

ACCESS SERVICE

2. General Regulations2.1 Undertaking of the Telephone Company2.1.1 Scope

- (A) The Telephone Company does not undertake to transmit messages under this tariff.
- (B) The Telephone Company shall be responsible only for the installation, operation and maintenance of the service it provides.
- (C) The Telephone Company will, for maintenance purposes, test its services only to the extent necessary to detect and/or clear troubles.
- (D) Services are provided 24 hours daily, seven days per week, except as set forth in other sections of this tariff.

2.1.2 Limitations

- (A) The customer may assign or transfer the use of services under this tariff if there is no interruption in or relocation of services. The assignee or transferee must agree to assume all outstanding indebtedness for services provided under this tariff and any termination liability associated with the services provided. The customer will remain jointly liable with the assignee or transferee for any obligations existing at the time of the assignment.

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2. General Regulations2.1 Undertaking of the Telephone Company (Cont'd)2.1.2 Limitations (Cont'd)

(A) (Cont'd)

Prior to assignment, the Telephone Company must acknowledge in writing that all requirements have been met. Acknowledgement will be made within fifteen days after the Telephone Company has been notified of the proposed assignment.

- (B) All services offered in this tariff will be provided on a first-come first-served basis except as provided for following. The regulations for the installation and restoration of Telecommunications Service Priority (TSP) System Services shall be subject to Part 64.401, Appendix A, of the Federal Communications Commissions Rules and Section 8, following.

2.1.3 Liability

- (A) Except in the case of willful misconduct for which the Telephone Company's liability is not limited by this tariff, the Telephone Company's liability for damages shall not exceed an amount equal to the proportionate tariff charge for the period during which the service was affected. This liability for damages shall be in addition to any amounts that may be due the customer as described in Section 2.4.3, following.

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2. General Regulations (Cont'd)2.1 Undertaking of the Telephone Company (Cont'd)2.1.3 Liability (Cont'd)

- (B) The Telephone Company shall not be liable for any act or omission of any other carrier or customer providing a portion of a service, nor shall the Telephone Company for its own act or omission hold liable any other carrier or customer providing a portion of a service.
- (C) The Telephone Company is not liable for damages to the customer premises resulting from the furnishing of a service, including the installation and removal of equipment and associated wiring, unless the damage is caused by the Telephone Company's negligence.
- (D) The Telephone Company shall be indemnified, defended and held harmless by the end user against any claim, loss or damage arising from the end user's use of services offered under this tariff, involving:
 - (1) Claims for libel, slander, invasion of privacy, or infringement of copyright arising from the end user's own communications;
 - (2) Claims for patent infringement arising from the end user's acts combining or using the service furnished by the Telephone Company in connection with facilities or equipment furnished by the end users or IC or;
 - (3) All other claims arising out of any act or omission of the end user in the course of using services provided pursuant to this tariff.

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2. General Regulations (Cont'd)2.1 Undertaking of the Telephone Company (Cont'd)2.1.3 Liability (Cont'd)

- (E) The Telephone Company shall be indemnified, defended and held harmless by the IC against any claim, loss or damage arising from the IC's use of services offered under this tariff involving;
 - (1) Claims for libel, slander, invasion of privacy, or infringement of copyright arising from the IC's own communications;
 - (2) Claims for patent infringement arising from the IC's acts combining or using the service furnished by the Telephone Company in connection with facilities or equipment furnished by the end user or IC or;
 - (3) All other claims arising out of any act or omission of the IC in the course of using services provided pursuant to this tariff.
- (F) The Telephone Company's failure to provide or maintain services under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, criminal actions taken against the Telephone Company, Acts of God and other circumstances beyond the Telephone Company's reasonable control, subject to the Credit Allowance for a Service Interruption as set forth in Section 2.4.3, following.

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2. General Regulations (Cont'd)2.1 Undertaking of the Telephone Company (Cont'd)2.1.4 Provision of Services

The Telephone Company's obligation to furnish the services described in this tariff is dependent upon its ability to provide such service after provision has been made for the Telephone Company's exchange services.

2.1.5 Installation and Termination of Services

The services provided under this tariff (A) will include any entrance cable or drop wiring and wire or intrabuilding cable to that point where provision is made for termination of the Telephone Company's outside distribution network facilities at a suitable location inside a customer-designated premises and (B) will be installed by the Telephone Company to such Point of Termination. Wire required within a building to extend Access Service facilities will be provided, at the Customer's request, on a time sensitive charge basis. The labor rates for the installation of such wire are the same as those set forth in Section 12.#.4(B), following, for Other Labor.

2.1.6 Maintenance of Services

The services provided under this tariff shall be maintained by the Telephone Company. The customer or others may not rearrange, move, disconnect, remove or attempt to repair any facilities provided by the Telephone Company, other than by connection or disconnection to any interface means used, except with the written consent of the Telephone Company.

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2. General Regulations (Cont'd)2.1 Undertaking of the Telephone Company (Cont'd)2.1.7 Changes and Substitutions

Except as provided for equipment and systems subject to FCC Part 68 Regulations at 47 C.F.R. section 68.110(b), the Telephone Company may, where such action is reasonably required in the operation of its business, (A) change any facilities used in providing service under this tariff, (B) change minimum protection criteria, (C) change operating or maintenance characteristics of facilities or (D) change operations or procedures of the Telephone Company. The Telephone Company shall not be responsible if the change renders customer furnished services obsolete or requires modification of the customer furnished services. If such change materially affects the operating characteristics of the facility, the Telephone Company will provide reasonable notification to the customer in writing. Reasonable time will be allowed for any redesign and implementation required by the changes made. The Telephone Company will work cooperatively with the customer to determine reasonable notification procedures.

2.1.8 Refusal and Discontinuance of Service

(A) If a customer fails to comply with Section 2.1.6, preceding, or Sections 2.2.2, 2.3.1, 2.3.4, 2.3.5, 2.3.9 or 2.4, following, including any customer's failure to make payments on the dates and times herein specified, the Telephone Company may on thirty (30) calendar day's written notice by Certified U.S. Mail or overnight delivery to the person designated by that customer to receive such notices of noncompliance, take the following actions:

- refuse additional applications for service and/or refuse to complete any pending orders for service by the non-complying customer at any time thereafter.
- discontinue the provision of service to the customer.

In the case of discontinuance all applicable charges, including termination charges, shall become due.

(C)

(C)

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2. General Regulations (Cont'd)

2.1 Undertaking of the Telephone Company (Cont'd)

2.1.8 Refusal and Discontinuance of Service (Cont'd)

(B) Reserved for Future Use

(T)
(D)

(D)

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2. General Regulations (Cont'd)2.1 Undertaking of the Telephone Company (Cont'd)2.1.8 Refusal and Discontinuance of Service (Cont'd)

(C) In addition to and not in limitation of the provisions in (A), above, if a customer fails to comply with 2.4.1, following (Payment of Rates, Charges, and Deposits), including any payments to be made by it on the dates and times therein specified, the Telephone Company may take the actions specified in (A), above, with regard to services provided hereunder to that customer on fifteen (15) calendar days written notice to the person designated by that customer to receive such notices of noncompliance, such notice period to start the day after the notice is sent by overnight delivery, if the customer has not complied with respect to amounts due in a subject bill or subject deposit request and either:

- (1) the Telephone Company has sent the subject bill to the customer within seven (7) business days of the bill date; or
- (2) the Telephone Company has sent the subject bill to the customer more than thirty (30) calendar days before notice under this section is given; or
- (3) the Telephone Company has sent the subject deposit request to the customer more than fifteen (15) business days before notice under this section is given.

In all other cases, the Telephone Company will give thirty (30) calendar days written notice pursuant to (A), above. The Telephone Company will maintain records sufficient to validate the date upon which a bill or deposit request was sent to the customer. Action specified in (A), above, will not be taken with regard to the subject bill or subject deposit request if the customer cures the noncompliance prior to the expiration of the fifteen (15) or thirty (30) days notice period, as applicable.

(D) If notice is given by overnight delivery under (A) or (C), above, it shall be performed by a reputable overnight delivery service such as, or comparable to, the U.S. Postal Service Express Mail, United Parcel Service, or Federal Express.

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2. General Regulations (Cont'd)

2.1 Undertaking of the Telephone Company (Cont'd)

2.1.8 Refusal and Discontinuance of Service (Cont'd)

(E) The provisions in (A) and (C), above, shall not apply to charges that a customer does not pay based on the submission of a good faith dispute pursuant to Section 2.4.1 (B)(3)(C), following (Billing Disputes).

