

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

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5/12/2017

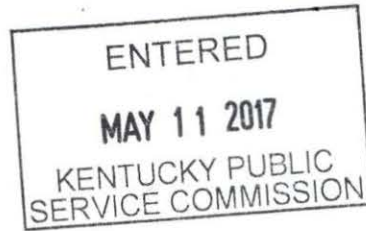
PUBLIC SERVICE  
COMMISSION  
OF KENTUCKY

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 Each company whose authority to operate has been revoked shall immediately cease providing service in this state and notify its customers affected by the Order that they must obtain service from another carrier.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

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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

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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



TELECARE, Inc.

TELECARE, Inc.  
1980 E. 116th St.  
Suite 325  
Carmel, IN 46032

INTEREXCHANGE TELECOMMUNICATIONS  
RESALE PROVIDER

RATES, RULES AND REGULATION FOR FURNISHING  
THE RESELL OF INTEREXCHANGE TELECOMMUNICATIONS  
SERVICES WITHIN THE STATE OF KENTUCKY

KENTUCKY PUBLIC SERVICE COMMISSION  
TELECOMMUNICATIONS TARIFF NO. 1

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 COMMISSION  
OF KENTUCKY  
EFFECTIVE

DEC 9 1992

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

BY: Charles A. Miller  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

CHECK SHEET

Sheets 1 through 32 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

<u>SHEET</u>	<u>REVISION</u>
1	Replacement
2	Replacement
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Replacement
11	Replacement
11.1	Original
12	Original
13	Replacement
14	Original
15	Replacement
16	Original
17	Replacement
18	Replacement
19	Replacement
20	Replacement
21	Original
22	Original
23	Original

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

ISSUED: November 9, 1992

EFFECTIVE: December 9, 1992

SIGNATURE:  
BY:

*Donald W. Roudebush*  
Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY: *Sharon Delle*  
PUBLIC SERVICE COMMISSION MANAGER



K.P.S.C. Tariff NO. 1

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ISSUED: November 9, 1992

EFFECTIVE: December 9, 1992

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

SIGNATURE:

*Donald W. Roudebush*

BY:

Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY:

*George L. Latta*

PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SYMBOLS

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

- (C) To signify changed regulation
- (D) To signify discontinued rate or regulation
- (I) To signify increase
- (N) To signify new rate
- (R) To signify reduction
- (T) To signify a change in text

TARIFF FORMAT

A. Sheet Numbering Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. When new sheets are added between sheets already in effect, a decimal is added (e.g. new sheet added between effective sheets 2 and 3 would be 2.1).

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 K.P.S.C. For example, the 2nd revised Sheet No. 10, replaces 1st revised Sheet No. 10. Consult the Check Sheet for the sheet currently in effect.

C. Check Sheet When a tariff filing is made with the K.P.S.C., an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revisions. 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 K.P.S.C.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

ISSUED: November 9, 1992

EFFECTIVE: December 9, 1992

SIGNATURE: *Donald W. Roudebush*  
BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY: *James D. Miller*  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

APPLICATION OF TARIFF

This tariff contains the description, rules and regulations, rates, and charges applicable to interexchange carrier telecommunications services offered by TELE CARE, Inc. within the Commonwealth of Kentucky.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY

ISSUED: November 9, 1992

EFFECTIVE: December 9, 1992

SIGNATURE:  
BY:

*Donald W. Roudebush*  
Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY: *Sharon Keller*  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION I - TECHNICAL TERMS AND DEFINITIONS

1. Account Number A numerical code, one or more of which is assigned to each Customer to enable each Customer to access the Company's service. Account Numbers are used by the Company both to prevent unauthorized access and to identify the Customer for billing purposes.
2. Application for Service A standard Company order form which includes all pertinent billing, technical, and other description information which will enable Company to provide telecommunications services.
3. Authorized User A person, firm, corporation or other entity authorized by Company or Customer to receive or send communications.
4. BOC Bell Operating Company
5. Called Station Denotes the terminating point of a call (i.e., the called telephone number).
6. Calling Card A billing arrangement by which the charge for a call may be billed to a Company-issued calling card number.
7. Carrier Recognized Holidays Company recognizes the following holidays: New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving, and Christmas Day. The rate applicable for these holidays would be evening rates unless lower rates would normally apply.
8. Company TELECARE, Inc. or TELECARE
9. Company Services All intrastate services are available on a full time basis twenty four (24) hours a day, seven days per week.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY

ISSUED: November 9, 1992

EFFECTIVE: December 9, 1992

SIGNATURE: *Donald W. Roudebush*

BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY: *Charles D. Miller*  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION I - TECHNICAL TERMS AND DEFINITIONS (Continued)

- 10. Customer The person, firm, partnership, corporation, or other entity which subscribes, orders or uses services and is responsible for the payment of charges and compliance with tariff regulations.
- 11. Customer Calling Card Station The payment arrangement which enables the end user to bill calls to an authorized company calling card.
- 12. DS-1 A high digital communications service with a transmission rate of 1.544 million bits per second, or the equivalent of 24-voice channels transmitting at 64 thousand bits per second each.
- 13. Dedicated Access A special access line from customer premise to the Local Exchange Company.
- 14. End User Any person, firm, partnership, corporation, or other entity whose furnished telecommunications services are under the provisions and regulations of Company's tariff.
- 15. FGB Access Feature Group B Access. 950-XXXX dialing procedures.
- 16. FGD Access Feature Group D Access. 10XXX one plus dialing procedures.
- 17. Fixed Discount A pricing concept which rewards large users, regardless of their specific usage amount.
- 18. Installation The connection of a circuit, dedicated access line, or port for new or additional service.

PUBLIC SERVICE COMMISSION

ISSUED: November 9, 1992

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SIGNATURE:

*Donald W. Roudebush*

BY:

Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY:

*Cheryl L. ...*

PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION I - TECHNICAL TERMS AND DEFINITIONS (Continued)

- 19. Intrastate Call Any call which originates and terminates within the state of Kentucky.
- 20. Interstate Call Any call which originates within the state of Kentucky and terminates outside of the state.
- 21. LATA Local Access Transport Area
- 22. Local Exchange Carrier A company which furnishes exchange telephone services.
- 23. Processing Fee A fee which Company may charge a Customer on a one-time basis to cover the cost of processing the Customer's initial service application.
- 24. Rate Center A geographic location from which the vertical and horizontal coordinates are used in calculation of airline mileage.
- 25. Special Access A special access line from customer premise to Local Exchange Company.
- 26. Station Any location from which long distance calls may be placed or received.
- 27. Subscriber Same definition as Customer
- 28. Travel Card A service available to Company subscribers enabling subscribers to access Company's network while in or away from their calling area. The security of the Travel Card is the responsibility of the customer. Customer is responsible for all calls made using their Travel Card.
- 29. Volume Discount A pricing concept which rewards volume users.

ISSUED: November 9, 1992

EFFECTIVE: December 9, 1992

SIGNATURE: Donald W. Roudebush  
 BY: Donald W. Roudebush, President  
 Telecare, Inc.  
 1980 E. 116th Street, Suite 325  
 Carmel, IN 46032

PUBLIC SERVICE COMMISSION  
 OF KENTUCKY  
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PURSUANT TO 807 KAR 5:011, SECTION 9 (1)

BY: Charles J. [Signature]  
 PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS

1. Description of Services

1.1 The services provided by TELECARE are the exclusive resell of other interexchange telecommunications providers, certified to operate within the state of Kentucky.

1.2 The facilities of the Company will be available as soon as practicable upon receipt of an order and agreement from the Commission. The Company's services will be provided by other duly authorized and regulated communications common carriers.

1.3 When acting on the subscriber's request, as authorized agent, the Company will make reasonable efforts to arrange for service requirements or connection access.

1.4 To use Company's service, the Customer accesses the Company's system, the Customer's phone number, security code or account number is verified and the call is processed.

