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TEL (212) 546-9090
FAX (212) 753-8101
e-mail: dkiein@telfile.com

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October 11, 2001

VIA FEDERAL EXPRESS

Ms. Daisy Crockron
Docketing Division
Ohio Public Utilities Commission
180 East Broad Street, 10th Floor
Columbus, Ohio 43215-3793

Re: Mercury Long Distance, Inc.

01-2651-CT-AE

Dear Ms. Crockron:

Enclosed for filing and approval, please find one original and seven (7) copies of Mercury Long Distance, Inc.'s Registration Form for New Operating Authority as an Interexchange Telecommunications Services Provider in the State of Ohio.

At your earliest convenience, please date stamp the copy of this cover letter and return to me in the enclosed postage prepaid self-addressed envelope.

Should you have any questions or require additional information, please contact me at your convenience.

Sincerely,

Anel Encarnacion
Director, Business Affairs

Enc.
AE/2112-6-46956

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PUBLIC UTILITIES COMMISSION OF OHIO

PUBLIC COMPETITIVE TELECOMMUNICATIONS SERVICE PROVIDER
563 REGISTRATION FORM
ISSUED: December 21, 1995

RECEIVED-MARKETING DIV
01 OCT 12 AM 10:49
PUCO

In the Matter of the Application of)
Mercury Long Distance, Inc.)

Case No 01 2651-CT-ACE

Name of Registrant Mercury Long Distance, Inc.
Registrant's Address 240 Arch Street, Suite 2000, Philadelphia, PA 19106
Contact Person Neal D. Saferstein (Phone (215) 629-0928)
Date _____ TRF Docket No. _____ - _____ -CT-TRF

I **Indicate the reason for submitting this form (check only one)** (NOTES: 1. If a waiver is filed in conjunction with an automatic case, see I.D.2.b. of the guidelines for the applicable automatic time frame; and 2. The number of copies noted below must accompanied by an original filing. Facsimiles are not acceptable.):

- 1. (ABN) Withdrawal or Abandonment of all Services (14-day notice, 13 copies)
- 2. (ACE) New Operating Authority (30-day approval, 10 copies)
 IXC AOS CAP Cellular Paging Other _____
- 3. (AMT) Merger (14-day notice, 13 copies)
- 4. (ATR) Transfer or Transaction Affecting Operating Authority (14-day notice, 7 copies)
- 5. (ARJ) All Other Requests for Relief from Jurisdiction (NOT automatic, 10 copies)
- 6. (MTW) "Me Too" Waiver (30-day approval, 10 copies)
- 7. (RRJ) Interexchange Switchless Rebiller Request for Relief from Jurisdiction (30-day approval, 10 copies)
- 8. (WVR) Request for Waiver from Portion(s) of 563 pursuant to I.D.3. of the 563 guidelines. (NOT automatic, 10 copies)
- 9. (ZAC) Contract (0-day notice, 10 copies)
- 10. (ZCN) Change of Name (0-day notice, 10 copies)
- 11. (ZCO) Change in Ownership (0-day notice, 10 copies)
- 12. (ZTA) Introduction to new tariffed service(s), textual revision, correction of error, addition of service area(s), etc. (0-day notice, 10 copies)
- 13. (UNC) Unclassified (explain) _____ (NOT automatic, 10 copies)
- 14. Other (explain) _____ (NOT automatic, 10 copies)

THE FOLLOWING ARE TRF FILINGS ONLY, 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)

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 registrant's proposed informational tariff. (2)
- 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. (2)
- List of names, addresses, and phone numbers of officers and directors, or partners. (2-4)
- Brief description of service(s) proposed, as well as the targeted market(s). (2)
- Copy of brief tariff sheet(s) & price list(s) superseded, marked as Exhibit A. (1,3-4,6,8,10,12-16)

- Copy of revised tariff sheets & price lists, marked as Exhibit B. (1,3-4,6,8,10,12-16)
- If increase to residential MTS, DA, or traditional operator surcharges, specify which notice procedure will be utilized: _____ real time; or _____ annual. (12,16)
- Copy of real time notice which has been provided to customers. (1,3,10-12,16)
- Copy of annual notice which will be sent to customers is: _____ included with this filing; or will be filed with the Commission _____ (month) _____ (year). (16)
- Description of or 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 _____ as well as whether it is switched _____ or dedicated _____ service. Include this information in either the cover letter or label as "Exhibit C". (3,6,8,12-15)
- Delineation of any deaveraged message toll service, if applicable. (6,12-16)
- Statement explaining rationale for proposal. (1,3-5,10-11)
- List of Ohio counties specifically involved or affected. (1-6,8,10,16)
- Certification from Ohio Secretary of State as to party's proper standing (domestic or foreign corporation, authorized use of fictitious name, etc.) (2-4,7,10) (In transfer of certificate cases, the transferee's good standing must be established).
- Justification for waiver of specific element(s) of 563. (6,8)
- Responses to questions contained in Appendix A, Attachment 4 to the 563 guidelines (7)
- For radio common carriers, 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. (2-4)
- 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 CTS providers:

- Sales Tax
- Deposits

Service requirements for CTS providers of certain services (check all applicable):

- Discounts for Persons with Communication Disabilities and the Telecommunication Relay
- Emergency Services Calling Plan
- Alternative Operator Service (AOS) requirements
- Limitation of Liability
- Termination Liability Language

IV List names, titles, and addresses of those persons authorized to make and/or verify filings at the Commission on behalf of the registrant:

Mr. Neal D. Saferstein
 Chief Executive Officer and President
 Mercury Long Distance, Inc.
 240 Arch Street, Suite 2000
 Philadelphia, PA 19106
 (215) 629-0928

Mr. David O. Klein, COO
 Representative of Mercury Long Distance, Inc.
 Telecom Certification & Filing, Inc.
 485 Madison Avenue, 15th Floor
 New York, NY 10022
 (212) 546-9090

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.

VERIFICATION

I, Neal D. Saferstein, Chief Executive Officer and President of Mercury Long Distance, Inc., the Applicant, verify that I have utilized, verbatim, the Commission's 563 Registration Form issued December 21, 1995 and that all of the information submitted here, and all additional information submitted in connection with Case No. _____ -CT- _____ is true and correct to the best of my knowledge.


(Signature)*


Date

Exhibit 1

Mercury Long Distance, Inc.
Case No. ___ - ___ -CT- ___

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

TITLE SHEET

OHIO LONG DISTANCE RESALE TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of long distance service for telecommunications services provided by Mercury Long Distance, Inc. with principal offices at 240 Arch Street, Suite 2000, Philadelphia, PA 19106. This tariff applies for services furnished within the State of Ohio. This tariff is on file with the Ohio Public Utilities Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.

