



210 N. Park Ave.  
Winter Park, FL  
32789

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Winter Park, FL  
32790-0200

Tel: 407-740-8575  
Fax: 407-740-0613  
tmi@tminc.com

Docket Control Center  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

AZ CORP COMMISSION  
DOCUMENT CONTROL

**Re: Response to Data Request for Operator Service Company**  
**Docket Number U-2612-91-175**

T-02612A-91-0175

Dear Sir/Madam:

In response to the Data Request issued by the Arizona Corporation Commission, enclosed for filing are the original and thirteen (13) copies of the updated application and tariff filed on behalf of Operator Service Company.

Questions regarding this filing may be directed to my attention at (407) 740-8575 or via e-mail at cwightman@tminc.com.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it in the self-addressed, stamped envelope enclosed for this purpose.

Sincerely,

  
Connie Wightman

Consultant to Operator Service Company

CW/im.

cc: Kirk Smith, OSC  
File: OSC - AZ  
TMS: AZO0301

C



0000058725

RECEIVED

2003 JUN 27 P 4: 41

Via Overnight Delivery

Arizona Corporation Commission

DOCKETED

JUN 27 2003

DOCKETED BY	
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If the Applicant wants to provide any type of Non-Customer Owned Pay Telephone ("COPT") telecommunications services in Arizona, provide the Arizona Corporation Commission ("Commission") with information being requested.

Remember that information submitted for a Certificate of Convenience and Necessity ("CC&N") will be made part of the public record (including financial statements). Any information designated as confidential will not be accepted by Docket Control. **Mail your original CC&N application plus thirteen (13) copies to Arizona Corporation Commission, Docket Control, 1200 W. Washington Street, Phoenix, AZ 85007-2927.**

Make sure each numbered item and part of the item in each section is answered completely. If it is not, Staff will re-submit the numbered item(s) of any incomplete response to you in a data request. In order for Staff to review your application, complete the following form. Thank you.

ARIZONA CORPORATION COMMISSION

Application and Petition for Certificate of Convenience and Necessity to Provide  
Intrastate Telecommunications Services

Mail original plus 13 copies of completed application to: For Docket Control Only:  
(Please Stamp Here)

Docket Control Center  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007-2927

Please indicate if you have current applications pending  
in Arizona as an Interexchange reseller, AOS provider,  
or as the provider of other telecommunication services.

Type of Service: Alternative Operator Services

Docket No.: U-2612-91-175 Date: June 28, 2003 Date Docketed: 1991

Type of Service: \_\_\_\_\_

Docket No.: \_\_\_\_\_ Date: \_\_\_\_\_ Date Docketed: \_\_\_\_\_

**A. COMPANY AND TELECOMMUNICATION SERVICE INFORMATION**

(A-1) Please indicate the type of telecommunications services that you want to provide in Arizona and answer the appropriate numbered items:

- Resold Long Distance Telecommunications Services (Answer Sections A, B).
- Resold Local Exchange Telecommunications Services (Answer Sections A, B, C).
- Facilities-Based Long Distance Telecommunications Services (Answer Sections A, B, D).
- Facilities-Based Local Exchange Telecommunications Services (Answer Sections A, B, C, D, E)
- Alternative Operator Services Telecommunications Services (Answer Sections A, B)

(A-2) The name, address, telephone number (including area code), facsimile number (including area code), e-mail address, and World Wide Web address (if one is available for consumer access) of the Applicant:

Operator Service Company Telephone: (806) 747-2474  
5302 Avenue Q Facsimile: (806) 747-5047  
Lubbock, Texas 74912 www.osc.com

(A-3) The d/b/a ("Doing Business As") name if the Applicant is doing business under a name different from that listed in Item (A-2):

Not applicable

(A-4) The name, address, telephone number (including area code), facsimile number (including area code), and E-mail address of the Applicant's Management Contact:

Kirk Smith, President

Operator Service Company

Telephone: (806) 747-2474

5302 Avenue Q

Facsimile: (806) 747-5047

Lubbock, Texas 74912

kirk.smith@osc.com

(A-5) The name, address, telephone number (including area code), facsimile number (including area code), and E-mail address of the Applicant's Attorney and/or Consultant:

Connie Wightman, Technologies Management, Inc.

Telephone: (407) 740-8575

P.O. Box 200

Facsimile: (407) 740-0613

Winter Park, Florida 32790

cwrightman@tminc.com

(A-6) The name, address, telephone number (including area code), facsimile number (including area code), E-mail address of the Applicant's Complaint Contact Person:

Paula Wilkinson, Director Customer Relations

Operator Service Company

Telephone: (800) 658-6041

5302 Avenue Q

Facsimile: (806) 747-5047

Lubbock, Texas 74912

paula.wilkinson@osc.com

(A-7) What type of legal entity is the Applicant?