(S)

(S)

(D)(y)

(D)(y)

(S) Reissued without change.

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2. General Regulations (Cont'd)2.1 Undertaking of the Telephone Company (Cont'd)2.1.8 Refusal and Discontinuance of Service (Cont'd)

- (F) When access service is provided by more than one Telephone Company, the companies involved in providing the joint service may individually or collectively deny service to a customer for nonpayment. Where the Telephone Company(s) affected by the nonpayment is incapable of effecting discontinuance of service without cooperation from the other joint providers of Switched Access Service, such other Telephone Company(s) will, if technically feasible, assist in denying the joint service to the customer. Service denial for such joint service will only include calls originating or terminating within, or transiting, the operating territory of the Telephone Companies initiating the service denial for nonpayment. When more than one of the joint providers must deny service to effectuate termination for nonpayment, in cases where a conflict exists in the applicable tariff provisions, the tariff regulations of the end office Telephone Company shall apply for joint service discontinuance. (M)
- (G) If the Telephone Company does not refuse additional applications for service and/or does not discontinue the provision of the services as specified for herein, and the customer's noncompliance continues, nothing contained herein shall preclude the Telephone Company's right to refuse additional applications for service and/or to discontinue the provision of the services to the non-complying customer without further notice. (C)

(M) Items originally appearing on page 30 have been moved to this page.

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2. General Regulations (Cont'd)

2.1 Undertaking of the Telephone Company (Cont'd)

2.1.8 Refusal and Discontinuance of Service (Cont'd)

(F) Reserved for Future Use

(T)(D)(y)

(D)(y)

2.1.9 Limitation of Use of Metallic Facilities

Signals applied to a metallic facility shall conform to the limitations set forth in Technical Reference Publication AS No. 1. Where necessary, the customer shall be responsible for the provision of current limiting devices to protect Telephone Company facilities from excessive current due to abnormal conditions and for the provisions of noise mitigation networks when required to reduce excessive noise.

(y) Issued under Special Permission No. xxx of the Federal Communications Commission.

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2. General Regulations (Cont'd)2.1 Undertaking of the Telephone Company (Cont'd)2.1.10 Notification of Service-Affecting Activities

The Telephone Company will provide the customer reasonable notification of service-affecting activities that may occur in normal operation of its business. Such activities may include, but are not limited to, equipment additions, removals, and routine preventative maintenance. Generally, such activities are not individual customer service specific, they affect many customer services. No specific advance notification period is applicable to all service activities. The Telephone Company will work cooperatively with the customer to determine the notification requirements.

2.1.11 Provision and Ownership of Telephone Numbers

The Telephone Company reserves the reasonable right to assign, designate or change telephone numbers associated with Access Services, or the Telephone Company serving central office prefixes associated with such numbers, when necessary in the conduct of its business. Should it become necessary to make a change, the Telephone Company will furnish to the customer 6 months notice, by certified mail, of the effective date and an explanation of the reason(s) for such change(s).

2.1.12 Coordination with Respect to Network Contingencies

The Telephone Company intends to work cooperatively with the customer to develop network contingency plans in order to maintain maximum network capability following natural or man-made disasters which affect telecommunications services.

2.1.13 Nonchargeable Confirmation Services

- (A) Billed Number Screening (BNS): At the request of the customer, the Telephone Company business office will confirm BNS codes associated with a line to which a call is to be billed. (T)
- (B) Originating Line Screening (OLS): At the request of the customer, the Telephone Company business office will confirm OLS codes associated with an exchange access line from which a call originates. (N)
|
|
(N)

ACCESS SERVICE

2. General Regulations (Cont'd)2.2 Use2.2.1 Interference or Impairment

- (A) The facilities and equipment provided by the customer which are used in conjunction with Telephone Company facilities in the provision of Access Service shall not interfere with or impair the provision of service by the Telephone Company.
- (B) If interference as described in (A), above exists, except for equipment subject to the F.C.C. Part 68 rules in 47 C.F.R. Section 68.108, when practicable, the Telephone Company will notify the customer that service will be temporarily disconnected until the problem is corrected. When prior notice is not practical, the Telephone Company may temporarily disconnect services without prior notification to the customer. The customer will be notified of the action as soon as possible and given the opportunity to correct the problem. During the period of discontinuance, the credit allowance for service interruptions as set forth in Section 2.4.3, following, does not apply.

2.2.2 Unlawful Use

The service provided under this tariff shall not be used for an unlawful purpose.

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2. General Regulations (Cont'd)2.3 Obligations of the Customer2.3.1 Damages

The customer shall reimburse the Telephone Company for damages to the Telephone Company facilities utilized to provide services under this tariff caused by the negligence or willful act of the customer, or resulting from the customer's improper use of the Telephone Company facilities, or due to malfunction of any facilities or equipment provided by other than the Telephone Company. Nothing in the foregoing provision shall be interpreted to hold one customer liable for another customer's actions. The Telephone Company will, upon reimbursement for damages, cooperate with the customer in prosecuting a claim against the person causing such damage and the customer shall be subrogated to the right of recovery by the Telephone Company for the damages to the extent of such payment.

2.3.2 Ownership of Facilities

Facilities utilized by the Telephone Company to provide service under the provisions of this tariff shall remain the property of the Telephone Company. Such facilities shall be returned to the Telephone Company by the customer, whenever requested, within a reasonable period following the request in as good condition as reasonable wear will permit. Any cost of repair or replacement for unreasonable wear or damage will be billed to the customer who utilized the equipment.

ACCESS SERVICE

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.3 Equipment Space and Power

The customer shall furnish or arrange to have furnished to the Telephone Company, at no charge, equipment space and electrical power required by the Telephone Company to provide services under this tariff at the points of termination of such services. The selection of ac or dc power shall be mutually agreed to by the customer and the Telephone Company. The customer shall also make necessary arrangements in order that the Telephone Company will have access to such space at reasonable times for installing, testing, repairing or removing Telephone Company services.

2.3.4 Availability for Testing

The services provided under this tariff shall be available to the Telephone Company at times mutually agreed upon in order to permit the Telephone Company to make tests and adjustments appropriate for maintaining the services in satisfactory operating condition. Such tests and adjustments shall be completed within a reasonable time. No credit will be allowed for any interruptions involved during such tests and adjustments.

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.5 Balance

All signals for transmission over the services provided under this tariff shall be delivered by the customer balanced to ground except for ground start, duplex (DX) and McCulloh-Loop (Alarm System) type signalling and dc telegraph transmission at speeds of 75 baud or less.

2.3.6 Design of Customer Services

Subject to the provisions of Section 2.1.7, preceding, the customer shall be solely responsible, at its own expense, for the overall design of its services and for any redesigning or rearrangement of its services which may be required because of changes in facilities, operations or procedures of the Telephone Company, minimum protection criteria or operating or maintenance characteristics of the facilities.

2.3.7 Reference to the Telephone Company

The customer may advise End Users that certain services are provided by the Telephone Company in connection with the service the customer furnishes to End Users; however, the customer shall not represent that the Telephone Company jointly participates in the customer's services.

ACCESS SERVICE

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.8 Claims and Demands for Damages

The customer shall defend, indemnify and save harmless the Telephone Company from and against any suits, claims, losses or damages, including punitive damages, attorney fees and court costs by third persons arising out of the construction, installation, operation, maintenance, or removal of the customer's circuits, facilities, or equipment connected to the Telephone Company's services provided under this tariff, including, without limitation, Workmen's Compensation claims, actions for infringement of copyright and/or unauthorized use of program material, libel and slander actions based on the content of communications transmitted over the customer's circuits, facilities or equipment, and proceedings to recover taxes, fines, or penalties for failure of the customer to obtain or maintain in effect any necessary certificates, permits, licenses, or other authority to acquire or operate the services provided under this tariff; provided, however, the foregoing indemnification shall not apply to suits, claims, and demands to recover damages for damage to property, death, or personal injury unless such suits, claims or demands are based on the tortuous conduct of the customer, its officers, agents or employees. The customer shall defend, indemnify and save harmless the Telephone Company from and against any suits, claims, losses or damages, including punitive damages, attorney fees and court costs by the customer or third parties arising out of any act or omission of the customer in the course of using services provided under this tariff.

In the event that a customer files a claim for an access billing or revenue adjustment with the Telephone Company, the Telephone Company will have 30 days from the notification date to resolve the customer's claim or negotiate a mutually agreeable time frame for resolution of the claim.