Issued: October 12, 2001

Effective: November 12, 2001

By: Neal D. Saferstein, Chief Executive Officer/President

Mercury Long Distance, Inc.
240 Arch Street, Suite 2000
Philadelphia, PA 19106

CHECK SHEET

Sheets 1 through 25 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets 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>	<u>REVISION</u>	<u>SHEET</u>	<u>REVISION</u>
1	Original		
2	Original		
3	Original		
4	Original		
5	Original		
6	Original		
7	Original		
8	Original		
9	Original		
10	Original		
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18	Original		
19	Original		
20	Original		
21	Original		
22	Original		
23	Original		
24	Original		
25	Original		

Issued: October 12, 2001

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By: Neal D. Saferstein, Chief Executive Officer/President

Mercury Long Distance, Inc.
240 Arch Street, Suite 2000
Philadelphia, PA 19106

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SYMBOLS

The following are the only symbols used for the purposes indicated below:

- D - Delete or Discontinue
- I - Change Resulting in an Increase to a Customer's Bill
- M - Moved From Another Tariff Location
- N - New
- R - Change Resulting in a Reduction to a Customer's Bill
- T - Change in Text or Regulation but no Change in Rate or Charge

TARIFF FORMAT

- A. Sheet Numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the O.P.U.C. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the O.P.U.C. follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. Paragraph Number Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

2.1.
2.1.1.
2.1.1.A.
2.1.1.A.1.
2.1.1.A.1.(a)
2.1.1.A.1.(a).1.
2.1.1.A.1.(a).1.(i).
2.1.1.A.1.(a).1.(i).(1).

TARIFF FORMAT (Cont'd)

- D. Check Sheets - When a tariff filing is made with the O.P.U.C., an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revisions levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the O.P.U.C.

Mercury Long Distance, Inc.
Case No. ___ - ___ -CT- ___

Original Sheet 7
O.P.U.C. Tariff No. 1

PRELIMINARY STATEMENT

Applicability

Applicable to business and residential, individual and party line, flat rate exchange service.

Territory

Within the base rate of al exchanges serviced between and within all latas located in the State of Ohio.

Issued: October 12, 2001

Effective: November 12, 2001

By: Neal D. Saferstein, Chief Executive Officer/President

Mercury Long Distance, Inc.

240 Arch Street, Suite 2000

Philadelphia, PA 19106

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement which connects the Customer's location to a Mercury Long Distance, Inc. network switching center.

Authorization Code - A numerical code, one or more of which are available to a customer to enable him/her to access the carrier, and which are used by the carrier both to prevent unauthorized access to its facilities and to identify the customer for billing purposes.

Company or Carrier - Mercury Long Distance, Inc.

Customer - The person, firm, corporation or other entity which orders service and is responsible for payment of charges due and compliance with the Company's tariff regulations.

Day - From 8:00 a.m. up to, but not including, 5:00 p.m. local time Monday through Friday.

Evening - From 5:00 p.m. up to, but not including, 11:00 p.m. local time Sunday through Friday.

Holidays -Mercury Long Distance, Inc.'s recognized holidays are New York's Day, Martin Luther King, Jr. Day, Presidents' Day, Veterans' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Thanksgiving Day, and Christmas Day.

Night/Weekend - From 11:00 p.m. up to, but not including, 8:00 a.m. Sunday through Friday, and 8:00 a.m. Saturday up to, but not including 5:00 p.m. Sunday.

O.P.U.C. - Ohio Public Utilities Commission.

SECTION 2 - RULES AND REGULATIONS

2.1 Contact Information

2.1.1. Customer complaints, bill inquiry, new service or disconnect requests:

Mr. Tyrone Barr
Mercury Long Distance, Inc.
240 Arch Street, Suite 2000
Philadelphia, PA 19106
Toll Free No. 1 (888) 948-1930

2.1.2. Commission contact - tariff information:

Mr. Neal D. Saferstein
Mercury Long Distance, Inc.
240 Arch Street, Suite 2000
Philadelphia, PA 19106
Telephone No. (215) 629-0928

2.1.3. Commission Contact Complaints:

Mr. Neal D. Saferstein
Mercury Long Distance, Inc.
240 Arch Street, Suite 2000
Philadelphia, PA 19106
Telephone No. (215) 629-0928

2.1.4. Ohio Agent:

National Registered Agents, Inc.
145 Baker Street
Marion, OH 43302
(800) 767-1553

SECTION 2 - RULES AND REGULATIONS (cont'd)

2.2 Undertaking of Mercury Long Distance, Inc.

Mercury Long Distance, Inc.'s facilities are furnished for long distance communications originating at specified points within the State of Ohio under terms of this tariff.

Mercury Long Distance, Inc. operates, and maintains the communication services provided hereunder in accordance with the terms and conditions set forth under this tariff. It may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the Customer, to allow connection of a Customer's location to the Mercury Long Distance, Inc. network. The Customer shall be responsible for all charges due for such service arrangement.

The Company's services are provided on a monthly basis unless ordered on a longer time basis, and are available twenty-four hours per day, seven days per week.

2.3 Limitations

2.3.1 Service is offered subject to the availability of facilities and the provisions of this tariff.

2.3.2 Mercury Long Distance, Inc. reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control; or when the Customer is using service in violation of the law or the provisions of this tariff.

2.3.3 All services provided under this tariff are directly controlled by Mercury Long Distance, Inc. and the Customer may not transfer or assign the use of service, except with the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.

2.3.4 Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.

SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.4 Liabilities of the Company

- 2.4.1 Mercury Long Distance, Inc.'s liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission occurring in the course by the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the Customer for the period during which the aforementioned faults in transmission occur.
- 2.4.2 Mercury Long Distance, Inc. shall be indemnified and held harmless by the Customer against:
- (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over the Company's facilities.
 - (B) All other claims arising out of any act or omission of the Customer in connection with any service or facility provided by Mercury Long Distance, Inc.
- 2.4.3 The included tariff language does not constitute a determination by the Commission that a limitation of liability imposed by the Company should be upheld in a court of law. Acceptance for filing by the Commission recognizes that it is a court's responsibility to adjudicate negligence and consequential damage claims. It is also the court's responsibility to determine the validity of the exculpatory clause.
- 2.4.4 Mercury Long Distance, Inc. will give at least 10 days notice to Customers and the O.P.U.C. before increasing rates or other changes.

SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.5 Interruption of Service

- 2.5.1 Credit allowances for the interruption of service, which is not due to the Company's testing or adjusting, negligence of the Customer, or to the failure of channels or equipment provided by the Customer, are subject to the general liability provisions set forth in 2.3.1 herein. It shall be the obligation of the Customer to notify the Company immediately of any interruption in service for which a credit allowance is desired.

