

TELECOMMUNICATIONS SERVICES

Missouri Public
Service Commission

REC'D AUG 03 1998

TITLE PAGE

UNITED STATES TELECOMMUNICATIONS, INC. d/b/a TEL COM PLUS

REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES
APPLYING TO INTEREXCHANGE SERVICES
WITHIN THE STATE OF MISSOURI

This Tariff sets forth the services offerings, rates, terms and conditions applicable to the furnishing of intrastate interexchange and nonswitched local exchange (private line) communications services by United States Telecommunications, Inc. d/b/a Tel Com Plus, (hereinafter, the "Company") with principal offices at 13902 N. Dale Mabry, Suite 212, Tampa, Florida 33618. This Tariff applies to telecommunications services furnished in the State of Missouri. This Tariff is on file with the Missouri Public Service Commission (the "Commission"), and copies can be inspected, during normal business hours, at the Company's principal place of business.

CANCELLED

APR 24 1999

By
Public Service Commission
MISSOURI

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WAIVER OF RULES AND REGULATIONS

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Pursuant to Order of the Missouri Public Service Commission, the following statutory provisions and Commission rules have been waived with respect to the Company's provision of interexchange telecommunications services as set forth herein:

Statutes

Section 392.240(1)	Rates- Average return on investment
Section 392.270	Property valuation
Section 392.280	Depreciation accounts
Section 392.290	Issuance of stocks and bonds
Section 392.310	Issuance of stock
Section 392.320	Stock dividends
Section 392.330	Issuance of securities, debts, and rates
Section 392.340	Capitalization reorganization

Commission Rules

4 CSR 240-10.020	Depreciation of fund income
4 CSR 240-30.010(2)(C)	Posting of exchange rates at central operating offices
4 CSR 240-30.040	Uniform System of Accounts
4 CSR 240-32.030(1)(B)	Exchange boundary maps
4 CSR 240-32.030(1)(C)	Record-keeping
4 CSR 240-32.030(2)	In-state record keeping
4 CSR 240-32.050(3)-(6)	Information concerning local service tariffs, maps, directories, intercept and telephone numbers
4 CSR 240-32.070(4)	Coin telephone availability
4 CSR 240-33.030	Information regarding lowest price available
4 CSR 240-33.040(5)	Financing fee

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EXPLANATION OF SYMBOLS

The following symbols shall be used in this Tariff for the purpose indicated below:

- C - To signify changed regulation.
- D - To signify discontinued rate or regulation.
- I - To signify increased rate.
- M - To signify a move in location of text.
- N - To signify new rate or regulation.
- R - To signify reduced rate.
- S - To signify reissued matter.
- T - To signify a change in text but no change in rate or regulation.

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TARIFF FORMAT

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- A. Page Numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.

- B. Page Revision Numbers - Revision numbers also appear in the upper right hand corner of each page. These numbers are used to determine the most current sheet version on file with the Commission. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc., the most current sheet number on file with the Commission is not always the tariff page in effect.

- C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
 - 2.
 - 2.1.
 - 2.1.1.
 - 2.1.1.A.
 - 2.1.1.A.1.
 - 2.1.1.A.1.(a).
 - 2.1.1.A.1.(a).1.
 - 2.1.1.A.1.(a).1.(i).
 - 2.1.1.A.1.(a).1.(i).(1).

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SECTION 1 - DEFINITIONS

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Certain terms used generally throughout this Tariff are defined below.

Carrier: United States Telecommunications, Inc. d/b/a Tel Com Plus, a Florida Corporation, which is the issuer of this Tariff. Carrier also may be referred to as "Company."

Company: United States Telecommunications, Inc. d/b/a Tel Com Plus, a Florida Corporation, which is the issuer of this Tariff. Company also may be referred to as "Carrier."

Customer: The person or entity which orders service and is responsible for the payment of charges and for compliance with the Company's tariff regulations.

Incumbent Local Exchange Carrier (ILEC): A local exchange carrier that is providing telephone exchange service in an area on the date of the enactment of the Telecommunications Act of 1996 and that is deemed to be a member of the exchange carrier association.

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SECTION 2 - REGULATIONS

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2.1 Undertaking of the Company

2.1.1 Scope

The Company undertakes to furnish intrastate telecommunications services within the State of Missouri under the terms of this Tariff as a reseller. Service is available 24 hours a day, seven days a week.

The Company is responsible under this Tariff only for the services and facilities provided herein. Should Customers use such services and facilities to obtain access to services offered by other providers, the Company assumes no responsibility for such other service.

2.1.2 Shortage of Equipment or Facilities

The furnishing of service under this Tariff is subject to availability on a continuing basis of all necessary equipment or facilities from other telecommunications providers to the Company for resale.

2.1.3 Terms and Conditions

2.1.3.1 This Tariff shall be interpreted and governed by the laws of the State of Missouri.

2.1.3.2 Another telephone company must not interfere with the right of any person or entity to obtain service directly from the Company.

2.1.3.3 Customer has no property right to the telephone number or any other call number designation associated with services furnished by the Company. The Company reserves the right to change such numbers, or the central office designation associated with such numbers, or both, assigned to Customer, whenever the Company deems it necessary to do so in the conduct of its business.