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.9 Jurisdictional Report Requirements(A) Jurisdictional Reports - Switched Access

(1)

- (a) Except in cases where the Telephone Company is billing according to actuals by jurisdiction, when a customer orders Feature Group A and/or Feature Group B Switched Access Service the customer shall, in its order, state the projected interstate percentage for interstate usage for each Feature Group A and/or Feature Group B Switched Access Service group ordered. If the customer discontinues some but not all of the Feature Group A and/or Feature Group B Switched Access Services in a group, it shall provide the projected interstate percentage for such services which are discontinued. (N)
(N)
- (b) Pursuant to Federal Communications Commission Order FCC 85-145 adopted April 16, 1985, interstate usage is to be developed as though every call that enters a customer network at a point within the same state as that in which the called station (as designated by the called station telephone number) is situated is an intrastate communication and every call for which the point of entry is in a state other than that where the called station (as designated by the called station telephone number) is situated is an interstate communication.

ACCESS SERVICE

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.9 Jurisdictional Report Requirements (Cont'd)(A) Jurisdictional Reports - Switched Access (Cont'd)

(1) (Cont'd)

(c) Except in cases where the Telephone Company is billing according to actuals by jurisdiction, the projected interstate percentages will be used by the Telephone Company to apportion the usage between interstate and intrastate until a revised report is received as set forth in (6), following. (N)
(N)

(2) All single Feature Group A and B Switched Access Service usage and charges will be apportioned by the Telephone Company between interstate and intrastate. The projected interstate percentage reported as set forth in 1(a) and 1(b), preceding, will be used to make such apportionment.

(3) For multiline hunt group or trunk group arrangements where either the interstate or the intrastate charges are based on measured usage, the interstate Feature Group A and/or Feature Group B Switched Access Service(s) information reported as set forth in (1), preceding, will be used to determine the charges as follows:

ACCESS SERVICE

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.9 Jurisdictional Report Requirements (Cont'd)(A) Jurisdictional Reports - Switched Access (Cont'd)

(3) (Cont'd)

For all groups the number of access minutes (either measured or assumed) for a group will be multiplied by the projected interstate percentage to develop the interstate access minutes. The number of access minutes for the group minus the developed interstate access minutes for the group will be the developed intrastate access minutes.

- (4) When a customer orders Feature Group C or Feature Group D Switched Access Service(s), the customer may provide the projected interstate percentage for interstate usage for each end office group in its order. This percentage is subject to audit by the Telephone Company as set forth in Section 2.3.9(A)(7), following.

If the customer does not provide the projected interstate percentage for interstate usage, the Telephone Company will, where the jurisdiction can be determined from the call detail, determine the projected interstate percentage as follows:

ACCESS SERVICE

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.9 Jurisdictional Report Requirements (Cont'd)(A) Jurisdictional Reports - Switched Access (Cont'd)

(4) (Cont'd)

- (i) For originating access minutes, the projected interstate percentage will be developed on a monthly basis by end office when the Feature Group C or Feature Group D Switched Access Service access minutes are measured by dividing the measured interstate originating access minutes (the access minutes where the calling number is in one state and the called number is in another state) by the total originating access minutes when the call detail is adequate to determine the appropriate jurisdiction.

ACCESS SERVICE

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.9 Jurisdictional Report Requirements (Cont'd)(A) Jurisdictional Reports - Switched Access (Cont'd)

(4) (Cont'd)

- (ii) For terminating access minutes, the data used by the Telephone Company to develop the projected interstate percentage for originating access minutes will be used to develop projected interstate percentage for such terminating access minutes. When originating call details are insufficient to determine the jurisdiction for the call, the customer shall supply the projected interstate percentage or authorize the Telephone Company to use the Telephone Company developed percentage. This percentage shall be used by the Telephone Company as the interstate percentage for such call detail. The Telephone Company will designate the number obtained by subtracting the projected interstate percentage for originating and terminating access minutes calculated by the Telephone Company from 100 (100 - Telephone Company calculated projected interstate percentage = intrastate percentage) as the projected intrastate percentage of use.

(S)

ACCESS SERVICE

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.9 Jurisdictional Report Requirements (Cont'd)(A) Jurisdictional Reports - Switched Access (Cont'd)

- (5) Except where Telephone Company measured access minutes are used as set forth in (1) and (4), preceding, the customer reported interstate percentage of use as set forth in (1) or (4), preceding, will be used until the customer reports a different projected interstate percentage for an in service end office group. When the customer adds BHMC or trunks to an existing end office group, the customer shall furnish a Projected Interstate Usage percentage that applies to the added BHMC lines or trunks. When the customer discontinues BHMC, lines or trunks from an existing group, the customer shall furnish a projected interstate percentage for the discontinued BHMC lines or trunks in the end office group. The revised report will serve as the basis for future billing and will be effective on the next bill date. No prorating or back billing will be done based on the report.

(C)

ACCESS SERVICE

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.9 Jurisdictional Report Requirements (Cont'd)(A) Jurisdictional Reports - Switched Access (Cont'd)

- (6) Effective on the first of January, April, July and October of each year the customer shall update the interstate and intrastate jurisdictional report. The customer shall forward to the Telephone Company, to be received no later than 15 days after the first of each such month, a revised report showing the interstate and intrastate percentage of use for the past three months ending the last day of December, March, June and September, respectively, for each Switched Access Service arranged for interstate use. Additionally, where the customer utilizes FGA Switched Access Service for calls between a Primary Exchange Carrier and a Secondary Exchange Carrier within the same Extended Area Service calling area, where the Primary and Secondary Exchange Carriers are not the same Telephone Company and do not provide service under the same access service tariff, a copy of the revised report will be provided by the customer to each Secondary Exchange Carrier. Except in cases where the Telephone Company is billing according to actuals by jurisdiction, the revised report will serve as the basis for the next three months billing and will be effective on the bill date for that service. No prorating or back billing will be done based on the report.

(N)

(C)

ACCESS SERVICE

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.9 Jurisdictional Report Requirements (Cont'd)(A) Jurisdictional Reports - Switched Access (Cont'd)

(6) (Cont'd)

If the customer does not supply the reports, the Telephone Company will assume the percentages to be the same as those provided in the last quarterly report. For those cases in which a quarterly report has never been received from the customer, the Telephone Company will assume the percentages to be the same as those provided in the order for service as set forth in (1), preceding.

- (7) For Switched Access, if a billing dispute arises concerning the projected interstate percentage, the Telephone Company will ask the customer to provide the data the customer uses to determine the projected interstate percentage. The Telephone Company will not request such data more than once a year. The customer shall supply the data within 30 days of the Telephone Company's request.

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.9 Jurisdictional Report Requirements (Cont'd)(A) Jurisdictional Reports - Switched Access (Cont'd)

- (8) PIUs developed as outlined in (1) through (7), preceding, are applied to usage rated Carrier Common Line, Information Surcharge, Local Switching, Tandem Switched Transport and Residual Interconnection charges. Separate PIUs also developed as outlined in Sections (1) through (7), preceding, are required for flat rated Entrance Facilities, Direct Trunked Transport and Multiplexers.

(B) Special Access Jurisdictional Certification(1) Certification Requirements

When the customer orders Special Access Service, and the customer certifies to the Telephone Company in writing that more than ten percent of the traffic is interstate, the service is considered to be interstate and is provided under this Tariff. Following initial certification, should the jurisdictional nature of the customer's Special Access Service change, the customer should inform the Telephone Company in writing of the change. The effective date of the change will be the date the Telephone Company receives the customer's notice of change. No charge applies for the jurisdictional change.

ACCESS SERVICE

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.9 Jurisdictional Report Requirements (Cont'd)(B) Special Access Jurisdictional Certification (Cont'd)(2) Certification of Embedded Lines

For those customers who were provided Special Access Service under this tariff prior to May 1, 1990, or who have pending, uncompleted Special Access Service orders as of May 1, 1990, the Telephone Company will, by July 1, 1990, request in writing from the customer written certification of each Special Access Service. The customer will be requested to reply to the Telephone Company within 90 days. When a Special Access Service is certified to be jurisdictionally changed, the effective date of the change will be the date the Telephone Company receives the customer's certification. There is no charge when the customer's reply results in a jurisdictional change in the Special Access Service.

