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## VIA OVERNIGHT DELIVERY

Cully Dale, Chief Regulatory Law Judge/Secretary Missouri Public Service Commission 200 Madison Street Jefferson City, MO 65102 Missouri Public Service Commission

Re:

Pac-West Telecomm, Inc. - Case No. LA-2006-0155, YL-2006-0580 (Tariff No. 4) and YL 2006-0581 (Tariff No. 2)

1) and YL-2006-0581 (Tariff No. 2)

Dear Ms. Dale,

On behalf of Pac-West Telecomm, Inc. ("Pac-West"), and in conjunction with staff's review of the above referenced tariffs filed with the Commission on January 27, 2006, enclosed are an original and eight (8) copies of amended pages for association with the pending tariffs. Included with this transmittal are the following Tariff 1 pages: Preface — Original Page 2 and Original Page 4, Section 2 — Original Page 13 and Section 3 — Original Page 1 and Original Page 2. Also, included are the following Tariff 2 pages: Preface — Original Page 2 and Original Page 4 and Section 3 — Original Page 1 and Original Page 2.

The tariff pages have been revised as follows: (1) to incorporate waivers to mirror those granted and outlined in the CPCN Order; (2) to indicate that interest on deposits will be 1% above the prime rate; (3) to incorporate the Commission's standard ICB tariff language and (4) to delete provisions for Customized Pricing Arrangement Offerings. The tariff pages continue to retain an issued date of January 27, 2006 and an effective date of March 15, 2006.

Please date stamp the extra enclosed copy and return it in the self-addressed stamped envelope provided herein. Should you have any questions regarding this filing, please do not hesitate to contact the undersigned.

Respectfully submitted,

Danielle C. Surt (mes)

Richard M. Rindler Danielle C. Burt

Counsel for Pac-West Telecomm, Inc.

**Enclosure** 

cc: Office of Public Counsel

# Pac-West Telecomm, Inc. Case No. LA-2006-0155 and YL-2006-0581

Revisions to P.S.C. Mo. Tariff No. 2

# WAIVER OF STATUES AND COMMISSON RULES

Pac-West Telecomm, Inc. ("Pac-West") is classified as a competitive telecommunications company and the following statutory provisions and Commission rules have been waived with respect to the Company's provision of local exchange telecommunications services as set forth herein:

## <u>Statutes</u>

392.210.2	-	Uniform system of accounts.
392.240(1)	-	Just and reasonable rates.
392.270 ′	-	Valuation of property (ratemaking).
392.280	-	Depreciation accounts.
392.290	-	Issuance of securities.
392.300.2	-	Acquisition of stock.
392.310	-	Stock and debt Issuance.
392.320	-	Stock dividend payment.
392.330	-	Issuance of securities, debts and notes.
392.340	-	Reorganizations.
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## Commission Rules

4 CSR 240-3.550(5)(C)	-	Exchange boundary maps.
4 CSR 240-10.020	-	Depreciation fund income.
4 CSR 240-30.040	-	Uniform System of Accounts.

# Table of Contents (Cont'd)

2.16	Incomplete Calls	22
2.17	Overcharge/Undercharge	22
2.18	Notices	
2.19	Emergency Calling	
	2.19.1 General	
	2.19.2 911 Requirements	
Secti	on 3 - Description Of Services	1
3.1	Trial Services	. <i>.</i> 1
3.2	Promotional Offerings	1
3.3	Individual Case Basis Offerings	1
3.4	[Reserved for Future Use]	2
3.5	Local Exchange Services	
3.6	Directory Assistance Service	4
	3.6.1 General	3
	3.6.2 Directory Assistance Call Allowance	3
3.7	Directory Listings	4
3.8	Number Intercept Service	4
3.9	Calling Scopes	4
3.10	Call Trace Service	5
Secti	on 4 - Rates and Charges	1
4.1	Calculation of Rates	
4.2	Local Exchange Service	2
	4.2.1 Business Service	2
4.3	Directory Assistance Service	4
	4.3.1 Local Directory Assistance	4
	4.3.2 National Directory Assistance	4

## SECTION 3. <u>DESCRIPTION OF SERVICES</u>

#### 3.1 Trial Services

3.1.1 The Company may offer new services, not otherwise tariffed, from time to time on a trial basis subject to Commission approval. Such trials are limited to a maximum of six months at which time the trial offering must be either withdrawn or made available on permanent basis.

## 3.2 Promotional Offerings

3.2.1 The Company will provide tariff notification to the Commission of its intent to offer promotional services and rates no less than seven (7) days prior to the beginning of each promotion. The notification will identify the specifics of the promotion, the exchange(s) within which the promotion will be offered, as well as the start and end dates of the promotion. The Company may offer existing services on a promotional basis, that provides special rates, terms, or conditions of service. Promotional offerings will have a duration and effectiveness of no longer than ninety (90) days.

## 3.3 Individual Case Basis ("ICB") Offerings

3.3.1 Centrex and private line services will be made available to customers in a non-discriminatory manner. Rates for Centrex and local exchange dedicated access, private line, non-switched services will be determined on an Individual Case Basis (ICB). ICB rates will be structured to recover the Company's cost of providing the service and will be made available to the Commission Staff upon request on a proprietary basis. ICB rates will not be used for switched services.

## SECTION 3. DESCRIPTION OF SERVICES (Cont'd)

- 3.4 [Reserved For Future Use]
- 3.5 Local Exchange Service
  - 3.5.1 Local Exchange Service is telephone service that entitles the customer to originate local calls, without toll charges, to all local exchange access lines connected to a Central Office (CO) of the exchange, or to all exchange access lines served by COs of the extended local service area where comprised of more than one exchange. Service will be provided where facilities are available from the Local Exchange Company (LEC). Pac-West offers SBC, Sprint and CenturyTel Local Exchange Services under resale.
  - 3.5.2 Service is classified as business service and business rates apply when any of the following conditions exist:
    - When the service is furnished at a location where a business, trade or practice is performed and where the use of the location is not confined primarily to domestic activities.
    - Service for social clubs (i.e. Elks, VFW, Eagles, etc.) will be considered business service.
    - When the directory listing is to be a business listing, except when a residence telephone number is advertised as an alternate call number in connection with a business telephone number.