

Local Access LLC

Docket Nos. A-2012-2322682; A-2012-2322686; A-2012-2322689

Proposed tariffs for Competitive Local Exchange Carrier Service

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

Tariff deficiencies noted – CLEC Local Tariff No. 1

1. All Pages: Enter issued and effective dates as per ordering paragraph. All pages.
2. Missing: The Company did not provide a page for future revisions, typically labeled “List of Modifications” as per 52 Pa. Code § 53.21(10) and 52 Pa. Code § 53.21. Preface Page 1
3. Original Page 1, Check Sheet: Under Section 2, there is no number 1 listed but the number 2 is duplicated. Change the first 2 to a 1. Preface Page 2
4. Original Page 1, Check Sheet: Under Section 2, there is a duplicate Number 12. Remove the duplicate one. Preface Page 2
5. Original Page 1, Check Sheet: Section 2 is missing for page 16. Need to add Section 2. Preface Page 2
6. Original Page 2, Check Sheet: Correct the font size and bold text. Preface Page 3
7. Original Pages 3-6, Table of Contents: Need to change numerous page numbers in the Table of Contents to reflect the correct page numbers in the tariff. Preface Page 4-7
8. Original Page 3, Table of Contents: Need to delete “2.2.1 Termination Liability Charge” due to section not found in tariff. Preface Page 4
9. Original Page 3, Table of Contents: “2.7 Suspension of Termination of Service” needs to be changed to read “Suspension, Termination, Discontinuation or refusal of Service” to reflect what is in the tariff. Preface Page 4
10. Original Page 4, Table of Contents: Delete labels with the Table of Contents for Section 2.7.1 through 2.7.12 as these do not have sub-headings within the tariff. Preface Page 4
11. Original Page 4, Table of Contents: “2.11 Provision, Ownership and Reservation of Telephone Numbers” needs to be aligned under “2.10.” Preface Page 5

12. Table of Contents: Add listing for Section 5.3.2 Operator Assistance Surcharges. Preface Page 6
13. Original Pages 1-7, Definitions: Only include definitions of terms used in the tariff. Either remove the following or provide a reference to Commission staff as to where in this tariff these terms are used: "Alternate Routing ("AR")," "Call Initiation," "Call Termination," "Customer Premises Equipment ("CPE")," "E911 Service Area," "E911 Customer," "Message Rate Service," and "On-Net." All deleted.
14. Original Page 1, Section 2.1.1.B: Delete the extra spaces. Original Page 1
15. Original Page 2, Section 2.1.2: Need to add a space between 2.1.2 and Limitations on Liability. Original Page 2
16. Original Page 4, Section 2.1.2.F.1: Remove "attorney fees." The Commission does not empower parties to collect their legal fees from other parties via the tariff. This must be dealt with in court proceedings or negotiations between the parties. Original Page 4
17. Original Page 5, Section 2.1: Missing 2.1.2.F Limitation of Liability (continued). Deleted
18. Original Page 5, Section 2.1.2.F.2: Remove "attorney fees." The Commission does not empower parties to collect their legal fees from other parties via the tariff. This must be dealt with in court proceedings or negotiations between the parties. Original Page 5
19. Original Page 8, Section 2.1.5: Section "2.1.5 Directory Errors (continued) needs to be moved up on the page and also add a space between 2.1.5 and Directory Errors. Original Page 8
20. Original Page 10, Section 2.2: Delete the extra spaces. Original Page 10
21. Various Pages: There are numerous pages within this tariff referencing Chapter 64 of the Commission's regulations which pertain to residential Service. If the Company intends to apply the more stringent rules for residential services to its business customers, then such references are appropriate. Otherwise, such references should be removed or revised. In other words, it is fine to cite Chapter 64 but the company must follow those regulations if used in this tariff for business customers. References removed.
22. Original Page 14, Section 2.3.3: Need to add "if bills are paid by mail, the date of the postmark will be considered the date of payment" as per 52 Pa Code § 53.84. Original Page 14
23. Original Page 14, Section 2.3.3: Remove "attorney fees." The Commission does not empower parties to collect their legal fees from other parties via the tariff. This must be dealt with in court proceedings or negotiations between the parties. Original Page 14
24. Original Page 16, Section 2.3.6: "2.3.6 Customer Overpayments" is listed twice, delete the second instance. Original Page 16
25. Original Page 18, Section 2: "2.6 Telephone Surcharge/Taxes" should read "2.7 Suspension, Termination, Discontinuation or Refusal of Service (continue)." Original Page 18