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.9 Jurisdictional Report Requirements (Cont'd)(B) Special Access Jurisdictional Certification (Cont'd)(3) Disputes Involving Jurisdictional Certification

If a dispute arises concerning the certification of projected interstate traffic as described in (1) or (2), preceding, the Telephone Company will ask the customer to provide the data the customer used to determine that more than 10% of the traffic is interstate. The customer shall supply the data within thirty (30) days of the Telephone Company request. If the reply results in a jurisdictional change of a Special Access Service, the effective date of the change will be the date the Telephone Company receives the customer's reply. There is no charge when the customer's reply results in a jurisdictional change in the Special Access Service.

2.3.10 Determination of Interstate Charges for Mixed Interstate and Intrastate Switched Access Service

When mixed interstate and intrastate Access Service is provided, all charges (i.e., nonrecurring, monthly and/or usage), will be prorated between interstate and intrastate. The percentage provided in the reports as set forth in Section 2.3.9, preceding, will serve as the basis for prorating the charges.

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.10 Determination of Interstate Charges for Mixed Interstate and Intrastate Switched Access Service (Cont'd)

The percentage of an Access Service to be charged as interstate is applied in the following manner:

- (A) For monthly and nonrecurring chargeable rate elements, multiply the percent interstate use times the quantity of chargeable elements times the stated tariff rate per element.
- (B) For usage sensitive (i.e., access minutes and calls) chargeable rate elements, multiply the percent interstate use times actual use times the stated tariff rate.

The interstate percentage will change as revised usage reports are submitted as set forth in Section 2.3.9, preceding..

2.3.11 Provision for Customer Audits

Upon 30 days written notice, the customer shall have the right to access to all information, data and records necessary to audit, trace and verify the accuracy of access bills rendered to the customer for usage in connection with MTS, Private Line, WATS and other services. Such information will be provided in a mutually agreeable format and shall include, but not be limited to, call details (e.g., messages and minutes of use summarized by jurisdiction, call type, end office and state). A comprehensive audit of this nature can be conducted by the customer not more than once per year. Examinations of specific questions and issues may be undertaken more frequently.

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.11 Provision for Customer Audits (Cont'd)

Each party shall bear its own expenses in connection with the conduct of an Audit (review) or Examination. Special data extractions required by the customer to conduct an Audit or Examination will be paid for by the customer. For purposes of this regulation, a "special data extraction" shall mean the creation of records that cannot normally be created by the Telephone Company's currently available software programs.

If the Telephone Company changes software programs and as a result of this change previously available data records would be considered special extractions, the Telephone Company must retain the ability to extract that data for one year at no charge to the customer. After that time, the use of those data records would be considered a special data extraction, cost to be borne by the customer.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance2.4.1 Payment of Rates, Charges and Deposits

- (A) The Telephone Company will require a deposit from all customers with a proven history of late payments to the Telephone Company and all customers who do not have established credit unless the customer is a successor of a company which has established credit and has no history of late payments to the Telephone Company. The deposit may be required prior to or after establishment of service. The total deposit may not exceed the estimated charges for service for a two month period. For purposes of this section, a proven history of late payments is defined as two (2) or more occasions within the preceding twelve (12) months in which payment for undisputed charges was not received within three (3) business days following the payment due date, provided the outstanding undisputed amount of each such unpaid bill represented at least ten (10) percent of the total charges on the individual bill. The Telephone Company will provide notice via overnight delivery to the person designated by the customer to receive such notice of the requirement to pay a deposit. The customer will be required to make payment of such deposit prior to the provision of service in those cases where the customer has not established credit with the Telephone Company, or otherwise within fifteen (15) business days of such notice. Such notice period will start the day after the notice is sent by overnight delivery.
- The fact that a deposit has been made does not relieve the customer from the responsibility of complying with the Telephone Company's regulations regarding prompt payment of bills. Annual interest at the rate described in Section 2.4.1(B)(3)(b), following, will be paid on all deposits held from the date the deposit is received up to and including the date the deposit is returned or credited to the customer's account. The deposit will be refunded after the customer has established a record of prompt payment for one year. When service is terminated, any deposit held will be credited on the final bill.

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(S) Reissued without change.

(y) Issued under Special Permission No. xxx of the Federal Communications Commission.

Issued: December 31, 2003

President
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Colorado Springs, CO 80918

Effective: January 1, 2004

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance2.4.1 Payment of Rates, Charges and Deposits (Cont'd)

(A) (Cont'd)

No such deposit will be required of a customer which is a successor of a company which has established credit and has no history of late payments to the Telephone Company. For new service (s) being established such deposit will not exceed the estimated rates and charges for a two-month period. For existing service (s) such deposit will not exceed the actual rates and charges for a two-month period associated with each individual bill that met the criteria for late payments specified above. The fact that a deposit has been made in no way relieves the customer from complying with the Telephone Company's regulations as to the prompt payment of bills. At such time as the provision of the service to the customer is terminated, the amount of the deposit will be credited to the customer's account and any credit balance which may remain will be refunded.

ACCESS SERVICE

2. General Regulations (Cont'd)

2.4 Payment Arrangements and Credit Allowance (Cont'd)

2.4.1 Payment of Rates, Charges and Deposits (Cont'd)

(B) (Cont'd)

(1) The Telephone Company will bill all usage charges monthly in arrears. All non usage sensitive access services, including End User Access Service and Presubscription service will be billed monthly in advance. Nonrecurring charges will be billed in the month following the provision of service. The bill day for End User Access Service and Presubscription Service will be the same day established for the provision of local service.

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(2) The bill day(s) for all access services other than End User Access Service and Presubscription Service will be established by the Telephone Company for each customer account and shall appear on the carrier access bill. If the Telephone Company advises the customer in writing, an alternate billing schedule may be established. Alternate billing schedules shall not be established on less than 60 days notice or initiated by the Telephone Company more than twice in any consecutive 12-month period.

(M) Information that appears on this page formerly appeared on Page 51.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.1 Payment of Rates, Charges and Deposits (Cont'd)

(B) (Cont'd)

(3)

- (a) Payment for service is due 31 days after the bill day or by the next bill date (i.e., same date in the following month as the bill date), whichever is the shortest interval, except as provided herein, and are payable in immediately available funds. If the customer does not receive a bill at least 20 days prior to the 31 day payment due date, then the bill shall be considered delayed. When a bill has been delayed, upon request of the customer, the due date will be extended by the number of days the bill was delayed. Such request by customer must be accompanied by proof of the late bill receipt. If such payment date would cause payment to be due on a Saturday, Sunday or legal holiday (i.e., New Years, Independence Day, Labor Day, Thanksgiving, Christmas, Veteran's Day and the days when Washington's Birthday, Memorial Day, and Columbus Day are legally observed) payment for such bills will be due as follows:

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.1 Payment of Rates, Charges and Deposits (Cont'd)

(B) (Cont'd)

(3) (Cont'd)

(a) (Cont'd)

If such payment date falls on a Sunday or on a Holiday which is observed on a Monday, the payment date shall be the first non-Holiday day following such Sunday or Holiday. If such payment date falls on a Saturday or on a Holiday which is observed on Tuesday, Wednesday, Thursday or Friday, the payment date shall be the last non-Holiday day preceding such Saturday or Holiday.

(b) If any portion of the payment is not received in immediately available funds by the due date as determined in (a), above, a late payment charge calculated at 15% annual interest will apply. Interest will be compounded monthly.

The late payment charge will be calculated from the due date to and including the date that payment is actually received by the Telephone Company. Any penalty due will be included as a separate item on the next statement issued.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.1 Payment of Rates, Charges and Deposits (Cont'd)

(B) (Cont'd)

(3) (Cont'd)

(c) In the event that a billing dispute concerning charges billed to the customer by the Telephone Company is resolved in favor of the Telephone Company, any disputed payments withheld pending settlement of the dispute shall be subject to the late payment penalty beginning 10 days after the payment date. If the dispute is resolved in favor of the customer, no late payment penalty will apply to the disputed amount. In this case, if full payment was made by the due date, the Telephone Company will refund the disputed amount in question plus interest. The penalty interest period shall begin 10 days following the due date or on the date the disputed amount was actually paid, whichever is later. Interest will be calculated as described in (b), preceding.

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(1) A good faith dispute requires the customer to provide a written claim to the Telephone Company. Instructions for submitting a dispute can be obtained by calling the billing inquiry number shown on the customer's bill, or, when available, by accessing such information on the Telephone Company's website also shown on the customer's bill. Such claim must identify in detail the basis for the dispute, and if the customer withholds the disputed amounts, it must identify the account number under which the bill has been rendered, the date of the bill, and the specific items on the bill being disputed to permit the Telephone Company to investigate the merits of the dispute.

