of the investigation, either orally or in writing. The subscriber, the Commission staff, or both may request the final report to be in writing. If the telecommunications provider provides the results of the investigation orally to the subscriber, it shall inform the subscriber of the right to have this final report in writing.

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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HANDLING OF CONSUMER COMPLAINTS (Continued)  
(O.A.C. 4901:1-5-05)

- (E) If the subscriber disputes the telecommunications provider's report(s), the telecommunications provider shall inform the subscriber that the Commission staff is available to mediate complaints. The telecommunications provider shall provide the subscriber with the address, local/toll-free numbers, and TDD/TTY number of the Commission's public interest center.
- (F) All telecommunications providers shall provide the Commission staff with a name, telephone number, facsimile number, and e-mail address of a contact person who will respond to Commission concerns pertaining to consumer complaints. If any of the required information relating to the contact person should change, the telecommunications provider shall provide advance notice of such changes to the Commission.

(N)

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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ESTABLISHMENT OF SERVICE  
(O.A.C. 4901:1-5-13)

(N)

(A) Service applicants may be required to establish creditworthiness.

- (1) Chapter 4901:1-17 of the Administrative Code pertains, generally, to the manner in which credit may be established by residential utility customers. Except as otherwise indicated in this rule, in each instance where a provision of Chapter 4901:1-17 of the Administrative Code has application to residential telephone service provided by a telecommunications provider, it shall be deemed, under this rule, as also having application to nonresidential telephone service by such companies.
- (2) Telecommunications providers may required service applicants to establish financial responsibility as a condition precedent to establishing service. Both may rely on pertinent information obtained from credit reporting bureaus in determining whether creditworthiness need be established. However, a service applicant cannot be denied service, on creditworthiness grounds, unless the service applicant has been provided an opportunity to establish financial responsibility through every means available for doing so provided for in Chapters 4901:1-5 and 4901:1-17 of the Administrative Code.
- (3) When a telecommunications provider requires the financial responsibility of a service applicant to be established, it must inform the service applicant of all options available for meeting that requirement.

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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ESTABLISHMENT OF SERVICE (Continued)  
(O.A.C. 4901:1-5-13)

(N)

- (a) Paying a deposit must be among the available options, except where unpaid debt for regulated service is already owed by the service applicant to the telecommunications provider with whom the service applicant is seeking to establish service. Where unpaid debt for regulated service is owed, the Company may require the applicant to pay such debt pursuant to Rule 4901:1-5-13(A)(3)(d) of the Administrative Code.
- (b) Telecommunications providers are permitted, but not required, to make use of toll caps as a method of extending limited credit to subscribers or service applicants unable to maintain or establish their creditworthiness through other means, so long as the terms and conditions of the toll cap are set forth in a Commission-approved tariff. The terms and conditions under which a toll cap is imposed as well as the steps that the subscriber or service applicant may take to have the toll cap removed must be disclosed, in writing, by the telecommunications service provider at the time a toll cap is imposed.
- (c) If an applicant for service owes to a telecommunications service provider an unpaid bill for telecommunications service previously provided but discontinued for nonpayment, where the service applicant is presently seeking to establish or reestablish service with the same provider who previously provided the service, and is presently seeking to establish or reestablish the same class of service as that previously provided, the telecommunications service provider who provided the previous service is not obligated to deem the service applicant's creditworthiness as having been satisfactorily established under the Commission's establishment of credit and establishment of service rules so long as the bill for previous service remains unpaid. However, in no event, shall local exchange service be denied to any local exchange service applicant on grounds that the service applicant has failed to pay for a type of service other than local exchange service.

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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ESTABLISHMENT OF SERVICE (Continued)  
(O.A.C. 4901:1-5-13)

(N)

- (d) An unpaid bill for previous toll service can be considered as a reason to deny service to an applicant seeking a new 1+ presubscription toll service account only when the unpaid bill is owed to the same telecommunications provider with whom the applicant is now seeking to establish or reestablish service and the class of service previously provided is the same as that the applicant is now seeking to establish or reestablish. If the previous unpaid bill is owed to a provider other than that with whom the applicant is seeking to establish service, the subsequent toll provider may not deny service on that basis alone, but may consider the applicant's unpaid debt, as well as any pertinent information obtained from a credit reporting bureau, in determining whether there exists a need to assess a toll deposit or take other measures to assure creditworthiness. Moreover, in no event shall local exchange service be denied to any local exchange service applicant on grounds that the service applicant has failed to pay for a type of service other than local exchange service.
  - (4) So long as it acts in a just, reasonable, and nondiscriminatory manner, a local service provider may, pursuant to a contract obligating it to do so, enforce the tariff-established credit and deposit policies of another telecommunications provider.
- (B) Deposits.
- (1) Deposits for local service shall be calculated separately from deposits for toll service.
  - (2) Telecommunication service providers must choose only one, from between two alternative methods available for calculating deposits. Whichever method is chosen must be uniformly applied with respect to all service applicants and customers who are assessed a deposit.
    - (a) The first method, which may be referred to as "the individual service history method" involves calculating the amount of the deposit based on the known or estimated service history of the individual who is being assessed a deposit.

