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PUCO

April 4, 2008

Public Utility Commission of Ohio  
Docketing  
180 E. Broad Street  
Columbus, Ohio 43215

Re: 08-0374-TP-ATA

90-9000-TP-TRF

In reviewing the copy of the filing made on April 1, it has come to my attention that a section of proposed pages (Exhibit B) in PUCO No. 5 Custom Network Services was unintentionally left out of the filing package. I have enclosed 11 copies of this missing section. The section should be placed between page 190 and 191 of Part 2 of the filing as it appears online in DIS.

Again, I apologize for any inconvenience this has caused. Please feel free to call me with any questions.

Sincerely,

Encl.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician SM Date Processed 4/7/08

AT&T COMMUNICATIONS OF OHIO, INC.

CUSTOM NETWORK SERVICES

TITLE PAGE  
ORIGINAL PAGE 1

P.U.C.O. NO. 5

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AT&T COMMUNICATIONS OF OHIO, INC.

SCHEDULE OF CHARGES AND  
REGULATIONS GOVERNING

CASUAL CALLING SERVICE

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Issued: April 1, 2008

Effective: April 1, 2008

Filed under authority of Entry issued by the Public Utilities Commission  
of Ohio, in Case No. 06-1345-TP-ORD and 08-374-TP-ATA.

Carol Paulsen, Director  
San Antonio, TX

P.U.C.O. NO. 5

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EXPLANATION OF TERMS

Revisions to this tariff are coded through the use of symbols. These symbols appear in the right margin of the page. The symbols and their meaning are as follows:

- C to signify change in regulation
- D to signify discontinued rate, regulation or text
- I to signify increase
- M to signify material relocated from or to another part of the tariff
- N to signify new rate, regulation or text
- R to signify rate reduction
- T to signify a change in text but no change in rate or regulation

The above symbols will apply except where additional symbols are identified at the bottom of an individual page.

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1. APPLICATION OF TARIFF

1.1 APPLICATION

A. General

This tariff contains regulations and rates applicable to Casual Calling and Initial Subscription Services provided to business customers for calling between two or more stations within the state of Ohio. The regulations and prices contained herein are in addition to the applicable regulations and prices in other tariffs and/or service guides of the Company.

Effective July 31, 2001 all references herein to AT&T FCC Tariffs, insofar as the service offering set forth in the AT&T FCC tariffs have been or become detariffed, shall be construed to be references to the AT&T Business Services Guides located at <http://www.att.com/serviceguide/business>.

B. Jurisdiction

This tariff covers use of the services that are subject to the Ohio Public Utilities Commission's jurisdiction.

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2. GENERAL REGULATIONS

2.1 UNDERTAKING OF THE COMPANY

A. General

Casual Calling/Initial Subscription Services are furnished for the transmission of voice communications but may also be used for data, facsimile, signaling, metering, or other similar communications, subject to the transmission capabilities of the service.

Casual Calling/Initial Subscription Services is available twenty-four hours a day, seven days per week.

The Company does not transmit messages. However, Casual Calling/Initial Subscription Services may be used for that purpose.

B. Transmission Medium

The Company selects and/or arranges for the channels and/or service components used to provide Casual Calling/Initial Subscription Services. Any suitable technology or combination of technologies may be used. The Company may modify or change the channels and/or service components used to furnish Casual Calling/Initial Subscription Services at any time subject to the regulations in 2.7 of this tariff.

C. Provision of Customer Equipment

Customer equipment may be used with Casual Calling/Initial Subscription Services. The Company does not provide Customer equipment.

D. Through Transmission of Signals

The Company is responsible for the provision of Casual Calling/Initial Subscription Services from station to station. It is not responsible for the quality of transmission or signaling on the Customer's side of the interface at a Customer's premises.

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2. GENERAL REGULATIONS

2.1 UNDERTAKING OF THE COMPANY - (Continued)

E. Availability of Casual Calling/Initial Subscription Services

1) Availability

- a. Service will be provided where facilities and billing capability are available.
- b. Service is furnished subject to the availability of the service components required. The Company will determine which of those components shall be used and make modifications to those components at its option. "Service components" shall include, but not be limited to, the existence of access and/or billing arrangements on an originating and/or terminating basis. In the absence of access arrangements between the Company and the access provider at a particular Station, a Customer may be unable to place calls from or to the affected Station.

