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08-1154-TP-ATA  
96-6027-~~TP~~<sup>ST</sup>-TRF

October 2, 2008

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

RECEIVED-DOCKETING DIV  
2008 OCT -6 AM 11:18  
PUCO

Re: QX Telecom LLC - Detariff Application


Dear Sir or Madam:

Enclosed please find one (1) original and seven (7) copies of the Detariff Application and Exhibits for QX Telecom.

Kindly acknowledge receipt of these documents by signing and returning a date-stamped copy of this letter to us in the postage prepaid envelope provided.

Thank you for your attention to this matter.

Very truly yours,

  
Lois Ciralo  
Legal Assistant

Enclosure

{00091290;1}

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 Tm Date Processed 10/6/2008

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

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

In the Matter of the Application of QX Telecom LLC )  
to Detariff Certain Tier 2 Services and make other changes )  
related to the Implementation of Case No. 06-1345-TP-ORD )

TRF Docket No. 90-~~6027~~-CT-TRF

Case No. ~~08~~-454-TP-ATA

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

Name of Registrant(s) QX Telecom LLC

DBA(s) of Registrant(s) \_\_\_\_\_

Address of Registrant(s) 230 Fifth Avenue, New York, NY 10001

Company Web Address n/a

Regulatory Contact Person(s) David O. Klein

212-935-6020

212-753-8101

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Regulatory Contact Person's Email Address dklein@kleinzelman.com

Phone \_\_\_\_\_

Contact Person for Annual Report Chaim Millstein

Address (if different from above) \_\_\_\_\_

Consumer Contact Information Chaim Millstein

Phone 212-689-9094

Address (if different from above) \_\_\_\_\_

**Part I - Tariffs**

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

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

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

**Part II - Exhibits**

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

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

		regarding such services as required by rule 4901:1-6-05(G)(3).
- <input checked="" type="checkbox"/>	Exhibit F	Affidavit that the Customer Notice described in Exhibit C has been sent to Customers.

## **Exhibit A**

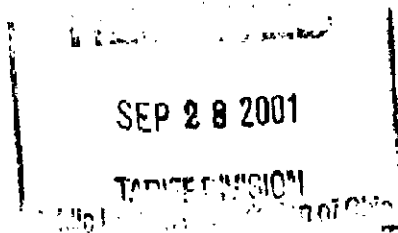
QX TELECOM LLC  
Case No. \_\_\_\_-\_\_\_\_-CT-\_\_\_\_

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

TITLE SHEET

OHIO LONG DISTANCE RESALE TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of long distance telecommunications services provided by QX Telecom LLC with principal offices at 230 Fifth Avenue, Suite 800, New York, NY 10001. This tariff applies to services furnished within the State of Ohio. This tariff is on file with the Ohio Public Utilities Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.



Issued: September 28, 2001

Effective: October 29, 2001

By: Eddie Mishan, Managing Member  
QX Telecom LLC  
230 Fifth Avenue, Suite 800  
New York, NY 10001

QX TELECOM LLC  
Case No. \_\_\_\_-\_\_\_\_-CT-\_\_\_\_

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

CHECK SHEET

Sheets 1 through 22 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

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

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QX TELECOM LLC  
Case No. \_\_\_\_-\_\_\_\_-CT-\_\_\_\_

Original Sheet 3  
O.P.U.C. Tariff No. 1

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Original Sheet 4  
O.P.U.C. Tariff No. 1

SYMBOLS

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

- D - Delete or Discontinue
- I - Change Resulting in an Increase to a Customer's Bill
- M - Moved From Another Tariff Location
- N - New
- R - Change Resulting in a Reduction to a Customer's Bill
- T - Change in Text or Regulation but no Change in Rate or Charge

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TARIFF FORMAT

- A. Sheet Numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the O.P.U.C. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the O.P.U.C. follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. Paragraph Number Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2.1.
  - 2.1.1.
  - 2.1.1.A.
  - 2.1.1.A.1.
  - 2.1.1.A.1.(a)
  - 2.1.1.A.1.(a).1.
  - 2.1.1.A.1.(a).1.(i).
  - 2.1.1.A.1.(a).1.(i).1.
- D. Check Sheets - When a tariff filing is made with the O.P.U.C., an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revisions levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the O.P.U.C.

