
LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

This tariff West Telecom Services, LLC New York P.S. C. No. 2 replaces Hypercube Telecom, LLC New York P.S. C. No. 3 currently on file with the Commission in its entirety due to Company name change.

WEST TELECOM SERVICES, LLC

REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES

APPLYING TO COMMUNICATIONS SERVICES WITHIN

THE STATE OF NEW YORK

Applicable in New York State

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

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SYMBOLS

- C - To signify changed regulation.
- D - To signify discontinued rate or regulation.
- I - To signify a increased rate.
- M - To signify a move in the location of text.
- N - To signify a new rate or regulation.
- R - To signify a reduced rate.
- S - To signify reissued matter.
- T - To signify a change in text but no change in rate or regulation.

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TARIFF FORMAT

- A. Page Numbering - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially, however, new pages are occasionally added to the tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between pages 14 and 15 would be 14.1.
- B. Page Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the Commission. For example, the 4th Revised Page 14 cancels the 3rd Revised Page 14. Because of various suspension periods, deferrals, etc. the Commission follows in its tariff approval process, the most current page number on file with the Commission is not always the page in effect. Consult the Check Page for the page currently in effect.
- C. Paragraph Numbering Sequence -There are nine levels of paragraph coding. Each level of coding is subservient to the next higher level:
- 2.
 - 2.1
 - 2.1.1
 - 2.1.1.A.
 - 2.1.1.A.1.
 - 2.1.1.A.1.(a)
 - 2.1.1 A.1.(a).1.
 - 2.1.1 A.1.(a).1.(i).
 - 2.1.1 A.1.(a).1.(i).(1)
- D. Check Sheets - When a tariff filing is made with the Commission, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the pages contained in the tariff, with a cross-reference to the current revision number. When new pages are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remain the same, just revised revision levels on some pages.) The tariff user should refer to the latest Check Sheet to find out if a particular page is the most current on file with the Commission.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 1 - EXPLANATION OF TERMS

ANALOG - A transmission method employing a continuous (rather than a pulsed or Digital) electrical signal that varies in amplitude or frequency in response to changes of sound, light, position, etc., impressed on a transducer in the sending device.

APARTMENTS - A Building or group of Buildings used primarily to provide complete residential apartments but not lodging on a day-to-day basis.

AUTHORIZED USER - A person, corporation or other entity who is authorized by the Company's Customer to utilize service provided by the Company to the Customer. The Customer is responsible for all charges incurred by an Authorized User.

ATTENDANT - An operator of a PBX console or telephone switchboard.

AUTOMATIC NUMBER IDENTIFICATION ("ANF") - A system whereby the calling party's telephone number is identified and sent forward with the call record for routing and billing purposes. E911 Service also makes use of this system.

BIT - The smallest unit of information in the binary system of notation.

BUILDING - A structure enclosed within exterior walls or fire walls, built, erected and framed of component structural parts and designed for permanent occupancy.

BUSY HOUR - The two consecutive half hours during which the greatest volume of traffic is handled in the central office.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 1 - EXPLANATION OF TERMS, (CONT'D.)

CALL - A completed connection between the calling and called parties. For purposes of this tariff, a call refers to a transmitted message.

CALLING STATION - The telephone number from which a call originates.

CALLED STATION - The telephone number called.

CARRIER CUSTOMER - A carrier that orders exchange access service from the Company.

CENTRAL OFFICE - An operating office of the Company where connections are made between telephone exchange lines.

CENTRAL OFFICE LINE - A line providing direct or indirect access from a telephone or switchboard to a Central Office. Central Office Lines subject to PBX rate treatment are referred to as Central Office trunks.

CHANNEL - A point-to-point bi-directional path for digital transmission. A Channel may be furnished in such a manner as the Company may elect, whether by wire, fiber optics, radio or a combination thereof and whether or not by means of single physical facility or route. One 1.544 Mbps Service is equivalent to 24 Channels.

COLLEGE - An establishment for higher education authorized to confer degrees where lodging for the students is maintained on the premises.

COMPANY - West Telecom Services, LLC, unless otherwise clearly indicated from the context.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 1 - EXPLANATION OF TERMS, (CONT'D.)

COMMISSION - The New York State Public Service Commission.

CUSTOMER - A person, association, firm, corporation, partnership, governmental agency or other entity, including affiliates or divisions of the Customer, in whose name the telephone number of the Calling Station is registered with the underlying local exchange company. The Customer is responsible for payment of charges to the Company and compliance with all terms and conditions of this tariff.

DIRECT INWARD DIAL ("DID") - A service attribute that routes incoming calls directly to Stations, by-passing a central answer point.

DIGITAL - A method of, storing, processing and transmitting information through the use of distinct electronic or optical pulses that represent the binary digits (Bits) 0 and 1. Digital transmission/switching technologies employ a sequence of discrete, individually distinct pulses to represent information, as opposed to the continuously variable signal of Analog technologies.

DISCONNECT - To render inoperable or to disable circuitry, thereby preventing outgoing and incoming toll communications service.

ERROR - A discrepancy or unintentional deviation from what is correct or true. An Error can also be an omission in records.

EXCHANGE - An area, consisting of one or more Central Office districts, within which a call between any two points is a Local call.

EXCHANGE ACCESS LINE - A Central Office Line furnished for direct or indirect access to the Exchange system.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 1 - EXPLANATION OF TERMS, (CONT'D.)

EXCHANGE SERVICE - The provision to the subscriber of access to the Exchange system for the purpose of sending and receiving calls. This access is achieved through the provision of a Central Office Line (Exchange Access Line) between the Central Office and the subscriber's premises.

FEATURE GROUP D - A trunk-side termination or connection provided by a local exchange carrier to an interexchange carrier, which is necessary to enable Customers to directly access their primary interexchange carrier. Without Feature Group D, a Customer would be required to dial an access code in order to reach the desired telephone number.

FINAL ACCOUNT - A Customer whose service has been disconnected who has outstanding charges still owed to the Company.

HANDICAPPED PERSON - A person who is legally blind, visually handicapped or physically handicapped, under the following definitions from the Federal Register (Vol. 35 # 126 dated June 30, 1970).

Legally Blind - a person whose visual acuity is 20/200 or less in the better eye with correcting glasses, or whose widest diameter of visual field subtends an angular distance no greater than 20 degrees.

Visually Handicapped - a person whose visual disability, with correction and regardless of optical measurement with respect to legal blindness, are certified as unable to read normal printed material.

Physically Handicapped - a person who is certified by competent authority as unable to read or use ordinary printed materials as a result of physical limitation, or a person whose disabling condition causes difficulty with hand and finger coordination and use of a coin telephone,

The term "Handicapped Person", when used in connection with a person having a speech or hearing impairment which requires that they communicate over telephone facilities by means other than voice is defined below:

Hearing - a person with binaural hearing impairment of 60% or higher on the basis of the procedure developed by the American Academy of Otolaryngology (A.A.O.) as set forth in "Guide for Conservation of Hearing in Noise" 38-43, A.A.O., 1973; "guides to the Evaluation of Permanent Impairment" 103-107, American Medical Association, 1971.

Speech - a person with 65% or higher of impairment on the basis of the procedure recommended by the American Medical Association's Committee on Rating of Mental and Physical Impairment to evaluate speech impairment as to three categories: audibility, intelligibility and functional efficiency, as set forth in "Guides to the Evaluation of Permanent Impairment" 109-111, American Medical Association, 1971.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 1 - EXPLANATION OF TERMS, (CONT'D.)

HOSPITAL - An establishment for treatment of human patients by members of the medical profession where lodging for the patients is maintained on the premises.

HOTEL - An establishment offering lodging with or without meals to the general public on a day-to-day basis.

INCOMPLETE - Any call where voice transmission between the calling and called station is not established.

JOINT USER - A person, firm, or corporation which uses the telephone service of a Customer.

LATA - Local Access and Transport Area. The area within which the Company provides local and long distance ("intraLATA") service. For call to numbers outside this area ("interLATA") service is provided by long distance companies.

LOCAL CALL - A call which, if placed by a Customer over the facilities of the Company, is not rated as a toll call.

LOCAL CALLING AREA - The area, consisting of one or more Central Office districts, within which a subscriber for Exchange Service may make telephone calls without a toll charge.

LOCAL SERVICE - Telephone Exchange Service within a local calling area.

MESSAGE - A completed telephone call by a Customer or User.

PBX - A private branch Exchange.

PREMISES - The space occupied by an individual Customer in a building, in adjoining buildings occupied entirely by that Customer, or on contiguous property occupied by the Customer separated only by a public thoroughfare, a railroad right of way, or a natural barrier.

RATE CENTER - A geographic reference point with specific coordinates on a map used for determining mileage when calculating charges.

REFERRAL PERIOD - The time frame during which calls to a number which has been changed will be sent to a recording which will inform the caller of the new number.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 1 - EXPLANATION OF TERMS, (CONT'D.)