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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ESTABLISHMENT OF SERVICE (Continued)  
(O.A.C. 4901:1-5-13)

(N)

- (i) Under this method, the amount of a deposit assessed for local service shall not exceed two hundred and thirty per cent of the estimated or, where the customer or service applicant has either an existing or a previous local service account billing history with the local service provider, the historic monthly average total charge for all regulated local services provided (or to be provided) to the customer by the company or companies on whose behalf the deposit is assessed.
- (ii) Under this method, the amount of a deposit assessed for toll service shall not exceed two hundred and thirty per cent of the estimated or, where the customer or service applicant has either an existing or a previous toll service account billing history with the toll service provider, the historic monthly average total charge for all regulated toll services provided (or to be provided) to the customer by the company or companies on whose behalf the deposit is assessed.
- (b) The second method, which may be referred to as “the uniform statewide deposit amount method”, involves calculating uniform statewide average deposit amounts for each of four categories of service: residence local exchange service, residence toll service, nonresidence local exchange service, and nonresidence toll service.
  - (i) Under this method, a local service provider shall develop and may apply a tariffed, single, company-specific, statewide deposit amount for residence local service accounts and/or a tariffed, single company-specific statewide deposit amount for nonresidence local service accounts. Likewise, a toll service provider shall develop and may apply a tariffed, single, company-specific, statewide deposit amount for residence toll service accounts and/or a tariffed, single, company-specific statewide deposit amount for nonresidence toll service accounts.
  - (ii) Using the second alternative, the toll service provider shall develop and may apply a tariffed, single, company-specific, statewide deposit amount for residence toll service accounts and/or statewide deposit amount for nonresidence toll service accounts.

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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ESTABLISHMENT OF SERVICE (Continued)  
(O.A.C. 4901:1-5-13)

(N)

- (iii) The amount of the deposit may not exceed two hundred and thirty per cent of the statewide average bill amount for the class and type of service involved, based on a study of all the provider's customers in the state of Ohio.
- (iv) A subscriber who is assessed a deposit based on the service provider's statewide average deposit amount may, at any time after the first three months of service and up to the end of the first full year of service, upon request, receive credit on his or her bill for the difference between the amount of the deposit actually paid and an amount equal to two hundred and thirty per cent of the subscriber's actual monthly average total bill for the type of service on which the deposit was based (where the actual monthly average is based on the subscriber's average actual monthly usage of that service, dating from the time of the assessment of the statewide deposit to the point at which the request for credit is made). Any amount so credited shall thereafter no longer accrue interest to be refunded with the deposit and, thereafter, be considered as deducted from the amount of the deposit which, along with the interest accrued, must be refunded pursuant to Rule 4901:1-17-06 of the Administrative Code.
- (3) Local service must be provided to local service applicants who are able to meet the deposit requirements for local service regardless of whether the applicant is able to meet the deposit requirements for toll service.
- (4) So long as payment of a toll deposit is in no way made a condition precedent to a local service applicant obtaining or maintaining local service, the assessment of a separately calculated deposit for local service may occur within the same bill as any separately calculated deposit for toll service.
- (5) Any initial or additional deposit assessed by a telecommunications provider shall be based only on the credit history for the same class of service as the applicant is seeking to establish.

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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ESTABLISHMENT OF SERVICE (Continued)  
(O.A.C. 4901:1-5-13)

(N)

- (C) Toll providers, or local service providers acting on behalf of toll providers subject to billing and collection agreements, may otherwise block access to all toll providers for nonpayment of regulated toll charges, so long as the blocked customer is not, thereby, denied the right to select, through a presubscribed interexchange carrier (PIC) mechanism, any subsequent 1+ toll service provider under the terms of this chapter of the Administrative Code. Any such subsequent toll provider may not deny establishment of 1+ presubscribed toll service on grounds that the customer has failed to establish creditworthiness, if:
- (1) the customer is able to establish creditworthiness using one of the means for doing so available under Chapter 4901:1-5 or the Administrative Code; or
  - (2) the subsequent toll provider, exercising its own discretion, does not require the customer to establish creditworthiness (through any of the means available for doing so under Chapter 4901:1-5 of the Administrative Code); or
  - (3) the subsequent toll provider attempts to require the customer to establish creditworthiness using credit establishment procedures which do not comport with the Commission's credit establishment policies and/or are not set forth within a Commission-approved tariff.
- (D) When an applicant for 1+ toll service who has previously been universally blocked for nonpayment of toll charges seeks to select, through a PIC mechanism, some subsequent toll provider as the applicant's 1+ carrier of choice, the subsequently PICed toll provider may, subject to its tariffed toll deposit policies and the Commission's minimum telephone service standards set forth in Chapter 4901:1-5 of the Administrative Code, require a deposit (or other evidence of creditworthiness) from such applicant for toll service in accordance with Rule 4901:1-5-13(B) of the Administrative Code. However, the subsequently PICed toll provider may accept a lower deposit, or no deposit, based upon usage, toll cap provisions in its tariff, or credit information obtained either from a credit bureau or directly from the customer.

