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February 22, 2013

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FEB 22 2013

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Rosemary Chiavetta  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
Room N201 – 2<sup>nd</sup> Floor  
Harrisburg, Pennsylvania 17120

Re: Competitive Local Exchange and Access Services  
American Broadband and Telecommunications Company

Dear Secretary Chiavetta:

Enclosed please find revisions to the January 18, 2013 application of American Broadband and Telecommunications Company responding to your February 4, 2013 deficiency letter.

Specifically, to address the concerns raised in the letter, the revisions include the following:

- (1) Questions 9, 10, 13, and 18 of the application have been revised resulting in revisions to pages 5, 6 and 7 of the application.
- (2) PA P.U.C. Tariff No. 1 has been revised and resubmitted in total.
- (3) PA P.U.C. Tariff No. 2 is being submitted and contains American Broadband's Switched Access Service tariff. This tariff was inadvertently omitted in the January 18, 2013 filing.

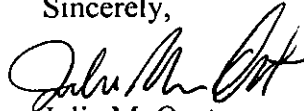
Additionally, please note that American Broadband indicates that it wishes to detariff its interexchange services, as such, all references to interexchange services in its tariff have been removed.

Secretary  
Pennsylvania Public Utility Commission  
Page 2

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self-addressed, postage prepaid envelope.

We have been in contact with Bryan Mahla regarding this matter and will continue to stay in contact throughout this certification process. If you have any questions or if I may provide you with additional information, please do not hesitate to call me.

Sincerely,

  
Julie M. Oost  
*Economist*

Enclosures

Cc: Office of Consumer Advocate  
Office of Small Business Advocate  
Office of Attorney General  
Verizon Pennsylvania LLC  
Verizon North LLC  
Frontier Communications of Pennsylvania LLC

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9. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as:

Interexchange Toll Reseller, InterLATA and/or IntraLATA, (e.g., MTS, 1+, 800, WATS, Travel and Debit Cards)

Interexchange Toll Facilities-based carrier, InterLATA and/or IntraLATA, (e.g., MTS, 1+, 800, WATS, Travel and Debit Cards)

Competitive Access Provider (dedicated point-to-point or multipoint service; voice or data)

Competitive Local Exchange Carrier:

Facilities-based

UNE-P

Data Only

Reseller

Incumbent Local Exchange Carrier

10. **PROPOSED SERVICES:** Describe in detail the services which the Applicant proposes to offer. If proposing to provide more than one category in Item #9, clearly and separately delineate the services within each proposed operation. If proposing to operate as a facilities-based Competitive Local Exchange Carrier, provide a brief description of the Company's facilities.

**American Broadband provides residential and small business customers with data, and local and long distance telecommunications services throughout their service territory. The Company provides local exchange, exchange access, and broadband services using its own switching and DSL 2+ network facilities and a combination of unbundled network elements ("UNEs") provided by Verizon and Frontier Communications of Pennsylvania that allows end-to-end delivery of calls. The Company also offers wireless services including phone and data to its small business customers through a combination of resale arrangements with Sprint and Verizon. The principal office of the Company is located at 1 Seagate, Suite 600, Toledo, OH 43699.**

11. **SERVICE AREA:** Describe the geographic service area in which the Applicant proposes to offer services. Clearly and separately delineate the service territory for each category listed in Item #9. For Competitive Local Exchange Carrier operations, you must name and serve the Incumbent Local Exchange Carriers in whose territory you request authority.

**American Broadband seeks certification to provide in the Verizon Pennsylvania LLC, Verizon North LLC, and Frontier Communications of Pennsylvania territories.**

12. **MARKET:** Describe the customer base to which the Applicant proposes to market its services. Clearly and separately delineate a market for each category listed in Item #9.

**American Broadband markets its wireless, data, local and long distance services to residential and small business customers.**

13. **PROPOSED TARIFF(S):** Each category of proposed operations must have a separate and distinct proposed tariff setting forth the rates, rules and regulations of the Applicant. Every proposed tariff shall state on its cover page the nature of the proposed operations described therein, i.e., IXC Reseller, CLEC, CAP, or IXC Facilities-based. A copy of all proposed tariffs must be appended to each original and duplicate original and copy of Form 377.

**Please see Exhibit 2 for American Broadband's draft tariffs.**

14. **FINANCIAL: *Attach the following to the Application:***

A general description of the Applicant's capitalization and, if applicable, its corporate stock structure;

Current balance sheet, Income Statement, and Cash Flow Statement of Applicant or Affiliated Company, if relying on affiliate for financial security;

A tentative operating balance sheet and a projected income statement for the first year of operation within the Commonwealth of Pennsylvania; provide the name, title, address, telephone number and fax number of the Applicant's custodian for its accounting records and supporting documentation; and indicate where the Applicant's accounting records and supporting documentation are, or will be, maintained.

If available, include bond rating, letters of credit, credit reports, insurance coverage and reports, and major contracts.

**Please see Exhibit 3 for American Broadband's 2010 and 2011 Financial Statements.**

**Accounting records will be maintained by:**

**Gilmore, Jason & Mahler  
C/O Bob Bobeck  
1715 Indian Wood Circle Maumee, OH 43537  
(419) 794-2000**

15. **START DATE:** The Applicant proposes to begin offering services on or about **the date when its tariff and certification are approved.**

**16. FURTHER DEVELOPMENTS:** Attach to the Application a statement of further developments, planned or contemplated, to which the present Application is preliminary or with which it forms a part, together with a reference to any related proceeding before the Commission.