(N)(y)

(N)(y)

(S) Reissued without change.

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ACCESS SERVICE

2. General Regulations (Cont'd)

2.4 Payment Arrangements and Credit Allowance (Cont'd)

2.4.1 Payment of Rates, Charges and Deposits (Cont'd)

(B) Reserved for Future Use

(D)(y)

(D)(y)

ACCESS SERVICE

2. **General Regulations** (Cont'd)2.4 **Payment Arrangements and Credit Allowance** (Cont'd)2.4.1 **Payment of Rates, Charges and Deposits** (Cont'd)

(B) (Cont'd)

(3) (Cont'd)

(d) (Cont'd)

(2) The date of the dispute shall be the date on which the customer furnishes the Telephone Company the account information required in (d) (1), above.

(3) The date of resolution is the date the Telephone Company completes its investigation, provides written notice to the customer regarding the disposition of the claim, i.e., resolved in favor of the customer or resolved in favor of the Telephone Company, and credits the customer's account, if applicable.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.1 Payment of Rates, Charges and Deposits (Cont'd)

(C) Reserved for Future Use

(D) For services provided on a monthly basis, the charge for the provision of a fractional month's service will be determined by dividing the number of days that service was provided by 30 and multiplying the result times the monthly rate. This calculation will be made subject to any minimum service periods required for specific services.

(E) When a rate, as set forth in this tariff, is shown to more than two decimal places, the charges will be determined using the rate shown. The resulting amount will then be rounded to the nearest penny (i.e., rounded to two decimal places).

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.2 Minimum Periods

- (A) Unless a minimum service period is described for a specific tariff item, the minimum period for which services are provided and for which rates and charges are applicable is one month.

When a service is discontinued prior to the expiration of the minimum period, the total charges at the rate level in effect at the time service is discontinued will apply for the remainder of the minimum period. The Telephone Company will charge the full nonrecurring charge to the end of the minimum period.

When a service with a minimum period greater than one month is discontinued prior to the expiration of the minimum period, the applicable charge will be the lesser of (1) the Telephone Company's total nonrecoverable costs less the net salvage value for the discontinued service or (2) the total monthly charges and nonrecurring charges, at the rate level in effect at the time service is discontinued, for the remainder of the minimum period.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.3 Credit Allowance for Service Interruptions(A) General

A service is interrupted when it becomes unusable to the customer because of a failure of facilities used to furnish service under this tariff or in the event that the protective controls applied by the Telephone Company result in the complete loss of service by the customer. An interruption period starts when an inoperative service is reported to the Telephone Company, and ends when the service is operative. An allowance for interruption will apply only when the interruption is not due to the negligence of the customer. The credit allowance for an interruption or for a series of interruptions shall not exceed the monthly rate for the service interrupted in any one monthly billing period.

(B) When a Credit Allowance Applies

In case of an interruption to any service, allowance for the period of interruption, if not due to the negligence of the customer, shall be as follows:

- (1) For Switched Access Service usage rated elements, no credit shall be allowed for an interruption of less than 24 hours. The customer shall be credited for an interruption of 24 hours or more at the rate of 1/30 of the applicable monthly rates for each period of 24 hours or major fraction (12 hours and one minute) thereof that the interruption continues.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.3 Credit Allowance for Service Interruptions (Cont'd)(B) When a Credit Allowance Applies (Cont'd)

(2) For Special Access Services and for flat rated Switched Access elements, (i.e., Entrance Facility, Direct Trunked Transport, and Multiplexing), no credit shall be allowed for an interruption of less than 30 minutes. The customer shall be credited for an interruption of 30 minutes or more at the rate of 1/1440 of the monthly charges for the facility or service for each period of 30 minutes or major fraction (16 minutes or more) thereof that the interruption continues.

(a) For two-point service, the monthly charge subject to application of a credit shall be the total of all the monthly rate element charges associated with the service (i.e., a channel termination per customer designated premises, channel mileage and optional features and functions).

(C)

(b) If a portion of a service such as a portion of a multipoint special access facility can still be utilized during the service interruption, the credit allowance will only apply to the services which are inoperative (i.e., a channel termination per customer designated premises, channel mileage and optional features and functions).

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.3 Credit Allowance for Service Interruption (Cont'd)(B) When a Credit Allowance Applies (Cont'd)

(2) (Cont'd)

(c) Multiplexed Services

For multiplexed services, the monthly charge subject to application of a credit shall be the total of all the monthly rate element charges associated with that portion of the service that is inoperative. When the facility which is multiplexed or the multiplexer itself is inoperative, the monthly charge shall be the total of all the monthly rate element charges associated with the service (i.e., the Channel Termination, Channel Mileage Facility and Termination, Entrance Facility, Direct Trunked Transport and Optional Features and Functions, including the multiplexer on the facility to the hub, and the channel terminations, channel mileages and optional features and functions on the individual services from the hub). When the service which rides a channel of the multiplexed facility is inoperative, the monthly charge shall be the total of all the monthly rate element charges associated with that portion of the service from the hub to a customer premises (i.e., Channel Termination, Channel Mileage Facility and Termination, Direct Trunked Transport, and Optional Features and Functions).

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ACCESS SERVICE

2. General Regulations (Cont'd)

2.4 Payment Arrangements and Credit Allowance (Cont'd)

2.4.3 Credit Allowance for Service Interruption (Cont'd)

(B) When a Credit Allowance Applies (Cont'd)

(2) (Cont'd)

(d) Flat Rated Switched Access Service Rate Elements

For flat rated Switched Access Service rate elements, the monthly charge subject to application of a credit shall be the total of all the monthly rate element charges associated with the service (i.e., Entrance Facility, Direct Trunked Transport and Multiplexing).

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ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.3 Credit Allowance for Service Interruption (Cont'd)(C) When a Credit Allowance Does Not Apply

No credit allowance will be made for:

- (1) Interruptions caused by the negligence of the customer.
- (2) Interruptions of a service due to the failure of equipment or systems provided by the customer or others.
- (3) Interruptions of a service during any period in which the Telephone Company is not afforded access to the premises where the service is terminated.
- (4) Interruptions of a service when the customer has released that service to the Telephone Company for maintenance purposes, to make rearrangements, or for the implementation of a change order during the time that was negotiated with the customer prior to the release of the service. Thereafter, a credit allowance as set forth in (B), preceding, applies.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.3 Credit Allowance for Service Interruption (Cont'd)(C) When a Credit Allowance Does Not Apply (Cont'd)

- (5) Periods when the customer elects not to release the service for testing and/or repair and continues to use it on an impaired basis.

2.4.4 Re-establishment of Service Following Fire, Flood, or Other Occurrence(A) Nonrecurring Charges Do Not Apply

Charges do not apply for the re-establishment of service for the same customer following an interruption resulting from a fire, flood or other occurrence attributed to an Act of God provided that:

- (1) The service is of the same type as was provided prior to the interruption.
- (2) The service is at the same location on the same premises.
- (3) The re-establishment of service begins within 60 days after Telephone Company service is available.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.4 Re-establishment of Service Following Fire, Flood, or Other Occurrence (Cont'd)(B) Nonrecurring Charges Apply

Nonrecurring Charges apply for establishing service at a different location on the same premises or at a different premises pending re-establishment of service at the original location.

2.4.5 Access Services Provided by More Than One Telephone Company

Pursuant to FCC order in CC Docket No. 87-579, released August 29, 1988, the provisions contained in this tariff related to access services provided by more than one Telephone Company (meet point billing) which had been set to expire on August 31, 1988 will be effective until further notice.

Pursuant to the F.C.C.'s Memorandum Opinion and Order in C.C. Docket 87-579, released October 5, 1989, when more than one telephone company is involved in the provision of FGA access service, the local exchange carriers which are jointly providing the service shall enter into revenue-sharing agreements, with the dial tone office local exchange carrier billing the customer for both originating and terminating FGA usage.

