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THOMPSON
HINE & FLORY LLP

Attorneys at Law

Gerald A. Cooper
(614) 469-3223
gcooper@thf.com

March 22, 1999

VIA HAND DELIVERY

Ms. Daisy Crockron
Chief of Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43266-0573

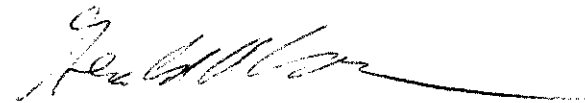
Re: In the Matter of Arthur Mutual Telephone Company to add Customer Billing Adjustment Regulations
Case No. 99-337-TP-NFP
Tariff No. 90-5003-TP-TRF
5004

Dear Ms. Crockron:

Enclosed for filing is an original and seven (7) copies of an application to be filed in connection with the above-referenced matter.

Please call me if you have any questions regarding this matter.

Very truly yours,



Gerald A. Cooper
GAC/glm
Enclosures

cc: Janet E. Sholl
Thomas E. Lodge, Esq.

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 Joan Schaefer Date Processed 3-23-99

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

Not-For-Profit Small Telephone Company
Notice Pursuant to Section 4927.04, Revised Code

In the Matter of)	
ARTHUR MUTUAL TELEPHONE)	
COMPANY to add Customer Billing)	CASE NO. <u>99-337</u> TP-NFP.
Adjustment Regulations and to Make)	
Associated Textual Revisions)	
)	

1. Applicant respectfully proposes: (Check applicable boxes)

- ☐ New service
- ☐ New classification
- ☐ Change in classification
- ☒ Change in rule or regulation
- ☐ Reduction in rates
- ☐ Correction of error
- ☒ Various related and unrelated textual revisions, without change in intent
- ☐ Increase in basic telephone service rates
- ☐ New charge for service for which there has never been a charge in the past
- ☐ Various related and unrelated textual revisions, which could result in an increase in rates to some or all customers
- ☐ Other: _____

2. Description of service affected and proposal:

Applicant proposes to revise its general exchange tariff, in accordance with instructions from the staff, to comply with Minimum Telephone Service Standards Rule 4901:1-5-4(B) as it relates to tariff information regarding customer billing adjustments and to make associated textual changes.

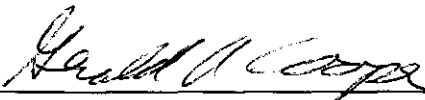
3. Attached hereto and made a part hereof are: (Check applicable exhibits)

- ☒ Exhibit A - existing schedule sheets (to be superseded) if applicable
- ☒ Exhibit B - new schedule sheets
- ☒ Exhibit C- statement explaining reason for rate or tariff change

- [] Exhibit D - copy of notice given to affected customers and a statement as to the form and timing of the notice (notice only required if rate increase is involved)
4. In the event an increase in rates is involved, company has given notice of the subject rate or tariff change to its affected customers, the Office of the Consumers' Counsel, and the mayor and legislative authority of each municipality affected by the rate or tariff change.
5. Company respectfully requests, under the alternative regulatory requirements established in Case No. 89-564-TP-COI, that the Commission permit the new schedule sheets to become effective on the date, subsequent to filing, shown on the new schedule sheets.

Respectfully submitted,

ARTHUR MUTUAL TELEPHONE COMPANY

By: 
Gerald A. Cooper (0063389)
THOMPSON HINE & FLORY LLP
10 West Broad Street, 7th Floor
Columbus, Ohio 43215-3435
(614) 469-3200 (telephone)
(614) 469-3361 (telecopier)

Its Attorneys

VERIFICATION

State of Ohio, PAULDING County, ss:

EMIL SCHAFER, PRESIDENT
Name of Officer (President)(Vice President)

JANET E. SHOLL, SECRETARY-TREASURER, of
Name of Officer (Secretary)(Treasurer)

THE ARTHUR MUTUAL TELEPHONE COMPANY, being first duly sworn
Name of Applicant

hereby verify this application.

Emil Schaffer
(signature)

Janet E. Sholl
(signature)

Sworn and subscribed before me this 17 day of March, 19 99.

