

NOWALSKY, BRONSTON & GOTHARD **ORIGINAL**

A Professional Limited Liability Company
Attorneys at Law

Leon L. Nowalsky
Benjamin W. Bronston
Edward P. Gothard

3500 North Causeway Boulevard
Suite 1442
Metairie, Louisiana 70002
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Monica Borne Haab
Philip R. Adams, Jr.

January 16, 2007

Via Overnight Delivery

Brenda Hawkins
Division of Records and Reporting
2540 Shumard Oak Blvd.
Gunter Bldg.
Tallahassee, FL 32399-0850

RECEIVED FPSC
07 JAN 17 PM 3:18
COMMISSION
CLERK

RE: **Brydels Communications, LLC**

Dear Sir or Madam:

Enclosed for filing please find an original and six (6) copies of the Application filing and Tariff of Brydels Communications, LLC for authority to provide Competitive Local Exchange Telecommunications Company service within the state of Florida. Also enclosed is the requisite \$400 filing fee.

070057-TV

Please acknowledge receipt of this filing by date stamping and returning the additional copy of this letter in the self-addressed envelope provided.

Thank you for your assistance. If you should have any questions regarding the application, please do not hesitate to call.

Sincerely,

Monica Borne Haab

Original Tariff forwarded
to CNA
Enclosure

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

Initials of person who forwarded check

07 JAN 17 PM 3:17

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DOCUMENT NUMBER-DATE
00486 JAN 17 07
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ORIGINAL

FLORIDA PUBLIC SERVICE COMMISSION

DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT

APPLICATION FORM

for

**AUTHORITY TO PROVIDE COMPETITIVE LOCAL EXCHANGE
TELECOMMUNICATIONS COMPANY SERVICE
WITHIN THE STATE OF FLORIDA**

070057-TX

Instructions

- A. This form is used as an application for an original certificate and for approval of sale, assignment or transfer of an existing certificate. In the case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Page 8).
- B. Print or type all responses to each item requested in the application. If an item is not applicable, please explain.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. Once completed, submit the original and two (2) copies of this form along with a non-refundable application fee of **\$400.00** to:

**Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770**

- E. A filing fee of **\$400.00** is required for the sale, assignment or transfer of an existing certificate to another company (Chapter 25-24.815, F.A.C.).
- F. If you have questions about completing the form, contact:

**Florida Public Service Commission
Division of Competitive Markets and Enforcement
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6600**

FORM PSC/CMP-8 (01/06)
Required by Commission Rule Nos. 25-24.810,
and 25-24.815

Note: To complete this interactive form
using your computer, use the tab key
to navigate between data entry fields.

DOCUMENT NUMBER-DATE

00486 JAN 17 5

1. This is an application for (check one):

Original certificate (new company).

Approval of transfer of existing certificate: Example, a non-certificated company purchases an existing company and desires to retain the original certificate of authority rather than apply for a new certificate.

Approval of assignment of existing Certificate: Example, a certificated company purchases an existing company and desires to retain the existing certificate of authority and tariff.

2. Name of company: Brydels Communications, LLC

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

d/b/a AMIGOS - Tu Compania de Telefonos

4. Official mailing address:

Street/Post Office Box: 549 Kenilworth Pkwy.
City: Baton Rouge
State: LA
Zip: 70808

5. Florida address:

Street/Post Office Box:
City:
State:
Zip:

6. Structure of organization:

Individual
 Foreign Corporation
 General Partnership
 Other,

Corporation
 Foreign Partnership
 Limited Partnership

7. **If individual**, provide:

Name:
Title:
Street/Post Office Box:
City:
State:
Zip:
Telephone No.:
Fax No.:
E-Mail Address:
Website Address:

8. **If incorporated in Florida**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:

9. **If foreign corporation**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is: M06000006469. See Exhibit A.

10. **If using fictitious name (d/b/a)**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida. The Florida Secretary of State fictitious name registration number is: G06349700003. See Exhibit B.

11. **If a limited liability partnership**, please proof of registration to operate in Florida. The Florida Secretary of State registration number is:

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

Name:
Title:
Street/Post Office Box:
City:
State:
Zip:
Telephone No.:
Fax No.:
E-Mail Address:
Website Address:

13. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable. The Florida registration number is:

14. Provide **F.E.I. Number**(if applicable):

15. Who will serve as liaison to the Commission in regard to the following?

(a) The application:

Name: Monica Borne Haab
Title: Attorney
Street name & number: 3500 N. Causeway Blvd., Suite 1442
Post office box:
City: Metairie
State: LA
Zip: 70002
Telephone No.: 504-832-1984
Fax No.: 504-831-0892
E-Mail Address: mhaab@nbglaw.com
Website Address:

(b) Official point of contact for the ongoing operations of the company:

Name: John Brydels
Title: President
Street name & number: 549 Kenilworth Pkwy.
Post office box:
City: Baton Rouge
State: LA
Zip: 70808
Telephone No.: 225-766-1495
Fax No.: 225-761-0008
E-Mail Address: brydels@aol.com
Website Address:

(c) Complaints/Inquiries from customers:

Name: John Brydels
Title: President
Street/Post Office Box: 549 Kenilworth Pkwy.
City: Baton Rouge
State: LA
Zip: 70808
Telephone No.: 225-766-1495
Fax No.: 225-761-0008
E-Mail Address: brydels@aol.com
Website Address:

16. List the states in which the applicant:

(a) has operated as a Competitive Local Exchange Telecommunications Company.

Kentucky

(b) has applications pending to be certificated as a Competitive Local Exchange Telecommunications Company.

None.

(c) is certificated to operate as a Competitive Local Exchange Telecommunications Company.

Kentucky

(d) has been denied authority to operate as a Competitive Local Exchange Telecommunications Company 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

17. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(a) adjudged bankrupt, mentally incompetent (and not had his or her competency restored), or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, provide explanation.

No.

(b) granted or denied a competitive local exchange certificate in the State of Florida (this includes active and canceled competitive local exchange certificates). If yes, provide explanation and list the certificate holder and certificate number.

No.

(c) an officer, director, partner or stockholder in any other Florida certificated or registered telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

No.

18. Submit the following:

(a) Managerial capability: resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

(b) Technical capability: resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.

(c) Financial Capability: applicant's audited financial statements for the most recent three (3) years. If the applicant does not have audited financial statements, it shall so be stated. Unaudited financial statements should be signed by the applicant's chief executive officer and chief financial officer affirming that the financial statements are true and correct and should include:

1. the balance sheet,
2. income statement, and
3. statement of retained earnings.

Note: This documentation may include, but is not limited to, financial statements, a projected profit and loss statement, credit references, credit bureau reports, and descriptions of business relationships with financial institutions.

THIS PAGE MUST BE COMPLETED AND SIGNED

REGULATORY ASSESSMENT FEE: I understand that all telephone companies must pay a regulatory assessment fee. Regardless of the gross operating revenue of a company, a minimum annual assessment fee, as defined by the Commission, is required.

RECEIPT AND UNDERSTANDING OF RULES: I acknowledge receipt and understanding of the Florida Public Service Commission's rules and orders relating to the provisioning of competitive local exchange telecommunications company (CLEC) service in Florida.

APPLICANT ACKNOWLEDGEMENT: By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide competitive local exchange telecommunications company service in the State of Florida. I 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.

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.**"

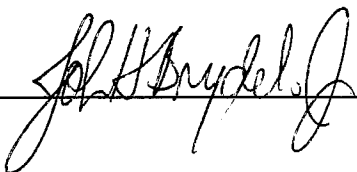
Company Owner or Officer

Print Name: John Brydels

Title: President

Telephone No.: ~~225-766-1495~~ 225-766-1762

E-Mail Address: ~~brydels@aol.com~~ john@brydels.com

Signature: 

Date: 12/10/06

CERTIFICATE SALE, TRANSFER,
OR
ASSIGNMENT STATEMENT

As current holder of Florida Public Service Commission Certificate Number _____, I have reviewed this application and join in the petitioner's request for a

- sale
- transfer
- assignment

of the certificate.

Company Owner or Officer

Print Name:
Title:
Street/Post Office Box:
City:
State:
Zip:
Telephone No.:
Fax No.:
E-Mail Address:

Signature: _____

Date: _____

EXHIBIT A

Certificate of Authority



FLORIDA DEPARTMENT OF STATE
Division of Corporations

November 21, 2006

CAROLINE PAYS
3500 NORTH CAUSEWAY BLVD
SUITE 1422
METAIRIE, LA 70002

Qualification documents for BRYDELS COMMUNICATIONS, LLC were filed on November 20, 2006, and assigned document number M06000006469. Please refer to this number whenever corresponding with this office.

Your limited liability company is now qualified and authorized to transact business in Florida as of the file date. In accordance with section 608.406(2), F.S., the name of this limited liability company is filed with the Department of State for public notice only and is granted without regard to any other name recorded with the Division of Corporations.

