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XO™

XO Communications

Two Easton Oval  
Suite 300  
Columbus, OH 43219  
USA

August 26, 2002

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

Re: Case Nos. 02-2187-TP-ATA  
90-9017-TP-TRF

Dear Ms. Crockron:

Attached are revised tariff pages from XO Ohio, Inc.'s ("XO") PUCO Tariff No. 4. This filing is in accordance with Ohio law. XO Ohio has an approved interconnection agreement with Ameritech Ohio and GTE North throughout the state. With this filing, XO seeks to revise it's current billing dispute language..

Thank you for your attention to this matter. Please contact me if you have any questions.

Sincerely,



Christine H. Emmel  
Sr. Regulatory Analyst

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PUBLIC UTILITIES COMMISSION OF OHIO

LOCAL EXCHANGE CARRIER

REGISTRATION FORM

EFFECTIVE: July 15, 1997

In the Matter of the Application of XO Ohio, Inc. )  
To Revise Its Billing Dispute Language )

Case No. 02-<sup>2187</sup>-TP-ATA

Name of Registrant(s): XO Ohio, Inc.

Address of Registrant(s): Two Easton Oval, Suite 300, Columbus, Ohio 43219

Contact Person(s): Douglas W. Kinkoph

(Phone: 614.629.3200 Fax: 614.629.3201)

Date: August 26, 2002

TRF Docket No.: 90-9017-TP-TRF

Motion for protective order included with filing?

☐ Yes ☒ No

Request for waiver(s) included with filing?

☐ Yes ☒ No

NOTE: This form must accompany all applications filed by NECs. ILECs should utilize the appropriate form based on each ILEC's currently applicable regulatory framework. However, an ILEC must use this form if it has been granted tariff filing parity pursuant to Section V.I.L. of the guidelines established in Case No. 95-845-TP-COI, or the ILEC is filing an ARB or NAG case pursuant to the guidelines established in Case No. 96-463-TP-UNC. It is preferable not to combine different types of filings, but if you do so, you must file under the process with the longest applicable review period

I. Indicate the reason for submitting this form (check only one):

- ☐ 1. (AAC) Application to Amend Certificate to expand Serving Area (30-day approval, 7 copies)
- ☐ 2. (ABN) Abandonment of all Services (NOT automatic, 10 copies)
- ☐ 3. (ACE) New Operating Authority (60-day approval, 7 copies)
- ☐ 4. (ACO) Application to Change Ownership (30-day approval, 10 copies)
- ☐ 5. (ACN) Application to Change Name (30-day approval, 10 copies)
- ☐ 6. (AEC) Application to Establish, Revise, or Cancel a Contract (30-day approval, 7 copies)  
End User Carrier-to-Carrier Contract Amendment to an agreement approved in a NAG or ARB case
- ☐ 7. (AMT) Merger (NOT automatic, 10 copies)
- ☐ 8. (ARB) Application for Arbitration (see 96-463-TP-COI for applicable process, 15 copies)
- ☒ 9. (ATA) Application for Tariff Amendment (Automatic timeframes vary with type of ATA filing – see below):
  - a. ☐ New End User Service which has been preceded by a 30-day prefiling with Staff and OCC (0-day filing, 10 copies)
  - b. ☐ New Carrier-to-Carrier Service which has been preceded by a 30-day prefiling with Staff and OCC (0-day filing, 10 copies)
  - c. ☒ Change in Terms and Conditions (30-day approval, 10 copies)
  - d. ☐ Withdrawal of Service (30-day approval, 10 copies)
  - e. ☐ Filing at Staff's Direction (30-day approval, 10 copies)
  - f. ☐ Initial Carrier-to-Carrier Services Tariff subsequent to ACE approval (60-day approval, 10 copies)
- ☐ 10. (ATC) Application to Transfer Certificate (NOT automatic, 7 copies)
- ☐ 11. (ATR) Application to Conduct a Transaction Between Utilities (NOT automatic, 10 copies)
- ☐ 12. (NAG) Negotiated Interconnection Agreement Between Carriers (0-day effective, 90-day approval, 15 copies)
- ☐ 13. (UNC) Unclassified (explain) (NOT automatic, 15 copies)
- ☐ 14. Other (explain) (NOT automatic, 15 copies)

