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PUCO

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Tel: 407-740-8575  
Fax: 407-740-0613  
tmi@tminc.com

Chief of Docketing  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43266-0573

**RE: Application for Tariff Revision of  
Time Warner Telecom of Ohio, L.P.  
PUCO Tariff No. 2 Access Services - 03-~~1859~~-TP-ATA  
Proposed Effective Date: September 27, 2003**

Dear Sir/Madam:

Enclosed for filing please find one original and ten (10) copies of the Application to Revise Time Warner Telecom of Ohio, L.P.'s Access Services tariff. The purpose for this filing is to add PIU Factor language to Jurisdictional Reports. The Company respectfully requests an effective date of September 27, 2003.

*The following is included with this filing:*

**Telecommunications Application Form**  
**Exhibit A** - Superseded Tariff Pages  
**Exhibit B** - Revised Tariff Pages  
**Exhibit C** - Customer Notice  
**Exhibit D** - Rationale for Tariff Revision

Questions regarding this filing may be directed to my attention at (407) 740-8575 or via e-mail at cwightman@tminc.com.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for this purpose.

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 DA Date Processed 8/28/03

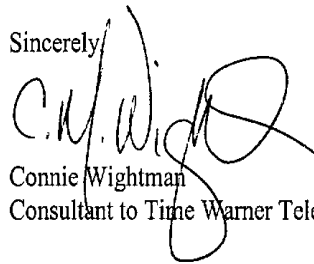
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August 27, 2003  
Chief of Docketing  
Public Utilities Commission of Ohio  
Page 2

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Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Wightman', written over the typed name.

Connie Wightman  
Consultant to Time Warner Telecom of Ohio, L.P.

*CW/im.*

*Enclosures*

cc: Terry Etter, Office of Ohio Utilities Consumer Counsel  
Connie Simon, Time Warner Telecom- CO  
File: Time Warner Telecom of Ohio - Access No. 2  
TMS: OHA0309

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**The Public Utilities Commission of Ohio**  
**TELECOMMUNICATIONS APPLICATION FORM**  
(Effective: 6/19/2003)  
(Pursuant to Case Nos. 99-998-TP-COI and 99-563-TP-COI)

In the Matter of the Application of \_\_\_\_\_ )  
Time Warner Telecom of Ohio, L.P. \_\_\_\_\_ ) Case No. 03 - 1859 -TP - ATA  
to Resell Telecommunications Services \_\_\_\_\_ )  
\_\_\_\_\_ )

Name of Registrant(s) Time Warner Telecom of Ohio, L.P.  
Address of Registrant(s) 4625 West 8<sup>th</sup> Street, Suite 500, Indianapolis, Indiana 46268  
Company Web Address twtelecom.com  
Regulatory Contact Person(s) Connie Wightman, Technologies Management, Inc. Phone 407-740-8575 Fax 407-740-8575  
Regulatory Contact Person's Email Address cwightman@tminc.com  
Contact Person for Annual Report Connie Simon, Time Warner Telecom Phone 303-566-1276  
Consumer Contact Information Connie Simon, Time Warner Telecom Phone 303-566-1276

Date August 27, 2003 TRF Docket No. 90-9011-TP-TRF

Motion for protective order included with filing?  Yes  No  
Motion for waiver(s) filed affecting this case?  Yes  No [Note: waiver(s) tolls any automatic timeframe]  
Company Type (check all applicable):  
 CTS (IXC)  ILEC  CLEC  CMRS  AOS  
 Other (explain) \_\_\_\_\_

**NOTE:** This form must accompany all applications filed by telecommunication service providers subject to the Commission's rules promulgated in Case No. 99-998-TP-COI, as well as by ILECs 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. Please indicate the reason for submitting this form (check one)**