2.1.3.4 Service may not be used for any unlawful purpose.

2.1.3.5 Neither the Company nor Customer may assign or transfer its rights or duties in connection with the services and facilities provided by the Company without the written consent of the other party, except that the Company may assign its rights and duties (a) to any subsidiary, parent company or affiliate of the Company; (b) pursuant to any sale or transfer or substantially all the assets of the Company; or (c) pursuant to any financing, merger or reorganization of the Company.

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2.2 Liability of the Company

- 2.2.1 The liability of the Company for damages arising out of the furnishing of its services, including but not limited to mistakes, omissions, interruptions, delays, or errors, other defects, or representations by the Company, or use of these services or damages arising out of the failure to furnish the service whether caused by acts or omission, shall be limited to the extension of allowances for interruptions as set forth in Section 2.6 below. The extension of such allowances for interruption shall be the sole remedy of Customer and the sole liability of the Company. 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.
- 2.2.2 The Company's liability for willful misconduct, if established as a result of judicial or administrative proceedings, is not limited by this Tariff. With respect to any other claim or suit, by a Customer or by others, for damages associated with the ordering (including the reservation of any specific number for use with a service), provision, termination, interruption or restoration of any service or facilities offered under this Tariff, and subject to the provisions of Section 2.6, the Company's liability, if any, shall be limited as provided herein.
- 2.2.3 The Company shall not be liable for any delay or failure of performance or equipment due to causes beyond its control, including but not limited to: acts of God, fire, flood, explosion or other catastrophes; and law, order, regulation, direction, action or request of the United States government or of any other government, including state and local governments having or claiming jurisdiction over the Company, or of any department, agency, commission, bureau, corporation or other instrumentality of any one or more these federal, state, or local governments, or of any military authority; preemption of existing service in compliance with national emergencies; insurrections; riots; wars; unavailability of rights-of-way or materials, or strikes, lockouts, work stoppages, or other labor difficulties.
- 2.2.4 The Company shall not be liable for: (a) any act or omission of any entity furnishing the Company or the Company's Customers facilities or equipment used for or with the services the Company offers; or (b) for the acts or omissions of other common carriers or warehousemen.
- 2.2.5 The Company shall not be liable for any damages or losses due to the fault or negligence of, or any omission by, Customer or due to the failure or malfunction of Customer-provided equipment or facilities.

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2.2 Liability of the Company (Cont'd)

2.2.6 Notwithstanding Customer's obligations as set forth in Section 2.3, the Company shall be indemnified, defended, and held harmless by Customer or by others authorized by it to use the service against any claim, loss or damage arising from Customer's use of services furnished under this Tariff, including:

2.2.6.1 Claims for defamation libel, slander, invasion of privacy, infringement of copyright, unauthorized use of trademark, trade name, or service mark, unfair competition; interference with or misappropriation, or violation of any contract, proprietary or creative right, or any other injury to any proprietary or creative right, or any other injury to any person, property, or entity arising from the material, data, information, or content, revealed to, transmitted, processed, handled, or used by the Company under this Tariff;

2.2.6.2 all other claims arising out of any act or omission of Customer or others, in connection with any service provided by the Company pursuant to this Tariff.

2.2.7 The entire liability of the Company for any claim, loss, damage or expense from any cause whatsoever shall in no event exceed sums actually paid to the Company by Customer for the specific services giving rise to the claim, and no action or proceeding against the Company shall be commenced more than one year after the service is rendered.

2.2.8 Company shall not be liable for any damages, including usage charges, that Customer may incur as a result of the unauthorized use of its Authorization Code(s) by others. The unauthorized use of Customer Authorization Code(s) includes, but is not limited to, the placement of calls using Customer's Authorization Code(s) without the authorization of the Customer. Customer shall be fully liable for all such usage charges.

2.2.9 THE COMPANY MAKES NO WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE, EXCEPT THOSE EXPRESSLY SET FORTH HEREIN.

2.2.10 The Company shall not be liable for any act or omission of any other company or companies furnishing a portion of the service, or for damages associated with service, channels, or equipment which it does not furnish, or for damages which result from the operation of Customer-provided systems, equipment, facilities or services which are interconnected with Company services.

2.2.11 No agent or employee of any other carrier shall be deemed to be an agent or employee of the Company.

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2.3 Discontinuance or Interruption of Service by Company

Without incurring any liability, Company may under the following conditions discontinue or interrupt Service that is being furnished.

- 2.3.1 For noncompliance with or violation of any applicable State, municipal or Federal law, ordinance or regulation or noncompliance with or violation of any Commission regulation.
- 2.3.2 For noncompliance with any of the provisions of this tariff governing Service.
- 2.3.3 In the event of Customer's use of Service in such a manner as to adversely affect Carrier's equipment or Service to others.
- 2.3.4 In the event of unauthorized or fraudulent use of Service.
- 2.3.5 By reason of any order or decision of a court or other government authority having jurisdiction that prohibits Carrier from furnishing Service to Customer.
- 2.3.6 In order to perform tests and inspections necessary to insure compliance with tariff regulations or the proper installation, operation, and maintenance of Carrier's equipment and facilities.
- 2.3.7 Carrier shall not be liable to Customer for any damages for Service interruption pursuant to this Section.