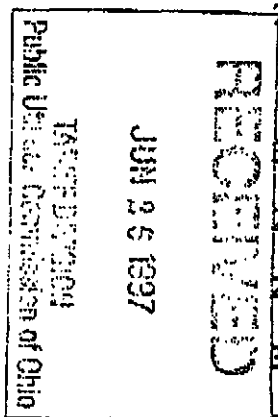
CANDYCE M. HAWK
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 6/26/2000

Candace M Hawk
Notary Public

The Arthur Mutual Telephone Company

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ARTHUR MUTUAL TELEPHONE COMPANY

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P. U. C. O. NO. 3
GENERAL RULES AND REGULATIONS

A. APPLICATION

The rules and regulations specified herein are in addition to those contained in the Local Exchange Service Tariffs. They apply to the intrastate service and facilities furnished by the Arthur Mutual Telephone Company, in the Arthur Exchange, herein referred to as the Telephone Company or Company.

In the event of a conflict between any rates, rules, regulations or provision contained in these General Rules and Regulations and any rate, rule, regulation or provision contained in the other sections of this Telephone Service Tariff, the rate, rule, regulation or provision contained in the specific section of this tariff shall prevail.

B. OBLIGATION AND LIABILITY OF TELEPHONE COMPANY

1. Availability of Facilities

The Telephone Company's obligation to furnish exchange and toll service is dependent upon its ability to secure and retain without, unreasonable expense, suitable facilities and right for the construction and maintenance of the necessary facilities to provide service.

2. Interruption of Service

In case service is interrupted otherwise than by the negligence or wilful act of the subscriber, an adjustment will be made in the amount of the charges for such of the service, equipment, and facilities furnished as are rendered useless or inoperative. The adjustment shall apply to the period the interruption continues beyond the twenty-four (24) hours, where such interruption has been determined by the Telephone Company either upon its own investigation or upon notice from the subscriber. No other liability shall in any case attach to the Company on account of interruption of service.

3. Directory Errors and Omissions

The Telephone Company, except as provided herein, shall not be liable for damages claimed on account, or errors in, or omissions from its directories, nor for the result of the publication of such errors in the directory, nor will the Telephone Company be a party to controversies arising between subscribers or others as a result of listing published numbers in the directories.

ISSUED August 12, 1981

EFFECTIVE September 1, 1981

IN ACCORDANCE WITH ORDER NO. 79-1030-TP-AIR
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF OHIO
By Janet E. Sholl, Secretary
Route #8, Defiance, Ohio 43512

THE ARTHUR MUTUAL TELEPHONE COMPANY

SECTION NO. 3
ORIGINAL SHEET NO. 2P. U. C. O. NO. 3
GENERAL RULES AND REGULATIONS**B. OBLIGATIONS AND LIABILITIES OF TELEPHONE COMPANY (continued)**

Claims for damages on account of interruption to service, due to errors or omissions in the directory listings, will be limited to a pro rata abatement of the charge for such of the subscriber's service as is affected, the maximum abatement not to exceed the service charge from the date of the issuance of the directory in which the mistake occurred to the date of the issuance of a new directory containing the proper listing.

4. Transmitting Messages

The Telephone Company does not transmit messages but offers the use of its facilities for communication between patrons. If because of the transmission difficulties, the operator, in order to accommodate the subscriber, repeats messages, she is deemed to be acting as the agent of the persons involved and no liability shall attach to the Telephone Company because of any errors made by the operator or misunderstanding that may arise between the subscribers because of errors.

5. Use of Connecting Company Lines.

When suitable arrangements can be made, lines of other telephone companies may be used in establishing wire connections to points not reached by this Company's lines. In establishing connections with the lines of other companies, the Telephone Company is not responsible for any action of the Connecting Company.

6. Defacement of Premises

The Telephone Company shall exercise due care in connection with all work done on the subscriber's premises. No liability shall attach to the Telephone Company by reason of any defacement or damage to the subscriber's premises resulting from the existence of the Telephone Company's instruments, apparatus and associated wiring on such premises, or by the installation or removal thereof, unless such defacement or damage is the result of the sole negligence of the Telephone Company.

7. Adjustment of Charges

The Telephone Company will make a refund of the full amount of any excess charges collected as a result of overbilling. Conversely, the Company will bill the full amount of any undercharge resulting from underbilling. If the precise amount of excess or undercharge cannot be determined, or if the exact period during which over or underbilling has occurred cannot be fixed, the amount of refund or charge shall be estimated based on the best information obtained from all available records and agreed to by the customer and Company.

ISSUED August 12, 1981

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IN ACCORDANCE WITH ORDER NO. 79-1030-TP-AIR
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EXHIBIT A

EXHIBIT B

P.U.C.O. NO. 3

GENERAL RULES AND REGULATIONS

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P.U.C.O. NO. 3
GENERAL RULES AND REGULATIONS

A. APPLICATION

The rules and regulations specified herein are in addition to those contained in the Local Exchange Service Tariffs. They apply to the intrastate service and facilities furnished by the Arthur Mutual Telephone Company, in the Arthur Exchange, herein referred to as the Telephone Company or Company.