- 1 (AAC) Application to Amend Certificate by a CLEC to modify Serving Area (0-day notice, 7 copies)
- 2 (ABN) Abandonment of all Services
  - a. CLEC (90-day approval, 10 copies)
  - b. CTS (14-day approval, 10 copies)
  - c. ILEC (**NOT** automatic, 10 copies)
- 3 (ACE) New Operating Authority for providers other than CMRS (30-day approval, 7 copies); *for CMRS, see item No.15 on this page.*
  - a. Switched Local  b. Non-switched local  c. CTS  d. Local and CTS
  - e. Other (explain) \_\_\_\_\_
- 4 (ACO) LEC Application to Change Ownership (30-day approval, 10 copies)
- 5 (ACN) LEC Application to Change Name (30-day approval, 10 copies)
- 6 (AEC) Carrier-to-Carrier Contract Amendment to an agreement approved in a NAG or ARB case (30-day approval, 7 copies)  
*NOTE: see item 24 (CTR) on page two of this form for all other contract filings*
- 7 (AMT) LEC Merger (30-day approval, 10 copies)
- 8 (ARB) Application for Arbitration (see 96-463-TP-COI for applicable process, 10 copies)
- 9 (ATA) Application for Tariff Amendment for Tier 1 Services, Application to Reclassify Service Among Tiers, or Change to Non-Tier Service
  - a. Tier 1 (and Carrier-to-Carrier tariff filings as set-forth in 95-845-TP-COI)
    - i. Pre-filing submittal (30-day pre-filing submittal with Staff and OCC; **Do Not Docket**, 4 copies)
    - ii. New End User Service which has been preceded by a 30-day pre-filing submittal with Staff for all submittals and also with OCC for Tier 1 residential services (0-day filing, 10 copies)
    - iii. New End User Service (**NOT** preceded by a 30-day filing submittal, 30-day approval, 10 copies)
    - iv. New End User Service (**NOT** preceded by a 30-day filing submittal, 30-day approval, 10 copies)
    - v. New Carrier-to-Carrier Service which has been preceded by a 30-day pre-filing with Staff (0-day filing, 10 copies)
    - v. Change in Terms and Conditions, textual revision, correction of error, etc. (30-day approval, 10 copies)
    - vi. Grandfather service (30-day approval, 10 copies)
    - vii. Initial Carrier-to-Carrier Services Tariff subsequent to ACE approval (60-day approval, 10 copies)
    - viii. *Withdrawal of Tier 1 service must be filed as an "ATW", not an "ATA" - see item 12, below*
  - b. Reclassification of Service Among Tiers (**NOT** automatic, 10 copies)
  - c. Textual revision with no effect on rates for non-specific or non-tier service (30-day approval, 10 copies)
- 10 (ATC) Application to Transfer Certificate (30-day approval, 7 copies)
- 11 (ATR) LEC Application to Conduct a Transaction Between Utilities (30-day approval, 10 copies)
- 12 (ATW) Application to Withdraw a Tier 1 Service
  - a. CLEC (60-day approval, 10 copies)
  - b. ILEC (**NOT** automatic, 10 copies)
- 13 (CIO) Application for Change in Operations by Non-LEC Providers (0-day notice, 7 copies)
- 14 (NAG) Negotiated Interconnection Agreement Between Carriers (0-day effective, 90-day approval, 8 copies)
- 15 (RRC) For CMRS providers only to Register or to Notify of a Change in Operations (0-day notice, 7 copies)

- 16 (SLF) Self-complaint Application
  - a. CLEC only -Tier 1 (60-day automatic, 10 copies)
  - b. Introduce or increase maximum price range for Non-Specific Service Charge (60-day approval, 10 copies)
- 17 (UNC) Unclassified (explain) \_\_\_\_\_ (NOT automatic, 15 copies)
- 18 (ZTA) Tariff Application Involving only Tier 2 Services
  - a. New End User Service (0-day notice, 10 copies)
  - b. Change in Terms and Conditions, textual revision, correction of error, etc. (0-day notice, 10 copies)
  - c. Withdrawal of service (0-day notice, 10 copies)
- 19 Other (explain) \_\_\_\_\_ (NOT automatic, 15 copies)

