ITC^DeltaCom

# 1 Special Promotions – Section 2

T64-1428

ITC DELTACOM®

4092 South Memorial Parkway ► Huntsville, AL 35802 ► 1-800-239-3000
256-382-3852

October 30, 2003

*Via Overnight Delivery*

RECEIVED
OCT 31 2003
PUBLIC SERVICE COMMISSION

Mr. Brent Kirtley
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

Re: ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom – Long Distance Service Promotional Filing

Dear Mr. Kirtley:

I am enclosing for filing with the commission an original and three (3) copies of ITC^DeltaCom's current promotional filing. This promotion, which may not be combined with any other promotion, will be available from November 30, 2003 through March 1, 2004.

Simpli-Voice Long Distance is a promotional product available to new business customers who subscribe to the companion local service product, and is not available as a stand-alone product. This product provides the customer with unlimited lata-wide calling and free minutes of long distance usage each month. Customers subscribing to Simpli-Voice Long Distance must select ITC^DeltaCom as their carrier for IntraLata and InterLata calls. Customers subscribing to Simpli-Voice Long Distance will receive 100 free minutes of long distance usage each month when subscribing to Simpli-Voice Local Service, or 150 free minutes of long distance usage each month when subscribing to Simpli-Voice Plus Local Service. Additional minutes used above the free minutes will be billed at $.05 per minute for Intrastate and Interstate usage. Calling card and operator services calls do not qualify under the free long distance usage. Installation charges will be waived upon initial installation. Simpli-Voice Long Distance may not be available in all areas. Customers may contact an ITC^DeltaCom customer service representative at 1-800-239-3000 to find out if this service is available in their area.

Please acknowledge receipt of this filing by date-stamping the copy of this letter labeled labeled "return receipt" and returning it to me in the self-addressed, stamped envelope after the promotion is accepted for filing by the Commission.

Should you have any questions regarding this filing, please call me at 256-382-3967.

Sincerely,

Sue Lawson
Regulatory Manager

Enclosures

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

NOV 30 2003

PURSUANT TO 807 KAR 5:011
SECTION 9 (1)
BY _____
EXECUTIVE DIRECTOR

T63-0751

ITC DELTACOM®

4092 South Memorial Parkway ► Huntsville, AL 35802 ► 1-256-382-3900
FAX 1-256-382-3801

June 28, 2002

RECEIVED
JUL 01 2002
PUBLIC SERVICE COMMISSION

**VIA OVERNIGHT DELIVERY**
Mr. Martin Huelsmann
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

RE: ITC^DeltaCom's Current Promotional Filing/
Summer Sizzle II Promotion

Dear Mr. Huelsmann:

I am enclosing for filing with the commission an original and three (3) copies of ITC^DeltaCom's current promotional filing. This filing bears an issue date of July 1, 2002 and an effective date of July 2, 2002. This promotion will be available through September 27, 2002.

The Summer Sizzle II Promotion is available to new ITC^DeltaCom customers who subscribe to a T1 based service and sign a one, two or three year term agreement. Customers will be eligible to receive a waiver of one month of service which will be applied to the Customer's January 2003 invoice. This one-month waiver of service includes all Monthly Recurring Charges for Long Distance, Internet, Frame, IP VPN, Firewall, and Equipment.

Measured usage services such as long distance usage and Conference Calling usage are not included in the Summer Sizzle II Promotion. Existing customers adding new service or locations cannot qualify for this promotion. This promotion is not available in conjunction with any other promotion or in combination with the Select 100 service.

If the Customer who has entered into a term agreement terminates the agreement before the expiration of the term, and after the initial 90 day period of the term, in addition to all accrued charges for usage and the disconnect charges assessed under the associated T1 based service, the Company will seek recovery of discounts received in connection with this promotion as of the date of termination.

Please acknowledge receipt of this filing by date-stamping the copy of this letter labeled "return receipt" and returning it to me in the self-addrressed, stamped envelope after the promotion is accepted for filing by the Commission.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JUL 02 2002

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)
BY Stephanie Bell
SECRETARY OF THE COMMISSION

Should you have any questions regarding this filing, please call me at 256-382-3900.

Sincerely,

Iris Walter

Iris Walter
Tariff Administrator

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JUL 0 2 2002

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)
BY Stephen Bell
SECRETARY OF THE COMMISSION

T63-0750

ITC DELTACOM®

4092 South Memorial Parkway ▶ Huntsville, AL 35802 ▶ 1-256-382-3900
FAX 1-256-382-3801

June 28, 2002

RECEIVED
JUL 01 2002
PUBLIC SERVICE COMMISSION

**VIA OVERNIGHT DELIVERY**
Mr. Martin Huelsmann
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

RE: ITC^DeltaCom's Current Promotional Filing/
Summer Sizzle I Promotion

Dear Mr. Huelsmann:

I am enclosing for filing with the commission an original and three (3) copies of ITC^DeltaCom's current promotional filing. This filing bears an issue date of July 1, 2002 and an effective date of July 2, 2002. This promotion will be available through September 27, 2002.

The Summer Sizzle I promotion is available to new Long Distance customers who sign a one, two or three year term agreement. Customers who bill less than $1000 per month will be eligible to receive a 5% discount and customers who bill more than $1000 per month will be eligible to receive a 10% discount on all subscribed services. Customers will receive either the 5% or 10 % discount for the duration of the term agreement.

This promotion cannot be combined with any other promotions.

If the Customer who has entered into a term agreement terminates the agreement before the expiration of the term, and after the initial 90 day period of the term, in addition to all accrued charges for usage and the disconnect charges assessed under the associated service, the Company will seek recovery of discounts received in connection with this promotion as of the date of termination.

Please acknowledge receipt of this filing by date-stamping the copy of this letter labeled "return receipt" and returning it to me in the self-addrressed, stamped envelope after the promotion is accepted for filing by the Commission.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JUL 02 2002

PURSUANT TO 807 KAR 5:011.
SECTION 9 (1)
BY Gerhard Bell
SECRETARY OF THE COMMISSION

Should you have any questions regarding this filing, please call me at 256-382-3900.

Sincerely,

Iris Walter

Iris Walter
Tariff Administrator

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JUL 02 2002

PURSUANT TO 807 KAR 5:011.
SECTION 9 (1)
BY Stephen Bell
SECRETARY OF THE COMMISSION

T61-1306

ITC DELTACOM

4092 South Memorial Parkway ▶ Huntsville, AL 35802 ▶ 1-256-382-3900

September 20, 2000

RECEIVED
SEP 20 2000
PUBLIC SERVICE COMMISSION

Mr. Don Mills
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602-0615

Dear Mr. Mills:

5107200

The purpose of this filing is to notify the Commission of ITC^DeltaCom's promotion that is currently available only to new long distance customers who average twenty thousand dollars ($20,000.00) in monthly long distance usage. This promotion is effective from September 25, 2000 to December 25, 2000.

