

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF THE FAILURE)
OF CERTAIN NON-DOMINANT)
TELECOMMUNICATIONS PROVIDERS) CASE NO. 2017-00034
TO FILE REPORTS REQUIRED)
PURSUANT TO KRS 278.140)

ORDER

On February 21, 2017, the Commission ordered non-dominant telecommunications providers who are registered to provide service in Kentucky and whose names and last-known addresses appear in an appendix to that Order to show cause within 30 days of the date of the Order why their authority to operate in this Commonwealth should not be revoked for failure to comply with KRS 278.140. The Order, which arose from the companies' failure to file a report of the gross earnings or receipts derived from intra-state business, notified the companies that, in the absence of a timely response to the Order, each carrier's authorization to provide service in Kentucky would be revoked, its tariff, if it maintained one on file with the Commission, would be removed from the Commission's files, and its name would be stricken from the Commission's list of active utilities.

Since the Order was issued, the companies listed in Appendix A to this Order have either responded and satisfied the Commission that they should not be penalized as set forth in the Order, or they have filed their delinquent reports. The 30-day period has now expired and, in accordance the terms of the February 21, 2017 Order, the remaining

RECEIVED

5/12/2017

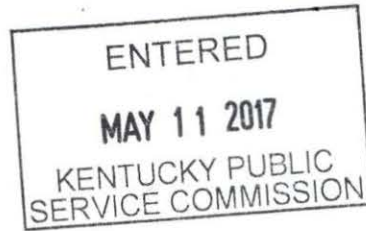
PUBLIC SERVICE
COMMISSION
OF KENTUCKY

companies are hereby notified that they are no longer authorized to provide service in Kentucky.

IT IS THEREFORE ORDERED that:

1. The companies listed in Appendix A are dismissed from this proceeding.
2. The authority of the companies listed in Appendix B to operate in Kentucky is revoked.
3. Each company whose authority to operate has been revoked shall immediately cease providing service in this state and notify its customers affected by the Order that they must obtain service from another carrier.

By the Commission



ATTEST:


Executive Director

Case No. 2017-00084



APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2017-00034 DATED **MAY 11 2017**

The following Companies are dismissed as parties:

Utility ID: 22205368

C.M., Inc. d/b/a Carrier Marketing, Inc.

George A Atkinson
1030 Oak Trace
Evansville, IN 47725-7138

Utility ID: 4107300

Lycamobile USA, Inc.

Abhay Kangle
24 Commerce St., Suite 100
Newark, NJ 07102

Utility ID: 4109950

The People's Operator USA, LLC

Beth Brandenstein
c/o GSAssociates, LLC
1595 Peachtree Pkwy,
Suite 204-337
Cumming, GA 30041

Utility ID: 5056840

Wild Telecommunications, Inc.

Terry Corbin
220 Greenbriar Road
Lexington, KY 40503

RECEIVED

5/12/2017

PUBLIC SERVICE
COMMISSION
OF KENTUCKY

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2017-00034 DATED **MAY 11 2017**

The following Companies' authority to provide service in Kentucky is revoked.