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

- 20 Introduction or Extension of Promotional Offering
- 21 New Price List Rate for Existing Service
  - a. Tier 1
  - b. Tier 2
- 22 Designation of Registrant's Process Agent(s)
- 23 Update to Registrant's Maps
- 24 For Tier 2 Services – indicate which option you intend to adopt to maintain the tariff
  - Paper Tariff
  - Electronic Tariff
  - Web Address: \_\_\_\_\_

**THE FOLLOWING ARE CTR FILINGS ONLY, NOT NEW CASES (0-day notice, 7 copies)**

- 25 Application to establish, revise, or cancel an end-user contract. (NOTE: see item 6 on page 1 of this form for carrier-to-carrier contract amendments)

CTR Docket No. \_\_\_\_\_ - \_\_\_\_\_ - TP – CTR (Use same CTR number throughout calendar year)

**II. Please indicate which of the following exhibits have been filed. The numbers (corresponding to the list on page (1) and above) indicate, at a minimum, the types of cases in which the exhibit is required:**

- [all] A copy of any motion for waiver of O.A.C. rule(s) associated with this filing. NOTE: the filing of a motion for waiver tolls any automatic timeframe associated with this filing.
- [3, 9(vii)] A copy of 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.
- [3] Brief description of service(s) proposed.
- [3a-b,3d] Explanation of whether applicant intends to provide  resold services,  facilities-based services, or  both resold and facilities-based services.
- [3a-b,3d] Explanation as to whether CLEC currently offers CTS services under separate CTS authority, and whether it will be including those services within its CLEC filing, or maintaining such CTS services under a separate affiliate.
- [3a-b,3d] Explanation of how the proposed services in the proposed market area are in the public interest.
- [3a-b,3d] Description of the proposed market area.
- [3a-b,3d] Description of the class of customers (e.g., residence, business) that the applicant intends to serve.
- [3a-b,3d] 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.
- [3a-d] Documentation attesting to the applicant's technical and managerial expertise relative to the proposed service offering(s) and proposed service area.
- [3a-d] Documentation indicating the applicant's corporate structure and ownership.
- [3a-b,3d] Information regarding any similar operations in other states. Also, if this company has been previously certified in the State of Ohio, include that certification number.
- [3a-b,3d] Verification that the applicant will maintain local telephony records separate and apart from any other accounting records in accordance with the GAAP.
- [3a-b,3d] Verification of compliance with any affiliate transaction requirements.
- [3a-b,3d] Explanation as to whether rates are derived through (check all applicable):
  - interconnection agreement,  retail tariffs, or  resale tariffs.
- [1,3a-b,3d] Explanation as to which service areas company currently has an approved interconnection or resale agreement.
- [3a-b,3d, 9a(i-iii)] Explanation of whether applicant intends to provide Local Services which require payment in advance of Customer receiving dial tone.
- [3a,3b,3d, 9a,(i-iii)] Tariff sheet(s) listing the services and associated charges that must be paid prior to customer receiving dial tone (if applicable).
- [3a-b,3d,8] 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.
- [3,4,7,10-11,13] Certification from Ohio Secretary of State as to party's proper standing (domestic or foreign corporation, authorized use of fictitious name, etc.). In transfer of certificate cases, the transferee's good standing must be established.
- [3-4,7,10-11,13] List of names, addresses, and phone numbers of officers and directors, or partners.
- [3] A sample copy of the customer bill and disconnection notice the applicant plans to utilize.