Before giving such notice, the Customer shall ascertain that the trouble is not being caused by an action or omission by the Customer within his control, or is not in wiring or equipment, if any, furnished by the Customer.

- 2.5.2 For the purposes of credit computation, every month shall be considered to have 720 hours.
- 2.5.3 No credit shall be allowed for an interruption of a continuous duration of less than two hours.

SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.5 Interruption of Service (Cont'd)

2.5.4 The Customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the fixed monthly charge for the facilities affected for each hour or major fraction thereof that the interruption continues.

Credit Formula:

$$\text{Credit} = \frac{A}{720} \times B$$

“A” -- outage times in hours

“B” -- total fixed monthly charge for affected facility

2.6 Suspension-of-Service Guidelines

Mercury Long Distance, Inc. will provide written notice at least seven days in advance of suspending a Customer's service for non-payment of charges. In cases of bona fide emergencies, we try to avoid suspension of service for non-payment. Service will be suspended without notice in the following situations:

- 1) The Customer obtained service fraudulently;
- 2) Risk of non-payment is evident; or
- 3) A safety hazard is found on the Customer's premises.

SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.7 Restoration of Service

The use and restoration of service shall be in accordance with the priority system specified in Part 64, Subpart D of the Rules and Regulations of the Federal Communications Commission.

2.8 Billing Periods

If the customer is being billed for service to the home or office, the Customer will receive an itemized statement of account after the 30-day cycle.

2.9 Understanding the Mercury Long Distance, Inc. Bill

The Customer's bill will outline specific charges or adjustments for Mercury Long Distance, Inc.'s services.

2.10 Questions About the Mercury Long Distance, Inc. Bill

If the Customer has questions about Mercury Long Distance, Inc.'s charges that may appear on its bill, the Customer should call the Mercury Long Distance, Inc. service representative or Mercury Long Distance, Inc.'s designated billing agent.

2.11 Pay By Mail

A return envelope is included with each Customer's bill. If the return envelope is unavailable, Customers should contact the customer service telephone number indicated on the bill for the appropriate address.

SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.12 Lost Bills

If a bill is lost, the Customer should call the Mercury Long Distance, Inc. service representative or Mercury Long Distance, Inc.'s designated billing agent for the amount due. Customers should be sure to include their account number, name, address and telephone number with payment.

2.13 Forms of Payment

For the protection of the Customer, Customers should send checks or money orders payable in United States dollars with their account number, area code, and telephone number included. Cash should not be sent. Unless otherwise required by law, tariff or Commission order, partial payments received without Customer direction will be prorated by Mercury Long Distance, Inc.

2.14 Returned Check Charge

If a Customer's check is returned by the bank, a charge will be added to the Customer's next monthly telephone bill. A fee of \$25.00, or five percent of the amount of the check, whichever is greater, will be charged for each check returned for insufficient funds.

SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.15 Late Charge

A late fee of 1.5% of the first \$30.00 and 2.0% of the remaining balance will be charged on any balances due for more than thirty (30) days.

2.16 Requirements for Service Restoral After Suspension for Non-Payment

In most cases, all charges billed for service must be paid before service will be restored. This would include any amount which the Customer may have received on a new bill. There is also a charge to restore service, which will be billed on the Customer's account.

2.17 Responsibility of The Company

The Company endeavors to provide the best long distance service possible at a fair and competitive price. In turn, the Customer is responsible for paying its bills on time and must report any problems in a timely manner so that they can be corrected.

2.18 Frequency Restrictions

There are no frequency restrictions.

2.19 Group Billing Service

Group Billing Service allows the Customer with more than one location to consolidate billing. Group Billing provides enhanced Customer bills with call summaries by NPA, time period and location.

SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.20 Cancellations

Customers may cancel their service at any time through written instruction.

2.21 Nonpayment

The Company or Mercury Long Distance, Inc.'s designated billing agent will contact a Customer when their payment is late. At the point where payment exceeds 60 days late, the Customer may be turned over to a collection agency and the Customer's service may be terminated. Suspension or termination of service shall not be made without five (5) working days' written notice to the Customer, except in extreme cases. The written notice shall be separate and apart from the regular monthly bill for service.

2.22 Credit for Incomplete Calls

There will be no charge assessed to the customer for incomplete calls.

2.23 Deposit

The Company does not require a deposit from the Customer.

SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.24 Advance Payments

The Company does not require an advanced payment from the Customer.

2.25 Collection Costs

In the event Company is required to initiate legal proceedings to collect any amounts due to Company for regulated or non-regulated services, equipment or facilities, or to enforce any judgment obtained against a Customer, or for the enforcement of any other provision of this tariff or applicable law, Customer shall, in addition to all amounts due, be liable to Company for all reasonable costs incurred by Company in such proceedings and enforcement actions, including reasonable attorneys' fees, collection agency fees or payments, and courts costs. In any such proceeding, the amount of collection costs, including attorneys' fees, due to the Company, will be determined by the court.

2.26 Taxes

All federal, State and local taxes, assessments, surcharges, or fees, including sales taxes, use taxes, gross receipts taxes, and municipal utilities taxes, are billed as separate line items and are not included in the rates quoted herein, except as described for prepaid calling card service.

2.27 Special Promotional Offering

The Company may, from time to time, engage in special promotional trial service offerings of a limited duration (not to exceed ninety (90) days on a per Customer basis, for non-optional, recurring charges) designed to attract new Customers or to increase existing Customer awareness of the service. Special promotional trial service offerings will be offered on a non-discriminatory basis. Such offerings maybe limited to certain dates, times and locations.

2.28 Billing Dispute

In the event the customer is not satisfied with the Company's resolution of a billing dispute, the customer may make application to the KPSC for review and disposition of the matter.

SECTION 3 - DESCRIPTION OF SERVICES

3.1 Usage Based Services

The Company's charges are based on the actual usage of Company's services, plus any special features and/or service options, if any. Charges begin when the designated communication termination(s) is/are accessed and enabled thereby ("connected") to receive the communication from the originating location on the network. Charges cease when the called or calling party "hangs up".

3.2 Long Distance Telecommunications Network Service

The Company's Long Distance Telecommunications Network Service provides for the non-facilities based, switchless resale of Ohio Interexchange Carriers' (IXC) tariffed Software Defined Network (SDN) Service. This service is a custom designed private telecommunication network that combines the efficiencies and benefits of both switched and private line service to meet the specific requirements of Customers needing to communicate on an interlata basis within the State.