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**

**Access Line** - An arrangement which connects the Customer's location to a Company's Underlying Carrier(s) network switching center.

**Authorization Code** - A numerical code, one or more of which are available to a Customer to enable him/her to access the carrier, and which are used by the carrier both to prevent unauthorized access to its facilities and to identify the Customer for billing purposes.

**Card Number** - A multi-digit identifying number which may be printed on each Prepaid Calling Card, which may also be referred to in this tariff as a PIN.

**Company or Carrier** - QX Telecom LLC

**Customer** - The person, firm, corporation or other entity which orders service and is responsible for payment of charges due and compliance with the Company's tariff regulations.

**Day** - From 8:00 a.m. up to, but not including, 5:00 p.m. local time Monday through Friday.

**Evening** - From 5:00 p.m. up to, but not including, 11:00 p.m. local time Sunday through Friday.

**Holidays** - The Company's recognized holidays are New York's Day, Martin Luther King, Jr. Day, Presidents' Day, Veterans' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Thanksgiving Day and Christmas Day.

**Night/Weekend** - From 11:00 p.m. up to, but not including, 8:00 a.m. Sunday through Friday, and 8:00 a.m. Saturday up to, but not including 5:00 p.m. Sunday.

**O.P.U.C.** - Ohio Public Utilities Commission.

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SECTION 2 - RULES AND REGULATIONS

2.1 Contact Information

2.1.1. Customer complaints, bill inquiry, new service or disconnect requests:

Ms. Denise McMillan  
QX Telecom LLC  
230 Fifth Avenue, Suite 800  
New York, NY 10001  
Toll Free No. 1 (800) 385-1968

2.1.2. Commission contact - tariff information:

Mr. Eddie Mishan  
QX Telecom LLC  
230 Fifth Avenue, Suite 800  
New York, NY 10001  
Telephone No. (212) 689-9094

2.1.3. Commission Contact Complaints:

Ms. Denise McMillan  
QX Telecom LLC  
230 Fifth Avenue, Suite 800  
New York, NY 10001  
Telephone No. (212) 689-9094

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.2 Undertaking of the Company**

The Company's Underlying Carrier(s) facilities are furnished for long distance communications originating at specified points within the State of Ohio under terms of this tariff.

The Company operates, and maintains the communication services provided hereunder in accordance with the terms and conditions set forth under this tariff. It may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the Customer, to allow connection of a Customer's location to the Company's Underlying Carrier(s) network. The Customer shall be responsible for all charges due for such service arrangement.

The Company's services are provided on a monthly basis unless ordered on a longer time basis, and are available 24 hours per day, seven days per week.

**2.3 Limitations**

2.3.1 Service is offered subject to the availability of facilities and the provisions of this tariff.

2.3.2 The Company reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control; or when the Customer is using service in violation of the law or the provisions of this tariff.

2.3.3 All services provided under this tariff are directly controlled by the Company and the Customer may not transfer or assign the use of service, except with the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.

2.3.4 Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.4 Liabilities of the Company**

2.4.1 The Company's liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission occurring in the course by the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the Customer for the period during which the aforementioned faults in transmission occur.

2.4.2 The Company shall be indemnified and held harmless by the Customer against:

2.4.2.A Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over the Company's facilities.

2.4.2.B All other claims arising out of any act or omission of the Customer in connection with any service or facility provided by the Company.

2.4.3 The included tariff language does not constitute a determination by the Commission that a limitation of liability imposed by the Company should be upheld in a court of law. Acceptance for filing by the Commission recognizes that it is a court's responsibility to adjudicate negligence and consequential damage claims. It is also the court's responsibility to determine the validity of the exculpatory clause.

2.4.4 The Company will give at least 10 days notice to Customers and the O.P.U.C. before increasing rates or other changes.

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.5 Interruption of Service

- 2.5.1 Credit allowances for the interruption of service, which is not due to the Company's testing or adjusting, negligence of the Customer, or to the failure of channels or equipment provided by the Customer, are subject to the general liability provisions set forth in 2.3.1 herein. It shall be the obligation of the Customer to notify the Company immediately of any interruption in service for which a credit allowance is desired.