In the event of a conflict between any rates, rules, regulations or provision contained in these General Rules and Regulations and any rate, rule, regulation or provision contained in the other sections of this Telephone Service Tariff, the rate, rule, regulation or provision contained in the specific section of this tariff shall prevail.

B. OBLIGATION AND LIABILITY OF TELEPHONE COMPANY

1. Subscriber Billing Adjustments For Local Exchange Service

The Company incorporates by reference, and will adhere to, the guidelines for subscriber billing adjustments for local exchange service as found in §4901:1-5-18 of the Ohio Administrative Code.

(N)
|
(N)

2. Availability of Facilities

The Telephone Company's obligation to furnish exchange and toll service is dependent upon its ability to secure and retain, without unreasonable expense, suitable facilities and right for the construction and maintenance of the necessary facilities to provide service.

3. Interruption of Service

In case service is interrupted, the Company shall make an adjustment in accordance with Ohio Administrative Code § 4901:1-5-18, and subject to the restrictions set forth therein. No other liability shall in any case attach to the Company on account of interruption of service.

(C)
|
(C)

4. Directory Errors and Omissions

The Telephone Company, except as provided herein, shall not be liable for damages claimed on account, or errors in, or omissions from its directories, nor for the result of the publication of such errors in the directory, nor will the Telephone Company be a party to controversies arising between subscribers or others as a result of listing published numbers in the directories.

(T)

Claims for damages on account of interruption to service, due to errors or omissions in the directory listings, will be limited to a pro rata abatement of the charge for such of the subscriber's service as is affected, the maximum abatement not to exceed the service charge from the date of the issuance of the directory in which the mistake occurred to the date of the issuance of a new directory containing the proper listing.

(T)

ISSUED: March 22, 1999

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IN ACCORDANCE WITH CASE NO. 99-337-TP-NFP
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Janet E. Sholl, Secretary
Route #8, Defiance, Ohio 43512

P.U.C.O. NO. 3
GENERAL RULES AND REGULATIONS

B. OBLIGATION AND LIABILITY OF TELEPHONE COMPANY (Continued)

5. Transmitting Messages (T)
- The Telephone Company does not transmit messages but offers the use of its facilities for communication between patrons. If because of the transmission difficulties, the operator, in order to accommodate the subscriber, repeats messages, she is deemed to be acting as the agent of the persons involved and no liability shall attach to the Telephone Company because of any errors made by the operator or misunderstanding that may arise between the subscribers because of errors.
6. Use of Connecting Company Lines. (T)
- When suitable arrangements can be made, lines of other telephone companies may be used in establishing wire connections to points not reached by this Company's lines. In establishing connections with the lines of other companies, the Telephone Company is not responsible for any action of the Connecting Company.
7. Defacement of Premises (T)
- The Telephone Company shall exercise due care in connection with all work done on the subscriber's premises. No liability shall attach to the Telephone Company by reason of any defacement or damage to the subscriber's premises resulting from the existence of the Telephone Company's instruments, apparatus and associated wiring on such premises, or by the installation or removal thereof, unless such defacement or damage is the result of the sole negligence of the Telephone Company.
8. Adjustment of Charges (T)
- The Telephone Company will make a refund of the full amount of any excess charges collected as a result of overbilling. Conversely, the Company will bill the full amount of any undercharge resulting from underbilling. If the precise amount of excess or undercharge cannot be determined, or if the exact period during which over or underbilling has occurred cannot be fixed, the amount of refund or charge shall be estimated based on the best information obtained from all available records and agreed to by the customer and Company.

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ISSUED: March 22, 1999

EFFECTIVE: March 23, 1999

IN ACCORDANCE WITH CASE NO. 99-337-TP-NFP
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF OHIO
Janet E. Sholl, Secretary
Route #8, Defiance, Ohio 43512

EXHIBIT C-2

EXHIBIT C-2

Applicant proposes to revise its general exchange tariff, in accordance with instructions from the staff, to comply with Minimum Telephone Service Standards Rule 4901:1-5-4(B) as it relates to tariff information regarding customer billing adjustments and to make associated textual changes. Specifically, Applicant proposes to add language indicating that it will adhere to the requirements set forth in § 4901:1-5-18 of the Ohio Administrative Code and to revise language that may be construed as conflicting therewith.