Utility ID: 5174300

ABA Net, LLC

Jerry Flavin
2400 Research Blvd, Suite
210 Rockville, MD 20850

Utility ID: 5145000

**Airnex Communications,
Inc.**

Arnold Marasigan
5000 Hopyard,
Suite 240
Pleasanton, CA 94577

Utility ID: 22205468

**American Broadband, Inc.
d/b/a United Network
Services**

Peter Robles
3220 Keller Springs Rd. #108
Carrollton, TX 75006

Utility ID: 5179680

Angel Americas, LLC

Roland J. Bopp
919 3rd Avenue,
11th Floor
New York, NY 10022

Utility ID: 5056760

Beaver Telecom, LLC

Rosanne Walton
1509 McDuffie Street
Houston, TX 77019

Utility ID: 5179780

CereTel Incorporated

Thomas M Lynch
700 Melvin Ave., Suite 1
Annapolis, MD 21401

Utility ID: 5121400

**Communication Options,
Inc.**

Scott Halliday
921 Eastwind Drive
Suite 104
Westerville, OH 43081

Utility ID: 4107100

**Flatel Wireless d/b/a Zing
PCS**

Adriana Solar
9601 Worswick Court
Wellington, FL 33414

Utility ID: 5151800

**Gateway Telecom, LLC
d/b/a Stratus Wave
Communications**

H. Rusty Irvin
1025 Main St., Suite 900
Wheeling, WV 26003

Utility ID: 5054810

**IBFA Acquisition Company,
LLC**

Baldwin Yung
353 Sacramento Street
Suite 1500
San Francisco, CA 94111

Utility ID: 5015200

**Image Access, Inc. d/b/a
NewPhone**

Sanaullah Abbasi
7324 Southwest Freeway,
Suite 475
Houston, TX 77074

Utility ID: 5179750

LDC Group, LLC

Esat Kabashi
4 Expressway Plaza,
Suite 210
Roslyn Heights, NY 11577

Utility ID: 5056270

NET TALK.COM, INC.

Anastasios Kyriakides
1100 NW 163rd Drive,
Suite 3
North Miami Beach, FL
33169

Utility ID: 5136600

New Century Telecom, Inc.

Karyn Bartel
3050 Royal Blvd South, #175
Alpharetta, GA 30022

Utility ID: 4109450

Pix Wireless, LLC

Andrew Taber
21346 Saint Andrews Blvd,
Suite 225
Boca Raton, FL 33433

Utility ID: 4109100

Solavei, LLC

David W Van Ness
10500 NE 8th Street,
Suite 1300
Bellevue, WA 98004

Utility ID: 5057400

Sunset Fiber, LLC

Ryan B Elswick
333 Fraley Avenue
Duffield, VA 24244

Utility ID: 5100500

Telecare, Inc.

Jane A Roudebush
444 Lafayette Road
Noblesville, IN 46060

Utility ID: 4103900

Total Call Mobile, Inc.

Hideki Kato
1411 W 190th Street,
Suite 700
Gardena, CA 90248

RECEIVED

5/12/2017

PUBLIC SERVICE
COMMISSION
OF KENTUCKY

Utility ID: 5158800
Total Call International, Inc.
d/b/a Amigos Telecom
d/b/a Key Pad d/b/a
International Alliance
Hideki Kato
1411 W 190th Street,
Suite 700
Gardena, CA 90248

Utility ID: 5174000
TTUSA Acquisition, Inc.
Peter Cheung
4345 E Lowell Street,
Suite B Ontario, CA 91761

Utility ID: 5170400
United American
Technology, Inc.
Tom Anderson
700 W 15th Street #1
Edmond, OK 73013



Airnex Communications, Inc.

TITLE SHEETKENTUCKY TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service or facilities for Telecommunications Services furnished by Airnex Communications, Inc. ("ACI"), with principal offices at 3000 Executive Parkway, Suite 111, San Ramon, California 94583. This tariff applies for services furnished within the Commonwealth of Kentucky. This tariff is on file with the Kentucky Public Service Commission, and copies may be inspected, during normal business hours, at the company's principal place of business.

PUBLIC SERVICE COMMISSIO
OF KENTUCKY
EFFECTIVE

MAR 21 1999

ISSUANT TO 807 KAR 5
SECTION 9 (1)
Richard Bui
SECRETARY OF THE COMMIS

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

CONCURRING, CONNECTING OR
OTHER PARTICIPATING CARRIERS

1. Concurring Carriers - None
2. Connecting Carriers - None
3. Other Participating Carriers - None

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

URGENT TO 807 KAR 50
SECTION 9 (1)
Stephan D. Bell
SECRETARY OF THE COMMISSION

ISSUED: February 19, 1999 EFFECTIVE: March 21, 1999
ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

CHECK SHEET

The Sheets 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 sheet.

<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
11	Original
12	Original
13	Original
14	Original
15	Original
16	Original
17	Original
18	Original
19	Original
20	Original
21	Original
22	Original
23	Original
24	Original
25	Original
26	Original
27	Original
28	Original
29	Original
30	Original
31	Original
32	Original
* New or Revised Sheet	

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

IN ACCORDANCE WITH 807 KAR 5,
SECTION 9 (1)
Stephan D. Bell
SECRETARY OF THE COMMISSION

ISSUED: February 19, 1999 EFFECTIVE: March 21, 1999
ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

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 pages 11 and 12 would be page 11.1.