A limited liability company annual report/uniform business report will be due this office between January 1 and May 1 of the year following the calendar year of the file date. A Federal Employer Identification (FEI) number will be required before this report can be filed. If you do not already have an FEI number, please apply NOW with the Internal Revenue by calling 1-800-829-3676 and requesting form SS-4.

Please be aware if the limited liability company address changes, it is the responsibility of the corporation to notify this office.

Should you have any questions regarding this matter, please contact this office at the address given below.

Agnes Lunt
Document Specialist
Registration/Qualification Section
Division of Corporations

Letter Number: 006A00067917

APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 608.503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN LIMITED LIABILITY COMPANY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. Brydels Communications, LLC
(Name of Foreign Limited Liability Company)

2. Louisiana 3. applied for
(Jurisdiction under the law of which foreign limited liability company is organized) (FEI number, if applicable)

4. 2/20/03 5. perpetual
(Date of Organization) (Duration: Year limited liability company will cease to exist or "perpetual")

6. upon qualification
(Date first transacted business in Florida, if prior to registration.)
(See sections 608.501 & 608.502 F.S. to determine penalty liability)

7. 549 Kenilworth Parkway
Baton Rouge, LA 70808
(Street Address of Principal Office)

8. If limited liability company is a manager-managed company, check here

9. The name and usual business addresses of the managing members or managers are as follows:

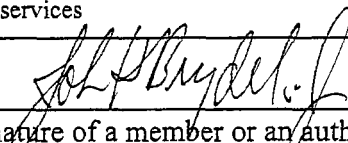
John Brydels, Jr., Managing Member, 549 Kenilworth Parkway, Baton Rouge, LA 70808

FILED
2004 NOV 20 9 5:02
TALLAHASSEE, FLORIDA
SECRETARY OF STATE

10. Attached is an original certificate of existence, no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. (A photocopy is not acceptable. If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted.)

11. Nature of business or purposes to be conducted or promoted in Florida: _____

sale of telecommunications services



Signature of a member or an authorized representative of a member.
(In accordance with section 608.408(3), F.S., the execution of this document constitutes an affirmation under the penalties of perjury that the facts stated herein are true.)
John Brydels, Jr.

Typed or printed name of signee

**CERTIFICATE OF DESIGNATION OF
REGISTERED AGENT/REGISTERED OFFICE**

PURSUANT TO THE PROVISIONS OF SECTION 608.415 or 608.507, FLORIDA STATUTES, THE UNDERSIGNED LIMITED LIABILITY COMPANY SUBMITS THE FOLLOWING STATEMENT TO DESIGNATE A REGISTERED OFFICE AND REGISTERED AGENT IN THE STATE OF FLORIDA.

1. The name of the Limited Liability Company is:

Brydels Communications, L.L.C.

2. The name and the Florida street address of the registered agent and office are:

Corporation Service Company

(Name)

1201 Hays Street

Florida Street Address (P.O. Box **NOT** ACCEPTABLE)

Tallahassee

FL 32301

City/State/Zip

2006 NOV 20 P 6:02
SECRETARY OF STATE
TALLAHASSEE, FLORIDA
FILED

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent as provided for in Chapter 608, Florida Statutes.

Corporation Service Company

By: 

(Signature)

\$ 100.00 Filing Fee for Application
\$ 25.00 Designation of Registered Agent
\$ 30.00 Certified Copy (optional)
\$ 5.00 Certificate of Status (optional)

United States of America
State of Louisiana



As Secretary of State, Al Ater, I do hereby Certify that

BRYDELS COMMUNICATIONS, L.L.C.

A limited liability company domiciled in BATON ROUGE,
LOUISIANA,

Filed charter and qualified to do business in this State on
February 20, 2003,

I further certify that the records of this Office indicate
the company has paid all fees due the Secretary of State,
and so far as the Office of the Secretary of State is
concerned, is in good standing and is authorized to do
business in this State.

I further certify that this certificate is not intended to
reflect the financial condition of this company since this
information is not available from the records of this
Office.

In testimony whereof, I have hereunto set
My hand and caused the Seal of my Office
To be affixed at the City of Baton Rouge on,
November 6, 2006

Secretary of State
35431597K



Certificate ID: 20061106009952

To validate this certificate, visit the following web site,
go to **Commercial Division, Validate Certificate**, then
follow the instructions displayed.

www.sos.louisiana.gov

EXHIBIT B

Fictitious Name Registration

504-831-0892



Attn: Becky
From: Kyle

FLORIDA DEPARTMENT OF STATE
Division of Corporations

December 15, 2006

AMIGOS-TU COMPANIA DE TELEFONOS
549 KENILWORTH PKWY
BATON ROUGE, LA 70808

Subject: AMIGOS-TU COMPANIA DE TELEFONOS REGISTRATION
NUMBER: G06349700003

This will acknowledge the filing of the above fictitious name registration which was registered on December 15, 2006. This registration gives no rights to ownership of the name.

Each fictitious name registration must be renewed every five years between January 1 and December 31 of the expiration year to maintain registration. Three months prior to the expiration date a statement of renewal will be mailed.

IT IS THE RESPONSIBILITY OF THE BUSINESS TO NOTIFY THIS OFFICE IN WRITING IF THEIR MAILING ADDRESS CHANGES.

Whenever corresponding please provide assigned Registration Number.

Should you have any questions regarding this matter you may contact our office at 850-245-6058.

Division of Corporations

/je

P.O. BOX 6327 - Tallahassee, Florida 32314

EXHIBIT C

Managerial Capability

JOHN H. BRYDELS, JR. , CFA
549 Kenilworth Parkway
Baton Rouge, LA 70808

RESUME
john@brydels.com
(225) 806-3599

EDUCATION LOUISIANA STATE UNIVERSITY, Baton Rouge, LA
Bachelors of Science - Finance - 1982

 LOUISIANA STATE UNIVERSITY, Baton Rouge, LA
Masters of Science – Accounting - 1984

 YALE UNIVERSITY - SCHOOL OF MANAGEMENT, New Haven, CT
Masters of Business Administration - Concentration in Finance – 2005
Distinction in the following courses: Accounting, Corporate Finance,
Corporate Finance II, Economics, Investments, Statistics, Operations

EXPERIENCE

2006-Present BRYDELS FINANCIAL SERVICES, LLC – Baton Rouge, LA
 President and Owner of Investment Advisory Firm.

2006-Present SOUTHEASTERN LOUISIANA UNIVERSITY – Hammond, LA
 Adjunct Faculty Member – teaching Corporate Finance

2004-Present EVERYCALL COMMUNICATIONS d/b/a LOCAL USA, Baton Rouge, LA
 Chief Financial Officer and Part Owner
 Responsibilities: Cash management, budgeting, forecasting, regulatory and
 government filings.

1984 - 2001 TLX d/b/a TELAMERICA LONG DISTANCE, Baton Rouge, LA
 President and Chief Executive Officer
 Responsibilities: Cash management, budgeting, forecasting, regulatory and
 government filings.

1982 - 1984 LOUISIANA STATE UNIVERSITY – Accounting Department
 Responsibilities: Taught cost accounting (managerial accounting) and Graduate
 Assistant for tax accounting class.

PROFESSIONAL DESIGNATIONS:

CPA – Certified Public Accountant (inactive)
CFA Charterholder – Chartered Financial Analyst
CMA – Certified Managerial Accountant

REFERENCES Available upon request

Resume

Jon C. Seger

Personal Data

Address: 756 Myrtle View Drive, Baton Rouge, Louisiana 70810-4200.
Home Phone: (225) 769-3950.
Date and Place of Birth: June 3, 1957 Ft. Collins, Colorado.
Marital Status: Married, four children.

Work Experience

Date: July 2003-Present
Company: EveryCall Communications, Inc
Type of Business: Competitive Local Exchange Carrier
Position: CEO

Date: December 2000 – June 2003
Company: Louisiana Online, Inc., Baton Rouge, Louisiana
Type of Business: Internet retail.
Position: Owner / Vice President
Description of work:

Web site creation and modification, photography, inventory control, order processing, shipping, telecommunications, and system backups.

Date: June 1984 - December 2000
Company: TLX Communications, Inc., Baton Rouge, Louisiana.
Type of Business: Telephone company.
Position: Owner / Vice President.
Description of work:

Chief Engineer responsible for all technical aspects of the company, including installation and maintenance of long distance network, Harris 20/20 switch and related equipment, digital and analog trunks, central office repeaters, Novell LAN, customer database and billing system, fire suppression systems, UPS and DC power system. Head of customer provisioning department and technical support department. Oversee installation and maintenance of customer premise Channel

Banks, 1+ Automatic Dialers, and data circuits.

Date: June 1981 - June 1982

Company: Catalytic, Inc., Baton Rouge, Louisiana.

Type of Business: Industrial Engineering and Construction company.

Position: Field and Home Office Planning Engineer, Project Administrator.

