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PUCO

July 10, 2000

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

Re: PUCO No. 00-1255-TP-AEC

Dear Ms. Crockron:

Attached please find a redacted copy of a contract between NEXTLINK Ohio, Inc. ("NEXTLINK") and a customer to provide local and SONENT services.

Please contact me at 614.416.1129 should you have any questions.

Sincerely,

Christine H. Emmel
Regulatory Coordinator

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Technician JS Date Processed 7-11-00

PUBLIC UTILITIES COMMISSION OF OHIO

LOCAL EXCHANGE CARRIER
REGISTRATION FORM
EFFECTIVE: July 15, 1997

In the Matter of the Application of NEXTLINK Ohio, Inc.)
For Approval of a Contract for Local and SONET Services) Case No. 00-1255-TP-AEC

Name of Registrant(s): NEXTLINK 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: July 10, 2000 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 VI.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 pre-filing with Staff and OCC (0-day filing, 10 copies)
 - b. New Carrier-to-Carrier Service which has been preceded by a 30-day pre-filing 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
Director, Business Operations
Two Easton Oval
Suite 300
Columbus, OH 43219
614.629.3200

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.

(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**

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

AMENDMENT TO SERVICE ORDER AGREEMENT

This Amendment is attached to and made part of the Service Order Agreement ("Agreement") executed by NEXTLINK Ohio, Inc. ("NEXTLINK") and [REDACTED] on _____, 2000. This Amendment adds to the Agreement the terms set forth below:

1. The first paragraph of Section 2 of the Agreement shall be deleted and replaced with the following:

2. Term: This Agreement shall be effective upon complete execution by the parties. The term shall be for month-to-month periods and this Agreement may be terminated by either party providing the other written notice of termination at least thirty (30) days prior to the termination date. NEXTLINK reserves its right to recover from Customer its costs incurred in preparing to provide service to Customer in the event Customer cancels this Agreement after signature but prior to the service activation date.

2. The following shall be added to the Agreement as Section 7:

7. Credit. (a) In response to a competitive situation, [REDACTED] shall receive a one time credit in an amount equal Three Thousand One Hundred Five Dollars (\$3105.00). Such credit shall be applied to [REDACTED] monthly recurring charges (excluding non-recurring charges, taxes and surcharges) for NEXTLINK T-3 Service incurred during the first full month of service following [REDACTED] service activation date.

Except as provided in Section 2, in the event [REDACTED] terminates the Agreement prior to the conclusion of the term, and in addition to all applicable charges for early termination set forth in the Agreement, [REDACTED] shall reimburse NEXTLINK for all credit amounts received pursuant to this Amendment within 30 days of the date of termination of the Agreement.

3. The following shall be added to the Agreement as Section 8:

8. Qualifying Conditions. In order to receive NEXTLINK services at the rates and charges set forth in the Agreement, [REDACTED] agrees that during the duration of the term of the Agreement it shall comply with the following qualifying conditions:

- (a) [REDACTED] has entered into a term agreement of not less than five (5) years with NEXTLINK for the construction, provision and installation of a SONET network.
- (b) [REDACTED] has entered into a term agreement of not less than three (3) years with NEXTLINK for local services.