B. Sheet Revision Numbers: Revision numbers also appear in the upper right corner of each sheet where applicable. These numbers are used to indicate the most current page version on file with the Commission. For example, 4th Revised Sheet 13 cancels 3rd Revised Sheet 13. Consult the Check Sheet for the sheets currently in effect.

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 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 sheets 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 sheet if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest Check Sheet to find out if a particular sheet is the most current on Commission file.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
MAR 21 1999
PURSUANT TO 807 KAR 5:1
SECTION 9(1)
Stephen B. Bell
SECRETARY OF THE COMMISSION

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

SYMBOLS

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

- (C) to signify change in regulation
- (D) to signify a deletion
- (I) to signify a rate increase
- (L) to signify material relocated in the tariff
- (N) to signify a new rate or regulation
- (R) to signify a rate reduction
- (T) to signify a change in text, but no change in rate or regulation

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

PURSUANT TO 807 KAR 5.011
SECTION 9(1)

BY: Stephan Bull
SECRETARY OF THE COMMISSION

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects a Customer's location to ACI's location or switching center.

Authorization Code - A numerical code, one or more of which may be assigned to a Customer, to enable ACI to identify the origin of the Customer so it may rate and bill the call. Automatic number identification (ANI) is used as the authorization code wherever possible.

Commission - Used throughout this tariff to mean the Kentucky Public Service Commission.

Customer - The person, firm, corporation or other legal entity which orders the services of ACI or purchases a ACI Prepaid Calling Card and/or originates prepaid calls using such cards, and is responsible for the payment of charges and for compliance with the Company's tariff regulations.

Company or ACI - Used throughout this tariff to mean Airnex Communications, Inc., a California corporation.

Dedicated Access - The Customer gains entry to the Company's services by a direct path from the Customer's location to the Company's point of presence.

Holiday - New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Holidays shall be billed at the evening rate from 8 a.m. to 11 p.m. After 11 p.m., the lower night rate shall go into effect.

Prepaid Account - An inventory of Telecom Units purchased in advance by the Customer, and associated with one and only one Authorization Code as contained in a specific Prepaid Calling Card.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
RECEIVED

MAR 21 1999

JRSUM: 10 007 KAR 6
SECTION 8 (1)

Shige Yamaji
President & CEO

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

PURSUANT TO 807 KAR 50
SECTION 9 (1)

Stephan D. Bee
SECRETARY OF THE COMMISSION

Prepaid Calling Card - A card issued by the Company, containing an Authorization Code which identifies a specific Prepaid Account of Telecom Units, which enables calls to be processed, account activity to be logged, and balances to be maintained, on a prepayment basis.

Resp. Org - Responsible Organization or entity identified by an 800 service Customer that manages and administers records in the 800 database and management system.

Switched Access - The Customer gains entry to the Company's services by a transmission line that is switched through the local exchange carrier to reach the Company's point of presence.

Telecom Unit - A measurement of telecommunications service equivalent to one minute of usage between any two points within the Commonwealth of Kentucky.

Telecommunications - The transmission of voice communications or, subject to the transmission capabilities of the services, the transmission of data, facsimile, signaling, metering, or other similar communications.

Underlying Carrier - The telecommunications carrier whose network facilities provide the technical capability and capacity necessary for the transmission and reception of Customer telecommunications traffic.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

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

Stephen D. Bell
SECRETARY OF THE COMMISSION

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

SECTION 2 - RULES AND REGULATIONS2.1 Undertaking of the Company

This tariff contains the regulations and rates applicable to intrastate resale telecommunications services provided by ACI for telecommunications between points within the Commonwealth of Kentucky. Resale services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff in compliance with limitations set forth in the Commission's rules. The Company's services are provided on a statewide basis and are not intended to be limited geographically. The Company offers service to all those who desire to purchase service from the Company consistent with all of the provisions of this tariff. Customers interested in the Company's services shall file a service application with the Company which fully identifies the Customer, the services requested and other information requested by the Company. The Company reserves the right to examine the credit record and check the references of all applicants and Customers. The Company may examine the credit profile/record of any applicant prior to accepting the service order. The service application shall not obligate the Company to provide services or to continue to provide service if a later check of applicant's credit record is, in the opinion of the Company, contrary to the best interest of the Company. The Company 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 a service provided by the Company. The Customer shall be responsible for all charges due for such service arrangement.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

