# Lance J.M. Steinhart, P.C.

Attorney At Law 1720 Windward Concourse Suite 250 Alpharetta, Georgia 30005



Also Admitted in New York and Maryland

Telephone: (770) 232-9200 Facsimile: (770) 232-9208

January 5, 2006

# VIA OVERNIGHT DELIVERY

Ms. Pamela Bonrud
Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501-5070
(605) 773-3201

Re:

Budget Phone, Inc.

Access Service Tariff - TC05-194

Dear Ms. Bonrud:

Pursuant to staff request, enclosed please find one original and ten (10) copies of replacement tariff page 27 for Budget Phone, Inc.

I have also enclosed an extra copy of this cover letter to be date stamped and returned to me in the enclosed self-addressed prepaid envelope.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,

Angela Janssen

Legal Assistant to Lance J.M. Steinhart

Attorney for Budget Phone, Inc.

**Enclosures** 

cc:

Mr. Ron Munn

#### SECTION 2 - RULES AND REGULATIONS, (CONT'D)

### 2.10 Billing and Payment For Service (Continued)

#### 2.10.5 Late Payment Fees

A late payment charge of 1.5% per month, or the highest rate permitted by applicable law, whichever is less, shall be due to the Company for any billed amount for which payment has not been received by the Company within thirty (30) days of the invoice date of the Company's invoice for service, or if any portion of the payment is received by the Company in funds which are not immediately available upon presentment. If the last calendar day for remittance falls on a Sunday, legal holiday or other day when the offices of the Company are closed, the date for acceptance of payments prior to assessment of any late payment fees shall be extended through to the next business day.

## 2.10.6 Returned Check Charge

A service charge equal to \$30.00 will be assessed for all checks returned by a bank or other financial institution for: insufficient or uncollected funds, closed account, apparent tampering, missing signature or endorsement, or any other insufficiency or discrepancy necessitating return of the instrument at the discretion of the drawee bank or other financial institution.

#### 2.11 Taxes, Surcharges and Fees

- 2.11.1 All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items on the Customer's bill and are not included in the quoted rates and charges set forth in this tariff. To the extent that a municipality, other political subdivision or local agency of government, or Board imposes upon and collects from the Company a gross receipts tax, sales tax, occupation tax, license tax, permit fee, rights-of-way fee, franchise fee, or other regulatory fee or tax, such and fees and taxes shall, insofar as practicable and allowed by law, be billed pro rata to Customers receiving service from the Company within the territorial limits of such municipality, other political subdivision or local agency of government. It shall be the responsibility of the Customer to pay any such taxes and fees that subsequently become applicable retroactively.
- 2.11.2 The Company may adjust its rates and charges or impose additional rates and charges on its Customers in order to recover amounts it is required by governmental or quasi-governmental authorities to collect from or pay to others in support of statutory or regulatory programs.

Issued: November 21, 2005

Issued by:

Effective: January 20, 2006