2) Restoration of Service

The use and restoration of Casual Calling/Initial Subscription Services will be in accordance with Part 64, Subpart D, of the Federal Communications Commission's Rules and Regulations.

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2. GENERAL REGULATIONS

2.2 USE

A. General

Casual Calling/Initial Subscription Services may be used for any lawful purpose consistent with the transmission and switching parameters of the telecommunications network. Casual Calling/Initial Subscription Services are furnished for use by the Customer but may be used by others when so authorized by the Customer.

B. Abuse

The abuse of Casual Calling/Initial Subscription Services is prohibited. The following activities constitute abuse:

- 1) Using Casual Calling/Initial Subscription Services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another, or
- 2) Using Casual Calling/Initial Subscription Services in such a way that it interferes unreasonably with the use of other Company services.

2.2.1 Fraudulent Use

The fraudulent use of, or the intended or attempted fraudulent use of, Casual Calling/Initial Subscription Services is prohibited. The following activities constitute fraudulent use:

- A. Using Casual Calling/Initial Subscription Services to transmit a message, locate a person, or otherwise give or obtain information, without payment for the service,
- B. Using or attempting to use Casual Calling/Initial Subscription Services with the intent to avoid the payment, either in whole or in part, of the tariffed charges for the service by:
  - 1) Rearranging, tampering with, or making connections not authorized by this tariff to any service components used to furnish Casual Calling/Initial Subscription Services, or
  - 2) Using fraudulent means or devices, tricks, schemes, false or invalid numbers, false credit devices, or electronic devices.
- C. Use that violates any state, federal or municipal laws, or that violates the requirements or policies of any regulatory body.



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2. GENERAL REGULATIONS

2.3 RESPONSIBILITIES OF THE COMPANY

A. Liability

- 1) The Company's liability, if any, for its willful misconduct is not limited by this tariff. With respect to any other claim or suit, by a Customer or by any others, for damages associated with the installation, provision, termination, maintenance, repair or restoration of Casual Calling/Initial Subscription Services, and subject to the provisions of B. through G. following, the Company's liability, if any, shall not exceed an amount equal to the initial period charge provided for under this tariff for the Casual Calling/Initial Subscription Services call for the period during which the call was affected.
- 2) The Company is not liable for damages associated with service, channels, or equipment which it does not furnish.
- 3) The Company is not liable for damages to a premises resulting from the furnishing of Casual Calling/Initial Subscription Services, including the installation and removal of equipment and associated wiring, unless the damage is caused by the Company's negligence.
- 4) The Company shall be indemnified, defended, and held harmless by the Customer and User against all claims, losses, or damages arising from the use of Casual Calling/Initial Subscription Services furnished pursuant to this tariff, involving:
  - a. Claims for libel, slander, invasion of privacy, or infringement of copyright arising from any communication;
  - b. Claims for patent infringement arising from combining or using Casual Calling/Initial Subscription Services furnished by the Company in connection with facilities or equipment furnished by others; or
  - c. All other claims arising out of any act or omission of others relating to Casual Calling/Initial Subscription Services provided pursuant to this tariff.

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2. GENERAL REGULATIONS

2.3 RESPONSIBILITIES OF THE COMPANY - (Continued)

A. Liability - (Continued)

- 5) The Company does not guarantee or make any warranty with respect to Casual Calling/Initial Subscription Services when used in an explosive atmosphere. The Company shall be indemnified, defended, and held harmless by the Customer and User against all claims, losses or damages by any person relating to Casual Calling/Initial Subscription Services provided pursuant to this tariff when used in an explosive atmosphere.
- 6) No license under patents (other than the limited license to use) is granted by the Company or shall be implied or arise by estoppel, with respect to any service offered under this tariff. The Company will defend the Customer and User against claims of patent infringement arising solely from the use by the Customer or User of Casual Calling/Initial Subscription Services offered under this tariff and will indemnify such Customer or User for any damages awarded based solely on such claims.
- 7) The Company's failure to provide or maintain service under this tariff shall be excused by Labor difficulties, governmental orders, civil commotions, acts of God, and other circumstances beyond the Company's reasonable control.
- 8) The Company shall not be liable for errors in transmitting, receiving or delivering messages by telephone over the facilities of the Company and connecting utilities.