The promotion provides qualifying new long distance customers with a two-month credit of long distance usage for each year in the initial term of the agreement. Customers may elect to have the credit apply to their first and second month's billing or their first and sixth month's billing. This process shall be repeated for each year of the Customer's term.

Please acknowledge receipt of this filing by date-stamping the copy of this letter labeled "return receipt" and return it to me in the self-addressed, stamped envelope after the letter has been accepted for filing by the Commission.

Should you have any questions regarding this filing, please call me 256-382-3900.

Sincerely,

Iris Walter

Iris Walter
Tariff Administrator

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

SEP 25 2000

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)
BY: Stephanie Bell
SECRETARY OF THE COMMISSION

DELTACOM
The communications company for business.

700 Boulevard South, Suite 101 ► Huntsville, AL 35802 ► 205/650-3900
FAX 205/650-3936

RECEIVED
FEB 18 1997
PUBLIC SERVICE COMMISSION

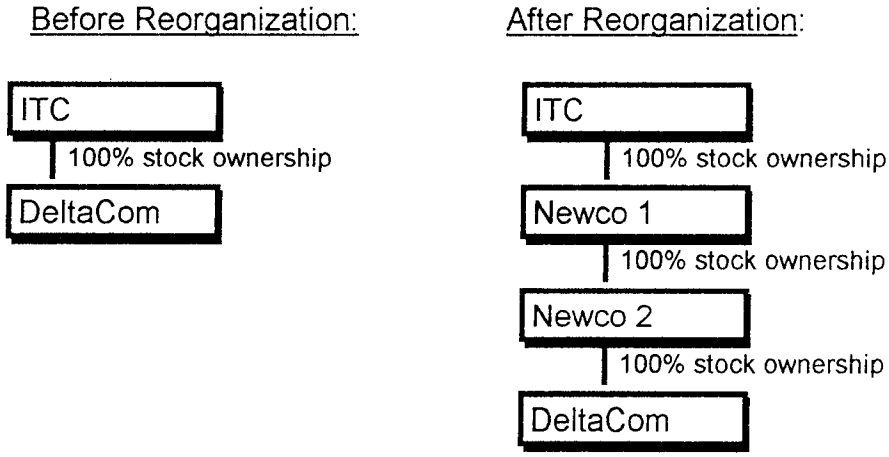
February 17, 1997

Mr. Don Mills
Executive Director
Kentucky Public Service Commission
730 Schenkel Lane
Frankfort, Kentucky 40602

Re: DeltaCom, Inc. / Corporate Restructure and Name Change

Dear Mr. Mills:

DeltaCom, Inc. ("DeltaCom") is a certified provider of telecommunication services in Kentucky, utilizing the facilities of underlying carriers in your state and, in some instances, DeltaCom's switching equipment located in DeltaCom's home state of Alabama. DeltaCom currently is a first-tier subsidiary of ITC Holding Company, Inc. ("ITC"), which directly owns 100% of all outstanding stock of DeltaCom. In an effort to take advantage of certain efficiencies in restructuring its organization, including, among other things, certain tax advantages and operational efficiencies of consolidation of management, ITC plans to reorganize several of its wholly owned operating subsidiaries that are in related businesses (including DeltaCom), with the result that DeltaCom would become a third-tier (rather than a first-tier) subsidiary of ITC (see diagram below). The beneficial ownership and control of DeltaCom upon completion of the proposed reorganization will remain the same as before the restructuring.



RECEIVED

FEB 1 8 1997

P.S.C.
Rates & Research Div.



In addition to the reorganization described above, DeltaCom intends to change its name in the near future. DeltaCom will provide you with written notice, including the appropriate documents evidencing this name change as filed with the Secretary of State's office when accomplished. Also, [NEWCO 3], formerly DeltaCom, will then request in writing to adopt DeltaCom's current tariff on file with your office as its own. If [NEWCO 3] will need to file a replacement tariff, please contact me at your earliest convenience in this regard.

Shortly following the reorganization, ITC and NEWCO 1 intend to refinance the entity that includes DeltaCom, in order to fund, among other things, continued growth and expansion of DeltaCom, enhancements of DeltaCom's billing and customer service systems, and similar improvements. The terms of refinancing still are being negotiated, but at this time we contemplate that NEWCO 1 will issue debt securities (possibly including warrants) in a private placement (with subsequent registration of the debentures, or related securities, with the Securities and Exchange Commission), and that NEWCO 2 will have a new line of credit with one or more banks.

DeltaCom's customers and the end-users of DeltaCom's services should not experience any negative changes or modifications in the provision of DeltaCom's telecommunication services, the rates associated with its services or the billing of its services as a result of the changes described above. In addition, DeltaCom will not have a change of address, a change in ownership of physical assets or property of DeltaCom, a change of its toll-free numbers for customer service, or a change in DeltaCom's liaison with your staff.

Considering the facts provided above, please contact me at your earliest opportunity in the event additional action is required on behalf of DeltaCom beyond this letter notifying you of the proposed reorganization, name change and refinancing. The reorganization, name change, and refinancing described above are scheduled for completion as early as April, 1997. Your efforts in notifying me of any additional required approvals in your state in sufficient time to accomplish obtaining any required approval by April, 1997, will be greatly appreciated. In the event we are not contacted by you, DeltaCom will notify your office by letter upon the completion of the reorganization, name change and refinancing.

We would be most grateful if you would return the enclosed copy of this letter to my attention, date stamped by your office, in the enclosed self-addressed, stamped envelope provided for your convenience.

Please contact me toll-free at (800)239-3000 or at the address above should you have any questions or require additional information regarding this proposed corporate restructuring and name change.

Thank you for your assistance in this matter.

Very truly yours,

Nanette S. Edwards

Nanette S. Edwards
Regulatory Affairs Manager

/nse

RECEIVED

FEB 18 1997

P.S.C.
Rates & Research Div.

P.S.C. Adoption Notice No. I
ADOPTION NOTICE

The undersigned ITC^DeltaCom Communications, Inc., d/b/a ITC^DeltaCom of Alabama hereby adopts, ratifies, and makes its own, in every respect as if the same had been originally filed and posted by it, all tariffs and supplements containing rates, rules and regulations for furnishing statewide long distance services in the Commonwealth of Kentucky, filed with the Public Service Commission by DeltaCom, Inc. and in effect on the 7TH day of January, 1998, the date on which DeltaCom, Inc., changed its name to ITC^DeltaCom Communications, Inc.

