



September 12, 2013  
Via Web Filing

Ms. Betty McCauley, Commission Secretary  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215

**RE: Talk America Inc. d/b/a Cavalier Telephone d/b/a PAETEC Business Services d/b/a Cavalier Telephone and TV  
Revision to Ohio Tariff No. 4 (Local and Long Distance Services)  
Case Number 13-1931-TP-ATA**

Dear Ms. McCauley:

Enclosed for filing please find the original the above referenced tariff filing and application submitted on behalf of Talk America Inc. d/b/a Cavalier Telephone d/b/a PAETEC Business Services d/b/a Cavalier Telephone and TV. This filing incorporates text changes to the late payment description. The Company's customers are being notified of this change via a bill message. A copy of the bill message has been sent via email to telecomm-rule16@puc.state.oh.us. The Company respectfully requests an effective date for this filing of October 12, 2013.

The following tariff pages are included with this filing:

7<sup>th</sup> Revised Page 1      Updates Check Sheet  
1<sup>st</sup> Revised Page 25      Revises late payment description

Any questions you may have regarding this filing should be directed to my attention at 407-740-3031 or via email to sthomas@tminc.com. Thank you for your assistance in this matter.

Sincerely,

/s/Sharon Thomas  
Sharon Thomas  
Consultant to Talk America Inc.

cc: Karen Hoagland - Talk  
file: Talk - Ohio - Local  
tms: OH11302

Enclosures  
ST/im

**The Public Utilities Commission of Ohio**  
**TELECOMMUNICATIONS FILING FORM**

(Effective: 01/20/2011)

This form is intended to be used with most types of required filings. It provides check boxes with rule references for the most common types of filings. It does not replace or supersede Commission rules in any way.

**In the Matter of the Application of Talk America Inc.** )  
**d/b/a Cavalier Telephone d/b/a Cavalier Business** )  
**Communications d/b/a Cavalier Telephone and TV** )  
**to Revise Ohio PUCO Tariff No. 4** )

**TRF Docket No. 90-5752-TRF**

**Case No. 13-1931-TP-ATA**

**NOTE: Unless you have reserved a Case #, leave the "Case No" fields BLANK.**

Name of Registrant(s): Talk America Inc.

DBA(s) of Registrant(s): d/b/a Cavalier Telephone d/b/a Cavalier Business Communications d/b/a Cavalier Telephone and TV

Address of Registrant(s): 2134 W. Laburnum, Richmond, Virginia 23227

Company Web Address www.cavtel.com

Regulatory Contact Person(s): Katherine Hoagland

Phone: 501-748-5150

Fax: 501-748-6583

Regulatory Contact Person's Email Address: katherine.hoagland@cavtel.com

Contact Person for Annual Report: Katherine Hoagland

Phone: 501-748-5150

Address (if different from above): 2134 W. Laburnum, Richmond, Virginia 23227

Consumer Contact Information: Tina Neff

Phone

Address (if different from above): One Martha's Way, Hiawatha, IA 52233

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.]

**Notes:**

Section I and II are Pursuant to Chapter 4901:1-6 OAC

Section III – Carrier to Carrier is Pursuant to 4901:1-7 OAC, and Wireless is Pursuant to 4901:1-6-24 OAC.

Section IV – Attestation

(1) Indicate the Carrier Type and the reason for submitting this form by checking the boxes below.

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

(3) Information regarding the number of copies required by the Commission may be obtained from the Commission's web site at [www.puco.ohio.gov](http://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.

(4) An Incumbent Local Exchange Carrier (ILEC) offering basic local exchange service (BLES) outside its traditional service area should choose CLEC designation when proposing to offer BLES outside its traditional service area or when proposing to make changes to that service.

**All Filings that result in a change to one or more tariff pages require, at a minimum, the following 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 I – Part I - Common Filings**