**THE FOLLOWING ARE TRF FILINGS, NOT NEW CASES (0-day notice, 3 copies)**

- ☐ 15. Introduction or Extension of Promotional Offering
- ☐ 16. New Price List Rate for Existing Service
- ☐ 17. Designation of Registrant's Process Agent(s)
- ☐ 18. Update to Registrant's Maps

**II. Indicate which of the following exhibits have been filed. The numbers (corresponding to the list above indicate, at a minimum, the types of cases in which the exhibit is required:**

- ☐ A copy of the registrant's proposed tariffs. (carrier-to-carrier resale tariff also required if facilities-based. (3)
- ☐ Statement affirming that the registrant has notified the Ohio Department of Taxation of its intent to conduct operations as a telephone utility in the State of Ohio.
- ☐ List of names, addresses, and phone numbers of officers and directors, or partners. (3-4, 7, 10)
- ☐ Brief descriptions of service(s) proposed. (3)
- ☐ Explanation of whether applicant intends to provide ☐ resold services ☐ facilities-based services, or ☐ both resold and facilities-based services. (3)
- ☐ Explanation as to whether NEC currently offers IXC services separate CTS authority, and whether it will be including those services within its NEC filing, or maintaining such IXC services under a separate affiliate. (3)
- ☐ Explanation of how the proposed services in the proposed market area is in the public interest. (3)
- ☐ Explanation of the proposed market area. (3)
- ☐ Description of the class of customers (e.g., residence, business) that the applicant intends to serve. (3)
- ☐ Documentation attesting to the applicant's financial viability, including, at a minimum, a pro forma income statement and a balance sheet. If the pro forma income statement is based upon a certain geographical area(s) or information in other jurisdictions, please indicate. (3)
- ☐ Documentation attesting to the applicant's technical expertise relative to the proposed service offering(s) and proposed area. (3)
- ☐ Documentation indicating the applicant's managerial expertise relative to the proposed service offering(s) and proposed service area. (3)
- ☐ Documentation indicating the applicant's corporate structure and ownership. (3)
- ☐ Information regarding any similar operations in other states. (3)
- ☐ Verification that the applicant will maintain local telephony records separate and apart from any other accounting records in accordance with the USOA. (3)
- ☐ Verification of compliance with any affiliate transaction requirements. (3)
- ☐ Letters requesting negotiation pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 and a proposed timeline for construction, interconnection, and offering of services to end users. (3,8,10)
- ☒ Copy of superseded tariff sheet(s) and price list(s), if applicable, marked as Exhibit A. (1-2,4,6,8-10,12-15)
- ☒ Copy of revised tariff sheet(s) and price lists(s), marked as Exhibit B. (1-2,4,6,8-10, 12-15)
- ☐ Specify which notice procedure has been utilized: ☐ real time; or ☐ newspaper. NOTE: Price list increases **must** be within an approved range of rates. (8-9,15)
- ☐ Copy of real time or newspaper notice which has been provided to customers. (2,4,6,9c-f, 10, 15)
- ☐ Copy of customer education and information material for new residential services. (8)
- ☒ Description of and rationale for proposed tariff changes, including a complete description of service(s) proposed or affected. Specify for each service affected whether it is ☐ business; ☐ residence; or ☐ both. Also indicate whether it is a ☐ switched or ☐ dedicated service. Include this information in either the cover letter or Exhibit C. (1-2, 4-6, 9-10, 12-15).
- ☒ Explanation as to which service areas company currently has an approved interconnection or resale agreement. (1,3,9)
- ☐ Explanation as to which service rates are derived through (check all applicable): ☐ interconnection agreement, ☐ retail tariffs, or ☐ resale tariffs. (3)
- ☐ List of Ohio counties or exchanges the applicant intends to service **within 24 months** of obtaining authorization. (1,3)
- ☒ List of Ohio counties specifically involved or affected. (2,4,6,9-10,12)