ISSUED: November 9, 1992

EFFECTIVE: December 9, 1992

PUBLIC SERVICE COMMISSION  
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SIGNATURE:  
BY:

*Donald W. Roudebush*  
Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

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

BY: *George D. Miller*  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS (Continued)

2. Application of Service

2.1 The Company requires a customer to sign an application form and to establish credit as provided in these Rules and Regulations, as a condition precedent to the initial establishment of such service. Company's acceptance of an order for service to be provided an applicant whose credit has not been duly established may be subject to the provision described in Section II-3 Deposits.

ISSUED: November 9, 1992

EFFECTIVE: December 9, 1992  
PUBLIC SERVICE COMMISSION  
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SIGNATURE: *Donald W. Roudebush*

BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

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

BY: *[Signature]*  
PUBLIC SERVICE COMMISSION MANAGER



K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS (Continued)

3. Deposits

3.1 Each applicant for service will be required to establish credit. Any applicant whose credit has not been duly established may be required to make a deposit to be held as a guarantee of payment of charges at the time of application. In addition, an existing subscriber may be required to make a deposit or increase a deposit presently held.

3.2 A deposit is not to exceed the estimated charges for two (2) months service, based on past history or the average of similar customers.

3.3 A deposit will be returned, including any interest due at the time of discontinuance, with any of the following:

3.3.1 When an application for service has been cancelled prior to the establishment of service. The deposit will be applied to any charges applicable in accordance with the tariff and the excess portion of the deposit will be returned.

3.3.2 At the end of twelve (12) months of a satisfactory credit history.

3.3.3 Upon the discontinuance of service. The Company will refund the deposit or the balance in excess of unpaid bills for the service.

3.4 The fact that a deposit has been made in no way relieves the customer from complying with the regulation with respect to the prompt payment of bills on presentation.

3.5 Interest on deposits will be calculated and paid in accordance with KRS 278.460 and 807 KAR 5:006. Currently, the interest would be calculated at 6% annually on the amount of the deposit being held.

ISSUED: November 9, 1992

EFFECTIVE: December 9, 1992  
PUBLIC SERVICE COMMISSION  
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EFFECTIVE

SIGNATURE:  
BY:

Donald W. Roudebush  
Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

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

BY: Sharon L. Lelie  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS (Continued)

3. Deposits - Continued

3.6 When it is necessary to prove credit worthiness, one of the following will be accepted in order to avoid the deposit requirement:

- 3.6.1 payment records with company from previous period of service;
- 3.6.2 past payment records from other utilities;
- 3.6.3 payment records showing established credit with other businesses (e.g. credit card companies, financial institution);
- 3.6.4 past payment records from previous long distance carrier;

ISSUED: November 9, 1992

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*Donald W. Roudebush*  
 Donald W. Roudebush, President  
 Telecare, Inc.  
 1980 E. 116th Street, Suite 325  
 Carmel, IN 46032

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

DEC 9 1992

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

BY: *Charles H. Helle*  
 PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS (Continued)

4. Use of Service

4.1 Neither customer nor their authorized users may use the services furnished by Company for any unlawful purpose. Use and restoration of the service furnished by Company will be in accordance with the rules of the Kentucky Public Service Commission.

4.2 The services offered herein may be used for the transmission of communications to or by the customer, or an authorized user.

4.3 Service may be arranged for joint/authorized use. The joint user which are authorized shall be permitted to use such service in the same manner as customer, but subject to the following:

4.3.1 One joint/authorized user must be designated as the customer. The designated customer does not necessarily have to have communications requirements of their own. The customer must specifically name all joint users to be authorized to use service, in the application for service.

4.3.2 All charges for the service will be computed as if the service were to be billed to one customer. The joint/authorized user which has been designated as the customer, will be billed for all components of the service and will be responsible for all payments to the Company. In the event that the designated customer fails to pay the Company, each joint/authorized user shall be liable to the Company for all charges incurred as a result of its use of the Company services.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

ISSUED: November 9, 1992

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SIGNATURE:

*Donald W. Roudebush*

DEC 9 1992

BY:

Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

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

BY:

*Clayton H. Miller*  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS (Continued)

5. Terms and Conditions

5.1 Service is provided and billed on the basis of a minimum period of at least one month, beginning on the date that billing becomes effective, and continues to be provided until cancelled, by the customer, in writing or in person, with no less than three (3) days notice.

