

## Vorys, Sater, Seymour and Pease LLP

Legal Counsel

52 East Gay St.
PO Box 1008
Columbus, OH 43216-1008
614.464.6400

www.vorys.com

Founded 1909

Stephen M. Howard Direct Dial (614) 464-5401 Facsimile (614) 719-4772 E-Mail - smhoward@vorys.com

Attached documents are not in electronic format and are not "source" documents.

November 25, 2008

Ms. Reneé Jenkins Secretary, Public Utilities Commission of Ohio 180 East Broad Street, 13th Floor Columbus, Ohio 43215-3793

RE: Case No. 08-771-TP-ATA

Time Warner Cable Information Services (Ohio) LLC

Application to Detariff

Revised Proposed Tariff Pages for Exhibit B

Dear Ms. Jenkins:

On behalf of Time Warner Cable Information Services (Ohio) LLC (TWC), I filed an Application to detariff certain Tier 2 services and to make other changes related to the implementation of Case No. 06-1345-TP-ORD on June 25, 2008.

After consulting with the Staff, I am filing revised tariff pages:

First Revised Page 21

First Revised Page 28

First Revised Page 31

First Revised Page 32

First Revised Page 33

First Revised Page 46

The update to First Revised Page 46 is that Time Warner is re-inserting Section 4.2 Promotional Offerings into the tariff. In most of the sections on these pages, the word

202.467.8800

513.723.4000



Ms. René Jenkins November 25, 2008 Page 2

"material" was replaced with the word "language" and the phrase "because the former language has been replaced by Rule 4901:1-6-06(B)(1)(e) of the Ohio Administrative Code (OAC)." or "however, one can view this material in the Competitive Telecommunications Services Guide.)" has been deleted.

The tariff pages attached to this letter are intended to supersede the corresponding tariff pages that were filed on June 25, 2008 as part of Exhibit B.

Thank you for your cooperation.

Sincerely yours,

/s/

Stephen M. Howard Attorneys for Time Warner Cable Information Services (Ohio) LLC

SMH/jab Enclosures

Cc: Doug Wile

### SECTION 2 – RULES AND REGULATIONS, CONT'D

## 2.3 LIABILITY OF THE COMPANY, CONT'D

### 2.3.1 General, Cont'd

- B. Except for the extension of allowances to the Customer for interruptions in Service as set forth in Section 2.7, following, the Company shall not be liable to a Customer or third party for any direct, indirect, special, incidental, reliance, consequential, exemplary or punitive damages, including, but not limited to, loss of revenue or profits, for any reason whatsoever, including, but not limited to, any act or omission, failure to perform, delay, interruption, failure to provide any Service, including the inability to access emergency 911 services during any such failure, or any failure in or breakdown of facilities associated with the Service.
- C. This language is no longer contained in the tariff.

T

#### 2.4 SERVICE AVAILABILITY

# 2.4.1 Notification of Service-Affecting Activities

This language is no longer contained in the tariff.

T

Issued: June 25, 2008 Effective: June 25, 2008

Issued Pursuant to Case No. 08-771-TP-ATA

## SECTION 2 - RULES AND REGULATIONS, CONT'D

## 2.6 CUSTOMER EQUIPMENT AND CHANNELS, CONT'D

## 2.6.4 Inspections

If the protective requirements for Customer-Provided Equipment are not being complied with, the Company may take such action as it deems necessary to protect its facilities, equipment and personnel. The Company will notify the Customer promptly if there is any need for further corrective action. Within ten (10) days of receiving this notice, the Customer must take this corrective action and notify the Company of the action taken. If the Customer fails to do this, the Company may take whatever additional action is deemed necessary, including the suspension of Service, to protect its facilities, equipment and personnel from harm.

### 2.7 INTERRUPTION OF SERVICE

#### 2.7.1 General

A. This language is no longer contained in the tariff.

T

Issued: June 25, 2008 Effective: June 25, 2008

Issued Pursuant to Case No. 08-771-TP-ATA

# SECTION 2 - RULES AND REGULATIONS, CONT'D

## 2.8 PAYMENT ARRANGEMENTS, CONT'D

### 2.8.2 Billing and Collection of Charges

This language is no longer contained in the tariff.