PURSUANT TO 807 KAR 501
SECTION 9(1)

Standard Bell

ISSUED: February 19, 1999

EFFECTIVE: MARCH 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

- 2.1.1 The services provided by ACI are not part of a joint undertaking with any other entity providing telecommunications channels, facilities, or services, but may involve the resale of the Message Toll Services (MTS) and Wide Area Telecommunications Services (WATS) of underlying common carriers subject to the jurisdiction of this Commission.
- 2.1.2 The rates and regulations contained in this tariff apply only to the resale services furnished by ACI and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carriers for use in accessing the services of ACI.
- 2.1.3 The Company reserves the right to discontinue furnishing services, or limit the use of service necessitated by conditions beyond its control, including, without limitation: lack of satellite or other transmission medium capacity; the revision, alteration or repricing of the Underlying Carrier's tariffed offerings; or when the use of service becomes or is in violation of the law or the provisions of this tariff.

2.2 Use of Services

- 2.2.1 ACI's services may be used for any lawful purpose consistent with the transmission and switching parameters of the telecommunications facilities utilized in the provision of services, subject to any limitations set forth in this Section 2.2.
- 2.2.2 The use of ACI's services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another or in such a way as to unreasonably interfere with use by others is prohibited.

MAR 21 1999

PURSUANT TO 807 KAR 5.011.

ISSUED: February 19, 1999

EFFECTIVE March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 101
San Ramon, California 94583

- 2.2.3 The use of ACI's services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.
- 2.2.4 ACI's services are available for use 24 hours per day, seven days per week.
- 2.2.5 ACI does not transmit messages, but the services may be used for that purpose.
- 2.2.6 ACI's services may be denied for nonpayment of charges or for other violations of this tariff.
- 2.2.7 Customers shall not use the service provided under this tariff for any unlawful purpose.
- 2.2.8 The Customer is responsible for notifying the Company immediately of any unauthorized use of services.

2.3 Liability of the Company

- 2.3.1 The Company shall not be liable for any claim, loss, expense or damage for any interruption, delay, error, omission, or defect in any service, facility or transmission provided under this tariff, if caused by the Underlying Carrier, an act of God, fire, war, civil disturbance, act of government, or due to any other causes beyond the Company's control. Acceptance of the liability provisions contained in this tariff by the Commission does not constitute its determination that the limitation of liability imposed by the Company should be upheld in a court of law, but the recognition that, as it is the duty of the courts adjudicate negligence claims and rights to recover damages thereof, so it is the duty of the courts to determine the validity of the exculpatory provision of this tariff.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583 Bu

SECRETARY OF THE COMMISSION

- 2.3.2 The Company shall not be liable for, and shall be fully indemnified and held harmless by the Customer against any claim, loss, expense, or damage for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, trade name or service mark, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data or information transmitted.
- 2.3.3 No agent or employee of any other carrier or entity shall be deemed to be an agent or employee of the Company.
- 2.3.4 The Company's liability for damages, resulting in whole or in part from or arising in connection with the furnishing of service under this tariff, including but not limited to mistakes, omissions, interruptions, delays, errors, or other defects or misrepresentations shall not exceed an amount equal to the charges provided for under this tariff for the long distance call for the period during which the call was affected. No other liability in any event shall attach to the Company.
- 2.3.5 The Company shall not be liable for and shall be indemnified and saved harmless by any Customer or by any other entity from any and all loss, claims, demands, suits, or other action or any liability whatsoever, whether suffered, made, instituted, or asserted by any Customer or any other entity for any personal injury to, or death of, any person or persons, and for any loss, damage, defacement or destruction of the premises of any Customer or any other entity or any other property whether owned or controlled by the Customer or others.