When more than one Telephone Company is involved in the provisions of Access Services, the Telephone Companies involved will mutually agree upon one of the billing methods described in (A) or (B), following, to bill for the transport or mileage portion of the service. The FCC, in its Memorandum Order and Opinion adopted July 20, 1987 and released July 31, 1987, has identified the alternative methods to be used when billing access services provided by more than one company. The Telephone Company will select one of the four options listed after agreeing to implement that method with the interconnecting companies.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.5 Access Services Provided by More Than One Telephone Company (Cont'd)

The Telephone Company will notify the customer which of the billing methods will be used. The customer will place the order for service as set forth in Section 5.9, following. The Telephone Company receiving the order or copy of the order from the customer will be responsible for billing the customer according to one of the FCC approved methods. Additionally, the Telephone Company shall provide 30-day advanced notification of any changes in the multiple carrier access billing arrangement.

(A) Single Bill Options(1) Single Bill/Multiple Tariff

Under this arrangement, the Telephone Company and the interconnecting carrier companies determine a billing entity (the Telephone Company, the interconnecting carrier, or a third party). The billing entity will prepare a single access bill with each Telephone Company's charges separately identified. The customer then pays the billing entity for the access charges and the billing entity then pays each Telephone Company involved in the provision of the service. This method would require that the billing entity maintain in its billing system the applicable tariff rates and charges for all Telephone Companies involved with the access service.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.5 Access Services Provided by More Than One Telephone Company
(Cont'd)(A) Single Bill Options (Cont'd)(2) Single Bill/Pass-Through Billing

Under this arrangement, a predetermined billing company would assemble a single access bill for the entire service provided. Each Telephone Company involved in the provision of the access service prepares an access bill (based on its own tariff) for its portion of the access service and forwards the bill to the billing company. The billing company would combine the various Telephone Company's bills into one access bill to be rendered to the customer.

(3) Single Bill/Single Tariff (LEC-to-LEC Access Billing)

Under this arrangement, the end office Telephone Company is responsible for billing the customer. Included in the Telephone Company's access rate structure would be the cost-based tariff charges of the other Telephone Companies involved in the provision of the access service. The Telephone Company bills the customer for the entire access service and is billed by the other Telephone Companies for the portion of access service they provide.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.5 Access Services Provided by More Than One Telephone Company (Cont'd)(B) Multiple Bill Options(1) Multiple Company/Multiple Tariff Billing

Under the arrangement, each Telephone Company providing service will bill the customer according to its tariff. Additionally, these access bills must use the same access minutes of use and include cross references to the other Telephone Company's bills, and common circuit identification. This method was described as the least preferable in the FCC's July 20, 1987 Memorandum Opinion and Order. The only issuing carriers selecting this option are those with technical limitations which prevent implementation of one of the single bill options.

(a) For Non-Distance Sensitive Rate Elements:

Local Transport rate elements with the exception of the Direct Trunked Facility elements are nondistance sensitive. The Local Transport rates described in Section 12.#.2(B), following, for these elements will apply to the total number of access minutes, terminations, or arrangements as appropriate. The rates charged for the portion of Local Transport provided by a

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.5 Access Services Provided by More Than One Telephone Company (Cont'd)(B) Multiple Bill Options (Cont'd)(1) Multiple Company/Multiple Tariff Billing (Cont'd)(a) For Non-Distance Sensitive Rate Elements: (Cont'd)

connecting exchange Telephone Company will be based on the connecting exchange Telephone Company's access tariff and may be distance sensitive for all rate options.

(b) For Distance Sensitive Rate Elements:

The Direct Trunked Facility rate in Local Transport and the Channel Mileage Facility rate in Special Access provided by the Telephone Company are distance sensitive. The Direct Trunked Facility rate described in Section 12.#.2(B)(4)(a), following, and the Channel Mileage Facility Rate described in Section 12.#.3(B)(2), following, will apply to the total number of miles determined using the following method.

- (i) Determine the appropriate mileage by computing the number of airline miles between the Telephone Company serving wire centers using the V&H method set forth in Section 7.4.3, following.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.5 Access Services Provided by More Than One Telephone Company
(Cont'd)(B) Multiple Bill Options (Cont'd)(1) Multiple Bill/Multiple Tariff Billing (Cont'd)(b) For Distance Sensitive Rate Elements:
(Cont'd)

- (ii) Determine the billing percentage (BP), as set forth in the NATIONAL EXCHANGE CARRIER ASSOCIATION, INC. TARIFF F.C.C. No. 4, which represents the portion of the service provided by each Telephone Company.
- (iii) Multiply the number of airline miles, as set forth in (i), preceding, times the BP for each Telephone Company, as set forth in (ii), preceding, times the Direct Trunked Facility or the Channel Mileage Facility rate as appropriate.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.5 Access Services Provided by More Than One Telephone Company
(Cont'd)(B) Multiple Bill Options (Cont'd)(1) Multiple Bill/Multiple Tariff Billing (Cont'd)(b) For Distance Sensitive Rate Elements:
(Cont'd)

- (iv) When three or more Telephone Companies are involved in providing an Access Service, the intermediate Telephone Company(s) will determine the appropriate charges as set forth in (iii), preceding.

(C) Determination of Rates and Charges

Determine the billing percentage (BP), as set forth in NATIONAL EXCHANGE CARRIER ASSOCIATION, INC. TARIFF F.C.C. No. 4, which represents the portion of the service provided by each Telephone Company. The following applies to all Feature Groups.

When three or more Telephone Companies are involved in providing an Access Service, the intermediate Telephone Company(s) will determine the appropriate charges as set forth below. Additionally, when a segment of the Direct Trunked Facility or Channel Mileage Facility is measured to the intermediate office(s), the Direct Trunked Termination or Channel Mileage Termination rates are also applied at the intermediate Telephone Company(s) office(s).

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.5 Access Services Provided by More Than One Telephone Company (Cont'd)(C) Determination of Rates and Charges (Cont'd)(1) Non-Distance Sensitive Rate Elements(a) Entrance Facility Charge and/or Multiplexing Charges

When the Entrance Facility and/or Multiplexing equipment is located within the operating territory of an issuing carrier of this tariff, the Entrance Facility and/or Multiplexing charge will apply.

(b) Residual Interconnection Charge

When the end office (which may be a Remote Switching Module or WATS Serving Office) is located within the operating territory of an issuing carrier of this tariff, the Residual Interconnection Charge will apply.

(c) Tandem Switched Transport

The Tandem Transport rate will apply for all originating and terminating access minutes routed over the facility.

When a tandem office is located within the operating territory of an issuing carrier of this tariff, the Tandem Switching rate will apply to all originating and terminating access minutes that are switched at the tandem.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.5 Access Services Provided by More Than One Telephone Company (Cont'd)(C) Determination of Rates and Charges (Cont'd)(1) Non-Distance Sensitive Rate Elements (Cont'd)(c) Tandem Switched Transport (Cont'd)

The Tandem Switched Transport rate is applied as set forth in Section 6.2(A)(1)(c), following. The Switched Access Nonrecurring Charges are applied as set forth in Section 6.7.1(A), following.

(d) Direct Trunked Termination

The Direct Trunked Termination Rate is applied at each termination located in an office within the operating area of an issuing carrier in this tariff. If a segment of Direct Transport Facility is measured to the intermediate office(s), the Direct Trunked Termination is applied at the intermediate office(s).

(2) Distance Sensitive Rate Elements(a) Direct Trunked Facility

The Direct Trunked Facility rate is applied as set forth in Section 2.4.5(B)(1)(b), preceding.

For Special Access, the Channel Mileage Facility rate is applied as set forth in Section 2.4.5(B)(1)(b), preceding.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowance (Cont'd)2.4.5 Access Services Provided by More Than One Telephone Company
(Cont'd)(C) Determination of Rates and Charges (Cont'd)(2) Distance Sensitive Rate Elements (Cont'd)(b) Special Access

The Special Access Channel Mileage Termination rate and nonrecurring charges are applied as set forth in Sections 7.1.1(B)(2) and 7.1.1(A), following, at each location in an office within the operating area of an issuing carrier in this tariff. (Note: The BP is not applied to either the Channel Mileage Termination Recurring Rate or any Nonrecurring Charge.)

ACCESS SERVICE

2. General Regulations (Cont'd)2.5 Connections2.5.1 General

Customer Premise Equipment and Systems may be connected with Switched and Special Access Service furnished by the Telephone Company where such connection is made in accordance with the provisions specified in Technical Reference Publication AS No. 1 and in Section 2.1, preceding.

2.6 DefinitionsAccess Codes

The term "Access Code" with the exception of Feature Group B (FGB) with an Abbreviated Dial Arrangement (ADA), denotes a uniform five or seven digit access code assigned by the Telephone Company to an individual customer. The five digit code has the form 10XXX, and the seven digit code has the form 950-XXXX. Access codes for FGB with an ADA are explained in 6.3.2(D), following.