Description of work:

Field Planning Engineer on Crude Air Preheater project for Marathon Oil Company, Garyville, Louisiana. Home Office Planning Engineer assigned to the following projects: Substrate Alumina expansion for Kaiser Aluminum and Chemical Corp., Baton Rouge, Louisiana; Blending and Packaging facility for Penzoil Products Company, Shreveport, Louisiana; and Crude Air Preheater for Marathon Oil Company, Garyville, Louisiana. Project Administrator for Substrate Alumina project for Kaiser Aluminum and Chemical Corp., Baton Rouge, Louisiana.

Date: June 1973 - March 1981

Employer: Self-Employed Painting Contractor, Baton Rouge, Louisiana.

Description of work:

Estimating, Contract Administration, Accounting, Purchasing, Job Superintendent, Painter.

Education

1982 - 1984 Louisiana State University, Baton Rouge, Louisiana.

Degree: Master of Business Administration.

1975 - 1981 Louisiana State University, Baton Rouge, Louisiana.

Degree: Bachelor of Science in Construction.

1971 - 1975 Robert E. Lee High School, Baton Rouge, Louisiana.

College Honors and Activities

SGA University College President; Dean's List; Student Chapter Associated General Contractors; Phi Gamma Delta - IFC Representative, Scholastic Achievement Award, Award and Honors Committee.

References

Available on request.

KYLE B. COATS
5614 Stones River Ave.
Baton Rouge, LA 70817

RESUME OF QUALIFICATIONS

(225) 753-6230

EDUCATION LOUISIANA STATE UNIVERSITY, Baton Rouge, LA
Bachelor of Science Degree

EXPERIENCE

07/03-Present EVERYCALL COMMUNICATIONS, Baton Rouge, LA
President/Treasurer

01/03- 07/03 COMMAND CENTRAL, Baton Rouge, LA
Sales Manager
Responsibilities: All sales activity related to prospecting, proposing and closing alarm monitoring services to alarm dealers throughout the U.S.

12/00-12/02 EATEL, Baton Rouge, LA (Eatel acquired Telamerica 12/8/00)
Manager, Strategic Sales
Responsibilities: Manage the existing Telamerica sales team in marketing the products offered by Eatel. Products include: facilities based T-1 and resale dial tone, T-1 internet and long distance service.

12/96- 12/00 TELAMERICA LONG DISTANCE, Baton Rouge, LA
Vice President of Sales and Customer Service
Responsibilities: In addition to responsibilities as sales manager, my responsibilities included: Opening sales offices in markets throughout LA, staffing these offices with both sales and managerial personnel, creating a centralized customer service department and then expanding it into a 24/7 operation, managed the process of becoming a competitive Local Exchange Carrier.

1/88 - 3/96 Sales Manager-TELAMERICA LONG DISTANCE
Responsibilities: Hiring, training, supervising, and evaluating of sales force, development and implementation of incentive oriented compensation plan and competitive rate structures, coordination of all marketing activities which include: direct sales, trade shows, and advertising trade accounts. Handled all customer relations for new and existing accounts.

2/87 - 1/88 Communications Consultant - TELAMERICA LONG DISTANCE
Responsibilities: Generation of leads, follow up on leads, analysis of potential client's long distance needs, presentation and closing of proposals to potential clients, follow up on customer satisfaction.

6/85 - 1/87 GAGE TELECO USA, Baton Rouge, LA
Account Representative
Responsibilities; Market PBX and Key phone systems to area businesses.

REFERENCES

Available upon request

Kyle B. Coats

EXHIBIT D

Financials

BRYDELS COMMUNICATIONS, LLC

2. Business Plan Assumptions

Brydels Communications, LLC (hereinafter referred to as "Brydels") plans to offer residential and commercial local service and long distance services. Brydels intends to specialize in the residential market, and, specifically, in the "prepaid residential market". The prepaid market allows credit-challenged and credit-denied customers to obtain telecommunications services. We anticipate the following in relation to this market:

Average customer duration: 6 to 9 months

Average customer invoice (before taxes and fees), including optional services such as long distance: \$40

Average gross margin as a percentage: 45%

Average gross margin in dollars: \$18

Average bad debt expense: 2%

Average selling and general administration as a percent of sales: 25%

Average other expenses as a percent of sales (such as depreciation, interest): 6%

Average pre-tax profit (as a percent of sales): 12%

Average tax expense - state and local - (as a percent of sales): 5%

Average Net Income to the LLC (as a percent of sales): 7%

BRYDELS COMMUNICATIONS, LLC

3. Expected sale by customer class:

Residential prepaid services: 80%

Residential postpaid services: 10%

Business services: 10%

These financial estimates are made based upon assumptions believed to be reliable as of this date; and, are based upon expectations of future events. However, these assumptions may prove to be inaccurate; and, intervening events will inevitably occur. Thus, actual performance will vary from estimated performance; and, this variance may be material.

BRYDELS COMMUNICATIONS, LLC

4. Gross Revenues, Cost of Good Sold, and Gross Margin Projections (by year, for 3 years)

	<u>2007</u>	<u>2008</u>	<u>2009</u>
Sales	\$ 400,000	\$1,200,000	\$2,000,000
Cost of Goods Sold	<u>220,000</u>	<u>660,000</u>	<u>1,100,000</u>
Gross Margin	<u>\$ 180,000</u>	<u>\$ 540,000</u>	<u>\$ 900,000</u>

These financial estimates are made based upon assumptions believed to be reliable as of this date; and, are based upon expectations of future events. However, these assumptions may prove to be inaccurate; and, intervening events will inevitably occur. Thus, actual performance will vary from estimated performance; and, this variance may be material.

BRYDELS COMMUNICATIONS, LLC

5. Operating Expenses:

	<u>2007</u>	<u>2008</u>	<u>2009</u>
Bad Debt	\$ 8,000	\$ 24,000	\$ 40,000
Selling and Administration	100,000	300,000	500,000
Depreciation and Interest	<u>24,000</u>	<u>72,000</u>	<u>120,000</u>
Total Operating Expenses	<u>\$132,000</u>	<u>\$396,000</u>	<u>\$660,000</u>

These financial estimates are made based upon assumptions believed to be reliable as of this date; and, are based upon expectations of future events. However, these assumptions may prove to be inaccurate; and, intervening events will inevitably occur. Thus, actual performance will vary from estimated performance; and, this variance may be material.

BRYDELS COMMUNICATIONS, LLC

6. Income Statement

	<u>2007</u>	<u>2008</u>	<u>2009</u>
<u>Income</u>			
Sales	\$ 400,000	\$1,200,000	\$2,000,000
Cost of Goods Sold	<u>220,000</u>	<u>660,000</u>	<u>1,100,000</u>
Gross Margin	<u>180,000</u>	<u>540,000</u>	<u>900,000</u>
 <u>Expenses</u>			
Bad Debt	\$ 8,000	\$ 24,000	\$ 40,000
Selling and Administration	100,000	300,000	500,000
Depreciation and Interest	<u>24,000</u>	<u>72,000</u>	<u>120,000</u>
Total Operating Expenses	<u>132,000</u>	<u>396,000</u>	<u>660,000</u>
Net Income before Taxes	\$ 48,000	\$144,000	\$240,000
Income Tax (State and Local)	<u>20,000</u>	<u>60,000</u>	<u>100,000</u>
Net Income	<u>\$ 28,000</u>	<u>\$ 84,000</u>	<u>\$140,000</u>

These financial estimates are made based upon assumptions believed to be reliable as of this date; and, are based upon expectations of future events. However, these assumptions may prove to be inaccurate; and, intervening events will inevitably occur. Thus, actual performance will vary from estimated performance; and, this variance may be material.

BRYDELS COMMUNICATIONS, LLC

7. Balance Sheet (as of January 1, 2007)

Assets

Cash	\$ 50,000
Equipment	<u>10,000</u>
Total Assets	\$60,000

Liabilities \$ 0

Equity \$60,000

Footnote: Brydels Communications, LLC has also arranged additional financing in the form of a \$120,000 line of credit through an affiliate with a local bank. John Brydels, Jr. is personally endorsed on this line of credit.

BRYDELS COMMUNICATIONS, LLC

8. Statement of Cash Flow

	<u>2007</u>	<u>2008</u>	<u>2009</u>
<u>Cash Inflow</u>			
Sales	\$400,000	\$1,200,000	\$2,000,000
Cost of Goods Sold	<u>220,000</u>	<u>660,000</u>	<u>1,100,000</u>
Gross Margin	<u>\$180,000</u>	<u>\$ 540,000</u>	<u>\$ 900,000</u>
<u>Cash Outflow</u>			
Bad Debt	\$ 8,000	\$ 24,000	\$ 40,000
Selling and Administration	100,000	300,000	500,000
Interest and Other Cash Expenses	<u>24,000</u>	<u>72,000</u>	<u>120,000</u>
Total Operating Expenses	<u>\$132,000</u>	<u>\$ 396,000</u>	<u>\$ 660,000</u>
Change in Cash Position Before Taxes	\$ 48,000	\$ 144,000	\$ 240,000
Cash Outflow – Taxes	<u>20,000</u>	<u>60,000</u>	<u>100,000</u>
Change in Cash Position	<u>\$ 28,000</u>	<u>\$ 84,000</u>	<u>\$ 140,000</u>

These financial estimates are made based upon assumptions believed to be reliable as of this date; and, are based upon expectations of future events. However, these assumptions may prove to be inaccurate; and, intervening events will inevitably occur. Thus, actual performance will vary from estimated performance; and, this variance may be material.