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## 2. GENERAL REGULATIONS

## 2.4 RESPONSIBILITIES OF THE CUSTOMER

## A. General

The Customer's general responsibilities are described in this section. When Customer equipment or a Customer-provided communications system is connected to Casual Calling/Initial Subscription Services, the Customer assumes additional responsibilities that are described in the "Connections" section of this tariff (see Section 2.7 of this tariff).

## 1) Payment of Bills and Compliance with Regulations

The Customer is responsible for placing any necessary orders and complying with tariff regulations for Casual Calling/Initial Subscription Services and for assuring that its Users comply with tariff regulations. The Customer is also responsible for the payment of bills for Casual Calling/Initial Subscription Services.

## 2) Establishing Identity

- a. The calling party is responsible for establishing its identity as often as necessary during the course of a call.
- b. The calling party assumes full responsibility for identifying the station, party, or person with whom connection is made at the called number or numbers.

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San Antonio, TX

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## 2. GENERAL REGULATIONS

## 2.5 PAYMENTS AND CHARGES

## A. General

The applicable rates and charges are contained in the Price List in this tariff.

## B. Application of Charges

The rates and charges that are in effect in this tariff when Casual Calling/Initial Subscription Services are furnished are the rates and charges used to determine the Customer's bill.

## C. Payment of Charges

Payment for Casual Calling/Initial Subscription Services is due upon presentation of the bill. Casual Calling/Initial Subscription Services may be denied for nonpayment of a bill (see Violation of Regulations, Section 2.9).

## D. Late Payment Charge

If any portion of the customer's payment is received by the company after the payment due date, or if any portion of the payment is received by the Company in funds which are not immediately available upon presentment, a Late Payment Charge shall be due to the Company, provided billing capability exists. The Late Payment Charge shall be the portion of the payment not received by the date due, multiplied by a factor. The late payment factor shall be 1.5% per month.

Late Payment Charges do not apply to the disputed portion of unpaid balances, if resolved in favor of the customer. The disputed portion of unpaid balances, if resolved in favor of the Company, may be subject to the Late Payment Charge as of the resolution date. Undisputed amounts of the same bill may be subject to the Late Payment Charge if they remain unpaid by the due date noted on the customer's bill.

## E. Returned Check Charge

An administrative charge of \$15.00 is applied to customer's bill for each occasion that a check, bank draft, or electronic funds transfer is returned for the reason of insufficient funds or no account. When a local exchange company provides the billing function on behalf of the Company, the local exchange company's return check charge applies.

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2. GENERAL REGULATIONS

2.6 USE OF ANOTHER MEANS OF COMMUNICATIONS

A. General

If the Customer elects to use another means of communication during the period of interruption, the Customer must pay the charges for the alternative service used.

2.7 CONNECTIONS

A. General

When Customer Equipment is connected to Casual Calling/Initial Subscription Services it must comply with Part 68 of the FCC's Rules and Regulations, 47 C.F.R. Part 68 (commonly known as the FCC's Registration Program). When any equipment or system that is not subject to Part 68 of the FCC's Rules and Regulations is connected, the Minimum Protection Criteria specified in this tariff must be met.

Casual Calling/Initial Subscription Services may be connected to private networks or communications systems under the terms and conditions specified in that section.

The Company is responsible for the quality of transmission from station to station.

B. Responsibilities of the Customer

When Customer equipment or a Customer-provided communications system is connected to Casual Calling/Initial Subscription Services, the Customer assumes responsibility for the connection as follows:

1) Compatibility with Casual Calling/Initial Subscription Services

The Customer is responsible for the compatibility of its equipment or system with Casual Calling/Initial Subscription Services. This responsibility applies at the initial installation and on a continuing basis as long as the connection is made.

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2. GENERAL REGULATIONS

2.7 CONNECTIONS - (Continued)

B. Responsibilities of the Customer - (Continued)

2) Interference and Hazard

The operating characteristics of the customer equipment or customer-provided communications system connected to Casual Calling/Initial Subscription Services must not interfere with, or impair, any of the services offered by this Company. In addition, they must not endanger the safety of Company employees or the public, damage or interfere with the proper functioning of Company equipment, or otherwise injure the public in its use of Casual Calling/Initial Subscription Services.

3) Changes to Casual Calling/Initial Subscription Services

The Company is not obligated to alter or modify Casual Calling/Initial Subscription Services because of additions or changes to Customer equipment or a Customer-provided communications system.

