



Making Connections That Make a Difference.



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800 Westchester Avenue
Suite N501
Rye Brook, NY 10573

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2010 JUN 18 P 3 37

ORIGINAL

AZ CORP COMMISSION
DOCKET CONTROL

VIA OVERNIGHT COURIER

Arizona Corporation Commission
Docket Control
1200 W. Washington Street
Phoenix, AZ 85007-2927

Re: Broadview Networks, Inc.
Docket No. T-20565A-09-0563
Responses to Staff's Third Data Request

Dear Sir or Madam:

Enclosed herewith, on behalf of Broadview Networks, Inc. ("Broadview"), please find an original and thirteen (13) copies of Broadview's responses to Staff's Third Data Request.

An additional copy of this transmittal letter is enclosed herewith; please return it in the enclosed addressed, stamped envelope.

To the extent you have any questions concerning this submission, please do not hesitate to contact the undersigned at (240) 461-0412 or channan@broadviewtel.com.

Respectfully submitted,

Catherine M. Hannan

Catherine M. Hannan
Regulatory Counsel

Enclosures

Arizona Corporation Commission

DOCKETED

JUN 18 2010

DOCKETED BY *mn*

**STAFF'S THIRD SET OF DATA REQUESTS TO
BROADVIEW NETWORKS, INC.
DOCKET NO. T-20565A-09-0563**

STF 3.1 Referencing Original Page 76, please correct the Maximum Line Restoral Non-Recurring Charge for Residential Customers. The Maximum Rate currently listing on this page is \$77.00. The Company previously revised this amount as listed on Original Page 22 in response to STF 2.3 from \$77.00 to \$12.00.

A revised tariff page 76 immediately follows this page.

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AZ CORP COMMISSION
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SECTION 5 - RATES & CHARGES (Cont'd)

5.1 Standard Access Line Rates (cont'd)

5.1.1 Residential (Cont'd)

Non-Recurring Charges	Maximum
Line Connection	
Each	\$31.00
Service Change	
(changes, additions per order)	\$17.00
Change of Telephone Number	\$17.00
Change of Residence	\$17.00
Change in Class or Grade of Service	\$17.00
Presubscription Change	
(changes, per line)	\$15.00
Line Restoral	\$12.00

Applies for line or toll service restoral after temporary interruption of service initiated by the Company. If service is temporarily interrupted and payment is not received within 10 days following the interruption, the Company reserves the right to discontinue service. If service is discontinued and subsequently re-established, charges apply as for a new installation of service.

Temporary Suspension	\$17.00
Voluntary Toll restriction Re-activation	\$17.00

Applies for Line or Toll restoral after Customer-initiated suspension.

Reactivation of 900 Blocking Option	\$17.00
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Issued:

Issued by:

Charles C. Hunter, Executive Vice President and General Counsel
Broadview Networks, Inc.
800 Westchester Avenue, Suite N501
Rye Brook, NY 10573

Effective:

**STAFF'S THIRD SET OF DATA REQUESTS TO
BROADVIEW NETWORKS, INC.
DOCKET NO. T-20565A-09-0563**

STF 3.2 Referencing the Company's response to STF 1.29 and STF 2.11 and revised Pages 85, 86, A-12 and A-13 and the reference on these tariff to the rate per minute for all intraLATA toll, and interstate long distance calls:

- a. Please clarify if the Company believes it is NOT currently authorized to provide intraLATA toll under its current long distance CC&N.**

Broadview is currently authorized to provide intraLATA toll under its current long distance CC&N.

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- b. If it is the Company's position that "all intrastate long distance, whether interLATA or not, is governed by the Company's IXC tariff, why isn't the Company proposing to reference the intraLATA toll portion in its IXC tariff?"**

IntraLATA toll is referenced in the Company's IXC tariff, sections 4.2.1, 4.2.2 and 4.3.1.

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- c. Please explain why the rate for "intraLATA toll" in this application is considerably higher than it is in the Company's toll portion in its IXC tariff?**

With respect to page 85 and A-12 these services and rates are specifically associated with the Company's ClearPak – Measured Service and include, along with a per minute intraLATA toll rate, a separate per minute local calling rate. The different structure of the service accounts for a differing intraLATA toll service rate between the Company's local and IXC service tariffs.

With respect to page 86 and A-13, these services and rates are specifically associated with the Company's ClearPak – Bundled service and does not set forth a separate per minute rate for intraLATA toll service.

