

NATIONAL

Data & Communications, Inc.

RECEIVED

MAR 23 8 20 AM '92

ADMINISTRATION
MAIL ROOM

March 18, 1992

Florida Public Service Commission
Div. of Administration, Room G-50
101 East Gaines Street
Tallahassee, Florida 32399-0850

920291-TJ

Gentlemen:

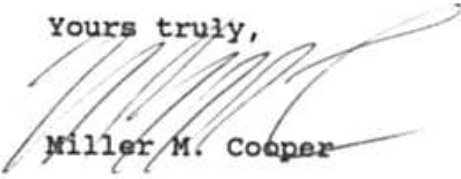
Enclosed are twelve copies of "Application Form for Authority to Provide Interexchange Telecommunications Service Within the State of Florida" and twelve copies of the Tariff from National Data & Communications, Inc.

I have extended considerable effort to complete and provide all information required; however, if you have questions or need additional information, I can be reached by FAX: 813-571-4506 or PHONE: 813-571-4500.

My address is as shown on the letterhead. Your assistance in expediting this application will be appreciated.

Please date the enclosed copy of this letter and return to me in the enclosed, self-addressed, stamped envelope.

Yours truly,


Miller M. Cooper

MMC/jj

Encls.

RECEIVED

MAR 23 1992

DIVISION OF COMMUNICATIONS

2849 Executive Drive • Suite 210 • Clearwater, Florida 34622
(813) 571-4500 • FAX (813) 571-4506

DOCUMENT NUMBER-DATE
03192 APR -1 1992
PSC-RECORDS/REPORTING

FLORIDA PUBLIC SERVICE COMMISSION

APPLICATION FORM

for

AUTHORITY TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE
WITHIN THE STATE OF FLORIDA

1. This is an application for (check one):
 - Original Authority (New company).
 - Approval of Transfer (To another certificated company).
 - Approval of Assignment of existing certificate (To a noncertificated company).

2. The legal name of the applicant:

National Data & Communications, Inc.

3. Name under which the applicant will do business: Provide proof of compliance with the fictitious name statute (Chapter 865.09 FS), if applicable.

4. Florida address (including street name & number, post office box, city, state and zip code).

2849 Executive Drive
Suite 200
Clearwater, FL 34622

5. National address (including street name & number, post office box, city, state and zip code).

Same

6. Structure of organization;
 - Individual
 - Corporation
 - Foreign Corporation
 - General Partnership
 - Limited Partnership
 - Other, _____

DOCUMENT NUMBER-DATE

03192 APR -1 1992

FPSC-RECORDS/REPORTING

7. If applicant is an individual or partnership, please give name, title and address of sole proprietor or partners. Provide proof of compliance with the foreign partnership statute (Chapter 620.169 FS), if applicable.

8. If incorporated, give name, titles and addresses of the directors, chief officers and ten largest stockholders.
Miller M. Cooper - Chief Executive Officer
Karen E. Cooper - President

9. If incorporated, please give:

(a) Proof from the Florida Secretary of State that the applicant has authority to operate in Florida.

Attached

(b) Name and address of the company's Florida registered agent.

Miller M. Cooper

10. Information as to whether any of the officers or directors have been adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, please explain.

None

11. Indicate if any of the officers, directors, partners or stockholders have previously been and/or currently are an officer, director, partner or stockholder in any other Florida certificated telephone company.

(a) If yes, give name of company and relationship.

Centres Communication Group, Inc.

(b) If no longer associated with company, give reason why not.

Name Change Effective 1-1-89

12. List the states in which the applicant:

a) Has operated as an interexchange carrier.

None

b) Has applications pending to be certificated as an interexchange carrier.

None

c) Is certificated to operate as an interexchange carrier.

None

d) Has been denied authority to operate as an interexchange carrier and the circumstances involved.

None

e) Has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.

None

f) Has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.