Before giving such notice, the Customer shall ascertain that the trouble is not being caused by an action or omission by the Customer within his control, or is not in wiring or equipment, if any, furnished by the Customer.

- 2.5.2 For the purposes of credit computation, every month shall be considered to have 720 hours.
- 2.5.3 No credit shall be allowed for an interruption of a continuous duration of less than two hours.
- 2.5.4 The Customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the fixed monthly charge for the facilities affected for each hour or major fraction thereof that the interruption continues:

Credit Formula:

$$\text{Credit} = \frac{A \times B}{720}$$

"A" -- outage times in hours

"B" -- total fixed monthly charge for affected facility

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.6 Suspension-of-Service Guidelines**

The Company will provide written notice at least seven days in advance of suspending a Customer's service for non-payment of charges. In cases of bona fide emergencies, we try to avoid suspension of service for non-payment. Service will be suspended without notice in the following situations:

2.6.1 The Customer obtained service fraudulently;

2.6.2 Risk of non-payment is evident; or

2.6.3 A safety hazard is found on the Customer's premises.

**2.7 Restoration of Service**

The use and restoration of service shall be in accordance with the priority system specified in Part 64, Subpart D of the Rules and Regulations of the Federal Communications Commission.

**2.8 Billing Periods**

To the extent that the Customer is not a Prepaid Calling Card Customer, the Customer will receive a bill after the thirty (30) day cycle.

**2.9 Understanding the Company Bill**

To the extent that the Customer is not a Prepaid Calling Card Customer, the Customer's bill will outline specific charges or adjustments for the Company's services.

**2.10 Questions About the Company Bill**

If the Customer has questions about the Company's charges that may appear on its bill, the Customer should call the Company's service representative or the Company's designated billing agent.

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.11 Pay By Mail

To the extent that the Customer is not a Prepaid Calling Card Customer, a return envelope is included with each Customer's bill. If the return envelope is unavailable, Customers should contact the Customer service telephone number indicated on the bill for the appropriate address.

2.12 Lost Bills

If a bill is lost, the Customer should call the Company's service representative or the Company's designated billing agent for the amount due. Customers should be sure to include their account number, name, address and telephone number with payment.

2.13 Forms of Payment

For the protection of the Customer, Customers should send checks or money orders payable in United States dollars with their account number, area code, and telephone number included. Cash should not be sent. Unless otherwise required by law, tariff or Commission order, partial payments received without Customer direction will be prorated by the Company.

Alternate forms of payment include traveler's checks and bank drafts.

2.14 Late Charge

A late fee of 1.5% of the first \$30.00 and 2.0% of the remaining balance will be charged on any balances due for more than thirty (30) days.

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.15 Requirements for Service Restoral After Suspension for Non-Payment

In most cases, all charges billed for service must be paid before service will be restored. This would include any amount which the Customer may have received on a new bill. There is also a charge to restore service, which will be billed on the Customer's account.

2.16 Responsibility of the Company

The Company endeavors to provide the best long distance service possible at a fair and competitive price. In turn, the Customer is responsible for paying its bills on time and must report any problems in a timely manner so that they can be corrected.

2.17 Frequency Restrictions

There are no frequency restrictions.

2.18 Group Billing Service

Group Billing Service allows the Customer with more than one location to consolidate billing. Group Billing provides enhanced Customer bills with call summaries by NPA, time period and location.

2.19 Cancellations

Customers may cancel their service at any time through written instruction.

2.20 Nonpayment

The Company or the Company's designated billing agent will contact a Customer when their payment is late. At the point where payment exceeds 60 days late, the Customer may be turned over to a collection agency and the Customer's service may be terminated. Suspension or termination of service shall not be made without five (5) working days' written notice to the Customer, except in extreme cases. The written notice shall be separate and apart from the regular monthly bill for service.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.21 Credit for Incomplete Calls**

When a Customer calls in or identifies that specific calls were incomplete, the Company's Customer Service department has the capability to credit the Customer's Card. In the event that the call was incomplete, the Company will automatically credit the Customer's Card.

**2.22 Deposit**

The Company does not require a deposit from the Customer.

**2.23 Advance Payments**

The Company requires advance payments from its Prepaid Calling Card Customers.