- ☐ Certification from the Ohio Secretary of State as to a party's proper standing (domestic or foreign corporation, authorized use of fictitious name, etc.). (3,4,9c-f, 10) In transfer of certificate cases, the transferee's good standing must be established.
- ☐ Maps detailing the proposed serving and calling areas of the applicant. (1,3,7,10)
  - ☐ **If mirroring ILEC** exchanges for both serving area and local calling areas: **Serving area** must be clearly reflected on an Ohio map attached to tariffs and textually described in tariffs by noting that it is reflecting a particular ILEC/NEC territory, and listing the involved counties. **Local calling areas** must be clearly reflected on an Ohio map attached to the tariffs, and/or clearly delineated in tariffs, including a complete listing of each exchange being served and all exchanges to which local calls can be made from each of those local exchanges.
  - ☐ **If Self-defining** serving area and/or local calling area as an area other than that of the established ILEC exchange(s): **Local Calling Areas** must be described in the tariff through textual delineation and clear maps. Maps for self-defined serving *and* local calling areas are required to be traced on United States Geological Survey topography maps. These maps are the Standard Topographic Quadrangle maps, 7.5 minute 1:24,000.
- ☐ Other information requested by the Commission staff.

**III. Registrant hereby attests to its compliance with the following requirements in the Service Requirements Form, as well as all pertinent entries and orders issued by the Commission with respect to these issues. Further, registrant hereby affirms that it will maintain with its TRF docket an up-to-date, properly marked, copy of the Service Requirements Form available for public inspection.**

Mandatory requirements for all basic local exchange providers:

- ☒ Sales tax
- ☒ Deposits
- ☒ Disconnection of Service
- ☒ 1+

**Service requirements for a NEC's provision of certain services (check all applicable):**

- ☒ Discounts for Persons with Communications Disabilities and Telecommunication Relay Service
- ☒ Emergency Services Calling Plan
- ☐ Alternative Operator Service (AOS) requirements
- ☒ Limitation of Liability Language
- ☒ Termination Liability Language
- ☒ Service Connection Assistance (SCA) and Telephone Service Assistance (TSA)
- ☒ Resale of Service **[Required for facilities-based NECs]**
- ☒ Local Number Portability **[Required for facilities-based]**

**IV. List names, titles, phone numbers, and addresses of those persons authorized to make/or verify filings at the Commission on behalf of the applicant:**

Douglas W. Kinkoph  
 Vice President, Regulatory & External Affairs  
 Two Easton Oval  
 Suite 300  
 Columbus, OH 43219

NOTE: An annual report is required to be filed with the Commission by each company on an annual basis. The annual report form will be sent for completion to the address and individual(s) identified in this Section unless another address or individual is so indicated.

V. List names, titles, phone numbers, and addresses of those persons authorized to respond to inquiries from the Consumer Services Department on behalf of the applicant regarding end-user complaints:

Douglas W. Kinkoph  
Vice President, Regulatory & External Affairs  
Two Easton Oval  
Suite 300  
Columbus, OH 43219  
614.629.3200  
or  
Mimi Koler-Hamer  
Directory, Business Operations  
Two Easton Oval  
Suite 300  
Columbus, OH 43219  
614.629.3200

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**VERIFICATION**

I, Douglas W. Kinkoph, verify that I have utilized, verbatim, the Commission's Local Exchange Carrier Registration Form effective July 15, 1997 and that 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.

D. Kinkoph /che      8/26/2002  
(Signature)\*      (Date)

\* A 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 Registration 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

**EXHIBIT A**

## ACCESS SERVICES

CHECK SHEET

The Title Page through Page 86 inclusive of this tariff are effective on 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.

PAGE	NUMBER OF REVISION (except as indicated)	EFFECTIVE DATE	
Title	Second	November 3, 2000	
1	Seventh	November 23, 2001	(T)
2	Second	November 23, 2001	(T)
2.1	First	February 6, 2000	
3	Original	May 1, 1997	
4	Original	May 1, 1997	
5	Original	May 1, 1997	
6	Original	May 1, 1997	
7	First	November 29, 1999	
8	Original	May 1, 1997	
9	First	November 23, 2001	(T)
10	First	November 23, 2001	(T)
10.1	Original	November 23, 2001	(T)
11	Original	May 1, 1997	
12	Original	May 1, 1997	
13	Original	May 1, 1997	
14	Original	May 1, 1997	
15	Original	May 1, 1997	
16	Original	May 1, 1997	
17	Original	May 1, 1997	
18	Original	May 1, 1997	
19	Original	May 1, 1997	
20	Original	May 1, 1997	
21	Original	May 1, 1997	
22	First	November 22, 1998	
23	Original	May 1, 1997	
24	First	November 21, 1998	
25	Original	May 1, 1997	
26	Original	May 1, 1997	
27	Original	May 1, 1997	
28	Original	May 1, 1997	
29	Second	November 23, 2001	(T)
30	First	November 23, 2001	(T)
31	First	November 23, 2001	(T)
32	Original	May 1, 1997	
33	Original	May 1, 1997	

