

A Professional Limited Liability Company Attorneys at Law

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September 7, 1999

## **VIA AIRBORNE EXPRESS**

Mr. Dale Hardy Roberts, Executive Secretary State of Missouri Public Service Commission 301 West High Street Suite 530 Jefferson City, MO 65101 FILED<sup>2</sup>

Missouri Public Service Commission

Re:

Application of Axces Acquisition, Inc. for a Certificate of Service to Provide Intrastate Telecommunications Services within the State of Missouri

Case No. TA-2000-179

#### Dear Mr. Roberts:

Pursuant to telephone conversations with Commission staff, enclosed please find an original and fourteen (14) copies of tariff sheets 18, 19, 24, 25, 42, 30, 35-45 which should replace the previously filed tariff sheets.

In order to acknowledge receipt of this filing, please date-stamp and return the enclosed additional copy of this letter in the envelope provided.

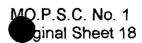
Should you have any questions or require additional information, please do not hesitate to call.

Sincerely,

EllenAnn G. Sands

EAS:es Enclosures

0000147



# 2.7.5 Cancellation by Customer

If a customer orders services requiring special equipment and/or facilities dedicated to customer's use and then cancels his order before the service begins or before a completion of the minimum period mutually agreed upon by customer and Axces, a charge will be made to customer for the non-recoverable portions of expenditures or liabilities incurred expressly on behalf of customer by Axces and not fully reimbursed by installation and monthly charges. If, based on such an order, any construction has either begun or been completed, but no such services provided, the non-recoverable cost of such construction shall be borne by customer.

# 2.7.6 Payment and Charges for Services

Charges for service are applied on a recurring and non-recurring basis. Service is provided and billed on a monthly basis. Service continues to be provided until instructed to be disconnected by customer orally or in writing.

# A. Payment of Charges

Payment will be due upon receipt of the statement and shall be considered past due or delinquent after being thirty days past the due date. Interest at the greater of 1.5% per month on commercial accounts or the highest rate allowed by law will accrue on any unpaid amount commencing on the sixteenth day after the due date.

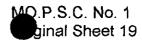
1. Customer is responsible for payment of all charges for service furnished to customer. The initial billing may consist of 1 months estimated usage billed in advance. Thereafter, charges based on actual usage during a month will be billed monthly in arrears. All fixed monthly and non-recurring charges for services ordered will be billed monthly in advance.

ISSUED:

August 20, 1999

EFFECTIVE: October 4, 1999

ISSUED BY:



# 2.7.6 Payment and Charges for Services

# A. <u>Payment of Charges</u> (continued)

- Service may be denied or discontinued for non-payment of amounts due Axces, past the due date. Restoration of service will be subject to all applicable installation charges. Disconnection may not occur before thirty (30) days from invoice. Axces will give five (5) days written notice before disconnection occurs. Restoration of service will be subject to all applicable installation charges.
- 3. All state and local taxes (i.e. gross receipts tax, sales tax, and municipal utilities tax) are listed as separate line items and are not included in the quoted rates. All charges and fees subject to the Commission's jurisdiction, excluding taxes and franchise fees, will be submitted to the Commission for review.

# 2.7.7 Application of Charges

The charges for service are those in effect for the period that service is furnished.

# 2.8 Responsibility of Carrier

# 2.8.1 <u>Calculation of Credit Allowance</u>

Pursuant to limitations set forth in Section 2.7.4, when service is interrupted the credit allowance will be computed on the following basis:

- A. No credit shall be allowed for an interruption of less than two hours.
- B. The customer shall be credited for each hour or major fraction thereof that an interruption continues beyond two hours.

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# 3.5 Calculation of Distance

Usage charges for all mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call.

The airline mileage between rate centers is determined by applying the formula below to the vertical and horizontal coordinates associated with the rate centers involved. The company uses the rate centers and associated vertical and horizontal coordinated that are produced by Bell Communication Research in their NPA-NXX V&H Coordinate Tape and AT&T Tariff.

Formula: 
$$\frac{(V1 - V2)^2 + (H1 - H2)^2}{V}$$

# 3.6 Minimum Call Completion Rate

The customer can expect a call completion rate of 99% per 100 calls attempted during peak use periods for all Feature Group D (1+) services.