SAME PREMISES - All space in the same Building in which one subscriber has the right of occupancy, and all space in different Buildings on contiguous property when occupied solely by the same subscriber. Foyers, hallways and other space for the common use of all occupants of a Building are considered the premises of the operator of the Building.

STATE - New York.

STATION - Each telephone on a line and where no telephone associated with the line is provided on the same premises and in the same building, the first termination in station key equipment or a jack for use with a portable telephone.

TOLL CALL - Any call extending beyond the local exchange of the originating caller which is rated on a toll schedule by the Company.

USER/END USER - Customer or any authorized person or entity that utilizes the Company's services.

WEEKEND - All day Saturday or Sunday.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 2 – APPLICATION OF TARIFF

2.1 Application of Tariff

This tariff sets forth the regulations and rates applicable to services provided by West Telecom Services, LLC as follows:

The furnishing of intrastate local exchange, switched access, and interexchange telecommunication services to Customers by virtue of one-way and/or two-way information transmission between points within the State of New York.

2.1.1 Service Territory

A. Local Exchange Telecommunications Services

The Company will provide local exchange telecommunications services throughout the entire State of New York.

B. Interexchange Telecommunications Service.

The Company will provide interexchange telecommunications will provide services throughout the entire State of New York.

2.1.2 Availability

Service is available where facilities permit.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS**3.1 Use of Facilities and Service****3.1.1 Obligation of the Company**

The services of the Company consist of the furnishing of data transport services throughout the State of New York pursuant to this general tariff offering of service to the general public. In furnishing facilities and services, the Company does not undertake to transmit voice messages, but furnishes the use of its facilities to its Customers for data communications.

The Company's obligation to furnish facilities and service is dependent upon its ability (a) to secure and retain, without unreasonable expense, suitable facilities and rights for the construction and maintenance of the necessary circuits and equipment; (b) to secure and retain, without unreasonable expense, suitable space for its plant and facilities in the building where service is or will be provided to the Customer; or (c) to secure reimbursement of all costs where the owner or operator of a building demands relocation or rearrangement of plant and facilities used in providing service therein.

The Company shall not be required to furnish, or continue to furnish, facilities or service where the circumstances are such that the proposed use of the facilities or service would tend to adversely affect the Company's plant, property or service.

The Company reserves the right to refuse an application for service made by a present or former Customer who is indebted to the Company for service previously rendered pursuant to this tariff until the indebtedness is satisfied.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.1 Use of Facilities and Service, (Cont'd.)****3.1.2 Limitations on Liability****A. Indemnification by Customer**

The Customer and any Authorized or Joint Users, Jointly and severally shall indemnify, defend and hold the Company harmless against claims, loss, damage, expense (including attorneys' fees and court costs) for libel, slander, or infringement of copyright arising from the material transmitted over its facilities; against claims for infringement of patents arising from combining with, or using in connection with, facilities of the Company, equipment and systems of the Customer; and against all other claims arising out of any act or omission of the Customer in connection with facilities provided by the Company or the Customer. In the event any such infringing use is enjoined, the Customer, Authorized User or Joint User at its option and expense, shall obtain immediately a dismissal or stay of such injunction, obtain a license or other agreement so as to extinguish any claim of infringement, or terminate the claimed infringing use or modify such infringement.

B. Customer-Provided Equipment

The service and facilities furnished by the Company are subject to the following limitations: the Company shall not be liable for damage arising out of mistakes, omissions, interruptions, delays, Errors or defects in transmission or other injury, including but not limited to injuries to persons or property from voltages or currents transmitted over the facilities of the Company caused by Customer-provided equipment or premises wire.

C. Use of Facilities of Other Companies

When the facilities of other companies are used in establishing a connection, the Company is not liable for any act, error, omission, or interruption caused by the other company or their agents or employees. This includes the provision of a signaling system database by another company.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.1 Use of Facilities and Service, (Cont'd.)****3.1.3 Use of Service**

Any service provided under this tariff may be resold to or shared (jointly used) with other persons at the Customer's option. The Customer remains solely responsible for all use of service ordered by it or billed to its telephone number(s) pursuant to this tariff, for determining who is authorized to use its service, and for promptly notifying the Company of any unauthorized use. The Customer may advise its Customers that a portion of its service is provided by the Company, but the Customer shall not represent that the Company jointly participates with the Customer in the provision of the service.

3.1.4 Use and Ownership of Equipment

The Company's equipment, apparatus, channels and lines shall be carefully used. Equipment furnished by the Company shall remain its property and shall be returned to the Company whenever requested, within a reasonable period following the request, in good condition, reasonable wear and tear accepted. The Customer is required to reimburse the Company for any loss of, or damage to, the facilities or equipment on the Customer's premises, including loss or damage caused by agents, employees or independent contractors of the Customer through any negligence.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.2 Minimum Period of Service**

The minimum period of service is one month except as otherwise provided in this tariff. The Customer must pay the regular tariffed rate for the service they subscribe to for the minimum period of service. If a Customer disconnects service before the end of the minimum service period, that Customer is responsible for paying the regular rates for the remainder of the minimum service period. When the service is moved within the same building, to another building on the same premises, or to a different premises entirely, the period of service at each location is accumulated to calculate if the Customer has met the minimum period of service obligation.

If service is terminated before the end of the minimum period of service as a result of condemnation of property, damage to property requiring the premises to be abandoned, or by the death of the Customer, the Customer is not obligated to pay for service for the remainder of the minimum period.

If service is switched over to a new Customer at the same premises after the first month's service, the minimum period of service requirements are assigned to the new Customer if the new Customer agrees in writing to accept them. For facilities not taken over by the new Customer, the original Customer is responsible for the remaining payment for the minimum service period in accordance with the terms under which the service was originally furnished.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.3 Flexible Pricing****3.3.1 General**

Flexible Pricing sets minimum and maximum rates that can be charged for telephone service. The Company may change a specific rate within the range of the established minimum and maximum rates on one day's notice to Customers and the Public Service Commission.

3.3.2 Conditions

- A. The Company reserves the right to change prices at any time subject to regulatory requirements by filing a revised Rate Attachment with the Commission.
- B. Individual written notice to Customers of rate changes shall be made in accordance with Commission regulations. Where there are no regulations, notification will be made in a manner appropriate to the circumstances involved.
- C. A rate shall not be changed unless it has been in effect for at least thirty (30) days.
- D. A Customer can request that the Company disconnect service that is provided under the Flexible Pricing due to a price increase. The Customer will be credited for the difference between the new price and the old price retroactive to the effective date of the price increase if the Customer notifies the Company of its desire to disconnect service within twenty (20) days of receiving notification of the price increase.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.4 Payment for Service Rendered

3.4.1 Responsibility for All Charges

Any applicant for facilities or service may be required to sign an application form requesting the Company to furnish the facilities or service in accordance with the rates, charges, rules and regulations from time to time in force and effect. The Customer is responsible for all service transmissions originating from the Customer's premises.

3.4.2 Deposits/Advanced Payments

The Company will not require deposits or advanced payments from its Customers.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.4 Payment for Service Rendered, (Cont'd.)****3.4.3 Payment of Charges**

Charges for facilities and service, other than usage charges, are due monthly in advance. All other charges are payable upon request of the Company. Bills are due on the due date shown on the bill and are payable at any business office of the Company, by U.S. Mail, or at any location designated by the Company.

If objection is not received by the Company within three (3) months after the bill is rendered, the items and charges appearing thereon shall be determined to be correct and binding upon the Customer. A bill will not be deemed correct and binding upon the Customer if the Company has records on the basis of which an objection may be considered, or if the Customer has in his or her possession such Company records.

If objection results in a refund to the Customer, such refund will be with interest at the greater of the unadjusted Customer deposit rate or the applicable late payment rate, if any, for the service classification under which the Customer was billed. Interest will be paid from the date when the Customer overpayment was made, adjusted for any changes in the late payment rate, compounded monthly, until the overpayment is refunded. Notwithstanding the foregoing, no interest will be paid by the Company on Customer overpayments that are refunded within thirty (30) days after the overpayment is received by the Company.

Where an objection to the bill involves a superseded service order, the items and charges appearing on the bill shall be deemed to be correct and binding upon the Customer if objection is not received by the Company within two (2) months after the bill is rendered.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.4 Payment for Service Rendered, (Cont'd.)

3.4.4 Late Payment Charges

- A. Customer bills for telephone service are due on the due date specified on the bill. A Customer is in default unless payment is made on or before the due date specified on the bill. If payment is not received by the Customer's next billing date, a late payment charge of 1.5% will be applied to all amounts previously billed under this tariff, excluding one month's service charge, but including arrears and unpaid late payment charges.
- B. Late payment charges do not apply to those portions (and only those portions) of unpaid balances that are associated with disputed amounts. Undisputed amounts on the same bill are subject to late payment charges if unpaid and carried forward to the next bill.
- C. Late payment charges do not apply to Final Accounts.
- D. Late payment charges do not apply to government agencies of the State of New York. These agencies are required to make payment in accordance with the provisions of Article XI-A of the State Finance Law (Chapter 153 of the Laws of 1984).

