

**Before The
Public Utilities Commission of Ohio**

**In the Matter of the Application of NextGen)
Communications, Inc. to Provide Competitive) Case No. 11-0437-TP-ACE
Emergency Telecommunications Services)**

**Response of NextGen Communications, Inc. To
Application/Tariff Revisions 2nd Data Request
of the Public Utilities Commission of Ohio**

1) Please attach Certificate of Good Standing.

Response: Please see attached certificate.

Response by: Kim R. Scovill

Date: February 23, 2011

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- 2) On page 25, section 4, the third sentence states that "No prior notice of any change will be provided to the customer." Please remove or revise this sentence, because pursuant to 4901:1-6-07, customers must be given notice of any material change in rates.

Response: Please see attached revised tariff page 25.

Response by: Kim R. Scovill

Date: February 23, 2011

**United States of America
State of Ohio
Office of the Secretary of State**

I, Jon Husted, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign business entities; that said records show NEXTGEN COMMUNICATIONS, INC., a Maryland corporation, having qualified to do business within the State of Ohio on January 21, 2009 under License No. 1830981 is currently in GOOD STANDING upon the records of this office.



*Witness my hand and the seal of the
Secretary of State at Columbus, Ohio
this 23rd day of February, A.D. 2011*

A handwritten signature in black ink that reads "Jon Husted". The signature is written in a cursive style with a large, looped "J" and a trailing flourish.

Ohio Secretary of State

Validation Number: V201151F1DE7C

SECTION 4. RATES, CHARGES, AND CONDITIONS OF SERVICE, CONTINUED

(4) obtaining, maintaining, and otherwise having full responsibility for all rights-of-way and conduits necessary for installation of communications cable and associated equipment used to provide services to the Customer from the cable building entrance or property line to the location of the equipment space described herein;

(5) any and all costs associated with obtaining and maintaining the rights-of-way described herein, including the costs of altering the structure to permit installation of the Company-provided facilities, shall be borne entirely by, or may be charged by the Company to, the Customer (the Company may require the Customer to demonstrate its compliance with this section prior to accepting an order for service);

(6) providing a safe place to work and complying with all laws and regulations regarding the working conditions on the premises at which Company employees and agents shall be installing or maintaining Company facilities and equipment. The Customer may be required to install and maintain Company facilities and equipment within a hazardous area if, in the Company opinion, injury or damage to Company employees or property might result from installation or maintenance by the Company. The Customer shall be responsible for identifying, monitoring, removing and disposing of any hazardous material (e.g. asbestos) prior to any construction or installation work;

(7) complying with all laws and regulations applicable to, and obtaining all consents, approvals, licenses and permits as may be required with respect to, the location of Company facilities and equipment in any Customer premises or the rights-of-way for which Customer is responsible under this tariff, and granting or obtaining permission for Company agents or employees to enter the premises of the Customer at any time for the purpose of installing, inspecting, maintaining, repairing, or upon termination of service as stated herein, removing the facilities or equipment of the Company; and

(8) not creating, or allowing to be placed, any liens or other encumbrances on Company equipment or facilities.

b. Customer will comply with all applicable provisions of this tariff and/or an ICB.

SECTION 4. RATES, CHARGES, AND CONDITIONS OF SERVICE, CONTINUED

Issued:
Issued by:

Bruce A. White, Secretary
NextGen Communications, Inc.
275 West Street Annapolis, MD 21401

Effective:

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

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in

Case No(s). 11-0437-TP-ACE

Summary: Response of NextGen Communications, Inc. to 2nd Data Request of the Ohio Public Utilities Commission electronically filed by Mrs. Marie Denyse Zosa on behalf of NextGen Communications, Inc.