This notice is issued on the 18TH day of February, 1998, in conformity with Section 10 of P.S.C. Tariff Regulations adopted by the Public Service Commission.

BY: Janette S. Edwards
Regulatory Affairs Mgr.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 20 1998

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)
BY: Stephanie Bell
SECRETARY OF THE COMMISSION

ITC^DeltaCom Communications, Inc.
d/b/a ITC^DeltaCom and
d/b/a Grapevine of Kentucky
**TRANSMITTAL NO. 21**

Kentucky Tariff No. 1
Fourth Revision Sheet 1 (T)
Cancels Third Revision Sheet 1 (T)

Issued: August 6, 2003
Effective: August 7, 2003

By: Nanette Edwards
Senior Manager - Regulatory Attorney
4092 South Memorial Parkway
Huntsville, Alabama 35802

---

## TITLE SHEET

## KENTUCKY TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations and rates applicable to the furnishing of service facilities for telecommunications services provided by ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom and d/b/a Grapevine of (T)
Kentucky with principal offices at 4092 South Memorial Parkway, (T)
Huntsville, Alabama 35802, telephone number (256) 382-3900. This tariff is on file with the Public Service Commission and copies may be inspected, during normal business hours, at the Company's principal place of business.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

AUG 07 2003

PURSUANT TO 807 KAR 5:011
SECTION 9 (1)
BY
EXECUTIVE DIRECTOR

ITC^DELTACOM
**TRANSMITTAL NO. 23**

Kentucky Tariff No. 1
Twenty-Second Revision Sheet 2
Cancels Twenty-First Revision Sheet 2

Issued: November 17, 2003 Effective: November 18, 2003
By: Nanette Edwards
Senior Manager-Regulatory Attorney
4092 South Memorial Parkway
Huntsville, Alabama 35802

---

## CHECK SHEET

The following tariff pages 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 top of this page.

| Sheet No. | Revision | |
|---|---|---|
| 1 | Fourth | |
| 2 | Twenty-Second | * |
| 3 | Eleventh | |
| 3.1 | Eleventh | * |
| 3.1.1 | Third | |
| 3.1.2 | Original | |
| 3.2 | Twelfth | * |
| 3.3 | Fifth | |
| 3.4 | Original | |
| 4 | Second | |
| 5 | First | |
| 6 | Original | |
| 7 | Second | |
| 8 | Original | |
| 9 | Original | |
| 10 | Original | |
| 11 | Original | |
| 12 | First | |
| 13 | First | |
| 13.1 | Original | |
| 14 | First | |
| 15 | Fourth | |
| 16 | Original | |
| 17 | First | |
| 18 | First | |
| 18.1 | Original | |
| 19 | Original | |
| 20 | First | |
| 21 | Original | |
| 22 | Original | |
| 23 | Original | |
| 24 | First | |
| 24.1 | Original | |
| 25 | Original | |
| 26 | Second | |

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

NOV 18 2003

PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

BY Thomas M. Dorman
EXECUTIVE DIRECTOR

ITC^DeltaCom
**TRANSMITTAL NO. 16**

Kentucky Tariff No. 1
Eleventh Revision Sheet 3
Cancels Tenth Revision Sheet 3

Issued: June 29, 2000 Effective: June 30, 2000
By: Nanette Edwards, Senior Manager-Regulatory Attorney
4092 South Memorial Parkway (T)
Huntsville, Alabama 35802

---

## CHECK SHEET

| Sheet No. | Revision | |
|---|---|---|
| 26.1 | Original | |
| 26.2 | Original | |
| 26.3 | Second | |
| 26.4 | Original | |
| 26.5 | Original | |
| 26.6 | Third | |
| 26.7 | Fourth | |
| 26.8 | Third | |
| 26.9 | Third | |
| 26.9.1 | Third | |
| 26.10 | Third | |
| 26.10.1 | First | |
| 26.11 | First | |
| 26.12 | Second | |
| 26.12.1 | Second | |
| 26.13 | First | |
| 26.14 | Second | |
| 26.14.1 | Second | |
| 27 | First | |
| 28 | First | |
| 29 | First | |
| 30 | First | |
| 31 | First | |
| 32 | Third | |
| 33 | Second | |
| 33.1 | First | |
| 33.2 | First | |
| 34 | First | |
| 35 | Second | |
| 36 | First | |
| 36.1 | Original | |
| 36.2 | Original | |
| 37 | Second | |
| 38 | Fourth | * |
| 39 | First | |
| 40 | Fourth | * |
| 41 | Fourth | * |
| 42 | Fourth | * |
| 43 | Fourth | * |
| 44 | Fourth | * |

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JUN 30 2000

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)
BY: Stephanie Bell
SECRETARY OF THE COMMISSION

ITC^DeltaCom
**TRANSMITTAL NO. 23**

Kentucky Tariff No. 1
Eleventh Revision Sheet 3.1
Cancels Tenth Revision Sheet 3.1

Issued: November 17, 2003
Effective: November 18, 2003

By: Nanette Edwards
Senior Manager-Regulatory Attorney
4092 South Memorial Parkway
Huntsville, Alabama 35802

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**CHECK SHEET**

| Sheet No. | Revision | |
|---|---|---|
| 45 | Second | * |
| 46 | Second | * |
| 46.0.1 | Second | * |
| 46.0.2 | Second | |
| 46.0.3 | First | |
| 46.0.4 | First | |
| 46.0.5 | Second | |
| 46.0.6 | First | |
| 46.0.7 | First | |
| 46.0.7.1 | First | |
| 46.0.8 | First | |
| 46.0.9 | First | |
| 46.0.10 | First | |
| 46.0.11 | First | |
| 46.0.12 | First | |
| 46.0.13 | First | |
| 46.0.14 | Original | |
| 46.0.15 | Original | |
| 46.0.16 | Original | |
| 46.0.17 | Original | |
| 46.0.18 | Original | |
| 46.0.19 | Original | |
| 46.0.20 | Original | |
| 46.0.21 | Original | |
| 46.0.22 | Original | |
| 46.0.23 | Original | |
| 46.0.24 | Original | |
| 46.0.25 | Original | |
| 46.0.26 | Original | |
| 46.1 | Second | |
| 46.2 | Second | |
| 46.3 | First | |
| 46.4 | First | |
| 46.5 | Second | |
| 46.6 | First | |
| 46.7 | First | |