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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ESTABLISHMENT OF SERVICE (Continued)(O.A.C. 4901:1-5-13)

(N)

- (E) Nothing should constrain telecommunications providers from furnishing credit information acquired from their own experiences with their own customers to consumer reporting agencies, within the meaning of the federal Fair Credit Reporting Act. However, if and when telecommunications providers furnish such information to others, they must comply with all of the requirements that consumer reporting agencies must follow in issuing credit reports within the meaning of the federal Fair Credit Reporting Act.
- (F) All forms of toll blocking services offered by local service providers to toll service providers must be provided on a nondiscriminatory basis to all toll service providers, regardless of whether the local service provider has established a billing and collection agreement with the toll provider. Any charges for toll blocking service offered by a local service provider to toll service providers must be set forth in a Commission-approved tariff.
- (G) Changes to local exchange service after initiation of service
- (1) Within sixty days of the date of initiation of service, new residential local service subscribers shall be allowed, at a minimum, a one-time change of their type of local exchange service (i.e., flat-rate, message, or measured service) without charge. This does not preclude the Company from charging for the original service connection, monthly charges for the period such service was used, or the addition or removal of any optional local service.
- (2) Within sixty days of the date of a change in their type of service, existing residential local service subscribers shall be allowed to return to their prior type of local exchange service once without charge. This does not preclude the Company from charging for the previous service connection, monthly charges for the period such service was used, or the addition or removal of any optional local service. This does not apply to subscribers who have availed themselves of the relief afforded in paragraph (G)(1) of this rule within the previous six months.

(N)

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MINIMUM TELEPHONE SERVICE STANDARDS

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RESIDENTIAL SERVICE GUARANTORS(O.A.C. 4901:1-5-14)

- (A) If a local service provider or toll service provider requires a deposit as a condition of providing service, the Company must inform an applicant of the option of providing a third-party guarantor in lieu of a deposit.
- (B) Each applicant for residential service shall be deemed creditworthy and shall not be required to make a deposit as a precondition of receiving service if the applicant furnishes a written guarantee signed by a third-party guarantor who has a credit rating as defined in paragraph (A)(3) of Rule 4901:1-17-03 of the Administrative Code. The terms of the guarantee shall include the following:
- (1) the guarantor may terminate the guarantee after thirty day's notice to the Company. The subscriber may be required to reestablish creditworthiness when the guarantor terminates the guarantee. The guarantor shall be obligated for charges for the local exchange and/or interexchange services provided to the subscriber through the date of termination of the guarantee; and
  - (2) the Company shall review annually the account history of each subscriber who has provided a guarantor. Once the subscriber satisfies the requirements for the refund of deposits, as stated in Rule 4901:1-17-06 of the Administrative Code, the Company shall, within thirty days, notify the guarantor in writing that the guarantor is released from all further responsibility for the account.
- (C) If a subscriber has provided a guarantor, that guarantor shall be afforded the opportunity to receive all notifications relating to the subscriber's disconnection of service for nonpayment. These notices shall be sent in the same manner and at the same time as those sent to the subscriber.

(N)

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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SUBSCRIBER BILLING ADJUSTMENTS FOR LOCAL EXCHANGE SERVICE  
(O.A.C. 4901:1-5-16)

(N)

- (A) The local service provider shall make an adjustment to a subscriber's bill in accordance with paragraph (B) of this rule whenever a subscriber's service is interrupted and remains out of service for more than twenty-four consecutive hours after being reported to the local service provider or after being found by the local service provider to be out of service. The length of the service interruption must be computed on a continuous basis, Saturdays, Sundays, and holidays included. This rule does not apply if the out-of-service condition:

- (1) occurs as a result of a negligent or willful act on the part of the subscriber;
- (2) occurs as a result of a malfunction of subscriber-owned telephone equipment or inside wire;
- (3) occurs as a result of a military action, war, insurrection, riot, or strike; or
- (4) cannot be repaired due to the subscriber missing a repair appointment.

Each local service provider must justify and document in its records each instance where it applied any of the exceptions listed in this paragraph.

- (B) If an out-of-service condition exceeds twenty-four hours but is less than forty-eight hours, the local service provider shall credit the subscriber's bill for at least the pro rata portion of the monthly charge(s) for all regulated local services rendered inoperative during the interruption. Credit for out-of-service conditions lasting longer shall be provided as follows:

- (1) The local service provider shall provide a subscriber who experiences an out-of-service condition of forty-eight hours but less than seventy-two hours a credit equal to at least one-third of one month's charges for any regulated local services rendered inoperative.
- (2) The local service provider shall provide a subscriber who experiences an out-of-service condition of seventy-two hours but less than ninety-six hours a credit equal to at least two-thirds of one month's charges for any regulated local services rendered inoperative.

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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SUBSCRIBER BILLING ADJUSTMENTS FOR LOCAL EXCHANGE SERVICE (Continued)  
(O.A.C. 4901:1-5-16)

(N)

- (3) The local service provider shall provide a subscriber who experiences an out-of-service condition of at least ninety-six hours a credit equal to at least one month's charges for any regulated local services rendered inoperative.
- (C) A local service provider may apply for a waiver to paragraphs (A) and (B) of this rule in the event of a verifiable act of God. One copy of the waiver request shall be filed with the Commission's docketing division in the MTSS Docket, Case No. 00-1265-TP-ORD, and one copy shall be submitted to the PUCO Outage Coordinator within two business days of the onset of the claimed act of God. Such waiver request shall state the specific nature of the act of God, the extent and location of damaged facilities, and the number of customers affected. If the Commission or its staff takes no action within two business days of the filing of such waiver request, the act of God exception may be invoked by the local service provider. In the event an act of God exception is applied, the provisions of paragraph (B) of this rule will not apply until forty-eight hours after the onset of the verified act of God. Accordingly, forty-eight hours shall be added to each of the time frames established in paragraph (B) of this rule for purposes of determining credits to customer accounts. Each local service provider must justify and document in its records each instance where it has applied an act of God exception.
- (D) If the local service provider fails to install new access line service and any associated features within five business days of receiving an application for new service, or by the requested date, when at least five business days notice is given, the provider must waive at least one-half of all regulated nonrecurring installation charges associated with the new service or features. If the local service provider fails to install new access line service and any associated features within ten business days of an application for new service or fails to install such service by the requested installation date, when at least ten business days notice is given, the provider shall waive all regulated nonrecurring installation charges associated with the new service or features. Such credits shall not be required where:

(N)

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MINIMUM TELEPHONE SERVICE STANDARDS

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SUBSCRIBER BILLING ADJUSTMENTS FOR LOCAL EXCHANGE SERVICE (Continued)  
(O.A.C. 4901:1-5-16)

(N)

- (1) Special equipment or service is involved:
    - (a) "Cable pairs" are not deemed to be special equipment for purposes of this rule unless the requested service is in a completely undeveloped area where no facilities of any kind exist.
    - (b) When special equipment or a service exception is invoked, it shall be fully documented. The documentation of the required specific special equipment or service shall be maintained with the application for new service and include a description of the special equipment or service involved.
  - (2) Applicant or subscriber has not met pertinent tariff requirements;
  - (3) The installation cannot be completed as a result of a military action, war, insurrection, riot, or strike; or
  - (4) The installation cannot be completed due to a subscriber missing an installation appointment.
- (E) Missed customer appointments.
- (1) When the local service provider fails to meet a scheduled installation appointment, the Company shall waive at least one-half of the subscriber's regulated nonrecurring installation charges associated with the new service or features.
  - (2) When the local service provider fails to meet a repair appointment or a repair commitment, the Company shall credit the subscriber's bill in the amount of at least one-half of one month's charges for any regulated local services rendered inoperative.

(N)

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MINIMUM TELEPHONE SERVICE STANDARDS

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SUBSCRIBER BILLING ADJUSTMENTS FOR LOCAL EXCHANGE SERVICE (Continued)  
(O.A.C. 4901:1-5-16)

(N)

- (3) The credits required by paragraph (E)(1) of this rule do not apply when the local service provider provides the subscriber twenty-four hour notice of its inability to meet an installation appointment, or when the effects of a natural disaster prohibit the local service provider from providing such notice. In no event shall the application of Rule 4901:1-5-16(E)(3) of the Administrative Code, affect the service installation deadline and credit required under Rule 4901:1-5-16(D) of the Administrative Code.
- (F) In the event the local service provider omits a subscriber's listing from the white pages of the telephone directory or lists an incorrect telephone number, the Company shall issue the subscriber a credit for the equivalent of not less than three months' regulated local service charges. Such credit shall not apply in cases where the subscriber has provided such listing information after the deadline for directory publication. The subscriber shall be given the option of taking the credit or pursuing other remedies.
- (G) When it is confirmed that a local service provider has undercharged or overcharged any subscriber as the result of a miscalculation, inaccuracy, billing or other continuing problem under the service provider's control or under the control of the entity for whom the telecommunications carrier is billing charges:
- (1) The maximum portion of the undercharge that may be recovered from the customer is any billing month, based on the appropriate rates, shall be determined by dividing the amount of the undercharge by the number of months of undercharged or unbilled service, unless the customer agrees to alternative payment arrangements.
- (2) The total overcharge and accrued interest, at a rate of at least five per cent per annum, shall be reimbursed to the customer within two billing periods after the propriety of the reimbursement is confirmed.

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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SUBSCRIBER BILLING ADJUSTMENTS FOR LOCAL EXCHANGE SERVICE (Continued)  
(O.A.C. 4901:1-5-16)

- (3) Each local service provider shall state the total amount to be collected for an undercharge by the second bill mailed to the customer after such collection is discovered. This rule shall not affect the local service provider's recovery of regular monthly charges.
- (a) No local service provider shall recover any service or billing fee pursuant to this rule; and
- (b) No local service provider shall disconnect service to any customer to collect an undercharge under this rule, except for nonpayment of the amount lawfully billed under this rule.
- (4) The adjustment for an overcharge shall be in the form of either a direct payment to the subscriber or a credit to the subscriber's account within the next two billing periods.

(N)

(N)

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MINIMUM TELEPHONE SERVICE STANDARDS

---

DENIAL OR DISCONNECTION OF LOCAL AND TOLL SERVICE  
(O.A.C. 4901:1-5-17)

(N)

- (A) Local service may only be disconnected for subscriber nonpayment of charges for local services regulated by the Commission. For purposes of this rule, local service is defined as every regulated service provided by the local service provider other than toll service and 900 and 976-like services.
- (B) Toll service may be disconnected for subscriber nonpayment of toll service, subject to the following conditions:
  - (1) Toll disconnection procedures shall comport with all applicable billing, notice, credit/deposit, and disconnection standards set forth in this chapter of the Administrative Code and shall be tariffed.
  - (2) A local service provider, including one which also provides toll service, may enforce the Commission-approved, tariffed disconnection procedures of a separate provider of toll services pursuant to a contract entered into between the local service provider and the separate toll service provider.