EXHIBIT E

Proposed Tariff

Brydels Communications, LLC
d/b/a AMIGOS - Tu Compania de Telefonos

Florida Price List No. 1
Original Sheet 1

Alternative Local Exchange Service

TITLE SHEET

COMPETITIVE LOCAL EXCHANGE SERVICES PRICE LIST

This price list contains the descriptions, regulations, service standards and rates applicable to competitive local exchange telecommunications services provided by Brydels Communications, LLC with principal offices at 549 Kenilworth Pkwy., Baton Rouge, LA 70808. This price list applies for services furnished within the state of Florida. This price list 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: January 17, 2007

EFFECTIVE:

BY:

John Brydels, President
Brydels Communications, LLC
549 Kenilworth Pkwy.
Baton Rouge, LA 70808

Alternative Local Exchange Service

CHECK SHEET

The sheets listed below, which are inclusive of this price list, 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 price list and are currently in effect as of the date of the bottom of this page.

SHEET	REVISION	SHEET	REVISION
1	Original	23	Original
2	Original	24	Original
3	Original	25	Original
4	Original	26	Original
5	Original	27	Original
6	Original	28	Original
7	Original	29	Original
8	Original	30	Original
9	Original	31	Original
10	Original	32	Original
11	Original	33	Original
12	Original	34	Original
13	Original	35	Original
14	Original	36	Original
15	Original	37	Original
16	Original	38	Original
17	Original	39	Original
18	Original	40	Original
19	Original		
20	Original		
21	Original		
22	Original		

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EFFECTIVE:

BY:

John Brydels, President
 Brydels Communications, LLC
 549 Kenilworth Pkwy.
 Baton Rouge, LA 70808

Alternative Local Exchange Service

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BY:

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Baton Rouge, LA 70808

Alternative Local Exchange Service

SYMBOLS SHEET

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 Price List 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: January 17, 2007

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Alternative Local Exchange Service

PRICE LIST FORMAT SHEETS

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 price list. 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 their price list approval process, the most current sheet number on file with the Commission is not always the price list page in effect. Consult the Check Sheet for the sheet currently in effect.

C. Paragraph Numbering Sequence - There are various levels of paragraph coding. Each level of coding is subservient to its next higher level as follows:

- 2.
- 2.1.
- 2.1.1.
- 2.1.1.A.
- 2.1.1.A.1.
- 2.1.1.A.1.(a).

D. Check Sheets - When a price list filing is made with the FPSC, an updated check sheet accompanies the price list filing. The check sheet lists the sheets contained in the price list, 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 price list 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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EFFECTIVE:

BY:

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Brydels Communications, LLC
d/b/a AMIGOS - Tu Compania de Telefonos

Florida Price List No. 1
Original Sheet 6

Alternative Local Exchange Service

EXCHANGE SERVICE LIST

The Company will provide local exchange service throughout the State of Florida. Local calling areas will coincide with those of the Incumbent Local Exchange Carrier (ILEC), unless otherwise specified.

ISSUED: January 17, 2007

EFFECTIVE:

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Alternative Local Exchange Service

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 - Brydels Communications, LLC d/b/a AMIGOS - Tu Compania de Telefonos.

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 price list 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.

Holidays - The Company's recognized holidays are New Year's Day, Martin Luther King, Jr. Day, Presidents Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day.

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: January 17, 2007

EFFECTIVE:

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Alternative Local Exchange Service

SECTION 2 - RULES, REGULATIONS AND SERVICE QUALITY CRITERIA

2.1 Undertaking of the Company.

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

The Company's installs operates, and maintains the communications services provided herein in accordance with the terms and conditions set forth under this price list. 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 per week.

2.2 Limitations.

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

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 provisions of this price list.

ISSUED: January 17, 2007

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Alternative Local Exchange Service

SECTION 2 - RULES AND REGULATIONS continued

2.2 Limitations (Cont.)

- 2.2.3 All facilities provided under this price list 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 or location of the service or facilities.
- 2.2.4 Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this price list shall apply to all such permitted assignees or transferees, as well as all conditions for service.
- 2.2.5 Customers reselling or rebilling services must have a Certificate of Public Convenience and Necessity as an ALEC carrier from the Florida Public Service Commission.

2.3 Liabilities of the Company.

- 2.3.1 The Company's liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission occurring in the course of furnishing service or facilities, and not caused by 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.
- 2.3.2 The Company shall be indemnified and held harmless by the customer against claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over the Company's facilities.

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Alternative Local Exchange Service

SECTION 2 - RULES AND REGULATIONS continued

2.4 Interruption of Service.

2.4.1 Credit allowance for the interruption of service which is not due to The Company's testing or adjusting, negligence or the customer, or to the failure of channels or equipment provided by the customer, are subject to the general liability provisions set forth in 2.3.1 herein. 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, 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:

Credit = A/B x C

"A" - outage time in days

"B" - total days in month

"C" - total monthly charge for affected facility

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Alternative Local Exchange Service

SECTION 2 - RULES AND REGULATIONS continued

2.5 Disconnection of Service by Carrier.

The Company, upon five (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 thirty 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 price list.
- 2.5.3 A violation of any law, rule, or regulation of any government authority having jurisdiction over such service.
- 2.5.4 The company has given the customer notice and has allowed a reasonable time to comply with any rule, or remedy, and deficiency as stated in Rule 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company.
- 2.5.5 Service may be disconnected without notice for tampering with company equipment or interfering with service to other customers or for fraud.

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Alternative Local Exchange Service

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 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.

2.8 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.

2.9 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' bills shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate.

2.10 Equipment

2.10.1 The Company's facilities and service may be used with or terminated in Customer-provided terminal equipment or Customer-provided communications systems, such as a PBX, key systems or Pay Telephone. Such terminal equipment shall be furnished and maintained at the expense of the Customer, except as otherwise provided. The Customer is responsible for all costs at his or her premises, including personnel, wiring, electrical power, and the like, incurred in the use of the Company's service. The Customer is responsible to ensuring that customer-provided equipment connected to Company equipment and facilities is compatible with such equipment and facilities.

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Alternative Local Exchange Service

SECTION 2 - RULES AND REGULATIONS continued

- 2.10 **Equipment** (contd.)
- 2.10.2 The Company shall use reasonable efforts to maintain facilities and equipment that it furnishes to the Customer. The Customer may not, nor may the Customer permit others, to disconnect, rearrange, remove, attempt to repair or otherwise interfere with any of the facilities or equipment installed by the Company, except upon the written consent of the Company.
- 2.10.3 Equipment the Company provides or installs at the Customer premises for use in connection with services the Company offers shall not be used for any purpose other than that for which the Company provided it.
- 2.10.4 The Customer shall be responsible for payment of service charges, as set forth herein, for visits by the Company's agents or employees to the premises of the Customer when the service difficulty or trouble report results from the use of equipment or facilities provided by any party other than the Company, including but not limited to the Customer.
- 2.10.5 The Company shall not be responsible for the installation, operation or maintenance of any customer-provided equipment. Where such equipment is connected to the facilities furnished pursuant to this price list, the responsibility of the Company shall be limited to the furnishing of facilities offered under this price list and to the maintenance and operation of such facilities. Subject to this responsibility, the Company shall not be responsible for the transmission of signals by customer-provided equipment or for the quality of, or defects in, such transmission; or the reception of signals by customer-provided equipment.
- 2.10.6 Upon reasonable notification to the Customer and at a reasonable time, the Company may make such tests and inspections as may be necessary to determine that the customer is complying with the requirements set forth in the section for the installation, operation and maintenance of customer- provided facilities, equipment and wiring in the connection of such facilities and equipment to Company-provided facilities and equipment.
- 2.10.7 Title to all facilities provided by the Company under this price list shall remain in the Company's name or in the name of the carrier supplying the services and facilities being resold.

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Alternative Local Exchange Service

SECTION 2 - RULES AND REGULATIONS continued

2.11 **Installation**

Service is installed upon mutual agreement between the Customer and the Company. The service agreement does not alter rates specified in this price list.

2.12 **Service Implementation**

Absent a promotional offering, service implementation charges will apply to new service orders or to orders to change existing service. Implementation charges for business services are listed in Section 3.

2.13 **Reconnection Charge**

A reconnection fee may be charged when service is re-established for customers who have been disconnected for non-payment, and is payable at the time that the restoration of suspended service and facilities is arranged.

2.14 **Operator Service Rules**

The Company will enforce the operator service rules specified by the Commission and by the FCC.