Sole proprietorship

Partnership: \_\_\_ Limited, \_\_\_ General, \_\_\_ Arizona, \_\_\_ Foreign

Limited Liability Company: \_\_\_ Arizona, \_\_\_ Foreign

Corporation: \_\_\_ X "S", \_\_\_ "C", \_\_\_ Non-

Domicile: \_\_\_ Arizona, \_\_\_ X Foreign

Other, specify: \_\_\_\_\_

(A-8) Please include "Attachment A":

Attachment "A" must include the following information:

1. A copy of the Applicant's Certificate of Good Standing as a domestic or foreign corporation, LLC, or other entity in the State of Arizona.
2. A list of the names of all owners, partners, limited liability company managers (or if a member managed LLC, all members), or corporation officers and directors (specify).
3. Indicate percentages of ownership of each person listed in A-8.2.

(A-9) Include your Tariff as "Attachment B".

Your Tariff must include the following information:

1. Proposed Rates and Charges for each service offered (reference by Tariff page number).
2. Tariff Maximum Rate and Prices to be charged (reference by Tariff page number).
3. Terms and Conditions Applicable to provision of Service (reference by Tariff page number).
4. Deposits, Advances, and/or Prepayments Applicable to provision of Service (reference by Tariff page number).
5. The proposed fee that will be charged for returned checks (reference by Tariff page number).

(A-10) Indicate the geographic market to be served:



Statewide. (Applicant adopts statewide map of Arizona provided with this application).



Other. Describe and provide a detailed map depicting the area.

(A-11) Indicate if the Applicant or any of its officers, directors, partners, or managers has been or are currently involved in any formal or informal complaint proceedings pending before any state or federal regulatory commission, administrative agency, or law enforcement agency.

Describe in detail any such involvement. Please make sure you provide the following information:

1. States in which the Applicant has been or is involved in proceedings.
2. Detailed explanations of the Substance of the Complaints.
3. Commission Orders that resolved any and all Complaints.
4. Actions taken by the Applicant to remedy and/or prevent the Complaints from re-occurring.

**The applicant has not been involved in any formal complaints or informal complaints which resulted in a the opening of a proceeding before any state or federal regulatory commission, administrative agency, or law enforcement agency. All informal complaints and inquiries have been handled routinely.**

(A-12) Indicate if the Applicant or any of its officers, directors, partners, or managers has been or are currently involved in any civil or criminal investigation, or had judgments entered in any civil matter, judgments levied by any administrative or regulatory agency, or been convicted of any criminal acts within the last ten (10) years.

Describe in detail any such judgments or convictions. Please make sure you provide the following information:

1. States involved in the judgments and/or convictions.
2. Reasons for the investigation and/or judgment.
3. Copy of the Court order, if applicable.

**No officer, director, partner or manager has been involved in any civil or criminal investigation, had judgments entered or levied or been convicted of any criminal acts within the last ten years.**

(A-13) Indicate if the Applicant's customers will be able to access alternative toll service providers or resellers via 1+101XXXX access.

Yes

No

(A-14) Is applicant willing to post a Performance Bond? Please check appropriate box(s).

For Long Distance Resellers, a \$10,000 bond will be recommended for those resellers who collect advances, prepayments or deposits.

Yes

No

If "No", continue to question (A-15).

For Local Exchange Resellers, a \$25,000 bond will be recommended.

Yes

No

If "No", continue to question (A-15).

For Facilities-Based Providers of Long Distance, a \$100,000 bond will be recommended.

Yes

No

If "No", continue to question (A-15).

For Facilities-Based Providers of Local Exchange, a \$100,000 bond will be recommended.

Yes

No

If "No", continue to question (A-15).

Note: Amounts are cumulative if the Applicant is applying for more than one type of service.

(A-15) If No to any of the above, provide the following information. Clarify and explain the Applicant's deposit policy (reference by tariff page number). Provide a detailed explanation of why the applicant's superior financial position limits any risk to Arizona consumers.

**Not applicable.**

(A-16) Submit copies of affidavits of publication that the Applicant has, as required, published legal notice of the Application in all counties where the applicant is requesting authority to provide service.

Note: Prior to issuance of the CC&N, the Applicant must complete and submit an Affidavit of Publication Form as Attachment "C". Refer to the Commission's website for Legal Notice Material (Newspaper Information, Sample Legal Notice and Affidavit of Publication).

(A-17) Indicate if the Applicant is a switchless reseller of the type of telecommunications services that the Applicant will or intends to resell in the State of Arizona:

Yes  No

If "Yes", provide the name of the company or companies whose telecommunications services the Applicant resells.

(A-18) List the States in which the Applicant has had an application approved or denied to offer telecommunications services similar to those that the Applicant will or intends to offer in the State of Arizona:

**Applicant is certified in Alabama, Arkansas, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Iowa, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, Maryland, Michigan, Minnesota, Missouri, Mississippi, Montana, North Carolina, North Dakota, Nebraska, New Jersey, New Mexico, Nevada, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, Vermont, Washington, Wisconsin, West Virginia and Wyoming. The Company has applications pending in Maine and Connecticut and maintains current Rates, Terms and Conditions on file with the FCC. The Company also offers service in the District of Columbia and Utah where no certification is required.**

(A-19) List the States in which the Applicant currently offers telecommunications services similar to those that the Applicant will or intends to offer in the State of Arizona.

**Applicant offers services where certification is approved. See A-18 above.**

(A-20) List the names and addresses of any alternative providers of the service that are also affiliates of the telecommunications company, as defined in R14-2-801.