Each service Customer is billed individually for each call, on a conversation minute basis, placed through the Company since the previous month's billing. Each call is measured and billed at the applicable rate for the initial sixty (60) second period or fraction thereof, and then at the applicable rate for each additional sixty (60) second period or fraction thereof. The minimum length of a call is sixty (60) seconds. See Section A, Rates and Charges, for the applicable rate schedule.

SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)

3.2 Long Distance Telecommunications Network Service (Cont'd)

Dedicated access circuits may be provided and billed by the local exchange company (LEC). Dedicated access channels may be purchased from carriers other than the LEC only in accordance with O.P.U.C. rules. Charges for the dedicated access channel are determined by the access provider.

3.3 Timing of Calls

3.3.1 Usage charges are based on usage of Mercury Long Distance, Inc.'s service. Chargeable time begins when a connection is established between the calling station and the called station. Chargeable time ends when either party "hangs up" thereby releasing the network connections.

3.3.2 Minimum call duration and usage measurement and rounding for billing purposes is specified on per-product basis in the rate section of this tariff.

3.3.3 There is no billing applied for incomplete calls.

SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)

3.9 Customer Complaints and/or Billing Disputes

Customer inquiries or complaints regarding service or accounting may be made in writing or by telephone to the Company at:

240 Arch Street, Suite 2000
Philadelphia, PA 19106
(888) 948-1930

Any objection to billed charges should be reported promptly to Mercury Long Distance, Inc. Adjustments to Customers' bills shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate. Where overbilling of a subscriber occurs, due either to Company or subscriber error, no liability exists which will require the Company to pay any interest, dividend or other compensation on the amount overbilled.

SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)

3.10 Customer Complaints and/or Billing Disputes (Cont'd)

If Customer complaints cannot be resolved by Mercury Long Distance, Inc., the Customer may contact the Ohio Public Utilities Commission at the following address and phone number:

180 East Broad Street
Columbus, OH 43215

3.11 Level of Service

A Customer can expect end to end network availability of not less than 90% at all times for all services.

3.12 Billing Entity Conditions

When billing functions on behalf of Mercury Long Distance, Inc. or its intermediary are performed by local exchange telephone companies or others, the payment of charge conditions and regulations of such companies and any regulations imposed upon these companies by regulatory bodies having jurisdiction apply. Mercury Long Distance, Inc.'s name and toll-free telephone number will appear on the Customer's bill.

SECTION 4 - RATES

4.1 Long Distance Telecommunications Network Usage Rates

- 4.1.1 The calls placed through the Company are rated using one of the following schedules. The charges for all calls during a billing month will be totaled. If the total charge includes a fraction of a cent, the fraction is rounded to the next whole cent (e.g., \$4,101.345 would be rounded to \$4,101.35).
- 4.1.2 Day, Evening and Night rate periods apply to Long Distance Telecommunications Network Usage. The rates apply for all days of the week including holidays. The Day rate period is 8:00 a.m. to, but not including, 5:00 p.m. , Monday through Friday and 5:00 p.m. to, but not including 11:00 p.m. Sunday. The Night/Weekend Rate period is 11:00 p.m. to, but not including, 8:00 a.m. Monday through Sunday, all day Saturday, and from 8:00 a.m. to, but not including, 5:00 p.m. Sunday. For New Year's Day (January 1), Independence Day (July 4), Labor Day, Thanksgiving Day and Christmas Day (December 25), the Evening Rate applies.

SECTION 4 - RATES (Cont'd)

4.2 Long Distance Network Usage Rates

4.2.1 Ohio Intrastate Interlata Rates

Monthly Charge: \$20.00
Minutes: 1000
Additional Minutes: \$0.10/minute

4.2.2 Ohio Intrastate Intralata Rates

Monthly Charge: \$20.00
Minutes: 1000
Additional Minutes: \$0.10/minute

Issued: October 12, 2001

Effective: November 12, 2001

By: Neal D. Saferstein, Chief Executive Officer/President

Mercury Long Distance, Inc.
240 Arch Street, Suite 2000
Philadelphia, PA 19106

SECTION 4 - RATES (Cont'd)

4.3 Exemptions and Special Rates

4.3.1 Discount for Hearing Impaired Customers:

A telephone toll message which is communicated using a telecommunications device for the deaf (TDD) by properly certified hearing and speech impaired persons or properly certified business establishments or individuals equipped with TDDs for communicating with hearing or speech impaired persons will receive, upon request, calls placed between TDDs. The credit to be given on a subsequent bill for such calls placed between TDDs will be equal to applying the evening rate during business day hours and the night/weekend rate during the evening rate period. Discounts do not apply to surcharges or per call add on charges for operator service when the call is placed by a method that would normally incur the surcharge.

4.3.2 Operator Assistance for Handicapped Persons:

Operator station surcharges will be waived for operator assistance provided to a caller who identified him or herself as being handicapped and unable to dial the call because of a handicap.

4.3.3 Directory Assistance for Handicapped Persons:

There is no charge for Directory Assistance for calls from handicapped persons. Such persons must contact the Company for credit on their directory assistance calls.

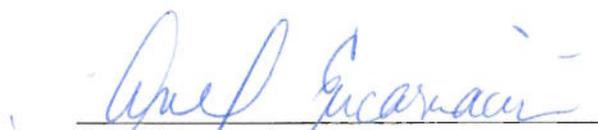
Exhibit 2

STATE OF NEW YORK

COUNTY OF NEW YORK

AFFIDAVIT OF SERVICE

I, Anel Encarnacion, of Telecom Certification & Filing, Inc., being of majority age, state that on October 11, 2001, I served by mail to the Ohio Department of Taxation one copy of the Registration Form for a Certificate of New Operating Authority as a Reseller of Interexchange Telecommunications Services in the State of Ohio as filed with the Commission on October 12, 2001.


Anel Encarnacion

Sworn to me, before the undersigned Notary Public on this the 11th day of October, 2001.


Notary Public


Print or type name

TANYA R. DeROSE
Notary Public, State of New York
No. 03-4973858
Qualified in New York County
Commission Expires Nov. 19, 2003

Exhibit 3

List of Officers and Directors:

Mercury's Officers and Directors are as follows:

Neal D. Saferstein - President and CEO

Robyn Saferstein - Secretary Vice President of Finance

Ernie Micciche - Chief Financial Officer

Frank L. Testa - Chief Operating Officer

VicKie L. Davis - Vice President of Sales and Marketing

Billy D. Light - Chief Information Officer

Ronald Stern - Director

Arthur Cohen - Director

Robert Rosenkantz - Director

Each can be reached at Mercury's primary place of business at 240 Arch Street, Suite 2000,
Philadelphia, PA 19106, (215) 629-0928.

NEAL D. SAFERSTEIN
President, Chief Executive Officer
Member, Board of Directors
GoInternet.Net, Inc.