MAR 21 1999

PURSUANT TO 807 KAR 5.011.
SECTION 9(1)

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

- 2.3.6 The Company shall not be liable for any indirect, special, incidental, or consequential damages under this tariff including, but not limited to, loss of revenue or profits, for any reason whatsoever, including the breakdown of facilities associated with the service, or for any mistakes, omissions, delays, errors, or defects in transmission occurring during the course of furnishing service.
- 2.3.7 The remedies set forth herein are exclusive and in lieu of all other warranties and remedies, whether express, implied, or statutory, INCLUDING WITHOUT LIMITATION IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

2.4 Responsibilities of the Customer

- 2.4.1 The Customer is responsible for placing any necessary orders and complying with tariff regulations. The Customer is also responsible for the payment of charges for services provided under this tariff.
- 2.4.2 The Customer is responsible for charges incurred for special construction and/or special facilities which the Customer requests and which are ordered by ACI on the Customer's behalf.
- 2.4.3 If required for the provision of ACI's services, the Customer must provide any equipment space, supporting structure, conduit and electrical power without charge to ACI.
- 2.4.4 The Customer is responsible for arranging access to its premises at times mutually agreeable to ACI and the Customer when required for ACI personnel to install, repair, maintain, program, inspect or remove equipment associated with the provision of ACI's services.

MAR 21 1999

PURSUANT TO 807 KAR 50:

SECTION 9(1)

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

- 2.4.5 The Customer shall cause the temperature and relative humidity in the equipment space provided by Customer for the installation of ACI's equipment to be maintained within the range normally provided for the operation of microcomputers.
- 2.4.6 The Customer shall ensure that the equipment and/or system is properly interfaced with ACI's facilities or services, that the signals emitted into ACI's network are of the proper mode, bandwidth, power and signal level for the intended use of the subscriber and in compliance with criteria set forth in this tariff, and that the signals do not damage equipment, injure personnel, or degrade service to other Customers. If the Federal Communications Commission or some other appropriate certifying body certifies terminal equipment as being technically acceptable for direct electrical connection with interstate communications service, ACI will permit such equipment to be connected with its channels without the use of protective interface devices. If the Customer fails to maintain the equipment and/or the system properly, with resulting imminent harm to ACI equipment, personnel or the quality of service to other Customers, ACI may, upon written notice, require the use of protective equipment at the Customer's expense. If this fails to produce satisfactory quality and safety, ACI may, upon written notice, terminate the Customer's service.
- 2.4.7 The Customer must pay ACI for replacement or repair of damage to the equipment or facilities of ACI caused by negligence or willful act of the Customer or others, by improper use of the services, or by use of equipment provided by Customer or others.

MAR 21 1999

PURSUANT TO 807 KAR 501
SECTION 9 (1)*Stephen D. Bell*

ISSUED: February 19, 1999

EFFECTIVE: ~~THE MARCH~~ 21, 1999ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

- 2.4.8 The Customer must pay for the loss through theft of any ACI equipment installed at Customer's premises.
- 2.4.9 If ACI installs equipment at Customer's premises, the Customer shall be responsible for payment of any applicable installation charge.
- 2.4.10 The Customer must use the services offered in this tariff in a manner consistent with the terms of this tariff and the policies and regulations of all state, federal and local authorities having jurisdiction over the service.

2.5 Cancellation or Interruption of Services

- 2.5.1 Without incurring liability, upon ten (10) working days' (defined as any day on which the company's business office is open and the U.S. Mail is delivered) written notice to the Customer, ACI may immediately discontinue services to a Customer or may withhold the provision of ordered or contracted services:
- 2.5.1.A For nonpayment of any sum due ACI for more than thirty (30) days after issuance of the bill for the amount due,
- 2.5.1.B For violation of any of the provisions of this tariff,
- 2.5.1.C For violation of any law, rule, regulation, policy of any governing authority having jurisdiction over ACI's services, or
- 2.5.1.D By reason of any order or decision of a court, public service commission or federal regulatory body or other governing authority prohibiting ACI from furnishing its services.

