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32789 P.O. Drawer 200

32790-0200

Winter Park, FL

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RECEIVED-DOCKETING DIV

2002 FEB -1 ATTO: 19

PUCO

2/1/02

RE: Tariff Revision and Affidavit for DSLnet Communications, LLC -

P.U.C.O. Tariff No. 1

Public Utilities Commission of Ohio

Case No. 00-1265-TP-ORD; Case No. 99-779-TP-ATA

Dear Ms. Crockron:

January 31, 2002

Ms. Daisy Crockron

Chief of Docketing

180 East Broad Street

Columbus, OH 43226-0573

Via Overnight

Enclosed for filing are the original and ten (10) copies of a tariff revision and Affidavit of compliance with the September 13, 2001 Entry on Rehearing in Case No. 00-1265-TP-ORD filed on behalf of DSLnet Communications, LLC. The revised tariff pages reflect updates to the tariff in compliance with the Minimum Telephone Service Standards (MTSS) as adopted by the PUCO effective October 25, 2001. Pursuant to the request for an extension of this filing's due date, filed on January 23, 2002, this revision carries an effective date of February 1, 2002.

The filing consists of the following:

First Revised Page 2 First Revised Pages 34-36

Please acknowledge receipt of this filing by returning the extra copy of this cover letter, date stamped, in the self-addressed, stamped envelope provided. Questions pertaining to this filing should be directed to my attention at (407) 740-8575. Thank you for your assistance in this matter.

Sincerely,

Carey Roesel

Consultant to DSLnet Communications, LLC

CR/gs Enclosures

cc:

Wendy Bluemling -- DSLnet

file:

DSLnet -- OH IXC

tms:

ohl0201

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

Attachment A Affidavit

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

DSLNET COMMUNICATIONS, LLC RE: AFFIDAVIT SEPTEMBER 13, 2001 ENTRY ON REHEARING)))	CASE NO. 00-1265-TP-ORD
	AFFIDAVIT	
I, Wendy Bluemling, being first duly	sworn on oath, dep	poses and states as follows:
 I am the Director of Regulatory At capacity I have personal knowledge of all ma on behalf of DSLnet. 		mmunications LLC ("DSLnet"), and in this w and am authorized to make this affidavit
2. DSLnet, a Connecticut corporatio concurrent filing of revised tariff sheets att Telephone Service Standards as adopted by t 2001 in Case No. 00-1265-TP-ORD.	tached hereto, its t	
3. DSLnet files this affidavit in com Rehearing.	npliance with the C	commission's September 13, 2001 Entry on
		Shewy Bluemling or of Regulatory Affairs
State of Connecticut County of		

Subscribed and sworn to before me this <u>36</u> day of January 2002

My Commission Expires 10/21/2004

Attachment B Superceded Tariff Pages

CHECK SHEET

The pages of this tariff are effective as of the date shown at the bottom of the respective sheet(s). 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.

SHEET	<u>REVISION</u>	SHEET	<u>REVISION</u>
1	Original	32	Original
2	Original	33	Original
3	Original	34	Original
2 3 4 5	Original	35	Original
5	Original	36	Original
6	Original	37	Original
7	Original	38	Original
8	Original	39	Original
9	Original	40	Original
10	Original	41	Original
11	Original	42	Original
12	Original	43	Original
13	Original	44	Original
14	Original	45	Original
15	Original	46	Original
16	Original	47	Original
17	Original		
18	Original		
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20	Original		
21	Original		
22	Original		
23	Original		
24	Original		
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27	Original		
28	Original		
29	Original		
30	Original		
31	Original		

Issued: June 29, 1999

Effective: August 11, 1999

Filed under the authority of Entry issued by the Public Utilities Commission of Ohio in Case No. 99-779-TP-ATA.