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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DENIAL OR DISCONNECTION OF LOCAL AND TOLL SERVICE (Continued)  
(O.A.C. 4901:1-5-17)

(N)

- (C) Partial payments applied towards any past due amount on a bill or the balance due on a disconnection notice must be apportioned to past due regulated local service charges, then to any current local charges, before being applied by a telecommunications provider to any toll or nonregulated charges unless the subscriber pays the entire amount past due or more. In that case, any amount paid over the amount past due shall be applied first to current local charges.
- (D) A telecommunications provider must notify, or attempt to notify through any reasonable means, a subscriber before service is refused or disconnected when any of the following conditions exist:
- (1) a violation of or noncompliance with the telecommunications provider's rules or tariffs on file with the Commission;
  - (2) a failure to comply with municipal ordinances or other laws pertaining to telecommunications services; or
  - (3) a refusal by the subscriber to permit the local service provider access to its facilities.
- (E) A telecommunications provider must notify or attempt to notify, through any reasonable means, the subscriber before service is disconnected when the subscriber has committed a fraudulent practice as set forth and defined in its tariffs on file with the Commission.
- (F) The telecommunications provider may not disconnect the local or toll service of a subscriber who pays the Company the total amount due (or an amount agreed upon between the Company and the subscriber) on his/her account by the close of business on the disconnection date listed on the disconnection notice.

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

---

DENIAL OR DISCONNECTION OF LOCAL AND TOLL SERVICE (Continued)  
(O.A.C. 4901:1-5-17)

(N)

(G) No notice is required prior to disconnection when:

- (1) an emergency may threaten the health or safety of a person, or the local service provider's distribution system. If service is disconnected, the Company shall act promptly to restore service as soon as possible;
- (2) a subscriber's use of telecommunications equipment adversely affects the Company's equipment, its service to others, or the safety of the Company's employees or subscribers;  
or
- (3) a subscriber tampers with facilities or equipment owned by the telecommunications provider.

(H) If a subscriber or a member of the subscriber's household demonstrates that disconnection of service would be especially dangerous to his/her health, the local service provider must consider this circumstance when offering extended payment arrangements to avoid disconnection. Payment arrangements shall be offered regardless of the credit class of the subscriber.

(I) When a residential subscriber's local service is disconnected for nonpayment, the local service provider shall maintain the subscriber's access to emergency services for a period of at least fourteen days following such disconnection.

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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DENIAL OR DISCONNECTION OF LOCAL AND TOLL SERVICE (Continued)  
(O.A.C. 4901:1-5-17)

(N)

(J) Local service may not be refused or disconnected to any applicant or subscriber for any of the following reasons:

- (1) failure to pay for service furnished to a former subscriber unless the former subscriber and the new applicant for service continue to be members of the same household;
- (2) failure to pay for a different class of service. Residential service may not be denied or disconnected for nonpayment of a nonresidential account and vice versa;
- (3) failure to pay any amount which is in bona fide dispute. The Company may not disconnect service if the subscriber pays either the undisputed portion of the bill or where the disputed amount is in question, the subscriber pays the amount paid for the same billing period in the previous year; or
- (4) failure to pay any nonregulated service charges.

(K) Payment schedule and disconnection procedures for nonpayment.

- (1) A subscriber's bill shall not be due earlier than fourteen days from the date of the postmark on the bill. If the bill is not paid by the due date, it then becomes past due.
- (2) The Company shall not disconnect the service:
  - (a) sooner than fourteen days after the due date of the bill; and
  - (b) without sending a written notice of disconnection, postmarked at least seven days prior to the date of disconnection of service.

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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DENIAL OR DISCONNECTION OF LOCAL AND TOLL SERVICE (Continued)  
(O.A.C. 4901:1-5-17)

(N)

- (3) A telecommunications provider may disconnect service during its normal business hours; however, no disconnection for past due bills may be made after twelve-thirty p.m. on the day preceding a day that all services necessary for reconnection are not available.
- (L) A notice of disconnection for nonpayment shall state the following:
- (1) Failure to pay the amount required at the Company's office or to one of its authorized agents by the date specified on the notice may result in the disconnection of local or toll services;
- (2) The earliest date when disconnection will occur;
- (3) The reason(s) for disconnection and any actions which the subscriber must take in order to avoid the disconnection, including the total amount required to be paid (which shall not be greater than the past due balance);
- (4) The total amount due to avoid disconnection of local service as defined in paragraph (A) of this rule, which must be listed separately from charges for regulated toll and charges for unregulated services;
- (5) The total amount due for toll charges and a statement that nonpayment of toll charges may result in the disconnection of toll service;
- (6) The total amount due for nonregulated charges and a statement that nonpayment of such charges cannot result in the disconnection of local service or regulated toll service;
- (7) The address and telephone number of the office of the telecommunications provider that the subscriber may contact in reference to the subscriber's account;

(N)

P.U.C.O. NO. 5  
MINIMUM TELEPHONE SERVICE STANDARDS

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DENIAL OR DISCONNECTION OF LOCAL AND TOLL SERVICE (Continued)  
(O.A.C. 4901:1-5-17)

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(N)

- (8) The following statement:

If your questions are not resolved after you have called (name of utility), customers may call the Public Utilities Commission of Ohio (PUCO) toll free at 1-800-686-7826 or 1-614-466-3292 or for TDD/TYY toll free at 1-800-686-1570 or 1-614-466-8180 from 8:00 A.M. to 5:00 P.M. weekdays, or visit the PUCO website at [www.puco.ohio.gov](http://www.puco.ohio.gov).

