



March 20, 2009

Sent via UPS Next Day

Ms. Ilona Jeffcoat-Sacco, Executive Secretary  
North Dakota Public Service Commission  
600 East Boulevard Avenue, Dept. 408  
Bismarck, ND 58505-0602

RECEIVED  
MAR 23 2009  
PUBLIC SERVICE COMMISSION

Re: Filing of tariff pages to be incorporated into North Dakota Local Exchange Services  
Tariff No. 1 of Ionex Communications North, Inc. dba Birch Communications

Dear Ms. Jeffcoat-Sacco:

On behalf of Ionex Communications North, Inc. dba Birch Communications, enclosed are the originals and one copy of supplemental pages to the North Dakota Local Exchange Services Tariff No. 1.

With this filing Birch Communications will make the following revisions:

- 1st Revised Page 5 – update table of contents to include long distance
- 1st Revised Page 35 – update late payment introducing finance charge
- 3rd Revised Page 91 – introduce facilities charge
- 1st Revised Page 98.1 – increase feature package
- 1st Revised Page 98.2 – increase feature package
- 3rd Revised Page 112 – increase feature
- Original 117 – incorporate toll services
- Original 118 – incorporate toll services

We request an effective date of April 21, 2009. Customer notification will be included in the invoices of all impacted customers.

I am also enclosing an additional copy of this letter to be date stamped to acknowledge your receipt of this filing. Please return the date stamped copy in the enclosed self-addressed, stamped envelope.

Thank you for your prompt attention, if you have any questions regarding this filing, please contact me by phone at (816) 300-1677 or by email at tara.jackson@birch.com.

Sincerely yours,

A handwritten signature in black ink that reads "Tara Jackson". The signature is fluid and cursive.

Tara Jackson  
Sr. Manager, Legal and Regulatory

1 **PU-09-134** Filed: 3/23/2009 Pages: 8  
**Revised Tariff No. 1**

Ionex Communications North, Inc.

Enclosures

**Birch Communications. At your service.**

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**SECTION 5.0 – PAYMENT ARRANGEMENTS**

**5.1 Payment for Service**

The Customer is responsible for the payment of all charges for facilities and Services furnished by the Company to the Customer and to all Users authorized by the Customer, regardless of whether those Services are used by the Customer itself or are resold or shared with other persons.

**5.2 Billing and Collection of Charges**

**5.2.1** Nonrecurring Charges are due and payable within 30 days after the date an invoice is mailed to the Customer by the Company.

**5.2.2** The Company shall present invoices for Recurring Charges monthly to the Customer, in advance of the month in which Service is provided, and Recurring Charges shall be due and payable within 30 days after the invoice is mailed.

**5.2.3** Charges based on Measured Usage will be included on the next invoice rendered following the end of the month in which the usage occurs, and will be due and payable within 30 days after the invoice is mailed.

**5.2.4** When Service does not begin on the first day of the month, or end on the last day of the month, the charge for the fraction of the month in which Service was furnished will be calculated on a pro-rata basis. For this purpose, every month is considered to have 30 days.

**5.2.5** Billing of the Customer by the Company will begin on the Service Commencement Date, which is the first day following the date on which the Company notifies the Customer that the Service or facility is available for use, except that the Service Commencement Date may be postponed by Mutual Agreement of the Parties, or if the Service or facility does not conform to standards set forth in the Price Lists of the Company or the Service Order. Billing accrues through and includes the day that the Service, circuit, arrangement or component is discontinued.

**5.2.6** With respect to Customers, if any portion of the payment is received by the Company after the date due, or if any portion of the payment is received by the Company in funds which are not immediately available, then a Late Payment Penalty shall be due to the Company. The late factor shall be 1.5% per month, but additional penalty charges shall not be assessed on unpaid penalty charges. A Finance Charge of 1.5% shall apply to the outstanding balance of charges, as at the end of the "Due Before Date", with effect from the second month after the charges are first applied, and every month thereafter.