ISSUED: October 23, 2000

EFFECTIVE: November 23, 2000

Issued under authority of the Public Utilities Commission of Ohio,  
dated \_\_\_\_\_, in Case No. 01-2732-TP-ATA

Douglas W. Kinkoph, Vice President  
XO Ohio, Inc.  
Two Easton Oval  
Columbus, Ohio 43219

ACCESS SERVICES

N

2. REGULATIONS (Cont'd)

2.5 Payment Arrangements (Cont'd)

2.5.2 Billing and Collection of Charges (Cont'd)

2.5.2.7 Billing or Payment Disputes

Customer must dispute bills or rates charged within 30 days of Invoice: If a Customer does not give the Company written notice of a billing or rate dispute within thirty (30) days from the date the invoice was rendered, such invoice and the charges levied shall be deemed to be reasonable, correct and binding. In the event Customer disputes any billing or rates, Customer shall notify Company in writing, providing the billing identification, trouble ticket number and an explanation for the dispute, and shall nevertheless pay all undisputed charges within the thirty (30) day period specified above. Company will investigate the dispute and attempt to resolve the billing or rate issues within fifteen (15) days. Payment shall not prejudice Customer's right to dispute charges, so long as they are disputed in the manner and within the thirty (30) days specified in this Section. No action or proceeding against the Company disputing bills or rates charged shall be commenced unless Customer has first complied with this Section, or in any event more than 90 days after the service is rendered.

N

ISSUED: October 23, 2001

EFFECTIVE: November 23, 2001

Issued under authority of the Public Utilities Commission of Ohio,  
dated \_\_\_\_\_, in Case No. 01-\_\_\_\_-TP-ATA

Douglas W. Kinkoph, Vice President  
XO Ohio, Inc.

Two Easton Oval, Suite 300  
Columbus, Ohio 43219



**EXHIBIT B**

## ACCESS SERVICES

CHECK SHEET

The Title Page through Page 86 inclusive of this tariff are effective on 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.

PAGE	NUMBER OF REVISION (except as indicated)	EFFECTIVE DATE	
Title	Second	November 3, 2000	
1	Eighth	September 26, 2002	(T)
2	Second	November 23, 2001	
2.1	First	February 6, 2000	
3	Original	May 1, 1997	
4	Original	May 1, 1997	
5	Original	May 1, 1997	
6	Original	May 1, 1997	
7	First	November 29, 1999	
8	Original	May 1, 1997	
9	First	November 23, 2001	
10	First	November 23, 2001	
10.1	Original	November 23, 2001	
11	Original	May 1, 1997	
12	Original	May 1, 1997	
13	Original	May 1, 1997	
14	Original	May 1, 1997	
15	Original	May 1, 1997	
16	Original	May 1, 1997	
17	Original	May 1, 1997	
18	Original	May 1, 1997	
19	Original	May 1, 1997	
20	Original	May 1, 1997	
21	Original	May 1, 1997	
22	First	November 22, 1998	
23	Original	May 1, 1997	
24	First	November 21, 1998	
25	Original	May 1, 1997	
26	Original	May 1, 1997	
27	Original	May 1, 1997	
28	Original	May 1, 1997	
29	Second	November 23, 2001	
30	First	November 23, 2001	
30.1	First	September 26, 2002	(T)
30.2	Original	September 26, 2002	(N)
30.3	Original	September 26, 2002	(N)
31	First	November 23, 2001	
32	Original	May 1, 1997	
33	Original	May 1, 1997	

ISSUED: August 26, 2002

EFFECTIVE: September 26, 2002

Issued under authority of the Public Utilities Commission of Ohio,  
dated \_\_\_\_\_, in Case No. 02-\_\_\_\_-TP-ATA

Douglas W. Kinkoph, Vice President

XO Ohio, Inc.

