

From: efis.messenger@psc.mo.gov
Sent: Tuesday, January 13, 2004 11:30 AM
To: Kim.Happy@psc.mo.gov; Michelle.Schwartz@psc.mo.gov; S.Buyak@psc.mo.gov
Subject: Notification for Tracking No.: JC-2004-0832
Type of Submission: Substitute Tariff Sheets
Utility Company: Cinergy Communications Company-CLEC(Telephone)
PSC MO No: 2
Effective Date: 02/07/2004
Requested Effective Date:
Purpose of Filing: I have revised this tariff sheet per request of the MO PSC.

Date : 01/13/2004 **Time :** 11:30:09 AM

Dale Hardy Roberts, Secretary/Regulatory Law Judge
Missouri Public Service Commission
200 Madison St.
Jefferson City, MO 65102

January 7, 2004

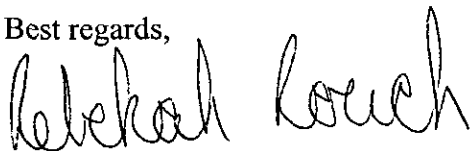
Dear Mr. Roberts,

Enclosed are an original and three copies of a tariff revision for P.S.C. Mo. No. 1 and a tariff revision for P.S.C. Mo. No. 2 filed by Cinergy Communications Company. The revision for P.S.C. Mo. No. 1 revises the check sheet, changes the text for the tax language in section 2.6.4 and adds a new regulation regarding regulatory charges. P.S.C. Mo. No. 1 First Revised Sheet No. 2 replaces P.S.C. Mo. No. 1 Original Sheet No. 2 and P.S.C. Mo. No. 1 First Revised Sheet No. 21 replaces P.S.C. Mo. No. 1 Original Sheet No. 21.

The revision for P.S.C. Mo. No. 2 changes the text for the tax language in section 2.28 and adds a new regulation regarding regulatory charges. P.S.C. Mo. No. 2 Section 2 – First Revised Page 23 will replace P.S.C. Mo. No. 2 Section 2 – Original Page 23.

If you have any questions regarding these submissions, please contact me at (812) 456-1216 or you can reach me by e-mail at rrouch@cinergycom.com. Thank you for your time and attention.

Best regards,



Rebekah Rouch
Cinergy Communications Company
1419 West Lloyd Expressway
Evansville, IN 47710

Enclosures

REGULATIONS**2.27 Payment for Service**

The Subscriber is responsible for the payment of all charges for facilities and services furnished by the Company to the Subscriber and to all Users authorized by the Subscriber, regardless of whether those services are used by the Subscriber itself or are resold to or shared with other persons. All charges due by Subscriber are payable to the Company or to any agency duly authorized to receive such payments. Terms of payment shall be according to the rules and regulations of the agency and subject to the rules of regulatory agencies, such as the Missouri Public Service Commission.

Company billing invoices will be considered correct and binding upon the Subscriber if no written notice is received from the Subscriber within ninety (90) days of the date of the invoice. Adjustments to Subscriber's bills shall be made to the extent circumstances exist which reasonably indicate that such changes are appropriate. Upon receipt of a billing inquiry, charges involved in the disputed elements of the invoice will be temporarily suspended pending resolution of the dispute. The Subscriber, however, remains responsible for the timely payment of the non-disputed elements of the invoice.

2.28 Taxes and Regulatory Charges**2.28.1 Taxes**

The Subscriber is responsible for payment of any sales, use, gross receipts, excise, access or other local, state and federal taxes, charges, surcharges or reimbursement of said taxes, charges or surcharges (however designated) imposed on or based upon the provision, sale or use of the Company network services. All applicable taxes shall be added pro rata, insofar as practical, and shall be listed as separate line items in Subscriber's billing invoices and are not included in the quoted rates herein. Company shall, so long as any such tax or fee is in effect, add to the bills of the customers in such political entity pro rata insofar as possible on the basis of the revenue derived by Company from each such customer, an amount sufficient to recover any such tax or fee and may list this amount separately the bill. (T)

2.28.2 Regulatory Charges

The Subscriber is responsible for any and all mandated, authorized, and/or allowed charges related to or arising out of Company's obligations to comply with regulatory directives of federal and state commissions with jurisdiction over telecommunications. In addition to such fees, Company will include a separate regulatory compliance charge to cover the administrative burden and overhead for such charges that may not be recovered as part of the separately itemized charge to the extent not prohibited by law. All regulatory charges will be listed as separate line items on Customer's bill and are not included in the quoted rates herein. (N)

Issued: January 8, 2004

Effective: February 7, 2004

Issued By: John Cinelli, President
Cinergy Communications Company
1419 West Lloyd Expressway
Evansville, IN 47710