None

13. Who will serve as liaison with the Commission in regard to (please give name, title, address and telephone number):

(a) The application:

Miller M. Cooper
Secretary
2849 Executive Drive
Suite 210
Clearwater, FL 34622
(813) 571-4500

(b) Official Point of Contact for the ongoing operations of the company:

Miller M. Cooper
(Same as above)

(c) Tariff: Miller M. Cooper

(d) Complaints/Inquiries from customers:

National Data & Communication, Inc.'s
Customer Service
2849 Executive Drive, Suite 210
Clearwater, FL 34622 (813) 571-4500

14. The applicant will provide the following interexchange carrier services (Check all that apply):

MTS with distance sensitive per minute rates

Method of access is FGA

Method of access is FGB

Method of access is FGD

Method of access is 800

MTS with route specific rates per minute

Method of access is FGA

Method of access is FGB

Method of access is FGD

Method of access is 800

MTS with statewide flat rates per minute (i.e. not distance sensitive)

Method of access is FGA

Method of access is FGB

Method of access is FGD

Method of access is 800

MTS for pay telephone service providers

Block-of-time calling plan (Reach out Florida, Ring America, etc.)

800 Service (Toll free)

WATS type service (Bulk or volume discount)

Method of access is via dedicated facilities

Method of access is via switched facilities

Private Line services (Channel Services)
(For ex. 1.544 mbs., DS-3, etc.)

Travel Service
Method of access is 950
Method of access is 800

Operator Services
Available to presubscribed customers
Available to non presubscribed customers (for example to patrons of hotels, students in Universities, patients in hospitals)
Available to inmates

Services included are:
Station assistance
Person to Person assistance
Directory assistance
Operator verify and interrupt
Conference Calling

Other

15. What does the end user dial for each of the interexchange carrier services that were checked in question 14?

9+1+Area code + number

16. What services will the applicant offer to other certificated telephone companies:

- (x) Facilities.
- () Operators.
- (x) Billing and Collection.
- () Sales.
- () Maintenance.
- () Other: _____

17. Will your marketing program:
- Pay commissions?
 - Offer sales franchises?
 - Offer multi-level sales incentives?
 - Offer other sales incentives?
18. Explain any of the offers checked above (To whom, what amount, type of franchise, etc.).
- National Data employs direct salesman on commission to sell programs on percent of sales and fee for service.
19. Who will receive the bills for your service (Check all that apply)?
- Residential customers.
 - Business customers.
 - PATS providers.
 - PATS station end-users.
 - Hotels & motels.
 - Hotels & motel guests.
 - Universities.
 - University dormitory residents.
 - Other: (specify) _____.
20. Provide the name and address of the firm who will bill for your service.
- In house billing
21. Will the name of your company appear on the bill for your services, and if not, why?
- yes
22. Who will the billed party contact to ask questions about the bill (provide name and phone number) and how is this information provided?
- National Data's Controller
800-366-4531
813-571-4531
23. Please submit the proposed tariff under which the company plans to begin operation. Use the formate required by Commission Rule 25-24.485 (example enclosed).

Tariff Attached

APPLICANT ACKNOWLEDGEMENT STATEMENT

1. **REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of one-eighth of one percent of its gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$25 is required.

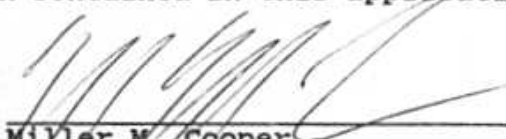
2. **GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of one and one-half percent on all intra and interstate business.

3. **SALES TAX:** I understand that a six percent sales tax must be paid on intra and interstate revenues.

4. **LEC BYPASS RESTRICTIONS:** I acknowledge the Commission's policy that interexchange carriers shall not construct facilities to bypass the LECs without first demonstrating to the Commission that the LEC cannot offer the needed facilities at a competitive price and in a timely manner.

5. **RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's Rules and Orders relating to my provision of interexchange telephone service in Florida. I also understand that it is my responsibility to comply with all current and future Commission requirements regarding interexchange telephone service.

6. ACCURACY OF APPLICATION: By my signature below, I attest to the accuracy of the information contained in this application and associated attachments.


Miller M. Cooper
Typed name and signature of
owner or chief officer

Chief Executive Officer
Title

Date 3/16/92

ATTACHMENTS

- A - CERTIFICATE TRANSFER STATEMENT
- B - CUSTOMER DEPOSITS AND ADVANCE PAYMENTS
- C - INTRASTATE NETWORK
- D - FLORIDA TELEPHONE EXCHANGES
AND EAS ROUTES
- E - GLOSSARY

****APPENDIX A****

CERTIFICATE TRANSFER STATEMENT

Not Applicable

I, _____;
current holder of certificate number _____, have
reviewed this application and join in the petitioner's request.