Two Easton Oval

Columbus, Ohio 43219

## ACCESS SERVICES

C

2. REGULATIONS (Cont'd)2.5 Payment Arrangements (Cont'd)2.5.2 Billing and Collection of Charges (Cont'd)2.5.2.7. Billing Disputes

2.5.2.7.1 Customers must dispute bills or rates charges within thirty (30) days of invoice. If a Customer does not give the Company written notice of a billing or rate dispute within thirty (30) days from the date that the Company rendered the invoice, such invoice and the charges levied shall be deemed to be reasonable, correct, and binding. In the event that the Customer disputes any billing or rates, Customer shall do so as set forth below, and shall nevertheless pay eighty percent (80%) of the disputed invoiced charges and all undisputed charges within the thirty (30) day period specified above. Payment shall not prejudice Customer's right to dispute charges, as long as they are disputed in the manner and within the thirty (30) days specified in this Section x.1. The Customer may not proceed with additional action regarding the dispute until and unless the Customer first complies with this Section x.1 and in any event more than ninety (90) days after the Company renders the bill.

2.5.2.7.2 If the Customer disputes a bill, the Customer must document its claim to the Company in writing. For purposes of this tariff, the dispute date is the date on which the Customer presents sufficient documentation to support a claim.

2.5.2.7.3 Sufficient documentation consists of, but is not limited to, the following information, where such information is relevant to the dispute and available to the Customer:

- (a) the nature of the dispute (i.e. alleged incorrect rate, alleged incorrect minutes of use, etc.), including the basis for the Customer's belief that the bill is incorrect;
- (b) the type of usage (i.e. originating or terminating);
- (c) the Company end office where the minutes of use originated or terminated (if applicable);
- (d) the number of minutes in dispute;

C

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XO Ohio, Inc.  
Two Easton Oval, Suite 300  
Columbus, Ohio 43219

ACCESS SERVICES

C

2. REGULATIONS (Cont'd)

2.5 Payment Arrangements (Cont'd)

2.5.2 Billing and Collection of Charges (Cont'd)

2.5.2.7. Billing Disputes (Cont'd)

2.5.2.7.3(Cont'd)

- (e) the billing account number(s) (BANs) assigned by the Company;
- (f) the dollar amount in dispute;
- (g) the date of the bill(s) in question;
- (h) the circuit number or complete system identification and DS3 system identification if the dispute concerns a Connecting facility Assignment (CFA) on a DS1. The Customer should also provide line number, trunk number, and Two Six Code (TSC);
- (i) Purchase Order Number (PON) and dates involved (due date or as-of date) for disputes involving order activity and what the Customer believes is incorrect (e.g. non-recurring charges, mileage, circuit identification) and why the Customer believes it to be incorrect (not received, not ordered, incorrect rate, etc.). For order activity disputes, Customer's documentation should include traffic reports, billing cycle, and, whether or not the Customer shares the service, including both main and shared service BANs. The Customer must also provide the line number, trunk number, and two Six Code as well as end-office identification and;
- (j) any other information necessary to facilitate dispute resolution.

C

ISSUED: August 26, 2002

EFFECTIVE: September 26, 2002

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Douglas W. Kinkoph, Vice President  
XO Ohio, Inc.  
Two Easton Oval, Suite 300  
Columbus, Ohio 43219

ACCESS SERVICES

2. REGULATIONS (Cont'd)

2.5 Payment Arrangements (Cont'd)

2.5.2 Billing and Collection of Charges (Cont'd)

2.5.2.7. Billing Disputes (Cont'd)

2.5.2.7.4 If the Company needs additional information from the Customer to assist in resolving the dispute, the Company may request that the Customer provide this information. This data may include, but is not limited to, summarized usage by time of day. The request for such additional information shall not affect the dispute date established by this section.

2.5.2.7.5 The date of resolution shall be the date on which the Company completes its investigation of the dispute, notifies the Customer of the disposition of the complaint.

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