2.15 **Access to Telephone Relay Services**

Where required by the Commission, the Company will participate in telephone relay services for handicapped and/or hearing impaired end users, and will comply with all regulations and requirements. The Company shall impose any monthly surcharge or any other related charge upon its local exchange telecommunications subscribers as may be required by state law.

2.16 **Telecommunications Relay Service**

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 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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Alternative Local Exchange Service

SECTION 2 - RULES AND REGULATIONS continued

2.17 Calculation of Distance

Basic local services are not time or distance sensitive.

2.18 Cancellation of Service by Customer

Customers can cancel basic local exchange service by providing written or oral notification to the Company.

For cancellation of Private Branch Exchange (PBX) service, the customer must provide five (5) working days written notice of cancellation to the Company.

2.19 Minimum Call Completion Rate

Customers can expect a call completion rate (number of calls completed divided by the number of calls attempted) of 90% during peak use periods for all FG D services (1+ dialing).

2.20 Access to 911 Emergency Services

The Company will provide, at no cost to the customer, 911 emergency services access at levels equal to the service provided by the ILEC. Access to 911 service will be available during temporary disconnections.

2.21 Service Quality Statement

As a reseller, the quality of service provided to the company's end users will be equal to that received from the company's underlying carrier.

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Alternative Local Exchange Service

SECTION 3 - BASIC SERVICE DESCRIPTIONS AND RATES

3.1 Timing of Calls

3.1.1 When Billing Charges Begin and End For Phone Calls

The customer's 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 is determined by hardware answer supervision in which the local telephone company sends a signal to the switch or 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 billing increments for each service is set forth in the individual product rate section.

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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Alternative Local Exchange Service

SECTION 3 - BASIC SERVICE DESCRIPTIONS AND RATES continued

3.2 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 minutes 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 minutes occurring in that rate period. If an additional minute is split between two rate periods, the rate period applicable at the start of the minute applies to the entire minute.

3.3 Payment of Calls

3.3.1 Late Payment Charges

Interest charges of 1.5% per month will be assessed on all unpaid balances more than thirty days old.

3.3.2 Return Check Charges

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, which ever is greater.

3.4 Restoration of Service

A per occurrence reconnection fee is charged when service is re-established for customers who had been disconnected for non-payment. See Sections 3.7.17 and 3.8.10 for applicable restoration charges.

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Alternative Local Exchange Service

SECTION 3 - BASIC SERVICE DESCRIPTIONS AND RATES continued

3.5 Local Service Areas

The Company will provide Local Exchange Service in the Florida BellSouth territories. Local calling service areas will coincide with those of BellSouth, unless otherwise specified.

Installation, monthly recurring and per minute usage charges will apply to the Company's local exchange services. An addition per-call operator service charge will apply for operator-assisted calling.

3.6 Product Descriptions

3.6.1 Business Services

Business Services are offered for local calling using the facilities of the Company and/or those of other authorized Local Exchange Carriers. Business Services are offered primarily to the following:

1. Offices, stores, factories, mines and all other places of a strictly business nature;
2. Offices of hotels, boarding houses, apartment houses, colleges, quarters occupied by clubs and fraternal societies, public, private or parochial schools, hospitals, nursing homes, libraries, churches, and other institutions; and
3. Services terminating solely on the secretarial facilities of a telephone answering bureau.

ISSUED: January 17, 2007

EFFECTIVE:

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Alternative Local Exchange Service

SECTION 3 - BASIC SERVICE DESCRIPTIONS AND RATES continued

3.6 Product Descriptions, cont.

3.6.2 Residential Local Exchange Service

Residential local exchange service provides the Customer with a single, voice-grade, DTMF communications channel. Each Local Line will include a telephone number, as well as access to the service.

Residence Service is furnished in private homes or apartments, including all parts of the subscriber's domestic establishment, for domestic use and not for substantial occupational use; in the study of a clergyman located in a church, in a college fraternity or sorority house, college dormitories, convents and monasteries for domestic rather than occupational use in residential quarters.

3.6.3 Directory Listings

For each Customer of Exchange Access Service(s), the Company shall arrange for the listing of the Customer's main billing telephone number in the directory(ies) published by the dominant Local Exchange Carrier in the area at no additional charge. At a Customer's option, the Company will arrange for additional listings at an additional charge.

3.6.4 Operator-Assisted Services

Operator-assisted services are provided to Customers on a presubscribed basis. Services are also provided to Customers and Users of exchange access lines which are presubscribed to the Company's interexchange outbound calling services. Various billing arrangements are available with the Company's operator-assisted service including Calling Card, Commercial Credit Card, Collect, Person-to- Person and Third Party. Monthly and/or usage-sensitive charges apply, as well as per call operator charges.

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Alternative Local Exchange Service

SECTION 3 - BASIC SERVICE DESCRIPTIONS AND RATES continued

3.6.5 Directory Assistance

Customers and users of the Company's services may obtain directory assistance in determining telephone numbers within the state by calling the Directory Assistance operator.

A credit will be given for calls to Directory Assistance when;

1. The Customer experiences poor transmission or is cut-off during the call,
2. The Customer is given an incorrect telephone number, or
3. The Customer inadvertently misdials an incorrect Directory Assistance NPA.

To receive a credit, the customer must notify the Company operator or Business Office of the problem experienced.

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Alternative Local Exchange Service

SECTION 3 - BASIC SERVICE DESCRIPTIONS AND RATES continued

3.7 Residential Local Exchange Service Rates

3.7.1 Line Cost, Connections and Features

3.7.1.A Flat Rate Service

	<u>MRC</u>
Rate Group 1 (0-13,800 lines)	\$10.95
Rate Group 2 (13,801 - 25,100 lines)	\$11.72
Rate Group 3 (25,101 - 45,500 lines)	\$12.32
Rate Group 4 (45,501 - 200,800 lines)	\$12.91
Rate Group 5 (200,801 - 1,191,800 lines)	\$15.80

3.7.1B Monthly Recurring Charge Measured Rate Service

Monthly usage allowance is \$5.00.

	<u>MRC</u>	<u>MRC</u>
	<u>Low Usage</u>	<u>Standard Usage</u>
Rate Group 1 (0-13,800 lines)	\$5.93	\$8.44
Rate Group 2 (13,801 - 25,100 lines)	\$6.30	\$9.02
Rate Group 3 (25,101 - 45,500 lines)	\$6.60	\$9.47
Rate Group 4 (45,501 - 200,800 lines)	\$6.90	\$9.91
Rate Group 5 (200,801 - 1,191,800 lines)	\$8.34	\$12.07

3.7.1.C Measured Rate Local Usage

(1) Day Rates

8:00 a.m. to, but not including 5:00 p.m., Monday through Friday.

	<u>1st Minute</u>	<u>Addtl Minute</u>
Band A (0 miles)	\$0.036	\$0.018
Band B (1-10 miles limited LCA)	\$0.036	\$0.018
Band C (> 10 miles limited LCA)	\$0.054	\$0.036

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Alternative Local Exchange Service

SECTION 4 - RATES

3.7 Residential Local Exchange Service Rates (continued)

3.7.1C Measured Rate Local Usage (contd.)

(2) Evening Rates

5:00 p.m. to, but not including 11:00 p.m., Monday through Friday.

	<u>1st Minute</u>	<u>Addtl Minute</u>
Band A (0 miles)	\$0.0234	\$0.0117
Band B (1-10 miles limited LCA)	\$0.0234	\$0.0117
Band C (> 10 miles limited LCA)	\$0.0351	\$0.0234

(3) Night/Weekend Rates

11:00 p.m. to, but not including 8:00 a.m., Monday through Friday, and all times Saturday and Sunday.

	<u>1st Minute</u>	<u>Addtl Minute</u>
Band A (0 miles)	\$0.0144	\$0.0072
Band B (1-10 miles limited LCA)	\$0.0144	\$0.0072
Band C (> 10 miles limited LCA)	\$0.0216	\$0.0144

3.7.1.D Optional Features

	<u>NRC</u>	<u>MRC</u>
Call Forwarding Variable	\$13.50	\$3.24
Three-way Calling ¹	\$13.50	\$3.24
Call Waiting	\$13.50	\$3.29
Speed Dialing - 8 code	\$13.50	\$3.24
Speed Dialing - 30 code	\$13.50	\$3.69
Call Forward Busy Line	\$13.50	\$0.90
Call Forward Don't Answer	\$13.50	\$0.90

¹ Three way calling also available on a \$0.75 per use basis.

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Alternative Local Exchange Service

SECTION 4 - RATES

3.7 Residential Local Exchange Service Rates (continued)

3.7.1.D Optional Features (contd.)