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.4 Payment for Service Rendered, (Cont'd.)****3.4.5 Customer Overpayments**

The Company will provide interest on Customer overpayments that are not refunded within thirty (30) days of the date the Company receives the overpayment. An overpayment is considered to have occurred when payment in excess of the correct charges for service is made because of erroneous Company billing. The Customer will be issued reimbursement for the overpayment, plus interest, or, if agreed to by the Customer, credit for the amount will be provided on the next regular Company bill. The rate of interest shall be the same as the Company's applicable Late Payment Charge.

Interest shall be paid from the date when overpayment was made, adjusted for any changes in late payment rate, and compounded monthly, until the date when the overpayment is refunded. The date when overpayment is considered to have been made will be the date on which the Customer's overpayment was originally recorded to the Customer's account by the Company.

3.4.6 Contested Charges

In the event that a billing dispute between the Customer and the Company for service furnished to the Customer cannot be settled with mutual satisfaction, the Customer may take the following course of action:

- A. First, the Customer may request, and the Company will provide, an in-depth review of the disputed amount. (The undisputed portion and subsequent bills must be paid on a timely basis or the service may be subject to disconnection.)
- B. Second, if there is still a disagreement about the disputed amount after investigation and review by the Company, the Customer may file an appropriate complaint with the New York State Public Service Commission. The address of the Commission is:

Three Empire State Plaza
Albany, New York 12223-1350
(518) 474-1668

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.5 Installation Service**

The Company provides a Half-Day Installation Plan, which offers Customers half-day appointments (i.e., morning/afternoon or a rolling interval) for connection of Commission regulated service involving a Customer premise visit. In the case of any inconsistency with the regulations in Part 609 of 16 NYCRR for installation service, the rules of the Commission shall prevail.

3.6 Access to Customer's Premises

The Customer shall be responsible for making arrangements or obtaining permission for safe and reasonable access for Company employees or agents of the Company to enter the premises of the Customer or any Joint User or Customer of the Customer at any reasonable hour for the purpose of inspecting, repairing, testing or removing any part of the Company's facilities.

3.7 Individual Case Basis ("ICB") Arrangements

Rates for ICB arrangements will be developed on a case-by-case basis in response to a bona fide request from a Customer or prospective Customer for service which vary from tariffed arrangements. Rates quoted in response to such requests may be different for tariffed service than those specified for such service in the Rate Attachment. ICB rates will be offered to Customers in writing and will be made available to similarly-situated Customers. A summary of each ICB contract pricing arrangement offered pursuant to this paragraph will be filed as an addendum to this tariff within thirty (30) days after the contract is signed by both the Company and the Customer. The following information will be included in the summary:

3.7.1 LATA and type of switch;

3.7.2 The V&H distance from the Central Office to the Customer's premises;

3.7.3 Service description;

3.7.4 Rates and charges;

3.7.5 Quantity of circuits; and

3.7.6 Length of the agreement.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.8 Telephone Surcharges****3.8.1 General**

In addition to the rates and charges applicable according to the rules and regulations of this tariff, various surcharges apply to the Customer's monthly bill statement as outlined in 3.8.2 and 3.8.3 below. If there are surcharge rates applicable to a particular city, village, town or county tax district or other jurisdictional taxing entity, the rate will be listed on the Telephone Surcharge Statement which is at the end of this section.

3.8.2 Surcharge For State Gross Income and Gross Earnings Taxes

A monthly surcharge to recover the additional expense related to the State Gross Income and Gross Earnings Taxes applies to the recurring and nonrecurring rates and charges for all intrastate service except returned check charges, late payment charges and rates for local coin calls. The applicable Gross Revenue Surcharge rates are shown on Statement 1 which is at the end of this section. Any changes to these rates will be filed on 15 days' notice to Customers and the Commission, and as directed by the Commission. Whenever the state levies a new tax on the Company's gross revenues, repeals such a tax, or changes the rate of such a tax, the Commission may approve new surcharge factors, and the Company will file a revised statement as directed or approved by the Commission.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.8 Telephone Surcharges, (Cont'd.)

3.8.3 Village or Municipal Surcharge on Local Utility Gross Revenue Taxes

In certain cities and villages a municipal surcharge related to the Local Utility Gross Revenue Taxes applies to the recurring and nonrecurring rates and charges for all intrastate service except returned check charges, late payment charges and rates for local coin calls. The percentage rate of the surcharge in each locality where such a surcharge applies is listed on the Telephone Surcharge Statement which is at the end of this section.

The surcharge statement shall be filed at least fifteen (15) business days before the effective date. The effective date of the statement shall not be prior to the effective date of the surcharge and no sooner than the date when the tax enactment is filed with the Secretary of State. The surcharge shall be applicable to bills subject to the tax enactment that are rendered on or after the effective date of the statement. If the tax enactment either ceases to be effective or is modified so as to reduce the tax rate, the surcharge will be changed accordingly within five (5) business days.

Introduction, cancellation, or modification of a surcharge will be effective on the date of the Customer's first bill rendered after the effective date of the change.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.9 Termination of Service

3.9.1 Termination for Nonpayment

In the event that any bill rendered is not paid, the Company may terminate service twenty (20) days after written notification has been mailed to the billing address of the Customer. If service is terminated for nonpayment, the Customer will be billed a Reconnection Charge (as specified in Section 5) as well as any payment due upon reconnection.

Service shall not be terminated for nonpayment on weekends, public holidays, other federal and state holidays proclaimed by the President or the Governor, or on days when the main business office of the Company is not open for business, or during the periods from December 23rd through December 26th or December 30th through January 1st.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.9 Termination of Service, (Cont'd.)

3.9.2 Exceptions to Termination

Service shall not be terminated for:

- A. Nonpayment of bills rendered for charges other than service or deposits requested in connection with service;
- B. Nonpayment for service for which a bill has not been rendered;
- C. Nonpayment for service which have not been rendered;
- D. Nonpayment of any billed charge which is in dispute or for the nonpayment of a deposit which is in dispute during the period before a determination of the dispute is made by the Company in accordance with Company's complaint handling procedures. These procedures are in accordance with the Public Service Commission Rules and Regulations contained in Part 609 of 16 NYCRR.

Service may be terminated for nonpayment of the undisputed portion of a disputed bill if the Customer does not pay the undisputed portion after being asked to do so.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.9 Termination of Service, (Cont'd.)

3.9.3 Verification of Nonpayment

Service shall not be terminated for nonpayment of a bill rendered unless:

- A. The Company has verified that payment has not been received at any office of the Company or at any office of an authorized collection agent through the end of the period indicated in the notice, and
- B. The Company has checked the Customer's account on the day that termination is to occur to determine whether payment has been posted to the Customer's account as of the opening of business on that day.

3.9.4 Dishonored Checks

If a Customer who has received a notice of discontinuance pays the bill with a check that is subsequently dishonored, the account remains unpaid and the Company is not required to issue any additional notice before disconnecting service.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.9 Termination of Service, (Cont'd.)****3.9.5 Termination For Cause Other Than Nonpayment****A. General**

The Company, after giving the Customer five (5) business days' written notice, may terminate service and sever the connections(s) from the Customer's premises under the following conditions:

1. in the event of prohibited, unlawful or improper use of the facilities or service, or any other violation by the Customer of the rules and regulations governing the facilities and service furnished, or
2. if, in the judgment of the Company, any use of the facilities or service by the Customer may adversely affect the Company's personnel, plant, property or service. The Company shall have the right to take immediate action, including termination of the service and severing of the connection, without notice to the Customer when injury or damage to telephone personnel, plant, property or service is occurring, or is likely to occur, or
3. in the event of unauthorized use, where the Customer falls to take reasonable steps to prevent the unauthorized use of the facilities or service received from the Company, or
4. in the event that service is connected for a Customer who is indebted to the Company for service or facilities previously furnished, that service may be terminated by the Company unless the Customer satisfies the indebtedness within twenty (20) days after written notification.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.9 Termination of Service, (Cont'd.)

3.9.5 Termination For Cause Other Than Nonpayment, (Cont'd.)

B. Prohibited, Unlawful or Improper Use of the Facilities or Service

Prohibited, unlawful or improper use of the facilities or service includes, but is not limited to:

1. The use of facilities or service of the Company without payment of tariff charges;
2. The transmission of information or permitting others to transmit information to another person or persons so frequently or at such times of the day or in such manner as to harass, frighten, abuse or torment such other person or persons;
3. The use of profane or obscene language;
4. The use of the service in such a manner such that it interferes with the service of other Customers or prevents them from making or receiving messages;
5. The use of a mechanical dialing device or recorded announcement equipment to seize a Customer's line, thereby interfering with the Customer's use of the service; and
6. Permitting fraudulent use.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.9 Termination of Service, (Cont'd.)

