

NC
FILE



10-1148-TP-ZTA 18
90-9096-TP-TRF

August 13, 2010

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

RECEIVED-DOCKETING DIV
2010 AUG 16 PM 3:14
PUCO

RE: PUCO Tariff No. 1

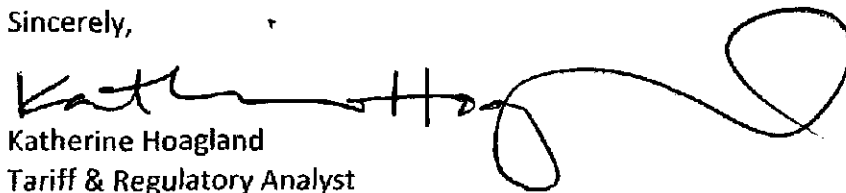
Dear Sir or Madam:

Enclosed please find one original and eight (8) copies of revisions to US LEC Communications, Inc.'s PUCO Tariff No. 1 with an issue and effective date of September 1, 2010.

This filing seeks to add a new charge for Company assisted Emergency Call Forwarding.; business customers were notified via Bill Message beginning July 1, 2010, a copy of which is enclosed.

If you have any questions, please feel free to contact me at (585) 340-2709 or by email at Katherine.Hoagland@Paetec.com.

Sincerely,


Katherine Hoagland
Tariff & 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 Date Processed AUG 16 2010

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

In the Matter of the Application of US LEC Communications, Inc.)
to add a new charge named "Emergency Call Forwarding")
))
))

TRF Docket No. 90-9096

Case No. 10 - 1148 - TP - ZTA

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

Name of Registrant(s) US LEC Communications, Inc.

DBA(s) of Registrant(s) _____

Address of Registrant(s) 600 WillowBrook Office Park Fairport, NY 14450

Company Web Address www.paetec.com

Regulatory Contact Person(s) Judy Messenger

Phone 585-340-2822

Fax 585-770-2498

Regulatory Contact Person's Email Address Judy.Messeng@paetec.com

Contact Person for Annual Report Judy Messenger

Phone 585-340-2822

Address (if different from above) _____

Consumer Contact Information Laura Silivestro

Phone 585-340-3094

Address (if different from above) _____

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 checked="" 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 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, US LEC Communications, 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) August 12, 2010 at (Location) Fairport, NY

*(Signature and Title)


Vice President &
Associate General Counsel

(Date) 8/12/2010

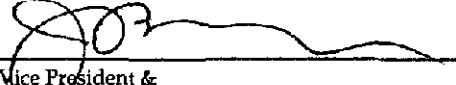
- This affidavit is required for every tariff-affecting filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.

VERIFICATION

I, John Messenger

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)


Vice President &
Associate General Counsel

(Date) 8/12/2010

**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

CHECK SHEET

The pages of this tariff are effective as of the date shown. The original and revised pages named below contain all changes from the original tariff and are in effect on the date shown.

<u>PAGE</u>	<u>REVISION</u>	<u>PAGE</u>	<u>REVISION</u>
1	Second	26	Original
2	Third *	27	Original
3	Second *	28	Original
4	Original	29	Original
5	First	30	Original
6	Original	31	Original
7	Original	32	Original
8	Original	33	Original
9	Original	34	Original
10	Original	35	First
11	Original	36	Original
12	Original	37	Original
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	Original	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

Issued: May 22, 2009

Effective: June 22, 2009

Issued By:

Senior Manager –Regulatory Affairs
6801 Morrison Boulevard
Charlotte, North Carolina 28211
90-9096-TP-TRF

(T)

CHECK SHEET

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57	First	82	Original
58	First	83	Original
59	First	84	First
60	First	85	First
61	First	86	First
62	First	87	First
63	First	88	First
64	First	89	First *
65	First	90	Original
66	Original	91	Second *
67	Original		
68	Original		
69	Original		
70	Original		
71	Original		
72	1 st *		
73	Original		
74	Original		
75	Original		

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Effective: July 1, 2008

Issued By: Regulatory Manager –US LEC Communications
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 Charlotte, North Carolina 28211
 90-9096-TP-TRF

(T)
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(T)

SECTION 8 - MISCELLANEOUS SERVICES

8.11 Calling Cards (Cont'd)8.11.2 Rates

	Min:	Max:
Payphone Compensation Surcharges	\$0.18*	\$0.30*
Rate per minute	\$0.19	\$0.31

*per payphone originated call

8.12 RESERVED FOR FUTURE USE

(D)

(D)

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EXHIBIT

B

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59	First	84	First
60	First	85	First
61	First	86	First
62	First	87	First
63	First	88	First
64	First	89	First
65	First	90	Original
66	Original	91	Second
67	Original		
68	Original		
69	Original		
70	Original		
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8.11 Calling Cards (Cont'd)8.11.2 Rates

	Min:	Max:
Payphone Compensation Surcharges	\$0.18*	\$0.30*
Rate per minute	\$0.19	\$0.31

*per payphone originated call

8.12 Emergency Call Forwarding

At the Business Customer's request, the Company may assist in activating or updating their Call Forwarding (or Call Forwarding on their DTO). The Company will provide this assistance at no cost to the Customer if the request is due to a problem with the Company network. If it is not a Company network problem, then the Customer will be billed a non-recurring charge per line.

	<u>Non-Recurring Charge</u>
Emergency Call Forwarding	\$99.00 per line

N

N

Issued: September 1, 2010

Effective: September 1, 2010

Issued By:

Senior Manager –Regulatory Affairs
6801 Morrison Boulevard
Charlotte, North Carolina 28211

90-9096-TP-TRF

EXHIBIT
C

US LEC Communications, Inc.

Emergency Call Forwarding:

Description:

US LEC Communications, Inc. is filing this application to add language for Emergency Call Forwarding to Section 8.12 of the tariff, as shown on Sheet No. 76 attached in Exhibit B. This will apply to business customers calling into our Network Operations Center and requesting immediate call forwarding be done; there will be no charge for a PAETEC network related issue. In addition, customers have the ability to sign up for call forwarding which is charged monthly, and gives them the ability to perform the task themselves at any time.

Rationale:

Many customers are electing not to enroll in the service, although subsequently requesting it to be performed if an issue arises. To assist with the forwarding would be a drain of company resources as each individual number to be forwarded must be manually entered through a fairly lengthy process. The process is simplified and customers have direct access to perform the function themselves, when enrolling in the MRC product.

**EXHIBIT
D**

Bill Run:

July 1, 2010, run 1 time

Target Customer Criteria:

All LP and LM Business Customers

Change to Emergency Call Forwarding Charge

PAETEC would like to make you aware of an upcoming change to Emergency Call Forwarding charges. Beginning September 1, 2010, the charge for our Network Operations Center (NOC) to add Call Forwarding to circuits, for outage issues outside of PAETEC's control, will be \$99.00 per line. Any outages for which PAETEC is responsible will not incur a Call Forwarding charge.

To avoid a situation where this charge would be required, you may add Call Forwarding or Direct Trunk Overflow (DTO) as a monthly feature. Normal charges and timeframes would apply. If you have any questions, please contact Customer Care at the number listed on this invoice.