**None.**

#### **B. FINANCIAL INFORMATION**

(B-1) Indicate if the Applicant has financial statements for the two (2) most recent years.

Yes  No

If "No," explain why and give the date on which the Applicant began operations.

(B-2) Include "Attachment D".

Provide the Applicant's financial information for the two (2) most recent years.

1. A copy of the Applicant's balance sheet.
2. A copy of the Applicant's income statement.
3. A copy of the Applicant's audit report.
4. A copy of the Applicant's retained earnings balance.
5. A copy of all related notes to the financial statements and information.

Note: Make sure "most recent years" includes current calendar year or current year reporting period.

(B-3) Indicate if the Applicant will rely on the financial resources of its Parent Company, if applicable.

(B-4) The Applicant must provide the following information.

1. Provide the projected total revenue expected to be generated by the provision of telecommunications services to Arizona customers for the first twelve months following certification, adjusted to reflect the maximum rates for which the Applicant requested approval. Adjusted revenues may be calculated as the number of units sold times the maximum charge per unit.
2. Provide the operating expenses expected to be incurred during the first twelve months of providing telecommunications services to Arizona customers following certification.
3. Provide the net book value (original cost less accumulated depreciation) of all Arizona jurisdictional assets expected to be used in the provision of telecommunications service to Arizona customers at the end of the first twelve months of operation. Assets are not limited to plant and equipment. Items such as office equipment and office supplies should be included in this list.
4. If the projected value of all assets is zero, please specifically state this in your response.
5. If the projected fair value of the assets is different than the projected net book value, also provide the corresponding projected fair value amounts.

**C. RESOLD AND/OR FACILITIES-BASED LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES**

(C-1) Indicate if the Applicant has a resale agreement in operation,

Yes  No

If "Yes", please reference the resale agreement by Commission Docket Number or Commission Decision Number.

**D. FACILITIES-BASED LONG DISTANCE AND/OR FACILITIES BASED LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES**

(D-1) Indicate if the Applicant is currently selling facilities-based long distance telecommunications services AND/OR facilities-based local exchange telecommunications services in the State of Arizona. This item applies to an Applicant requesting a geographic expansion of their CC&N:

Yes  No

If "Yes," provide the following information:

1. The date or approximate date that the Applicant began selling facilities-based long distance telecommunications services AND/OR facilities-based local exchange telecommunications services for the State of Arizona.
2. Identify the types of facilities-based long distance telecommunications services AND/OR facilities-based local exchange telecommunications services that the Applicant sells in the State of Arizona.

If "No," indicate the date when the Applicant will begin to sell facilities-based long distance telecommunications AND/OR facilities-based local exchange telecommunications services in the State of Arizona:

(D-2) Check here if you wish to adopt as your petition a statement that the service has already been classified as competitive by Commission Decision:

- Decision # 64178 Resold Long Distance
- Decision # 64178 Resold LEC
- Decision # 64178 Facilities Based Long Distance
- Decision # 64178 Facilities Based LEC

**E. FACILITIES-BASED LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES**

(E-1) Indicate whether the Applicant will abide by the quality of service standards that were approved by the Commission in Commission Decision Number 59241:

Yes

No

(E-2) Indicate whether the Applicant will provide all customers with 911 and E911 service, where available, and will coordinate with incumbent local exchange carriers ("ILECs") and emergency service providers to provide this service:

Yes

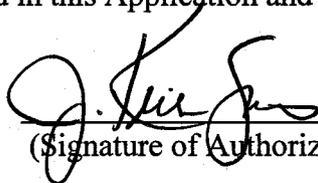
No

(E-3) Indicate that the Applicant's switch is "fully equal access capable" (i.e., would provide equal access to facilities-based long distance companies) pursuant to A.A.C. R14-2-1111 (A):

Yes

No

I certify that if the applicant is an Arizona corporation, a current copy of the Articles of Incorporation is on file with the Arizona Corporation Commission and the applicant holds a Certificate of Good Standing from the Commission. If the company is a foreign corporation or partnership, I certify that the company has authority to transact business in Arizona. I certify that all appropriate city, county, and/or State agency approvals have been obtained. Upon signing of this application, I attest that I have read the Commission's rules and regulations relating to the regulations of telecommunications services (A.A.C. Title 14, Chapter 2, Article 11) and that the company will abide by Arizona state law including the Arizona Corporation Commission Rules. I agree that the Commission's rules apply in the event there is a conflict between those rules and the company's tariff, unless otherwise ordered by the Commission. I certify that to the best of my knowledge the information provided in this Application and Petition is true and correct.