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Access Order

An order to provide the customer with Switched Access Service or Special Access Service or changes to existing services.

Access Minute

The unit of usage of exchange facilities in interstate or foreign service for the purpose of calculating chargeable usage. On the originating end of an interstate or foreign call, usage is measured from the time the originating end user's call is delivered by the Telephone Company to, and acknowledged as received by, the customer's facilities connected with the originating exchange. On the terminating end of an interstate or foreign call, usage is measured from the time the call is received by the end user in the terminating exchange. Timing of usage at both originating and terminating ends of an interstate or foreign call shall terminate when the calling or called party disconnects, whichever event is recognized first in the originating and terminating end exchanges, as applicable.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Access Tandem

A Telephone Company or centralized equal access provider switching system that provides a concentration and distribution function for originating or terminating traffic between end offices and a customer's premises.

Aggregator

The term "Aggregator" denotes any entity that, in the ordinary course of its operations, makes telephones available to the public or to transient users of its premises, for interstate telephone calls using a provider of operator services.

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Answer/Disconnect Supervision

The transmission of the switch trunk equipment supervisory signal (off-hook or on-hook) to the customer's point of termination as an indication that the called party has answered or disconnected.

Balance (100 Type) Test Line

An arrangement in an end office which provides for balance and noise testing.

Business Day

The times of day that a company is open for business. Business Day hours for the Telephone Company may be determined by contacting the business office.

Busy Hour Minutes of Capacity (BHMC)

The customer specified maximum amount of Switched Access Service access minutes the customer expects to be handled in an end office switch during any hour in an 8:00 A.M. to 11:00 P.M. period for the Switched Access Service ordered. This customer furnished BHMC quantity is the input data the Telephone Company uses to determine the number of transmission paths for the Switched Access Service ordered.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Call

A customer attempt for which the complete address code (e.g., 0-, 911, or 10 digits) is provided to the serving dial tone office.

Carrier or Common Carrier

See Interexchange Carrier.

CCS

A standard unit of traffic load that is equal to 100 seconds of usage or capacity of a group of servers (e.g., trunks). Also known as "100 call seconds".

Central Office

A local Telephone Company switching system where Telephone Exchange Service customer station loops are terminated for purposes of interconnection to each other and to trunks.

Channels

A communications path between two or more points of termination.

Coin Station

A location where Telephone Company equipment is provided in a public or semipublic place where Telephone Company customers can originate telephonic communications and pay the applicable charges by inserting coins into the equipment.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Common Channel Signalling (CCS)

The term "Common Channel Signalling" (CCS) denotes a high speed packet switched communications network which is separate (out of band) from the public packet switched and message networks. Its purpose is to carry addressed signalling messages for individual trunk circuits and/or database related services between Signalling Points in the CCS network.

Common Channel Signalling Access Capability (CCSAC)

The term "Common Channel Signalling Access Capability" denotes the connection between the customer's point of presence and the Signal Transfer Point (STP) designated by the Telephone Company for the transport of signalling information.

Common Line

A line, trunk, pay telephone line or other facility provided under the general and/or local exchange service tariffs of the Telephone Company, terminated on a central office switch. A common line-residence is a line or trunk provided under the residence regulations of the local exchange service tariffs. A common line-business is a line provided under the business regulations of the general and/or local exchange service tariffs.

Communications System

Channels and other facilities which are capable of communications between terminal equipment provided by other than the Telephone Company.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Conventional Signalling

The inter-machine signalling system which has been traditionally used in North America for the purpose of transmitting the called number's address digits from the originating end office to the switching machine that will terminate the call. In this system, all of the dialed digits are received by the originating switching machine, a path is selected, and the sequence of supervisory signals and outpulsed digits is initialized. No overlap outpulsing, ten-digit ANI, ANI information digits, or acknowledgement wink are included in this signalling sequence.

Customer Designated Premises

The premises specified by the customer for the provision of Access Service.

Customers

Any individual, partnership, association, joint-stock company, trust, corporation, or governmental entity or other entity which subscribes to the services offered under this tariff, including both Interexchange Carriers (ICs) and End Users.

Data Transmission (107 Type) Test Line

An arrangement which provides for a connection to a signal source which provides test signals for one-way testing of data and voice transmission parameters.

Detail Billing

The listing of each message and/or rate element for which charges to a customer are due on a bill prepared by the Telephone Company.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Direct-Trunked Transport

The term "Direct-Trunked Transport" denotes transport from the serving wire center to the end office or from the serving wire center to the access tandem on circuits dedicated to the use of a single customer.

Effective 2-Wire

A condition which permits the simultaneous transmission in both directions over a channel, which does not insure independent information transmission in both directions. Effective 2-wire channels may be terminated with 2-wire or 4-wire interfaces.

Effective 4-Wire

A condition which permits the simultaneous independent transmission of information in both directions over a channel. The method of implementing effective 4-wire transmission is at the discretion of the Telephone Company (physical, time domain, frequency-domain separation or echo cancellation techniques).

End Office Switch

A local Telephone Company switching system where Telephone Exchange Service customer common lines are terminated for purposes of interconnection to trunks. Included are Remote Switching Modules and Remote Switching Systems served by a host office in a different wire center.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)End User

Any customer of an interstate or foreign telecommunications service that is not a carrier, except that a carrier shall be deemed to be an "end user" to the extent that such carrier uses a telecommunications service for administrative purposes, without making such service available to others, directly or indirectly.

Entrance Facility

The term "Entrance Facility" denotes a Switched Access Service dedicated Local Transport facility between the customer's serving wire center and the customer's designated premises.

Entry Switch

See First Point of Switching.

Exchange

A unit generally smaller than a local access and transport area, established by the Telephone Company for the administration of communications service in a specified area which usually embraces a city, town or village and its environs. It consists of one or more central offices together with the associated facilities used in furnishing communications service within that area. The exchange includes any Extended Area Service Area that is an enlargement of a Telephone Company's exchange area to include nearby exchanges.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Exit Message

The term "Exit Message" denotes an SS7 message sent to an end office by the Telephone Company's tandem switch to mark the Carrier Connect Time when the Telephone Company's tandem switch sends an Initial Address Message to an interexchange customer.

First Point of Switching

The first Telephone Company or centralized equal access provider location at which switching occurs on the terminating path of a call proceeding from the customer premises to the terminating end office and, at the same time, the last Telephone Company or centralized equal access provider location at which switching occurs on the originating path of a call proceeding from the originating end office to the IC or customer premises.

Host Office

An electronic switching system which provides call processing capabilities for one or more Remote Switching Modules or Remote Switching Systems.

Immediately Available Funds

A corporate or personal check drawn on a bank account for which funds are available for use by the receiving party on the same day on which they are received and include U.S. Federal Reserve bank wire transfers, U.S. Federal Reserve notes (paper cash), U.S. coins, U.S. Postal Money Orders and New York Certificates of Deposit.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Individual Case Basis

A condition in which the regulations, if applicable, rates and charges for an offering under the provisions of this tariff are developed based on the circumstances in each case.

Initial Address Message

The term "Initial Address Message" denotes an SS7 message sent in the forward direction to initiate trunk set up, reserve an outgoing trunk and process the information about that trunk along with other data relating to the routing and handling of the call to the next switch.

Interconnection Point

The V and H coordinate as determined in the NATIONAL EXCHANGE CARRIERS ASSOCIATION, INC. TARIFF F.C.C. No. 4 of a point where facilities of the Telephone Company meets facilities of a connecting exchange telephone company.

Interexchange Carrier (IC) or Interexchange Common Carrier

Any individual, partnership, association, joint-stock company, trust, governmental entity or corporation engaged for hire in interstate or foreign communication by wire or radio, between two or more exchanges.

Interstate Call

A term which denotes both interstate and foreign communications.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Intrastate Call

Any communications within a state subject to oversight by the state regulatory commission.

Line Side Connection

A connection of a transmission path to the line side of a local exchange switching system.

Local Access and Transport Area

A geographic area established for the provision and administration of communications service. It encompasses one or more designated exchanges, which are grouped to serve common social, economic and other purposes.

Loop Around Test Line

An arrangement utilizing a Telephone Company central office to provide a means to make certain two-way transmission tests on a manual basis. This arrangement has two central office terminations, each reached by means of separate telephone numbers and does not require any specific customer premises equipment. Equipment subject to this test arrangement is at the discretion of the customer.