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

NOV 1 8 2003

PURSUANT TO 807 KAR 5:011
SECTION 9 (1)
BY Thomas M. Dorman
EXECUTIVE DIRECTOR

ITC^DeltaCom
**TRANSMITTAL NO. 18**

Kentucky Tariff No. 1
Third Revision Sheet 3.1.1
Cancels Second Revision Sheet 3.1.1

Issued: January 28, 2002 Effective: February 27, 2002
By: Nanette Edwards, Senior Manager-Regulatory Attorney
4092 South Memorial Parkway
Huntsville, Alabama 35802

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**CHECK SHEET**

| Sheet No. | Revision |
|---|---|
| 46.8 | Original |
| 46.9 | Original |
| 46.10 | Original |
| 46.11 | Original |
| 46.12 | Original |
| 46.13 | Original |
| 46.14 | Original |
| 46.15 | Original |
| 46.16 | Original |
| 46.17 | Original |
| 46.18 | Original |
| 46.19 | Original |
| 46.20 | Original |
| 46.21 | Original |
| 46.22 | Original |
| 46.23 | Original |
| 46.24 | Original |
| 46.25 | Original |
| 46.26 | Original |
| 46.27 | Original |
| 46.28 | Original |
| 46.29 | Original |
| 46.30 | Original |
| 46.31 | Original |
| 46.32 | Original |
| 46.33 | Original |
| 46.34 | Original |
| 46.35 | Original |
| 46.36 | Original |
| 46.37 | Original |
| 46.38 | Original |
| 46.39 | Original |
| 46.40 | Original |
| 46.41 | Original |
| 46.42 | Original |
| 46.43 | Original |
| 46.44 | Original |
| 46.45 | Original |
| 46.46 | Original |
| 46.47 | Original |

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

FEB 27 2002

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)
BY: Stephen D. Bell
SECRETARY OF THE COMMISSION

ITC^DeltaCom
**TRANSMITTAL NO. 20**

Kentucky Tariff No. 1
Original Sheet 3.1.2

Issued: August 20, 2002 Effective: August 21, 2002
By: Nanette Edwards, Senior Manager-Regulatory Attorney
4092 South Memorial Parkway
Huntsville, Alabama 35802

**CHECK SHEET**

| Sheet No. | Revision | |
|---|---|---|
| 46.48 | Original | * |
| 46.49 | Original | * |
| 46.50 | Original | * |
| 46.51 | Original | * |
| 46.52 | Original | * |
| 46.53 | Original | * |
| 46.54 | Original | * |
| 46.55 | Original | * |
| 46.56 | Original | * |
| 46.57 | Original | * |
| 46.58 | Original | * |
| 46.59 | Original | * |
| 46.60 | Original | * |
| 46.61 | Original | * |

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

AUG 21 2002

PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

BY Thomas M. Dorman
EXECUTIVE DIRECTOR

ITC^DeltaCom
**TRANSMITTAL NO. 16**

Kentucky Tariff No. 1
Twelfth Revision Sheet 3.2
Cancels Eleventh Revision Sheet 3.2
Effective: November 18, 2003

Issued: November 17, 2003
By: Nanette Edwards
Senior Manager-Regulatory Attorney
4092 South Memorial Parkway
Huntsville, Alabama 35802

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**CHECK SHEET**

| Sheet No. | Revision | |
|---|---|---|
| 47 | First | |
| 47.1 | Original | |
| 47.2 | Original | |
| 47.3 | Second | |
| 47.4 | Second | |
| 47.4.1 | Second | |
| 47.5 | First | |
| 47.6 | Second | |
| 47.6.1 | First | |
| 47.6.2 | Original | |
| 47.6.3 | Original | |
| 47.6.4 | First | |
| 47.6.5 | First | |
| 47.6.6 | First | |
| 47.6.7 | First | |
| 47.7 | First | |
| 48 | First | |
| 49 | First | |
| 50 | First | |
| 51 | Second | |
| 52 | Fourth | |
| 53 | Fourth | |
| 54 | Fifth | * |
| 54.1 | Original | |
| 55 | First | |
| 56 | Original | |
| 57 | First | |
| 58 | First | |
| 59 | First | |
| 60 | Original | |
| 61 | First | |
| 62 | First | |
| 63 | First | |
| 64 | First | |
| 65 | First | |
| 66 | Second | |
| 67 | First | |
| 68 | First | |
| 69 | First | |
| 70 | First | |
| 71 | Second | |
| 72 | Original | |

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

NOV 18 2003

PURSUANT TO 807 KAR 5:011
SECTION 9 (1)
BY [signature]
EXECUTIVE DIRECTOR

ITC^DeltaCom
**TRANSMITTAL NO. 20**

Kentucky Tariff No. 1
Fifth Revision Sheet 3.3
Cancels Fourth Revision Sheet 3.3

Issued: August 20, 2002 Effective: August 21, 2002
By: Nanette Edwards, Senior Manager-Regulatory Attorney
4092 South Memorial Parkway
Huntsville, Alabama 35802

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**CHECK SHEET**

| Sheet No. | Revision | |
|---|---|---|
| 73 | Second | |
| 73.1 | First | |
| 74 | Third | |
| 75 | Third | |
| 76 | Third | |
| 77 | Third | |
| 78 | First | |
| 79 | First | |
| 80 | Second | |
| 81 | Second | |
| 82 | First | |
| 83 | Original | |
| 84 | Original | |
| 85 | Original | |
| 86 | Original | |
| 87 | Original | |
| 88 | Original | |
| 89 | Original | |
| 90 | Original | |
| 91 | Original | |
| 92 | Original | |
| 93 | Original | |
| 94 | Original | |
| 95 | Original | |
| 96 | Original | |
| 97 | Original | |
| 98 | Original | |
| 99 | Original | |
| 100 | Original | |
| 101 | Original | * |
| 102 | Original | * |
| 103 | Original | * |
| 104 | Original | * |
| 105 | Original | * |
| 106 | Original | * |

Issued: August 6, 2003 Effective: August 7, 2003
By: Nanette Edwards, Senior Manager-Regulatory Attorney
4092 South Memorial Parkway
Huntsville, Alabama 35802

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## CHECK SHEET

| Sheet No. | Revision | |
|---|---|---|
| 107 | Original | * |
| 108 | Original | * |
| 109 | Original | * |
| 110 | Original | * |
| 111 | Original | * |
| 112 | Original | * |
| 113 | Original | * |
| 114 | Original | * |
| 115 | Original | * |