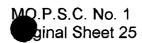
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ISSUED: A

August 20, 1999

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# 3.8 Description of Carrier Service

Axces will provide voice only telephone service. Axces will provide common shared access switched service, hereinafter referred to as Message Toll Service or MTS, outbound Wide Area Telephone Service (WATS), Inbound 800 Service, Directory Assistance. The customer's total monthly use of Axces' service is charged at the applicable rates per minute set forth herein and are based on the airline mileage between the points, where applicable, as determined by Calculation of Distance formula set forth herein. Axces will engineer its switching systems on the basis that ninety-nine percent (99%) of the customers accessing their system will be served during the busy hour.

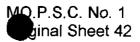
# 3.8.1 Message Toll Service (MTS)

MTS service is a measured use, full time service and is offered on a monthly basis, utilizing inter-city communications facilities shared among multiple users. The individual customer's basic monthly charges for the use of such inter-city communications facilities are based upon the time of day, the total minutes the customer utilizes such facilities or the distance of each call. For each call under the MTS option, the minimum charge shall be the applicable charge for one minute of use with use in excess of one minute during a call charged at the applicable rate per minute with the fraction, if any, of the last minute of each call rounded up to the next highest whole minute, unless stated otherwise.

ISSUED: August 20, 1999

EFFECTIVE: October 4, 1999

ISSUED BY:



# 4.6 Special Promotions

Prior approval of the Commission will be received for any special promotions offered by carrier. In no event will reduced rates offered under a special promotion extend for more than 90 days in any 12 month period.

# 4.7 <u>Directory Assistance</u>

The Company does not currently provide Directory Assistance services. However, customers may access Directory Assistance services provided by the company's underlying carrier at a charge of \$0.70 per call.

## 4.8 Rates Applicable for Hearing/Speech Impaired Persons

A telephone toll message which is communicated using a telecommunications device for the deaf (TDD) by properly certified hearing or speech impaired persons or properly certified business establishments or individuals equipped with TDDs for communicating with hearing or speech impaired persons will receive, upon request, credit on charges for all intrastate toll calls placed between TDDs. The credit to be given on a subsequent bill for such calls placed between TDDs will be equal to one-half the normal charges applying to the call. Customers of the company utilizing TDDs shall so be noted by the company prior to billing.

ISSUED:

August 20, 1999

EFFECTIVE: October 4, 1999

ISSUED BY:

# 4.3 MTS Service Plans

The Company will review the last bill from the prospective customer's previous telecommunications service provider in order to determine the call volume and rate plan which the customer will be offered. The rate plan initially offered to the customer will be based on the following volume levels and will remain constant for that customer, regardless of future call volume.

### A. Plan 912

- 1. Plan 912 is a month-to-month flat rated two-way calling multipoint service, accessible by customers on a dial-up basis.
- 2. Rate: .1349 flat (Day, Evening, Night). Based on call volume of \$10,000.
- 3. Billing: Plan 912 is billed in 60 second increments.

## B. Plan 913

- 1. Plan 913 is a month-to-month flat rated two-way calling multipoint service, accessible by customers on a dial-up basis.
- 2. Rate: .1399 flat (Day, Evening, Night). Based on call volume of \$9,500 to \$9,999.
- 3. Billing: Plan 913 is billed in 60 second increments.

### C. Plan 914

- 1. Plan 914 is a month-to-month flat rated two-way calling multipoint service, accessible by customers on a dial-up basis.
- 2. Rate: .1449 flat (Day, Evening, Night). Based on call volume of \$9,000 to \$9,499.
- 3. Billing: Plan 914 is billed in 60 second increments.

#### D. Plan 915

- 1. Plan 915 is a month-to-month flat rated two-way calling multipoint service, accessible by customers on a dial-up basis.
- 2. Rate: .1499 flat (Day, Evening, Night). Based on call volume of \$8,500 to \$8,999.
- 3. Billing: Plan 915 is billed in 60 second increments.