As President, Chief Executive Officer (CEO) and member of the Board of Directors for GoInternet.Net, Inc., Neal D. Saferstein has overseen the daily operations of the company since June 1997.

Before joining GoInternet.Net, Saferstein co-founded one of MCI's largest independent agencies/distributors. There, he was responsible for developing and implementing telecom billing, a system for providing interlocking billing between telephone companies. From 1993 to 1997 he worked as CFO and helped develop Habla Facil, a Hispanic 800 operator dial-around service product.

Saferstein attended Temple University. His technical experience and proven success in corporate development are vital to the growth of GoInternet.Net, Inc.

ERNIE MICCICHE

*Treasurer and Chief Financial Officer
GoInternet.Net, Inc.*

Ernie Micciche joined GoInternet.Net, Inc. on November 4, 1999 as Treasurer and Chief Financial Officer (CFO). Before taking this position, Micciche worked as a financial officer for several publicly traded engineering and engineering-related companies, most recently serving as Treasurer and CFO of Certified Environmental Group, Inc.

In addition, since October of 1995, he has attended and completed a KPMG-hosted seminar, "Going Public"; designed to structure the financial reporting requirements of publicly traded companies and companies filing registration statements with the Securities and Exchange Commissions.

Micciche graduated from The University of Pennsylvania's Wharton School of Business with a Bachelor of Science degree in accounting. His experience in Mergers and Acquisitions, and reporting of financial data for publicly traded companies brings an expertise and vision to the development of the GoInternet.Net, Inc. financial strategy.

FRANK L. TESTA
Chief Operating Officer
GoInternet.Net, Inc.

Prior to taking on the role of Chief Operating Officer (COO) at GoInternet.Net in October of 1999, Frank L. Testa garnered experience from a long career in sales, marketing and operations. From 1979 to 1984, Testa worked at the Gannett Company, where, as Regional Marketing Manager he helped launch USA Today in the Philadelphia Metropolitan market.

Next, he moved to Group Marketing Communications where he served as Executive Vice President and COO from 1984 to 1996. There, Testa's responsibilities included developing and implementing sales, marketing and operational strategies for the national, multi-location telemarketing firm.

Finally, before joining GoInternet.Net, Inc., Testa served as Vice President Sales & Marketing at USA Phone Centers, a leading provider of telecommunications services in the Tri-State region. Now, as COO of GoInternet.Net Inc., he is responsible for the daily operations of the company, including sales, marketing, production, administration and finance. He also serves as a member on the Board of Directors.

Vickie L. Davis
Vice President of Sales
And Marketing

GoInternet.Net, Inc.

As the Vice-President of Sales And Marketing Vickie L. Davis has been overseeing the development and implementation of marketing, sales and training strategies for the entire sales staff since its inception.

Prior to joining GOINTERNET.NET, Ms. Davis served as Executive VP at a leading telemarketing company, where her duties included management of marketing and sales besides overseeing human relations for the entire sales staff.

With her extensive knowledge Ms. Davis entered the world of entrepreneurship by investing in several start up businesses. She ran five separate locations successfully for over 15 years.

After graduating from the Rhode Island School of Design, Vicki joined Barbizon School of Modeling Baltimore & Wilmington as Senior VP to oversee and manage operations including sales, marketing, training, personnel and finance for the entire strength of employees and students.

BILLY D. LIGHT

Chief Information Officer

GoInternet.Net, Inc.

GoInternet.Net's Chief Information Officer, Billy D. Light, is responsible for the company's entire information system, including the design, implementation and maintenance of LAN, WAN, web servers and peripherals.

Prior to joining the GoInternet.Net team, Light served as VP Technical Sales/Marketing for Reiter Associates Web Hosting. There, he oversaw the daily operations of the sales team, as well as the customer and technical support staff.

Light has also worked as Sales Manager and member of the software development team for the G-VOX Company, helping to design, test and market the Guitar 101 CD-ROM. This title, distributed by Fender Music Sales, has sold more than two million copies to date. His extensive knowledge of Internet systems has also led him to do various consulting projects in Internet Implementation and Systems Development.

Light is certified MCSE+I, A+ and MCP. He attended Rowan University.

Exhibit 4

The Services to be Offered by Applicant

Mercury intends to subscribe to and resell all forms of interexchange telecommunications services in the State of Ohio including: Message Telephone Service, Wide Area Telephone Service, WATS-like services, Foreign Exchange Service, private lines, tie lines, access service, and other services and facilities of communications common carriers and other entities. Mercury intends to provide service to both residential and business class customers throughout the entire State of Ohio.

Exhibit 5

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 07/20/2000
001368015 - 3262699

CERTIFICATE OF INCORPORATION
OF
MERCURY LONG DISTANCE, INC.

The undersigned, for the purposes of forming a corporation under the laws of the State of Delaware, do make, file and record this Certificate, and do certify that:

-FIRST: The name of this corporation is MERCURY LONG DISTANCE, INC.

SECOND: Its Registered Office in the State of Delaware is to be located at 9 East Loockerman Street, in the City of Dover, County of Kent, 19901. The Registered Agent in charge thereof is National Registered Agents, Inc.

THIRD: The purpose of the corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of Delaware.

FOURTH: The amount of the total authorized capital stock of the corporation is 200 all of which are of no par value and classified as Common stock.

FIFTH: The name and mailing address of the incorporator are as follows:

NAME	MAILING ADDRESS
David O. Klein	Telecom Certification & Filing, Inc. 485 Madison Avenue New York, NY 10022

SIXTH: The duration of the corporation shall be perpetual.

SEVENTH: When a compromise or arrangement is proposed between the corporation and its creditors or any class of them or between the corporation and its shareholders or any class of them, a court of equity Jurisdiction within the state, on application of the corporation or of a creditor or shareholder thereof, or on application of a receiver appointed for the corporation pursuant to the provisions of Section 291 of Title 8 of the Delaware Code or on application of trustees in dissolution or of any receiver or receivers appointed for the corporation pursuant to provisions of Section 279 of Title 8 of the Delaware Code may order a meeting of the creditors or class of creditors or of the shareholders or class of shareholders to be affected by the proposed compromise or arrangement or reorganization, to be summoned in such manner as the court directs. If a majority in number representing 3/4 in value of the creditors or class of creditors, or of the shareholders or class of shareholders to be affected by the proposed compromise or

[MLD;1]00037640;1

arrangement or a reorganization, agree to a compromise or arrangement or a reorganization of the corporation as a consequence of the compromise or arrangement, the compromise or arrangement and the reorganization, if sanctioned by the court to which the application has been made, shall be binding on all the creditors or class of creditors, or on all the shareholders or class of shareholders and also on the corporation.