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

AUG 07 2003

PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

BY _____
EXECUTIVE DIRECTOR

Issued: August 6, 2003 Effective: August 7, 2003
By: Nanette Edwards (T)
Senior Manager - Regulatory Attorney (T)
4092 South Memorial Parkway (T)
Huntsville, Alabama 35802 (T)

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PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

AUG 0 7 2003

PURSUANT TO 807 KAR 5:011
SECTION 9 (1)
BY
EXECUTIVE DIRECTOR

Issued: January 21, 1997
By: Foster McDonald
President
113 South Main Street
Arab, Alabama 35016

Effective: January 22, 1997 (T)
(T)

---

**SYMBOLS**

(C) - To Signify Changed Regulation

(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)

(T) - Change in Text but No Change to Rate or Charge (N)

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PURSUANT TO 807 KAR 5:011,
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BY: Jackie C. Neal
FOR THE PUBLIC SERVICE COMMISSION

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SECTION 9 (1)
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RESALE COMMON CARRIER SERVICE

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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 Public Service Commission. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14.

C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

2.
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).I
2.1.1.A.1.(a).I.(i).
2.1.1.A.1.(a).I.(i).1.

D. Check sheets - When a tariff filing is made with the Public Service Commission, 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 revision 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 Public Service Commission.

## RESALE COMMON CARRIER SERVICE

## SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

**Access Line** - An arrangement which connects the customer's location to an ITC^DeltaCom network switching center.

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

**Company or Carrier** - ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom and d/b/a Grapevine of Kentucky, unless the context means otherwise. (T)

**Customer** - The person, firm, corporation or other entity which orders or uses service and is responsible for the payment of charges and for compliance with tariff regulations. A business customer is a telephone company subscriber whose use of such telephone company service is primarily or substantially of a business, professional, institutional or otherwise occupational nature, or where the listing required is such as to indicate business use, and is therefore charged business rates for basic telephone service. A residential customer is a telephone company subscriber whose use of such telephone service is of a domestic nature, and not substantially of an occupational nature, and who is therefore charged residential rates for basic telephone service.

**Local Service Management System (LSMS)** - An intermediate data base system which receives downloads of Customer records from the SMS/800 and further downloads them to the appropriate SCPs.

**Responsible Organization (Resp. Org.)** - The carrier entity that has responsibility for the management of 800 numbers in the Service Management System (SMS/800) including maintaining Customer records in the SMS/800 system. Also, the entity which accesses the SMS/800 to: (a) search for and reserve 800 numbers; (b) create and maintain 800 number Customer records, including call processing records; (c) provide a single point of contact for trouble reporting. The SMS/800 recognizes one Resp. Org. for each 800 number.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS (Cont.)

Service Control Point (SCP) - The real-time data base system in the 800 Data Base Service network that contains instructions on how customers wish their calls to be routed, terminated or otherwise processed.

Service Management System (SMS/800) - The main administrative support system of 800 Data Base Service. It is used to create and update Customer 800 Service records and that are then downloaded to Service Control Points (SCPs) for handling customer's 800 Service calls and to Local Service Management Systems (LSMSs) for subsequent downloading to SCPs. The system is also used by Resp. Orgs. to reserve and assign 800 numbers.

Subscriber - same as customer definition.

Vertical Features - Services such as call validation, "Plain Old Telephone Service" (POTS) number translation and provision of statistical information on the Customer's 800 traffic, which may be obtained by the Company from Local Exchange Company access tariffs on behalf of a DeltaCom inbound 800 subscriber for which DeltaCom serves as Resp. Org.

Day - From 8:00 AM up to but not including 5:00 PM local time Monday through Friday.

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

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

Holidays - DeltaCom, Inc.'s recognized holidays are January 1, July 4, Labor Day, Thanksgiving Day and Christmas Day, on which Evening Rates apply from 8:00 AM to 5:00 PM in lieu of regular rates, if holiday falls on a weekday.

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RESALE COMMON CARRIER SERVICE

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS (CONTINUED)

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RESALE COMMON CARRIER SERVICE

## SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of DeltaCom, Inc.

DeltaCom, Inc. services and facilities are furnished for communications originating at specified points within the Commonwealth of Kentucky under terms of this Tariff.

DeltaCom, Inc. installs, operates, and maintains the communication services provided hereinunder 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 DeltaCom, Inc. network. The customer shall be responsible for all charges for such service arrangement.

The Company's services and facilities are provided on a monthly basis unless ordered on a longer term basis, and are available 24 hours per day, 7 days per week.

2.2 Limitations

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

2.2.2 DeltaCom, 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.

2.2.3 All facilities provided under this tariff are directly controlled by DeltaCom, Inc. and the customer may not transfer or assign the use of service or facilities, except with the express written consent of the Company. Such transfer or assignment shall only apply where there is not interruption of the use or location of the service or facilities.

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SECTION 2 - RULES AND REGULATIONS (Cont.)

2.2 Limitations (Cont.)

2.2.4 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 of service.

2.3 Liabilities of the Company

2.3.1 DeltaCom, Inc.'s liability for damages arising out of mistakes, interruptions, omissions, delays, errors or defects in the transmission occurring in the course of furnishing service and facilities, shall in no event, exceed an amount equivalent to the proportionate charge to the customer for the period during which the aforementioned faults in transmission occur.

2.3.2 DeltaCom, 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 DeltaCom, Inc.

2.3.3 Where any claim arises out of the Company acting as a Resp. Org. or where DeltaCom Inbound 800 Service is not made available on the date committed, or cannot otherwise be made available after the Company's acceptance of the customer's order, or as provided with a number(s)

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**2.3 Liabilities of the Company, (Cont.)**

**2.3.3 (Cont.)**

other than the one(s) committed by ITC^DeltaCom to customer, or the number or numbers are not included in a third party directory assistance data base or are included in an incorrect form, or Vertical Features are not obtained or obtained in error, and any such failure or failures is due solely to the negligence of ITC^DeltaCom, in such case the Company's liability, if any, is limited to the lesser of (a) the actual monetary damages incurred and proved by the customer as the direct result of such failure or failures, or (b) the sum of $1,000.00. ITC^DeltaCom shall not be liable at all for the use, misuse, or abuse of a customer's inbound 800 service by third parties, including, without limitation, the customer's employees or members of the public who dial the customer's 800 number by mistake. Compensation for any injury the customer may suffer due to the fault of others than ITC^DeltaCom must be sought from such other parties. In the event that ITC^DeltaCom causes the misrouting of calls, the Company's sole liability shall be to provide a credit equal to the charges for the affected calls.