ISSUED: August 20, 1999 EFFECTIVE: October 4, 1999

ISSUED BY: Michael Avignon

Axces Acquisition, Inc. 2500 Wilcrest, 3rd Floor Houston, Texas 77042

### T. Plan 040/940

1. Plan 040 is a month-to-month two-way calling multipoint service, accessible by customers on a dial-up basis.

2. Rate: \$0.2999 per minute (Day)

\$0.2689 (Evening) \$0.02489 (Night) \$6.95 monthly fee \$0.10 per call

This rate plan is offered to residential customers with an interstate calling pattern utilizing less than \$15.00 per month.

3. Billing: Plan 040 is billed at an initial 30 second increment and 6 second increments thereafter.

## U. Plan 041/941

 Plan 041 is a month-to-month flat rated two-way calling multipoint service, accessible by customers on a dial-up basis.

2. Rate: \$0.2999 (Day)

\$0.2689 (Evening) \$0.02489 (Night) \$6.95 monthly fee

This rate plan is offered to residential customers with an interstate calling pattern utilizing more than \$15.00 per month.

3. Billing: Plan 041 is billed at an initial 30 second increment and 6 second increments thereafter.

ISSUED:

August 20, 1999

EFFECTIVE: October 4, 1999

**ISSUED BY:** 

## V. Plan 042/942

1. Plan 042 is a month-to-month two-way calling multipoint service, accessible by customers on a dial-up basis.

2. Rate: \$0.2999 (Day) \$0.2689 (Evening)

\$0.02489 (Night) \$6.95 monthly fee

\$0.12 per call

This rate plan is offered to residential customers with an interstate calling pattern utilizing less than \$10.00 per month.

3. Billing: Plan 042 is billed at an initial 30 second increment and 6 second increments thereafter.

## W. Plan W

- 1. Plan W is a month-to-month flat rated two-way calling multipoint service, accessible by customers on a dial-up basis.
- Rate: Intrastate calls \$0.15 per minute, flat\*
  \*(Interstate rates may differ)
  \$10.00 monthly service fee
  This rate plan is offered to residential customers.
- 3. Billing: Plan W is billed at an initial 30 second increment and 6 second increments thereafter.

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August 20, 1999

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## X. Plan X

- Plan X is a month-to-month flat rated two-way calling multipoint service, accessible by customers on a dial-up basis.
- Rate: Intrastate calls \$0.15 per minute, flat\*
  \*(Interstate rates may differ)
  \$15.00 monthly service fee
  This rate plan is offered to business customers.
- 3. Billing: Plan X is billed at an initial 30 second increment and 6 second increments thereafter.

ISSUED:

August 20, 1999

EFFECTIVE: October 4, 1999

**ISSUED BY:** 

# 4.4 800 Service Plans

### A. Plan 801

- 1. Plan 801 is a month-to-month, incoming service that allows calls which originate on the feature group facilities provided by the local exchange carrier to be terminated on a regular business line or special access line.
- 2. Rate: .1499 flat (Day, Evening, Night). Based on call volume of \$10,000.
- 3. Billing: Plan 801 is billed in 60 second increments.

## B. Plan 802

- 1. Plan 802 is month-to-month, incoming service that allows calls which originate on the feature group facilities provided by the local exchange carrier to be terminated on a regular business line or special access line.
- 2. Rate: .1549 flat (Day, Evening, Night). Based on call volume of \$9.500 to \$9.999.
- 3. Billing: Plan 802 is billed in 60 second increments.

## C. Plan 803

- 1. Plan 803 is month-to-month, incoming service that allows calls which originate on the feature group facilities provided by the local exchange carrier to be terminated on a regular business line or special access line.
- 2. Rate: .1599 flat (Day, Evening, Night). Based on call volume of \$9,000 to \$9,499.
- 3. Billing: Plan 803 is billed in 60 second increments.

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August 20, 1999

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## D. Plan 804

- 1. Plan 804 is month-to-month, incoming service that allows calls which originate on the feature group facilities provided by the local exchange carrier to be terminated on a regular business line or special access line.
- 2. Rate: .1649 flat (Day, Evening, Night). Based on call volume of \$8,500 to \$8,999.
- 3. Billing: Plan 804 is billed in 60 second increments.