<b>Carrier Type</b> <input type="checkbox"/> <b>Other</b> (explain below)	<input type="checkbox"/> <b>For Profit ILEC</b>	<input type="checkbox"/> <b>Not For Profit ILEC</b>	<input type="checkbox"/> <b>CLEC</b>
Change terms & conditions of existing BLES	<input type="checkbox"/> <u>ATA 1-6-14(H)</u> (Auto 30 days)	<input type="checkbox"/> <u>ATA 1-6-14(H)</u> (Auto 30 days)	<input checked="" type="checkbox"/> <u>ATA 1-6-14(H)</u> (Auto 30 days)
Introduce non-recurring charge, surcharge, or fee to BLES			<input type="checkbox"/> <u>ATA 1-6-14(H)</u> (Auto 30 days)
Introduce or Increase Late Payment	<input type="checkbox"/> <u>ATA 1-6-14(I)</u> (Auto 30 days)	<input type="checkbox"/> <u>ATA 1-6-14(I)</u> (Auto 30 days)	<input type="checkbox"/> <u>ATA 1-6-14(I)</u> (Auto 30 days)
Revisions to BLES Cap.	<input type="checkbox"/> <u>ZTA 1-6-14(F)</u> (0 day Notice)		
Introduce BLES or expand local service area (calling area)	<input type="checkbox"/> <u>ZTA 1-6-14(H)</u> (0 day Notice)	<input type="checkbox"/> <u>ZTA 1-6-14(H)</u> (0 day Notice)	<input type="checkbox"/> <u>ZTA 1-6-14(H)</u> (0 day Notice)
Notice of no obligation to construct facilities and provide BLES	<input type="checkbox"/> <u>ZTA 1-6-27(C)</u> (0 day Notice)	<input type="checkbox"/> <u>ZTA 1-6-27(C)</u> (0 day Notice)	
Change BLES Rates	<input type="checkbox"/> <u>TRF 1-6-14(F)</u> (0 day Notice)	<input type="checkbox"/> <u>TRF 1-6-14(F)(4)</u> (0 day Notice)	<input type="checkbox"/> <u>TRF 1-6-14(G)</u> (0 day Notice)
To obtain BLES pricing flexibility	<input type="checkbox"/> <u>BLS 1-6-14</u> <u>(C)(1)(c)</u> (Auto 30 days)		
Change in boundary	<input type="checkbox"/> <u>ACB 1-6-32</u> (Auto 14 days)	<input type="checkbox"/> <u>ACB 1-6-32</u> (Auto 14 days)	
Expand service operation area			<input type="checkbox"/> <u>TRF 1-6-08(G)(0 day)</u>
BLES withdrawal			<input type="checkbox"/> <u>ZTA 1-6-25(B)</u> (0 day Notice)
<b>Other*</b> (explain) _____			

**Section I – Part II – Customer Notification Offerings Pursuant to Chapter 4901:1-6-7 OAC**

Type of Notice	Direct Mail	Bill Insert	Bill Notation	Electronic Mail
<input type="checkbox"/> 15-day Notice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> 30-day Notice	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Date Notice Sent:</b>				

**Section I – Part III –IOS Offerings Pursuant to Chapter 4901:1-6-22 OAC**

IOS	Introduce New	Tariff Change	Price Change	Withdraw
<input type="checkbox"/> IOS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Section II – Part I – Carrier Certification - Pursuant to Chapter 4901:1-6-08, 09 & 10 OAC

Certification	ILEC (Out of Territory)	CLEC	Carrier's Not Offering BLES	CESTC	CETC
* See Supplemental form	<input type="checkbox"/> ACE <u>1-6-08</u> * (Auto 30- day)	<input type="checkbox"/> ACE <u>1-6-08</u> *(Auto 30 day)	<input type="checkbox"/> ACE <u>1-6-08</u> *(Auto 30 day)	<input type="checkbox"/> ACE <u>1-6-10</u> (Auto 30 day)	<input type="checkbox"/> UNC <u>1-6-09</u> *(Non-Auto)

\*Supplemental Certification forms can be found on the Commission Web Page.

## Section II – Part II – Certificate Status & Procedural

Certificate Status	ILEC	CLEC	Carrier's Not Offering BLES
Abandon all Services		<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)	<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)
Change of Official Name *	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Change in Ownership *	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Merger *	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transfer a Certificate *	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)

\* Other exhibits may be required under the applicable rule(s). ACN, ACO, AMT, ATC, ATR and CIO applications see the 4901:1-6-29 Filing Requirements on the Commission's Web Page for a complete list of exhibits.

## Section III – Carrier to Carrier (Pursuant to 4901:1-7), and Wireless (Pursuant to 4901:1-6-24)

Carrier to Carrier	ILEC	CLEC
Interconnection agreement, or amendment to an approved agreement	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)
Request for Arbitration	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)
Introduce or change c-t-c service tariffs,	<input type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)	<input type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC <u>1-7-04 or 05</u> (Non-Auto)	
Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights- of-Way.	<input type="checkbox"/> UNC <u>1-7-23(B)</u> (Non-Auto)	
<b>Wireless Providers</b> See <u>4901:1-6-24</u>	<input type="checkbox"/> RCC [Registration & Change in Operations]	<input type="checkbox"/> NAG [Interconnection Agreement or

#### Section IV. – Attestation

Registrant hereby attests to its compliance with pertinent entries and orders issued by the Commission.