**2.3.4** In no event shall Customer have any claim against ITC^DeltaCom Communications, Inc. for any fraudulent usage over Customer's PBX or CPE, with Direct Inward System Access capability, by an outside caller or employees of the Customer, other than as provided in Section 2.3.1.

**2.3.5** Errors or Damages Caused by System Date Limitation. (N)
The Company's liability for errors or damage resulting from the inability of the Company's systems to process dates, such as the Year 2000, shall be limited to an amount equal to the proportionate amount of the Company's billing for the period of service during which the errors or damages occur. (N)

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**2.4 Interruption of Service (Cont.)**

**2.4.1 (Cont.)**

Credit allowance for the interruption of service which is (M)
not due to the Company's testing or adjusting, negligence (M)
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 any action or omission by the customer
within his control, or is not in wiring or equipment, if
any, furnished by the customer and connected to the
Company's facilities.

**2.4.2** For purposes of credit computation, every month shall be considered to have 720 hours.

**2.4.3** No credit shall be allowed for an interruption having a continuous duration of less than two hours.

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

**Credit Formula:**

Credit = A/720 x B, where
"A" - outage time in hours
"B" - total monthly charge for affected service or facility.

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**RESALE COMMON CARRIER SERVICE**

**SECTION 2 - RULES AND REGULATIONS, (Cont.)**

**2.4.5 Validation of Credit** (T) (N)

ITC^DeltaCom reserves the right to validate the credit worthiness of Subscribers through available credit verification procedures. Credit shall be deemed established if:

- The applicant demonstrates that he is a satisfactory credit risk by appropriate means including, but not limited to, the production of substantive references which may be quickly and inexpensively checked by the Company;

- The applicant has been a customer of the Company for a similar type of service within a period of twenty-four consecutive billings preceding the date of application and during the last twelve consecutive billings for that prior service has not had service discontinued for non-payment of bill or had more than one occasion in which a bill was not paid within the period prescribed by the reasonable regulations of the Company on file with the Commission; provided, that the average periodic bill for such previous service was equal to at least fifty per centum of that estimated for the new service; and provided further, that the credit of the applicant is unimpaired; or

- The applicant furnishes a satisfactory guarantor to secure payment of bills for the service requested in a specified amount not to exceed the amount of the cash deposit prescribed in section 2.6 of this tariff.

- The applicant makes a cash deposit to secure payment of bills for service prescribed in section 2.6 of this tariff.

- An applicant for service who previously has been a customer of the Company and whose service has been discontinued by the Company during the last twelve billings of that prior service because of nonpayment of bills, may be required to reestablish credit in accordance with section 2.6; except that an applicant for residential service shall not be denied service for failure to pay such bills for classes of nonresidential service. (N)

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RESALE COMMON CARRIER SERVICE

## SECTION 2 - RULES AND REGULATIONS (Cont.)

### 2.5 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 FCC.

### 2.6 Deposits

DeltaCom will neither require nor accept deposits from its customers in the Commonwealth of Kentucky.

### 2.7 Taxes

All state and local taxes (i.e., gross receipts tax, sales tax, county or municipal utilities tax) are listed as separate line items and are not included in the quoted rates. It shall be the responsibility of the Customer to pay any such taxes that subsequently become applicable retroactively. The Customer is also responsible for the payment of any use, excise, access or other local, state and federal taxes, charges or surcharges (however designated) excluding taxes on the Company's net income, imposed on or based upon the provision, sale or use of Services. In addition, the Company will itemize and pass through all taxes imposed by a local jurisdiction (e.g., county and municipal taxes, including but not limited to franchise fees and license fees). Any taxes imposed by a local jurisdiction will only be recovered from those Customers located in the affected jurisdiction. (T)

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### 2.8 Payment and Billing

**2.8.1** Service is billed on a monthly basis.

**2.8.2** All recurring monthly subscriber service charges and usage rated charges are billed in arrears.

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RESALE COMMON CARRIER SERVICE

**SECTION 2 - RULES AND REGULATIONS (Cont.)**

**2.8.3** Billing will be payable upon receipt of bill. Interest will be charged on any amount unpaid after twenty (20) days of the billing date at a 1 1/2% monthly rate.

**2.8.4** In the event a subscriber accumulates more than$250.00 of undisputed delinquent ITC^DeltaCom Inbound 800 service charges, the ITC^DeltaCom Resp. Org. reserves the right to not honor that subscriber's request for a Resp. Org. change until such undisputed charges are paid in full.

**2.8.5** All customers will be charged a monthly account fee of $5.95. (N) (N)

**2.9 Minimum Service Period**

The minimum period of service is one month unless specifically agreed upon by both the subscriber and Company.

**2.10 Cancellation of Service by Carrier for Non-Payment**

The carrier, upon written notification to the customer, may discontinue service without incurring any liability if within 35 days after rendition of bill the carrier has not received full payment for service rendered hereunder.

**2.11 Cancellation of Service for Cause**

**2.11.1** The Company may without notice terminate the subscriber's contract, and/or disconnect the service upon:

**2.11.1.A** Abandonment of the service.

**2.11.1.B** Failure of a subscriber to make suitable deposit as required by this tariff.

**2.11.1.C** Impersonation of another with fraudulent intent.

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RESALE COMMON CARRIER SERVICE

SECTION 2 - RULES AND REGULATIONS (Cont.)

2.11 Cancellation for Service for Cause (Cont.)

2.11.1.D. Nonpayment of any sum due for services.

2.11.1.E. Use of service in such a way as to impair or interfere with the service of other subscribers; such improper use includes, but is not limited to, the use of service by a subscriber or with his permission in connection with a plan or contrivance to secure a large volume of telephone calls, to be directed to such subscriber at or about the same time which may result in preventing, obstructing, or delaying the service of others.

2.11.1.F. Abuse or fraudulent use of service; such abuse or fraudulent use includes:

2.11.1.F.1. The use of service or facilities of the Company to transmit a message or to locate a person or otherwise to give or obtain information, without payment of the charge applicable for the service;

2.11.1.F.2 The obtaining, or attempting to obtain, or assisting another to obtain or to attempt to obtain, message telecommunications service or WATS by rearranging, tampering with, or making connection with any facilities of the Company, or by any trick, scheme, false representation, or false credit device, or by or through any other fraudulent means or device whatsoever, with intent to avoid the payment, in whole or in part, of the regular charge for such service;

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**SECTION 2 - RULES AND REGULATIONS (Cont.)**

**2.11 Cancellation of Service for Cause (Cont.)**

**2.11.1 (Cont.)**

**2.11.1.F.3** Use of service or facilities of the Company for a call or calls, anonymous or otherwise, if in a manner reasonably to be expected to frighten, abuse, torment, or harass another;

**2.11.1.F.4** The use of profane or obscene language;

**2.11.1.F.5** The use of the service in such a manner as to interfere unreasonably with the use of the service by one or more other customers.