Residential customers may call the Ohio Consumers' Counsel (OCC), toll free at 1-877-742-5622 from 8:30 A.M. to 5:30 P.M. weekdays, or visit the OCC website at [www.pickocc.org](http://www.pickocc.org); and

- (9) A statement that an additional charge for reconnection may apply if service is disconnected. The statement shall also include a notice that payments to an unauthorized payment agent may result in the untimely or improper crediting of the subscriber's account.

- (M) Reconnection of local and toll service.

- (1) Unless prevented by circumstances beyond the Company's control or unless a subscriber requests otherwise, each telecommunications provider shall reconnect previously disconnected service by five P.M. on the next business day following either:
- (a) receipt by the Company or its authorized agent of the full amount in arrears for which service was disconnected, or upon verification by the Company that conditions which warranted disconnection of service have been eliminated; or
  - (b) agreement by the Company and the subscriber on a deferred payment plan and a payment, if required, under the plan.
- (2) Before restoring service under this rule, a telecommunications provider may not insist upon payment of any amount that has not been included on a notice of disconnection.

(N)

**EXHIBIT B**  
**(REVISED TARIFF SHEETS**

SECTION 1:	LOCAL EXCHANGE TARIFFS
SECTION 2:	GENERAL EXCHANGE TARIFFS
SECTION 3:	GENERAL RULES AND REGULATIONS
SECTION 4:	CONCURRING TARIFFS
SECTION 5:	DEFINITIONS
SECTION 6:	CONNECTIONS WITH CERTAIN FACILITIES PROVIDED BY SUBSCRIBERS
SECTION 7:	BASIC TELEPHONE ASSISTANCE
SECTION 8:	ENHANCED EMERGENCY TELEPHONE SERVICE

(D)

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			(D)
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Issued: January 3, 2008

Effective: February 19, 2008

In Accordance with Case No. 08-0006-TP-ATA  
 Issued by the Public Utilities Commission of Ohio  
 Phillip Maag, General Manager  
 Defiance, Ohio

P.U.C.O. NO. 5  
LOCAL EXCHANGE TARIFF  
AYERSVILLE EXCHANGE RATES

Customers have certain rights and responsibilities under the Minimum Telephone Service Standards (Ohio Adm.Code 4901:1-5) (the "MTSS"). These safeguards can be found in the Appendix to Ohio Adm.Code 4901:1-5-03, which is entitled "Telephone Customer Rights and Responsibilities."

(N)

The following identified service rates entitle the subscribers of telephone service to call, without additional charge, the subscribers of Arthur Exchange of the Arthur Mutual Telephone Company, the Continental Exchange of the Continental Telephone Company, the New Bavaria Exchange of the New Bavaria Telephone Company, the Defiance, Holgate and Jewel Exchanges of the United Telephone Company of Ohio, in addition to the other subscribers of the Ayersville Exchange.

The following listed rates for local exchange telephone service shall apply within the exchange area as depicted on the Ayersville Exchange map (Section 1, Original Sheet No. 2, P.U.C.O. No. 5, Local Exchange Tariff).

CLASS OF SERVICE	EXCHANGE ACCESS CHARGE	MONTHLY LEASED INSTRUMENT CHARGE	COIN SUPERVISION CHARGE
One Party Business	\$15.70	\$ 1.35	-----
One Party Resident	\$12.35	\$ 1.35	-----
Payphone	\$15.70	-----	\$ 7.20

If a customer does not lease an instrument from the Company, then the customer will not be assessed a monthly rate for an instrument.

TELE-TONE TOUCH DIAL

This service, more commonly known as push button dialing or as Touch Tone under the Bell System registered trademark, will be offered to subscribers of the Ayersville Telephone Company. There will be no distinction between business and/or residence.

Monthly Charge

Tele-Tone Touch Dial                      \$-0- per each mainline service

TELE-TONE TOUCH DIAL PROMOTIONS

Ayersville Telephone Company may offer to connect individual customers to Tel-Tone Touch Dialing and waive the Service Connection and Service Order charges for a period not to exceed thirty (30) days. The dates and duration of offering will be determined by the Telephone Company. This offer is limited to one-party lines which are not already equipped with Tel-Tone Touch Dialing.

P.U.C.O. NO. 5  
GENERAL EXCHANGE TARIFFSMISCELLANEOUS SERVICE OFFERINGSMONTHLY CHARGEPay Stations (also see Section 3, Sheets 8 and 9)

Public Paystations	\$0.20/call +	\$-0-
Semi-Public Paystations	\$0.20/call +	\$25.00

End user paystation coin rates are effective until October 7, 1997, at which time such rates will be deregulated and detariffed pursuant to the FCC's Report and Order in Docket No. 96-128 issued September 20, 1996.

RECURRING CHARGESExtension Service

Off Premise Extension Charge (per ¼ mile) \$1.00

Vacation Rate (SEE TEMPORARY SUSPENSION OF SERVICE)

For equipment retained in a subscriber name during extended subscriber absence, there will be a charge of:  
50% Regular Rate. Payment for local service equal to the anticipated suspension period shall be made in advance and the allowance applied after the service is restored.