	<u>NRC</u>	<u>MRC</u>
Customer Control - CF Busy Line	\$13.50	\$2.70
Customer Control - CF Don't Answer	\$13.50	\$2.70
Call Forwarding Busy Line Multipath ²	\$13.50	\$1.80
Call Forwarding Don't Answer Multipath ²	\$13.50	\$1.80
Call Forwarding Variable Multipath	\$13.50	\$2.70
Remote Access - Call Forwarding Variable	\$13.50	\$5.40
Call Waiting Deluxe ³	\$13.50	\$5.40
Call Forwarding Don't Answer - Ring Control	\$13.50	\$0.90
Three Way Calling With Transfer ⁴	\$13.50	\$4.46
Flexible Call Forwarding (FCF)	\$13.50	\$4.50
FCF with Audio Calling Name	\$13.50	\$6.30
FCF - Plus	\$13.50	\$6.30
FCF Plus with Audio Calling Name	\$13.50	\$8.10
Star 98 Access	\$13.50	\$0.90
Remote Call Forwarding (RCF)	\$13.05	\$16.65
RCF additional path following initial installation	\$10.80	\$16.65
Distinctive Ring I	\$13.50	\$3.56
Distinctive Ring II	\$13.50	\$5.36

² Rates for Multipath features apply for each path in excess of ten paths and are in addition to rates for Call Forwarding Variable, Call Forwarding Busy Line, or Call Forwarding Don't Answer.

³ Caller ID rates also apply.

⁴ Local or toll charges apply for originator of call even after exiting call.

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Alternative Local Exchange Service

SECTION 4 - RATES

3.7 Residential Local Exchange Service Rates (continued)

3.7.1.E CLASS Features

	<u>NRC</u>	<u>MRC</u>
Call Return	\$13.50	\$3.96
Repeat Dialing	\$13.50	\$3.78
BusyConnect, per activation	\$0.75	
Call Selector	\$13.50	\$3.78
Preferred Call Forwarding	\$13.50	\$3.78
Call Block	\$13.50	\$3.78
Call Trace	\$13.50	\$3.78
Caller ID - Basic	\$13.50	\$6.30
Caller ID - Deluxe	\$13.50	\$6.75
Anonymous Call Rejection (ACR)	n/a	\$2.97

3.7.1.F Complete Package

Complete Package provides unlimited use of specific features with a flat rate access line. Service Charges do not apply for transactions involving only additions, deletions or changes to service/features requested as part of this service. Access line installation charges apply.

	<u>MRC</u>
Per Line	\$30.15
Per Two-Line Plan package	\$59.85
Per Three-Line Plan package	\$87.75

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Alternative Local Exchange Service

SECTION 4 - RATES

3.7 Residential Local Exchange Service Rates (contd.)

3.7.1.G Line Connection Charges

	<u>NRC</u>
First Line, per request	\$37.80
Additional Line, each	\$13.50

3.7.1.H Line Change Charge

	<u>NRC</u>
First Line, per request	\$31.50
Additional Line, each	\$10.80

3.7.1.I Secondary Service Charge

Applies per customer request for the receiving, recording and processing of customer requests to change services or add new or additional services.

Per request \$13.50

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Alternative Local Exchange Service

SECTION 4 - RATES

3.7 Residential Local Exchange Service Rates (contd.)

3.7.1.J. TouchTone

No charge.

3.7.1.K Premise Work Charge

	<u>NRC</u>
First 15 minute or fraction thereof	\$27.00
Each Additional 15 minute increment or fraction	\$12.60

3.7.1.L Toll Restriction

Provides blocking of 1+, 101XXXX, 976, 900 and screening information to prevent operator assisted calls from being billed to subscriber's line.

	<u>NRC</u>	<u>MRC</u>
Selective Class of Call Screening per line	\$13.50	\$1.13

3.7.1.M Directory Listings

Non-recurring charge applies to customer requested changes in directory listings, except for changing from non-published/non-listed to a listed number.

	<u>NRC</u>	<u>MRC</u>
Non-listed	\$13.50	\$1.64
Non-Published	\$13.50	\$3.15
Additional Listings	\$13.50	\$1.08

3.7.1.N Local Plan

	<u>Zone 1</u>	<u>Zone 2</u>	<u>Zone 3</u>
Per line, per month	\$25.50	\$25.50	\$28.95

Includes 100 minutes of continental US long distance calling. Includes the following features; Caller ID deluxe, Call Waiting ID, 3 Way Calling, Repeat Dialing, Call Forwarding, Call Block, Call Return, 30 code speed dial, 900/976 block and anonymous call rejection. These features are offered as available from the serving central office.

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Alternative Local Exchange Service

3.7.1.O Local Unlimited Plan

	<u>Zone 1</u>	<u>Zone 2</u>	<u>Zone 3</u>
Per line, per month	\$39.50	\$39.50	\$54.50

Includes unlimited continental US voice long distance calling. Excludes all non-voice, modem or computer transmissions.

The Local Unlimited Plan is for typical residential usage only. Usage in excess of typical usage, which is presumed to be no more than 5,000 minutes a month, will be subject to an additional fee of \$50.00. If usage exceeds 5,000 minutes per month, customer may be switched from the Local USA Unlimited Plan to a more appropriate usage sensitive plan.

3.7.1.P Regulatory Cost Recovery Fee

A charge of \$0.99 per month will be assessed to all residential and business customers to cover the administration costs of complying with obligations and charges imposed by regulatory bodies, including recovery of the Federal Universal Service Fund charge.

3.7.1.Q. Local Sixty (includes 60 minutes free long distance)

	<u>Zone 1</u>	<u>Zone 2</u>	<u>Zone 3</u>
Per Line, Per Month	\$25.50	\$25.50	\$40.50

Includes 60 minutes free continental US voice long distance calling. Excludes all non-voice, modem or computer transmissions.

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Alternative Local Exchange Service

SECTION 4 - RATES

3.8 Business Local Exchange Service Rates

Customers signing a 1 year term contract qualify for a 10% discount off of the rates stated in this section.

3.8.1 Line Costs, Connections and Features

3.8.1.A Flat Rate Service

	<u>MRC</u>
Rate Group 1 (0-13,800 lines)	\$28.80
Rate Group 2 (13,801 - 25,100 lines)	\$29.61
Rate Group 3 (25,101 - 45,500 lines)	\$29.61
Rate Group 4 (45,501 - 200,800 lines)	\$29.61
Rate Group 5 (200,801 - 1,191,800 lines)	\$29.61

3.8.1.B Measured Rate Service

Monthly usage allowance is \$7.50.

	<u>MRC</u>
Rate Group 1 (0-13,800 lines)	\$20.85
Rate Group 2 (13,801 - 25,100 lines)	\$22.97
Rate Group 3 (25,101 - 45,500 lines)	\$24.77
Rate Group 4 (45,501 - 200,800 lines)	\$26.51
Rate Group 5 (200,801 - 1,191,800 lines)	\$32.24

3.8.1.C Measured Rate Local Usage

(1) Day Rates

8:00 a.m. to, but not including 5:00 p.m., Monday through Friday.

	<u>1st Minute</u>	<u>Addtl Minute</u>
Band A (0 miles)	\$0.036	\$0.018
Band B (1-10 miles limited LCA)	\$0.036	\$0.018
Band C (> 10 miles limited LCA)	\$0.054	\$0.036

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Alternative Local Exchange Service

SECTION 4 - RATES

3.8 Business Local Exchange Service Rates (contd.)

3.8.1.C Measured Rate Local Usage (contd.)

(2) Evening Rates

5:00 p.m. to, but not including 11:00 p.m., Monday through Friday.

	<u>1st Minute</u>	<u>Addtl Minute</u>
Band A (0 miles)	\$0.0234	\$0.0117
Band B (1-10 miles limited LCA)	\$0.0234	\$0.0117
Band C (> 10 miles limited LCA)	\$0.0351	\$0.0234

(3) Night/Weekend Rates

11:00 p.m. to, but not including 8:00 a.m., Monday through Friday, and all times Saturday and Sunday.

	<u>1st Minute</u>	<u>Addtl Minute</u>
Band A (0 miles)	\$0.0144	\$0.0072
Band B (1-10 miles limited LCA)	\$0.0144	\$0.0072
Band C (> 10 miles limited LCA)	\$0.0216	\$0.0144

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Alternative Local Exchange Service

SECTION 4 - RATES

3.8 Business Local Exchange Service Rates (contd.)

3.8.1.D PBX Trunks

(1) Flat Rate Service

Combination, Inward or Outward Only.

	<u>MRC</u>
Rate Group 1 (0-13,800 lines)	\$28.80
Rate Group 2 (13,801 - 25,100 lines)	\$29.61
Rate Group 3 (25,101 - 45,500 lines)	\$29.61
Rate Group 4 (45,501 - 200,800 lines)	\$29.61
Rate Group 5 (200,801 - 1,191,800 lines)	\$29.61

(2) Measured Rate Service

	<u>MRC</u>
Rate Group 1 (0-13,800 lines)	\$20.85
Rate Group 2 (13,801 - 25,100 lines)	\$22.97
Rate Group 3 (25,101 - 45,500 lines)	\$24.77
Rate Group 4 (45,501 - 200,800 lines)	\$26.51
Rate Group 5 (200,801 - 1,191,800 lines)	\$32.24

(3) Measured Rate Local Usage

See Section 3.8.1.C above for usage rates.

