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June 29, 2004

**VIA OVERNIGHT DELIVERY**

**CORRECTED**  
**FILING FAXED TO**  
**DOCKETING ON 6/29/04**

Renee J. Jenkins  
Director of Administration  
Public Utilities Commission of Ohio  
180 E. Broad St.  
Columbus, OH 43215-3793  
Fax: (614) 466-0313

Re: Application of Acceris Communications Corporation to Provide Facilities-Based and Resold Local Exchange Services  
Case No. 04-943-TP-ACE; 90-9290-TP-TRF; Tariff Revisions

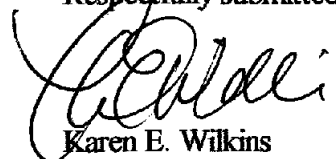
Dear Ms. Jenkins:

Per staff request, please find enclosed one original and seven (7) copies of the following replacement pages for Acceris' Tariff No. 1 and for Case No. 04-943-TP-ACE:

- Table of Contents Section, Pages 2, 3 and 7
- Section 1, Pages 6-11, 20 and 26
- Section 2, Page 52
- Section 4, Pages 4 and 11

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self-addressed, postage prepaid envelope. If you have any questions, or if I may provide you with additional information, please do not hesitate to contact me via phone (678.775.2258) or email ([kwilkins@telecomcounsel.com](mailto:kwilkins@telecomcounsel.com)).

Respectfully submitted,



Karen E. Wilkins  
Regulatory Specialist for  
Lance J.M. Steinhart  
Attorney for Acceris Communications Corp.

Enclosures  
cc: Tom Jones (w/enc)

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As Approved in Case No. 04-943-TP-ACE

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**FILE**

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Ohio Tariff No. 1

Section 1

Issue Date: June 29, 2004

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1. Local Exchange Service Regulations (cont'd)

1.5 RESERVED FOR FUTURE USE

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1. Local Exchange Service Regulations (cont'd)

1.5 RESERVED FOR FUTURE USE

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1. Local Exchange Service Regulations (cont'd)

1.5 RESERVED FOR FUTURE USE

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1. Local Exchange Service Regulations (cont'd)

1.5 RESERVED FOR FUTURE USE

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1. Local Exchange Service Regulations (cont'd)

1.5 RESERVED FOR FUTURE USE

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1. Local Exchange Service Regulations (cont'd)

1.5 RESERVED FOR FUTURE USE

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Effective Date:

1. Local Exchange Service Regulations (cont'd)

1.9 Payment Arrangements

A The Customer is responsible for payment of all charges for services furnished by the Company to the Customer or its Authorized Users. Objections must be received by the Company within a reasonable period of time after receipt of bill, or all the charges shall be deemed correct and binding upon the Customer. If an entity other than the Company imposes charges of the Company, in addition to its own internal costs, in connection with a service for which a Company non-recurring charge is specified, those charges may be passed on to the Customer.

1.9.1 RESERVED FOR FUTURE USE

1. Local Exchange Service Regulations (cont'd)

1.10 Discontinuance of Service

1.10.1 Discontinuance of Service by the Company

A The Company may discontinue or suspend service to Customer upon seven (7) days prior written notice and no sooner than fourteen (14) days from due date on bill without incurring any liability for the following reasons:

- (i) Upon non-payment of any amounts owing to the Company for local exchange services which is not in dispute; or
- (ii) Upon failure of the Customer to meet the deposit requirements set out in Section 1.9.3 of this tariff; or
- (iii) Upon failure of the Customer to provide the Company reasonable access to its equipment and property; or
- (iv) Upon failure of the Customer to comply with municipal ordinances or other laws pertaining to telecommunications services.

All requirements for discontinuance of service by the company will be consistent with 4901:1-5-17 of the Commission's Minimum Telephone Service Standards.

2 Service Description and Rates (cont'd)

2.9 Directory Assistance

- A The Customer may access Directory Assistance for the purpose of determining phone numbers within its local calling area by calling the Directory Assistance Operator. A monthly allowance of one call to Directory Assistance per account is allowed at no charge. A maximum of two number requests per call will be allowed.
  
- B The Customer will have the option of utilizing Directory Assistance Call Completion for the option of placing a call to the number requested.

2.9.1 Rates

For all calls to directory assistance beyond the monthly allowance specified above, the following charge will apply per call:

\$1.00

For all requests for Directory Assistance Call Completion, the following additional charge will apply:

\$.40

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4. **Toll Service Regulations** (cont'd)

- 4.3.5 Unless caused by the Company's negligence, the Company shall not be liable for and shall be indemnified and saved harmless by any Customer or by any other entity from any and all loss, claims, demands, suits, or other action or any liability whatsoever, whether suffered, made, instituted, or asserted by any Customer or any other entity for any personal injury to, or death of, any person or persons, and for any loss, damage, defacement or destruction of the premises of any Customer or any other entity or any other property whether owned or controlled by the Customer or others.
- 4.3.6 The Company shall not be liable for any indirect, special, incidental, or consequential damages under this tariff including, but not limited to, loss of revenue or profits, for any reason whatsoever, including the breakdown of facilities associated with the service, or for any mistakes, omissions, delays, errors, or defects in transmission occurring during the course of furnishing service.
- 4.3.7 The remedies set forth herein are exclusive and in lieu of all other warranties and remedies, whether express, implied, or statutory, **INCLUDING WITHOUT LIMITATION IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.**

4. Toll Service Regulations (cont'd)

4.9 RESERVED FOR FUTURE USE

4.10 Late Charge

A late payment charge of 1.5% is not applicable to subsequent rebilling of any amount to which a late payment charge has already been applied. Late charges are to be applied without discrimination.