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- [1,4,9,10-13,16-21] Copy of superseded tariff sheet(s) & price list(s), if applicable, marked as Exhibit A.
  - [1,4,9,10-13,16-21] Copy of revised tariff sheets & price lists, marked as Exhibit B.
  - [3] Provide a copy of any customer application form required in order to establish residential service, if applicable.
  - [1-2,4-7,9,12-13,16,18-24] Description of and rationale for proposed tariff changes, including a complete description of the 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.
  - [1,2,4,9a(v-vi), 5,10,16,18(b-c), 20-21] Specify which notice procedure has been utilized:  direct mail;  bill insert;  bill notation or  electronic mail. NOTE: Tier 1 price list increases **must** be within an approved range of rates.
  - [2,4-5,9a(v), 9b, 10,12-13,16, 18(b-c),20-21] Copy of real time notice which has been provided to customers. For SLF's the customer notice will be addressed in a Commission Order.
  - [1,2,5,9a(v),11-13, 21(increase only)] Affidavit attesting that customer notice has been provided.
  - [2,12] Copy of Notice which has been provided to ILEC(s).
  - [2,12] Listing of Assigned (NPA) NXX's where in the LECs (NPA) NXX's would be reassigned.
  - [2,4,10,12-13.] List of Ohio counties specifically involved or affected.
  - [14] The interconnection agreement adopted by negotiation or mediation.
  - [15] For commercial mobile radio service providers, a statement affirming that registrant has obtained all necessary federal authority to conduct operations being proposed, and that copies have been furnished by cellular, paging, and mobile companies to this Commission of any Form 401, 463, and / or 489 which the applicant has filed with the Federal Communications Commission.
  - [15] Exhibits must include company name, address, contact person, service description, and evidence of registration with the Ohio Secretary of State.
  - [24] Affidavit that total price of contract exceeds total cost of all regulated services.
  - [5,13] New title sheet with proposed new company name.
  - [1,3,13] List of Ohio exchanges the applicant intends to serve.
  - [1,3a-b,3d,7, 10,13, 23] Maps depicting the proposed serving and calling areas of the applicant.
  - **If Mirroring Large 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 large ILEC/CLEC territory, and listing the involved exchanges. • **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 exchanges.
  - **If Self-defining** serving area and/or local calling area as an area other than that of the established ILEC exchange(s): • **Serving Area** must be clearly reflected on an Ohio map attached to the tariffs, and textually described in tariffs by listing the involved exchanges. • **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.
  - [3] For Tier 2 Services – indicate which option you intend to adopt to maintain the tariff
    - 
    - 
    - Web Address: \_\_\_\_\_
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- 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 AND CTS PROVIDERS:**

- Sales tax
- Minimum Telephone Service Standards (MTSS)
- Surcharges

**MANDATORY REQUIREMENTS FOR ALL BASIC LOCAL EXCHANGE PROVIDERS:**

- 1+ IntraLATA Presubscription

**SERVICE REQUIREMENTS FOR PROVISION OF CERTAIN SERVICES (CHECK ALL APPLICABLE):**

- Discounts for Persons with Communication Disabilities and the Telecommunication Relay Service [Required if toll service provided]
- Emergency Services Calling Plan [Required if toll service provided]
- Alternative Operator Service (AOS) requirements [Required for all providing AOS (including inmate services) service]
- Limitation of Liability Language [Required for all who have tariff language that may limit their liability]
- Termination Liability Language [Required for all who have early termination liability language in their tariffs]
- Service Connection Assistance (SCA) [Required for all LECs]
- Local Number Portability and Number Pooling [Required for facilities-based LECs]
- Package Language [Required for tariffs containing packages or service bundles containing both local and toll and/or non-regulated services]

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

Connie Wightman, Consultant to Time Warner Telecom of Ohio, L.P., Technologies Management, Inc. 210 Park Avenue North  
Winter Park, Florida 32789

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*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:

Connie Simon, Senior Manager - Regulatory, Legal Department, Time Warner Telecom, 10475 Park Meadows Drive, Suite 400  
Littleton, Colorado 80124 (303) 566-1276

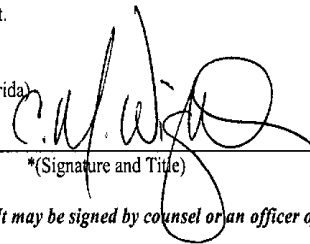
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**AFFIDAVIT**  
*Minimum Telephone Service Standards*