2.4 Restoration of Service

The use and restoration of Service shall in all cases be in accordance with the priority system specified in Part 64, Subpart D, of the Rules and Regulations of the Federal Communications Commission.

2.5 Payment and Billing

- 2.5.1 Payment for Service is made in advance by Customer at the time Prepaid Calling Service is initially purchased or replenished.
- 2.5.2 The security of Customer's Authorization Code(s) is the responsibility of Customer. All calls placed using Customer's Authorization Code(s) shall be deducted from Customer's account.
- 2.5.3 If notice from Customer of a dispute as to charges is not reported to a customer service representative or received in writing by Company within thirty (30) days after the date the charges are incurred, the billing will be considered correct.
- 2.5.4 Company shall promptly investigate all disputed charges and shall report its findings and disposition to Customer.

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2.6 Taxes

The Company reserves the right to charge the Customer an amount sufficient to recover any governmental assessments, fees, licenses or other similar taxes or fees imposed upon the Company. Any surcharge or fee other than taxes will be filed for Commission approval.

2.6.1 Rates and charges for the Company's prepaid services, as stated in the Company's rate schedule, do not include federal excise tax or those state and local taxes which are required to be paid at the point of sale. The tariffed rate does include those state and local taxes which are required to be paid on the usage of the underlying telecommunications service when that service originates and terminates within a particular tax jurisdiction.

2.7 Deposits

Company does not require or collect deposits from Customers.

2.8 Returned Check Charge

Company will bill Customer a one-time charge of \$20.00 if Customer's check for payment of service is returned for insufficient or uncollected funds, closed accounts, or any other insufficiency or discrepancy necessitating return of the check at the discretion of the drawee bank or other financial institution.

2.9 Timing of Calls

2.9.1 Usage sensitive charges are based on the actual usage of Carrier's network. Such charges are measured in Conversation Minutes.

2.9.2 Chargeable time for Customer shall begin when the called party answers, as determined by answer supervision, and shall end upon disconnection by either party.

2.9.3 The initial billing period (minimum call duration) is one (1) minute.

2.9.4 Unless otherwise specified in this tariff, for billing purposes usage is measured and rounded to the next higher one (1) minute increment after the initial period.

2.9.5 No charges apply for incomplete calls. If Customer believes it has been incorrectly billed for an incomplete calls, Carrier shall, upon notification, investigate the circumstances of the call and issue a credit when appropriate.

2.10 Cancellation or Termination of Service

Customer, at its option, may cancel or terminate the use of Service at any time.

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SECTION 3 - SERVICE DESCRIPTIONS AND RATES

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3.1 Prepaid Long Distance Service

Carrier's Prepaid Long Distance Service provides an outbound voice grade communications service. The Service allows customers to place direct-dialed calls to terminating locations by dialing a Company-provided access number and a Company-provided authorization number.

The prepaid long distance service rate does not include federal excise tax or those state and local taxes which are required to be paid at the point of sale. The tariffed rate does include those state and local taxes which are required to be paid on the usage of the underlying telecommunications service when that service originates and terminates within a particular tax jurisdiction.

Price Per Unit (measured in one minute increments) \$.40

3.2 Prepaid Card Service

Prepaid Card Service provides an outbound voice grade communications service for calls charged to a Prepaid Card. Prepaid Card Service allows customers to place direct-dialed calls to terminating locations areas by dialing a toll free number printed on the card and a Company-provided authorization number.

The number of available Prepaid Cards is subject to technical limitations. Such cards will be offered to Customers on a first come, first served basis. Prepaid Cards are available in various unit denominations as determined by the Carrier. Prepaid Cards will be sold at prices rounded to the nearest cent.

The prepaid calling card service rate does not include federal excise tax or those state and local taxes which are required to be paid at the point of sale. The tariffed rate does include those state and local taxes which are required to be paid on the usage of the underlying telecommunications service when that service originates and terminates within a particular tax jurisdiction.

Price Per Unit (measured in one minute increments) \$.40

3.2.1 All calls must be charged against a Prepaid Card that has a sufficient available balance.

3.2.2 The following types of calls may not be completed with the Prepaid Card Service:

- Calls to toll free numbers
- Calls to 900 numbers
- Directory Assistance calls
- All Operator Service calls
- Busy Line Verification and Interrupt Service
- Calls requiring the quotation of time and charges
- Air-to-Ground calls

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3.2 Prepaid Card Service (Cont'd)

3.2.3 Except as may be specifically referenced therein, calls made utilizing Prepaid Card Service are not included in any optional calling plans, or any other Company services or promotions.

3.3 Reserved for Future Use

3.4 Promotional Offerings

The Company, from time to time, may make promotional offerings of its services which may include waiving or reducing the applicable charges for the promoted service. The promotional offerings may be limited as to the duration, the date and times of the offerings and the locations where the offerings are made. Promotional offerings are subject to the approval of the Commission.

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