Delayed Payment Charge

A five (5) percent late payment charge will apply to regulated charges not paid at least nineteen days after the postmark on the customer's bill. The late payment charge will not apply to any portion of the bill that is in bona fide dispute, any previous late payment fees included in the amount due, or to service establishment charges for lifeline services.

(T)

Trunk Rotation Service

Trunk Rotation Service is an arrangement whereby two or more lines of the same class and grade or trunks of the same class furnished to a subscriber on continuous property are grouped so that calls to the first number of the grouped lines are automatically routed to the first non-busy line of the group, and a busy signal or busy report is not given unless all the grouped lines are busy.

The number of Trunk Rotation Services required depends upon the number of lines in a group. One Trunk Rotation Service is required for the second line and each succeeding line.

The charge for Trunk Rotation Service is \$2.00 per line per month.

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(D)

## A. APPLICATION

The rules and regulations specified herein are in addition to those contained in the Local Exchange Service Tariffs. They apply to the intrastate service and facilities furnished by the Ayersville Telephone Company, in the Ayersville Exchange, herein referred to as the Telephone Company or Company.

In the event of a conflict between any rates, rules, regulations or provision contained in these General Rules and Regulations and any rate, rule, regulation or provision contained in the other sections of this Telephone Service Tariff, the rate, rule regulation or provision contained in the specific section of this tariff shall prevail.

## B. OBLIGATION AND LIABILITY OF TELEPHONE COMPANY

(D)

## 1. Availability of Facilities

The Telephone Company's obligation to furnish exchange and toll service is dependent upon its ability to secure and retain, without unreasonable expense, suitable facilities and rights for the construction and maintenance of the necessary facilities to provide service.

(D)

P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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## B. OBLIGATION AND LIABILITY OF TELEPHONE COMPANY (Continued)

## 2. Directory Errors and Omissions

The Telephone Company, except as provided herein, shall not be liable for damages claimed on account of, or errors in, or omissions from its directories, nor for the result of the publication of such errors in the directory, nor will the Telephone Company be a party to controversies arising between subscribers or others as a result of listing published numbers in the directories.

(D)

3. The Telephone Company does not transmit messages but offers the use of its facilities for communication between patrons. If because of the transmission difficulties, the operator, in order to accommodate the subscriber, repeats messages, she is deemed to be acting as the agent of the persons involved and no liability shall attach to the Telephone Company because of any errors made by the operator or misunderstanding that may arise between the subscribers because of errors.

## 4. Use of Connecting Company Lines

When suitable arrangements can be made, lines of other telephone companies may be used in establishing wire connections to points not reached by this Company's lines. In establishing connections with the lines of other companies, the Telephone Company is not responsible for any action of the Connecting Company.

P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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## B. OBLIGATION AND LIABILITY OF TELEPHONE COMPANY (Continued)

## 5. Defacement of Premises

The Telephone Company shall exercise due care in connection with all work done on the subscriber's premises. No liability shall attach to the Telephone Company by reason of any defacement or damage to the subscriber's premises resulting from the existence of the Telephone Company's wiring on such premises, or by the installation or removal thereof, unless such defacement or damage is the result of the sole negligence of the Telephone Company.

(D)

(D)

P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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## C. USE OF SERVICE AND FACILITIES (Continued)

## 4. Misuse of Facilities (Continued)

- e. causing or allowing Telephone Company equipment to be tampered with, damaged or destroyed through negligence.

When service is restored after denial, the Telephone Company will make a pro rata allowance at the scheduled rate for the service denied for the entire period of denial.

(D)

## D. ESTABLISHMENT AND FURNISHING SERVICE

(D)

## 1. Application for Service

Application for service shall constitute a contract when accepted verbally or in writing by the Company or upon the establishing of service. The initial minimum contract period for exchange service is one (1) month from the date service is established unless otherwise specified herein or elsewhere in the Telephone Company tariff.

## 2. Advance Payments

Applicants for service involving special construction may be required to make an advance payment. The amount of the advance payment is credited to the customer's account as applying to any indebtedness under the contract.

## 3.

(D)

**D. ESTABLISHMENT AND FURNISHING SERVICE (Continued)****7. Payment for Service**

The subscriber is required to pay all charges for exchange service and facilities and for toll messages in accordance with provisions contained in Section 2.

The subscriber is held responsible for all charges for telephone service rendered at his telephone, both exchange and toll including charges for toll messages on which the charges have been reversed.

**8. Maintenance and Repair**

All ordinary expense of maintenance and repairs, unless otherwise specified in the Telephone Company's Tariff, is borne by the Telephone Company. Effective January 1, 1987, the subscriber assumed financial responsibility for installation and maintenance of simple and complex inside wire. The Company will offer an optional maintenance agreement on a detariffed basis. Subscribers may not rearrange, disconnect or remove any appurtenance or wiring installed by the Telephone Company, except upon the written consent of the Telephone Company.

**9. Unusual Installation Costs**

Where special conditions or special requirement of the subscriber involve unusual construction or installation costs, the subscriber may be required to pay a reasonable proportion of such costs.

(D)

**E. TELEPHONE DIRECTORIES****1. Distribution**

The Telephone Company will furnish to its subscriber without charge one directory per assigned telephone number. Other directories of the Telephone Company will be furnished at the discretion of the Telephone Company at the charge of \$1.50.

