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FILE

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RECEIVED-DOCKETING DIV

2009 OCT 29 PM 2:04

XO Communications

13865 Sunrise Valley Drive
Herndon, VA 20171

PUCO

VIA OVERNIGHT

October 28, 2009

09-1022-TP-ATA
90-9017-TP-TRF

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

Re: XO Communications Services, Inc, P.U.C.O. Tariff No. 3 Revisions
Docket No.

To Whom It May Concern:

Please find enclosed an original and ten (10) copies of revisions to XO Communications Services, Inc. ("XO"), P.U.C.O. Tariff No. 3. These revisions modify billing dispute language.

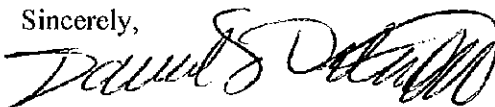
The following revised pages are included with this filing:

8th Revised Page 1
1st Revised Page 38
1st Revised Page 39
1st Revised Page 40

These revisions are being filed with an issued date of October 29, 2009 and an effective date of November 28, 2009

Also, enclosed is an additional copy of this letter and a self-addressed stamped envelope. Please date stamp this copy and return in the enclosed envelope. If you have any questions, please contact me at 703-547-2635 or daniel.ostroff@xo.com.

Sincerely,



Daniel G. Ostroff
Senior Regulatory Analyst

Enclosures

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 Am Date Processed 10/29/09

The Public Utilities Commission of Ohio
TELECOMMUNICATIONS APPLICATION FORM for ROUTINE PROCEEDINGS
(Effective: 01/18/2008)

RECEIVED-DOCKETING DIV
2009 OCT 29 PM 2:04
PUCO

In the Matter of the Application of _____
to _____

TRF Docket No. 90- 9017-TP TRF

Case No. 04-1022-TP-A74

NOTE: Unless you have reserved a Case # or are filing a Contract, leave the "Case No" fields BLANK.

Name of Registrant(s) XO Communications Services, Inc.

DBA(s) of Registrant(s) _____

Address of Registrant(s) 13865 Sunrise Valley Dr., Herndon, VA 20171

Company Web Address www.xo.com

Regulatory Contact Person(s) Kelly Faul

Phone 703-547-2536

Fax 703-547-2630

Regulatory Contact Person's Email Address kelly.faul@xo.com

Contact Person for Annual Report Sharon Adams

Phone 703-547-2615

Address (if different from above) _____

Consumer Contact Information Teresa Miller

Phone 214-261-7509

Address (if different from above) 9201 N Central Expressway, Bldg B, 4th Floor, Dallas, TX 75231

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

Motion for waiver(s) filed affecting this case? ☐ Yes ☐ No [Note: Waivers may toll any automatic timeframe.]

Section I – Pursuant to Chapter 4901:11-6 OAC – Part I – Please indicate the Carrier Type and the reason for submitting this form by checking the boxes below. CMRS providers: Please see the bottom of Section II.

NOTES: (1) For requirements for various applications, see the identified section of Ohio Administrative Code Section 4901 and/or the supplemental application form noted.

(2) Information regarding the number of copies required by the Commission may be obtained from the Commission's web site at www.puco.ohio.gov under the docketing information system section, by calling the docketing division at 614-466-4095, or by visiting the docketing division at the offices of the Commission.