\_\_\_\_\_  
(Signature of Authorized Representative)

6/23/03

\_\_\_\_\_  
(Date)

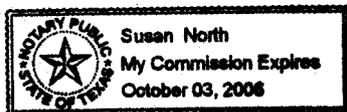
J. Kirk Smith

\_\_\_\_\_  
(Print Name of Authorized Representative)

Vice President

\_\_\_\_\_  
(Title)

SUBSCRIBED AND SWORN to before me this 23<sup>rd</sup> day of June, 2003



  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires 10/3/06

Attachment A

OPERATOR SERVICE COMPANY

Corporate Information

Attachment A - 1

OPERATOR SERVICE COMPANY

Certificate of Good Standing

# STATE OF ARIZONA



Office of the  
**CORPORATION COMMISSION**

**CERTIFICATE OF GOOD STANDING**

To all to whom these presents shall come, greeting:

I, Brian C. McNeil, Executive Secretary of the Arizona Corporation Commission, do hereby certify that

**\*\*\*OPERATOR SERVICE COMPANY\*\*\***

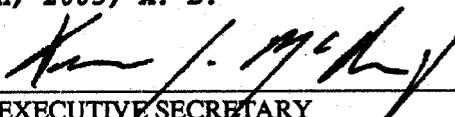
a foreign corporation organized under the laws of Texas did obtain authority to transact business in the State of Arizona on the 9th day of November 1992.

I further certify that according to the records of the Arizona Corporation Commission, as of the date set forth hereunder, the said corporation has not had its authority revoked for failure to comply with the provisions of the Arizona Business Corporation Act; that its most recent Annual Report, subject to the provisions of A.R.S. sections 10-122, 10-123, 10-125 & 10-1622, has been delivered to the Arizona Corporation Commission for filing; and that the said corporation has not filed an Application for Withdrawal as of the date of this certificate.

This certificate relates only to the legal authority of the above named entity as of the date issued. This certificate is not to be construed as an endorsement, recommendation, or notice of approval of the entity's condition or business activities and practices.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Arizona Corporation Commission. Done at Phoenix, the Capital, this 6th Day of March, 2003, A. D.



  
EXECUTIVE SECRETARY

BY: 

Attachment A - 2

OPERATOR SERVICE COMPANY

Officers and Directors

**Officers**

Michael R. Smith, President  
William Foltz, Jr., Vice President  
Douglas E. Johnston, Vice President  
Eva M. Kalawski, Secretary  
Robert J. Joubran, Treasurer  
Mark Reader, Assistant Treasurer

**Directors**

Tom T. Gores

Attachment A - 3

OPERATOR SERVICE COMPANY

Stockholders and Percentage of Ownership

Will be provided under separate cover.

Attachment B

OPERATOR SERVICE COMPANY

Tariff

TARIFF SCHEDULES  
APPLICABLE TO  
ALTERNATIVE OPERATOR SERVICES  
NAMING  
RATES, RULES AND REGULATIONS  
GOVERNING OPERATIONS  
OF  
OPERATOR SERVICE COMPANY

5302 Avenue Q  
Lubbock, TX 79412  
806-747-2472  
800-658-6041

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Issued: June 27, 2003  
Effective:

Issued by: Kirk Smith, President

CHECK SHEET

Pages listed below of this tariff are effective as of the date shown at the bottom of each sheet. Original and revised pages, as named below, contain all changes from the original tariff that are in effect on the date thereon except as otherwise noted.

<u>PAGE</u>	<u>REVISION</u>		<u>PAGE</u>	<u>REVISION</u>	
1	ORIGINAL	*	21	ORIGINAL	*
2	ORIGINAL	*	22	ORIGINAL	*
3	ORIGINAL	*	23	ORIGINAL	*
4	ORIGINAL	*	24	ORIGINAL	*
5	ORIGINAL	*	25	ORIGINAL	*
6	ORIGINAL	*	26	ORIGINAL	*
7	ORIGINAL	*	27	ORIGINAL	*
8	ORIGINAL	*			
9	ORIGINAL	*			
10	ORIGINAL	*			
11	ORIGINAL	*			
12	ORIGINAL	*			
13	ORIGINAL	*			
14	ORIGINAL	*			
15	ORIGINAL	*			
16	ORIGINAL	*			
17	ORIGINAL	*			
18	ORIGINAL	*			
19	ORIGINAL	*			
20	ORIGINAL	*			

Issued: June 27, 2003  
Effective:

Issued by: Kirk Smith, President

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Rules and Regulations.....	9
Description of Services .....	15
Rates.....	21

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Issued: June 27, 2003  
Effective:

Issued by: Kirk Smith, President

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**SYMBOLS**

Explanation of Symbols - When changes are made in any tariff sheet, a revised sheet will be issued canceling the tariff sheet affected. Changes will be identified on the revised sheet(s) through the use of the following symbols:

- (D) - Delete or Discontinue.
- (I) - Change Resulting in an Increase to a Customer's Bill.
- (M) - Moved from another Tariff Location.
- (N) - New
- (R) - Change Resulting in a Reduction to a Customer's Bill.
- (T) - Change in Text or Regulation, but No Change in Rate or Charge.

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Issued: June 27, 2003  
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**TARIFF FORMAT**

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

B. Page Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the ACC. For example, the 4th revised Page 14 cancels the 3rd revised Page 14. Because of various suspension periods, deferrals, etc. the ACC follows in their tariff approval process, the most current page number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the page currently 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).I.
- 2.1.1.(A).1.(a).I.(i).

D. Check Sheets - When a tariff filing is made, an updated check sheet accompanies the tariff filing. The Check Sheet lists the pages contained in the tariff, with a cross reference to the current revision number. When new pages are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages.) The tariff user should refer to the latest check sheet to find out if a particular page is the most current on file with the Arizona Corporation Commission.