5.2 Service is offered on a monthly basis, twenty-four (24) hours per day, seven days per week.

5.3 For the purpose of computing charges in this tariff, a month is considered to have thirty (30) days.

5.4 The name(s) of the customer(s) including any authorized users, desiring to use the service must be stipulated in the application for service.

5.5 Monthly recurring charges and non-recurring charges will be billed in advance. Charges for actual usage will be billed in arrears.

PUBLIC SERVICE COMMISSION  
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BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY: George Delle  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS (Continued)

6. Limitations

6.1 Service is offered, subject to the availability of the necessary facilities and/or equipment, and subject to the provisions of this tariff.

6.2 Company reserves the right not to provide service to or from a customer where the necessary facilities or equipment are not available.

6.3 Company reserves the right to discontinue furnishing service, upon written notice, when necessitated by conditions beyond its control or when the customer is using the service in violation of the provisions of this tariff, or in violation of the law.

6.4 There are no limits on the number of calls placed or the length of individual calls.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

ISSUED: November 9, 1992

EFFECTIVE: December 9, 1992

SIGNATURE: *Donald W. Roudebush*

BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

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

BY: *George Latta*  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS (Continued)

7. Liability

7.1 Company shall be indemnified and held harmless by the customer against claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over Company's channels.

7.2 Company is not liable for any act or omission of any other company or companies furnishing a portion of the service.

7.3 Company shall not be liable for any failure of performance due to causes beyond its reasonable control, including, but not limited to acts of God, fires, meteorological phenomena, floods, or other catastrophes; national emergencies, insurrections, riots or wars, strikes, lockouts, work stoppages or other labor difficulties, fiber or cable cuts, and any law, order, regulation or other action of any governing authority or agency thereof.

7.4 Company shall not be liable for:

7.4.1 unlawful use or use by an unauthorized person of Company's facilities and services.

7.4.2 any claim arising out of a breach in the privacy or security of communications transmitted over Company provided facilities.

7.5 Acceptance by the Commission of the liability provisions contained in this tariff 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 to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of this tariff.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY

ISSUED: November 9, 1992

EFFECTIVE: December 9, 1992

SIGNATURE:

*Donald W. Roudebush*

BY:

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1980 E. 116th Street, Suite 325  
Carmel, IN 46032

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DEC 9 1992

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

BY: *Sharon J. Miller*  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS (Continued)

8. Interruption of Service

8.1 It shall be the obligation of the customer to notify the Carrier of any interruption in service. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission of the customer or is not in the wiring or equipment, if any, furnished by the customer, which is connected to Carrier's facilities. Service outages should first be reported to the local exchange company to verify the outage is not due to a service area difficulties.

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

8.3 No credit shall be allowed for an interruption of a continuous duration of less than two (2) hours.

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

PUBLIC SERVICE COMMISSION  
OF KENTUCKY

ISSUED: November 9, 1992

EFFECTIVE: December 9, 1992

SIGNATURE: Donald W. Roudebush

BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY: Shirley Helle  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS (Continued)

9. Payment Arrangements

9.1 The customer is responsible for payment of all charges for services furnished. Charges for installation, physical or administrative changes, expedites, or cancellation of orders are payable upon completion. If, because of any such activity a non-Company carrier or supplier levies additional charges, these charges shall be passed on to the customer.

9.2 An installation charge of three dollars and fifty cents (\$3.50) shall be charged for establishing initial service. Company retains the right to waive this charge for promotional purposes, upon prior approval of the Commission.

9.3 Bills are payable upon receipt. Customer will be billed for all usage beginning immediately upon access to the service. Commencing thirty (30) days after rendition of the billing, it shall be considered past due and late payment charge, of 1.5 percent will be applied. The penalty will be assessed only once on any bill for rendered services. Payments received will first be applied to the bill for services rendered. Additional penalty charges will not be assessed on unpaid penalty charges.