Issued by: Wendy Bluemling, Director of Regulatory Affairs

SECTION 2 - REGULATIONS (Cont'd)

2.5 Payment Arrangements (Cont'd)

2.5.5 Discontinuance of Service

2.5.5.1 Upon nonpayment of any amounts owing to the Company, the Company may, in accordance with Ohio Administrative Code Rule 4901:1-5-19 and upon 7 days written notice, discontinue or suspend service without incurring any liability.

In the case of nonpayment for service of an amount which is in bona fide dispute, the Company will not disconnect service if the subscriber either pays the undisputed portion of the bill or pays an amount equal to an amount paid for the same billing period in the previous year.

- 2.5.5.2 Disconnection notices issued by the Company pursuant to Rule 49:1-5-19(K)(3), O.A.C., must inform the subscriber facing disconnection of the total amount which the subscriber would need to pay in order to avoid disconnection of its local service. The Company will not disconnect its local services due to the Customer's failure to pay outstanding toll charges.
- 2.5.5.3 Upon violation of any of the other material terms or conditions for furnishing service the Company may, by giving 30 days' prior notice in writing to the Customer, discontinue or suspend service without incurring any liability if such violation continues during that period.
- 2.5.5.4 Upon condemnation of any material portion of the facilities used by the Company to provide service to a Customer or if a casualty renders all or any material portion of such facilities inoperable beyond feasible repair, the Company, by written notice to the Customer, may discontinue or suspend service without incurring any liability.

Issued: June 29, 1999 Effective: August 11, 1999

Filed under the authority of Entry issued by the Public Utilities Commission of Ohio in Case No. 99-779-TP-ATA.

Issued by: Wendy Bluemling, Director of Regulatory Affairs

SECTION 2 - REGULATIONS (Cont'd)

- 2.5 Payment Arrangements (Cont'd)
 - 2.5.5 <u>Discontinuance of Service</u> (Cont'd)
 - 2.5.5.5 Upon a Nonresidential Customer's insolvency, assignment for the benefit of creditors, filing for bankruptcy or reorganization, or failing to discharge an involuntary petition within the time permitted by law, the Company may discontinue or suspend service without incurring any liability.

In the case of a subscriber to residential service the Company may require a new or additional deposit be paid or that subscriber obtain a guaranty from a third party for payment of service in lieu of disconnecting local residential service.

- 2.5.5.6 Upon any governmental prohibition or required alteration of the services to be provided or any violation of an applicable law or regulation, the Company may in accordance with Ohio Administrative Code Rule 4901:1-5-19 discontinue service without incurring any liability.
- 2.5.5.7 For reasons of Customer tampering with the Company's equipment, or where Customer use of equipment adversely affects the Company's equipment or service, or where hazardous conditions occur, the Company may immediately discontinue service or suspend service without incurring any liability in accordance with Ohio Administrative Code Rule 4901:1-5-19.
- 2.5.5.8 Upon the Company's discontinuance of service to the Customer under this regulation, the Company, in addition to all other remedies that may be available to the Company at law or in equity or under any other provision of this tariff, may declare all future monthly and other charges which would have been payable by the Customer during the remainder of the term for which such services would have otherwise been provided to the Customer to be immediately due and payable. Commission approval of this provision does not constitute a determination of the reasonableness of termination liability.

Issued: June 29, 1999 Effective: August 11, 1999 Filed under the authority of Entry issued by the Public Utilities Commission of Ohio in Case No. 99-779-TP-ATA.