Carrier Type <input type="checkbox"/> Other (explain below)	<input type="checkbox"/> ILEC	<input checked="" type="checkbox"/> CLEC	<input type="checkbox"/> CTS	<input type="checkbox"/> AOS/IOS
Tier 1 Regulatory Treatment				
Change Rates within approved Range	<input type="checkbox"/> TRF 1-6-04(B) (0 day Notice)	<input type="checkbox"/> TRF 1-6-04(B) (0 day Notice)		
New Service, expanded local calling area, correction of textual error	<input type="checkbox"/> ZTA 1-6-04(B) (0 day Notice)	<input type="checkbox"/> ZTA 1-6-04(B) (0 day Notice)		
Change Terms and Conditions, introduce non-recurring service charges	<input type="checkbox"/> ATA 1-6-04(B) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-04(B) (Auto 30 days)		
Introduce or Increase Late Payment or Returned Check Charge	<input type="checkbox"/> ATA 1-6-04(B) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-04(B) (Auto 30 days)		
Business Contract	<input type="checkbox"/> CTR 1-6-17 (0 day Notice)	<input type="checkbox"/> CTR 1-6-17 (0 day Notice)		
Withdrawal	<input type="checkbox"/> ATW 1-6-12(A) (Non-Auto)	<input type="checkbox"/> ATW 1-6-12(A) (Auto 30 days)		
Raise the Ceiling of a Rate	Not Applicable	<input type="checkbox"/> SLF 1-6-04(B) (Auto 30 days)		
Tier 2 Regulatory Treatment				
Residential - Introduce non-recurring service charges	<input type="checkbox"/> TRF 1-6-05(E) (0 day Notice)	<input type="checkbox"/> TRF 1-6-05(E) (0 day Notice)		
Residential - Introduce New Tariffed Tier 2 Service(s)	<input type="checkbox"/> TRF 1-6-05(C) (0 day Notice)	<input type="checkbox"/> TRF 1-6-05(C) (0 day Notice)	<input type="checkbox"/> TRF 1-6-05(C) (0 day Notice)	
Residential - Change Rates, Terms and Conditions, Promotions, or Withdrawal	<input type="checkbox"/> TRF 1-6-05(E) (0 day Notice)	<input type="checkbox"/> TRF 1-6-05(E) (0 day Notice)	<input type="checkbox"/> TRF 1-6-05(E) (0 day Notice)	
Residential - Tier 2 Service Contracts	<input type="checkbox"/> CTR 1-6-17 (0 day Notice)	<input type="checkbox"/> CTR 1-6-17 (0 day Notice)	<input type="checkbox"/> CTR 1-6-17 (0 day Notice)	
Commercial (Business) Contracts	Not Filed	Not Filed	Not Filed	
Business Services (see "Other" below)	Detariffed	Detariffed	Detariffed	
Residential & Business Toll Services (see "Other" below)	Detariffed	Detariffed	Detariffed	

Section I – Part II – Certificate Status and Procedural

Certificate Status	ILEC	CLEC	CTS	AOS/IOS
Certification (See Supplemental ACE form)		<input type="checkbox"/> ACE 1-6-10 (Auto 30 days)	<input type="checkbox"/> ACE 1-6-10 (Auto 30 days)	<input type="checkbox"/> ACE 1-6-10 (Auto 30 days)
Add Exchanges to Certificate	<input type="checkbox"/> ATA 1-6-09(C) (Auto 30 days)	<input type="checkbox"/> AAC 1-6-10(F) (0 day Notice)	CLECs must attach a current CLEC Exchange Listing Form	
Abandon all Services - With Customers	<input type="checkbox"/> ABN 1-6-11(A) (Non-Auto)	<input type="checkbox"/> ABN 1-6-11(A) (Auto 90 day)	<input type="checkbox"/> ABN 1-6-11(B) (Auto 14 day)	<input type="checkbox"/> ABN 1-6-11(B) (Auto 14 day)
Abandon all Services - Without Customers		<input type="checkbox"/> ABN 1-6-11(A) (Auto 30 days)	<input type="checkbox"/> ABN 1-6-11(B) (Auto 14 day)	<input type="checkbox"/> ABN 1-6-11(B) (Auto 14 day)
Change of Official Name (See below)	<input type="checkbox"/> ACN 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> ACN 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Change in Ownership (See below)	<input type="checkbox"/> ACO 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> ACO 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Merger (See below)	<input type="checkbox"/> AMT 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> AMT 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Transfer a Certificate (See below)	<input type="checkbox"/> ATC 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> ATC 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Transaction for transfer or lease of property, plant or business (See below)	<input type="checkbox"/> ATR 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> ATR 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Procedural				
Designation of Process Agent(s)	<input type="checkbox"/> TRF (0 day Notice)	<input type="checkbox"/> TRF (0 day Notice)	<input type="checkbox"/> TRF (0 day Notice)	<input type="checkbox"/> TRF (0 day Notice)