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**AFFIDAVIT**  
*Compliance with Commission Rules*

I am an agent of the applicant corporation, Talk America Inc., and am authorized to make this statement on its behalf.

Please Check ALL that apply:

☒ I attest that these tariffs comply with all applicable rules for the state of Ohio. I understand that tariff notification filings do not imply Commission approval and that the Commission's rules 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 attest that customer notices accompanying this filing form were sent to affected customers, as specified in Section II, in accordance with Rule 4901:1-6-7, Ohio Administrative Code.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on (Date) September 12, 2013

at (Location) Maitland, Florida

/s/Sharon Thomas

\*(Signature and Title)

September 12, 2013

Sharon Thomas, Consultant to Talk America Inc.

- *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.*

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**VERIFICATION**

I, Sharon Thomas verify that I have utilized the Telecommunications Filing Form for most 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.

/s/Sharon Thomas

\*(Signature and Title)\_\_\_\_\_

September 12, 2013

Sharon Thomas, Consultant to Talk America Inc.

*\*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.*

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***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***

TALK AMERICA INC.  
EXHIBIT A  
EXISTING TARIFF PAGES

# CHECK SHEET

The Page and pages listed below are inclusive and effective as of the date shown. Original and revised pages as named below contain all changes from the original tariff that are in effect on the date shown on each page.

Revision Sheet No.	Level		Revision Sheet No.	Level	Revision Sheet No.	Level
Title	Second	*	31	Original	60	First
1	Sixth	*	32	Original	61	First
2	Third		33	Original	62	First
3	First		34	Original	63	First
4	First		35	Original	64	First
5	First		36	Original	65	First
6	Original		37	Original	66	First
7	Original		38	Original	67	First
8	Original		39	Second	68	First
9	Original		39.1	First	69	First
11	Original		40	First	70	First
12	Original		41	First	71	First
13	Original		42	Second	72	First
14	Original		43	First	73	First
15	Original		44	First	74	First
16	Original		45	First	75	First
17	Original		46	First	76	First
18	Original		47	First	77	First
19	Original		48	First	78	First
20	Original		49	First	79	First
21	Original		50	First	80	First
22	Original		51	First	81	First
23	Original		52	First	82	First
24	Original		53	First	83	First
25	Original		54	First	84	First
26	Original		55	First	85	First
27	Original		56	First	86	First
28	Original		57	First	87	First
29	Original		58	First	88	First
30	Original		59	First	88.0.1	First
					88.1	First

\* Indicates Tariff Pages Included with this Filing.

Issued: May 24, 2011

Effective:

June 24, 2011

2134 W. Laburnum  
Richmond, Virginia 23227

Case No. 11-3155-TP-ACN

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SECTION 2.0 - REGULATIONS, (Cont'd.)

2.6 Payment Arrangements, (Cont'd.)

2.6.2 Billing and Collection of Charges, (Cont'd.)

- E. If any portion of the payment is received by the Company after the due date, due, or if any portion of the payment is received by the Company in funds which are not immediately available upon presentment, then a late payment penalty shall be due to the Company. A late payment charge of 1.5% per month, for bills not paid within 30 days of receipt, is not applicable to subsequent rebilling of any amount to which a late payment charge has already been applied. Late payment charges are to be applied without discrimination.
- F. The Customer should notify the Company of any disputed items on an invoice within thirty (30) days of receipt of the invoice. 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 of procedure. The address of the Commission is as follows:

Service Monitoring and Enforcement Department  
Public Utilities Commission of Ohio  
180 East Broad Street, Tenth Floor  
Columbus, Ohio 43215-3793

Toll Free Telephone: 1-800-686-7826  
TTY Toll Free Telephone: 1-800-686-1570

From 8:00 AM to 5:00 PM (EST) Weekdays or at [www.PUCO.ohio.gov](http://www.PUCO.ohio.gov).

Residential Customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at:

Toll Free Telephone: 1-877-742-5622  
From 8:00 AM to 5:00 PM (EST) weekdays or at [www.pickocc.org](http://www.pickocc.org).