Signature of owner or chief
officer of the certificate
holder

Title


Date

****APPENDIX B****

CUSTOMER DEPOSITS AND ADVANCE PAYMENTS

A statement of how the Commission can be assured of the security of the customer's deposits and advance payments may be responded to in one of the following ways (applicant please check one):

- (x) The applicant will not collect deposits nor will it collect payments for service more than one month in advance.
- () The applicant will file with the Commission and maintain a surety bond in an amount equal to the current balance of deposits and advance payments in excess of one month. (Bond must accompany application.)



Miller M. Cooper
Typed name and signature of
Owner or Chief officer

Chief Executive Officer
Title

3-16-92
Date

****APPENDIX C****

INTRASTATE NETWORK

1. POP: Addresses where located, and indicate if owned or leased.
 - 1) Miami Convention Center
1901 Convention Center Dr.
Miami Beach, FL 33139
 - 2) 550 N. Reo
Tampa, FL
 - 3) Suite 250
100 S. Ashley Drive
Tampa, FL

2. SWITCHES: Address where located, by type of switch, and indicate if owned or leased.
 - 1) 1901 Convention Center Dr.
Miami Beach, FL 33139 (owned)
 - 2) Reo-Mitel 2000
owned
 - 3) Ashley -ATT Sys 85
owned

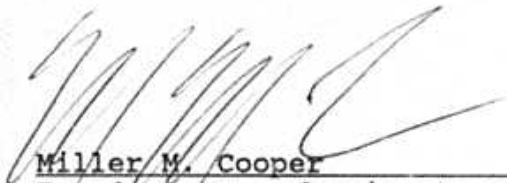
3. TRANSMISSION FACILITIES: Pop-to-Pop facilities by type of facilities (microwave, fiber, copper, satellite, etc.) and indicate if owned or leased.
 - 1) POP-to-POP TYPE OWNERSHIP
 - 2) None

4. ORIGINATING SERVICE: Please provide the list of exchanges where you are proposing to provide originating service within thirty (30 days after the effective date of the certificate (Appendix D).

5. TRAFFIC RESTRICTIONS: Please explain how the applicant will comply with the EAEA requirements contained in Commission Rule 25-24.471 (4) (a) (copy enclosed).

6. CURRENT FLORIDA INTRASTATE SERVICES: Applicant has () or has not (x) previously provided intrastate telecommunications in Florida. If the answer is has, fully describe the following: See Attached

- a) What services have been provided and when did these services begin?
- b) If the services are not currently offered, when were they discontinued?



Miller M. Cooper
Typed name and signature of
Owner or Chief officer

Secretary
Title

3-16-92
Date

**APPENDIX D

FLORIDA TELEPHONE EXCHANGES

AND

EAS ROUTES

Describe the service area in which you hold yourself out to provide service by telephone company exchange. If all services listed in your tariff are not offered at all locations, so indicate.

In an effort to assist you, attached is a list of major exchanges in Florida showing the small exchanges with which each has extended area service (EAS).


Miller M. Cooper

Typed name and signature of
Owner/Chief Officer

Chief Executive Officer

Title

3-16-92

Date

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
BETTY EASLEY
J. TERRY DEASON
SUSAN F. CLARK
LUIS J. LAUREDO



DIVISION OF COMMUNICATIONS
WALTER D'HAESELEER,
DIRECTOR
(904) 488-1280

Public Service Commission

March 25, 1992

Mr. Miller M. Cooper
National Data & Communications Inc.
2849 Executive Drive, Suite 210
Clearwater, FL 34622

RE: Application for Certification

Dear Mr. Cooper:

Your application for a certificate to provide interexchange telecommunication service was received by this Division on March 23, 1992; however, additional items are needed in order to process your application.

As of May 8, 1991, a nonrefundable application fee of two hundred, fifty dollars (\$250.00) was implemented. Please forward a check in the amount of two hundred and fifty dollars (\$250.00) as soon as possible so your application can be processed. Should you have any questions, please call me at (904) 488-1280.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Williams" with a stylized flourish at the end.

Thomas E. Williams, III
Engineer
Bureau of Service Evaluation

TITLE SHEET

FLORIDA TELECOMMUNICATIONS TARIFF

OF

National Data & Communications, Inc.

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by National Data & Communications, Inc. with principal offices at 2849 Executive Drive, Suite 200, Clearwater, Florida 34622. This tariff applies for service furnished within the state of Florida. This tariff is on file with the Florida Public Service Commission and copies may be inspected during normal business hours at the Company's principal place of business.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

CHECK SHEET

Sheets 1 through 26, 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.

SHEET	REVISION
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

Issued: March 16, 1992

Effective:

By: **Miller M. Cooper**
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

TABLE OF CONTENTS

Title Page.....1
Check Sheet.....2
Table of Contents.....3
Section 1 - Technical Terms and Abbreviations.....6
Section 2 - Rules and Regulations.....8
Section 3 - Description of Service.....17
Section 4 - Rates.....21

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SYMBOLS

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

- D - Delete or discontinue.
- I - Change Resulting in an increase to a Customer's bill.
- M - Moved from another tariff location.
- N - New
- R - Change resulting in a reduction to a Customer's bill.
- T - Change in text or regulation but no change in rate or charge.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

TARIFF FORMAT

A. **Sheet Numbering** - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.

B. **Sheet Revision Numbers** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the FPSC. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the FPSC follows in its tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.

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

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

The following are the only abbreviations used for the purpose indicated below:

IXC - Interexchange carrier.

MTS - Measured telephone service.

NDCI - National Data & Communications, Inc.

WATS- Wide Area Telephone Service

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, con't.

Access Line - An arrangement which connects the customer's location to a National Data & Communications, Inc. network switching center.

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

Company or Carrier - National Data & Communications, Inc.

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

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

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

FPSC - Florida Public Service Commission

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

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of National Data & Communications, Inc.

National Data & Communications, Inc.'s services and facilities are furnished for communications originating at specified points within the state of Florida under terms of this tariff.

NDCI is a resale entity which provide Intrastate long distance service in Florida. Service is provided through use of resold telecommunications facilities.

NDCI installs, operates, and maintains the communication service provided hereinunder in accordance with the terms and conditions set forth under this tariff. NDCI may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities (such as the local exchange company), when authorized by the Customer, to allow connection of a Customer's location to the National Data & Communications, Inc. network. The Customer shall be responsible for all charges due for such service arrangement.

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

2.2 Limitations

- 2.2.1 Service is offered subject to the availability of facilities and the provisions of this tariff.
- 2.2.2 National Data & Communications, Inc. reserves the right to discontinue furnishing service or limit the use of service when necessitated by conditions beyond its control, or when the Customer is using service in violation of the law or the provisions of this tariff.
- 2.2.3 The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 2 - RULES AND REGULATIONS, CON'T.

2.2 Limitations, con't.

- 2.2.4 All facilities provided under this tariff are directly controlled by National Data & Communications, Inc. and the Customer may not transfer or assign the use of service or facilities without the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.
- 2.2.5 Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions of service.
- 2.2.6 The use of this service is limited to traffic which originates and is switched to the resale services on the premises of NDCI.
- 2.2.7 Remote access via the local exchange network (via automatic dialers or other remote access methods) to resale services is available by agreement between NDCI and the Customer.

2.3 Use

Services provided under this tariff may be used for any lawful purpose for which the service is technically suited.

2.4 Liabilities of the Company

- 2.4.1 National Data & Communications, Inc.'s liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in transmission which occur in the course of furnishing service or facilities, in no event shall exceed an amount equivalent to the proportionate charge to the Customer for the period during which the faults in transmission occur.

Issued: March 16, 1992

Effective:

By:

Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 2 - RULES AND REGULATIONS, CON'T.

2.4 Liabilities of Company, con't.

- 2.4.2 The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage), for any interruption, delay, error, omission, or defect in any service, facility or transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.
- 2.4.3 The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copy-right or patent, unauthorized use of any trademark, tradename or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use or removal of equipment or wiring provided by the Company, if not directly caused by negligence of the Company.
- 2.4.4 The Company shall not be liable for any defacement of or damages to the premises of a Customer resulting from the furnishing of service which is not the direct result of the Company's negligence.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 2 - RULES AND REGULATIONS, CON'T.

2.5 Interruption of Service

- 2.5.1 Credit allowances for interruptions of service which are not due to National Data & Communications, Inc.'s testing or adjusting, to the negligence of the Customer, or to the failure of channels, equipment or communications systems provided by the Customer, are subject to the general liability provisions set forth in Section 2.4 herein. It shall be the obligation of the Customer to notify NDCI immediately of any interruption in service for which a credit allowance is desired by Customer. Before giving such notice, Customer shall ascertain that the trouble is not within his or her control, or is not in wiring or equipment, if any, furnished by Customer and connected to NDCI's facilities.
- 2.5.2 For purposes of credit computation, every month shall be considered to have 720 hours.
- 2.5.3 No credit shall be allowed for an interruption of a continuous duration of less than two hours.
- 2.5.4 The customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the monthly charge for the facilities affected for each hour or major fraction thereof that the interruption continues.

Credit Formula:

$$\text{Credit} = (A \times B) / 720$$

Where A = outage time in hours

B = total monthly charge for affected facility

2.6 Restoration of Service

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

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 2 - RULES AND REGULATIONS, CON'T.

2.7 Availability of Service

NDCI's resale long distance service is offered to customers in Florida subject to the availability of facilities.

2.8 Provision of Service

2.8.1 Service will be provided within one (1) working day of receipt of request for service subject to the payment of an advance payment or other credit check procedures where required.

2.8.2 Service is furnished through the resold facilities of other carriers.

2.9 Obligations of the Company

2.9.1 NDCI will maintain the internal switcher and respond to internal service complaints within three (3) hours of receipt of the complaint during regular business hours.

2.9.2 Regular business hours are 8:00 AM through 5:00 PM Monday through Friday except for Holidays (including New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve and Christmas Day.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 2 - RULES AND REGULATIONS, CON'T.

2.10 Obligations of the Customer

- 2.10.1 The Customer is responsible for payment of all charges for services furnished.
- 2.10.2 The Customer may not use the service for any unlawful purpose or in violation of the provisions of this tariff.
- 2.10.3 The Customer will provide NDCI an estimate of monthly toll usage at the time service is requested.
- 2.10.4 The Customer will provide NDCI with the financial data and corporate/company structure along with the name and address of the party responsible for payment of charges at the time service is requested.

2.11 Advance Payments

For Customers whom National Data & Communications, Inc. determines an advance payment is necessary, National Data & Communications, Inc. reserves the right to collect an amount not to exceed one (1) month's estimated charges as an advance payment for service. This will be applied against the next month's charges and if necessary a new advance payment will be collected for the next month.

2.12 Taxes

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

2.13 Employee Concessions

Any employee of the Company in good standing for three months or longer may receive any of the Company's services twenty percent (20%) below the tariffed rates as a concession.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 2 - RULES AND REGULATIONS, CON'T.

2.14 Deposits

The Company does not collect deposits.

2.15 Payment for Service

NDCI will bill the Customer on a monthly basis. All bills are payable upon receipt and will reflect a delinquent date of fifteen (15) days from the date of delivery. When the bill is mailed to a remote home office for payment, the delinquent date will be twenty (20) days from the date of the bill. NDCI may demand immediate payment under the following circumstances:

- 2.15.1 When service is terminated or abandoned.
- 2.15.2 Where NDCI has reason to believe the customer is about to go out of business or file for bankruptcy.
- 2.15.3 Where toll usage is two (2) times greater than the Customer's average usage for the four (4) previous months or where toll usage is twice the estimated monthly toll usage.

2.16 Late Payment Fees

When the Customer account is delinquent a late payment fee of 1.5% per month will be assessed on the delinquent amount.

2.17 Returned Check Charges

A returned check fee of \$15.00, or five percent of the check amount, which ever is greater, will be assessed when a check or instrument issued by a Customer is returned without payment for any reason, including unauthorized signature, insufficient or uncollected funds, or incomplete information.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 2 - RULES AND REGULATIONS, CON'T.

2.18 Other Billing Rules

- 2.18.1 A customer initiating service after the start of a billing period will be billed at the normal end of the billing period for services rendered.
- 2.18.2 The billing invoice will be considered correct and binding if written notice of any dispute as to charges is not received by NDCI within thirty (30) days of the bill date.

2.12 Cancellation by Customer

Customer may cancel service by providing 30 days written notice to the Company.

2.19 Refusal or Discontinuance by Company

National Data & Communications, Inc. may refuse or discontinue service under the following conditions provided that, unless otherwise stated, the Customer shall be given 15 days notice to comply with any rule or remedy any deficiency:

- (a) For non-compliance with or violation of any State, municipal, or Federal law, ordinance or regulation pertaining to telephone service.
- (b) For use of telephone service for any other property or purpose than that described in the application.
- (c) For neglect or refusal to provide reasonable access to NDCI or its agents for the purpose of inspection and maintenance of equipment owned by NDCI or its agents.
- (d) For noncompliance with or violation of Commission regulation or NDCI's rules and regulations on file with the Commission, provided five (5) working days written notice is given before termination.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 2 - RULES AND REGULATIONS, CON'T.

2.19 Refusal or Discontinuance by Company, con't.

(e) For nonpayment of bills, provided that suspension or termination of service shall not be made without five (5) working days written notice to Customer, except in extreme cases.

(f) Without notice in the event of Customer or Authorized User use of equipment in such a manner as to adversely affect NDCI's equipment or service to others.

(g) Without notice in the event of tampering with the equipment or services owned by NDCI or its agents.

(h) Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, NDCI may, before restoring service, require the Customer to make, at his or her own expense, all changes in facilities or equipment necessary to eliminate illegal use and to pay an amount reasonably estimated as the loss in revenues resulting from such fraudulent use.

(i) Without notice by reason of any order or decision of a court or other government authority having jurisdiction which prohibits Carrier from furnishing such services.

(j) For periods of inactivity over 30 days. Customers will be given 30 days notice before disconnection is made under this subsection.

2.20 Cost of Collection and Repair

The Customer is responsible for any and all costs associated with the collection of monies due the Company including legal and accounting expenses. Customer is also responsible for cost incurred to repair or replace damaged or lost Carrier-provided equipment when such damage or loss is not due to Company negligence.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 3 - DESCRIPTION OF SERVICE

3.1 Description of Service

NDCI is a resale entity providing intrastate telecommunications services. Customers may call any valid NPA- NXX in the state of Florida. Intrastate service is offered in conjunction with interstate service.

Customer originate a long distance call over NDCI's service by dialing a one digit internal access code, plus the digit "1". After receiving the second dial tone, the customer then dials the desired area code and seven digit destination telephone number.

Call processing software records the call data, including calling number, time of day, day of week, called telephone number and duration of call.

3.2 Timing of Calls

3.2.1 Long distance usage charges are based on usage of NDCI's services. Forty-two (42) seconds, calculated from the time of off-hook, is allowed before a call is billed as usage of the network. For billing purposes, call timing begins after the forty-two second period. A forty-three (43) second call will be billed, regardless of whether or not it was actually completed. A call is terminated when either party disconnects from the call.

3.2.2 Call are billed in six second increments after the initial full minute period, unless otherwise specified in this tariff. Minimum call duration for billing purposes in one minute.

3.2.3 In calculating the total time of the call, the fraction of the last minute of use, if any, is rounded up to the next whole minute. If the call lasts less than one (1) minute of use, but exceeds the forty-two (42) second allowance, it is calculated and billed as one full minute. Credits for uncompleted calls will be given if requested by the customer and verified by the Company.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 3 - DESCRIPTION OF SERVICE, CON'T.

3.3 Calculation of Distance

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. Airline mileage of the call is determined by applying the formula below to the vertical and horizontal coordinates associated with the originating and terminating serving wire centers of the call. National Data & Communications, Inc. uses the serving wire centers and associated vertical and horizontal coordinates that are produced by Bell Communications Research in their NPA-NXX V & H Coordinates Tape and NECA Tariff FCC No. 4.

Formula:

$$\sqrt{\frac{(V_1 - V_2)^2 + (H_1 - H_2)^2}{10}}$$

Example: Distance between Miami and New York City

	V	H
Miami	8351	529
New Yor):	4997	1406
Difference =	<u>3354</u>	<u>879</u>

Square and add: 11,249,316 + 772,641 = 12,021,957

Divide by 10 and round: 12,021,957/10 = 1,202,195.70
= 1,202,196

Take square root and round: $\sqrt{1,202,196} = 1,096.4$

Distance between Miami and New York = 1,097 airline miles

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 3 - DESCRIPTION OF SERVICE, CON'T.

3.4 Call Completion Rate

NDCI will subscribe to sufficient long distance capacity to assure a 90% or higher call completion rate to such services during peak calling periods.

3.5 National Data & Communications, Inc. Direct Dial Long Distance Service

NDCI Direct Dial Long Distance Service is offered to customers for calling within the state of Florida.

Cost of calls varies by the length of the call, call mileage, day of week and time of day. Per-minute usage sensitive charges apply based on usage of the service. Calls are billed in six (6) second increments after the initial full minute increment.

3.6 National Data & Communications, Inc. MTS-Volume Service

National Data & Communications, Inc. MTS-Volume Service is offered to customers for calling within the state of Florida. Customers access National Data & Communications, Inc. by dialing "1+" and the long distance telephone number. To qualify for this service, Customers' projected monthly billing must be an average of \$250 per month over a one year period (\$3,000 per year.)

Cost of calls varies by the length of the call, call mileage, day of week and time of day. Per-minute usage sensitive charges apply based on usage of the service. Calls are billed in six (6) second increments after the initial full minute increment.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 3 - DESCRIPTION OF SERVICE, CON'T.

3.7 National Data & Communications, Inc. MTS-High Volume Service

National Data & Communications, Inc. MTS-High Volume Service is offered to customers for calling within the state of Florida. Customers access National Data & Communications, Inc. by dialing "1+" and the long distance telephone number. To qualify for this service, Customers' projected monthly billing must be an average of \$500 per month over a one year period (\$6,000 per year.)

Cost of calls varies by the length of the call, call mileage, day of week and time of day. Per-minute usage sensitive charges apply based on usage of the service. Calls are billed in six (6) second increments after the initial full minute increment.

3.8 Business Plus Service

Business Plus Service is offered to business customers. Intrastate calls are billed a flat rate per minute. Rates are not distance or time-of-day sensitive. Calls are billed in six (6) second increments after the initial full minute increment.

3.9 Business Pro Service

Business Pro Service offers business customers a single per minute rate for all calls within Florida regardless of call mileage. Rates are time-of-day sensitive. Calls are billed in six (6) second increments after the initial full minute period.

3.10 Campus Calling Card Service

Calling card service is offered as convenience service to qualified National Data & Communications, Inc. customers. Calling card service allows users to make long distance calls billed to their National Data & Communications, Inc. account from locations other than their primary residence or business locations. Calling card service is priced at the same rates as National Data & Communications, Inc.'s Direct Dial Long Distance Service, however calls are billed in full minute increments.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 4 - RATES

4.1 Time of Day Rate Periods

Day, evening and night/weekend rate periods apply according to the following schedule:

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

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

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

Calls are rated based on the time of day period in which the call begins.

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 4 - RATES, CON'T.

4.2 National Data & Communications, Inc. Direct Dial Long Distance Service

Calls are billed in six (6) second increments after the initial one minute period.

DAYTIME RATES

<u>Mileage</u>	<u>Initial Minute</u>	Each
		<u>Additional Minute</u>
0 - 10	\$0.1900	\$0.0900
11 - 22	0.2700	0.1600
23 - 55	0.2900	0.2300
56 - 124	0.3100	0.2400
125 - 292	0.3200	0.2500
293 - 430	0.3200	0.2500
431 - 624	0.3300	0.2600

EVENING RATES

<u>Mileage</u>	<u>Initial Minute</u>	Each
		<u>Additional Minute</u>
0 - 10	\$0.1425	\$0.0675
11 - 22	0.2025	0.1200
23 - 55	0.2175	0.1725
56 - 124	0.2325	0.1800
125 - 292	0.2400	0.1875
293 - 430	0.2400	0.1875
431 - 624	0.2475	0.1950

NIGHT/WEEKEND RATES

<u>Mileage</u>	<u>Initial Minute</u>	Each
		<u>Additional Minute</u>
0 - 10	\$0.0950	\$0.0450
11 - 22	0.1350	0.0800
23 - 55	0.1450	0.1150
56 - 124	0.1550	0.1200
125 - 292	0.1600	0.1250
293 - 430	0.1600	0.1250
431 - 624	0.1650	0.1300

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 4 - RATES, CON'T.

4.3 National Data & Communications, Inc. MTS-Volume Service
Calls are billed in six (6) second increments after the
initial one minute period.