26. Original Page 26, Section 2.8.4: Need space between 2.8.4 Dishonored Checks and the above paragraph. Original Page 26
27. Original Page 27, Section 2.9: The second “2.9 Allowances for Interruptions in Service (continued)” and “2.9.1 Credit for Interruptions (continued)” need to be deleted. Original Page 27
28. Original Page 30, Section 2.9.2: Delete “D.” Original Page 30
29. Liability: Remove or revise any portion of this section that does not fit within the scope of 52 Pa. Code §69.87 and the Commission Order under Docket No. M-00981209. See <http://www.pabulletin.com/secure/data/vol29/29-17/659.html>. Revised Section 2.12, Section 2, Original Pages 2-6
30. Original Page 1, Section 3.1.1.A: Need to add the charge for the Service Order Charge. Section 3, Original Page 1
31. Original Page 2, Section 3.1.3.B.2: Is there something missing after cost of maintenance or should this be removed? Section 3, Original Page 2
32. Original Page 8, Section 4.2.3: The lower portion of the page belongs with text on page 9. Section 4, Original Page 9
33. Original Page 10, Section 4.2: “IP Control Service” needs to be labeled 4.2.4. Section 4, Original Page 10
34. Original Page 11, Section 4.2: Need to add “4.2.4 IP Control Service (continued).” Section 4, Original Page 11
35. Original Page 15, Section 5.3.2: Need to move “(continued)” behind “Rate Schedule” and slide “Calling Card assistance” over to align with the other services on the page. Section 5, Original Page 15
36. Original Pages 19 & 20, Section 5.5.2: Correct the formatting in these two pages. Section 5, Original Pages 19-20
37. Original Pages 1-33 Section 6 Service Areas: Revise text for consistency with rates found in Section 4.
- Pages 1-2, Section 6.1 claims each exchange within the Company's service area is assigned to specific Zones with unique rates for each zone. The tariff outlines the Company's rate centers as Zones One, Two and Four but only for the Philadelphia exchange. However, no such zones or rate structure is found in Section 4. Section 6, Original Pages 3, 6, 7, 9, 10, 11
 - Pages 3-19, Section 6.2 needs to be relabeled as Local Calling Areas for Exchanges in the Verizon Pennsylvania LLC service territory. There are numerous typographic errors within the calling areas as well. For example, the Langhorne Exchange is shown twice. Correct information for Incumbent Local Calling Areas can be downloaded from our website at http://www.puc.state.pa.us/utility_industry/telecommunications/application_to_provide_telecom_services.aspx or by clicking on the following: **Verizon PA** Section 6, Original Pages
 - Pages 20-26, Section 6.2 needs to be relabeled as Local Calling Areas for Exchanges in the Verizon North LLC service territory. Section 6, Original Pages 44-50

- Pages 27-33-19, Section 6.2 needs to be relabeled as Local Calling Areas for Exchanges in the CenturyLink service territory.
38. Original Page 1, Section 7.1: Please clarify how this section will be applied for Business only services.
39. Original Page 11, Section 7.4: TRS Surcharge rate for business customers must be corrected from \$0.09 to \$0.08. Section 7, Original Page 11