**2.24 Collection Costs**

In the event Company is required to initiate legal proceedings to collect any amounts due to Company for regulated or non-regulated services, equipment or facilities, or to enforce any judgment obtained against a Customer, or for the enforcement of any other provision of this tariff or applicable law, Customer shall, in addition to all amounts due, be liable to Company for all reasonable costs incurred by Company in such proceedings and enforcement actions, including reasonable attorneys' fees, collection agency fees or payments, and courts costs. In any such proceeding, the amount of collection costs, including attorneys' fees, due to the Company, will be determined by the court.

**2.25 Taxes**

All federal, State and local taxes, assessments, surcharges, or fees, including sales taxes, use taxes, gross receipts taxes, and municipal utilities taxes, are billed as separate line items and are not included in the rates quoted herein, except as described for Prepaid Calling Card service.

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SECTION 3 - DESCRIPTION OF SERVICES

3.1 Usage Based Services

The Company's charges are based on the actual usage of Company's services, plus any special features and/or service options, if any. Charges begin when the designated communication termination(s) is/are accessed and enabled thereby ("connected") to receive the communication from the originating location on the network. Charges cease when the called or calling party "hangs up".

3.2 Long Distance Telecommunications Network Service

The Company's Long Distance Telecommunications Network Service provides for the non facilities-based switchless resale of Texas interexchange carriers' tariffed Software Defined Network (SDN) Service. This service is a custom designed private telecommunication network that combines the efficiencies and benefits of both switched and private line service to meet the specific requirements of Customers that need to communicate on an interlata basis within the State.

Each service Customer is billed individually for each call, on a conversation minute basis, placed through the Company since the previous month's billing. Each call is measured and billed at the applicable rate for the initial sixty (60) second period or fraction thereof, and then at the applicable rate for each additional sixty (60) second period or fraction thereof. The minimum length of a call is sixty (60) seconds. See Section A, Rates and Charges, for the applicable rate schedule.

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.3 Directory Assistance Service**

Directory Assistance Service is provided by the Company's Underlying Carrier(s) to assist subscribers in obtaining telephone numbers.

**3.4 Accessing Service**

The service provided by the Company, through its Underlying Carrier(s), is one way dial in-dial out, multi-point telecommunications services, allowing the Customer to originate calls through the network facilities of the Company and its Underlying Carrier(s). Customers may originate calls only in the city or cities where they have an active account. Access to the Company may differ dependent upon the type of exchange access service provided by the local exchange telephone company to the Company and its Underlying Carrier(s).

**3.5 Availability of Service**

The services provided through the Company, are available where equal access and the Billing Systems of its Underlying Carriers are provided.

**3.6 Locations of Service**

The services offered by the Company are to be available statewide, where interexchange services of its Underlying Carriers are available. The services offered by the Company are not intended to be limited geographically.

**3.7 Timing of Calls**

3.7.1 Usage charges are based on usage of the Company's service. Chargeable time begins when a connection is established between the calling station and the called station. Chargeable time ends when either party "hangs up" thereby releasing the network connections.

3.7.2 Minimum call duration and usage measurement and rounding for billing purposes is specified on per-product basis in the rate section of this tariff.

3.7.3 There is no billing applied for incomplete calls.

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SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)

3.8 Prepaid Calling Card Service

- 3.8.1 This service permits use of QX Telecom LLC Prepaid Calling Cards for placing long distance service calls. Calling card customers may purchase QX Telecom LLC Prepaid Calling Cards at a variety of retail outlets or through other distribution channels. QX Telecom LLC Prepaid Calling Cards are available at a variety of face values. QX Telecom LLC Prepaid Calling Card service is accessed using the QX Telecom LLC toll-free number printed on the card. The caller is prompted by an automated voice response system to enter his/her Authorization Code, and then to enter the terminating telephone number. QX Telecom LLC's processor tracks the call duration on a real time basis to determine the amount of calling time consumed. The total consumed calling time for each call, which includes applicable taxes, is deducted from the remaining calling minute balance on the Customer's QX Telecom LLC Prepaid Calling Card.
- 3.8.2 All calls must be charged against a QX Telecom LLC Prepaid Calling Card that has a sufficient calling minute balance. A calling card Customer's call will be interrupted with an announcement when the balance is about to be depleted. Such announcement will occur when five (5) minutes and when one (1) minute remain before the balance will be depleted, based upon the terminating location of the call.
- 3.8.3. The Company offers origination from anywhere in the United States, and termination intrastate, interstate and internationally.