9.4 Applicants or customers whose financial condition is not acceptable to Company, may be required to make a deposit up to an amount equalling two months actual or estimated charges for the service to be provided, based upon past history or the average of similar customers. Means of proving financial conditions acceptable by company, are as stated in Section II, 3.6 of this tariff.

9.5 A customer who discontinues service or whose service is cancelled by the company and/or in accordance with sections of this tariff, and wishes to reinstate service, may be subject to a reconnection charge of fifteen dollars (\$15.00).

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SIGNATURE: Donald W. Roudebush

BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

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SECTION 9 (1)

BY: Shirley H. Hester  
PUBLIC SERVICE COMMISSION MANAGER



K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS (Continued)

9. Payment Arrangements(Continued)

9.6 If notice of a dispute as to charges is not received, in writing, by Company within thirty (30) days after an invoice is rendered, such invoice shall be deemed to be correct and binding upon the customer.

9.7 A charge of twenty dollars (\$20.00) will apply whenever a check or draft presented for payment of service is not accepted by the institution on which it is written.

9.8 Customer will be billed for, and is liable for, payment of all applicable federal, state, and local taxes, or other assessments including such amounts as Company may be authorized to pass through to the customer.

9.9 In certain instances, the customer may be subject to local telephone charges or message unit charges in using Company's service(s). Company is not responsible for any such local charges imposed directly on the customer by the local telephone company for gaining access to Company's leased facilities.

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SIGNATURE: Donald W. Roudebush  
BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
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PURSUANT TO 807 KAR 5:011.  
SECTION 9 (1)

BY: Sharon Helle  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS (Continued)

10. Cancellation of Service by Customer

10.1 If a customer cancels an order for service before the service begins, before completion of the minimum period, or before completion of some other period mutually agreed upon by the customer, the nonrecoverable cost of such installation shall be borne by the customer.

11. Disconnection of Service

11.1 Customer must give three (3) days advance verbal or written notice for disconnection of any Company service. The customer will be responsible for all charges incurred during the three (3) day period. The three (3) day period will begin on the day of receipt of notice from the customer.

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SIGNATURE: Donald W. Roudebush  
BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

PUBLIC SERVICE COMMISSION

DEC 9 1992

PURSUANT TO 807 KAR 5.011.  
SECTION 9 (1)

BY: Sharon Helle  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION II RULES AND REGULATIONS (Continued)

12. Cancellation of Service by Company

12.1 The Company, by ten (10) day written notice to the customer or applicant, may cancel the application for or discontinue service without incurring any liability for any of the following reasons:

12.1.1 Customer's failure to pay sum due the Company for service, within forty-five (45) days of the date Company rendered its bill for such service.

12.1.2 A violation of or failure to comply with any regulation governing the furnishing of service under this tariff.

12.1.3 An order of a court or other government authority having jurisdiction which prohibits the Company from furnishing service.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY

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SIGNATURE: Donald W. Roudebush

BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY: Sharon L. Latta  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION III - DESCRIPTION OF SERVICE

1. General Description of Service

1.1 For purpose of this tariff, the service provided by Company is the exclusive resale of long distance telecommunications services, using services and facilities of other certified carriers, certified to operate in the state of Kentucky.

1.2 Company offers its services subject to the provisions of this tariff.

1.3 Company's services are offered to customer on a monthly basis.

1.4 Company's services are offered to customers twenty-four (24) hours per day, seven (7) days per week.

1.5 All service shall remain in effect for a minimum of thirty (30) days.

1.6 Company offers its services subject to the availability of the necessary facilities and/or equipment. Company reserves the right to refuse to provide service to or from any location where the necessary facilities and/or equipment are not available.

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SIGNATURE: Donald W. Roudebush

BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

PUBLIC SERVICE COMMISSION

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

BY: George Helle  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION III - DESCRIPTION OF SERVICE (Continued)

2. Calculation of Charges and Distance

2.1 Usage charges are based on the actual usage of Company's leased facilities.

2.2 Charges for Company's services are based on the distance and duration of the call, monthly usage, and the rate period (Day, Evening, Night/Weekend) when the call is placed.