EIGHTH: The personal liability of all of the directors of the corporation is hereby eliminated to the fullest extent allowed as provided by the Delaware General Corporation Law, as the same may be supplemented and amended.

NINTH: The corporation shall, to the fullest extent legally permissible under the provisions of the Delaware General Corporation Law, as the same may be amended and supplemented, indemnify and hold harmless any and all persons whom it shall have power to indemnify under said provisions from and against any and all liabilities (including expenses) imposed upon or reasonably incurred by him in connection with any action, suit or other proceeding in which he may be involved or with which he may be threatened, or other matters referred to in or covered by said provisions both as to action in his official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be a director or officer of the corporation. Such indemnification provided shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any Bylaw, Agreement or Resolution adopted by the shareholders entitled to vote thereon after notice.

Dated on this 19th day of July 2000.



David O. Klein, Incorporator



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
07/19/2001	200119900538	FOREIGN LICENSE/FOR-PROFIT (FLF)	125.00	.00	.00	.00	.00

Receipt

This is not a bill. Please do not remit payment.

DOCUTECH INFORMATION SERVICES
580 E. TOWN STREET
COLUMBUS, OH 43215

STATE OF OHIO

Ohio Secretary of State, J. Kenneth Blackwell

1241786

It is hereby certified that the Secretary of State of Ohio has custody of the business records for
MERCURY LONG DISTANCE, INC.

and, that said business records show the filing and recording of:

Document(s)

Document No(s):

FOREIGN LICENSE/FOR-PROFIT

200119900538

Authorization to transact business in Ohio is hereby given, until surrender, expiration or cancellation of this license.



United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of
the Secretary of State at Columbus,
Ohio this 10th day of July, A.D.
2001.

J. Kenneth Blackwell
Ohio Secretary of State



Prescribed by **J. Kenneth Blackwell**

Please obtain fee amount and mailing instructions from the Forms Inventory List (using the 3 digit form # located at the bottom of this form). To obtain the Forms Inventory List or for assistance, please call Customer Service.

Central Ohio: (614)-466-3910 Toll Free: 1-877-SOS-FILE (1-877-767-3453)

FOREIGN CORPORATION APPLICATION FOR LICENSE

- The name of the corporation is Mercury Long Distance, Inc.
- The application is made to secure a permanent temporary license.
- The corporation was incorporated on June 20, 2000 under the laws of the state of Delaware
(month day year)
- The corporation's principal office is located at 240 Arch Street, Suite 2000
(street address)
Philadelphia PA 19106
(city, township, or village) (state) (zip code)
- The corporation's principal office within Ohio is to be located in _____, Ohio Corp will not have an office in Ohio
(city, township, or village) (county) (zip code)
- The corporation hereby appoints the following as its statutory agent upon whom process against the corporation may be served in the state of Ohio. The name and complete address of the statutory agent is:
National Registered Agents, Inc 145 Baker Street
(name) (street and number)
Marion Ohio 43302
(city, village or township) (zip code)
(NOTE: P.O. Box addresses are not acceptable.)
- The corporation irrevocably consents to service of process on the statutory agent listed above as long the authority of the agent continues, and to service of process upon the SECRETARY OF STATE if
(a) the agent cannot be found, or
(b) the corporation fails to designate another agent when required to do so, or
(c) the corporation's license to do business in Ohio expires or is cancelled.
- The corporation will exercise the following corporate purpose(s) in Ohio:
(Please provide a brief but specific description; a general purpose clause is not sufficient.)
The corporate purpose of the corporation is to provide non facilities-based interexchange telecommunications services to residential and business class customers in the State of Ohio.
- Has the corporation obtained a license to transact business in Ohio at any time in the past? Yes No
If yes, prior License No. _____ issued _____
(date)
- The date on which the corporation began transacting business in Ohio:
 Date _____
OR
 will begin business upon approval of application

CLIENT SERVICE CENTER
2001 JUL 10 PM 1:14
SECRETARY OF STATE

State of Delaware

Office of the Secretary of State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "MERCURY LONG DISTANCE, INC." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE FIFTH DAY OF JULY, A.D. 2001.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "MERCURY LONG DISTANCE, INC." WAS INCORPORATED ON THE TWENTIETH DAY OF JULY, A.D. 2000.

AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.

3262699 8300

010324780



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State
AUTHENTICATION: 1228468

DATE: 07-05-01

Exhibit 6

SERVICE REQUIREMENTS FORM

The provider affirms that it is in compliance with Commission directives concerning the following checked items, and that this represents an up-to-date listing of applicable "generic" service requirements. The provider understands that this in no way supersedes the context of the applicable Commission orders described below.

A. MANDATORY REQUIREMENTS FOR ALL NECs:

✓ 1. SALES TAX (See also Case No. 87-1010-TP-UNC)

Certain telecommunication services, as defined in the Ohio Revised Code, are subject to state sales tax rates, if the services originate, or terminate in Ohio, or both, and are changed to a subscriber's telephone number or account in Ohio.

✓ 2. DEPOSITS

If a deposit is requested, it may not exceed the estimated charges for two months tariffed services plus 30 percent of the monthly estimated charge for a specified customer. Deposits held for less than 180 days shall not accrue interest. Interest on intrastate deposits held for 180 days or longer will be handled in accordance with Rule 4901:1-17-05 of the Ohio Administrative Code (OAC).

✓ 3. DISCONNECTION OF SERVICE (See also Case No. 95-790-TP-COI and Rule 4901:1-5-19, O.A.C.)

Disconnection of service will be handled in accordance with the Commission's directives in Case No. 95-790-TP-COI and the Commission's Minimum Telephone Service Standards (Rule 4901:1-5-19, O.A.C.), or any subsequent related Commission actions.

Either Selective Toll Blocking or Depicing are offered by the company. Refer to the body of the tariff for rates and a service description of Selective Toll Blocking or Depicing.

Provider's Name: Mercury Long Distance, Inc.

Case No. _____ - _____ - TP- _____

Case No. _____ - _____ - TRF _____

Issued:

✓ 4. 1+ IntraLATA PRESUBSCRIPTION (See also Case No. 95-845-TP-COI, Guideline X.)

A. General

IntraLATA Presubscription is a procedure whereby a subscriber designates to the Telephone Company the carrier which the subscriber wishes to be the carrier of choice for intraLATA toll calls. Such calls are automatically directed to the designated carrier, without the need to use carrier access codes or additional dialing to direct the call to the designated carrier. IntraLATA presubscription does not prevent a subscriber who has presubscribed to an intraLATA toll carrier from using carrier access codes or additional dialing to direct calls to an alternative intraLATA toll carrier on a per call basis.