3.9.5 Termination For Cause Other Than Nonpayment, (Cont'd.)

C. Abandonment or Unauthorized Use of Facilities

1. If it is determined that facilities have been abandoned, or are being used by unauthorized persons, or that the Customer has failed to take reasonable steps to prevent unauthorized use, the Company may terminate telephone service.
2. In the event that telephone service is terminated for abandonment of facilities or unauthorized use and service is subsequently restored to the same Customer at the same location:
 - (a) No charge shall apply for the period during which service had been terminated; and
 - (b) Reconnection charges will apply when service is restored. However, no charge shall be made for reconnection if the service was terminated due to an Error on the part of the Company.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.9 Termination of Service, (Cont'd.)****3.9.5 Termination For Cause Other Than Nonpayment, (Cont'd.)****D. Change in the Company's Ability to Secure Access**

Any change in the Company's ability (a) to secure and retain suitable facilities and rights for the construction and maintenance of the necessary circuits and equipment or (b) to secure and retain suitable space for its plant and facilities in the building where service is provided to the Customer may require termination of a Customer's service until such time as new arrangements can be made. No charges will be assessed the Customer while service is terminated, and no reconnection charges will apply when the service is restored.

3.9.6 Emergency Termination of Service

The Company will immediately terminate the service of any Customer, on request, when the Customer has reasonable belief that the service is being used by an unauthorized person or persons. The Company may require that the request be submitted in writing as a follow-up to a request made by telephone.

3.9.7 Payment Responsibility

The Customer is responsible for all charges incurred to the Calling Station regardless of which party terminates the service. The Customer shall reimburse the Company for all expenses and fees (other than attorneys' fees) incurred by the Company in collecting such charges.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.10 Voluntary Suspension of Service**

Upon the request of the Customer, the Company shall suspend service to the Customer for a period not to exceed one (1) year. Suspension of service at the Customer's request is the interruption of both incoming and outgoing service. The Customer's telephone number will be retained for the Customer during the suspension, unless the number is changed for a reason outside of suspension (such as the changing of Central Office equipment, re-association or area transfer activity). A suspension charge will be assessed for each suspension request. The suspension charge is listed in Section 5 of this tariff.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.11 Allowances for Interruptions in Service**

Interruptions in service, which are not due to the negligence of, or non-compliance with the provisions of this tariff by the Customer, or the operation or malfunction of the facilities, power, or equipment provided by the Customer, will be credited to the Customer as set forth below for the part of the service that the interruption affects. A credit allowance will be made when an interruption occurs because of a failure of any component furnished by the Company under this tariff.

3.11.1 Credit for Interruptions

- A. An interruption period begins when the Customer reports a service, facility, or circuit to be interrupted and releases it for testing and repair. An interruption period ends when the service, facility, or circuit is operative. If the Customer reports a service, facility, or circuit to be inoperative but declines to release it for testing and repair, it is considered to be impaired, but not interrupted.
- B. For calculating credit allowances, every month is considered to have thirty (30) days. A credit allowance is applied on a pro rata basis against the rates specified hereunder and is dependent upon the length of the interruption. Only those facilities on the interrupted portion of the circuit will receive a credit.
- C. A credit allowance will be given, upon request of the Customer to the business office, for interruptions of thirty (30) minutes or more. Credit allowances will be calculated as follows:
 1. if interruption continues for less than twenty-four (24) hours:
 - (a) 1/30th of the monthly rate if it is the first interruption in the same billing period.
 - (b) 2/30ths of the monthly rate if there w, of at least twenty-four (24) hours in the same billing period.
 2. if interruption continues for more than twenty-four (24) hours:
 - (a) if caused by storm, fire, flood or other condition out of Company's control, 1/30th of the monthly rate for each twenty-four (24) hours of interruption.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.11 Allowed for Interruptions in Service, (Cont'd.)

3.11.1 Credit for Interruptions, (Cont'd.)

C. (Cont'd.)

2. (Cont'd.)

- (b) for other interruption, 1/30 of the monthly rate for the first twenty-four (24) hours and 2/30ths of such rate for each additional twenty-four (24) hours (or fraction thereof); however, if service is interrupted for over twenty-four (24) hours, more than once in the same billing period, the 2/30ths allowance applies to the first twenty-four (24) hours of the second and subsequent interruptions

Two or more interruptions of fifteen (15) minutes or more during any one twenty-four (24) hour period shall be considered as one interruption.

D. Credit to Customer

Credits attributable to any billing period for interruptions of service shall not exceed the total charges for that period for the service and facilities furnished by the Company rendered useless or substantially impaired.

E. "Interruption" Defined

For the purpose of applying this provision, the word "interruption" shall mean the inability to complete calls either incoming or outgoing or both due to equipment malfunction or human errors. "Interruption" does not include and no allowance shall be given for service difficulties such circuits busy or other network and/or switching capacity shortages. Nor shall the interruption allowance apply where service is interrupted by the negligence or willful act of the subscriber or where the Company, pursuant to the terms of the tariff, suspends or terminates service because of nonpayment of bills due to the Company, unlawful or improper use of the facilities or service, or any other reason covered by the tariff. No allowance shall be made for interruptions due to electric power failure where, by the provisions of this tariff, the subscriber is responsible for providing electric power.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.11 Allowances for Interruptions in Service, (Cont'd.)

3.11.2 Limitations on Credit Allowances

No credit allowance will be made for:

- A. Interruptions due to the negligence of, or non-compliance with the provisions of this tariff, by any party other than the Company, including but not limited to the Customer, Authorized User, or other common carriers connected to, or providing service connected to, the service of the Company or to the Company's facilities;
- B. Interruptions due to the failure or malfunction of non-Company equipment, including service connected to Customer provided electric power;
- C. Interruptions of service during any period in which the Company is not given full and free access to its facilities and equipment for the purpose of investigating and correcting interruptions;
- D. Interruptions of service during any period when the Customer has released service to the Company for maintenance purposes or for implementation of a Customer order for a change in service arrangements;
- E. Interruptions of service due to circumstances or causes beyond the control of the Company.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.12. Telephone Number Changes

When a business Customer requests a telephone number change, the Referral Period for the Disconnected number is one hundred eighty (180) days.

When service in an existing location is continued for a new Customer, the existing telephone number may be retained by the new Customer only if the former Customer consents in writing, and if all charges against the account are paid or assumed by the new Customer.

Because the Company will not provide voice or dial tone service, no telephone numbers will be associated with its service offerings.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.13 Additional Provisions Applicable to Business Customers

3.13.1 Application of Rates

- A. Business rates as described in Section 7 apply to service furnished:
 - 1. In office buildings, stores, factories and all other places of a business nature;
 - 2. In hotels, apartment houses, clubs and boarding and rooming houses except when service is within the Customer's domestic establishment and no business listings are provided; colleges, hospitals and other institutions; and in churches except when service is provided to an individual of the clergy for personal use only and business service is already established for the church at the same location;
 - 3. At any location when the listing or public advertising indicates a business or a profession;
 - 4. At any location where the service includes an extension which is at a location where business rates apply unless the extension is restricted to incoming calls;
 - 5. At any location where the Customer resells or shares exchange service;
- B. The use of business facilities and service is restricted to the Customer, customers, agents and representatives of the Customer, and joint users.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.13 Additional Provisions Applicable to Business Customers, (Cont'd.)

3.13.2 Telephone Number Changes

When a business Customer requests a telephone number change, the referral period for the disconnected number is 180 days.

The Customer may order a Customized Number where facilities permit for an additional charge as specified in Section 11.2 of this tariff.

When service in an existing location is continued for a new Customer, the existing telephone number may be retained by the new Customer only if the former Customer consents in writing, and if all charges against the account are paid or assumed by the new Customer.

3.13.3 Deposits

Deposits will be returned to a business Customer upon cancellation of service or after one year, whichever event occurs first, unless the Customer is delinquent in payment, in which case the Company will continue to retain the deposit until the delinquency is satisfied. If a service is involuntarily discontinued, the deposit is applied against the final bill, and any balance is returned to the Customer.

3.13.4 Dishonored Checks

If a business Customer who has received a notice of discontinuance pays the bill with a check that is subsequently dishonored, the account remains unpaid and the Company is not required to issue any additional notice before disconnecting service.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.14 Additional Provisions Applicable to Residential Customers****3.14.1 Application of Rates**

Residential rates as described in Section 6 apply to service furnished in private homes or apartments (including all parts of the Customer's domestic establishment) for domestic use. Residential rates also apply in college fraternity or sorority houses, convents and monasteries, and to the clergy for domestic use in residential quarters.