Section II – Carrier to Carrier (Pursuant to 4901:1-7), CMRS and Other

Carrier to Carrier	ILEC	CLEC		
Interconnection agreement, or amendment to an approved agreement	<input type="checkbox"/> NAG 1-7-07 (Auto 90 day)	<input type="checkbox"/> NAG 1-7-07 (Auto 90 day)		
Request for Arbitration	<input type="checkbox"/> ARB 1-7-09 (Non-Auto)	<input type="checkbox"/> ARB 1-7-09 (Non-Auto)		
Introduce or change c-t-c service tariffs,	<input type="checkbox"/> ATA 1-7-14 (Auto 30 day)	<input checked="" type="checkbox"/> ATA 1-7-14 (Auto 30 day)		
Introduce or change access service pursuant to 07-464-TP-COI	<input type="checkbox"/> ATA (Auto 30 day)			
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC 1-7-04 or 1-7-05 (Non-Auto)	<input type="checkbox"/> UNC 1-7-04 or 1-7-05 (Non-Auto)		
Pole attachment changes in terms and conditions and price changes.	<input type="checkbox"/> UNC 1-7-23(B) (Non-Auto)	<input type="checkbox"/> UNC 1-7-05 (Non-Auto)		
CMRS Providers See 4901:1-6-15	<input type="checkbox"/> RCC [Registration & Change in Operations] (0 day)		<input type="checkbox"/> NAG [Interconnection Agreement or Amendment] (Auto 90 days)	
Other* (explain) _____				

*NOTE: During the interim period between the effective date of the rules and an Applicant's Detariffing Filing, changes to existing business Tier 2 and all toll services, including the addition of new business Tier 2 and all new toll services, will be processed as 0-day TRF filings, and briefly described in the "Other" section above.

All Section I and II applications that result in a change to one or more tariff pages require, at a minimum, the following exhibits. Other exhibits may be required under the applicable rule(s). ACN, ACO, AMT, ATC, ATR and CIO applications see the 4901:1-6-14 Filing Requirements on the Commission's Web Page for a complete list of exhibits.

Exhibit	Description:
A	The tariff pages subject to the proposed change(s) as they exist before the change(s)
B	The Tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked in the right margin.
C	A short description of the nature of the change(s), the intent of the change(s), and the customers affected.
D	A copy of the notice provided to customers, along with an affidavit that the notice was provided according to the applicable rule(s).

Section 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, XO Communications Services, 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) October 28, 2009 at (Location) Fairfax County, VA

*(Signature and Title) Kelly J. Faul
Affairs Director

Regulatory (Date) October 28, 2009

- *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, Kelly Faul

verify that I have utilized the Telecommunications Application Form for Routine Proceedings 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) Kelly J. Faul, Regulatory Affairs Director

(Date) October 28, 2009

**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

EXHIBIT A
Superseded Tariff Pages

Case No.

INTRASTATE ACCESS SERVICES

CHECK SHEET

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, 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.

PAGE	REVISION		PAGE	REVISION	PAGE	REVISION
1	7 th Rev.	*	26	Original	51	Original
2	6 th Rev.	*	27	Original	52	Original
3	Original		28	Original	53	Original
4	Original		29	Original	54	Original
5	3 rd Rev.	*	30	Original	55	Original
6	1st Rev.		31	Original	56	Original
7	Original		32	Original	57	Original
8	Original		33	Original	58	Original
9	1st Rev.		34	Original	59	Original
10	Original		35	Original	60	Original
11	1st Rev.		36	Original	61	Original
12	Original		37	Original	62	Original
13	Original		38	Original	63	Original
14	Original		39	Original	64	Original
15	Original		40	Original	65	Original
16	Original		41	Original	66	2nd Rev.
17	Original		42	Original	67	Original
18	Original		43	Original	68	Original
19	Original		44	Original	69	1 st Rev.
20	Original		45	Original	70	Original
21	Original		46	Original	71	Original
22	Original		47	Original	72	Original
23	Original		48	Original	73	Original
24	Original		49	Original	74	Original
25	Original		50	Original	75	Original

* - indicates those pages included with this filing

Issued: April 28, 2009

Effective: July 1, 2009

Kelly Faul – Regulatory Affairs Director
13865 Sunrise Valley Dr.
Herndon, VA 20171

INTRASTATE ACCESS SERVICES

SECTION 2 - REGULATIONS, (CONT'D.)

