



January 24, 2014

Via Web Filing

Eric Paulson, Utility Analyst  
South Dakota Public Utilities Commission  
State Capitol  
500 East Capitol Avenue  
Pierre, SD 57501-5070

Re: Broadvox-CLEC, LLC - Filing of Amendment to South Dakota Access Tariff No. 1- Docket TC13-137

Dear Mr. Paulson:

Broadvox-CLEC, LLC ("Broadvox") received the Staff data request in the above referenced proceeding. Broadvox responds as follows:

1-1) In the change on page No. 25, in the first paragraph in the 4<sup>th</sup> line from the bottom it states, "...Company within (60) days of the...". To remain consistent with the rest of the tariff where numbers are listed, could the company add the word "sixty" in front of the (60)?

Broadvox will make the requested change.

1-2) Please explain why the language in 2.5.3 has been changed from ultimately saying both sides can recoup any costs, depending on who prevails from the disagreement, to saying just the company can and not including anything about the customer?

Broadvox changed this provision within its tariff to more closely match standard tariff language used by the industry. Broadvox has reviewed and found at least the following tariffs filed by similarly situated carriers that have comparable provisions. These tariffs do not mention payment of attorney fees by the Company to the Customer. Broadvox simply seeks the same protections enjoyed by the following carriers:

Bandwidth.com, CLEC § 2.3.2  
Bullseye § 2.8.2  
dishNET Wireline, LLC § 2.3.2 (C)  
Ionex § 2.3.2  
Neutral Tandem § 2.3.7 (C)  
Sage Telecom § 2.8.2  
Teleport Communications America § 2.3.7(A)(2)  
YMAX Communications § 2.3.2

Please direct any questions you may have regarding this filing to my attention at 216-373-4809 or via email to [nezzie@broadvox.com](mailto:nezzie@broadvox.com). Thank you for your assistance in this matter.

Many Regards,

*/s/ Nadine J. Ezzie*  
*Filed Electronically*

Nadine Ezzie  
Deputy General Counsel

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## CERTIFICATE OF SERVICE

Dana Hoyle hereby certifies that on the 24<sup>th</sup> of January 2014, she filed the foregoing Response to Staff Data Request in Docket TC13-137, electronically with the Public Utilities Commission, with electronic copies sent to the following persons:

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*/s/ Dana Hoyle*  
*Filed Electronically*