2.3 Usage charges for all mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call. For the purpose of determining airline mileage, vertical and horizontal grid lines have been established across the United States and Canada. The spacing between horizontal grid lines represents a distance of one coordinate unit. This unit is the square root of 0.1, expressed in statute miles. A vertical (V) and a horizontal (H) coordinate is computed for each local exchange company primary serving office or servicing office for determining airline mileage, at a particular intersection of an established vertical grid line with an established horizontal grid line. The distance between any two primary serving offices is the airline mileage which is computed as follows:

FORMULA:

$$\frac{[(V)^2 - (V2)^2] + [(H1) - (H2)]^2}{10}$$

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SIGNATURE: Donald W. Roudebush  
BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

PURSUANT TO 807 KAR 5.011,  
SECTION 9 (1)

BY: George J. Keller  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION III - DESCRIPTION OF SERVICE (Continued)

2. Calculation of Charges and Distance (Continued)

2.4 When a volume discount applies, the following percentages of discounts are applicable.

Volume Discounts apply based on total dollar usage including intrastate and interstate usage in a billing period as follows:

\$0 - \$150	1%
\$151 - \$350	6%
\$351 - \$550	8%
\$551 - \$750	10%
\$751 - \$1500	12%
\$1501- \$2500	14%
\$2501- \$3000	16%
\$3001- \$4000	20%
\$4001 & UP	22%

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SIGNATURE:

*Donald W. Roudebush*

BY:

Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY:

*Clayton Delle*

PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION III - DESCRIPTION OF SERVICE (Continued)

3. Service Offerings

3.1 AFFINITY RESIDENTIAL ENDOWMENT is a 1+ switched access service primarily for residential users. Customers may originate and terminate calls using FGD access. There is an installation charge but no monthly fee. Calls are billed in 6 second increments with a 30 second minimum. A volume discount may apply according to usage.

3.2 AFFINITY COMMERCIAL ENDOWMENT is a 1+ switched access service primarily for small business users. Customer may originate or terminate over FGD access. There is an installation charge but no monthly fee. Calls are billed in 6 second increments with a 30 second minimum. A fixed or volume discount may apply.

PUBLIC SERVICE COMMISSION  
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SIGNATURE:

*Donald W. Roudebush*

BY:

Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY:

*Charles A. ...*  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION III - DESCRIPTION OF SERVICE (Continued)

3. Service Offerings (Continued)

3.3 AFFINITY COMMERCIAL BASE is a 1+ switched access service primarily for large business users. Customer may originate or terminate over FGD access. There is an installation charge but no monthly fee. Calls are billed in 6 second increments with a 30 second minimum. A fixed or volume discount may apply.

3.4 800 RESIDENTIAL ENDOWMENT is a 1+ switched access product whereby customers receive incoming calls using switched access via an 800 number and the call is terminated using FGD access. There is a \$10 installation fee and a \$10 monthly recurring service charge. Calls are billed in 6 second increments with a 30 second minimum. A volume discount may apply according to volume of usage.

3.5 TRAVEL CARD is a service whereby the customer accesses Company's network using an 800 number. The customer enters a security code which is electronically verified prior to placing the call. Calls are billed in 6 second increments with 30 second minimum. There is no installation charge for Travel Card service. Each call completed will be surcharged \$.75.

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SIGNATURE:

*Donald W. Roudebush*

BY:

Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY:

*Charles H. ...*  
PUBLIC SERVICE COMMISSION MANAGER



K.P.S.C. Tariff NO. 1

SECTION III - DESCRIPTION OF SERVICE (Continued)

3. Service Offerings (Continued)

3.6 International calling is available to customers using an authorized carrier's network for transmissions. International calls are billed by COMPANY at rates equal to current Sprint MTS rates.