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Issued: June 27, 2003  
Effective:

Issued by: Kirk Smith, President

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APPLICATION OF TARIFF

This tariff contains the regulations and rates applicable to the furnishing of intrastate resale common carrier telecommunications service associated with the provision of operator services by Operator Service Company ("OSC") in the state of Arizona.

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Issued: June 27, 2003  
Effective:

Issued by: Kirk Smith, President

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

**ACC or Commission**  
The Arizona Corporation Commission.

**Calling Card Call**  
A billing arrangement by which a call may be charged to a valid telephone company-issued calling card.

**Carrier or Company**  
Whenever used in this tariff, "Carrier" or "Company" refers to Operator Service Company, unless otherwise specified or clearly indicated by the context.

**Collect Call**  
A billing arrangement by which the charge for a call may be charged to the called party, provided the called party accepts the charge.

**Commercial Credit Card Call**  
A billing arrangement by which a call may be charged to an authorized credit card number, such as MasterCard or VISA.

**Customer or End User**  
Any person, firm, partnership, corporation, or other entity furnished telecommunications services under the provisions and regulations of the Company's tariff. The Customer or End User is typically a member of the transient public and, as such, does not contract directly with the Company for provisioning or termination of service.

**LATA**  
Local Access and Transport Area.

**OSC - Refers to Operator Service Company.**

**Pay Telephone**  
A telephone instrument equipped with a device that allows a charge to be made for each call.

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Issued: June 27, 2003

Issued by: Kirk Smith, President

Effective:

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS *continued*

**Person-to-Person Call**

A service whereby the person originating the call specifies to the Company Operator a particular person to be reached, or a particular station, room number, department, or office to be reached through a PBX attendant.

**Serving Wire Center**

A specific geographic point from which vertical and horizontal coordinates are used in the calculation of airline mileage.

**Subscriber**

The person, firm, partnership, corporation, or other entity who owns, leases, or manages the telephone, PBX, or other switch vehicle from which a Customer places a call utilizing the services of the Company.

**Third Party Billed Call**

A billing arrangement by which the charges for a call may be billed to a number that is different from the calling number or the called number.

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Issued: June 27, 2003

Issued by: Kirk Smith, President

Effective:

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**SECTION 2 - RULES AND REGULATIONS****2.1 Undertaking of the Company****2.1.1 General**

OSC's services include intrastate operator assisted communications offered via Subscribers' telephones, PBX or similar switch vehicle to Customers for direct transmission of voice telecommunications to locations throughout the State of Arizona. OSC's services are provided through the terminal equipment of Subscribers serving the transient public. OSC may act as the Subscriber's agent for ordering access connection facilities provided by other carriers or entities, when authorized by the Subscriber, to allow connection of a Subscriber's location to OSC's or OSC's underlying carrier's facilities. The Subscriber is responsible for all charges due for such service arrangements.

**2.1.2 Limitations**

- (A) OSC offers interLATA telecommunications services in Arizona.
- (B) Service is offered subject to the availability of the necessary facilities or equipment, and subject to the provisions of this tariff.
- (C) The Company reserves the right to discontinue service when necessitated by conditions beyond its control, or when the Customer or Subscriber is using the service in violation of the provisions of this tariff, or in violation of the law.

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Issued: June 27, 2003  
Effective:

Issued by: Kirk Smith, President

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**SECTION 2 - RULES AND REGULATIONS** *continued***2.1** Undertaking of the Company *continued***2.1.2** Limitations *continued*

- (D) The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.
- (E) Intrastate Directory Assistance Service is not included in the Company's service offering.
- (F) The Company reserves the right to discontinue service, when any governmental or regulatory condition imposed upon OSC materially and negatively impacts the financial viability of the service as determined by OSC in its best business judgment.

**2.2** Use

Services provided under this tariff may be used for any lawful purpose for which the service is technically suited.

**2.3** Liability

- 2.3.1 The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage), for any interruption, delay, error, omission, or defect in any service, facility or transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.

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Issued: June 27, 2003  
Effective:

Issued by: Kirk Smith, President

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**SECTION 2 - RULES AND REGULATIONS** *continued***2.3** *Liability continued*

2.3.2 The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer and Subscriber against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, tradename or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer or Subscriber; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use, or removal of equipment or wiring provided by the Company, if not directly caused by negligence of the Company.

2.3.3 The Company shall not be liable for any defacement of or damages to the premises of a Subscriber resulting from the furnishing of service which is not the direct result of the Company's negligence.

**2.4** *Installation and Termination*

Service is installed upon contractual agreement between the Subscriber and the Company. The contractual agreement specifies the terms and conditions of installation, termination of service, commission structure, and commission payment schedule. The service contract does not alter rates specified in the tables and schedules contained in this tariff. Service contracts do not apply to End Users.

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Issued: June 27, 2003  
Effective:

Issued by: Kirk Smith, President

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**SECTION 2 - RULES AND REGULATIONS** *continued***2.5 Notice Information**

The Company requires Subscribers to post notice on or near each telephone used to access its services. Such notice must include: the Company's name, dialing instructions, an indication that the Company's rates apply, a statement that the calling card carrier will not carry the call, a toll-free telephone number for inquiries, description of complaint procedures, and location-specific surcharges.