## E. Plan 805

- 1. Plan 805 is month-to-month, incoming service that allows calls which originate on the feature group facilities provided by the local exchange carrier to be terminated on a regular business line or special access line.
- 2. Rate: .1699 flat (Day, Evening, Night). Based on call volume of \$8,000 to \$8,499.
- 3. Billing: Plan 805 is billed in 60 second increments.

### F. Plan 806

- 1. Plan 806 is month-to-month, incoming service that allows calls which originate on the feature group facilities provided by the local exchange carrier to be terminated on a regular business line or special access line.
- 2. Rate: .1749 flat (Day, Evening, Night). Based on call volume of \$7,500 to \$7,999.
- 3. Billing: Plan 806 is billed in 60 second increments.

### G. Plan 807

- 1. Plan 807 is month-to-month, incoming service that allows calls which originate on the feature group facilities provided by the local exchange carrier to be terminated on a regular business line or special access line.
- 2. Rate: .1799 flat (Day, Evening, Night). Based on call volume of \$7,000 to \$7,499.
- 3. Billing: Plan 807 is billed in 60 second increments.

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EFFECTIVE: October 4, 1999

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### H. Plan 808

- 1. Plan 808 is month-to-month, incoming service that allows calls which originate on the feature group facilities provided by the local exchange carrier to be terminated on a regular business line or special access line.
- 2. Rate: .1849 flat (Day, Evening, Night). Based on call volume of \$6,500 to \$6,999.
- 3. Billing: Plan 808 is billed in 60 second increments.

#### Plan 809

- 1. Plan 809 is month-to-month, incoming service that allows calls which originate on the feature group facilities provided by the local exchange carrier to be terminated on a regular business line or special access line.
- 2. Rate: .1899 flat (Day, Evening, Night). Based on call volume of \$6,000 to \$6,499.
- 3. Billing: Plan 809 is billed in 60 second increments.

### J. Plan 810

- 1. Plan 810 is month-to-month, incoming service that allows calls which originate on the feature group facilities provided by the local exchange carrier to be terminated on a regular business line or special access line.
- 2. Rate: .1949 flat (Day, Evening, Night). Based on call volume of \$5,500 to \$5,999.
- 3. Billing: Plan 810 is billed in 60 second increments.

### K. Plan 811

- Plan 811 is month-to-month, incoming service that allows calls which originate on the feature group facilities provided by the local exchange carrier to be terminated on a regular business line or special access line.
- 2. Rate: .1999 flat (Day, Evening, Night). Based on call volume of \$5,000 to \$5,499.
- 3. Billing: Plan 811 is billed in 60 second increments.

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EFFECTIVE: October 4, 1999

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## L. Plan 812

- Plan 812 is month-to-month, incoming service that allows calls which originate on the feature group facilities provided by the local exchange carrier to be terminated on a regular business line or special access line.
- 2. Rate: .2099 flat (Day, Evening, Night). Based on call volume of \$4,500 to \$4,999.
- 3. Billing: Plan 812 is billed in 60 second increments.

ISSUED:

August 20, 1999

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**ISSUED BY:** 

# 4.5 <u>Travel Card Service Plans</u>

### A. Plan 701

- 1. Plan 701 is a special travel feature whereby a Axces customer may access the network by means of an 800 number (provided by Axces) from any touchtone phone in the continental U. S.
- 2. Rate: .2490 flat (Day, Evening, Night). Based on call volume of \$10,000.
- 3. Billing: Plan 701 is billed in 60 second increments.

### B. Plan 702

- 1. Plan 702 is a special travel feature whereby a Axces customer may access the network by means of an 800 number (provided by Axces) from any touchtone phone in the continental U. S.
- 2. Rate: .2990 flat (Day, Evening, Night). Based on call volume of \$9,500 to \$9,999.
- 3. Billing: Plan 702 is billed in 60 second increments.

# C. Plan 703

- 1. Plan 703 is a special travel feature whereby a Axces customer may access the network by means of an 800 number (provided by Axces) from any touchtone phone in the continental U. S.
- 2. Rate: .3049 flat (Day, Evening, Night). Based on call volume of \$9,000 to \$9,499.
- 3. Billing: Plan 703 is billed in 60 second increments.