MAR 21 1999

RETURN TO 807 KAR 501
SECTION 9(1)

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

- 2.5.2 Without incurring liability, ACI may interrupt the provision of services at any time in order to perform tests and inspections to assure compliance with tariff regulations and the proper installation and operation of Customer and ACI's equipment and facilities and may continue such interruption until any items of noncompliance or improper equipment operation so identified are rectified.
- 2.5.3 Service may be discontinued by ACI without notice to the Customer, by blocking traffic to certain countries, cities or NXX exchanges, or by blocking calls using certain Customer authorization codes, when ACI deems it necessary to take such action to prevent unlawful use of its service. ACI will restore service as soon as it can be provided without undue risk, and will, upon request by the Customer affected, assign a new authorization code to replace the one that has been deactivated.
- 2.5.4 The Customer may terminate service upon thirty (30) days written notice for the Company's standard month to month contract. Customer will be liable for all usage on any of the Company's service offerings until the Customer actually leaves the service. Customers will continue to have Company usage until the Customer notifies its local exchange carrier and changes its long distance carrier. Until the Customer so notifies its local exchange carrier, it shall continue to generate and be responsible for long distance usage.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

SECTION 9 (1)
JUNE 10 2007 KAR 51

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

2.6 Credit Allowance

- 2.6.1 Credit may be given for disputed calls, on a per call basis.
- 2.6.2 Credit shall not be issued for unavailability of long distance services.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

ISSUANT TO 807 KAR 5:
SECTION 9 (1)
Stephan D. Bee
SECRETARY OF THE COMMISSION

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

2.10 Payment and Billing

- 2.10.1 Service is provided and billed on a billing cycle basis, beginning on the date that service becomes effective. Billing is payable upon receipt.
- 2.10.2 The customer is responsible for payment of all charges for services furnished to the Customer, as well as to all persons using the Customer's codes, exchange lines, facilities, or equipment, with or without the knowledge or consent of the Customer. The security of the Customer's Authorization Codes, presubscribed exchange lines, and direct connect facilities is the responsibility of the Customer. All calls placed using direct connect facilities, presubscribed exchange lines, or Authorization Codes will be billed to and must be paid by the Customer. Recurring charges and non-recurring charges are billed in advance. The initial billing may, at Company's option, also include one month's estimated usage billed in advance. Thereafter, charges based on actual usage during a month and any accrued interest will be billed monthly in arrears.
- 2.10.3 All bills are presumed accurate, and shall be binding on the customer unless objection is received by the Company in writing within 30 days after such bills are rendered. No credits, refunds, or adjustments shall be granted if demand therefore is not received by the Company in writing, in person, or by telephone within such 30 day period.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

RSUM 10 807 KAR 50
SECTION 9 (1)

Shige Yamaji
BY

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

2.11 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 court costs. In any such proceeding, the amount of collection costs, including attorneys' fees, due to the Company, will be determined by the court.

2.12 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.

2.13 Late Charge

A one time late fee of 1.5% or the amount otherwise authorized by law, whichever is lower, will be charged on any past due balances of more than 30 days.

2.14 Returned Check Charge

A fee, as set forth in the Rates section herein, will be charged whenever a check or draft presented for payment for service is not accepted by the institution on which it is written.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

ISSUANT TO 807 KAR 50
SECTION 9 (1)

Shige Yamaji
SECRETARY OF THE COMMISSION

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

SECTION 3 - DESCRIPTION OF SERVICE

3.1 Computation of Charges

3.1.1 The total charge for each completed call may be a variable measured charge dependent on the duration, distance and time of day of the call. The total charge for each completed call may also be dependent only on the duration of the call, i.e. a statewide flat rate per minute charge. The variable measured charge is specified as a rate per minute which is applied to each minute. All calls are measured in increments as set forth in the Rates Section of this tariff. All calls are rounded up to the next whole increment.

3.1.2 Where mileage bands appear in a rate table, rates for all calls are based upon the airline distance between the originating and terminating points of the call, as determined by the vertical and horizontal coordinates associated with the exchange (the area code and three digit central office code) associated with the originating and terminating telephone numbers. If the Customer obtains access to the Company's network by a dedicated access circuit, that circuit will be assigned an exchange for rating purposes based upon the Customer's main telephone number at the location where the dedicated access circuit terminates. The vertical and horizontal (V & H) coordinates for each exchange and the airline distance between them will be determined according to industry standards.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

IN PURSUANCE TO 807 KAR 50
SECTION 9 (1)

Stephan Bue
SECRETARY OF THE COMMISSION

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

3.1.3 Timing begins when the called station is answered and two way communication is possible, as determined by standard industry methods generally in use for ascertaining answer, including hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. Recognition of answer supervision is the responsibility of the Underlying Carrier. Timing for each call ends when either party hangs up. ACI will not bill for uncompleted calls.