**2.6 Noncompliance by Subscribers**

In instances where the Company finds that a Subscriber is not in compliance with information posting and notice requirements of the Arizona Corporation Commission, the Company will contact the Subscriber and request compliance. If, after the above steps are taken, the Subscriber refuses to comply with the Commission's rules, the Company will discontinue service to the Subscriber.

**2.7 Terminal Equipment**

Carrier's facilities and service may be used with or terminated in Subscriber provided terminal equipment or Subscriber provided communications systems, such as a PBX or pay telephone. Such terminal equipment shall be furnished and maintained at the expense of the Subscriber, except as otherwise provided. The Subscriber is responsible for all costs at his/her premises, including Subscriber personnel, wiring, electrical power, and the like, incurred in his/her use of Carrier's services. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry.

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**SECTION 2 - RULES AND REGULATIONS** *continued***2.8 Payment for Service and Credit Allowance****2.8.1 Payment for Service**

All charges due by the Customer are payable to any agency duly authorized to receive such payments. The billing agency may be OSC, a local exchange telephone company or credit card company. Terms of payment shall be according to the rules and regulations of the billing agency. Any objection to billed charges should be promptly reported to the Company's billing agent. Adjustments to Customer's bills shall be made to the extent that records are available and circumstances exist which reasonably indicate that such charges are appropriate. OSC shall not cause local service to be terminated for an End User's failure to pay for operator services provided by the Company.

**2.8.2 Taxes and Fees**

All state and local taxes (e.g., gross receipts tax, sales tax, municipal utilities tax) are not included in the rates under this tariff, but shall be listed as separate line items on the Customer's bill.

To the extent that a municipality, other political subdivision or local agency of government, or commission imposes and collects from the Company a gross receipts tax, occupation tax, license tax, permit fee, franchise fee, or regulatory fee, such taxes and fees shall, as allowed by law, be billed pro rata to the customer receiving service from the Company within the territorial limits of such municipality, other political subdivision or local agency of government.

Service shall not be subject to taxes for a given taxing jurisdiction if the customer provides the Company with written verification, acceptable to the Company and to the relevant taxing jurisdiction, that the customer has been granted a tax exemption.

The Company may adjust its rates or impose additional rates on its customer to recover amounts it is required by governmental or quasi-governmental authorities to collect from or pay to others. The Company may also adjust its rates or impose additional rates to cover the administrative cost of collecting such charges or paying compensation to other entities. Examples of such programs include, but are not limited to, the Universal Service Fund (USF), the Presubscribed Interexchange Carrier Charge (PICC), and compensation to pay telephone service providers for the use of their pay telephones to access the Company's services.

**2.9 Deposits**

Deposits are not required to establish service.

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SECTION 2 - RULES AND REGULATIONS *continued*

2.10 Advance Payments

The Company reserves the right to require an advance payment not to exceed one month's estimated charges. Any such payment will be applied against the next month's charges and, if necessary, a new advance payment may be collected for the next month.

2.11 Third Party Billing

To protect against fraud, OSC reserves the right to refuse to accept third party billed calls at its discretion.

2.12 Access to Other Carriers

Neither the Company nor its Subscribers may block access to other certificated carriers unless a waiver is granted by the Arizona Corporation Commission.

2.13 Access Charges

The Company, either directly or indirectly through its underlying carriers, will pay intrastate access charges for use of local exchange company facilities when completing intrastate Arizona calls.

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**SECTION 3 - DESCRIPTION OF SERVICES****3.1 General**

OSC provide operator assisted calling services. Intrastate service is offered in conjunction with interstate service. For all operator assisted calls, a per-call service charge applies in addition to usage charges.

**3.1.1 Timing of Calls**

- (A) Long distance usage charges are based on usage of OSC's service.
- (B) No charge applies for incomplete calls.
- (C) OSC's underlying carrier will determine that an initiated call has been answered by signal from the local exchange carrier or other generally accepted industry standards.

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**SECTION 3 - DESCRIPTION OF SERVICES** *continued***3.2 Determination of Mileage**

Calls are measured and billed from the point of origination to the point of termination. If calls to be transferred to another carrier cannot be billed from the actual originating and terminating points, the operator will inform the End User and instruct the caller that their preferred carrier may be reached by access code or toll-free customer service number. The method for calculating call mileage is set forth below.

- A. Calls are measured from the Serving Wire Center of the Subscriber's terminal or switch location to the Serving Wire Center of the destination of the call.
- B. The distance between the Serving Wire Center of the Subscriber's switch and that of the destination point is calculated by using the "V" and "H" coordinates as defined by local exchange telephone companies in the following manner:

Step 1 - Obtain the "V" and "H" coordinates for the Subscriber's switch and the destination point.

Step 2 - Obtain the difference between the "V" coordinates of each of the Serving Wire Centers. Obtain the difference between the "H" coordinates.

Step 3 - Square the difference obtained in Step 2.

Step 4 - Add the squares of the "V" difference and "H" difference obtained in Step 3.

Step 5 - Divide the sum of the squares obtained in Step 4 by ten (10). Round to the next higher whole number if any fraction results from the division.