Message

See "Call".

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Milliwatt (102 Type) Test Line

An arrangement in an end office which provides a 1,004 Hz tone at 0 dBm0 for one-way transmission measurements towards the customer's premises from the Telephone Company end office.

Net Salvage

The estimated scrap, sale, or trade-in value, less the estimated cost of removal. Cost of removal includes the costs of demolishing, or otherwise disposing of the material and any other applicable costs. Since the cost of removal may exceed salvage value, net salvage may be negative.

Network Control Signalling

The transmission of signals used in the telecommunications system which perform functions such as supervision (control, status, and charge signals), address signalling (e.g., dialing), calling and called number identifications, rate of flow, service selection error control and audible tone signals (call progress signals indicating re-order or busy conditions, alerting, coin denomination, coin collect and coin return tones) to control the operation of the telecommunications system.

Nonsynchronous Test Line

An arrangement in step-by-step end offices which provides operational tests which are not as complete as those provided by the synchronous test lines, but can be made more rapidly.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)North American Numbering Plan

A three-digit area (Numbering Plan Area) code and a seven-digit telephone number made up of a three-digit Central Office code plus a four-digit station number.

Off-Hook

The active condition of Switched Access or a Telephone Exchange Service line.

On-Hook

The idle condition of Switched Access or a Telephone Exchange Service line.

Open Circuit Test Line

An arrangement in an end office which provides an ac open circuit termination of a trunk or line by means of an inductor of several Henries.

Originating Direction

The use of access service for the origination of calls from an End User Premises to an IC Premises.

Overlap Outpulsing

The feature of the exchange access signalling system which permits initiation of pulsing to the customer's premises before the calling subscriber has completed dialing an originating call.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Pay Telephone

Telephone Company provided instruments and related facilities that are available to the general public for public convenience and necessity, including public and semi-public telephones, and coinless telephones.

Point of Termination

The point of demarcation within a customer-designated premises at which the Telephone Company's responsibility for the provision of Access Service ends.

Premises

A building or buildings on continuous property (except Railroad Right-of-Way, etc.) not separated by a public highway.

Primary Exchange Carrier

Denotes the Local Exchange Telephone Company in whose exchange a customer's first point of switching (i.e., dial tone office for FGA).

Prime Service Vendor

The term "Prime Service Vendor" denotes the status of the telephone company when contracting directly with the user of TSP service.

Release Message

The term "Release Message" denotes an SS7 Message sent in either direction to indicate that a specific circuit is being released.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Remote Switching Modules and/or Remote Switching Systems

Small, remotely controlled electronic end office switches which obtain their call processing capability from an ESS-type Host Office. The Remote Switching Modules and/or Remote Switching Systems cannot accommodate direct trunks to an IC.

Registered Equipment

The customer's premises equipment which complies with and has been approved within the Registration Provisions of Part 68 of the F.C.C.'s Rules and Regulations.

Secondary Exchange Carrier

Denotes the Local Exchange Telephone Company in whose exchange a FGA customer's end users' end office is located and where the customer's first point of switching is provided by a Primary Exchange Carrier who is not the same Exchange Carrier as the Secondary Exchange Carrier.

Service Access Code

The term "Service Access Code" denotes a 3 digit code in the NPA format which is used as the first three digits of a 10 digit address and which is assigned for special network uses. Whereas NPA codes are normally used for identifying specific geographical areas, certain Service Access Codes have been allocated in the North American Numbering Plan to identify generic services or to provide access capability. Examples of Service Access Codes include the 800 and 900 codes. Service Access Codes may be routed through Interim NXX Translation or through a data base.

(N)

(N)

Service Switching Point (SSP)

A Service Switching Point denotes an end office or tandem which, in addition to having SS7 and SP capabilities, is also equipped to query centralized data bases.

Serving Wire Center

The wire center from which the customer designated premises would normally obtain dial tone from the Telephone Company.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Shortage of Facilities or Equipment

A condition which occurs when the Telephone Company does not have appropriate cable, switching capacity, bridging or, multiplexing equipment, etc., necessary to provide the Access Service requested by the customer.

Short Circuit Test Line

An arrangement in an end office which provides for an ac short circuit termination of a trunk or line by means of a capacitor of at least four microfarads.

Signalling Point (SP)

The term "Signalling Point" (SP) denotes an SS7 network interface element capable of originating and terminating SS7 trunk signalling messages.

Signalling Point Of Interface (SPOI)

The term "Signalling Point of Interface" (SPOI) denotes the interface point between the Telephone Company and its Access customers for purposes of exchanging SS7 Signalling messages for CCS services.

Signalling System Seven (SS7)

The term "Signalling System Seven" (SS7) denotes the layered protocol used for standardized Common Channel Signalling in the United States.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Signalling Transfer Point (STP)

The term "Signalling Transfer Point" (STP) denotes a packet switch providing CCS Network Access that performs CCS message routing and screening.

Subcontractor

The term "Subcontractor" denotes the status of the Telephone Company when contracting directly with a Prime Service Vendor to provide TSP to a service user.

Subtending End Office of an Access Tandem

An end office that has final trunk group routing through that tandem.

Synchronous Test Line

An arrangement in an end office which performs marginal operational tests of supervisory and ring-tripping functions.

Tandem Switched Transport

The term "Tandem Switched Transport" denotes transport from the serving wire center to the end office, or from the tandem to the end office, that is switched at a tandem. It also denotes transport from a host office to a remote switching office.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Terminating Direction

The use of Access Service for the completion of calls from an IC premises to an End User Premises.

Termination Liability

The amount which will be billed if services using specially constructed facilities are terminated prior to the expiration of the Termination Liability Period.

Toll Free Number Database

The term "Toll Free Number (TFN) Database" refers to the use of database technology to determine to which access customer an originating TFN call is to be delivered. An originating TFN call is a call made with the prefix 1+800, 1+888, 1+866, 1+855, 1+844, 1+833 or 1+822. These calls may also be referred to as 8XX calls. The TFN Database routes calls to an access customer based on the dialed ten digit TFN number. Initially, the Toll Free Number Database will provide routing information for calls utilizing 800 and 888 toll free numbers. The Toll Free Number Database will be expanded, as required, at a later date to include routing for 877, 855, 844, 833 and 822 toll free numbers. Until that time, toll free number calls, other than those originated as 1+800 or 1+888, will not be completed

(N)

(N)

Transmission Measuring (105 Type) Test Line

An arrangement in an end office which provides far-end access to a recorder and permits two-way loss and noise measurements to be made on trunks from a near end office.

Transmission Path

An electrical path capable of transmitting signals within the range of the service offering, e.g., a voice grade transmission path is capable of transmitting voice frequencies within the approximate range of 300 to 3,000 Hz. A transmission path is comprised of physical or derived facilities consisting of any form or configuration of plant typically used in the telecommunications industry.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Trunk

A communications path connecting two switching systems in a network, used in the establishment of an end-to-end connection.

Trunk Group

A set of trunks which are traffic engineered as a unit for the establishment of connections between switching systems in which all of the communications paths are interchangeable.

Trunk Side Connection

The connection of a transmission path to the trunk side of a local exchange switching system. This type of connection is used when providing FGB, FGC, or FGD Switched Access Service.

Two-Wire to Four-Wire Conversion

An arrangement which converts a four-wire transmission path to a two-wire transmission path to allow a four-wire facility to terminate in a two-wire entity (e.g., a central office switch).

Trunk Side Connection

The connection of a transmission path to the trunk side of a local exchange switching system. This type of connection is used when providing FGB, FGC, or FGD Switched Access Service.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Two-Wire to Four-Wire Conversion

An arrangement which converts a four-wire transmission path to a two-wire transmission path to allow a four-wire facility to terminate in a two-wire entity (e.g., a central office switch).

Uniform Service Order Code

A three or five character alphabetic, numeric, or an alphanumeric code that identifies a specific item of service or equipment. Uniform Service Order Codes are used in the Telephone Company billing system to generate recurring rates and nonrecurring charges.

V and H Coordinates Method

A method of computing airline miles between two points by utilizing an established formula which is based on the vertical and horizontal coordinates of the two points.

WATS Serving Office

The term "WATS Serving Office" denotes a Telephone Company designated serving wire center where switching, screening and/or recording functions are performed in connection with the closed-end of WATS or WATS-type services.

Wire Center

A building in which one or more central offices, used for the provision of Telephone Exchange Services, are located.