4) Testing and Maintenance

If a trouble condition occurs on an assembly, the Customer must determine whether the fault is in (1) the connected Customer equipment or Customer-provided communications system, or (2) Casual Calling/Initial Subscription Services. The Company will test and maintain only Casual Calling/Initial Subscription Services.

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2. GENERAL REGULATIONS

2.7 CONNECTIONS - (Continued)

C. Responsibilities of the Company

1) General

The Company will furnish and maintain its service components in a manner suitable for Casual Calling/Initial Subscription Services.

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2. GENERAL REGULATIONS

2.7 CONNECTIONS - (Continued)

D. Recording of the Two-way Telephone Conversations

Casual Calling/Initial Subscription Services is not represented as adapted to the recording of two-way telephone conversations. However, voice recording equipment that is directly, acoustically or inductively connected with Casual Calling/Initial Subscription Services may be used for the recording of such conversations subject to the following regulations which have been adopted by the FCC:

1) Recording Requirements

The voice recording equipment must be arranged so that it can be connected or disconnected (or switched on or off) at the will of the Customer. In addition, one of the following conditions must apply:

All parties to the telephone conversation must give their prior consent to the recording of the conversation, and the prior consent must be obtained in writing or be part of, and obtained at the start of, the recording, or

A distinctive recorder tone, repeated at intervals of approximately fifteen seconds, is required to alert all parties when the recording equipment is in use. The distinctive recording tone can be provided as part of (1) the recording equipment, or (2) registered or grandfathered protective circuitry.

A broadcast licensee shall be exempt from the above recording requirements provided at least one of the following requirements is met:

The licensee informs each party to the call of its intent to broadcast the conversation; or

Each party to the call is aware of the licensee's intent to broadcast the call; or

Such awareness of the licensee's intent to broadcast the call may be reasonably imputed to the party.



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2. GENERAL REGULATIONS

2.7 CONNECTIONS - (Continued)

D. Recording of the Two-way Telephone Conversations - (Continued)

2) Exceptions

The FCC has established the following exceptions to the foregoing requirements:

- a. Recordings made of incoming calls to telephone numbers publicized for emergencies involving health or safety of life and property (e.g., emergency situations involving fire, health care, police, public utilities and emergency road service) and outgoing calls made in immediate response to such calls. Included in this exception are:
  - (1) Recordings made at the United States Department of Defense Command Centers of emergency communications transmitted over the Department of Defense's private line system when connected to Casual Calling/Initial Subscription Services.
  - (2) Recordings made by the United States Nuclear Regulatory Commission of the Department of Energy with respect to the telephone systems located at its Operations Center.
- b. Recordings of calls made for patently unlawful purposes, such as bomb threats, kidnap ransom requests and obscene telephone calls. Outgoing calls made in immediate response to such calls are also excepted. Included in this exception are:
  - (1) Recordings made by the United States Secret Service of the Department of the Treasury for recording of two-way telephone conversations which concern the safety and security of the person of the President of the United States, members of his immediate family, or the White House and its grounds.
- c. Recordings of calls made by Federal, State or local law enforcement authorities, or federal intelligence authorities, acting under color of law.

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2. GENERAL REGULATIONS

2.8 RATE DETERMINATION

The rate for a Casual Calling/Initial Subscription Services call is determined by factors such as:

The distance between the rate centers of the originating (calling) station and the terminating (called) station; and, under certain conditions the distance between the V&H coordinates of an AT&T Central Office and the rate center of a station or the V&H coordinate of an AT&T Central Office,

The time of day and the day of week,

The duration of the call.

The specific factors which apply to a given Casual Calling/Initial Subscription Services call and their application are listed in the rate section applicable to that type of call. The regulations pertaining to those factors are as follows:

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2. GENERAL REGULATIONS

2.8 RATE DETERMINATION (Continued)

A. Time of Day and Day of Week

The rate charged for a Casual Calling/Initial Subscription Services call is determined in part by the day of the week and the time of day at the originating (calling) station or at the AT&T Central Office associated with the originating (calling) station using special access. The rate charged for AT&T MEGACOM 800 is determined in part by the time of day and day of the week the AT&T Central Office associated with the terminating (called) station. Different rates may be applicable to a call at different times of the day and on certain days of the week as specified in the appropriate rate section for that call.