Step 6 - Obtain the square root of the whole number obtained in Step 5. Round to the next higher whole number if any fraction is obtained. This is the distance between the Serving Wire Centers.

Formula: 
$$\sqrt{\frac{(v_1 - v_2)^2 + (h_1 - h_2)^2}{10}}$$

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**SECTION 3 - DESCRIPTION OF SERVICES** *continued***3.3 OSC Operator Assisted Service**

OSC provides telecommunications service, including operator assisted services. Charges for calls are based on mileage, call duration and time of day. Calls are rounded to the next higher full minute for billing purposes. Minimum call duration for OSC Long Distance Service is three minutes.

**3.3.1 Operator Service Charges**

Appropriate operator services or special billing charges are billed on a per call basis. The following charges apply to each call as specified below:

**A. Calling Card/Commercial Credit Card**

This charge applies in addition to per minute usage charges when a call (other than Person-to-Person) is billed to a telephone company-issued calling card or commercial credit card.

**B. Operator-Station Charge**

This charge applies in addition to other per minute usage charges for station-to-station calls placed with operator assistance. Calls may be billed to the called party (collect), to a calling card, to a credit card, or to another telephone number (third number billing).

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SECTION 3 - DESCRIPTION OF SERVICES *continued*

3.3 OSC Long Distance Service *continued*

3.3.1 Operator Service Charges *continued*

D. Person-to-Person Charge

This charge applies in addition to other per minute usage charges for calls whereby the person originating the call specifies a particular person, station, room number, department, or office to be reached. A Person-to-Person call may be billed to the called party, a third number, a telephone company-issued calling card, or a commercial credit card.

E. Operator Dialed Surcharge

This charge applies in addition to other operator service charges and per minute usage charges when the customer has the capability of dialing the destination telephone number, but elects to have the operator dial the number instead.

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**SECTION 3 - DESCRIPTION OF SERVICES** *continued***3.3** OSC Long Distance Service *continued***3.3.3** Subscriber Surcharge

This surcharge is imposed by Subscribers to be paid by the End User for the use of Subscriber's telephone equipment and other facilities in obtaining access to OSC's services. The maximum allowable Subscriber Surcharge is specified in Section 4 of this tariff. This surcharge applies in addition to the operator service charges specified in Section 3.3.1 of this tariff.

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SECTION 3 - DESCRIPTION OF SERVICES *continued*

3.3 OSC Long Distance Service *continued*

3.3.4 Directory Assistance

Directory Assistance is available to Customers of the Company Long Distance Service. A Directory Assistance charge applies to each call to the Directory Assistance Bureau. A maximum of one request may be made on each call to Directory Assistance. The Directory Assistance charge applies to each call regardless of whether the Directory Assistance Bureau is able to furnish the requested telephone number.

3.3.5 OSC Directory Assistance Call Completion

The Company Directory Assistance operator will complete the call to the number requested by the Customer without requiring the Customer to redial the number. A per minute Directory Assistance Call Completion rate applies for the duration of each completed call. This per minute usage rate is in addition to the charge for determining the telephone number requested by the Customer.

OSC Directory Assistance Call Completion is available for use with Station to Station calls. Directory Assistance Call Completion may not be used in conjunction with operator assisted calling. For billing purposes, calls are billed in six (6) second increments after an initial billing increment of one (1) minute.

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**SECTION 4 - RATES****4.1 General**

Each End User is charged individually for each call placed through the Carrier. Charges are computed on an airline mileage basis as described in Section 3.1.2 of this tariff. The minimum call duration for billing purposes is three minutes. An additional minute period charge applies to each full and fractional minute beyond the initial period.

**4.2 Application of Rates and Charges**

4.2.1 Rates and charges specified for services offered under this Tariff are maximums. Any change to a rate or charge at or below the maximum level shall not be construed as an application to increase rates. The rates and charges applicable at any given time are covered in a price list furnished to the Arizona Corporation Commission by this Carrier.

4.2.2 Not less than 14 days prior to the effective date of any changes in the rates and charges, the Carrier will furnish the Commission a new price list reflecting the changed rates and charges. New Tariff pages would be filed with the Commission for approval only when increasing maximum levels.

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SECTION 4 - RATES *continued*

4.3 Rate Periods used in Application of Rates

Discounts may apply to measured usage charges for calls occurring at certain times of day. The appropriate rates apply for day, evening and night/weekend calls based on the following chart:

	MON	TUES	WED	THURS	FRI	SAT	SUN
8:00 AM TO 5:00 PM*	DAYTIME RATE PERIOD						
5:00 PM TO 11:00 PM	EVENING RATE PERIOD						EVE
11:00 PM* TO 8:00 AM	NIGHT/WEEKEND RATE PERIOD						

\* to, but not including

4.4 Emergency Calls

No charges apply to emergency calls placed to recognized emergency agencies.

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SECTION 4 - RATES *continued*

4.5 OSC Long Distance Service - Maximum Rates

Calls are billed in full minute increments after an initial minimum period of three (3) minutes.