2.6.3 Discontinuance of Service for Cause

- A. If service is disconnected by the Company (in accordance with Section 2.6.3 following) and later re-installed, re-installation of service will be subject to all applicable installation charges. If service is suspended by the Company (in accordance with Section 2.6.3 following) and later restored, restoration of service will be subject to the nonrecurring rates in Section 4 of this tariff.



TALK AMERICA INC.

EXHIBIT B

PROPOSED REVISED TARIFF PAGES

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CHECK SHEET

The Page and pages listed below are inclusive and effective as of the date shown. Original and revised pages as named below contain all changes from the original tariff that are in effect on the date shown on each page.

Revision			Revision			Revision	
<u>Sheet No.</u>	<u>Level</u>		<u>Sheet No.</u>	<u>Level</u>		<u>Sheet No.</u>	<u>Level</u>
Title	Second		31	Original		60	First
1	Seventh	*	32	Original		61	First
2	Third		33	Original		62	First
3	First		34	Original		63	First
4	First		35	Original		64	First
5	First		36	Original		65	First
6	Original		37	Original		66	First
7	Original		38	Original		67	First
8	Original		39	Second		68	First
9	Original		39.1	First		69	First
11	Original		40	First		70	First
12	Original		41	First		71	First
13	Original		42	Second		72	First
14	Original		43	First		73	First
15	Original		44	First		74	First
16	Original		45	First		75	First
17	Original		46	First		76	First
18	Original		47	First		77	First
19	Original		48	First		78	First
20	Original		49	First		79	First
21	Original		50	First		80	First
22	Original		51	First		81	First
23	Original		52	First		82	First
24	Original		53	First		83	First
25	First	*	54	First		84	First
26	Original		55	First		85	First
27	Original		56	First		86	First
28	Original		57	First		87	First
29	Original		58	First		88	First
30	Original		59	First		88.0.1	First
						88.1	First

\* Indicates Tariff Pages Included with this Filing.

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Issued: September 12, 2013

Effective: October 12, 2013

2134 W. Laburnum  
Richmond, Virginia 23227

Case No. 13-1931-TP-ATA

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SECTION 2.0 - REGULATIONS, (Cont'd.)

2.6 Payment Arrangements, (Cont'd.)

2.6.2 Billing and Collection of Charges, (Cont'd.)

- E. Customer bills for telephone service are due on the due date specified on the bill. If any portion of the payment is received by the Company after the due date, or if any portion of the payment is received by the Company in funds which are not immediately available upon presentment, then a late payment penalty of 1.5% shall be due to the Company. Late payment charges are to be applied without discrimination. (C)
- F. The Customer should notify the Company of any disputed items on an invoice within thirty (30) days of receipt of the invoice. 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 of procedure. The address of the Commission is as follows: (C)

Service Monitoring and Enforcement Department  
Public Utilities Commission of Ohio  
180 East Broad Street, Tenth Floor  
Columbus, Ohio 43215-3793

Toll Free Telephone: 1-800-686-7826  
TTY Toll Free Telephone: 1-800-686-1570

From 8:00 AM to 5:00 PM (EST) Weekdays or at [www.PUCO.ohio.gov](http://www.PUCO.ohio.gov).

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From 8:00 AM to 5:00 PM (EST) weekdays or at [www.pickocc.org](http://www.pickocc.org).

2.6.3 Discontinuance of Service for Cause

- A. If service is disconnected by the Company (in accordance with Section 2.6.3 following) and later re-installed, re-installation of service will be subject to all applicable installation charges. If service is suspended by the Company (in accordance with Section 2.6.3 following) and later restored, restoration of service will be subject to the nonrecurring rates in Section 4 of this tariff.

TALK AMERICA INC.

EXHIBIT C

DESCRIPTION OF CHANGES AND CUSTOMERS AFFECTED

This filing is revises the Late Payment provision which affects both business and residential Customers.

TALK AMERICA INC.

EXHIBIT D

CUSTOMER NOTICE

On September 12, 2013, a copy of this notice has been sent via email to  
telecomm-rule16@puc.state.oh.us

Bill Message

*Payment Due Date Changes*

*In an effort to streamline processes, please be advised that the payment due date reflected on your invoice may be changing starting with your next invoice.*

*If you have any questions regarding this change, please call the number listed on your bill.*

*Thank you for being a valued customer.*

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**9/12/2013 11:56:49 AM**

**in**

**Case No(s). 13-1931-TP-ATA**

Summary: Tariff Revision to Tariff PUCO No. 14 electronically filed by Ms. Iris D. Mennens on behalf of Talk America Inc.