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STF 3.2 Referencing the Company's response to STF 1.29 and STF 2.11 and revised Pages 85, 86, A-12 and A-13 and the reference on these tariff to the rate per minute for all intraLATA toll, and interstate long distance calls:

- d. If the Company is offering a "bundled service" that includes interstate long distance, intraLATA toll, intrastate long distance and local service, such as the ClearPak – Bundled service on Original Page 86, why is the Company reluctant to modify its tariff for the two-year and three-year commitments to state "Includes all local, toll and long distance calls" instead of the current "Includes all local, intraLATA toll and interstate long distance call" as the current statement specifically excludes intrastate long distance as currently listed?

Revised tariff pages 85, 86, A-12 and A-13 immediately follow the full response to this subpart.

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STF 3.2 Referencing the Company's response to STF 1.29 and STF 2.11 and revised Pages 85, 86, A-12 and A-13 and the reference on these tariff to the rate per minute for all intraLATA toll, and interstate long distance calls:

d. (cont'd)

Furthermore, on the same page, first sentence below the rates, the tariff states "Customers must sign a term commitment and must take the complete Broadview Networks bundle of local, toll and long distance to qualify for this offer." is unclear what textual changes would accomplish this result; please advise."

The Company has been unable to locate "is unclear what textual changes would accomplish this result; please advise" anywhere other than in the Company's response to Data Request 2.11:

(STF 2.11 Referencing revised Pages 85, 86, A-12 and A-13, the tariff indicates the Rate per minute for all intraLATA toll, and interstate long distance calls. Would the Company be willing to remove the word "interstate" from these pages so it simply states "long distance" so the term will also cover interLATA, intrastate long distance as well? (Please note there are 2 references per page listed above.) "As the Company's response to STF 1.29 explained, Arizona intrastate long distance will be provided, if the Customer desires such service, pursuant to the Company's Arizona long distance services tariff, as that tariff is currently in effect. That being the case, the requested modification seems unnecessary since all intrastate long distance, whether interLATA or not, is governed by the Company's IXC tariff. The Company would be willing to modify the language if text, however, if deemed necessary to address Staff's concern while at the same time making clear that unlimited international long distance is not included in these service offerings. At the present time, it is unclear what textual changes would accomplish this result; please advise.")

The language was meant to request proposed corrective language from Staff since the Company was unable to craft responsive language which would address Staff's concern. Since it appears that the term "domestic long distance" may accomplish the intended result, revised tariff pages to that effect immediately follow this page.

SECTION 5 - RATES & CHARGES (Cont'd)

5.15 Business Calling Plans

5.15.1 ClearPak - Measured

The plan offers business Customers the following rates:

MaximumTwo-Year Term Commitment

Monthly recurring line charge:	\$25.75
Rate per minute for all domestic long distance calls:	\$0.151
Rate per minute for all local usage:	\$0.132

Three-Year Term Commitment

Monthly recurring line charge:	\$24.50
Rate per minute for all domestic long distance calls:	\$0.141
Rate per minute for all local usage:	\$0.127

There are no monthly charges or minimum usage associated with the long distance rates. Customers must sign a term commitment and must take the complete Broadview Networks bundle of local and long distance to qualify for this offer. Usage for Toll Free Numbers is not included with this plan. Unlimited usage applies to outbound direct dialed calls only. Service cannot be used with an autodialer, call center or certain automated switching equipment. This service is available only to business customers and for voice use only. Broadview Networks reserves the right to change the calling plan of customers with inappropriate usage or who are not in compliance with the restrictions set forth in this tariff.

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Effective:

SECTION 5 - RATES & CHARGES (Cont'd)

5.15 Business Calling Plans (Cont'd)

5.15.2 ClearPak - Bundled

The plan offers business Customers the following rates:

MaximumTwo-Year Term Commitment

Monthly recurring line charge:

(Includes all local calls and domestic
long distance calls)

\$62.75

Three-Year Term Commitment

Monthly recurring line charge:

(Includes all local calls and domestic
long distance calls)

\$57.50

Customers must sign a term commitment and must take the complete Broadview Networks bundle of local and long distance to qualify for this offer. For long distance, only direct dial domestic calls are included in the unlimited offer. Usage for Toll Free Numbers is not included with this plan. Unlimited usage applies to outbound direct dialed calls only. Service cannot be used with an autodialer, call center or certain automated switching equipment. This service is available only to business customers and for voice use only. Broadview Networks reserves the right to change the calling plan of customers with inappropriate usage or who are not in compliance with the restrictions set forth in this tariff.