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**SECTION 3 - DESCRIPTION OF SERVICES - (Contd.)**

**3.8 Prepaid Calling Card Service (cont'd)**

- 3.8.4 All calls must be charged against a QX Telecom LLC Prepaid Calling Card that has a sufficient calling minute balance. A calling card Customer's call will be interrupted with an announcement when the balance is about to be depleted. Such announcement will occur when five (5) minutes and when one (1) minute remain before the balance will be depleted, based upon the terminating location of the call.
- 3.8.5 A card will expire thirty (30) days after activation and automatically reactivates after credit card is charged.
- 3.8.6 A credit allowance for QX Telecom LLC Prepaid Calling Card Service is applicable to calls that are interrupted due to poor transmission, one-way transmission, or involuntary disconnection of a call. A calling card Customer may also be granted credit for reaching a wrong number. To receive the proper credit, the calling card Customer must notify the Company at the designated toll-free Customer service number printed on the QX Telecom LLC Prepaid Calling Card and furnish the called number, the trouble experienced (e.g. cut-off, noisy circuit, reached wrong number, etc.), and the approximate time that the call was placed.
- 3.8.7 When a call charged to an QX Telecom LLC Prepaid Calling Card is interrupted due to cut-off, one-way transmission, or poor transmission conditions, the calling card Customer will receive a credit equivalent to one calling minute.

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SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)

3.9 Customer Complaints and/or Billing Disputes

Customer inquiries or complaints regarding service or accounting may be made in writing or by telephone to the Company at:

230 Fifth Avenue, Suite 800  
New York, NY 10001  
(800) 385-1968

Any objection to billed charges should be reported promptly to the Company. Adjustments to Customers' bills shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate. Where overbilling of a subscriber occurs, due either to Company or subscriber error, no liability exists which will require the Company to pay any interest, dividend or other compensation on the amount overbilled.

If Customer complaints cannot be resolved by the Company, the Customer may contact the Ohio Public Utilities Commission at the following address and phone number:

180 East Broad Street  
Columbus, OH 43215

3.10 Level of Service

A Customer can expect end to end network availability of not less than 90% at all times for all services.

3.11 Billing Entity Conditions

When billing functions on behalf of the Company or its intermediary are performed by local exchange telephone companies or others, the payment of charge conditions and regulations of such companies and any regulations imposed upon these companies by regulatory bodies having jurisdiction apply. The Company's name and toll-free telephone number will appear on the Customer's bill.

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New York, NY 10001

**SECTION 4 - RATES**

**4.1 Long Distance Telecommunications Network and Prepaid Calling Card Usage Rates**

- 4.1.1 The calls placed through the Company are rated using one of the following schedules. The charges for all calls during a billing month will be totaled. If the total charge includes a fraction of a cent, the fraction is rounded to the next whole cent (e.g., \$4,101.345 would be rounded to \$4,101.35).
- 4.1.2 Day, Evening and Night rate periods apply to Long Distance Telecommunications Network Usage. The rates apply for all days of the week including holidays. The Day rate period is 8:00 a.m. to, but not including, 5:00 p.m., Monday through Friday and 5:00 p.m. to, but not including 11:00 p.m. Sunday. The Night/Weekend Rate period is 11:00 p.m. to, but not including, 8:00 a.m. Monday through Sunday, all day Saturday, and from 8:00 a.m. to, but not including, 5:00 p.m. Sunday. For New Year's Day (January 1), Independence Day (July 4), Labor Day, Thanksgiving Day and Christmas Day (December 25), the Evening Rate applies.