**Not applicable.**

**17. NOTICE:** Pursuant to 52 Pa. Code §5.14, you are required to serve a copy of the signed and verified Application, with attachments, on the below-listed parties, and file proof of such service with this Commission:

**Office of Consumer Advocate**

555 Walnut Street  
5th Floor, Forum Place  
Harrisburg, PA 17101-1923

**Office of Small Business Advocate**

Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101

**Office of Attorney General**

Office of Consumer Protection  
Strawberry Square  
Harrisburg, PA 17120

***A certificate of service must be attached to the Application as proof of service that the Application has been served on the above-listed parties. A copy of any Competitive Local Exchange Carrier Application must also be served on any and/or all Incumbent Local Exchange Carrier(s) in the geographical area where the Applicant proposes to offer services.***

**18. FEDERAL TELECOMMUNICATIONS ACT OF 1996:** State whether the Applicant claims a particular status pursuant to the Federal Telecommunications Act of 1996. Provide supporting facts.

**American Broadband has been certified at the FCC as an eligible telecommunications carrier, See Wireline Competition Bureau Approves the Compliance Plans of American Broadband & Telecommunications, Budget Prepay, Consumer Cellular, Global Connection, Terracom and Total Call, Public Notice, DA 12-828 (May 25, 2012).**

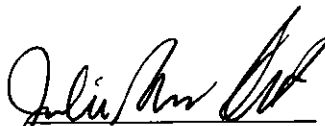
**19. COMPLIANCE:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application has been convicted of a crime involving fraud or similar activity. Identify all proceedings, limited to proceedings dealing with business operations in the last five (5) years, whether before an administrative body or in a judicial forum, in which the Applicant, an affiliate, a predecessor of either, or a person identified herein has been a defendant or a respondent. Provide a statement as to the resolution or present status of any such proceedings.

**Not applicable.**

**20. FALSIFICATION:** The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application or, if later discovered, for

**CERTIFICATE OF SERVICE**

I, Julie M. Oost, a non-attorney, on oath state that I served a copy of the foregoing **Revised Application for Resold and Facilities-based Interexchange Toll services, Facilities-based Competitive Local Exchange service and Resold Non-Prepaid Cellular Radio/Wireless Telephone Service on behalf of American Broadband and Telecommunications Company** with the Pennsylvania Public Utility Commission, on the attached service list via U.S. Mail on February 22, 2013.

  
Julie M. Oost

Henry T. Kelly  
Julie M. Oost  
KELLEY DRYE & WARREN LLP  
333 West Wacker Drive  
Suite 2600  
Chicago, IL 60606  
(312) 857-7070

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SECRETARY'S BUREAU

## **SERVICE LIST**

### **VIA U.S. MAIL**

Office of Consumer Advocate  
555 Walnut Street – 5<sup>th</sup> Floor  
Forum Place  
Harrisburg, PA 17101-1923

### **VIA U.S. MAIL**

Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101

### **VIA U.S. MAIL**

Office of Attorney General  
Office of Consumer Protection  
Strawberry Square  
Harrisburg, PA 17120

### **VIA U.S. MAIL**

Verizon Pennsylvania, Inc.  
Strawberry Square – Fourth Floor  
Harrisburg, PA 17101

### **VIA U.S. MAIL**

Verizon North Inc.  
Strawberry Square – Fourth Floor  
Harrisburg, PA 17101

### **VIA U.S. MAIL**

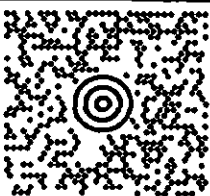

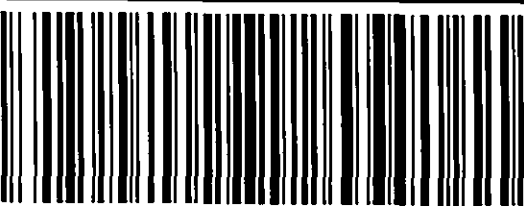

Frontier Communications of  
Pennsylvania, Inc.  
3 High Ridge Park  
Stamford, CT 06905

# UPS Campusship: Shipment Label

UPS Campusship: View/Print Label

1. Ensure there are no other shipping or tracking labels attached to your package. Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.
2. Fold the printed sheet containing the label at the line so that the entire shipping label is visible. Place the label on a single side of the package and cover it completely with clear plastic shipping tape. Do not cover any seams or closures on the package with the label. Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.
3. **GETTING YOUR SHIPMENT TO UPS**  
UPS locations Include the UPS Store®, UPS drop boxes, UPS customer centers, authorized retail outlets and UPS drivers.  
Schedule a same day or future day Pickup to have a UPS driver pickup all your Campusship packages.  
Hand the package to any UPS driver in your area.  
Take your package to any location of The UPS Store®, UPS Drop Box, UPS Customer Center, UPS Alliances (Office Depot® or Staples®) or Authorized Shipping Outlet near you. Items sent via UPS Return Services(SM) (including via Ground) are also accepted at Drop Boxes. To find the location nearest you, please visit the Resources area of Campusship and select UPS Locations.  
**Customers with a Daily Pickup**  
Your driver will pickup your shipment(s) as usual.

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JULIE OOST 312-857-7097 KELLEY DRYE & WARREN LLP (C) 333 WEST WACKER DRIVE CHICAGO IL 60606		5 LBS PAK	1 OF 1
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BILLING: P/P			
Client Matter: 021928.0001 Employee User ID: 04834		CS 15.1.05. WNIE90 33.0A 70/2012 	

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