2.5 Payment Arrangements, (Cont'd.)

2.5.2 Billing and Collection of Charges, (cont'd.)

G. Billing Disputes

- (1) In the event that a billing dispute occurs concerning any charges billed to the Customer by the Company, the Customer must submit a documented claim for the disputed amount. The Customer will submit all documentation as may reasonably be required to support the claim. Payment shall not prejudice Customer's right to dispute charges, as long as they are disputed in the manner specified in this Section. The Customer may not proceed with additional action regarding the dispute until and unless the Customer first complies with this Section.
- (2) If the Customer disputes a bill, the Customer must document its claim to the Company in writing. For purposes of this tariff, the dispute date is the date on which the Customer presents sufficient documentation to support a claim.

INTRASTATE ACCESS SERVICES

SECTION 2 - REGULATIONS, (CONT'D.)

2.5 Payment Arrangements, (Cont'd.)

2.5.2 Billing and Collection of Charges, (cont'd.)

G. Billing Disputes

- (3) Sufficient documentation consists of, but is not limited to, the following information, where such information is relevant to the dispute and available to the Customer:
- (a) the nature of the dispute (i.e. alleged incorrect rate, alleged incorrect minutes of use, etc.), including the basis for the Customer's belief that the bill is incorrect;
 - (b) the type of usage (i.e. originating or terminating);
 - (c) the Company end office where the minutes of use originated or terminated (if applicable);
 - (d) the number of minutes in dispute;
 - (e) the billing account number(s) (BANs) assigned by the Company;
 - (f) the dollar amount in dispute;
 - (g) the date of the bill(s) in question;
 - (h) the circuit number or complete system identification and DS3 system identification if the dispute concerns a Connecting facility Assignment (CFA) on a DS1. The Customer should also provide line number, trunk number, and Two Six Code (TSC);
 - (i) Purchase Order Number (PON) and dates involved (due date or as-of date) for disputes involving order activity and what the Customer believes is incorrect (e.g. non-recurring charges, mileage, circuit identification) and why the Customer believes it to be incorrect (not received, not ordered, incorrect rate, etc.). For order activity disputes, Customer's documentation should include traffic reports, billing cycle, and, whether or not the Customer shares the service, including both main and shared service BANs. The Customer must also provide the line number, trunk number, and two Six Code as well as end-office identification and;
 - (j) any other information necessary to facilitate dispute resolution.

INTRASTATE ACCESS SERVICES

SECTION 2 - REGULATIONS, (CONT'D.)

2.5 Payment Arrangements, (Cont'd.)

2.5.2 Billing and Collection of Charges, (cont'd.)

G. Billing Disputes

- (4) If the Company needs additional information from the Customer to assist in resolving the dispute, the Company may request that the Customer provide this information. This data may include, but is not limited to, summarized usage by time of day. The request for such additional information shall not affect the dispute date established by this section.
- (5) The date of resolution shall be the date on which the Company completes its investigation of the dispute, notifies the Customer of the disposition of the complaint.

EXHIBIT B
Revised Tariff Pages

Case No.