Issued: September 28, 2001

Effective: October 29, 2001

By: Eddie Mishan, Managing Member  
QX Telecom LLC  
230 Fifth Avenue, Suite 800  
New York, NY 10001



SECTION 4 - RATES (Cont'd)

4.2 Long Distance Network and Prepaid Calling Card Usage Rates

4.2.1 Ohio Intrastate Interlata Rates

Limited Plan: \$39.95/ month for 1,041 minutes

Unlimited Plan: \$49.95/month

4.2.2 Ohio Intrastate Intralata Rates

Limited Plan: \$39.95/ month for 1,041 minutes

Unlimited Plan: \$49.95/month

4.3 Payphone Surcharge

QX Telecom LLC's calling card customers will be debited \$0.30 per month as a payphone surcharge.

4.4 Monthly Maintenance Charge

QX Telecom LLC's calling card customers will be debited \$3.95 per month as a monthly maintenance charge.

Issued: September 28, 2001

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New York, NY 10001

SECTION 4 - RATES (Cont'd)

4.5 Exemptions and Special Rates

4.5.1 Discount for Hearing Impaired Customers:

A telephone toll message which is communicated using a telecommunications device for the deaf (TDD) by properly certified hearing or speech impaired persons or properly certified business establishments or individuals equipped with TDDs for communicating with hearing or speech impaired persons will receive, upon request, calls placed between TDDs. The credit to be given on a subsequent bill for such calls placed between TDDs will be equal to applying the evening rate during business day hours and the night/weekend rate during the evening rate period. Discounts do not apply to surcharges or per call add on charges for operator service when the call is placed by a method that would normally incur the surcharge.

4.5.2 Operator Assistance for Handicapped Persons:

Operator station surcharges will be waived for operator assistance provided to a caller who identified him or herself as being handicapped and unable to dial the call because of a handicap.

4.5.3 Directory Assistance for Handicapped Persons:

There is no charge for Directory Assistance for calls from handicapped persons. Such persons must contact the Company for credit on their directory assistance calls.

Issued: September 28, 2001

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QX Telecom LLC  
230 Fifth Avenue, Suite 800  
New York, NY 10001

## **Exhibit B**

QX TELECOM LLC  
Case No. \_\_\_\_ - \_\_\_\_ -CT- \_\_\_\_

1<sup>ST</sup> Revised Sheet 1  
O.P.U.C. Tariff No. 1

**TITLE SHEET**

**OHIO LONG DISTANCE RESALE TELECOMMUNICATIONS TARIFF**

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of long distance telecommunications services provided by QX Telecom LLC with principal offices at 230 Fifth Avenue, Suite 800, New York, NY 10001. This tariff applies to services furnished within the State of Ohio. This tariff is on file with the Ohio Public Utilities Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.

All telephone companies are subject to the commission's rules for minimum telephone service standards (MTSS) found in chapter 4901:1-5 of the Administrative Code. Customers have certain rights and responsibilities under the Minimum Telephone Service Standards. These safeguards can be found in the Appendix to Ohio Adm. Code 4901:1-5-03, which is entitled "Telephone Customer Rights and Responsibilities." These rights and responsibilities include complaint handling, ordering or changing service, service repair, payment of bills, and disconnection and reconnection of service."

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Issued: October 6, 2008

Effective: October 6, 2008

By: Eddie Mishan, Managing Member  
QX Telecom LLC  
230 Fifth Avenue, Suite 800  
New York, NY 10001

**SECTION 2 - RULES AND REGULATIONS**

**2.14 Late Charge**

A late fee of 1.5% of the first \$30.00 and 2.0% of the remaining balance will be charged on any balances due for more than thirty (30) days.

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Issued: October 6, 2008

Effective: October 6, 2008

By: Eddie Mishan, Managing Member  
QX Telecom LLC  
230 Fifth Avenue, Suite 800  
New York, NY 10001

