

### VIA OVERNIGHT DELIVERY

November 24, 2009

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. 4 Revision Amendment Case No. 09-1021-TP-ATA

To Whom It May Concern:

Per discussion with Commission staff, please find enclosed original and ten (10) copies of XO Communications Services, Inc. ("XO"), P.U.C.O. Tariff No. 4 revision amendments, Case No. 09-1021-TP-ATA. These amendments modify billing dispute language.

The following pages are included with this filing:

7<sup>th</sup> Revised Page 1 1<sup>st</sup> Revised Page 19

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 Dan Ostroff at 703-547-2635 or daniel.ostroff@xo.com.

Sharon Adams Senior Regulatory Analyst

Enclosures

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Technician Date Processed 11/25/09

Case No. 09-1021-TP-ATA

# 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 <sup>th</sup> Rev.	*	26	Original	51	Original
2	Original		27	Original	52	Original
3	Original		28	Original	53	Original
4	Original		29	Original	54	Original
5	Original		30	Original	55	2nd Rev.
6	Original		31	Original	55.1	Original
7	Original		32	Original	56	Original
8	1st Rev.		33	Original	57	2nd Rev.
9	1st Rev.		34	Original	57.1	Original
10	Original		35	Original	58	Original
11	1st Rev.		36	Original	59	Original
12	Original		37	1st Rev.		
13	Original		38	Original		
14	Original		39	Original		
15	Original		40	Original		
16	Original		41	Original		
17	Original		42	Original		
18	Original		43	Original		
19	1st Rev.	*	44	Original		
20	Original		45	Original		
21	Original		46	Original		
22	Original		47	Original		
23	Original		48	Original		
24	Original		49	Original		
25	Original		50	Original		

<sup>\* -</sup> indicates those pages included with this filing

Issued: October 29, 2009

Effective: November 28, 2009

#### INTRASTATE ACCESS SERVICES

## **SECTION 2 - TERMS AND CONDITIONS (CONT'D.)**

## 2.11 Claims and Disputes

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. All claims must be submitted to the Company within 90 days of receipt of billing for the disputed services. If the Customer does not submit a claim as stated above, the Customer waives all rights to filing a claim thereafter.

- 2.11.1 If the dispute is resolved in favor of the Customer and the Customer has withheld the disputed amount, no interest credits or penalties will apply.
- 2.11.2 If the dispute is resolved in favor of the Customer and the Customer has paid the disputed amount, the Customer will receive an interest credit from the Company for the disputed amount times a late factor as set forth in 2.10.2.B preceding.
- 2.11.3 In the event that the Company agrees to refund a credit by check or wire transfer, interest will be applied up to and including the date of issuance for either the check or wire transfer.
- 2.11.4 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.
- 2.11.5 If the dispute is resolved in favor of the Company and the Customer has withheld the disputed amount, any payments withheld pending settlement of the disputed amount shall be subject to the late penalty as set forth in 2.10.2.B preceding.
- 2.11.6 If the Customer and the Company are unable to resolve the dispute to their mutual satisfaction, the Customer may file a complaint with the Public Utilities Commission of Ohio in accordance with the Commission's rules and procedures. The address of the Commission is as follows: Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, OH 43215-3793.

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