INTRASTATE ACCESS SERVICES

CHECK SHEET

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6	1st Rev.		31	Original		56	Original
7	Original		32	Original		57	Original
8	Original		33	Original		58	Original
9	1st Rev.		34	Original		59	Original
10	Original		35	Original		60	Original
11	1st Rev.		36	Original		61	Original
12	Original		37	Original		62	Original
13	Original		38	1st Rev.	*	63	Original
14	Original		39	1st Rev.	*	64	Original
15	Original		40	1st Rev.	*	65	Original
16	Original		41	Original		66	2nd Rev.
17	Original		42	Original		67	Original
18	Original		43	Original		68	Original
19	Original		44	Original		69	1 st Rev.
20	Original		45	Original		70	Original
21	Original		46	Original		71	Original
22	Original		47	Original		72	Original
23	Original		48	Original		73	Original
24	Original		49	Original		74	Original
25	Original		50	Original		75	Original

* - indicates those pages included with this filing

Issued: October 29, 2009

Effective: November 28, 2009

Kelly Faul – Regulatory Affairs Director
13865 Sunrise Valley Dr.
Herndon, VA 20171

INTRASTATE ACCESS SERVICES

SECTION 2 - REGULATIONS, (CONT'D.)

2.5 Payment Arrangements, (Cont'd.)2.5.2 Billing and Collection of Charges, (cont'd.)G. Billing Disputes(1) Customer Must Dispute Bills or Rates Charged Within 30 Days of Invoice

(C)(N)

If a Customer does not give the Company written notice of a billing or rate dispute within 30 days from the date the invoice was rendered, such invoice and the charges levied shall be deemed to be reasonable, correct and binding. In the event Customer disputes any billing or rates, Customer shall notify Company in writing, providing the billing identification, trouble ticket number and an explanation for the dispute, and shall nevertheless pay all undisputed charges within the 30 day period specified above.

(2) Dispute Procedures

The date of the dispute shall be the date on which the Customer furnishes the Company the account information required above.

(C)(N)
(N)

Company will investigate the dispute and attempt to resolve the billing or rate issues within 45 days. Payment shall not prejudice Customer's right to dispute charges, so long as they are disputed in the manner and within the 30 days specified in this Section. No action or proceeding against the Company disputing bills or rates charged shall be commenced unless Customer has first complied with this Section, or in any event more than 90 days after the service is rendered.

The Date of Resolution is the date the Company completes its investigation, provides written notice to the Customer regarding the disposition of the claim, i.e., resolved in favor of the Customer or resolved in favor of the Company, and credits the Customer's account, if applicable.

Upon resolution of dispute, Customer must make payment to Company within 15 days from the Date of Resolution.

In the event that a billing dispute concerning any charges billed to the Customer by the Company is resolved in favor of the Company, any payments withheld pending settlement of the dispute shall be subject to the late payment penalty set forth in 2.5.2.E. If the Customer pays the bill in full by the payment due date, and later initiates a billing dispute within 90 days of the payment due date, penalty interest may be applicable.

(N)

INTRASTATE ACCESS SERVICES

SECTION 2 - REGULATIONS, (CONT'D.)

2.5 Payment Arrangements, (Cont'd.)

2.5.2 Billing and Collection of Charges, (cont'd.)

G. Billing Disputes, (cont'd.)

(2) Dispute Procedures, (cont'd.)

If the dispute is resolved in favor of the Company and the Customer has paid the disputed amount on or before the payment due date, no interest credit or penalties will apply.

If the Customer pays the bill in full by the payment due date, and later initiates a billing dispute after 90 days of the payment due date, penalty interest may be applicable.

If the billing dispute is resolved in favor of the Customer, the Customer shall receive a credit from the Company. This credit will be an amount equal to the disputed amount resolved in the Customer's favor.

Adjustments for the quantities of services established or discontinued in any billing period beyond the minimum period set forth for services in other sections of this tariff will be prorated to the number of days based on a 30-day month.

(C)(N)

(C)(N)
(D)

(D)

INTRASTATE ACCESS SERVICES

SECTION 2 - REGULATIONS, (CONT'D.)

Reserved for Future Use

(D)

(D)

Issued: October 29, 2009

Effective: November 28, 2009

Kelly Faul – Regulatory Affairs Director
13865 Sunrise Valley Dr.
Herndon, VA 20171

EXHIBIT C
Transmittal