I am a consultant to the applicant corporation, Time Warner Telecom of Ohio, L.P., and am authorized to make this statement on its behalf. I attest that these tariffs comply with the Minimum Telephone Service Standards (MTSS) for the state of Ohio. I understand that the Minimum Telephone Service Standards, as modified and clarified from time to time, supercede any contradictory provisions in our tariff. We will fully comply with the rules of the state of Ohio and understand that noncompliance can result in various penalties, including the suspension of our certificate to operate within the state of Ohio.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 27, 2003 at Winter Park, Florida)

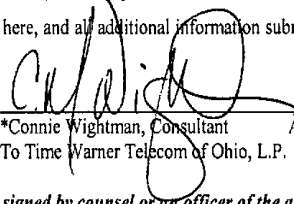
  
\_\_\_\_\_  
\*(Signature and Title) August 27, 2003 (Date)

*\* This affidavit is required for every tariff-affecting filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.*

XX

**VERIFICATION**

I, Connie Wightman, Consultant to Time Warner Telecom of Ohio, L.P. verify that I have utilized, verbatim, the Commission's Telecommunications Application Form and that all 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.

  
\_\_\_\_\_  
\*Connie Wightman, Consultant August 27, 2003  
To Time Warner Telecom of Ohio, L.P.

*\*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 Application Form, including all required attachments as well as the required number of copies, to:*

**Public Utilities Commission of Ohio**  
**Attention: Docketing Division** (or to the Telecommunications Division Chief if a prefilin  
submittal)  
180 East Broad Street, Columbus, OH 43215-3793

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Exhibit A  
Superseded Tariff Sheets  
Enclosed

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CARRIER TO CARRIER

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SECTION 2 - RULES AND REGULATIONS, (CONT'D)

2.10 OBLIGATIONS OF THE CUSTOMER (Cont'd)

2.10.7 Jurisdictional Reports

For Switched Access services, the Company will use the percentage of interstate originating feature group D to determine the percent of interstate usage to apply to all other switched access services provided by the Company to the Customer.

For Switched Access services for which the Company cannot determine the jurisdictional nature of Customer traffic and its related access minutes, the Company reserves the right to call upon the Customer to provide a projected estimate of its traffic, split between the interstate and intrastate jurisdictions. The Customer shall upon ordering service, and annually thereafter, report the percentage of interstate use and such report will be used for billing purposes until the Customer reports a different projected interstate percentage for a working trunk group. When the Customer adds trunks to or removes trunks from an existing group, the Customer shall furnish a revised projected interstate percentage that applies to the total trunk group. The revised report will serve as the basis for future billing and will be effective on the next bill date.

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ISSUED: August 13, 1998

EFFECTIVE: September 13, 1998

Issued By: Pamela Sherwood, Vice President Regulatory Midwest Region  
4625 West 86th Street, Suite 500  
Indianapolis, IN 46268

Case No. 98-1142-TP-ACN

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Exhibit B  
Revised Tariff Sheets

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CARRIER TO CARRIER

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SECTION 2 - RULES AND REGULATIONS, (CONT'D)

2.10 OBLIGATIONS OF THE CUSTOMER (Cont'd)

2.10.7 Jurisdictional Reports

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If the Customer does not provide a Percentage of Interstate Usage ("PIU") Factor, the Company will allocate traffic equally (50%) between interstate and intrastate usage. (T)  
(T)

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ISSUED: August 28, 2003

EFFECTIVE: September 27, 2003

Issued By: Pamela Sherwood, Vice President Regulatory Midwest Region  
4625 West 86th Street, Suite 500  
Indianapolis, IN 46268

Case No.

oha0309

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Exhibit C

Copy of Notice and Procedure

Not Applicable

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Exhibit D

Rationale for Tariff Changes

The purpose for this filing is to add PIU Factor language to Jurisdictional Reports.

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