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Alternative Local Exchange Service

SECTION 4 - RATES

3.8 Business Local Exchange Service Rates (contd.)

3.8.1.E. Direct Inward Dialing (DID)

	<u>NRC</u>	<u>MRC</u>
Each group of 20 working numbers	\$432.00	\$3.06
Each group of 20 reserved numbers	\$432.00	\$3.06
Each non-consecutive DID number	\$1.35	\$0.15
Each reserved non-consecutive DID number	\$1.35	\$0.15
Multifrequency Pulsing Option	\$0.00	\$6.75
Dual Tone Multifrequency Pulsing Option	\$0.00	\$6.75
Automatic Intercept Service, per number	\$14.40	\$0.00

3.8.1.F DID Trunk Termination

	<u>NRC</u>	<u>MRC</u>
Each Trunk	\$45.00	\$23.40
Each combination trunk with call transfer	\$225.00	\$40.50

3.8.1.G Grouping/Hunting Service

	<u>NRC</u>	<u>MRC</u>
Rate Group 1 (0-13,800 lines)	\$18.00	\$10.80
Rate Group 2 (13,801 - 25,100 lines)	\$18.00	\$10.13
Rate Group 3 (25,101 - 45,500 lines)	\$18.00	\$9.45
Rate Group 4 (45,501 - 200,800 lines)	\$18.00	\$9.00
Rate Group 5 (200,801 - 1,191,800 lines)	\$18.00	\$5.13

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Alternative Local Exchange Service

SECTION 4 - RATES

3.8 Business Local Exchange Service Rates (contd.)

3.8.1.H Optional Features

	<u>NRC</u>	<u>MRC</u>
Call Forwarding Variable	\$18.00	\$3.96
Three-way Calling ⁵	\$18.00	\$3.96
Call Waiting	\$18.00	\$3.96
Speed Dialing - 8 code	\$18.00	\$3.96
Speed Dialing - 30 code	\$18.00	\$4.95
Call Forward Busy Line	\$18.00	\$3.47
Call Forward Don't Answer	\$18.00	\$3.47
Customer Control - CF Busy Line	\$18.00	\$6.66
Customer Control - CF Don't Answer	\$18.00	\$6.30
Call Forwarding Busy Line Multipath ⁶	\$18.00	\$3.20
Call Forwarding Don't Answer Multipath ²	\$18.00	\$3.20
Call Forwarding Variable Multipath	\$18.00	\$3.20
Remote Access - Call Forwarding Variable	\$18.00	\$8.42
Call Waiting Deluxe	n/a	n/a
Call Forwarding Don't Answer - Ring Control	\$18.00	\$3.47
Three Way Calling With Transfer ⁷	\$18.00	\$5.40
Flexible Call Forwarding (FCF)	\$18.00	\$8.91
FCF with Audio Calling Name	\$18.00	\$9.90
FCF - Plus	n/a	n/a
FCF Plus with Audio Calling Name	n/a	n/a
Star 98 Access	\$18.00	\$1.80
Remote Call Forwarding (RCF)	\$13.05	\$16.65
RCF additional path following initial installation	\$10.80	\$16.65
Distinctive Ring I	\$18.00	\$7.20
Distinctive Ring II	\$18.00	\$9.00

⁵ Three way calling also available on a \$0.75 per use basis.

⁶ Rates for Multipath features apply for each path in excess of ten paths and are in addition to rates for Call Forwarding Variable, Call Forwarding Busy Line, or Call Forwarding Don't Answer.

⁷ Local or toll charges apply for originator of call even after exiting call.

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Alternative Local Exchange Service

SECTION 4 - RATES

3.8 Business Local Exchange Service Rates (contd.)

3.8.1.I CLASS Features

	<u>NRC</u>	<u>MRC</u>
Call Return	\$18.00	\$4.68
Repeat Dialing	\$18.00	\$4.46
BusyConnect, per activation	\$0.75	
Call Selector	\$18.00	\$4.46
Preferred Call Forwarding	\$18.00	\$4.46
Call Block	\$18.00	\$4.46
Call Trace	\$18.00	\$4.95
Caller ID - Basic	\$18.00	\$8.15
Caller ID - Deluxe	\$18.00	\$9.00
Anonymous Call Rejection (ACR)	n/a	\$3.96
Enhanced Caller ID with ACR	\$18.00	\$14.36
Enhanced Caller ID with Call Management	\$18.00	\$15.26

3.8.1.J Complete Package

Complete Package provides unlimited use of specific features with a flat rate access line. Service Charges do not apply for transactions involving only additions, deletions or changes to service/features requested as part of this service. Access Line Installation charges apply.

(1) Option 1	
	<u>MRC</u>
Per Line	\$72.90
Per Two-Line Plan package	\$135.00
Per Three-Line Plan package	\$195.30
(2) Option 2	
	<u>MRC</u>
Per Line	\$50.40
Per Two-Line Plan package	\$90.00
Per Three-Line Plan package	\$127.80

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Alternative Local Exchange Service

SECTION 4 - RATES

3.8 Business Local Exchange Service Rates (contd.)

3.8.1.K Line Connection Charges

	<u>NRC</u>
First Line, per request	\$65.70
Additional Line, each	\$19.80

3.8.1.L Line Change Charge

	<u>NRC</u>
First Line, per request	\$43.20
Additional Line, each	\$12.60

3.8.1.M Secondary Service Charge

Applies per customer request for the receiving, recording and processing of customer requests to change services or add new or additional services.

Per request \$18.00

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Alternative Local Exchange Service

SECTION 4 - RATES

3.8 Business Local Exchange Service Rates (contd.)

3.8.1.N TouchTone

Applies when added subsequent to establishment of service.

<u>NRC</u>	<u>MRC</u>
\$18.00	\$2.70

3.8.1.O Premise Work Charge

	<u>NRC</u>
First 15 minute or fraction thereof	\$27.00
Each Additional 15 minute increment or fraction	\$12.60

3.8.1.P Toll Restriction

Provides blocking of 1+, 101XXXX, 976, 900 and screening information to prevent operator assisted calls from being billed to subscriber's line.

	<u>NRC</u>	<u>MRC</u>
Selective Class of Call Screening per line	\$18.00	\$1.13
per PBX trunk	\$18.00	\$7.38

3.8.1.Q Directory Listings

Non-recurring charge applies to customer requested changes in directory listings, except for changing from non-published/non-listed to a listed number.

	<u>NRC</u>	<u>MRC</u>
Non-listed	\$18.00	\$1.64
Non-Published	\$18.00	\$3.15
Additional Listings	\$18.00	\$1.62

3.8.1.R Local USA Plan

\$22.50 per line per month.

Includes 100 minutes of continental US long distance calling. At customers request includes the following features: hunting, call forwarding, busy call forward, ring no answer call forward, caller id, call waiting, call return, remote access to call forwarding, repeat dialing, 3 way calling, 3 way calling with transfer, *98, and ring selector. These features are offered as provided by the serving central office.

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Alternative Local Exchange Service

3.8.1.S Local Unlimited Plan

	<u>Zone 1</u>	<u>Zone 2</u>	<u>Zone 3</u>
Per line, Per month.	\$54.00	\$54.00	\$71.50

Includes unlimited continental US voice long distance calling. Excludes all non -voice, modem or computer transmissions.

The Local Unlimited Plan is for typical residential usage only. Usage in excess of typical usage, which is presumed to be no more than 5,000 minutes a month, will be subject to an additional fee of \$50.00. If usage exceeds 5,000 minutes per month, customer may be switched from the Local USA Unlimited Plan to a more appropriate usage sensitive plan.

3.8.1.T Regulatory Cost Recovery Fee

A charge of \$0.99 per month will be assessed to all residential and business customers to cover the administration costs of complying with obligations and charges imposed by regulatory bodies, including recovery of the Federal Universal Service Fund charge.

3.8.1.U Local Sixty (includes 60 minutes free long distance)

	<u>Zone 1</u>	<u>Zone 2</u>	<u>Zone 3</u>
Per Line, Per Month	\$27.70	\$29.90	\$49.50

Includes 60 minutes free continental US voice long distance calling. Excludes all non -voice, modem or computer transmissions.

3.8.1.V Local 600 (includes 600 minutes free long distance)

	<u>Zone 1</u>	<u>Zone 2</u>	<u>Zone 3</u>
Per Line, Per Month	\$32.95	\$36.95	\$55.95

Includes 600 minutes free continental US voice long distance calling. Excludes all non -voice, modem or computer transmissions.

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Alternative Local Exchange Service

SECTION 4 - RATES

3.9 Local Line Charges (per local line)

3.9.1 Local Number Portability

	<u>MRC</u>
Per Line	\$0.35
Per Trunk	\$3.15

3.10 Reconnection Charge

\$30.00 per occurrence.