**2.11.1.G** Any violation of the Company's regulations.

**2.11.2** The Company reserves the right to cancel any contract for service with and to discontinue service to any person who uses or permits the use of obscene, profane or grossly abusive language over or by means of the Company's facilities, and who after reasonable notice fails, neglects or refuses to cease and refrain from such practice or to prevent the same, and to remove its property from the premises of such person.

2.11.3 Service(s) may be discontinued by the Company, without notice to the Customer, by blocking traffic to certain countries, or by blocking calls using certain Customer Authorization Codes, or from or to certain NPA-NXX's, when the Company deems it necessary to take action to prevent unlawful use of its Service(s). The Company may restore Service(s) as soon as it can be provided without undue risk. (N) (N)

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**SECTION 2 - RULES AND REGULATIONS (Cont.)**

**2.12 Customer's Responsibilities in Placement of Orders, Payment of Bills and Compliance with Regulations**

The Customer is responsible for placing any necessary orders and complying with tariff regulations for services described herein, and for assuring that its users comply with tariff regulations. The Customer is also responsible for the payment of bills for services described herein. This includes payment for long distance calls or services:

- Originating from the Customer's number(s),
- Accepted at the Customer's number(s) (e.g., Collect Calls),
- Billed to the Customer's number via Third Number Billing if the Customer is found to be responsible for such call or service, the use of a Calling Card, or the use of a Company-assigned special billing number, and
- Incurred at the specific request of the Customer.

**2.12.1** The customer is responsible for payment of all charges for service furnished to or used by the Customer, or the Customer's agents, servants, employees or customers. The Customer is also responsible for payment of charges for a third person's use of service to which the Customer subscribes. All charges due from the Customer are payable to the Company or to the Company's authorized billing agent. Any objections regarding billed charges must reported to the Company or its billing agent within six (6) months after receipt of the bill. Adjustments to the Customer's bill shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate. (N)

The security of the Customer's Authorization Codes is the responsibility of the Customer. All calls placed using such Authorization Codes shall be billed to and shall be the obligation of the Customer. The Customer is responsible for all calls placed via their (N)

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**RESALE COMMON CARRIER SERVICE**

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**SECTION 2 - RULES AND REGULATIONS (Cont.)**

**2.12 Customer's Responsibilities in Placement of Orders, Payment of Bills and Compliance with Regulations (Cont.)**

**2.12.1 (Cont.)**

Authorization Code, whether such use is a result of the Customer's intentional disclosure of the Authorization Code, negligent disclosure, or otherwise. However, the Customer shall not be responsible for charges in connection with the unauthorized use of Authorization Codes arising after the Customer notifies the Company of the loss, theft, or other breach of security of such Authorization Codes. (N)

**2.13 Specific Regulations for Inbound 800 Services** (M)

**2.13.1** The Company reserves the right to require an applicant for DeltaCom Inbound 800 Service to supply the following information when requesting service: an initial traffic forecast, identification of anticipated busy hour, identification of its geographical marketing target areas, and a schedule of marketing and promotional activities. The Company may also require that a new traffic forecast be submitted by the Customer quarterly after service is initiated.

**A.** DeltaCom Inbound 800 Service is furnished upon condition that the customer contracts for adequate facilities to permit the use of service without injurious effects upon it or any service rendered by the Company. The Company my terminate or refuse to furnish DeltaCom Inbound 800 Service to any (M)

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2.13 Specific Regulations for Inbound 800 Services

2.13.1 A. Cont.
applicant, without incurring any liability and without notice to the customer, if the use of the service would interfere with or impair any service rendered by the Company.

B. The customer must obtain an adequate number of access lines for DeltaCom Inbound 800 Service to handle the customer's expected demand in order to prevent interference or impairment of this service or any other service provided by the Company considering: (a) total call volume; (b) average call duration; (c) time-of-day characteristics; and (d) peak calling period. The Company, without incurring any liability and without notice to the customer, may disconnect or refuse to furnish DeltaCom Inbound 800 Service to any customer that fails to comply with these conditions.

2.13.2 Use of number(s): Each DeltaCom Inbound 800 Service telephone number must be placed in actual and substantial use by the customer. "Substantial use" shall mean a pattern of use that demonstrates an intent on the customer's part to employ the number for the purpose for which it was intended; namely, to allow callers to reach the customer, as indicated, for example, by at least thirty (30) average monthly minutes of use or more. Any 800 telephone number associated with DeltaCom Inbound 800 Service that has not been placed in actual and substantial use during the first sixty (60) day period after service activation may be re-designated as a spare number in the SMS/800 Data Base by DeltaCom upon written notice to the customer.

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**RESALE COMMON CARRIER SERVICE**

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**SECTION 2 - RULES AND REGULATIONS (Cont.)**

**2.13 Specific Regulations for Inbound 800 Services (Cont.)**

**2.13.3** If the customer requests assignment of a specific 800 Service telephone number, the Company may require the customer to submit a number reservation agreement form to the Company. At no time may a customer have more than ten (10) numbers reserved. Any reservation shall be for no more than thirty (30) days and shall be subject to a reservation fee which (T) will be credited to the customer's unpaid balance after DeltaCom Inbound 800 Service has been in actual and substantial use for a consecutive thirty (30) day period. (T)

Nothing in this section, or in any other provision of this tariff, or in any marketing materials issued by or on behalf of the Company, shall give any person, including prospective customers who have reserved 800 telephone numbers hereunder or customers who subscribe to and use DeltaCom Inbound 800 Service or their transferee or assigns, any ownership interest or proprietary right in any particular 800 number; however, upon placing a number actually and substantially in use, as defined above, DeltaCom Inbound 800 Service customers do have a controlling interest in their 800 number(s). DeltaCom Inbound 800 Service customers may retain the use of their 800 number assignments, even following changes in their 800 carrier and/or Resp. Org.

**2.13.4** If a customer places an order for DeltaCom to carry customer's already existing 800 number service, the customer shall provide to DeltaCom the contact names, telephone number and address of the customer's Responsible Organization (Resp. Org). Upon subscription to DeltaCom Inbound 800 Service, the customer may execute a Letter of

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SECTION 2 - RULES AND REGULATIONS (Cont.)