DAYTIME RATES

<u>Mileage</u>	Each	
	<u>Initial Minute</u>	<u>Additional Minute</u>
0 - 10	\$0.1710	\$0.0810
11 - 22	0.2430	0.1440
23 - 55	0.2610	0.2070
56 - 124	0.2790	0.2160
125 - 292	0.2880	0.2250
293 - 430	0.2880	0.2250
431 - 624	0.2970	0.2340

EVENING RATES

<u>Mileage</u>	Each	
	<u>Initial Minute</u>	<u>Additional Minute</u>
0 - 10	\$0.1283	\$0.0608
11 - 22	0.1823	0.1080
23 - 55	0.1958	0.1553
56 - 124	0.2093	0.1620
125 - 292	0.2160	0.1688
293 - 430	0.2160	0.1688
431 - 624	0.2228	0.1755

NIGHT/WEEKEND RATES

<u>Mileage</u>	Each	
	<u>Initial Minute</u>	<u>Additional Minute</u>
0 - 10	\$0.0855	\$0.0405
11 - 22	0.1215	0.0720
23 - 55	0.1305	0.1035
56 - 124	0.1395	0.1080
125 - 292	0.1440	0.1125
293 - 430	0.1440	0.1125
431 - 624	0.1485	0.1170

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 4 - RATES, CON'T.

4.4 National Data & Communications, Inc. MTS-High Volume Service
Calls are billed in six (6) second increments after the
initial one minute period.

DAYTIME RATES

<u>Mileage</u>	Each	
	<u>Initial Minute</u>	<u>Additional Minute</u>
0 - 10	\$0.1615	\$0.0765
11 - 22	0.2295	0.1360
23 - 55	0.2465	0.1955
56 - 124	0.2635	0.2040
125 - 292	0.2720	0.2125
293 - 430	0.2720	0.2125
431 - 624	0.2805	0.2210

EVENING RATES

<u>Mileage</u>	Each	
	<u>Initial Minute</u>	<u>Additional Minute</u>
0 - 10	\$0.1211	\$0.0574
11 - 22	0.1721	0.1020
23 - 55	0.1849	0.1466
56 - 124	0.1976	0.1530
125 - 292	0.2040	0.1594
293 - 430	0.2040	0.1594
431 - 624	0.2104	0.1658

NIGHT/WEEKEND RATES

<u>Mileage</u>	Each	
	<u>Initial Minute</u>	<u>Additional Minute</u>
0 - 10	\$0.0808	\$0.0383
11 - 22	0.1148	0.0680
23 - 55	0.1233	0.0978
56 - 124	0.1318	0.1020
125 - 292	0.1360	0.1063
293 - 430	0.1360	0.1063
431 - 624	0.1403	0.1105

Issued: March 16, 1992

Effective:

By:

Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

SECTION 4 - RATES, CON'T.

4.5 National Data & Communications, Inc. Business Plus Service

Calls are billed in six (6) second increments after the initial one minute period.

Rate per minute, all calls: \$0.1990

4.6 Business Pro Service

Calls are billed in six (6) second increments after the initial one minute period.

Rate per minute all calls: \$0.16

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
 Chief Executive Officer
 2849 Executive Drive, Suite 200
 Clearwater, Florida 34622

SECTION 4 - RATES, CON'T.

4.7 Campus Calling Card Service

Rates for Campus Calling Card calls are equivalent to those specified in section 4.2 of this tariff, Direct Dial Long Distance Service. Calls are billed in full minute increments.

4.8 Directory Assistance

Long Distance directory assistance is rated on a per call basis.

Directory Assistance (per call): \$0.60

4.9 Reconnection Charge

A reconnection fee is charged when service is re-established for customers who had been disconnected for non-payment.

Reconnection charge: \$25.00 per occurrence

4.10 Exemptions and Special Rates

Intrastate toll message usage rates for users of Telecommunications Devices for the Deaf (TDD) will be the evening rate for daytime calls and the night rate for evening calls. TDD users must inform the Company of their use of the Company's service.

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

Issued: March 16, 1992

Effective:

By: Miller M. Cooper
Chief Executive Officer
2849 Executive Drive, Suite 200
Clearwater, Florida 34622

NATIONAL

Data & Communications, Inc.

2849 Executive Drive • Suite 210
Clearwater, Florida 34622

DEPOSIT TREAS. REC.

DATE

C408

APR 01 '92

Florida Public Service Commission
Division of Administration, Room
101 East Gaines Street
Tallahassee, Florida 32399-0856
Att: Tom Williams

|||||

RECORDED DATE

03192 APR -1 1992

PSC-RECORDS/REPORTING

NATIONAL DATA & COMMUNICATIONS, INC.

PH. 813-571-4500
2849 EXECUTIVE DR. STE. 200
CLEARWATER, FL 34622

238

PAY TO THE ORDER OF

Public Service Commission

325 19*92*

\$ *250.00*

DOLLARS

City Bank of Tampa
South Dale Mabry Office
Tampa, Florida

FOR

IXC Lic.

[Signature]