

Barr Tell USA, Inc.
Docket Nos. A-2015-2496222
Proposed tariff for Competitive Local Exchange Carrier Service

The proposed tariff contains certain deficiencies that must be addressed by the Applicant before the tariff can be approved and the Certificate of Public Convenience issued. **The Applicant must submit a copy of this Appendix with its revised compliance tariff. On that copy, please note the page/sheet of the compliance tariff where the required revision is located for each item below.**

Tariff deficiencies noted- CLEC Local Tariff A-2015-2496222, Tariff No.1

1. Correct the Title to read:

BARR TELL USA, INC.
COMPETITIVE LOCAL EXCHANGE CARRIER
Regulations and Schedule of Charges

Correction on Title Page.

2. All subsequent pages, correct the heading from "Local Exchange Services" to "Competitive Local Exchange Carrier".

Correction on all Pages.

3. All Pages: Enter issued and effective dates as per ordering paragraph.

Correction on all Pages.

4. Modifications Page: Label page Original Modifications Page

Correction on Modifications Page.

5. Original Page 3, Table of Contents: Add Check Sheet..... 1

Correction on Page 1.

6. Original Page 3, Table of Contents: Correct page 117 under Special Arrangement to 118.

Correction on Page 3.

7. Original Page 4, Explanations of Symbols: Remove M, N, R, and T and correct definition for D. Per 52 Pa Code§ 53.22, only codes C (change), D (decreased rate), and I (increased rate) are permitted.

Correction on Page 4.

8. Original Page 4, Tariff Format, B: correct reference to regulatory agency from "Department" to "Commission" or "PaPUC".

Correction on Page 4.

9. Original Page 5, Application of Tariff: Because Barr Tell has not identified or received approval for "other applicable tariffs" or "tariffs of other companies with which [it] concurs", remove the third paragraph stating "This tariff supplements and governs all other applicable tariffs of the Company and also any tariffs or portions of tariffs of other companies with which this Company concurs."
Correction on Page 5.
10. Original Page 7, Definitions, Recurring Charges (MRCs): Provide an explanation for the acronym MRC. Delete the last three sentences pertaining to ICB (individual case basis). Insert a separate paragraph and/or definition for ICB which includes the following (or similar) language:

Arrangements will be developed on a case-by-case basis in response to a bona fide special request from a customer or prospective customer to develop a competitive bid for service not generally offered under this tariff. ICB rates will be offered to the customer in writing and on a non-discriminatory basis. ICB rates or contracts will be filed with the Commission (PaPUC) on request.

Correction on Page 7.
11. Original Page 10, Section 2.1.3 (C): Revise this section as automatic renewal is not permitted in Pennsylvania.
Correction on Page 10.
12. Original Pages 11-13: Liability: Revise this section to be consistent with the Commission's relevant Policy Statement at 52 Pa. Code§ 69.87 and the Commission Order under Docket No. M-00981209 as well as service interruption regulations at 52 Pa Code§ 63.24.
Correction on Pages 11-13.
13. Original Page 11, Section 2.1.4.A: The Company cannot remove responsibility for its own negligent action or that of its employees via the tariff. Remove the last sentence stating that "The Company will not be liable for any direct, indirect, incidental, special, consequential, exemplary or punitive damages to Customer as a result of any Company service, equipment or facilities, or the acts or omissions or negligence of the Company's employees or agents."
Correction on Page 11.
14. Original pages 17 and 18, 911 and E911: 911 Text: Replace text at Section 2.1.7; see our website for standard text at http://www.puc.state.pa.us/telecom/docs/911_Sample_Language.doc
Correction on Pages 17-19.
15. Original Page 24 Section 2.3.2: Revise this section. The Commission does not empower parties to collect costs, expenses, or legal fees from other parties via tariff.
Correction on Page 25.

16. Original Page 29, Section 2.5.2 Section F: Clearly specify if bills are paid by mail, the date of the postmark will be considered the date of payment. Change following section letters accordingly.
Correction on Page 29.
17. Original Page 37, Section 2.11.1: Remove all wording and replace with "Customers have up to 90 days (commencing 5 days after remittance of the bill) to initiate a dispute over charges or to receive credits. The Bureau of Consumer Services has primary jurisdiction over complaints and Customers may contact the Bureau at the following address : Bureau of Consumer Services, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, or by calling: Phone No. 1-800-692-7380, FAX 717-787-6641.
Correction on Page 37.
18. Original Pages 86, 87, 88 and 89, Section 3.2.9: Insert border at the top of the table.
Correction on Pages 86-89.
19. Original Page 102, Section 3.5.1: Insert the word "and" between business residential. See last line of the section.
Correction on Page 102.
20. Original Page 102, Section 3.5.2: Change the word "use" to "uses" found in the second line of the second paragraph.
Correction on Page 102.
21. Original Page 102, Section 3.5.2: in the last sentence remove the second "only when".
Correction on Page 102.
22. Liability: The limitations of liability tariff provisions should be generally consistent with the Commission's relevant Policy Statement at 52 Pa. Code§ 69.87 and the Commission Order under Docket No. M-00981209.
Correction on Pages 11-13.
23. Deposits for Residence: Interest on residential deposits is to be calculated pursuant to 52 Pa. Code§ 64.41 (currently equates to 6%).
Correction on Page 30.
24. Lifeline: Please be advised that as a non-Eligible Telecommunications Carrier (ETC), the Company is not mandated to provide Lifeline services to eligible end-users. Toll Presubscription: Add. See our website for standard text at http://www.puc.state.pa.us/telecom/docs/Toll_Presub_Sample_Language.doc
N/A
25. Pennsylvania Telecommunications Relay Service; Add text. See our website for standard text at http://www.puc.state.pa.us/telecom/docs/TRS_Sample_Language.doc
Correction on Pages 21-22.