2.13 Specific Regulations for Inbound 800 Services (Cont.)

2.13.4 (Cont.)
Authorization to transfer Resp. Org. responsibility of its 800 number(s) to DeltaCom Resp. Org. If the customer elects to retain a non-DeltaCom Resp. Org., the customer must notify DeltaCom of any changes in the customer's Resp. Org., in writing, within forty-eight (48) hours of the change. The customer is responsible for all outstanding indebtedness for services provided by a previous Resp. Org. or 800 service carrier. DeltaCom assumes no responsibility or liability with respect to any obligations of the customer to such previous service providers existing at the time of transfer to DeltaCom.

2.13.5 It is the customer's responsibility to provide answer supervision back to the DeltaCom point of connection even when the DeltaCom Inbound 800 is connected to switching equipment or a customer-provided communications system. In such case, the equipment or system must provide appropriate supervision so that the measure of chargeable time begins upon answer of the call to the customer's switching equipment or communications system and ends upon termination of the call.

2.13.6 Subject to execution of a Resp. Org. Service Agreement between DeltaCom and the customer, the DeltaCom Resp. Org. will perform the function of Resp. Org. for all DeltaCom Inbound 800 Service orders unless the customer requests another Resp. Org. DeltaCom Resp. Org. functions include:

SECTION 2 - RULES AND REGULATIONS (Cont.)

2.13 Specific Regulations for Inbound 800 Services (Cont.)

2.13.6 (Cont.)

(a) search for and reservation of 800 numbers in the SMS/800; (b) creating and maintaining the 800 number customer record in the SMS/800; and (c) provision of a single point of contact for trouble reporting.

A. Where DeltaCom serves as the Resp. Org. for a DeltaCom Inbound 800 Service customer, DeltaCom will, at the customer's request, subscribe to 800 Directory Listing for the 800 number(s) assigned to the customer. A charge for 800 Directory Listings will apply as set forth in Section 4, Paragraph 4.25.K of this tariff. In the event that a customer transfers its 800 service to another Resp. Org., the Company shall cease to subscribe to 800 Directory Listing Service on behalf of the customer and the customer is responsible for assuring that 800 Directory Listing Service is maintained through the new Resp. Org. The customer is responsible for payment of any outstanding 800 Directory Listing charges, including any unexpired portion of any minimum period applicable to such service, and DeltaCom shall have no liability for any interruption or other delay, error, mistake, omission or other defect occurring in connection with the transfer of 800 Directory Listing responsibility.

B. Where DeltaCom serves as the Resp. Org. for a DeltaCom Inbound 800 Service customer, it will at the customer's request, subscribe to Vertical Features obtained from Local

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FOR THE PUBLIC SERVICE COMMISSION

RESALE COMMON CARRIER SERVICE

SECTION 2 - RULES AND REGULATIONS (Cont.)

2.13 Specific Regulations for Inbound 800 Services (Cont.)

2.13.6 (Cont.)

B. (Cont.)
Exchange Company access tariffs. When a DeltaCom Inbound 800 Service customer uses Vertical Features obtained by DeltaCom from Local Exchange Company tariffs, the customer shall reimburse DeltaCom for all such charges imposed by a Local Exchange Company. These charges may not be counted toward the attainment of any volume or revenue commitment and will not be discounted.

C. In the event that a customer cancels its DeltaCom Inbound 800 Service, the customer may elect to retain DeltaCom as its Resp. Org. Where DeltaCom serves as Resp. Org. for a non-DeltaCom Inbound 800 Service customer, a charge for Resp. Org. service will apply as set forth in Section 4, Paragraph 4.24 of this tariff.

D. In the event that a customer cancels its DeltaCom Resp. Org. or Inbound 800 Service, the customer shall be responsible for all outstanding indebtedness to the company and any outstanding charges applicable to any service obtained by or on behalf of the customer by DeltaCom.

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**RESALE COMMON CARRIER SERVICE**

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**SECTION 2 - RULES AND REGULATIONS (Cont.)**

**2.14 Disputes and Complaints** (N)

**2.14.1** DeltaCom offers direct Customer Service through the Company's toll free Customer Service telephone number number: (800) 239-3000 which is available from 9:00 AM until 6:00 PM, Monday through Friday (Eastern Time).

**2.14.2** In the event of a dispute between the Customer and and the Company regarding charges billed by the Company, the Company will investigate the particular case and report the results thereof to the Customer. During the period that the disputed amount is under investigation, the Company will not pursue any collection procedures or assess late fees with regard to the disputed amount. The Customer shall be required to pay the undisputed part of the bill and, if not paid, the Company may discontinue service as set forth in forth in Section 2.10.

**2.14.3** In the event the dispute is not resolved, the Authorized billing agency and/or DeltaCom shall provide the Customer with the regular telephone number and the toll free 800 number of the Kentucky Public Service Commission. In the event the complaint is made to the KPSC, the Authorized billing agency representing DeltaCom will forego collection of the disputed charges pending investigation by the Commission. (N)

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RESALE COMMON CARRIER SERVICE

**SECTION 2 - RULES AND REGULATIONS (Cont.)**

**2.15 Individual Case Basis (ICB) Arrangements**

Competitive pricing arrangements at negotiated rates may be furnished on an individual case basis (ICB) in response to requests by Customers to the Company, for proposals or for competitive bids. Service offered under this tariff provision will be provided to the Customer pursuant to contract and subject to the Commission's rules and regulations. Unless otherwise specified, the regulations for such arrangements are in addition to the applicable regulations and prices in other sections of this tariff. Specialized rates or charges will be made available to similarly situated Customers on a non-discriminatory basis.

**2.16 Other Charges** (N)

If an entity other than the Company (e.g. another carrier or a supplier) imposes charges on the Company, in addition to its own internal costs, in connection with a service for which the Company's Non-recurring Charge is specifified those charges will be passed on to the Customer. The Company may adjust its rates and charges or impose additional rates and charges on its Customer in order to recover amounts it is required by governmental or quasi-governmental authorities to collect from or pay to others in support of statutory or regulatory programs. Examples of such programs include, but are not limited to, the Universal Service Fund, Lifeline Assistance, the Primary Interexchange Carrier Charge, Telecommunications Relay Service, E911, Subscriber line charges, Transport Interconnection Charges, Residual Interconnection Charges, and compensation to payphone service providers for the use of their payphones to access the Company's service. (N)

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SECRETARY OF THE COMMISSION