IntraLATA Presubscription will become effective upon the initial offering of certified local exchange service.

B. IntraLATA Presubscription Options

Option A: Subscriber may select the Telephone Company as the presubscribed carrier for InterLATA toll calls subject to presubscription.

Option B: Subscriber may select her/his interLATA toll carriers as the presubscribed carrier for intraLATA toll calls subject to presubscription.

Option C: Subscriber may select a carrier other than the Telephone Company or the subscriber's interLATA toll carrier as the presubscribed carrier for intraLATA toll calls subject to presubscription.

Option D: Subscriber may select no presubscribed carrier for intraLATA toll calls subject to presubscription which will require the subscriber to dial a carrier access code to route all intraLATA toll calls to the carrier of choice for each call.

C. Rules and Regulations

Subscribers of record will retain their current dialing arrangements until they request that their dialing arrangements be changed.

Provider's Name: Mercury Long Distance, Inc.

Case No. ____ - ____ - TP-____

Case No. ____ - ____ - TRF

Issued:

Subscribers of record or new subscribers may select either Options A, B, C, or D for intraLATA Presubscription.

Subscribers may change their selected Option and/or their presubscribed intraLATA toll carrier at any time subject to charges specified in Paragraph E, below.

D IntraLATA Presubscription Procedures

New subscribers will be asked to select an intraLATA toll carrier(s) at the time the subscriber places an order to establish local exchange service with the Telephone Company. The Telephone Company will process the subscriber's order for intraLATA service. The selected carrier(s) will confirm their respective subscribers' verbal selection by third-party verification or return written confirmation notices. All new subscribers' initial requests for intraLATA toll service presubscription shall be provided free of charge.

If a new subscriber is unable to make a selection at the time the new subscriber places an order to establish local exchange service, the Telephone Company will read a random listing of all available intraLATA carriers to aid the subscriber in selection. If selection is still not possible, the Telephone Company will inform the subscriber that he/she will be given 90 calendar days in which to inform the Telephone Company of an intraLATA toll carrier presubscription selection free of charge. Until the subscriber informs the Telephone Company of his/her choice for intraLATA toll carrier, the subscriber will not have a presubscribed intraLATA toll carriers, but rather will be required to dial a carrier access code to route all intraLATA toll calls to the carrier(s) of choice. Subscribers who inform the Telephone Company of a choice for intraLATA toll presubscription within the 90-day period will not be assessed a service charge for the initial subscriber request.

Subscribers of record may initiate an intraLATA presubscription change at any time subject to the charges specified in Paragraph 5 below. If a customer of record inquiries of the Telephone Company of the carriers available for intraLATA toll presubscription, the Telephone Company will read a random listing of all available intraLATA carriers to aid the subscriber in selection.

Provider's Name: Mercury Long Distance, Inc.

Case No. _____ - _____ - TP-_____

Case No. _____ - _____ - TRF

Issued:

E. IntraLATA Presubscription Charges

1. Application of Charges

After a subscriber's initial selection for a presubscribed intraLATA toll carrier and as detailed in Paragraph D above, for any change thereafter, an IntraLATA Presubscription Change Charge, as set forth in Paragraph E.2 will apply.

2. Nonrecurring Charges IntraLATA Presubscription Change Charge

Per business or residence link, trunk, or port:

-- Initial line, trunk, or port \$5.00

-- Additional line, trunk, or port \$1.50

5. FRESH LOOK (See also Case No. 95-845-TP-COI, Guideline VI.J.)

Within five calendar days of origination of the first call made within an ILEC exchange which has not been previously subject to a fresh look for long-term contracts, the company shall submit its Fresh Look Notice, in the form prescribed by the Commission and attached as an Addendum to this Service Requirements Form. The Fresh Look Notice is to be filed in Case No. 97-717-TP-UNC and the case in which the company was certified, with a separate copy served upon the Chief of the Telecommunications Division of the Utilities Department.

B REQUIREMENTS FOR NEC PROVISION OF CERTAIN SERVICES, OR WHERE CERTAIN CONDITIONS OF SERVICE ARE UTILIZED (check all applicable):

1. DISCOUNTS FOR PERSONS WITH COMMUNICATION DISABILITIES AND THE TELECOMMUNICATION RELAY SERVICE

Applicable to all NECs offering message toll service (MTS) (See also Case Nos. 87-206-TP-COI and 91-113-TP-COI):

Provider's Name: Mercury Long Distance, Inc.

Case No. _____ - _____ - TP-_____

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Issued:

- a. For purposes of these requirements, the definition of disabled refers to those persons with communication disabilities, including those hearing disabled, deaf, deaf/blind, and speech disabled persons who have a disability that prevents them from communicating over the telephone without the aid of a telecommunications device for the communicatively disabled.
- b. Residential disabled customers or disabled members of a customer’s household, upon written application and upon certification of their disabled status, which is evidenced by either a certificate from a physician, health care official, state agency, or a diploma from an accredited educational institution for the disabled, are eligible to receive a discount off their MTS rates, and, if they utilize telebraille devices, they are eligible to receive free access to local and intrastate long distance directory assistance. Additionally, TDD lines maintained by non-profit organizations and governmental agencies, upon written application and verification that such lines are maintained for the benefit of the disabled are eligible to receive a discount off their MTS rates.
- c. Upon receipt of the appropriate application, and certification or verification or a person with a communication disability, one of the following discounts shall be made available for the benefit of the disabled person:
 - i Off the basic MTS, current, price list day rates: a 40 percent discount off the intrastate, interexchange, customer-dialed, station-to-station calls occurring between 8:00 am and 4:59 pm Monday through Friday; a 60 percent discount off the intrastate, interexchange, customer-dialed, station-to station calls occurring between 5:00pm and 10:59 pm Sunday through Friday, and New Year’s Day, Independence Day, Labor Day, Thanksgiving, and Christmas; and a 70 percent discount off the intrastate, interexchange, customer-dialed, station-to-station calls occurring between 11:00pm and 7:59 am any day, 8:00 am and 4:59 pm Sunday, and all day Saturday; or
 - ii Off the basics MTS, current, price list day rates; no less than a straight 70 percent discount shall be made available on a 24- hour a day basis; or

- iii. For MTS which is offered similar to the mileage-banded rate structure established in the Commission’s April 9, 1985 Opinion and Order in Case No. 84-944-TP-COI, with the traditional day, evening, and night/weekend discounts:

the “evening” discount off the intrastate, interexchange , customer-dialed, station-to-station calls placed during the “evening” period Sunday through Friday, and on New Year’s Day, Independence Day, Labor Day, Thanksgiving, and Christmas. Furthermore, the “night/weekend” discount plus an additional discount equivalent to no less than ten percent of the company’s current, price list, “day” rates for basic MTS shall be made available for intrastate, interexchange, customer-dialed, station-to-station calls placed during the “night/weekend” period any day, the “day” period Sunday, and all day Saturday.