P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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## PAYMENT FOR SERVICES AND FACILITIES

## A. PAYMENT FOR SERVICES AND FACILITIES

1. The Telephone Company will endeavor to mail its bills for telephone service on or before the same date each month. A subscriber's bill shall not be due earlier than fourteen (14) days from the date of the postmark on the bill. If the bill is not paid by the due date, it then becomes past due. Bills are payable at the office of the Telephone Company or any agency authorized by the Telephone Company to receive such payment. (T)
2. The failure of the customer to promptly pay the delinquent bill (regular billing or special toll billing) may subject the customer's service to either temporary suspension or discontinuance of service. (T)
3. Each month is considered to have thirty (30) days for the purpose of computing charges, and shall be the basis for computing fractional portions of monthly billing, pro rated charges and adjustments to customer accounts.
4. Failure to receive a bill will not exempt a subscriber from payment of any sum or sums due the Company

P.U.C.O. NO. 5  
GENERAL RULES AND REGULATIONS

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TEMPORARY SUSPENSION OF SERVICE (Continued)

- C. The reduction in rate for the period of suspension is equal to 50 percent of the exchange service charges, including charges for access lines, directory listings, mileage, and miscellaneous charges.
- D. Bills are rendered at the regular rate at regular billing dates during the period of suspension. Payment shall be made in advance and the allowance applied after the service is restored.

GENERAL REGULATIONS

A. Liability of Telephone Company

- 1. The liability of the Company for damages arising out of mistakes, omissions, interruptions, delays or errors or defects in transmission occurring in the course of furnishing service or facilities and not caused by subscriber-provided equipment or facilities or by the negligence of the subscriber, shall not exceed an amount equivalent to the proportionate charge for the affected service or facility for the period of such impairment.
- 2. The use of customer owned and provided terminal equipment (C.O.P.E.) and other subscriber-provided facilities in connection with the facilities of the Telephone Company are permitted only on the condition that the liability of the Telephone Company shall in no instance be greater than that provided in the preceding paragraph and that the Telephone Company will not be liable for any loss, damage, impairment, or failure of service, arising from or in connection with, the use of subscriber-provided facilities or equipment not caused solely by negligence of the Telephone Company.
- 3. When the lines of other telephone companies are used in establishing connections to points not reached by the Telephone Company's lines, the Telephone Company is not liable for any act or omission of the other company or companies.

(D)

B. Obligation of Customer

- 1. The calling party (or customer) shall be solely responsible for establishing the identity of the person or persons with whom connection is made at the called station.

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GENERAL RULES AND REGULATIONS

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C. Application of Construction Charges

1. When special construction charges for individual customers are necessary, special construction charges may apply as set forth in Section 3, Original Sheet No. 11, "Construction, Installation and Maintenance Charges".

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AYERSVILLE TELEPHONE COMPANY

SECTION NO. 9  
FIRST REVISED SHEET NO. 1  
REPLACES ORIGINAL SHEET NO. 1

P.U.C.O. NO. 5

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Phil Maag, General Manager  
Defiance, Ohio

AYERSVILLE TELEPHONE COMPANY

SECTION NO. 9  
FIRST REVISED SHEET NO. 2  
REPLACES ORIGINAL SHEET NO. 2

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 3  
REPLACES ORIGINAL SHEET NO. 3

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 4  
REPLACES ORIGINAL SHEET NO. 4

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 5  
REPLACES ORIGINAL SHEET NO. 5

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 6  
REPLACES ORIGINAL SHEET NO. 6

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 7  
REPLACES ORIGINAL SHEET NO. 7

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 8  
REPLACES ORIGINAL SHEET NO. 8

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 9  
REPLACES ORIGINAL SHEET NO. 9

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 10  
REPLACES ORIGINAL SHEET NO. 10

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 11  
REPLACES ORIGINAL SHEET NO. 11

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 12  
REPLACES ORIGINAL SHEET NO. 12

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 13  
REPLACES ORIGINAL SHEET NO. 13

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 14  
REPLACES ORIGINAL SHEET NO. 14

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 15  
REPLACES ORIGINAL SHEET NO. 15

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 16  
REPLACES ORIGINAL SHEET NO. 16

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 17  
REPLACES ORIGINAL SHEET NO. 17

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 18  
REPLACES ORIGINAL SHEET NO. 18

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 19  
REPLACES ORIGINAL SHEET NO. 19

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 20  
REPLACES ORIGINAL SHEET NO. 20

P.U.C.O. NO. 5

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SECTION NO. 9  
FIRST REVISED SHEET NO. 21  
REPLACES ORIGINAL SHEET NO. 21

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### **EXHIBIT C**

The Applicant, The Ayersville Telephone Company, hereby revises its tariff to reflect the new Minimum Telephone Service Standards adopted pursuant to Case No. 05-1102-TP-ORD. Specifically, the Applicant has a) inserted the statements required pursuant to the Entry issued September 26, 2007 informing customers of their rights and responsibilities under the MTSS and referencing the Appendix to Rule 4901:1-5-03, b) deleted other references to specific MTSS, and c) deleted all of the pages in Section 9 where certain MTSS were reproduced.

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

**Commission of Ohio Docketing Information System on**

**1/3/2008 10:24:55 AM**

**in**

**Case No(s). 90-5005-TP-TRF, 08-0006-TP-ATA**

Summary: Tariff Tariff Application electronically filed by Carolyn S Flahive on behalf of The  
Ayersville Telephone Company