2.8.3 Disputed Bills

This language is no longer contained in the tariff.

\_\_\_\_

T

Issued: June 25, 2008 Effective: June 25, 2008

Issued Pursuant to Case No. 08-771-TP-ATA

## SECTION 2 - RULES AND REGULATIONS, CONT'D

## 2.8 PAYMENT ARRANGEMENTS, CONT'D

## 2.8.4 Late Payment Charges

- A. Customer bills are due on the due date specified on the bill. A Customer is in default unless payment is made on or before the due date specified on the bill. If payment is not received by the Customer's next billing date, a late payment charge of 1.5% will be applied to all amounts previously billed under this Tariff, excluding one month's Service charge, but including arrears and unpaid late payment charges.
- B. Late payment charges do not apply to those portions (and only those portions) of unpaid balances that are associated with disputed amounts. Undisputed amounts on the same bill are subject to late payment charges if unpaid and carried forward to the next bill.
- C. Late payment charges do not apply to final accounts.

## 2.8.5 Suspension or Termination of Service for Nonpayment

This language is no longer contained in the tariff.

Т

Issued: June 25, 2008 Effective: June 25, 2008

Issued Pursuant to Case No. 08-771-TP-ATA

# SECTION 2 - RULES AND REGULATIONS, CONT'D

## 2.8 PAYMENT ARRANGEMENTS, CONT'D

### 2.8.6 Exceptions to Suspension and Termination for Nonpayment

This language is no longer contained in the tariff.

### 2.9 TAXES AND OTHER CHARGES

The Customer may be responsible for payment of any Federal, Ohio or local sales, use, gross receipts, access or other taxes, charges, surcharges (however designated), franchise and permit fees, and all taxes, fees, and other exactions imposed on the Company or its Service by governmental jurisdictions, other than taxes imposed generally on the Company's net income.

#### 2.10 BACKBILLING

The Company shall not charge Customers for previously unbilled Service or adjust upward a bill previously rendered when the period for the unbilled Service or billing adjustment is more than twenty-four (24) months prior to the mailing of the bill or the upward adjustment unless the conduct of the Customer caused or contributed to the failure of the Company to render timely accurate billing. Unless the Customer causes the late billing, the Company shall explain the reason for the late billing and shall advise the Customer that suspension/termination of Service is not permitted for charges billed in excess of six (6) months after the Service was provided. The Customer will be given the opportunity to pay the charges under an installment plan on a schedule equal in time to the length of the backbilling period.

Issued: June 25, 2008 Effective: June 25, 2008

Issued Pursuant to Case No. 08-771-TP-ATA

Julie Laine, Secretary
Time Warner Cable Information Services (Ohio), LLC
290 Harbor Drive
Stamford, CT 06902

T

### SECTION 4 – RATES, CONT'D

### 4.1 RATES, CONT'D

## 4.1.3 Message Telecommunications Services Rates

This language is no longer contained in the Tariff.

#### 4.1.4 Toll Free Service Rates

This language 1 is no longer contained in the Tariff.

#### 4.1.5 ICB Charges

This language is no longer contained in the Tariff.

### 4.2 PROMOTIONAL OFFERINGS

Subject to the approval of the Commission, the Company may from time to time elect to offer temporary promotional programs that shall waive, for a specified period of time not to exceed six (6) months, in whole or in part (1) any installation fee and/or (2) any recurring or nonrecurring fees for any Services other than intrastate toll service to introduce present or potential Customers to a service not previously received by the Customer.

#### 4.3 EMPLOYEE RATES

This language is no longer contained in the Tariff.

Issued: June 25, 2008 Effective: June 25, 2008

Issued Pursuant to Case No. 08-717-TP-ATA

Julie Laine, Secretary
Time Warner Cable Information Services (Ohio), LLC
290 Harbor Drive
Stamford, CT 06902

T

Т

T

This foregoing document was electronically filed with the Public Utilities

**Commission of Ohio Docketing Information System on** 

11/25/2008 4:02:18 PM

in

Case No(s). 08-0771-TP-ATA

Summary: Exhibit Letter Amending Exhibit B electronically filed by Stephen M Howard on behalf of Time Warner Cable Information Services (Ohio), LLC