Tariff deficiencies noted – CLEC Switched Access Tariff No. 2

1. Add the following text to the Title Page after the above:
 - The Company will mirror the exchange area boundaries as stated in the tariffs of Verizon Pennsylvania Inc. Telephone Pa. P.U.C. Nos. 180A, 182, 182A, 185B and 185C; Verizon North Inc. Telephone Pa P.U.C. Nos. 1, 3, 5, and 6; and United Telephone Company of Pennsylvania d/b/a CenturyLink P.U.C. No. 27. Title page
2. All Pages: Enter issued and effective dates as per ordering paragraph. All Pages
3. All Pages: Need to add “Competitive Local Exchange Carrier - Switched Access” in header on all pages. All Pages
4. All Pages: Need to spell out COO/CO as Chief Operating Officer/Compliance Officer in footer of all pages. All Pages
5. All Pages: Need to follow the Paragraph Numbering Sequence on the Tariff Format Page throughout the tariff. There are numerous areas that do not follow the proper sequence. All pages
6. Missing: The Company did not provide a page for future revisions, typically labeled “List of Modifications” as per 52 Pa. Code § 53.21(10) and 52 Pa. Code § 53.21. Preface Original Page 1
7. Original Page 2, Table of Contents: Need to change the page number from 1 to read Original Page 2 and delete “Supplement No. 1” and “1st Revised Page 1” from header. Preface, Original Page 2
8. Original Page 2, Table of Contents: “5.1 Rates” should read “5.1 Access Service.” Preface, Original Page 3
9. Original Pages 5-10, Definitions: Only include definitions of terms used in the tariff. Either remove the following or provide a reference to Commission staff as to where in this tariff these terms are used: “Act,” “Customer Proprietary Network Information (CPNI),” “Digital Signal Level 1 (DS1),” “Digital Signal Level 3 (DS3),” “Grandfathered,” “Local Access and Transport Area (LATA),” “Local Exchange Routing Guide (LERG),” “Local Number Portability,” “North American Numbering Plan (NANP),” “Originating Carrier,” “Percent of Local Usage (PLU),” “Point of Interconnection (POI),” “State Commission,” “Terminating Carrier,” “Termination point,” and “V and H Coordinates Method.” Deleted all except V& H Coordinates Method, which is in the tariff.

10. Original Page 11, Section 2.1.3.3: Remove “legal fees and court costs.” The Commission does not empower parties to collect their legal fees and court costs from other parties via the tariff. This must be dealt with in court proceedings or negotiations between the parties. Moved to Original Page 7
11. Original Page 12, Section 2.1.4.1: Remove “punitive damages.” The Commission does not empower parties to collect their punitive damages from other parties via the tariff. This must be dealt with in court proceedings or negotiations between the parties. Original Page 8, item removed.
12. Original Page 14, Section 2.1.5: Remove “reasonable counsel fees.” The Commission does not empower parties to collect their counsel fees from other parties via the tariff. This must be dealt with in court proceedings or negotiations between the parties. Original Page 10, removed item.
13. Original Page 20, Section 2.3.3.6: Use the same font size for “the Company” as was used in the rest of the paragraph. Original page 16, removed item.
14. Original Page 25, Section 2.6.1.2: Cost recovery of PA USF is not permitted as a line item on end-user bills as per 52 Pa Code § 63.17. Moreover, any "recovery" fee passed onto the consumer must be tariff approved. Original Page 20.
15. Missing: Missing page 41. Deleted.
16. Original Page 46, Section 3.1.1: Formatting errors. Need to move a slash from the end of one line to the front of the next line and remove the last slash and bring the last line up to connect with the previous line. Original Page 38
17. Original Page 49, Section 3.1.2.1: Need to remove 3.1.2.1.1 and 3.1.1.1.2, they are not needed. Original Page 41
18. Missing: Missing Page 55. Deleted.
19. Original Page 63, Section 3.1.4: Need to move “-Chargeable” on the next line to read “-Chargeable Optional Features.” Original Page 55.
20. Liability: Remove or revise any portion of this section that does not fit within the scope of 52 Pa. Code §69.87 and the Commission Order under Docket No. M-00981209. See <http://www.pabulletin.com/secure/data/vol29/29-17/659.html>. All Limitation of Liability is on pages 5-9.