4.5.1 Intrastate Usage Rates

Per Minute Rate	\$0.61
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SECTION 4 - RATES *continued*

4.5 OSC Long Distance Service - Maximum Rates

4.5.2 Operator Service Charges

The following per-call charges apply in addition to per minute usage rates when applicable. These charges apply in all rate periods.

	Billed To	
	<u>LEC</u> <u>Card</u>	<u>Commercial</u> <u>Credit Card</u>
Customer Dialed Calling Card Station, Per Call		
-Customer Dialed/Automated	\$1.50	\$1.75
-Customer Dialed & Operator Assisted	\$1.50	\$1.75
-Customer Dialed/Operator Must Assist	\$1.50	\$1.75
 Operator Dialed Calling Card Station:	 \$2.50	 \$2.50
 Operator Station		<u>All Calls</u>
-Collect		\$2.50
-Third Party		\$2.50
-Person-to-Person		\$5.00

The following per-call charge applies in addition to the Operator Service Charges above when operator assistance is used to dial the destination telephone number.

Operator Dialed Surcharge	
-Customer Dialed	\$1.00
-Operator Dialed	\$1.25
 Public Payphone Surcharge	 \$0.50
 Subscriber Surcharge Maximum Per Call:	 \$1.50

4.5.3 Subscriber Surcharge

Per Call (maximum)	\$1.50
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SECTION 4 - RATES *continued*

4.5 OSC Long Distance Service - Maximum Rates

4.5.3 Directory Assistance

Directory Assistance, Per Call: \$1.99

Directory Assistance Call Completion per minute rate: \$0.25

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Issued: June 27, 2003  
Effective:

Issued by: Kirk Smith, President

OSC LONG DISTANCE SERVICE

Current Intrastate Rates

Calls are billed in full minute increments with a minimum call duration of three (3) minutes.

Rate Per Minute \$0.59

Current Operator Service Charges

The following per-call charges apply in addition to per minute usage rates when applicable. These charges apply in all rate periods.

	Billed To	
	LEC <u>Card</u>	Commercial <u>Credit Card</u>
Customer Dialed Calling Card Station, Per Call		
-Customer Dialed/Automated	\$1.50	\$1.75
-Customer Dialed & Operator Assisted	\$1.50	\$1.75
-Customer Dialed/Operator Must Assist	\$1.50	\$1.75
 Operator Dialed Calling Card Station:	 \$2.50	 \$2.50
 Operator Station		<u>All Calls</u>
-Collect		\$2.50
-Third Party		\$2.50
-Person-to-Person		\$5.00
 The following per-call charge applies in addition to the Operator Service Charges above when operator assistance is used to dial the destination telephone number.		
 Operator Dialed Surcharge		
-Customer Dialed		\$1.00
-Operator Dialed		\$1.25
 Public Payphone Surcharge		 \$0.50
 Subscriber Surcharge Maximum Per Call:		 \$1.50

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OSC LONG DISTANCE SERVICE *continued*

Current Intrastate Rates *continued*

Directory Assistance

Directory Assistance Call Completion per minute rate: \$0.25

Directory Assistance, Per Call: \$1.99

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Attachment C

OPERATOR SERVICE COMPANY

Affidavits of Publication

Legal Notice

**NOTICE OF APPLICATION FOR A CERTIFICATE  
OF CONVENIENCE AND NECESSITY TO PROVIDE  
ALTERNATIVE OPERATOR SERVICES  
TELECOMMUNICATIONS SERVICES BY  
OPERATOR SERVICE COMPANY**

OPERATOR SERVICE COMPANY has filed with the Arizona Corporation Commission an application for a Certificate of Convenience and Necessity to provide alternative operator services telecommunications services in the State of Arizona. Applicant will be required by the Commission to provide this service under the rates and charges and terms and conditions established by the Commission.

A.R.S. ' 40-282 provides that the Commission may act on an application for a Certificate to provide resold telecommunications services without a hearing, or with a hearing, if one is requested by any party. Applicant or any other party must request a hearing within twenty (20) days of the date of this notice, or the Commission will rule on the application without a hearing.

The application, report of the Commission=s Utilities Division Staff, and any written exceptions to the staff report prepared by the applicant are available for inspection during regular business hours at the offices of the Commission located at 1200 West Washington Street, Phoenix, Arizona 85007, and at the applicant=s address, 5302 Avenue Q, Lubbock, Texas 79412.

Under appropriate circumstances, interested parties may intervene in the proceedings and participate as a party. Intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or within twenty (20) days of the date of this notice. You may have the right to intervene in the proceeding, or you may make a statement for the record. If you have any comments, mail them to:

The Arizona Corporation Commission  
Attention: Docket Control  
re: OPERATOR SERVICE COMPANY  
U-2612-91-175  
1200 West Washington Street  
Phoenix, Arizona 85007

All Comments should be received within twenty (20) days of the date of this notice.

If you have any questions about this application or have any objections to its approval, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodations such as sign language, interpreter, as well as request this document in an alternative format, by contacting Shelley Hood, ADA Coordinator, voice phone number 602/542-0838, E-Mail shood@cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.

Attachment D

OPERATOR SERVICE COMPANY

Financial Information

Will be provided under separate cover.

Attachment E

OPERATOR SERVICE COMPANY

Income Projections

Will be provided under separate cover.