## Exhibit C

Exhibit C  
Case No. 08-xxx-TP-ATA

QX Telecom LLC  
PUCO No. 1 Long Distance

Narrative of Tariff Change

<u>Page(s)</u>	<u>Section</u>	<u>Remarks</u>
Original 1	Title	Revised to include MTSS language
Original 2	Check Sheet	Revised to detariff
Original 3	Table of Contents	Revised to detariff
Original 4	Symbols	Revised to detariff
Original 5	Tariff Format	Revised to detariff
Original 6	1	Revised to detariff Technical Terms and Abbreviations
Original 7	2.1	Revised to detariff Contact Information
Original 8	2.2, 2.3	Revised to detariff Undertaking of the Company and Limitations.
Original 9	2.4	Revised to detariff Liabilities of the Company
Original 10	2.5	Revised to detariff Interruption of Service
Original 11	2.6, 2.7, 2.8, 2.9 2.10	Revised to detariff Suspension of Service Guidelines, Restoration of Service, Billing Periods, Understanding the Company Bill, Questions About the Company Bill
Original 12	2.11, 2.12, 2.13	Revised to detariff Pay by Mail, Lost Bills, Forms of Payment
Original 13	2.15, 2.16, 2.17, 2.19, 2.20	Revised to detariff Requirements for Service 2.18, Restoral After Suspension for Non-Payment, Responsibility of the Company, Frequency Restrictions, Group Billing Service, Cancellations, Nonpayment

Original 14	2.21, 2.22, 2.23 2.24, 2.25	Revised to detariff Credit for Incomplete Calls, Deposit, Advance Payments, Collection Costs, Taxes
Original 15	3.1, 3.2	Revised to detariff Usage Based Services, Long Distance Telecommunications Network Service
Original 16	3.3, 3.4, 3.5, 3.6 3.7	Revised to detariff Directory Assistance Service, Accessing Service, Availability of Service, Locations of Service, Timing of Calls
Original 17	3.8	Revised to detariff Prepaid Calling Card Service
Original 18	3.8 (con't)	Revised to detariff Prepaid Calling Card Service
Original 19	3.9, 3.10, 3.11	Revised to detariff Customer Complaints and/or Billing Disputes, Level of Service, Billing Entity Conditions
Original 20	4.1	Revised to detariff Long Distance Telecommunications Network and Prepaid Calling Card Usage Rates
Original 21	4.2, 4.3, 4.4	Revised to detariff Long Distance Network and Prepaid Calling Card Usage Rates, Payphone Surcharge, Monthly Maintenance Charge
Original 22	4.5	Revised to detariff Exemptions and Special Rates



## Exhibit D

In Compliance with Rule 4901:1-6-05(G)(3) regarding disclosure of rates, terms and conditions for detariffed services, copies of Replacement Tariff and other materials and publications can be obtained by requesting same in writing to QX Telecom LLC, 230 Fifth Avenue, New York, NY 10001, or by calling toll free 800-385-1968.

## Exhibit E

September 17, 2008

Dear Valued Customer:

Beginning on October 3, 2008, the prices, service descriptions, and the terms and conditions for long distance services that you are provided by QX Telecom LLC will no longer be on file at the Public Utilities Commission of Ohio (PUCO).

This modification does not automatically result in a change in the prices, terms, or conditions of those services to which you currently subscribe. QX Telecom LLC must still provide a customer notice at least fifteen days in advance of rate increases, changes in terms and conditions and discontinuance of existing services. Additionally, you will be able to request a copy of this information by contacting QX Telecom LLC at 230 Fifth Avenue, Suite 800, New York, NY 10001 and toll free telephone number 800-385-1968.

Since long distance services will no longer be on file with the Commission, this means that the agreement reached between the customer and the company, instead of the document on file at the PUCO, will now control new services or changes in service. This agreement, whether it is verbal or written, will still be subject to consumer protections required and enforced by the PUCO.

For any new services or changes in service, it will be important that you carefully review and confirm the price, terms and conditions.

If you have any questions about this matter, please call QX Telecom LLC at the toll free number 800-385-1968. You may also visit the consumer information page on the PUCO's website at [puco.ohio.gov](http://puco.ohio.gov) for further information.

Sincerely,

QX Telecom LLC

## Exhibit F

**Part III. – Attestation**

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

**AFFIDAVIT**

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

I am an officer/agent of the applicant corporation, QX TELECOM INC, and am authorized to make this statement on its behalf.  
(Name)

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

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

Executed on (Date) 10/2/08 at (Location) 485 MADISON AVENUE, NEW YORK, NY 10022

\*(Signature and Title) David Allen, Attorney (Date) 10/2/08

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

**VERIFICATION**

I, David O. Kitten

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

\*(Signature and Title) David Allen, Attorney (Date) 10/2/08

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

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

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

***Or***

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