Issued by: Wendy Bluemling, Director of Regulatory Affairs

SECTION 2 - REGULATIONS (Cont'd)

- 2.5 Payment Arrangements (Cont'd)
 - 2.5.5 <u>Discontinuance of Service</u> (Cont'd)
 - 2.5.5.9 DSLnet may disconnect its Customer's local service for nonpayment of charges incurred for local service. Such disconnection must be conducted pursuant to all applicable minimum telephone service standards. All practices of DSLnet pertaining to either the provision of its own toll service, if any, or as a duly-authorized agent for another toll service provider shall also conform to the minimum telephone service standards.
 - 2.5.5.10 Disconnection notices issued by DSLnet pursuant to 4901:1-5-19(K)(3), O.A.C., must inform the subscriber facing local service disconnection of the total amount which the subscriber would need to pay in order to avoid disconnection of local service. It must also inform the subscriber of DSLnet legal obligation to provide "local only" service to customers whose local service charges are paid, even while their toll service is disconnected for nonpayment of outstanding toll debt.
 - 2.5.5.11 DSLnet is prohibited from disconnecting any customer's local service for nonpayment of charges incurred by the customer for toll service.
 - 2.5.5.12 Partial payments by a customer to DSLnet will be apportioned by DSLnet to DSLnet's regulated local service charges first, before being applied by DSLnet to any toll charges and will be apportioned to regulated telephone service first, before being applied to charges for nonregulated services.

Issued: June 29, 1999 Effective: August 11, 1999 Filed under the authority of Entry issued by the Public Utilities Commission of Ohio in Case No. 99-779-TP-ATA.

Issued by: Wendy Bluemling, Director of Regulatory Affairs

Attachment C Revised Tariff Pages

P.U.C.O. Tariff No.1 1st Revised Sheet No. 2 Cancels Original Sheet No. 2

CHECK SHEET

The pages of this tariff are effective as of the date shown at the bottom of the respective sheet(s). 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.

<u>SHEET</u>	REVISION	<u>SHEET</u>	<u>REVISION</u>
1	Original	32	Original
2 3	First*	33	Original
3	Original	34	First*
4	Original	35	First*
5	Original	36	First*
6	Original	37	Original
7	Original	38	Original
8	Original	39	Original
9	Original	40	Original
10	Original	41	Original
11	Original	42	Original
12	Original	43	Original
13	Original	44	Original
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Issued: February 1, 2002 Effective: February 1, 2002

Filed under the authority of Entry issued by the Public Utilities Commission of Ohio in Case No. 00-1265-TP-ORD.

Issued by: Wendy Bluemling, Director of Regulatory Affairs

P.U.C.O. Tariff No.1 1st Revised Sheet No. 34 Cancels Original Sheet No. 34

SECTION 2 - REGULATIONS (Cont'd)

2.5 Payment Arrangements (Cont'd)

2.5.5 <u>Discontinuance of Service</u>

Discontinuance and Restoration of Service will be conducted in accordance with MTSS Section 4901:1-5-17.

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Issued: February 1, 2002

Effective: February 1, 2002

Filed under the authority of Entry issued by the Public Utilities Commission of Ohio in Case No. 00-1265-TP-ORD.

Issued by: Wendy Bluemling, Director of Regulatory Affairs

P.U.C.O. Tariff No. 1 1st Revised Sheet No. 35 Cancels Original Sheet No. 35

SECTION 2 - REGULATIONS (Cont'd)

- 2.5 Payment Arrangements (Cont'd)
 - 2.5.5 <u>Discontinuance of Service</u> (Cont'd)

(D)

(D)

Issued: February 1, 2002

Effective: February 1, 2002

Filed under the authority of Entry issued by the Public Utilities Commission of Ohio in Case No. 00-1265-TP-ORD.

Issued by: Wendy Bluemling, Director of Regulatory Affairs

P.U.C.O. Tariff No. 1 1st Revised Sheet No. 36 Cancels Original Sheet No. 36

SECTION 2 - REGULATIONS (Cont'd)

- 2.5 Payment Arrangements (Cont'd)
 - 2.5.5 <u>Discontinuance of Service</u> (Cont'd)

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Issued: February 1, 2002

Effective: February 1, 2002

Filed under the authority of Entry issued by the Public Utilities Commission of Ohio in Case No. 00-1265-TP-ORD.

Issued by: Wendy Bluemling, Director of Regulatory Affairs