3.2 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:

3000 Executive Parkway, Suite 111
San Ramon, California 94583
(800) 801-1120

Any objection to billed charges should be reported promptly to ACI. 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.

All Customer complaints are subject to the jurisdiction of the Commission which may be contacted at the following address and telephone number:

Commonwealth of Kentucky Public Service Commission	
730 Schenkel Lane	PUBLIC SERVICE COMMISSION
PO Box 615	OF KENTUCKY
Frankfort, KY 40602	EFFECTIVE
502-564-3940	

MAR 21 1999

ISSUANT TO 807 KAR 50
SECTION 9(1)

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamada, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

If a Customer accumulates more than One dollar of undisputed delinquent ACI 800 Service charges, the ACI Resp. Org. reserves the right not to honor that Customer's request for a Resp. Org. change until such undisputed charges are paid in full.

3.3 Level of Service

A Customer can expect end to end network availability of not less than 99% at all times for all services.

3.4 Billing Entity Conditions

When billing functions on behalf of ACI 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. ACI's name and toll-free telephone number will appear on the Customer's bill.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

ISSUANT TO 807 KAR 50:
SECTION 9 (1)

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

3.5 Service Offerings

3.5.1 1+ Dialing

This service permits Customers to originate call via switched or dedicated access lines, and to terminate intrastate calls. The customer dials "1+" followed by "ten digits" or dials "101XXXX" followed by "1+ ten digits".

3.5.2 Travel Cards

The Customer utilizes an 11 digit "toll-free" access number established by the Company to access a terminal. Upon receiving a voice prompt, the Customer uses push button dialing to enter an identification code assigned by the Company, and the ten digit number of the called party.

3.5.3 800 Service (Toll-Free)

This service is inbound calling only where an 800, 888 or other toll-free prefix number rings into a Customer's premise routed to a specific telephone number or terminated over a dedicated facility.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

PURSUANT TO 807 KAR 5.01
SECTION 9 (1)

Stephen D. Bell
SECRETARY OF THE COMMISSION

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

3.5.4 ACI Prepaid Calling Cards

This service permits use of Prepaid Calling Cards for placing long distance calls. Customers may purchase ACI Prepaid Calling Cards at a variety of retail outlets or through other distribution channels. ACI Prepaid Calling Cards are available at a variety of face values. ACI Prepaid Calling Card service is accessed using the ACI toll-free number printed on the card. The caller is prompted by an automated voice response system to enter his/her Authorization Code, and then to enter the terminating telephone number. ACI's processor tracks the call duration on a real time basis to determine the number of Telecom Units consumed. The total consumed Telecom Units for each call is deducted from the remaining Telecom Unit balance on the Customer's ACI Prepaid Calling Card.

All calls must be charged against Prepaid Calling Card that has a sufficient Telecom Unit balance. A Customer's call will be interrupted with an announcement when the balance is about to be depleted.

In order to continue the call, the Customer can either call the toll-free number on the back of the ACI Prepaid Calling Card and "recharge" the balance on the card using a nationally recognized credit card, or the Customer can throw the card away and purchase a new one. Calls in progress will be terminated by the Company if the balance on the ACI Prepaid Calling Card is insufficient to continue the call and the Customer fails to enter the number of another valid ACI Prepaid Calling Card prior to termination.

SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

ISSUED: February 19, 1999

TO 807 K
EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

A card will expire on the date indicated on the card, or if no date is specified, 12 months from the date of purchase, or the date of last recharge, whichever is later. The Company will not refund unused balances.

A credit allowance for ACI Prepaid Calling Card Service is applicable to calls that are interrupted due to poor transmission, one-way transmission, or involuntary disconnection of a call. To receive the proper credit, the Customer must notify the Company at the designated toll-free customer service number printed on the ACI Prepaid Calling Card and furnish the called number, the trouble experienced (e.g. cut-off, noisy circuit, etc.), and the approximate time that the call was placed.