Residential rates do not apply to service in residential locations if the listing indicates a business or profession. Residential rates do not apply to service furnished in residential locations if there is an extension line from the residential location to a business location unless the extension line is limited to incoming calls.

The use of residential service and facilities is restricted to the Customer, members of the Customer's domestic establishment, and Joint Users.

3.14.2 Telephone Number Changes

When a residential Customer requests a telephone number change, the referral period for the disconnected number is 90 days.

The Customer may order a Customized Number where facilities permit for an additional charge as specified in Section 11.2 of this tariff.

When service in an existing location is continued for a new Customer, the existing number may be retained by the new Customer only if the former Customer consents in writing, and If all charges against the account are paid or assumed by the new Customer.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.14 Additional Provisions Applicable to Residential Customers, (Cont'd.)****3.14.3 Deposits****A. General**

Except as provided in (b) following, the Company may require a deposit, as described in Section 2.4.2 of this tariff, from a residential Customer who is applying for service if the Customer: 1) has had service terminated for nonpayment once within the preceding six month period, or 2) is delinquent in payment. A Customer is delinquent in payment if that Customer has received two consecutive telephone bills without making payment of at least one-half the total arrears due on the due date of the second bill. A Customer is not considered delinquent, however, if an amount in dispute is not paid before the dispute is resolved.

An existing Customer is an applicant for service who was a Customer of the Company within twelve months of making the request, provided that prior service was not terminated for nonpayment, unless service is requested within 10 days of such termination for nonpayment. Applicants for residential service and existing residential Customers are permitted to pay deposits in installments over a period not to exceed 6 months.

A new Customer is an applicant for service who has not been a Customer of the Company within twelve months of making the request for service. A new Customer shall not be required to post a security deposit as a condition of receiving telephone service.

A seasonal Customer is an individual who applies for and receives telephone service periodically each year, intermittently during the year or at other regular intervals scheduled at the time of application. A seasonal Customer may be required to post a deposit.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.14 Additional Provisions Applicable to Residential Customers, (Cont'd.)

3.14.3 Deposits, (Cont'd.)

B. Customers Exempt from Deposits

1. A new Customer or existing Customer who is 62 years of age or older shall be exempt from any deposit requirement unless such person's telephone service was terminated for nonpayment during the preceding six months. Proof of age will be required from any person claiming exemption from deposit requirements because of age. If the proof requested by the Company is not received within 30 days from the date service is connected, or 30 days from the date that verification of age is requested from an existing Customer, the Company may suspend or terminate service unless the Customer pays the required deposit. Any new Customer or existing Customer 62 years of age or older shall be permitted to pay a deposit in installments over a period not to exceed 12 months.
2. The Company shall not require any person it knows to be a recipient of public assistance, supplemental security income or additional state payments to post a deposit.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.14 Additional Provisions Applicable to Residential Customers, (Cont'd.)

3.14.3 Deposits, (Cont'd.)

C. Recent Payment History

A Customer who has a recent payment history (within the preceding twelve months) with the Company is entitled to service without payment of a deposit unless his or her records indicate a delinquency in payment or a termination of service for nonpayment. A Customer who still owes money to the Company for residential service on a prior account shall be offered a deferred payment plan provided that the Customer had service for three months and was not terminated for nonpayment during that period. (See Deferred Payment Agreements, 3.14.7 below.)

New deposits from a residential Customer is reviewed after the first 3 monthly bills have been rendered; if too much has been taken, the excess is returned. The entire deposit is returned to a residential Customer after 1 year, unless the Customer is delinquent in payment, in which case the Company may continue to retain the deposit until the delinquency is satisfied. If the service is discontinued, the deposit is applied against the final bill, and any balance is returned to the Customer.

3.14.4 Installment Billing For Nonrecurring Charges

A residential Customer may elect to pay service connection and other nonrecurring charges associated with a service order in monthly installments for up to a 12 month period. When installment billing is requested, all nonrecurring charges associated with a given service order will be included in the calculation of the monthly installment.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.14 Additional Provisions Applicable to Residential Customers, (Cont'd.)

3.14.4 Installment Billing For Nonrecurring Charges, (Cont'd.)

Installment billing is subject to the following restrictions:

- A. Installment billing may be used only by residential Customers;
- B. Charges will be billed in the number of installments of equal dollar amounts as requested by the Customer up to a maximum of 12 installments over the course of 12 months;
- C. A Customer may not pay a portion of the charges and then request installment billing for the remaining charges;
- D. More than one installment plan may be in effect for the same Customer at the same time;
- E. If a Customer disconnects service during the installment payment period, all unbilled charges will be included in the final bill rendered;
- F. A Customer may elect to pay the unbilled charges before the expiration of the installment plan;
- G. Installment billing payments will continue even when an account is temporarily suspended;
- H. No interest or carrying charges will be applied to the outstanding balance during the installment period.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.14 Additional Provisions Applicable to Residential Customers, (Cont'd.)

3.14.5 Adjusted Payment Schedule

A Customer on a fixed income (e.g., pension and public assistance) shall be offered the opportunity to pay his or her bills on a reasonable schedule that is adjusted for periodic receipt of income.

3.14.6 Suspension or Termination for Nonpayment

- A. Suspension/termination notices may not be issued until at least 25 days after the date of the bill. Bills must be mailed to the Customer no later than 6 business days after the date of the bill.
- B. After issuing the written notification in accordance with 3.9. 1, at least one attempt shall be made during non-working hours to contact the residential Customer by telephone before the scheduled date of suspension/termination.
- C. Suspension/termination may occur only between 8:00 AM and 7:30 PM on Monday through Thursday, and between 8:00 AM and 3:00 PM on Friday, provided that such day or the following day is not a public holiday or a day on which the main office is closed. In addition, service may not be disconnected during the periods of December 23 through the 26 and December 30 through January 2.
- D. Telephone service may be suspended or terminated for nonpayment of the undisputed portion of a disputed bill or deposit if the Customer does not pay the undisputed portion after being asked to do so. Suspended or terminated residential service shall be reconnected within 24 hours following payment or within 24 hours of the end of circumstances beyond the Company's control which delay the reconnection, The Commission may direct that service be reconnected in less than 24 hours.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.14 Additional Provisions Applicable to Residential Customers, (Cont'd.)****3.14.7 Deferred Payment Agreements**

Service will not be suspended or terminated unless the Customer has been advised that a deferred payment plan can be arranged. An existing residential Customer with three or more months service and for whom service has not been terminated for nonpayment is eligible for Deferred Payment Arrangements (DPA). The Company must offer an eligible Customer a DPA in accordance with the Commission's order in Case 90-C-1 148 issued on August 7, 1992. Final notice of suspension/termination will advise the Customer of deferred payment arrangements and will include, in bold print, a notice that assistance in reaching an agreement may be obtained from the Commission. The DPA notice will be mailed no less than six days before termination of total service.

A Deferred Payment Agreement will be for a period agreed to by both the Customer and the Company.

If the Company believes that the Customer has the resources to pay the bill, it shall notify both the Customer and the Commission in writing of the reasons for its belief. The Commission shall make the final determination as to whether a DPA should be provided. A Customer with medical emergencies and a Customer who is elderly, blind or disabled shall be exempt from such eligibility criteria.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.14 Additional Provisions Applicable to Residential Customers, (Cont'd.)****3.14.8 Dishonored Checks**

When a check received from a residential Customer is dishonored, the Company shall make two attempts, one outside of normal business hours, to contact the Customer within 24 hours. The Customer shall be given an additional 24 hours to pay before suspension/termination. The additional notice will be given provided that the Customer has not submitted a dishonored check within the past 12 months.

3.14.9 Suspension or Termination - Abandonment

Suspension/termination of residential service for abandonment or unauthorized use may occur only after the Company makes a reasonable attempt to determine occupancy or authorized use, or the Customer takes reasonable steps to prevent unauthorized use. A notice must be sent to the Customer five days before such suspension or termination. The notification requirement is waived when previous mailings are returned by the Post Office or the Company is advised that a new Customer has moved into the location.

3.14.10 Suspension or Termination - Medical Emergencies

In the event of a medical emergency as defined in 16NYCRR, Sec. 609, an additional 30 days will be allowed for a residential Customer before suspension or termination. A medical certificate as defined in 16NYCRR, Sec. 609, must be supplied. The medical emergency status may be extended beyond 30 days upon submission of specified documentation. During the emergency, the Customer will be able to defer payment of monthly charges up to an amount specified by the Commission until the emergency ceases or it is determined that the Customer has the ability to pay the charges. Charges in any month in excess of the amount specified are due by the due date of the bill.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.14 Additional Provisions Applicable to Residential Customers, (Cont'd.)****3.14.11 Suspension or Termination - Elderly, Blind or Disabled**

An additional 20 days will be allowed before suspension or termination may occur when:

- a) the Customer is known to or identified to the Company as being blind or disabled, as defined in 16NYCRR, Sec. 609, or
- b) the Customer is 62 years of age or older, and all other residents of the Customer's household are: under 18 years of age, over 62 years of age, blind or disabled.