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Alternative Local Exchange Service

3.11 IntraLATA MTS/OSP/Calling Card Rates

3.11.1 Rates Per Minute

- (1) Peak Rates:
7:00 a.m. to, but not including 7:00 p.m., Monday through Friday.

	BUSINESS		RESIDENTIAL	
	<u>1st Min.</u>	<u>Ea. Added Min.</u>	<u>1st Min.</u>	<u>Ea. Added Min.</u>
0-10 miles	\$0.22410	\$0.22410	\$0.18000	\$0.18000
11-16 miles	\$0.22410	\$0.22410	\$0.18000	\$0.18000
17-22 miles	\$0.22410	\$0.22410	\$0.18000	\$0.18000
23-30 miles	\$0.22410	\$0.22410	\$0.18000	\$0.18000
31-40 miles	\$0.22410	\$0.22410	\$0.18000	\$0.18000
41-55 miles	\$0.22410	\$0.22410	\$0.18000	\$0.18000
56-70 miles	\$0.22410	\$0.22410	\$0.18000	\$0.18000
71-85 miles	\$0.22410	\$0.22410	\$0.18000	\$0.18000
86-100 miles	\$0.22410	\$0.22410	\$0.18000	\$0.18000
101-124 miles	\$0.22410	\$0.22410	\$0.18000	\$0.18000
125-148 miles	\$0.22410	\$0.22410	\$0.18000	\$0.18000
149 + miles	\$0.22410	\$0.22410	\$0.18000	\$0.18000

- (2) Off-Peak Rates:
7:00 p.m. to, but not including 7:00 a.m., Monday through Friday, and all times Saturday and Sunday.

	BUSINESS		RESIDENTIAL	
	<u>1st Min.</u>	<u>Ea. Added Min.</u>	<u>1st Min.</u>	<u>Ea. Added Min.</u>
0-10 miles	\$0.16808	\$0.16808	\$0.10800	\$0.10800
11-16 miles	\$0.16808	\$0.16808	\$0.10800	\$0.10800
17-22 miles	\$0.16808	\$0.16808	\$0.10800	\$0.10800
23-30 miles	\$0.16808	\$0.16808	\$0.10800	\$0.10800
31-40 miles	\$0.16808	\$0.16808	\$0.10800	\$0.10800
41-55 miles	\$0.16808	\$0.16808	\$0.10800	\$0.10800
56-70 miles	\$0.16808	\$0.16808	\$0.10800	\$0.10800
71-85 miles	\$0.16808	\$0.16808	\$0.10800	\$0.10800
86-100 miles	\$0.16808	\$0.16808	\$0.10800	\$0.10800
101-124 miles	\$0.16808	\$0.16808	\$0.10800	\$0.10800
125-148 miles	\$0.16808	\$0.16808	\$0.10800	\$0.10800
149 + miles	\$0.16808	\$0.16808	\$0.10800	\$0.10800

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Alternative Local Exchange Service

SECTION 4 - RATES

3.11 IntraLATA MTS/OSP/Calling Card Rates (contd.)

3.11.2 Local and Toll Operator Service Charges

	<u>Per Call</u>
Station-to-Station	
- Customer Dialed Calling Card	\$0.80
- Operator Assisted	\$2.25
Person-to-Person	\$4.90
Operator Dialed Surcharge	\$0.80
Partially Automated Surcharge	\$0.50
Busy Line Verification	\$1.04
Busy Line Interrupt	\$1.54

3.12 Local Directory Assistance

	<u>Per Call</u>
Within LCA for originating line	
Direct Dialed	\$0.33
Operator assistance surcharge	\$0.30
Outside LCA and LATA/NPA for orig. line	
Direct Dialed	\$0.85
Operator assistance surcharge	\$0.30

3.13 Dishonored Check Charge

Customers will be charged \$20.00 per dishonored or returned check.

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Alternative Local Exchange Service

3.14 Trouble Determination Service

A. Individual Trouble Determination

Customers reporting trouble with their service that require a visit to the premises for trouble determination, and the trouble is determined to be on the customer's side of the demarcation point, will be responsible for payment of the trouble determination of \$30.00 per premise visit. This charge does not include any further trouble isolation or repair beyond the demarcation point.

B. Trouble Determination Plan

Trouble Determination Plan members reporting service trouble requiring a trouble determination visit to the premises will not be responsible for the individual trouble determination charge set forth above. The Trouble Determination Plan monthly recurring charge is \$0.49 per line.

3.15 Inside Wire Maintenance

\$5.50 monthly recurring charge per line.

3.16 Prepaid Local Exchange Service

3.16.1 Basic Plan:

\$36.95 per month

Includes Dialtone and E911.

3.16.2 MVP Plan:

\$44.95 per month

Includes Dialtone, E911, Call Waiting and Caller ID.

3.16.3 Deluxe Plan:

\$54.95 per month

Includes Dialtone, E911 and 10 Calling Features.

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120CT

Print Request: LEXSEE

Time of Request: July 18, 2006 01:20 PM EDT

Number of Lines: 64

Job Number: 1842:109049944

Client ID/Project Name: Richard Barker

Note:

I am just sending you some documents which may be helpful in your argument for the LLC corporation.

Leila

Research Information:

Lexsee La. Atty. Gen. Op. No. 1985-144

Send to: WITHERS, LEILA
LEILA SELDEN WITHERS
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LEXSEE LA. ATTY. GEN. OP. NO. 1985-144

OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF LOUISIANA

OPINION No. 85-144

La. Atty. Gen. Op. No. 1985-144; 1985 La. AG LEXIS 717

February 28, 1985

SYLLABUS:

[*1]

56 - JUDGES 15 - COURTS

10 - CLERKS

R.S. 37:212, as amended by Act 161, 1980 Corporation may file civil suit on own behalf without attorney in those types of cases specified in Act, but only in courts of limited jurisdiction.

REQUESTBY:

Honorable Steven Broussard
Judge, City Court
Sulphur, Louisiana 70664

OPINIONBY:

WILLIAM J. GUSTE, JR., Attorney General; BY: WARREN E. MOULEDOUX, First Assistant Attorney General

OPINION:

By your recent letter you have requested an opinion from this office on the following question:

"Whether or not a corporation can file and prosecute a civil suit through an officer of the corporation appointed for that purpose who is not an attorney? Simply stated, the corporation is filing the suit in proper person through one of its officers without an attorney."

On January 3, 1978 this office issued Opinion No. 77-1647 which stated that the clerk of a city court should not accept for filing a suit by a corporation represented by a person who is not an attorney, whether or not that person was an employee of the corporation.

Opinion No. 77-1647 was based upon the provisions of *R.S. 37:212* and *R.S. 37:213*; the opinion concluded that "any person," authorized by Subsection B of *R.S. [*2] 37:212*, to handle his own demands in court, refers to a natural person and not to an artificial entity such as a business corporation. The courts have consistently held that a corporation must be represented in court by an attorney at law.

The Louisiana Legislature, however, by Act 161 of 1980, has amended *R.S. 37:212* to add Subsection C, which reads:

"C. Nothing in this Section shall prohibit any partnership, corporation, or other legal entity from asserting any claim, not exceeding twelve hundred dollars, or defense pertaining to an open account or promissory note, or suit for eviction of tenants on its own behalf in the courts of limited jurisdiction on its own behalf through a duly authorized partner, shareholder, officer, employee, or duly authorized agency or representative. No partnership, corporation, or other entity may assert any claim on behalf of another entity or any claim assigned to it."

This added language now permits any corporation to assert a claim or defense on its own behalf in courts of limited jurisdiction through a duly authorized officer, employee or representative, but only in suits on open account, promissory note, or for eviction.

This office is [*3] not aware of any challenge to the validity of Act 161 of 1980 in any court of this state. We must point out, however, as we did in Opinion No. 77-1647, that the Louisiana Supreme Court has the inherent judicial authority to define what constitutes the practice of law; the Legislature may aid, by passage of statutes, this exertion of judicial power but subject to the approval of the court. *Meunier v. Bernich*, 170 So. 567 (Orl. App. 1936).

The Supreme Court reaffirmed its position in the more recent case of *Singer Hunter Levine Seeman & Stuart v. Louisiana State Bar Association*, 378 So. 2d 423 (1979) when it stated:

"This court will uphold legislative acts passed in aid of its inherent power, but will strike down statutes which tend to impede or frustrate its authority."

Act 161 of 1980 has not been challenged insofar as we can ascertain. It is the opinion of this office, therefore, that a corporation may file and prosecute a civil suit on its own behalf without an attorney in those types of cases specified in the act, but only in courts of limited jurisdiction.

If we can be of further assistance to you, please advise.

Legal Topics:

For related research and practice materials, see the following legal topics:

Contracts Law Negotiable Instruments Enforcement Defenses General Overview Governments Courts Clerks of Court Civil Procedure Jurisdiction Subject Matter Jurisdiction Jurisdiction Over Actions Limited Jurisdiction

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