# NOWALSKY, BRONSTON & GOTHARD

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November, 2006

#### Via Overnight Delivery

Executive Secretary
South Dakota Public Utilities Commission
500 E. Capitol Avenue
Pierre, SD 57501-5070

RE:

Transamerica Telecom, Inc. (Docket No. TC06-152)

Dear Sir:

Set forth below are responses to Staff's Data Requests dated September 19, 2006. An original and ten (10) copies of the responses are enclosed.

- 1-1 The Applicant hereby requests a waiver of ARSD 20:10:24:02(8): Current Cash Flow Statement. The Applicant is a new entity and has not had any Cash Flow statements prepared to date.
- 1-2 The Applicant's representatives are:

Complaints: Rich McDonald, 1707 Warren Road, Indiana, PA 15701; phone (724) 465-6075; facsimile (724) 599-1580; e-mail: rimcdonald@transamtel.com; 1-800-251-6144 (toll free). Regulatory Contact: Sherry Kammendiener, 1707 Warren Road, Indiana, PA 15701; phone (724) 465-6075; facsimile (724) 599-1580; e-mail: skammendiener@transamtel.com; 1-800-251-6144 (toll free).

The Applicant's toll free telephone number for complaints and regulatory affairs contacts is 1-800-814-2919.

1-3 The Applicant has applied for a Sales Tax License with the South Dakota Department of Revenue. The confirmation number of the filing is 200611169984.

1-4 and 1-5	Revised tariff sheet 14 is attached.
1-6 and 1-7	Revised tariff sheet 15 is attached.
1-8 and 1-9	Revised tariff sheet 16 is attached.
1-10	Revised tariff sheet 19 is attached.
1-11	Revised tariff sheet 24 is attached.

If you should have any questions regarding these responses, please do not hesitate to contact me. Thank you.

Sincerely.

Monica Borne Haab / M

# 2.6.5 Payment of Charges

- A. Service is provided and billed on a monthly (30 day) basis. Charges based on actual usage during a month will be billed monthly in arrears.
- B. Bills are payable upon receipt of invoice. Customers will be charged a late payment penalty in the amount of one and one-half percent (1.5%) per month, or the amount otherwise authorized by law, whichever is lower, on delinquent amounts and will be responsible for any charges associated with disconnection and reconnection of service. A bill will be considered delinquent after thirty (30) days from rendition of the invoice.
- C. In the event of a dispute concerning a bill, Customer must pay a sum equal to the amount of the undisputed portion of the bill and proceed with complaint procedures set forth in this tariff. If notice of a dispute as to charges is not received in writing within 180 days after a bill has been rendered, the billing will be considered correct and binding.
- D. Customer is responsible for payment of all state and local taxes (i.e. gross receipts tax, sales tax, municipal utilities tax) which shall be listed as separate line items and which are not included in Carrier's quoted rates.
- E. Customers will be charged a fee, or the amount authorized by law, on all checks issued to Carrier which are returned due to non-sufficient funds.

## 2.6.6 Application of Charges

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

**ISSUED:** 

**EFFECTIVE:** 

ISSUED BY: Robert E. Kane, President

Transamerica Telecom, Inc. 1707 Warren Road

Indiana, PA 15701

## 2.6.7 Customer Complaint Procedure

Carrier will resolve any disputes brought to its attention as promptly and effectively as possible.

Customer inquiries, complaints or notices may be made in writing to the Company at the address stated in this tariff or via the Customer Services toll free number: 1-800-251-6144.

Any unresolved disputes may be directed to the attention of the South Dakota Public Utilities Commission at:

500 East Capitol Avenue Pierre, South Dakota 57501-5070 (605) 773-3201 or 1-800-332-1782 1-800-877-1113 (TTY through Relay South Dakota) Website: http://www.state.sd.us/puc

In the event of a dispute concerning an invoice, the customer must pay a sum equal to the amount of the undisputed portion of the bill. Service shall not be disconnected for nonpayment of the disputed portion of the bill.

### 2.7.1 Cessation of Service

Service shall cease at the end of the customer's service period, or when the customer transfers service to another long distance carrier, whichever occurs first.

ISSUED:

**EFFECTIVE:** 

ISSUED BY: Robert E. Kane, President

Transamerica Telecom, Inc. 1707 Warren Road

Indiana, PA 15701

### 2.7.2 Disconnection of Service by Carrier

- A. Five (5) days prior notice of pending disconnection shall be rendered to customers setting forth the reason(s) for the notice and the final date by which the account is to be settled or specific action taken. Such notice shall be forwarded to the customer via U.S. mail and will be considered rendered when delivered to the last known address of the responsible party.
- B. Transmission service will be refused or disconnected, after notice as set forth below, for any of the following reasons:
  - 1. Without notice in the event of a condition on the customer's premises determined by the Carrier to be hazardous.
  - 2. Without notice in the event of customer's use in a manner which may adversely affect the Carrier's equipment or service to others.
  - 3. Without notice in the event of tampering with equipment furnished and owned by the Carrier.
  - 4. Without notice in the event of unauthorized use.
  - 5. After five (5) days written notice, for violation of or noncompliance with the Carrier's rules on file with the Commission, the requirements of municipal ordinances or law pertaining to the services.
  - 6. After five (5) days written notice for failure of the customer to permit Carrier reasonable access to its equipment.
  - 7. Upon five (5) days prior written notice for nonpayment of any sums due to Carrier for services provided under this tariff.

ISSUED: EFFECTIVE:

ISSUED BY: Robert E. Kane, President
Transamerica Telecom, Inc.
1707 Warren Road
Indiana, PA 15701

## 3.4 Terminal Equipment

- 3.4.1 Carrier's service may be used with or terminated in customer provided terminal equipment or customer provided communication systems, such as teleprinters, handsets, or data sets. Such terminal equipment shall be furnished and maintained at the expense of the customer. The customer is responsible for all costs at his premises, including customer personnel, wiring, electrical power, and the like incurred in his use of Carrier's service.
- 3.4.2 When terminal equipment is used, the equipment shall not interfere with service furnished to other customers. Additional protective equipment, if needed, shall be employed at the customer's expense.

## 3.5 Calculation of Distance

Usage charges for any 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 coordinates generally used within the industry.

Formula: 
$$\frac{(V1 - V2)^2 + (H1 - H2)^2}{10}$$

## 3.6 <u>Minimum Call Completion Rate</u>

The customer can expect a call completion rate of 99% of Feature Group D (1+) calls attempted.

## 3.7 <u>Promotional Offerings</u>

The Company may, from time to time, make promotional offerings to enhance marketing of services. These promotional offerings will be filed with the Commission.

ISSUED: EFFECTIVE:

ISSUED BY: Robert E. Kane, President

Transamerica Telecom, Inc.

1707 Warren Road Indiana, PA 15701

## 4.7 <u>Dishonored Check Charge</u>

All customers issuing dishonored check(s) will be charged a fee of \$20.00 per check.

## 4.8 Promotional Offerings

The Company may, from time to time, make promotional offerings to enhance marketing of services. These promotional offerings will be filed with the Commission.

# 4.9 Pay Telephone (Payphone) Surcharge

A \$0.35 surcharge shall be assessed for each call made from a pay telephone to an 8XX number or using a travel card and dialing the carrier prefix in the form 101XXXX.

**ISSUED:** 

**EFFECTIVE:** 

ISSUED BY: Robert E. Kane, President

Transamerica Telecom, Inc.

1707 Warren Road Indiana, PA 15701