In cases where service has been suspended or terminated and the Company subsequently learns that the Customer is entitled to the protection established herein, the Company shall within 24 hours of such notification restore service for an additional 20 days and make a diligent effort to contact in person an adult resident at the Customer's premises for the purpose of devising a payment plan.

3.14.12 Back-billing for Residential Customers

The Company shall not charge a residential Customer for previously unbilled service or adjust upward a bill previously rendered when the period for the unbilled service or billing adjustment is more than six months prior to the mailing of the bill or the upward adjustment unless the conduct of the Customer caused or contributed to the failure of the Company to render timely accurate billing. Unless the Customer causes the late billing, the Company shall explain the reason for the late billing and shall advise the Customer that suspension/termination of service is not permitted for charges billed in excess of six months after the service was provided. The Customer will be given the opportunity to pay the charges under an installment plan on a schedule equal in time to the length of the back-billing period.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.15 Automatic Number Identification****3.15.1 Regulations**

The Company will provide Automatic Number Identification (ANI) associated with an intrastate service, by tariff, to any entity (ANI recipient), only under the following terms and conditions:

- A. The ANI recipient or its designated billing agent may use or transmit ANI information to third parties for billing and collection, routing, screening, ensuring network performance, and completion of a telephone subscriber's call or transaction, or for performing a service directly related to the telephone subscriber's original call or transaction.
- B. The ANI recipient may offer to any telephone subscriber with whom the ANI recipient has an established Customer relationship, a product or service that is directly related to products or service previously purchased by the telephone subscriber from the ANI recipient.
- C. The ANI recipient or its designated billing agent is prohibited from utilizing ANI information to establish marketing lists or to conduct outgoing marketing calls, except as permitted by the preceding paragraph, unless the ANI recipient obtains the prior written consent of the telephone subscriber permitting the use of ANI information for such purposes. The foregoing provisions notwithstanding, no ANI recipient or its designated billing agent may utilize ANI information if prohibited elsewhere by law.
- D. The ANI recipient or its designated billing agent is prohibited from reselling, or otherwise disclosing ANI information to any other third party for any use, unless the recipient obtains the prior written consent of the subscriber permitting such resale or disclosure.
- E. Telephone Corporations must make reasonable efforts to adopt and apply procedures designed to provide reasonable safeguards against the aforementioned abuses of ANI.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.15 Automatic Number Identification, (Cont'd.)

3.15.1 Regulations, (Cont'd.)

- F. Violation of any of the foregoing terms and conditions by any ANI recipient other than a Telephone Corporation shall result, after a determination through the Commission's complaint process, in suspension of the transmission of ANI by the Telephone Corporation until such time as the Commission receives written confirmation from the ANI recipient that the violations have ceased or have been corrected. If the Commission determines that there have been three or more separate violations in a 24 month period, delivery of ANI to the offending party shall be terminated under terms and conditions determined by the Commission.

3.15.2 Terms and Conditions

Violation of any of the foregoing terms and conditions by a Telephone Corporation may result in Commission prosecution of penalty and enforcement proceedings pursuant to Section 24, 25 and 26 of the Public Service Law.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.16 Emergency / Crisis / Disaster Restoration and Provisioning Telecommunications Service Priority****3.16.1 General**

- A. The Telecommunications Service Priority (TSP) Program is a federal program used to identify and prioritize telecommunications services that support national security or emergency preparedness (NS/EP) missions. NS/EP services are defined as those telecommunications services which are used to maintain a state of readiness or respond to and manage any event or crisis which causes or could cause injury or harm to the population, damage or loss to property, or degrades or threatens the NS/EP posture of the United States. TSP restoration and/or provisioning shall be provided in accordance with Part 64, Appendix A of the Federal Communications Commission's Rules and Regulations (47 C.F.R.), and the "Service Vendor Handbook For The Telecommunications Service Priority (TSP) Program" and the "Service User Manual for the Telecommunications Service Priority (TSP) System" (NCS Manual 3-1-1) (Service User Manual) issued and updated as necessary by the Office of Priority Telecommunications (OPT) of the National Communications System. Any changes to or reissuance of these regulations or manuals supersede tariff language contained herein.
- B. The TSP program has two components, restoration and provisioning.
1. A restoration priority is applied to new or existing telecommunications services to ensure restoration before any other services during a service outage. TSP restoration priorities must be requested and assigned before a service outage occurs.
 2. A provisioning priority is obtained to facilitate priority installation of new telecommunications services during a service outage. Provisioning on a priority basis becomes necessary when an end-user has an urgent requirement for a new NS/EP service that must be installed immediately or by a specific due date that can be met only by a shorter than standard or expedited Company provisioning time frame. As a matter of general practice, existing TSP services will be restored before provisioning new TSP services.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.16 Emergency / Crisis / Disaster Restoration and Provisioning Telecommunications Service Priority, (Cont'd.)****3.16.2 TSP Request Process - Restoration**

To request a TSP restoration priority assignment, a prospective TSP user must:

- A. Determine that the user's telecommunications service supports an NS/EP function under one of the following four TSP categories.
 - 1. National Security Leadership
 - 2. National Security Posture and U.S. Population Attack Warning
 - 3. Public Health, Safety, and Maintenance of Law and Order
 - 4. Public Welfare and Maintenance of National Economic Posture
- B. Identify the priority level to be requested for the telecommunications service. The priority level is determined by the end-user's TSP category and service profile. The service profile defines the user's level of support to the portion of the telecommunications service that the user owns and operates, such as Customer premises equipment or wiring. The five levels of priority and seven element groups that define the service profile are contained in the Service User Manual.
- C. Complete the TSP Request for Service Users form (SF 315) available on the National Communications System (NCS) website (<http://tsp.ncs.gov/>).

For non-federal users, have their TSP requests approved by a federal agency sponsor. Non-federal users should contact the OPT, at the NCS website <http://tsp.ncs.gov/>), for information on identifying a sponsor for TSP requests.
- D. Submit the SF 315 to the OPT.
- E. Upon receipt of the TSP Authorization Code from the OPT, notify the Company, and include the TSP Authorization Code in any service order to the Company requesting restoration of NS/FP services.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.16 Emergency / Crisis / Disaster Restoration and Provisioning Telecommunications Service Priority, (Cont'd.)****3.16.3 TSP Request Process - Provisioning**

To request a TSP provisioning priority assignment, a prospective TSP user must follow the same steps listed in 3.16.2.A.-3.16-2.E above for restoration priority assignment except for the following differences. The user should:

- A. Certify that its telecommunications service is an Emergency service. Emergency services are those that support one of the NS/EP functions listed in 3.16.2.A. above and are so critical that they must be provisioned at the earliest possible time, without regard to cost to the user.
- B. Verify that the Company cannot meet the service due date without a TSP assignment.
- C. Obtain approval from the end-user's invocation official to request a provisioning priority. Invocation officials are designated individuals with the authority to request TSP provisioning for a telecommunications service, and include the head or director of a federal agency, commander of a unified/specified military command, chief of a military service, commander of a major military command, or state governor.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.16 Emergency / Crisis / Disaster Restoration and Provisioning Telecommunications Service Priority, (Cont'd.)

3.16.4 Responsibilities of the End-User

End-users or entities acting on their behalf must perform the following:

- A. Identify telecommunications services requiring priority.
- B. Request, justify, and revalidate all priority level assignments. Revalidation must be completed every 2 years, and must be done before expiration of the end-user's TSP Authorization Code(s).
- C. Accept TSP services by the service due dates.
- D. Have Customer Premises Equipment (CPE) and Customer Premises Wiring (CPW) available by the requested service due date and ensure (through contractual means or otherwise) priority treatment for CPE and CPW necessary for end-to-end service continuity.
- E. Pay the Company any authorized costs associated with priority services.
- F. Report to the Company any failed or unusable services with priority levels.
- G. Designate a 24-hour point of contact for each TSP request and apprise the OPT.
- H. Cooperate with the OPT during reconciliation (comparison of NS/EP service information and resolution of any identified discrepancies) and revalidation.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.16 Emergency / Crisis / Disaster Restoration and Provisioning Telecommunications Service Priority, (Cont'd.)****3.16.5 Responsibilities of the Company**

The Company will perform the following:

- A. Provide TSP service only after receipt of a TSP authorization code.
- B. Revoke TSP services at the direction of the end-user or OPT.
- C. Ensure that TSP Program priorities supersede any other telecommunications priority that may be provided (other than control services and order wires).
- D. Designate a 24-hour point of contact to receive reports of TSP service outages from TSP service users.
- E. Designate a 24-hour point of contact to coordinate TSP processes with the OPT.
- F. Confirm completion of TSP service order activity to the OPT.
- G. Participate in reconciliation of TSP information at the request of the OPT.
- H. Ensure that all subcontractors complete reconciliation of TSP information with the service vendor.
- I. Ensure that other carriers supplying underlying facilities are provided information necessary to implement priority treatment of facilities that support NS/FP services.
- J. Assist in ensuring that priority level assignments of NS/EP services are accurately identified "end-to-end" by providing to subcontractors and interconnecting carriers the restoration priority level assigned to a service.
- K. Disclose content of the NS/EP TSP database only as may be required by law.
- L. Comply with regulations and procedures supplemental to and consistent with guidelines issued by the OPT.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.16 Emergency / Crisis / Disaster Restoration and Provisioning Telecommunications Service Priority, (Cont'd.)****3.16.6 Preemption**

When spare facilities are not available, it may be for the Company to preempt the facilities required to provision or restore a TSP service. When preemption is necessary, non-TSP services may be preempted based on the Company's best judgment. If no suitable spare or non-TSP services are available, the Company may preempt an existing TSP service to restore a TSP service with a higher restoration priority assignment. When preemption is necessary, prior consent of the service user whose service will be preempted is not required; however, the Company will make every reasonable effort to notify the preempted Customer of the action to be taken.