### D. Plan 704

- 1. Plan 704 is a special travel feature whereby a Axces customer may access the network by means of an 800 number (provided by Axces) from any touchtone phone in the continental U. S.
- 2. Rate: .3099 flat (Day, Evening, Night). Based on call volume of \$8,500 to 8,999.
- 3. Billing: Plan 704 is billed in 60 second increments.

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EFFECTIVE: October 4, 1999

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### E. Plan 705

- 1. Plan 705 is a special travel feature whereby a Axces customer may access the network by means of an 800 number (provided by Axces) from any touchtone phone in the continental U. S.
- 2. Rate: .3149 flat (Day, Evening, Night). Based on call volume of \$8,000 to \$8,499.
- 3. Billing: Plan 705 is billed in 60 second increments.

## F. Plan 706

- 1. Plan 706 is a special travel feature whereby a Axces customer may access the network by means of an 800 number (provided by Axces) from any touchtone phone in the continental U. S.
- 2. Rate: .3199 flat (Day, Evening, Night). Based on call volume of \$7,500 to \$7,999.
- 3. Billing: Plan 706 is billed in 60 second increments.

## G. Plan 707

- 1. Plan 707 is a special travel feature whereby a Axces customer may access the network by means of an 800 number (provided by Axces) from any touchtone phone in the continental U. S.
- 2. Rate: .3249 flat (Day, Evening, Night). Based on call volume of \$7,000 to \$7,499.
- 3. Billing: Plan 707 is billed in 60 second increments.

### H. Plan 708

- 1. Plan 708 is a special travel feature whereby a Axces customer may access the network by means of an 800 number (provided by Axces) from any touchtone phone in the continental U. S.
- 2. Rate: .3250 flat (Day, Evening, Night). Based on call volume of \$6,500 to \$6,999.
- 3. Billing: Plan 708 is billed in 60 second increments.

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### Plan 709

- 1. Plan 709 is a special travel feature whereby a Axces customer may access the network by means of an 800 number (provided by Axces) from any touchtone phone in the continental U. S.
- 2. Rate: .3299 flat (Day, Evening, Night). Based on call volume of \$6,000 to \$6,499.
- 3. Billing: Plan 709 is billed in 60 second increments.

## J. Plan 710

- 1. Plan 710 is a special travel feature whereby a Axces customer may access the network by means of an 800 number (provided by Axces) from any touchtone phone in the continental U. S.
- 2. Rate: .3349 flat (Day, Evening, Night). Based on call volume of \$5,500 to \$5,999.
- 3. Billing: Plan 710 is billed in 60 second increments.

### K. Plan 711

- 1. Plan 711 is a special travel feature whereby a Axces customer may access the network by means of an 800 number (provided by Axces) from any touchtone phone in the continental U. S.
- 2. Rate: .3399 flat (Day, Evening, Night). Based on call volume of \$5,000 to \$5,499.
- 3. Billing: Plan 711 is billed in 60 second increments.

### L. Plan 712

- 1. Plan 712 is a special travel feature whereby a Axces customer may access the network by means of an 800 number (provided by Axces) from any touchtone phone in the continental U. S.
- 2. Rate: .3449 flat (Day, Evening, Night). Based on call volume of \$4,500 to \$4,999.
- 3. Billing: Plan 712 is billed in 60 second increments.

ISSUED: August 20, 1999

EFFECTIVE: October 4, 1999

**ISSUED BY:** 

# 4.6 Special Promotions

Prior approval of the Commission will be received for any special promotions offered by carrier. In no event will reduced rates offered under a special promotion extend for more than 90 days in any 12 month period.

# 4.7 <u>Directory Assistance</u>

The Company does not currently provide Directory Assistance services. However, customers may access Directory Assistance services provided by the company's underlying carrier at a charge of \$0.65 per call.

# 4.8 Rates Applicable for Hearing/Speech Impaired Persons

A telephone toll message which is communicated using a telecommunications device for the deaf (TDD) by properly certified hearing or speech impaired persons or properly certified business establishments or individuals equipped with TDDs for communicating with hearing or speech impaired persons will receive, upon request, credit on charges for all intrastate toll calls placed between TDDs. The credit to be given on a subsequent bill for such calls placed between TDDs will be equal to one-half the normal charges applying to the call. Customers of the company utilizing TDDs shall so be noted by the company prior to billing.

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