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SECTION 5 - RATES & CHARGES (Cont'd)

5.15 Business Calling Plans

5.15.1 ClearPak - Measured

The plan offers business Customers the following rates:

	<u>Two-Year Term Commitment</u>
Monthly recurring line charge:	\$15.75
Rate per minute for all domestic long distance calls:	\$0.051
Rate per minute for all local usage:	\$0.032
	<u>Three-Year Term Commitment</u>
Monthly recurring line charge:	\$14.50
Rate per minute for all domestic long distance calls:	\$0.041
Rate per minute for all local usage:	\$0.027

There are no monthly charges or minimum usage associated with the long distance rates. Customers must sign a term commitment and must take the complete Broadview Networks bundle of local and long distance to qualify for this offer. Usage for Toll Free Numbers is not included with this plan. Unlimited usage applies to outbound direct dialed calls only. Service cannot be used with an autodialer, call center or certain automated switching equipment. This service is available only to business customers and for voice use only. Broadview Networks reserves the right to change the calling plan of customers with inappropriate usage or who are not in compliance with the restrictions set forth in this tariff.

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SECTION 5 - RATES & CHARGES (Cont'd)

5.15 Business Calling Plans (Cont'd)

5.15.2 ClearPak - Bundled

The plan offers business Customers the following rates:

Two-Year Term Commitment

Monthly recurring line charge:

(Includes all local calls and domestic
long distance calls)

\$42.75

Three-Year Term Commitment

Monthly recurring line charge:

(Includes all local calls and domestic
long distance calls)

\$37.50

Customers must sign a term commitment and must take the complete Broadview Networks bundle of local and long distance to qualify for this offer. For long distance, only direct dial domestic calls are included in the unlimited offer. Usage for Toll Free Numbers is not included with this plan. Unlimited usage applies to outbound direct dialed calls only. Service cannot be used with an autodialer, call center or certain automated switching equipment. This service is available only to business customers and for voice use only. Broadview Networks reserves the right to change the calling plan of customers with inappropriate usage or who are not in compliance with the restrictions set forth in this tariff.

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STF 3.3 Referencing Original Page 42, in the description of standard access line service for both Residential and Business, please clarify if subscribers to this service may subscribe to Optional Calling Features or Feature Packages. If no, please explain why not since offering these options would provide additional revenue for the Company. If yes, please add a reference to the current page to these options.

Residential and Business standard access line service customers may subscribe to any Optional Calling Feature set forth in tariff Section 4.10, at the rates set forth in Section 5.2. A revised tariff page 42 immediately follows this page.

SECTION 4 - DESCRIPTION OF SERVICES (Cont'd)**4.3 Standard Access Line**

The Standard Residential or Business Access Line provides a Customer with a single, analog, voice-grade telephonic communications channel that can be used to place or receive one call at a time. Standard Access Lines are provided for the connection of Customer-provided wiring and single station sets or facsimile machines. A multi-line subscriber is a Business customer with more than one line provided by Broadview Networks. Standard Access Lines enable the customer to:

- (a) place or receive calls to any station in the local calling area, as defined herein;
- (b) access enhanced 911 Emergency Service where available;
- (c) access the interexchange carrier selected by the Customer for interLATA, intraLATA, interstate or international calling;
- (d) access Operator Services;
- (e) access Directory Assistance;
- (f) place or receive calls to 800 numbers;
- (g) access Telecommunications Relay Service.

Touch Tone signaling, consisting of a push button or touchtone dial that sends out a sound which consists of two discrete tones (one low frequency and one high frequency), picked up and interpreted by telephone switches, is provided as part of the Standard Access Line.

The Company's service will automatically block originating calls to other telephone companies' caller-paid information services (e.g., 900, 976) at no charge. Calls to those numbers and other numbers used for caller-paid information services will be unblocked on a per directory number basis only. Subsequent blocking of 900-type numbers will incur a charge listed in section 5.

Optional calling features are available with the Standard Access Line at the rates, terms and conditions specified in Sections 4.10 and 5.2 this tariff.

4.4 Reserved for Future Use.

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STF 3.4 Referencing Original Pages 83 and A-9, under Section 5.10 on both pages, there is a proposed Paystation Surcharge.

a. Please explain in detail what costs this per-call surcharge recovers?

This is a pay telephone surcharge.

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STF 3.4 Referencing Original Pages 83 and A-9, under Section 5.10 on both pages, there is a proposed Paystation Surcharge.

- b. Please clarify if this proposed paystation is the same as or is in addition to the FCC's pay telephone surcharge compensation plan effective on Oct. 7, 1997 (FCC 97-371), which applies for the use of the paystation used to access the Company's service.**

It is the same as the FCC's pay telephone surcharge compensation plan.