- d. All MTS calls placed through the telecommunication relay service (TRS) are eligible to receive a discount off the MTS rates. The rate discounts are the same as those set forth in paragraph 1.c preceding. The discount shall not apply to sponsor charges associated with calls placed to pay-per-call services, such as 900, 976, or 900-like calls.

□ 2. EMERGENCY SERVICES CALLING PLAN

Applicable to all NECs offering MTS (See also Case Nos. 85-1466-TP-COI and 89-54-TP-COI):

Message toll telephone calls, to governmental emergency service agencies as set forth in (a) following, having primary or principal responsibility with respect to the provision of emergency services to persons and property in the area from which the call is made, meeting the definition and criteria of an emergency call as set forth in (b) following, are offered at no charge to customers:

- a. Governmental fire fighting, Ohio State Highway Patrol, police, and emergency service (as designated by the appropriate governmental agency) qualify as governmental emergency services agencies provided they answer emergency service calls on a personally attended (live) 24-hour basis, 365 days a year, including holidays.

- b. An emergency is an occurrence or set of circumstances in which conditions pose immediate threat to human life, property, or both, and necessitate that prompt action be taken. An emergency call is an originated call of short duration to a governmental emergency service agency in order to seek assistance for such an emergency.

□ 3. ALTERNATIVE OPERATOR SERVICES

The following applies to the provision of alternative operator services (AOS) (See also Case No. 88-560-TP-COI):

Preceding the maximum operator-assisted surcharges set forth in the text of the tariff, as well as preceding the operator-assisted surcharges set forth in the price list attached to the tariff, the NEC must insert a statement which specifies whether the rates as set forth apply to the provider's provision of traditional operator services, AOS, or both.

a. Definitions

- i. AOS are those services provided by the NEC in which the customer and the end user are totally separate entities. The NEC contracts with the customer to provide the AOS; however, the NEC does not directly contract with the end user to provide the services even though it is the end user who actually pays for the processing of the operator-assisted calls.
- ii Traditional operator services are those services provided by the NEC in which the end user has a customer relationship with the NEC, the NEC contracts with the customer/end user to provide the services, and the customer/end user pays for the actual processing of the operator-assisted calls.

b. AOS Service Parameters

- i. For local operator-assisted calls, NECs providing AOS shall not charge the billed party more than the incumbent local exchange company (ILEC) price list rates for a local operator assisted call in the same exchange. This requirement includes both the rates for MTS and operator surcharges.

Provider's Name: Mercury Long Distance, Inc.

Case No. _____ - _____ - TP-_____

Case No. _____ - _____ - TRF

Issued:

- ii For intraLATA, intrastate calls, the NECs providing AOS to secured facilities shall not charge the billed party more than the ILEC price list rates for an intraLATA, intrastate call. This requirement includes both the rates for MTS and operator surcharges. This requirement is only applicable in those situations where the billed party does not have access to other operator service providers (OSPs) for the call from the secured facility.
- iii. For intraLATA and interLATA, intrastate calls, NECs providing AOS must apply one of the following MTS price ceilings to the MTS provided in conjunction with AOS (See also Case No. 89-563-TP-COI):

<u>Mileage Band</u>	<u>Initial Minute</u>	<u>Each Additional Minute</u>
1 - 10	.32	.16
11 - 22	.40	.22
23 - 55	.48	.28
56 - 124	.57	.37
125 - end	.58	.39

or;

\$.36 per minute of use

This rule does not apply to the provision of intraLATA, intrastate calls from secured inmate facilities where there is no access to other OSPs; the rates for those types of calls are addressed in Attachment C, 3 B.i. and ii, above.

- iv For intraLATA and interLATA, intrastate calls, each NECs maximum interexchange operator-assisted AOS rates shall be no more than:
 - i. \$1.70 for customer-dialed calling card calls;
 - ii. \$2.50 for operator-handled calls; and
 - iii. \$4.80 for person-to-person calls.

This rule does not apply to the provision of intraLATA, intrastate calls from secured inmate facilities where there is no access to other OSPs; the rates for those types of calls are addressed in Attachment C.3B.i, above.

- v. Notice of any change in the rates stated in Attachment C, 3.B.i. through iv., above, whether it be upward or downward, must be filed by the OSP with the Commission in the form of a new price list, on or before the effective date in accordance with Commission-established filing rules.

✓ 4. LIMITATION OF LIABILITY

The following is applicable to all NECs that choose to include in their tariffs language which may limit their liability (See also Case No. 85-1406-AU-COI):

Approval of limitation of liability language by the PUCO does not constitute a determination by the Commission that the limitation of liability imposed by the company should be upheld in a court of law. Approval by the Commission merely recognizes that since it is a court’s responsibility to adjudicate negligence and consequent damage claims, it is also the court’s responsibility to determine the validity of the exculpatory clause.

✓ 5. TERMINATION LIABILITY

The following is applicable to all NECs that choose to include in their tariffs language which may limit their liability for early termination of a contract or term payment plan:

Except as otherwise detailed in the Local Competition Guidelines (Case No. 95-845-TP-COI), Commission approval of contracts does not constitute a determination of the reasonableness of termination liability provisions.

□ 6. SERVICE CONNECTION ASSISTANCE (SCA) AND TELEPHONE SERVICE ASSISTANCE (TSA)

The following is applicable to all NECs that offer local service to residential customers:

SCA is targeted to help defray the one-time, up-front costs of connecting to the local exchange network for qualified customers. It provides a waiver of the deposit requirement, full or partial waiver of the service connection charges, and a limited or temporary waiver of the monthly federal subscriber line charge. TSA also provides a waiver of the deposit and service connection charges along with a recurring discount to the cost of basic local exchange service and continued waiver of the federal subscriber line charge for qualified customers.

✓ 7. RESALE OF SERVICE (See also Case No. 95-845-TP-COI, Guideline IX.)

NOTE: This is mandatory for facilities-based LECs.

As a LEC which provides local service through its own facilities or in combination with its own facilities, we have a carrier-to-carrier tariff including our resale service offerings and, with the exception of services not available for resale pursuant to Section IX.C. of the local competition guidelines, we shall make such service offerings available for resale to any other LEC.

□ 8. LOCAL NUMBER PORTABILITY

See Case No. 95-845-TP-COI, Guideline XIV. **NOTE:** LNP is mandatory for all facilities-based LECs.

Provider's Name: Mercury Long Distance, Inc.

Case No. _____ - _____ - TP-_____

Case No. _____ - _____ - TRF

Issued: