



ORIGINAL 041290-TC
November 3, 2004
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COMMISSION
CLERK

210 N. Park Ave.
Winter Park, FL
32789

Ms. Blanca Bayo, Director
Division of the Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

P.O. Drawer 200
Winter Park, FL
32790-0200

RE: Application for Pay Telephone Authority for **Symtelco, LLC**
Florida Payphone Tariff No. 3

Tel: 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

Dear Ms. Bayo:

Enclosed please find the original and six (6) copies of an application for a certificate to provide pay telephone service and initial payphone tariff submitted on behalf of Symtelco, LLC. The Company respectfully requests an effective date of December 4, 2004.

Also enclosed is our company check in the amount of \$100.00 to cover the filing fee.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose.

Any questions you may have regarding this filing may be directed to my attention at (407) 740-3008 or rneeld@tminc.com. Thank you for your assistance.

Sincerely,

for *Kathy Steinke*
Craig Neeld
Consultant to Symtelco, LLC

Check received with filing and forwarded
to Fiscal for deposit. Fiscal to forward
deposit information to Records.

Initials of person who forwarded check:

CN/ks

cc: Greg Hogan, Symtelco
file: Symtelco - FL -IXC
tms: FLp0400

*Original Tariff forwarded
to CRP.*

RECEIVED & FILED

in
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

11885 NOV-4 3

FPSC-COMMISSION CLERK

FLORIDA PUBLIC SERVICE COMMISSION

**DIVISION OF COMMUNICATIONS
BUREAU OF SERVICE EVALUATION**

**APPLICATION FORM FOR CERTIFICATE TO PROVIDE
PAY TELEPHONE SERVICE
WITHIN THE STATE OF FLORIDA**

INSTRUCTIONS

- \$ This form is used for an original application for a certificate to provide pay telephone service within the State of Florida.
- \$ **Print or type** all responses to each item requested in the application. If an item is non applicable, please explain.
- \$ Use a separate sheet for each answer which will not fit within the allotted space.
- \$ Once completed, submit the original and two (2) copies of this form and a non-refundable **application fee of \$100.00** to:

Florida Public Service Commission
Division of Records and Reporting
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770

- \$ If you have questions about completing the form, contact:

Florida Public Service Commission
Division of Communications
Bureau of Service Education
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6600

1. Name of company or name of individual (not fictitious name or d/b/a):

Symtelco, LLC

2. Name under which applicant will do business (fictitious name, etc.):

Symtelco, LLC

3. Official mailing address:

Street: 1385Weber Industrial Drive
City: Cumming
State & Zip: Georgia 30041

4. Florida Address:

Street:
City:
State & Zip:

5. Structure of organization:

- Individual
- Corporation
- General Partnership
- Limited Partnership
- Other: Limited Liability Corporation (LLC)

6. If incorporated in Florida, Provide proof of authority to operate in Florida:

Florida Secretary of State Corporate Registration Number: M02000003125

7. If using fictitious name d/b/a (doing business as), provide proof of compliance with the fictitious name statute (Chapter 865.09, Florida Statutes) to operate in Florida:

Florida Fictitious Name Registration Number: N/A

8. F.E.I. Number (if applicable): _____

9. If individual, provide:

Name:
Title:
Address:
City, State, Zip:
Phone: Fax:
Internet E-Mail:
Internet Website:

10. If partnership, provide name, title and address of all partners and a copy of the partnership agreement:

Name:
Title:
Address:
City, State, Zip:
Phone: Fax:
Internet E-Mail:
Internet Website:

Name:
Title:
Address:
City, State, Zip:
Phone: Fax:
Internet E-Mail:
Internet Website:

11. Who will serve as liaison to the commission with regard to the following:

A. The application:

Name: Craig Neeld, Technologies Management, Inc.
Title: Consultant
Address: 210 N. Park Avenue
City, State, Zip: Winter Park, FL 32789
Phone: 407-740-8575 Fax: 407-740-0613
Internet E-Mail: cneeld@tminc.com
Internet Website: www.tminc.com

B. Official Point of Contact for ongoing company operations including complaints and inquiries:

Name: Greg Hogan
Title: President
Address: 1385 Weber Industrial Drive
City, State, Zip: Cumming, GA 30041
Phone: 678-455-2770 Fax: 770-844-0845
Internet E-Mail: ghogan@symtelco.com
Internet Website: symtelco.com

- 12. Indicate if applicant or any subsidiary, partner, officers, directors, or any stockholder has been previously 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, provide explanation:**

No

- 13. Has the applicant or any subsidiary, partner, officer, director, or any stockholder ever been granted or denied a pay telephone certificate in the State of Florida: (This includes active and canceled pay telephone certificates.) If yes, provide explanation and list the certificate holder and certificate number.**

No

- 14. Is the applicant or any subsidiary, partner, officer, director, or any stockholder a subsidiary, partner, or officer in any other Florida certificated pay telephone company? If yes, give name of company and relationship. If no longer associated with company, give reason why not.**

No

15. List other states in which the applicant:

A. Is currently providing pay telephone service.

Symtelco does not yet provide pay telephone service in any state. Symtelco currently provides both local exchange and access service in Florida. The company also provides local service in California, Georgia & Kentucky, and is certified in Louisiana, Texas and North Carolina. The company has an application pending in South Carolina and Mississippi.

B. Has applications pending to be certified as a pay telephone provider.

Symtelco is presently in the process of obtaining certification as a pay telephone provider in the following states: California, Georgia, Kansas, Kentucky, Louisiana, Maine, Mississippi, Montana, No. Carolina, Oklahoma, So. Carolina, Texas and Washington.

c. Has been denied authority to operate as a pay telephone provider. Explain circumstances.

No

d. Has had regulatory penalties imposed for violations of telecommunications statutes, rules, or orders. Explain circumstances.

No

16. Please check the services that will be provided:

- Local
- Long Distance
- Coin
- Calling Card
- Credit Cards
- Other, (describe) Prepaid Institutional Calling, Institutional Operator Assisted Calling

Symtelco, LLC's proposed to offer long distance, toll-free, directory assistance, operator services, institutional operator assisted calling, and prepaid institutional calling.

17. Proposed number of pay telephone instruments the applicant plans to install/operate in the first year:

At this time, the Company has no specific location where it plans to install service. The Company's business plans call for it to respond to requests for proposals (RFPs) from various city, county and state agencies seeking to install telecommunications services for their inmate populations. The Company files this application in order to be prepared to offer service should it respond and win a bid from an institution within the State of Florida. The actual number of telephone instruments installed at any given location will vary based on the size of the institution served, the number of prisoners, and type of inmate calling privileges, all of which are site specific.

18. How does the applicant intend to service and maintain each payphone? Check all that apply.

- Personally
- Full-time technician
- Part-time technician
- Service/Repair/Maintenance Contract
- Other, (describe)

Call processing equipment installed at prisons or confinement institutions is equipped with remote on-line diagnostics. This capability allows the company's in-house technicians to communicate via dial up data modem with each system at any correctional facility. The Company can troubleshoot and effect many operational changes to a system without having to be on site.

On-site repairs, such as replacement of telephone instruments or handsets, are performed by a local telecommunications firm chosen by the Company. This subcontractor is carefully selected based on its technical expertise and ability to respond to trouble calls. To date, no subcontractor has been chosen for Florida.

The Company relies on the technical expertise of its underlying carrier and serving local exchange carrier for maintenance and administration of its long distance network and the local facilities used for transmission of calls.

- 19. Will each of the installed pay telephones provide access to all locally available long distance carriers via 10XXX+0, 10XXXX+0, 101XXXX +0, 950, and toll free (e.g. 800, 877, and 888)? See Rule 25-24.515(10), Florida Administrative Code.**

Pay telephones available to the general public will allow the user to access all locally available long distance carriers. However, for services provided to inmates of prisons and other confinement institutions, access will be limited to long distance services offered by the Company.

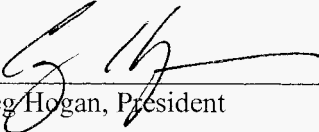
- 20. Will each of the installed pay telephones conform to subsections 4.28.8.4 and 4.29 of the American National Standard (CABO/ANSI A117.1-1992), Accessible and Usable Buildings and Facilities approved December 15, 1992 by the American National Standards Institute, Inc.? See Rule 25-24.515(18), Florida Administrative Code.**

Yes, for pay telephones available to the general public. Handicap accessibility of pay telephones provided to inmates will be subject to the requirements of the institution's administration.

APPLICANT FEE/TAX STATEMENT

- 1. REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of **0.15 of one percent** of the gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$50 is required.
- 2. GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of **two and one-half percent** on all intra- and interstate business.
- 3. SALES TAX:** I understand that a **seven percent** sales tax must be paid on intra- and interstate revenues.
- 4. APPLICATION FEE:** I understand that a non-refundable application fee of **\$100.00** must be submitted with the application.

UTILITY OFFICIAL:



Greg Hogan, President

9-16-2004

Date

Phone: 678-455-2770

Fax: 770-844-0845

1385 Weber Industrial Drive
Cumming, GA 30041

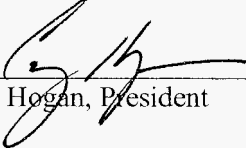
ACKNOWLEDGMENT

By my signature below, I, the undersigned owner/officer, have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

I will comply with all current and future Commission requirements regarding pay telephone service. I understand that I am required to pay a regulatory assessment fee (minimum of \$50.00 per calendar year), file an annual pay telephone service report, pay applicable sales tax, and pay gross receipts tax. Furthermore, I agree to keep the Commission advised of any changes in the names and addresses listed in the application within 10 days of the change.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s.775.082 and s.775.083."

UTILITY OFFICIAL:



Greg Hogan, President
Phone: 678-455-2770

9-16-2004

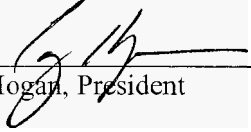
Date
Fax: 770-844-0845

1385 Weber Industrial Drive
Cumming, GA 30041

REC'D
SEP 20 2004

APPLICANT ACKNOWLEDGMENT

I acknowledge receipt and understanding of the Florida Public Service Commission's Rules and Requirements relating to my provision of Pay Telephone Service.



Greg Hogan, President

Date

9-16 2004

Phone: 678-455-2770

Fax: 770-844-0845

1385 Weber Industrial Drive
Cumming, GA 30041

THIS ACKNOWLEDGMENT FORM MUST BE COMPLETED AND RETURNED AS PART OF THE APPLICATION BEFORE THE CERTIFICATION PROCESS BEGINS. FAILURE TO DO SO WILL RESULT IN A DELAY OF THE CERTIFICATE BEING ISSUED.

Attachment I

Symtelco, LLC

Certificate of Authority to transact business within the State of Florida

State of Florida



Department of State

I certify from the records of this office that SYMTELCO, LLC is a Georgia limited liability company authorized to transact business in the State of Florida, qualified on November 22, 2002.

The document number of this limited liability company is M02000003125.

I further certify that said limited liability company has paid all fees due this office through December 31, 2004, that its most recent annual report was filed on February 20, 2004, and its status is active.

I further certify that said limited liability company has not filed a Certificate of Withdrawal.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Twenty-second day of February, 2004



CR2EO22 (2-03)

Glenda E. Hood
Glenda E. Hood
Secretary of State

Attachment II

Symtelco, LLC

Proposed Payphone Tariff

FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

TITLE PAGE

FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF
OF
SYMTELCO, LLC

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of telecommunication services provided by Symtelco, LLC with principal offices located at 1385 Weber Industrial Drive, Cumming, Georgia 30041. 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: November 4, 2004

EFFECTIVE: December 4, 2004

Issued by: Greg Hogan, President
1385 Weber Industrial Drive
Cumming, Georgia 30041

FLp0400

FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

CHECK PAGE

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, 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.

PAGE	REVISION		PAGE	REVISION	
1	Original	*	26	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	*			

* - indicates those pages included with this filing

ISSUED: November 4, 2004

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Issued by: Greg Hogan, President
 1385 Weber Industrial Drive
 Cumming, Georgia 30041

FLp0400

FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SYMBOLS

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

- (C) - Changed regulation.
- (D) - Delete or discontinue.
- (I) - Change resulting in an increase to a Customer's bill.
- (M) - Moved from another tariff location.
- (N) - New.
- (R) - Change resulting in a reduction to a Customer's bill.
- (T) - Change in text or regulation.

When changes are made in any tariff page, a revised page will be issued canceling the tariff page affected. Changes will be identified on the revised page(s) through the use of the above mentioned symbols.

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Cumming, Georgia 30041

FLp0400

FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

TARIFF FORMAT

- A. Page Numbering** - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially, however, new pages are occasionally added to the tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between Pages 14 and 15 would be 14.1.
- B. Page Revision Numbers** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the FPSC. For example, the 4th Revised Page 14 cancels the 3rd Revised Page 14. Because of various suspension periods, deferrals, etc. the FPSC follows in their tariff approval process, the most current page number on file with the Commission is not always the tariff pages in effect. Consult the Check Sheet for pages 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.
- 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 pages 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 the Check Sheet 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 page is the most current on file with the FPSC.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 1.0 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement which connects the Customer's telephone to a Company designated switching center or point of presence.

Authorized User - A person, firm, partnership, corporation or other entity who is authorized by the Customer to be connected to and utilize the Carrier's services under the terms and regulations of this tariff. In the case of collect-only calling services provided to Inmates of Confinement Institutions, the Inmate is the Authorized User.

Called Party - The person, individual, corporation or other entity whose telephone number is called. The Called Party is responsible for payment of the charges for use of the Company's automated collect service.

Collect Call - A billing arrangement by which the charges for a call may be billed to the called party without the intervention of a live operator, provided the called party agrees to accept the charges. The Called Party is responsible for charges associated with the call.

Commission - Refers to the Florida Public Service Commission.

Company - Refers to Symtelco, LLC, unless otherwise indicated by the context.

Confinement Facilities - Prisons, jails, correctional institutions or other places of confinement used for penalty purposes. Confinement Facilities are Subscribers of the Company's services and make the service available to Inmates.

Consumer or Customer - A person, firm, partnership, corporation or other entity which arranges for the Company to provide, discontinue or rearrange telecommunications services on behalf of itself or others; uses the Company's telecommunications services; and is responsible for payment of charges, all under the provisions and terms of this price list. Includes the inmates of Correctional Institutions and parties who accept charges for calls placed from Correctional Institutions served by the Company.

Inmates - The jailed population of Confinement Facilities. Inmates are users of the Company's system.

LEC - Local Exchange Company.

Symtelco - Used throughout this tariff to refer to Symtelco, LLC.

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FLp0400

FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 2.0 - RULES AND REGULATIONS**2.1 Undertaking of the Company**

The Company's services and facilities are furnished for communications originating and terminating within the State of Florida under terms of this tariff. The Company's services and facilities are available twenty-four (24) hours per day, seven (7) days per week.

The Company installs, operates, and maintains the communications services provided herein under in accordance with the terms and conditions set forth under this tariff. Service is provided to Confinement Facilities for use by Inmates. The Company may act as the Confinement Facility's agent for ordering access connection facilities provided by other carriers or entities, when authorized, to allow connection of a Confinement Facility's location to the company network.

2.2 Applicability of Tariff

This tariff is applicable to telecommunications services provided by the Company within the State of Florida.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 2.0 - RULES AND REGULATIONS, (CONT'D.)**2.3 Payment and Credit Regulations****2.3.1 Payment Arrangements**

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer or to an end user of the Customer by Inmate Calling Solutions. All charges due by the Customer are payable to the Company or to any agency duly authorized to receive such payments (such as a local exchange company).

2.3.2 Disputed Charges

Charges billed directly by the Company are due upon receipt. Amounts not paid within 15 days of the invoice will be considered past due. For charges billed directly by the Company, notice from the Customer of a dispute as to charges should be received orally or in writing by the Company as soon as possible.

The Company will promptly investigate and advise the Customer as to its findings concerning disputed charges. Adjustments to Customer's bills will be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate.

2.3.3 Validation of Credit

The Company reserves the right to validate the creditworthiness of Customers and billed parties through available verification procedures. Where a requested billing method cannot be validated or maximum credit amount established, the Company may refuse to provide service.

Services provided by the Company are available to inmates of confinement facilities in accordance with facility-authorized programs. The Company may request that the confinement facility adopt, as part of its program, terms that enable the Company to collect the charges for all inmate calls, including without limitation, the blocking of calls by the Company to certain telephone numbers when the amount charged to such a telephone number exceeds a predetermined amount or becomes past due.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 2.0 - RULES AND REGULATIONS, (CONT'D.)**2.3 Payment and Credit Regulations, (Cont'd.)****2.3.4 Deposits**

The Company does not normally require deposits. However the company reserves the right to collect a deposit from parties who are billed for collect calls from inmates, pursuant to standards established by rules set forth by the Commission.

2.3.5 Advance Payments

The Company does not normally require advance payments for service. However, the Company 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 a new advance payment may be collected for the next month, if necessary.

2.3.6. Return Check Charge

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

FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 2.0 - RULES AND REGULATIONS, (CONT'D.)**2.3 Payment and Credit Regulations, (Cont'd.)****2.3.7 Taxes and Fees**

- A. For Debit Card calls, state and local taxes are included in the stated rates in this tariff. For all other calls, state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items on the Customer's bill and are not included in the quoted rates and charges set forth in this tariff.
- B. To the extent that a municipality, other political subdivision or local agency of government, or Commission imposes upon and collects from the Company a gross receipts tax, occupation tax, license tax, permit fee, franchise fee, or regulatory fee, such taxes and fees shall, insofar as practicable and allowed by law, be billed pro rata to Customers receiving service from the Company within the territorial limits of such municipality, other political subdivision or local agency of government.
- C. The Company may adjust its rates and charges or impose additional rates and charges on its Customers in order to recover amounts it is required by governmental or quasi-governmental authorities to collect from or pay to others in support of statutory or regulatory programs. Such adjustments shall be listed in this tariff.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 2.0 - RULES AND REGULATIONS, (CONT'D.)

2.3 Payment and Credit Regulations, (Cont'd.)

2.3.7 Taxes and Fees, (cont'd.)

D. Public Telephone Surcharge

In order to recover the Company's expenses to comply with the FCC's pay telephone compensation plan effective on October 7, 1997 (FCC 97-371), an undiscountable per call charge is applicable to all interstate, intrastate and international calls that originate from any domestic pay telephone used to access the Company's services. This surcharge, which is in addition to standard tariffed usage charges and any applicable service charges and surcharges associated with the Company's service, applies for the use of the instrument used to access the Company's service and is unrelated to the service accessed from the pay telephone.

Pay telephones include coin-operated and coinless phones owned by local telephone companies, independent companies and other interexchange carriers. The Public Pay Telephone Surcharge applies to the initial completed call and any re-originated call (i.e., using the "#" symbol).

Whenever possible, the Public Pay Telephone Surcharge will appear on the same invoice containing the usage charges for the surcharged call. In cases where proper pay telephone coding digits are not transmitted to the Company prior to completion of a call, the Public Pay Telephone Surcharge may be billed on a subsequent invoice after the Company has obtained information from a carrier that the originating station is an eligible pay telephone.

The Public Pay Telephone Surcharge does not apply to calls placed from pay telephones at which the Customer pays for service by inserting coins during the progress of the call.

Rate per Call, per minute \$0.50

FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 2.0 - RULES AND REGULATIONS, (CONT'D.)

2.4 Inspection, Testing and Adjustment

Upon reasonable notice, the facilities provided by the Company shall be made available to the Company for such tests and adjustments as may be deemed necessary for maintenance in a condition satisfactory to the Company.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 2.0 - RULES AND REGULATIONS, (CONT'D.)**2.5 Limitations of Liability**

- 2.5.1** The liability of the Company for any 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 shall not exceed an amount equivalent to the proportionate charges to the Customer for the period of service or the facility provided during which such interruption, delay, error, omission, or defect occurs.
- 2.5.2** The Company shall not be liable for any claim or loss, expense, or damage (including indirect, special, or consequential damage), for any interruption, delay, error, omission, or other 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 any act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.
- 2.5.3** The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer or other users of its service against any claim or loss, expense, or damage, (i) for defamation, invasion of privacy, infringement of copyright or patent, unauthorized use of any trademark, trade name, 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 from the material data, information, or content revealed to, transmitted, processed, handled, or used by Company under this tariff, or (ii) for connecting, combining, or adapting Company's facilities with Customer's apparatus or systems, or (iii) for any act or omission of the Customer, or (iv) for any personal injury or death of any person, or for any loss of or damage to Customer's premises or any other property, whether owned by Customer or others, caused directly or indirectly by the installation, maintenance, location, condition, operation, failure or removal of equipment or wiring provided by the Company if not directly caused by negligence of the Company.
- 2.5.4** The Company will provide credit on charges disputed by Customer in writing that are verified as incorrect by Company. If objection in writing is not received by Company within thirty (30) days after bill is rendered (as determined by current law and regulatory policy), the account shall be deemed correct and binding upon the Customer.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 2.0 - RULES AND REGULATIONS, (CONT'D.)**2.6 Refusal or Discontinuance by Company**

- 2.6.1** Service may be suspended by the Company, without notice to the Customer, by blocking traffic to certain cities or NXX exchanges, or by blocking calls using certain Customer travel cards when the Company deems it necessary to take such action to prevent unlawful use of its service. The Company will restore services as soon as it can be provided without undue risk, and will upon request by the Customer, assign new travel card codes to replace ones that have been deactivated.
- 2.6.2** The Company may refuse or discontinue service under the following conditions provided that, unless otherwise stated, the Customer shall be given 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 purpose other than that described in the application.
 - C.** For neglect or refusal to provide reasonable access to the Company or its agents for the purpose of inspection and maintenance of equipment owned by the Company or its agents.
 - D.** For non-compliance with or violation of Commission regulation or rules and regulations on file with the Commission provided that suspension or termination of service shall not be made without five (5) working days written notice to the Customer.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 2.0 - RULES AND REGULATIONS, (CONT'D.)

2.6 Refusal or Discontinuance by Company, (Cont'd)

2.6.2 (Cont'd)

- E.** For nonpayment of bills, provided that suspension or termination of service shall not be made without five (5) working days written notice to the Customer. Such notice will be provided in a mailing separate from the customer's regular monthly bill for service.
- F.** Without notice in the event of Customer or Authorized User use of equipment in such a manner as to adversely affect the Company's equipment or service to others.
- G.** Without notice in the event of tampering with the equipment or services owned by the Company 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, the Company 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 Company from furnishing such services.

FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 2.0 - RULES AND REGULATIONS, (CONT'D.)**2.7 Limitations of Service**

- 2.7.1** Service will be furnished subject to the availability of the necessary facilities and/or equipment and subject to the provisions of this tariff.
- 2.7.2** The 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 law.
- 2.7.3** 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.
- 2.7.4** The Company reserves the right to discontinue the offering of service or deny an application for service if a change in regulation materially and negatively impacts the financial viability of the service in the best business judgment of the Company.

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SECTION 2.0 - RULES AND REGULATIONS, (CONT'D.)**2.8 Use of Service**

Service may be used for any lawful purpose for which it is technically suited.

2.9 Applicable Law

This tariff shall be subject to and construed in accordance with Florida law.

2.10 Cost of Collection and Repair

Customer is responsible for any and all costs incurred in the collection of monies due the Company including legal and accounting expenses. The Customer is also responsible for recovery costs of Company-provided equipment and any expenses required for repair or replacement of damaged equipment.

2.11 Restoration of Service

The use and restoration of Service in emergencies shall be in accordance with Part 64, Subpart D of the Federal Communications Commission's Rules and Regulations, which specifies the priority system for such activities.

2.12 Contract Services

The Company may provide any of the services offered under this tariff, or combinations of services, to Customers on a contractual basis. The terms and conditions of each contract offering are subject to the agreement of both the Customer and Company. Such contract offerings will be made available to similarly situated Customers in substantially similar circumstances. Rates in other sections of this tariff do not apply to Customers who agree to contract arrangements, with respect to services within the scope of the contract.

Services provided under contract are not eligible for any promotional offerings which may be offered by the Company from time to time.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 3.0 - DESCRIPTION OF SERVICE**3.1 General**

The Company offers domestic intrastate automated operator assisted collect-only calling services for use by inmates of prisons, jails or other Confinement Institutions. Inmate access to the Company's services may be restricted by the administration of the Institution served. The Company's services are available twenty-four hours per day, seven days a week.

Customers are charged individually for each call placed through the Company's network. Charges may vary based on individual contracts between the Company and Institutions. Customers are billed based on their use of the Company's services and network.

3.2 Timing of Calls

3.2.1 Billing for calls placed over the Company's network is based in part on the duration of the call as follows, unless otherwise specified in this tariff.

3.2.2 Timing of each call begins when the called station is answered (i.e. when two way communications are established.) Answer detection is based on standard industry answer detection methods, including hardware and software answer detection. For Collect Calls, charges apply only if the called party accepts the responsibility for payment. For Person to Person Calls, charges apply only if the calling party is connected with the designated called party or an agreed upon substitute.

3.2.3 Chargeable time for each call ends when one of the parties disconnects from the call.

3.2.4 Unless otherwise specified in this tariff, the minimum Initial Period for billing purposes is one (1) minute.

3.2.5 Unless otherwise specified in this tariff, billing for Additional Periods (usage after the Initial Period) is in full one (1) minute increments.

3.2.6 The Company will not knowingly bill for unanswered calls. When a Customer indicates that he/she was billed for an incomplete call, the Company will reasonably issue credit for the call.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 3.0 - DESCRIPTION OF SERVICE**3.3 Institutional Operator Assisted Calling**

Institutional operator assisted service allows Inmates to place Collect Calls through an automated call processing system. The call processing system prompts the Inmate and the called party such that the call is completed without live operator assistance. Calls are placed on a collect-only basis to the called party. The called party must accept the charges for the call, or the connection will be dropped. If a call is not accepted within five (5) seconds of the automated voice recording prompt, the automated recording is replayed a second time. If an acceptance digit is not received five (5) seconds after the second recording is completed, the call is terminated by the Company's system.

A number of special blocking and screening capabilities are available with institutional operator services provided by the Company. These capabilities allow Institutions to control Inmate access to telecommunications services, reduce fraudulent use of the Company's services, and eliminate harassing calls to persons outside the Institution. For services provided to Inmates of Institutions, the following special conditions apply:

- (a) Calls to "900", "976" or other pay-per-call services are blocked by The Company.
- (b) At the request of the Institution, the Company may block inmate access to toll-free numbers (e.g., 800, 888) and dialing sequences used to access other carriers or operator service providers (e.g., 950-XXXX, 10XXXX).
- (c) At the request of the Institution, the Company may block Inmate access to "911", "411", or local operators reached through "0-" dialing.
- (d) At the request of the Institution, the Company may block Inmate access to specific telephone numbers.
- (e) Availability of the Company's services may be restricted by the Institution to certain hours and/or days of the week.
- (f) At the request of the Institution, no notices or signage concerning the Company's services will be posted with its instruments. Information concerning the Company's services is provided to the administration of each Institution where the Company's services are offered. Inmates may obtain information regarding rates and charges by requesting such information from the Institution's administration.
- (g) At the request of the Institution, the Company may impose time limits on local and long distance calls placed using its services.
- (h) At the request of the Institution, equipment may be provided which permits monitoring of inmate calls by legally authorized government officials.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 3.0 - DESCRIPTION OF SERVICES, (CONT'D.)**3.4 Prepaid Institutional Calling Services**

Prepaid Institutional Calling Services provide alternative methods for inmates in Confinement Institutions and their families to communicate with each other. This service is designed for those who prefer to prepay for calls rather than being billed for collect calls monthly on their local telephone bills, for those who would like to pay for another family member's calls, for those whose credit history is inadequate to receive collect calls, and for those who wish to budget their inmate calls.

Calls are made by dialing either a toll-free access number or other access dialing sequence. Depending on the facility, a Personal Account Code may also need to be entered.

Two options are available with Prepaid Institutional Calling Services. The first option, the Commissary Account, allows the inmate (via the Institution personnel) to set up his/her own prepaid account at the Confinement Institution utilizing the inmate's commissary account; the second option, the Customer Account, allows the called party, usually a family member, who receives collect calls from inmates to set up his/her own prepaid account.

With a Commissary Account, upon notification by the Confinement Institution that an inmate wishes to utilize the Company's Prepaid Institutional Commissary Account Service, a prepaid account is set up by the Company with the Institution's commissary; the Company assigns an authorization code to the inmate, and provides instructions for accessing and using the service. All deposits to the account are paid to and handled by the Institution. The Company receives payment from the Institution; it does not engage in direct monetary transactions with the inmate.

The Company's system automatically informs the caller of the Available Usage Balance remaining in the Prepaid Account, and provides prompts to place the call by entering the destination telephone number. Network usage is deducted from the Available Usage Balance in the account on a real time basis as the call progresses.

Payment for Prepaid Institutional Calling Services and any Available Usage in the Prepaid Account is refundable upon request after release of the inmate from the Confinement Institution. The Available Usage Balance expires twelve months from the date the last call is made on the Prepaid account. No refunds of unused balances will be issued after the expiration date.

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SECTION 3.0 - DESCRIPTION OF SERVICES, (CONT'D.)**3.4 Prepaid Institutional Calling Services, (Cont'd.)**

With a Customer account, the Company is notified by parties (Customers) who receive collect calls from inmates in Confinement Institutions, generally family members, that they wish to utilize the Company's Prepaid Institutional Customer Account Service. A prepaid account is then set up by the Company for the Customer. The inmate will receive an authorization code, and instructions for accessing and using the service. If the payment into the account is provided via the Customer's credit card, credit verification procedures are carried out under the terms specified in Section 2 of this tariff. Deposits to the account are paid to and handled by the Company via arrangement with a specified financial institution. The Company not engage in direct monetary transactions with the inmate.

The Company's system automatically informs the account holder of the Available Usage Balance remaining in the Prepaid Account prior to acceptance of the call. Network usage is deducted from the Available Usage Balance in the account on a real time basis as the call progresses. The account holder will also receive a reminder message when the account balance has one minute of usage remaining. All calls must be charged against an Account that has sufficient available balance. Calls in progress will be terminated by the Company if the balance on the Account is insufficient to continue the call.

Prepaid Institutional Calling Services are available 24 hours a day, seven days per week. Access to telephone service by an inmate may be subject to time of day and usage restrictions imposed by individual Confinement Institutions. No minimum service period applies.

Prepaid Institutional Calling Services may be distance or time of day sensitive. Holiday discounts do not apply. Network usage for Prepaid Institutional Calls is deducted from the Available Usage Balance in full minute increments. For debiting purposes, call timing is rounded up to the nearest one (1) minute increment. Usage charges are computed and rounded up to the nearest penny on a per call basis. Prepaid accounts may be replenished; the minimum initial deposit or replenishment amount is \$25.00.

Payment for Prepaid Institutional Calling Services and any Available Usage in the Prepaid Account is refundable upon request after release of the inmate from the Confinement Institution. The Available Usage Balance expires twelve months from the date the last call is made on the Prepaid account. No refunds of unused balances will be issued after the expiration date.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 3.0 - DESCRIPTION OF SERVICES, (CONT'D.)**3.5 Public Telephone Surcharge**

In order to recover the Company's expenses to comply with the FCC's pay telephone compensation plan effective on October 7, 1997 (FCC 97-371), an undiscountable per call charge is applicable to all interstate, intrastate and international calls that originate from any domestic pay telephone used to access the Company's services. This surcharge, which is in addition to standard tariffed usage charges and any applicable service charges and surcharges associated with the Company's service, applies for the use of the instrument used to access the Company's service and is unrelated to the service accessed from the pay telephone.

Pay telephones include coin-operated and coinless phones owned by local telephone companies, independent companies and other interexchange carriers. The Public Pay Telephone Surcharge applies to the initial completed call and any reoriginated call (i.e., using the "#" symbol).

Whenever possible, the Public Pay Telephone Surcharge will appear on the same invoice containing the usage charges for the surcharged call. In cases where proper pay telephone coding digits are not transmitted to the Company prior to completion of a call, the Public Pay Telephone Surcharge may be billed on a subsequent invoice after the Company has obtained information from a carrier that the originating station is an eligible pay telephone.

The Public Pay Telephone Surcharge does not apply to calls placed from pay telephones at which the Customer pays for service by inserting coins during the progress of the call.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 4.0 - RATES

4.1 General

Each call is billed individually to the party responsible for the charges. The Called Party is billed based on their use of the Company's long distance service.

The charges for Company services vary based on:

- duration of the call
- class of call

4.2 Automated Operator Service Charges

All automated operator assisted calls are subject to operator service charges. These charges apply on a per call basis and will be added to the usage charges on the bill for service.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 4.0 - RATES, (CONT'D.)**4.3 Exemptions and Special Rates for Presubscribed Customers****4.3.1 Discounts for Hearing Impaired Customers**

A telephone toll message which is communicated using a telecommunications device for the deaf (TDD) by properly certified hearing or speech impaired persons or properly certified business establishments or individuals equipped with TDDs for communicating with hearing or speech impaired persons will receive, upon request, credit on charges for certain intrastate toll calls placed between TDDs. The credit to be given on an evening rate during business day hours and the night/weekend rate during the evening rate period. Discounts do not apply to per call add-on charges for operator services when the call is placed by a method that would normally incur the per call charge.

4.3.2 Emergency Call Exemptions

The following calls are exempted from all charges: Emergency calls to recognizable authorized civil agencies including police, fire, ambulance, bomb squad and poison control. The Company will only handle these calls if the caller dials all of the digits to route and bill the call. Credit will be given for any billed charges pursuant to this exemption on a subsequent bill after verified notification by the billed Customer within thirty (30) days of billing.

4.3.3 Telecommunications Relay Service Rates

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 non-relay 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 to 60 percent off of the otherwise applicable rate for a voice non-relay call. The above discounts 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.

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FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 4.0 - RATES, (CONT'D.)

4.4 Institutional Operator Assisted Calling, (Cont'd.)

4.4.1 InterLATA and IntraLATA Rates and Charges

The following rates and charges apply to non-local calls placed by inmates of confinement institutions. Service is billed in one (1) minute increments following and initial one (1) minute billing period.

A. Usage Charges:	
Per Minute Rate:	\$0.30
B. Per Call charges:	
Station-to-Station	\$1.75
Person-to-Person	\$3.25

4.4.2 Local Institutional Rates and Charges

The following rates and charges apply to local calls placed by inmates of confinement institutions.

A. Usage Charges:	
Local Message Charge:	\$0.30
B. Per Call Charges:	
Operator Station to Station Charge:	\$1.75
Person-to-Person	\$3.25

 FLORIDA PAYPHONE TELECOMMUNICATIONS TARIFF

SECTION 4.0 - RATES, (CONT'D.)**4.5 Prepaid Institutional Calling Services, (Cont'd.)****4.5.1 InterLATA and IntraLATA Rates and Charges**

The following rates and charges apply to non-local calls placed by inmates of confinement institutions. Service is billed in one (1) minute increments following and initial one (1) minute billing period.

A. Usage Charges:	
Per Minute Rate:	\$0.30
B. Per Call charges:	
Station-to-Station	\$1.75
Person-to-Person	\$3.25

4.5.2 Local Institutional Rates and Charges

The following rates and charges apply to local calls placed by inmates of confinement institutions.

A. Usage Charges:	
Local Message Charge:	\$0.30
B. Per Call Charges:	
Operator Station to Station Charge:	\$1.75
Person-to-Person	\$3.25

4.6 Public Telephone Surcharge

Rate per call:	\$0.50
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