(N)  
(N)  
(N)  
(N)

Issued: March 23, 2009

Effective: April 21, 2009

Issued By: Christopher J. Bunce, Vice President Legal and General Counsel  
Ionex Communications North, Inc. dba Birch Communications  
2300 Main St. Suite 600  
Kansas City, MO 64108



**SECTION 16.0 - LOCAL SERVICES RATES**

**16.4 Optional Calling Features (Continued)**

3 Feature Value Package (1)

	<u>Monthly Rate</u>	<u>Non-recurring Charge</u>	
Any three features from the 3 Feature Value Package Feature List below.	\$9.00	\$10.00	(l)

3 Feature Value Package Feature List

- Anonymous Call Reject
- Auto Redial
- Call Blocker
- Call Forwarding – Variable
- Call Forwarding Busy Line/No Answer
- Caller ID Name & Number
- Call Return
- Call Waiting
- Priority Call
- Remote Access to Call Forwarding
- Selective Call Forwarding
- Simultaneous Call Forwarding
- Speed Calling 30
- Three Way Calling

(1) Effective June 17, 2004, these charges are only available to existing subscribers for existing account.

**SECTION 16.0 - LOCAL SERVICES RATES**

**16.4 Optional Calling Features (Continued)**

7 Feature Value Package (1)

	<u>Monthly Rate</u>	<u>Non-recurring Charge</u>	
Any seven features from the 7 Feature Value Package Feature List	\$15.00	\$10.00	(1)

7 Feature Value Package Feature List

- Anonymous Call Reject
- Auto Redial
- Call Blocker
- Call Forwarding – Variable
- Call Forwarding Busy Line/No Answer
- Caller ID Name & Number
- Call Waiting with Caller ID Options
- Call Return
- Call Transfer Disconnect
- Call Waiting
- Distinctive Ring 2<sup>nd</sup> and 3<sup>rd</sup>
- Priority Call
- Remote Access to Call Forwarding
- Selective Call Forwarding
- Simultaneous Call Forwarding
- Speed Calling 30
- Three Way Calling

(1) Effective June 17, 2004, these charges are only available to existing subscribers for existing account.

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**SECTION 21.0 – INTEREXCHANGE SERVICES**

**21.0 Interexchange Services**

**21.1 Toll Service**

Provides facilities to complete interLATA, intrastate or intraLATA, interexchange calls between two points. Customer makes call by dialing directly or with operator assistance. Direct Dialing includes 1 + Area Code (where necessary) + telephone number, or, in some cases for IntraLATA, users must access the Company's network by dialing 1010678 then 1 + Area Code + Number. For operator assistance a customer dials O only, O + telephone number or O + NPA + telephone number for IntraLATA calls.

No monthly recurring charges or minimum monthly billing requirements for outbound long distance calls will apply for those customers using Ionex for both local and long distance service. A minimum monthly billing requirement of \$4.95/account per month will apply for customers using Ionex for long distance service only.

**21.2 800 Service**

800 Service provides for facilities for the Customer(s) to receive interLATA and intraLATA calls. The Customer will be assigned unique 800 number(s) that, when dialed, will be routed via the Company's network and terminate at Customer's designated local access line(s).

**21.3 Travel Card Service**

Travel card service provides facilities to complete interLATA and intraLATA calls between two points when the Customer is away from his/her premises. The requesting Customer is provided with a travel calling card which includes instructions for its use.

(N)

(N)

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**SECTION 21.0 – INTEREXCHANGE SERVICES**

**21.0 Interexchange Services (continued)**

(N)

**21.4 Rates**

**21.4.1 Toll Service**

For toll calls originating from customer's premises:

<u>Per Minute</u>	<u>Minimum Increment</u>	<u>Billing Increment</u>
\$ .099	30 seconds	6 seconds

**21.4.1(A) Stand Alone Long Distance (1)**

This service applies to customers that do not subscribe to local exchange service.

<u>Monthly Recurring</u>	<u>Per Minute</u>	<u>Minimum Increment</u>	<u>Billing Increment</u>
\$1.95	\$ .099	30 seconds	6 seconds

No monthly recurring charges or minimum monthly billing requirements for outbound long distance calls will apply for those customers using Ionex for both local and long distance service. A minimum monthly billing requirement of \$4.95/account per month will apply for customers using Ionex for long distance service only.

**21.4.2 Toll Free Service**

For toll free calls terminating to customer's premises:

<u>Monthly Recurring</u>	<u>Per Minute</u>	<u>Minimum Increment</u>	<u>Billing Increment</u>
\$5.00	\$ .099	30 seconds	6 seconds

Payphone Origination Charge = \$.55 per call

**21.4.3 Travel Card Service**

<u>Per Minute</u>	<u>Minimum Increment</u>	<u>Billing Increment</u>
\$.20	30 seconds	6 seconds

Travel Card Operator Services = \$.55 per call

Payphone Origination Charge = \$.55 per call

(N)

(1) Effective April 21, 2009 this service will no longer be available.

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