When a call charged to an ACI Prepaid Calling Card is interrupted due to cut-off, one-way transmission, or poor transmission conditions, the Customer will receive a credit equivalent of one Telecom Unit.

Credit allowances for calls pursuant to ACI Prepaid Card Service do not apply for interruptions not reported promptly to the Company or interruptions that are due to the failure of power, equipment or systems not provided by the Company.

Credit for failure of service shall be allowed only when such failure is caused by or occurs due to causes within the control of the Company.

The Company will block all calls beginning with the NPA "900" and NXX "976" calls, therefore such calls can not be completed.

LIC SERVICE COMMISS
OF KENTUCKY
EFFECTIVE

MAR 21 1999

ADVIS TO 807 KAR 8
SECTION 9(1)

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

3.5.5 Directory Assistance.

Access to long distance directory assistance is obtained by dialing 1 + 555-1212 for listings within the originating area code and 1 + (area code) + 555-1212 for other listings. When more than one number is requested in a single call, a charge will apply for each number requested. A charge will be applicable for each number requested, whether or not the number is listed or published.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

ISSUANT TO 807 KAR 5:
SECTION 9(1)

Stephan O. Bee

SECRETARY OF THE COMMISSION

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

3.5.6 Specialized Pricing Arrangements.

Customized service packages and competitive pricing packages at negotiated rates may be furnished on a case-by-case basis 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 Customers pursuant to contract. Unless otherwise specified, the regulations for such arrangements are in addition to the applicable regulations and prices in other sections of the tariff. Specialized rates or charges will be made available to similarly situated Customers on a non-discriminatory basis. The Commission will be notified of any special pricing contracts prior to implementation.

3.5.7 Emergency Call Handling Procedures

Emergency "911" calls are not routed to company, but are completed through the local network at no charge.

3.5.8 Promotional Offerings

The Company may, from time to time, make promotional offerings to enhance the marketing of its services. These offerings may be limited to certain dates, times and locations. The Company will notify the Commission of such offerings as required by Commission rules and regulations.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

AS AMEND TO 807 KAR 5C
SECTION 9(1)

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamada, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

SECTION 4 - RATES

4.1 1+ Dialing

\$0.127 per minute

Billed in one minute increments.

4.2 Travel Cards

\$0.2499 per minute

Billed in one minute increments.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

ORDINANCE TO 807 KAR 5
SECTION 9(1)

Richard Bue

ISSUED: February 19, 1999

SECRETARY OF PUBLIC SERVICE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

4.3 Toll Free

\$0.127 per minute

Billed in one minute increments.

4.4 Prepaid Calling Cards

\$.2499 Per Telecom Unit

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

ASUANT TO 807 KAR 5:
SECTION 9 (1)

Stephan D. Bell
SECRETARY OF THE COMMISSION

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

4.5 Directory Assistance

\$.95

4.6 Returned Check Charge

\$20.00

4.7 Rate Periods

	Monday - Friday	Sat.	Sun.
8 a.m. to 5 p.m.*	Daytime Rate Period		
5 p.m. to 11 p.m.*	Evening Rate Period		Evening Rate Period
11 p.m. to 8 a.m.*	Night/Weekend Rate Period		

* To, but not including
When a message spans more than one rate period, total charges for the minutes in each rate period are calculated and the results for each rate period are totaled to obtain the total message charge. If the calculation results in a fractional charge, the amount will be rounded down to the lower cent.

4.8 Payphone Dial Around Surcharge

A dial around surcharge of \$.35 per call will be added to any completed INTRASTATE toll access code and subscriber 800/888 type calls placed from a public or semi-public payphone.

4.9 Presubscribed Interexchange Carrier Charge

A Presubscribed Interexchange Carrier Charge ("PICC") applies on a monthly basis to all Customer monthly bills at the prevailing rate.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

MAR 21 1999

PURSUANT TO 807 KAR 50:
SECTION 9 (1)

Stephen D. Bell

SECRETARY OF

ISSUED: February 19, 1999

EFFECTIVE: March 21, 1999

ISSUED BY: Shige Yamaji, President & CEO
3000 Executive Parkway, Suite 111
San Ramon, California 94583