B. Determining the Chargeable Time of a Call

The chargeable time for a Casual Calling/Initial Subscription Services call is determined by the duration of the call. Chargeable time includes the initial period plus the additional time involved, if any, and is determined as follows:

- 1) On all calls, chargeable time begins when completed connection is established between the calling station and the called station.
- 2) Chargeable time ends when the calling station "hangs up". If the called station "hangs up" but the calling station does not, chargeable time ends when the connection is released either by automatic timing equipment in the telecommunications network or by the Company operator.
- 3) When Casual Calling/Initial Subscription Services is directly connected to a Customer-provided communications system at a Customer's or User's premises, chargeable time begins when a Casual Calling/Initial Subscription Services call terminates in, or passes through, the first Customer Equipment on that Customer-provided communications system. It is the Customer's responsibility to furnish appropriate answer supervision to the point of interface with the Casual Calling/Initial Subscription Services so that chargeable time may begin.

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2. GENERAL REGULATIONS

2.8 RATE DETERMINATION (Continued)

C. Determining the Applicable Rate in Effect

- 1) Except for Casual Calling/Initial Subscription Services calls that use a special access line, when the call is established in one rate period and ends in another rate period, the rate in effect at the calling station for each rate period applies to the call occurring within that rate period. When a calling station on a Custom Network service uses a special access line, the rate in effect at the AT&T Central Office for each rate period applies to the portion of the call occurring within that rate period. When a unit of time is split between two rate periods, the rate applicable to that unit of time is based on the rate period in which it began.
- 2) Chargeable time for a rate period (e.g., 8 AM - 5 PM) begins with the first stated hour (e.g., 8 AM) and continues to, but does not include, the second stated hour (e.g., 5 PM).

D. Use of Casual Calling/Initial Subscription Services for Resale or Shared Use

When Casual Calling/Initial Subscription Services are resold or shared, the Customer may advise its User that a portion of the Customer's service is provided by this Company. However, the Customer shall not represent that this Company jointly participates in the provision of the Customer's services.

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2. GENERAL REGULATIONS

2.9 VIOLATION OF REGULATIONS (Cont'd)

A. General

The Company may take immediate action to protect its services or interests when certain regulations contained in this tariff are violated. The specific regulations involved and the action(s) which will be taken by this Company are as specified in 2.9.B and 2.9.C following.

B. Interference, Impairment or Improper Use

The Company may temporarily restrict service immediately when the Customer violation:

circumvents the Company's ability to charge for its services as specified in Section 2.2.1 (Fraudulent Use) preceding, or

results in an immediate harm to the Casual Calling/Initial Subscription Services network or other Company services.

In such cases, the Company will make a reasonable effort to give the Customer prior notice before restricting service.

When a violation results in a denial for additional service and/or restriction of service, the denial and/or restriction will be removed when the Customer is in compliance with the regulation and so advises the Company.



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2. GENERAL REGULATIONS

2.10 DEFINITIONS

Airline Mile

Airline mile, as used in connection with airline mileage measurements in determining charges for telecommunications service, means statute mile or 5,280 feet.

AT&T Central Office

Defined as the physical point of access for a service to the AT&T interoffice network. Criteria for establishing AT&T Central Offices and a list of AT&T Central Offices with services provided are in this Company's Tariff F.C.C. No. 10.

Billing Number

The local exchange telephone number associated with a customer name and address and to which long distances charges are billed.

Call

A completed connection established between a calling station and one or more called stations.

Called Station

The station (e.g., telephone number) called, or the terminating point of a call.

Calling Station

The station from which a call is originated.

Company

AT&T Communications of Ohio, Inc

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2. GENERAL REGULATIONS

2.10 DEFINITIONS

Customer

The person or legal entity that orders service (either direct or through an agent).

Message

The term "Message" denotes a completed call or telephonic communication.

Premises

A building or buildings on continuous property (except railroad rights-of-way, etc.) not separated by a public thoroughfare.

Protective Circuitry

Discrete electrical circuitry that is within the scope of the Registration Program and is designed to protect Casual Calling/Initial Subscription Services from harm.

Rate Center

A specified geographical location used for determining mileage measurements.

Station

Any location from which Casual Calling/Initial Subscription Services calls can be placed and/or received.

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