3.17 Critical Facilities Administration**3.17.1 Program Overview**

- A. Facilities-based carriers are responsible to provide data on the physical path of qualified circuits to Customers who request such information. Such carriers are required to maintain facilities associated with qualified circuits in such a manner as to ensure that notification of a change in the physical routing of a qualifying circuit is communicated quickly to the affected Customer, and the physical path data promptly updated. Such carriers will maintain the data and establish appropriate methods of identification and authentication to secure the data and restrict access by each Customer to information relative to that Customer's qualifying circuits.
- B. Customers are required to demonstrate for each qualifying circuit that the circuit has been registered under the federal Telecommunications Service Priority program in order to participate.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)**3.17 Critical Facilities Administration, (Cont'd.)****3.17.2 Customer Obligations**

Customers participating under the Critical Facilities Administration program will be required to:

- A. Identify critical facilities by enrolling circuits in the federal Telecommunications Service Priority program, and demonstrating the sponsorship of a federal agency supporting the designation of those circuits as qualifying under the federal Telecommunications Service Priority program. Such circuits will be referred to as "qualifying circuits."
- B. Subscribe to the Critical Facilities Administration service offered by their carrier, and identify which qualifying circuits it wishes to enroll in the service. Such circuits will be referred to as "subscribed circuits".

3.17.3 Carrier Obligations

Facilities-based carriers will be obligated to identify the physical path of each subscribed circuit as follows:

- A. Physical path information will be provided by reference to the latitude and longitude coordinates of suitable points along the circuit's path (e.g., cable entrances to buildings, manholes, riser poles, cross-boxes, carrier equipment cabinets, and other circuit access points in the outside plant of the carrier) so as to allow the Customer to ascertain with a reasonable degree of accuracy the actual physical path of each subscribed circuit.
- B. Physical path information for newly provisioned subscribed circuits is to be available to the Customer within 5 business days after the circuit has been installed, and within 15 business days for existing, in-place subscribed circuits.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 – GENERAL RULES AND REGULATIONS, (CONT'D.)

3.17 Critical Facilities Administration, (Cont'd.)

3.17.3 Carrier Obligations, (Cont'd.)

- C. Any planned moves, changes, or rearrangements that affect the physical path of a subscribed circuit are to be communicated at least 24 hours in advance to the Customer, and information related to a move, change, or rearrangement that was as a result of unplanned activity is to be provided within 24 hours of the change.
- D. Updated information regarding the revised physical path of subscribed circuits would be available to the Customer within 5 business days for planned actions, and within 15 business days for unplanned activities.
- E. Provision of the service would be suspended altogether in the instance of a major telephone outage. Once restored to service, current physical path information for a subscribed circuit would be developed and made available to the Customer within ninety days of the restoration of service.
- F. The carrier must establish a secure database or other means that would allow the Customer to obtain information of the physical path for only its subscribed circuits, subject to appropriate authentication and authorization. Where practicable, the information should be made available on a 24 hour by seven day basis.

3.17.4 Rates

Rates for CFA are based upon the time required to collect the circuit path data. The Company will give the Customer a good faith estimate of the time period needed to perform the requested service. The Customer will be billed those charges, along with the tariff charges established by any connecting carrier for the service.

	<u>Minimum</u>	<u>Maximum</u>
Per Hour	\$xx.xx	\$xx.xx

 LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

TELEPHONE SURCHARGE STATEMENT

A. Gross Revenue Tax Surcharge

The Gross Revenue Tax Surcharge rate to be charged is as follows:

<u>Period</u>	<u>Surcharge</u>
06/30/01 - 01/01/02	2.5641%

B. Surcharge for State Gross Income and Gross Earnings Taxes

Local Utility Gross Revenue Taxes

<u>Locality</u>	<u>Tax District Code</u>	<u>Surcharge Percentage</u>
New York City - Manhattan	1002	.02234%

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 4 – DESCRIPTION OF LOCAL SERVICES

4.1 Resold Local Exchange Service

4.1.1 Description

Resold Local Exchange Service is composed of the resale of exchange access lines and local calling provided by other certificated Local Exchange Carriers, in combination with Company-provided usage services, miscellaneous services or interstate/international services.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 4 – DESCRIPTION OF LOCAL SERVICES, (CONT'D.)**4.2 IntraLATA Calling Service****4.2.1 Description**

IntraLATA toll service is furnished for communication between telephones in different local calling areas within a particular LATA in accordance with the regulations and schedules of charges specified in this tariff. The toll service charges specified in this section are in payment for all service furnished between the calling and called telephone, except as otherwise provided in this tariff.

IntraLATA toll calling includes the following types of calls: direct dialed, calling card, collect, 3rd number billed, special toll billing, requests to notify of time and charges, person to person calling and other station to station calls.

4.2.2 Classes of Calls

Service is offered as two classes: station to station calling and person to person calling.

- A. Station to Station Service is that service where the person originating the call dials the telephone number desired or gives the Company operator the telephone number of the desired telephone station or system.
- B. Person to Person Service is that service where the person originating the call specifies to the Company operator a particular person to be reached, a particular mobile unit to be reached, or a particular station, department or office to be reached. The call remains a person to person call when, after the telephone, mobile telephone, or PBX system has been reached and while the connection remains established, the person originating the call requests or agrees to talk to any person other than the person specified, or to any other agreed upon alternate.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 4 – DESCRIPTION OF LOCAL SERVICES, (CONT'D.)

4.2 IntraLATA Calling Service, (Cont'd.)

4.2.3 Timing of Calls

Unless otherwise indicated, all calls are timed in one minute increments and all calls which are fractions of a minute are rounded up to the next whole minute.

For station to station calls, call timing begins when a connection is established between the calling telephone and the called telephone station.

For person to person calls, call timing begins when connection is established between the calling person and the particular person, station or mobile unit specified or an agreed alternate.

Call timing ends when the calling station "hangs up," thereby releasing the network connection. If the called station "hangs up" but the calling station does not, chargeable time ends when the network connection is released either by automatic timing equipment in the telephone network or by the Company operator.

Calls originating in one time period as defined in Section 4.4.4 and terminating in another will be billed the rates in effect at the beginning of each minute.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 4 – DESCRIPTION OF LOCAL SERVICES, (CONT'D.)

4.2 IntraLATA Calling Service, (Cont'd.)

4.2.4 Time Periods Defined

Unless otherwise indicated in this tariff, the following time periods apply.

Peak 7:00 a.m. to, but not including, 7:00 p.m. -Monday through Friday

Off-Peak 7.00 p.m. to, but not including, 7:00 a.m. - Sunday through Friday
All day Saturday and Sunday
All Holidays

Holidays include Christmas, New Year's Day, Thanksgiving, Independence Day, and Labor Day.

All times refer to local time.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 4 – DESCRIPTION OF LOCAL SERVICES, (CONT'D.)

4.2 IntraLATA Calling Service, (Cont'd.)

4.2.5 Regulations and Computation of Mileage

Calls for which rates are mileage sensitive are rated on the airline distance between the originating rate center and the terminating rate center.

4.2.6 Originating Rate Center

A Customer's primary local exchange number includes an NXX code that is associated with a specific rate center. The originating point of all calls charged to that Customer's account shall be the location of the Customer's rate center.

4.2.7 Terminating Rate Center

The terminating point for all calls shall be the location of the local rate center associated with the called number.

4.2.8 Calculation of Mileage

Usage charges for all mileage sensitive products are based on the airline distance between serving wire centers associated with the originating and terminating points of the call. The serving wire centers of a call are determined by the area codes and exchanges of the origination and destination points.

The distance between any two rate centers is determined as follows:

 LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 4 – DESCRIPTION OF LOCAL SERVICES, (CONT'D.)