3.7 Directory Assistance calls are processed on a per call basis. The Directory Assistance charge applies whether or not the Directory Assistance Bureau is able to furnish the requested telephone number. A charge of \$.60 will apply for each call placed with the Directory Assistance Bureau.

PUBLIC SERVICE COMMISSION  
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SIGNATURE: Donald W. Roudebush  
BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

DEC 9 1992

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

BY: George L. Latta  
PUBLIC SERVICE COMMISSION MANAGER

K.P.S.C. Tariff NO. 1

SECTION III - DESCRIPTION OF SERVICE (Continued)

Reserved for future use

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SIGNATURE: Donald W. Roudebush DEC 9 1992

BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)  
BY: Sharon Stalle  
PUBLIC SERVICE COMMISSION MANAGER

## K.P.S.C. Tariff NO. 1

SECTION IV - RATES AND CHARGES1. Affinity Residential Endowment

RATE MILEAGE	DAY	EVENING	NIGHT/WEEKEND
	INITIAL/ADD'L MINUTE/MINUTE	INITIAL/ADD'L MINUTE/MINUTE	INITIAL/ADD'L MINUTE/MINUTE
0-10	\$.2600 / .1900	\$.1950 / .1425	\$.1534 / .1121
11-16	.2600 / .1900	.1950 / .1425	.1534 / .1121
17-22	.2600 / .2276	.1950 / .1707	.1534 / .1343
23-30	.2600 / .2276	.1950 / .1707	.1534 / .1343
31-55	.2945 / .2845	.2209 / .2134	.1738 / .1679
56-85	.3125 / .3025	.2344 / .2269	.1850 / .1791
86-124	.3319 / .3219	.2489 / .2414	.1962 / .1903
125-196	.3515 / .3415	.2636 / .2561	.2074 / .2015
197-292	.3894 / .3794	.2921 / .2846	.2300 / .2238
293-430	.4084 / .3984	.3063 / .2988	.2300 / .2238

Product description can be found on page 24 of this tariff.

PUBLIC SERVICE COMMISSION  
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PURSUANT TO 807 KAR 5:011.  
SECTION 9 (1)

BY: *Sharon Dellea*  
PUBLIC SERVICE COMMISSION MANAGER

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SIGNATURE: *Donald W. Roudebush*

BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

## K.P.S.C. Tariff NO. 1

SECTION IV - RATES AND CHARGES (Continued)2. Affinity Commercial Endowment

RATE MILEAGE	DAY	EVENING	NIGHT/WEEKEND
	INITIAL/ADD'L MINUTE/MINUTE	INITIAL/ADD'L MINUTE/MINUTE	INITIAL/ADD'L MINUTE/MINUTE
0-10	\$.2210 / .1615	\$.1950 / .1425	\$.1534 / .1121
11-16	.2210 / .1615	.1950 / .1425	.1534 / .1121
17-22	.2210 / .1935	.1950 / .1707	.1534 / .1343
23-30	.2210 / .1935	.1950 / .1707	.1534 / .1343
31-55	.2503 / .2418	.2209 / .2134	.1738 / .1679
56-85	.2656 / .2571	.2344 / .2269	.1850 / .1791
86-124	.2821 / .2736	.2489 / .2414	.1962 / .1903
125-196	.2988 / .2903	.2636 / .2561	.2074 / .2015
197-292	.3310 / .3225	.2921 / .2846	.2300 / .2238
293-430	.3471 / .3386	.3063 / .2988	.2300 / .2238

Product description can be found on page 24 of this tariff.

