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ORIGINAL

040350-T1

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April 19, 2004

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Fl. 32399

RE: **NCS Carriers, Inc.**

Interexchange Company Registration Form
Florida Telecommunications Tariff

RECEIVED FPSC
APR 20 PM 12:11
COMMISSION
CLERK

To Whom It May Concern:

Please be informed that the law firm of Dicesare, Davidson & Barker, P.A. represents NCS Carriers, Inc. Enclosed please find for filing, process and review by the Florida Public Service Commission (hereinafter referred to as the "Commission") the Interexchange Company Registration Form for NCS Carriers, Inc. Also enclosed please find for filing, review and consideration by the Commission, one original and one copy of the Florida Telecommunications Tariff which has been issued by NCS Carriers, Inc.

If you have any questions or comments relative to this matter, please do not hesitate to contact the undersigned attorney.

Thank you for you kind attention to this matter.

Sincerely,

HAROLD E. BARKER

HEB/nm

Enclosures (2)

*Original Tariff forwarded
to CUP.*

863 648 5999

888 648 5999

863 648 4755

DDBLaw@aol.com

5640 SOUTH FLORIDA AVENUE LAKELAND, FLORIDA 33813
PO BOX 7160 LAKELAND, FLORIDA 33807-7160

DOCUMENT NUMBER DATE

04676 APR 20 03

FPSC-COMMISSION CLERK

040350 - J7

COPY

IXC REGISTRATION FORM

Company Name NCS Carriers, Inc.

Florida Secretary of State Registration No. P04444420852

Fictitious Name(s) as filed at Fla. Sec. of State None

Company Mailing Name NCS Carriers, Inc.

Mailing Address 737 Providence Trace Circle, Unit 104

Brandon, Florida 33511

Web Address None

E-mail Address None

Physical Address 737 Providence Trace Circle, Unit 104

Brandon, Florida 33511

Company Liaison Harold E. Barker

Title Vice President

Phone (863) 648-5999

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Consumer Liaison to PSC Harold E. Barker

Title Vice President

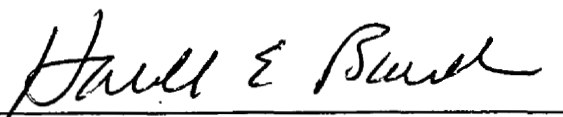
Address 5640 S. Florida Avenue Lakeland, Florida 33813

Phone (863) 648-5999

Fax (863) 648-4755

E-mail address rbarker@ddbllaw.com

My company's tariff as required in Section 364.04, Florida Statutes, is enclosed with this form. I understand that my company must notify the Commission of any changes to the above information pursuant to Section 364.02, Florida Statutes. My company will owe Regulatory Assessment Fees for each year or partial year my registration is active pursuant to Section 364.336, Florida Statutes. My company will comply with Section 364.603, Florida Statutes, concerning carrier selection requirements, and Section 364.604, Florida Statutes, concerning billing practices.



Harold E. Barker

Signature of Company Representative

Printed/Typed Name of Representative

April 19, 2004

Date

DOCUMENT NUMBER - DATE

04676 APR 20 3

Effective: 07/15/2003

FPSC-COMMISSION CLERK

TITLE SHEET

FLORIDA TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by NCS Carriers, Inc., with principal offices at 737 Providence Trace Circle, Unit 104 Brandon, Florida 33511. This tariff applies for services 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: April 19, 2004

EFFECTIVE:

BY:

Haysam Rachid, President
737 Providence Trace Circle, Unit 104
Brandon FL 33511

CHECK SHEET

The sheets listed below, which are 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 of the bottom of this page.

| SHEET | REVISION |
|-------|----------|
| 1 | Original |
| 2 | Original |
| 3 | Original |
| 4 | Original |
| 5 | Original |
| 6 | Original |
| 7 | Original |
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| 14 | Original |
| 15 | Original |
| 16 | Original |
| 17 | Original |
| 18 | Original |

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SYMBOL SHEET

D – Delete or Discontinue

I – Change Resulting in an Increase to A Customer's Bill

M – Move 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

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EFFECTIVE:

BY:

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TARIFF FORMAT SHEETS

- A. Sheet Numbering** – Sheet numbers appear in the upper right hand 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 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 their tariff approval process, the most current sheet number in 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. remains the same, just revised revision levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the FPSC.

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BY:

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Brandon FL 33511

SECTION 1 – TECHNICAL TERMS AND ABBREVIATIONS

Access Line – An arrangement which connects the customer’s location to the Company’s 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 – NCS Carriers, 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 11:00 PM local time Sunday through Friday.

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

Holidays – The Company’s recognized holidays are New Year’s Day, July 4th, Thanksgiving Day, Christmas Day.

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

ISSUED: April 19, 2004

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Brandon FL 33511

SECTION 2 – RULES AND REGULATIONS

2.1 Undertaking of the Company

The Company's service and facilities are furnished for communications originating at specified points within the state of Florida under terms of this tariff.

The Company installs, operates, and maintains the communications services provided herein in accordance with the terms and conditions set forth under this tariff. It may act as the customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the customer, to allow connection of a customer's location to the Company's 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 a week.

2.2 Limitation

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

2.2.2 The Company reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control; or when the customer is using service in violation of the law or the provision of this Tariff.

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BY:

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Brandon FL 33511
Tallahassee, FL 32301

SECTION 2 – RULES AND REGULATIONS continued

2.2 Limitations (Cont.)

- 2.2.3 All facilities provided under this tariff are directly controlled by the Company and the customer may not transfer or assign the use of service or facilities, except with the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use of location of the service or facilities.
- 2.2.4 All regulations and condition contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.

2.3 Liabilities of the Company

- 2.3.1 The Company's liability arising out of mistakes, interruptions, omissions, delays, error, or defects in the transmission occurring in the course of furnishing service or facilities, and not caused but the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which the aforementioned faults in transmission occur, unless ordered by the Commission.
- 2.3.2 The Company shall be indemnified and held harmless by the customer against:
- (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over the Company's facilities.
 - (B) All other claims arising out of any act or omission of the customer in connection with any service or facility provided by the Company.

ISSUED: April 19, 2004

EFFECTIVE:

BY:

Haysam Rachid, President
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Brandon FL 33511

SECTION 2 – RULES AND REGULATIONS continued

2.4 Interruption of Service

2.4.1 Credit allowances for the interruption of service which is not due to the Company's testing or adjusting, negligence of the customer, or due to the failure of channels or equipment provided by the customer, are subject to the general liability provision set forth in Subsection 2.3.1. It shall be the customer's obligation to notify the Company immediately of any service interruption for which a credit allowance is desired. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission by the customer within his control, or equipment, if any, furnished by the customer and connected to the Company's facilities. No refund or credit will be made for the time that the Company stands ready to repair the service and the subscriber does not provide access to the Company for such restoration work.

2.4.2 No credit shall be allowed for an interruption of a continuous duration of less than twenty-four hours after the subscriber notifies the Company.

2.4.3 The customer shall be credited for an interruption of more than Twenty-four hours as follows:

Credit Formula:

$$\text{Credit} = A/720 \times C$$

"A" – Outage time in hours

"B" – Each month is considered to have 720 hours

"C" – Total monthly charge for affected facility

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Brandon FL 33511

TARIFF FORMAT SHEETS

2.5 Disconnection of Service by Carrier

The Company (carrier), upon 5 working days written notice to the customer, may discontinue service or cancel an application for service without incurring any liability for any of the following reasons:

- 2.5.1 Non-payment of any sum due to carrier for regulated service for more than fifteen (15) days beyond the date of rendition of the bill for such service.
- 2.5.2 A violation of any regulation governing the service under this tariff.
- 2.5.3 A violation of any law, rule, or regulation of any governmental authority having jurisdiction over such service.
- 2.5.4 Service may be disconnected without notice for tampering with company equipment, for interfering with the service to other customers, for fraud, or in the event of a hazardous condition.

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BY:

Haysam Rachid, President
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Brandon FL 33511

SECTION 2 – RULES AND REGULATIONS continued

2.6 **Deposits**

The Company does not require a deposit from the customer.

2.7 **Advance Payments**

For customers whom the Company feels an advance payment is necessary, the company reserve 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.

2.8 **Taxes**

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

2.9 **Billing of Calls**

All charges due by the subscriber are payable at any agency duly authorized to receive such payments. Any objection to billed charges should be promptly reported to the Company. Adjustments to customers' bill shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate.

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BY:

Haysam Rachid, President
737 Providence Trace Circle, Unit 104
Brandon FL 33511

SECTION 3 – DESCRIPTION OF SERVICE

3.1 Timing of Calls

3.1.1 When Billing Charges Begin and End For Phone Calls

The customer's long distance usage charge is based on the actual usage of the Company's network. Usage begins when the called party picks up the receiver, (i.e., when 2 way communication, often referred to as "conversation time" is possible). When the called party picks up as determined by the hardware answer supervision in which the local telephone company sends a signal to the switch or to the software utilizing audio tone detection. When software answer supervision is employed, up to 60 seconds of ringing is allowed before it is billed as usage of the network. A call is terminated when the calling or called party hangs up.

3.1.2 Billing Increments

The minimum call duration for billing purposes is one (1) minute for a connected call and calls beyond one (1) minute are billed one (1) minute increments.

3.1.3 Per Call Billing Charges

Billing will be rounded up to the nearest penny for each call.

3.1.4 Uncompleted Calls

There shall be no charges for uncompleted calls.

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Brandon FL 33511

SECTION 3 – DESCRIPTION OF SERVICE continued

3.2 Calculation of Distance (For IXCs with distance sensitive rates.)

Usage charges for all mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating point of the call.

The airline mileage between rate centers is determined by applying the formula below to the vertical and horizontal coordinates associated with the rate centers involved. The Company uses the rate centers that are produced by Bell Communications Research in the NPA-NXX V & H Coordinates Tape and bell's NECA tariff No.4.

FORMULA:

$$\begin{array}{l} \text{The Square} \\ \text{Root of:} \end{array} \quad \frac{\sqrt{(V1 - V2)^2 + (H1 - H2)^2}}{10}$$

3.3 Minimum Call Completion Rate

A customer can expect a call completion rate (number of calls completed/ number of calls attempted) of not less than 90% during peak periods for all feature Group D services ("1" dialing).

ISSUED: April 19, 2004

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BY:

Haysam Rachid, President
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Brandon FL 33511

SECTION 3 – DESCRIPTION OF SERVICE continued**3.4 Service Offerings****3.4.1 NCS Long Distance Service**

NCS Long Distance Service is offered to residential and business customers. The service permits direct dialed outbound calling at a single per minute rate. Service is provided from presubscribed, dedicated or shared use access lines. Calls are billed in one minute increments. No monthly recurring charges or minimum monthly billing requirements apply.

3.4.2 NCS 800/888 (Inbound) Long Distance Service

NCS 800/888 (inbound) Long Distance Service is offered to residential and business customers. The service permits inbound 800/888 calling at a single per minute rate. Service is provided from presubscribed, dedicated or shared use access lines. Calls are billed in six second increments, with a six second minimum call duration. A \$10.00 minimum monthly billing requirement applies. Customers whose monthly usage is less than the minimum will be billed the minimum amount.

3.4.3 NCS Calling Card Service

NCS Calling Card Service is a calling card service offered to residential and business customers who subscribe to the NCS Long Distance Service calling plan. Customers using the Carrier's calling card service access the service by dialing a 1-800 number followed by an account identification number and the number being called. This service permits subscribers utilizing the Carrier's calling card to make calls at a single per minute rate. Calls are billed in one (1) minute increments after the initial minimum period of one (1) minute. There are no nonrecurring or monthly recurring charges.

ISSUED: April 19, 2004

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BY:

Haysam Rachid, President
737 Providence Trace Circle, Unit 104
Brandon FL 33511

SECTION 3 – DESCRIPTION OF SERVICE continued**3.4.4 Operator Services**

The Company's operator services are provided to residential and business customers who "**presubscribed**" to this service for intrastate calling. Operator service include the completion of collect, station-to-station, person-to-person, third party billing and credit card calls with the assistance of a Carrier operator. Each completed operator assisted call consists of two charge elements (except as otherwise indicated herein) : (i) a fixed operator charge, which will be dependent on the type of billing selected (e.g., calling card, collect or other) and/or the completion restriction selected (e.g., station-to-station or person-to-person); and (ii) a measure usage charge dependent upon the duration, distance and/or time of day of the call.

3.4.4.A Operator Dialed Surcharge

The operator dialed surcharge applies to calls when the customer has the capability of dialing all the digits necessary to complete a call, but elects to dial only the appropriate operator code and request the operator to dial the called station. The surcharge does not apply to:

- 1.) Calls where a customer cannot otherwise dial the call due to defective equipment or trouble on the NCS Carriers, Inc. network; and
- 2.) Calls in which a Company operator places a call for a calling party who is identified as being handicapped and unable to dial the call because of his/her handicap.

The Operator Dialed Surcharge applies in addition to any other applicable operator charges.

ISSUED: April 19, 2004

EFFECTIVE:

BY:

Haysam Rachid, President
737 Providence Trace Circle, Unit 104
Brandon FL 33511

SECTION 4 - RATES

4.1 NCS Long Distance Service

Rate per minute -- \$0.10.
Plan is billed in full minute increments.

4.2 NCS 800/888 (Inbound) Long Distance Service

Rate per minute - \$0.12.
Plan is billed in six second increments with a six second minimum.

4.3 NCS Calling Card Service

Rate per minute - \$0.20
Plan is billed in full minute increments

4.4 Operator Service (For presubscribed customers)

4.4.1 Usage Rates: The appropriate rate found under 4.1 or 4.3 shall apply.

4.4.2 Operator Charges:

| | |
|------------------------------|--------|
| Collect Station-to -Station | \$1.00 |
| Collect Person-to-Person | \$3.25 |
| Person-to-Person | \$3.25 |
| Station-to-Station | \$1.00 |
| Customer Dialed Calling Card | \$1.00 |
| Operator Dialed Calling Card | \$1.75 |
| Operator Dialed Surcharge | \$0.75 |

ISSUED: April 19, 2004

EFFECTIVE:

BY:

Haysam Rachid, President
737 Providence Trace Circle, Unit 104
Brandon FL 33511

SECTION 4 RATES continued

4.5 Determining Applicable Rate in Effect

For the initial minute, the rate applicable at the start of chargeable time at the calling station applies. For additional minutes, the rate applicable is that rate which is in effect at the calling station when the additional minute(s) begin. That is, if chargeable time begins during the Day Period, the Day Rate applies to the initial minute and to any additional minute that the call continues during the rate period. If the call continues into a different rate period, the appropriate rates from that period apply to any additional minute is split between two rate periods, the rate period applicable at the start of the minute applies to the entire minute.

4.6 Payment of Calls

4.6.1 Late Payment Charges

A late payment charge of 1.5% per month will be assessed on all unpaid balances more than thirty (30) days old.

4.6.2 Return Check Charges

A return check charge of \$25.00 will be assessed for checks returned for insufficient funds if the value does not exceed \$50.00, \$30.00 if the face value exceed \$50.00 but does not exceed \$300.00, \$40.00 if the face value exceed \$300.00 or 5% of the value of the check, which ever is greater.

4.7 Restoration of Service

A restoration fee of \$25.00 per occurrence is charged when service is re-established for customers who ha been disconnected for non-payment.

ISSUED: April 19, 2004

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BY:

Haysam Rachid, President
737 Providence Trace Circle, Unit 104
Brandon FL 33511

SECTION 4 –RATES continued

4.8 Special Promotions

The company will, from to time, offer special promotions to its customer waiving certain charges. These promotions will be approved by the FPSC with specific starting and ending dates, and be made part of this tariff.

4.9 Special Rates For the Handicapped

4.9.1 Telecommunications Relay Services

For intrastate toll calls received from the relay service, the Company will when billing relay calls discount relay service calls by 50 percent off of the otherwise applicable rate for a voice nonrelay call except that where either the calling or called party indicates that either party is both hearing and visually impaired, the call shall be discounted 60 percent off of the otherwise applicable rate for a voice nonrelay call. The above discount apply only to time sensitive elements of a charge for the call and shall not apply to per call charges such as a credit card surcharge.

ISSUED: April 19, 2004

EFFECTIVE:

BY:

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Brandon FL 33511