PUBLIC SERVICE COMMISSION  
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BY: Sharon Jelle  
PUBLIC SERVICE COMMISSION MANAGER

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SIGNATURE: Donald W. Roudebush  
BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

## K.P.S.C. Tariff NO. 1

SECTION IV - RATES AND CHARGES (Continued)3. Affinity Commercial Base

RATE MILEAGE	DAY	EVENING	NIGHT/WEEKEND
	INITIAL/ADD'L MINUTE/MINUTE	INITIAL/ADD'L MINUTE/MINUTE	INITIAL/ADD'L MINUTE/MINUTE
0-10	\$.2002 / .1463	\$.1950 / .1425	\$.1534 / .1121
11-16	.2002 / .1463	.1950 / .1425	.1534 / .1121
17-22	.2002 / .1753	.1950 / .1707	.1534 / .1343
23-30	.2002 / .1753	.1950 / .1707	.1534 / .1343
31-55	.2268 / .2191	.2209 / .2134	.1738 / .1679
56-85	.2406 / .2329	.2344 / .2269	.1850 / .1791
86-124	.2556 / .2479	.2489 / .2414	.1962 / .1903
125-196	.2707 / .2630	.2636 / .2561	.2074 / .2015
197-292	.2998 / .2921	.2921 / .2846	.2300 / .2238
293-430	.3145 / .3068	.3063 / .2988	.2300 / .2238

Product description can be found on page 25 of this tariff.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
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SECTION 9 (1)

BY: Charles H. Miller  
PUBLIC SERVICE COMMISSION MANAGER

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SIGNATURE: Donald W. Roudebush

BY:

Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

## K.P.S.C. Tariff NO. 1

4. 800 RESIDENTIAL ENDOWMENT

RATE MILEAGE	DAY	EVENING	NIGHT/WEEKEND
	INITIAL/ADD'L MINUTE/MINUTE	INITIAL/ADD'L MINUTE/MINUTE	INITIAL/ADD'L MINUTE/MINUTE
0-10	\$.2600 / .1900	\$.1950 / .1425	\$.1534 / .1121
11-16	.2600 / .1900	.1950 / .1425	.1534 / .1121
17-22	.2600 / .2276	.1950 / .1707	.1534 / .1343
23-30	.2600 / .2276	.1950 / .1707	.1534 / .1343
31-55	.2945 / .2845	.2209 / .2134	.1738 / .1679
56-85	.3125 / .3025	.2344 / .2269	.1850 / .1791
86-124	.3319 / .3219	.2489 / .2414	.1962 / .1903
125-196	.3515 / .3415	.2636 / .2561	.2074 / .2015
197-292	.3894 / .3794	.2921 / .2846	.2300 / .2238
293-430	.4084 / .3984	.3063 / .2988	.2300 / .2238

There is a \$10 installation fee and a \$10 monthly recurring service charge. Calls are billed in 6 second increments with a 30 second minimum. A volume discount may apply according to volume of usage.

Product description can be found on page 25 of this tariff.

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PUBLIC SERVICE COMMISSION MANAGER

SIGNATURE:  
BY:

*Donald W. Roudebush*  
Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

## K.P.S.C. Tariff NO. 1

5. TRAVEL CARD

RATE MILEAGE	DAY INITIAL/ADD'L MINUTE/MINUTE	EVENING INITIAL/ADD'L MINUTE/MINUTE	NIGHT/WEEKEND INITIAL/ADD'L MINUTE/MINUTE
0-10	\$.2600 / .1900	\$.1950 / .1425	\$.1534 / .1121
11-16	.2600 / .1900	.1950 / .1425	.1534 / .1121
17-22	.2600 / .2276	.1950 / .1707	.1534 / .1343
23-30	.2600 / .2276	.1950 / .1707	.1534 / .1343
31-55	.2945 / .2845	.2209 / .2134	.1738 / .1679
56-85	.3125 / .3025	.2344 / .2269	.1850 / .1791
86-124	.3319 / .3219	.2489 / .2414	.1962 / .1903
125-196	.3515 / .3415	.2636 / .2561	.2074 / .2015
197-292	.3894 / .3794	.2921 / .2846	.2300 / .2238
293-430	.4084 / .3984	.3063 / .2988	.2300 / .2238

Each call completed will be surcharged \$.75

Product description can be found on page 25 of this tariff.

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SIGNATURE: \_\_\_\_\_

BY: Donald W. Roudebush, President  
Telecare, Inc.  
1980 E. 116th Street, Suite 325  
Carmel, IN 46032

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

BY: *[Signature]*  
PUBLIC SERVICE COMMISSION MANAGER