4.2 IntraLATA Calling Service, (Cont'd.)

4.2.8 Calculation of Mileage, (Cont'd.)

Airline mileage, where mileage is the basis for rating calls, is obtained by using the "V" and "H" coordinates assigned to each rate center and contained in NECA FCC Tariff No. 4 pr successor tariffs. To determine the airline distance between any two locations, proceed as follows:

- A. Obtain the "V" and "H" coordinates for each location. The "V" coordinate is the first four digits in the "VH" column. The "H" coordinate is the next four digits.
- B. Obtain the difference between the "V" coordinates of each of the locations. Obtain the difference between the "H" coordinates.
- C. Square each difference obtained in step b., above.
- D. Add the square of the "V" difference and the "H" difference obtained in step C, above.
- E. Divide the sum of the square by 10. Round to the next higher whole number if any fraction is obtained.
- F. Obtain the square root of the whole number result obtained above. Round to the next higher whole number if any fraction is obtained. This is the airline mileage.

Formula:

$$\sqrt{\frac{|V_1 - V_2|^2 + |H_1 - H_2|^2}{10}}$$

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 4 – DESCRIPTION OF LOCAL SERVICES, (CONT'D.)

4.2 IntraLATA Calling Service, (Cont'd.)

4.2.9 Call Charges

Rates are based on the duration of the call as measured according to Section 4.4.3 above, time of day rate period of the call as described in Section 4.4.4 and the airline mileage between points of the call as described in Section 4.4.5. In addition, where live or automated operator assistance is required for call completion or billing, a per call service applies.

Charges for all classes of calls may be to the calling station, to the called station when the called party agrees to accept the charges, to an authorized telephone number which is not the called station or the calling station (3rd number billing), or to an authorized calling card.

Usage Charges

Minimum:

Rates may be reduced selectively and in varying amounts, down to incremental cost, on one day's notice to Customers and the Public Service Commission.

Maximum:

Mileage	Peak		Off-Peak	
	First Minute	Each Additional Minute	First Minute	Each Additional Minute
0-8	\$0.10	\$0.06	\$0.10	\$0.06
9-13	\$0.20	\$0.10	\$0.20	\$0.10
over 13	\$0.25	\$0.15	\$0.25	\$0.15

 LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 4 – DESCRIPTION OF LOCAL SERVICES, (CONT'D.)

4.2 IntraLATA Calling Service, (Cont'd.)

4.2.9 Call Charges, (Cont'd)

Per Call Service Charges

The following service charges apply to intraLATA toll calls for which live or automated operator assistance is provided for call completion and/or billing.

	<u>Minimum</u>	<u>Maximum</u>
Customer Dialed Calling Card	\$0.01	\$0.60
Person to Person	\$0.01	\$3.75
3 rd Number Billed	\$0.01	\$1.60
All other Operator Assistance	\$0.01	\$1.25

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 4 – DESCRIPTION OF LOCAL SERVICES, (CONT'D.)

4.3 Miscellaneous Local Exchange Services

4.3.3 Service Implementation

A. Description

Absent a promotional offering, service implementation charges will apply to new service orders or to orders to change existing service.

4.3.4 Restoration

A. Description

A restoration charge applies to the re-establishment of service and facilities suspended because of nonpayment of bills and is payable at the time that the re-establishment of the service and facilities suspended is arranged for. The restoration charge does not apply when, after disconnection of service, service is later re-established.

4.3.5 Connection Charge

A. Description

A connection charge applies to the connection of service and facilities or changing service and facilities per Customer's request.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 5 –DESCRIPTION OF INTRASTATE LONG DISTANCE SERVICES**5.1 Timing of Calls**

- 5.1.1 The Customer's monthly usage charges for the Company service are based upon the total number of minutes the Customer uses and the service options to which the Customer subscribes. Chargeable time begins at the time the called party answers (i.e. when two-way communications is possible), and ends when either party hangs up.
- 5.1.2 No charges apply if a call is not completed.
- 5.1.3 For billing purposes, all calls are rounded up to the nearest minute and billed in increments of one minute. The minimum call duration is one (1) minute for a connected call.
- 5.1.4 Where applicable, charges will be rounded up to the nearest penny.
- 5.1.5 Usage begins when the called party picks up the receiver (i.e. when two-way communication is possible). A call is terminated when the calling or called party hangs up. The Company utilizes software answer supervision, which permits up to 60 seconds of ringing before the call becomes billed usage. Where answer supervision is not available, any call for which the duration exceeds 60 seconds shall be presumed to have been answered and becomes billed usage.
- 5.1.6 The Company will not knowingly charge for incomplete calls. Upon the Customer's request and proper verification, the Company shall promptly adjust or credit the Customer's account for charges or payments for any unanswered call inadvertently billed due to the unavailability of Feature Group D or due to another carrier's failure to provide answer supervision. Upon the Customer's request and proper verification, the Company also shall promptly adjust or credit the Customer's account for charges or payments for calls placed to a wrong number.

5.2 Start of Billing

For billing purposes, the start of service is the day following acceptance by the Customer of the Company's service or equipment, or another date mutually agreed upon by the Customer and the Company. The end of service date is the last day of the minimum notification of cancellation or any portion of the last day, after receipt by the Company of notification of cancellation, or another date mutually agreed upon by the Customer and Company.

 LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 5 –DESCRIPTION OF INTRASTATE LONG DISTANCE SERVICES, (CONT'D.)

5.3. Calculation of Distance

- 5.3.1 Where applicable, usage charges for all mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call.
- 5.3.2 Airline mileage, where mileage is the basis for rating calls, is obtained by using the "V" and "H" coordinates assigned to each rate center and contained in NECA FCC Tariff No. 4 or successor tariffs. To determine the airline distance between any two locations, proceed as follows:
- A. Obtain the "V" and "H" coordinates for each location. The "V" coordinate is the first four digits in the "VH" column. The "11" coordinate is the next four digits.
 - B. Obtain the difference between the "V" coordinates of each of the locations. Obtain the difference between the "14" coordinates.
 - C. Square each difference obtained in step B., above.
 - D. Add the square of the "V" difference and the "H" difference obtained in step C, above.
 - E. Divide the sum of the square by 10. Round to the next higher whole number if any fraction is obtained.
 - F. Obtain the square root of the whole number result obtained above. Round to the next higher whole number if any fraction is obtained. This is the airline mileage.

Formula:

$$\sqrt{\frac{|V_1 - V_2|^2 + |H_1 - H_2|^2}{10}}$$

5.4 Minimum Call Completion Rate

The Customer can expect a call completion rate of at least 90% per 100 calls attempted during peak use periods for all Feature Group D (1+) services. The Company will engineer its switching systems on the basis that at least ninety percent (90%) of the Customers accessing their system will be served during the Busy Hour.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 5 –DESCRIPTION OF INTRASTATE LONG DISTANCE SERVICES, (CONT'D.)**5.5 West Telecom Services, LLC Long Distance Service (LDS)****5.5.1 Description**

West Telecom Services, LLC Long Distance Service (LDS) is a communications service which is available for use by Customers twenty-four (24) hours a day. Customers may originate LDS from locations served by the Company, and may terminate in all locations within the State of New York.

LDS calls will be billed in 6-second increments with an initial billing period of 6 seconds.

The service is offered in two variations depending upon the method the Customer employs to gain access to the Company's network for use of the service:

Switched LDS is offered in Feature Group D (FGD) exchanges where the Customer's local telephone lines are presubscribed by the local exchange company to the Company's LDS service, such that "1+" interLATA calls are automatically routed to the Company's network.

Dedicated LDS is offered to the extent facilities are available in those cases where the Company and the Customer jointly arrange for the establishment of dedicated access facilities connecting the Customer's trunk compatible PBX or other suitable equipment to the Company's POP. The Customer shall be responsible for all costs and charges associated with the dedicated access facilities. The Company's 1+ Long Distance Service is a switched long distance message telecommunications service provided between points within the State. Customers subscribing to this service may make calls from any location in the State at any time of day or night for a flat-rated per minute charge. Customers may be eligible for volume discounts based upon the amount of their Long Distance Service usage.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 5 –DESCRIPTION OF INTRASTATE LONG DISTANCE SERVICES, (CONT'D.)**5.5 West Telecom Services, LLC Long Distance Service (LDS), (Cont'd.)****5.5.2 Commitment Levels and Term Plans**

LDS is available on a month to month basis or on an optional 1, 2, or 3 year term plan. Discounts off the base rates are available to the Customer according to the commitment level and term plan selected by the Customer. The commitment level is calculated from the monthly total usage generated from the following Company products: shared and dedicated domestic and interstate and intrastate outbound and inbound service, intraLATA, and calling card. Charges such as taxes, late payment fees or other service nonrecurring and monthly recurring charges will not be included in the total usage amount calculation.

Should the Customer's actual usage fall below the monthly minimum usage commitment, the Customer is required to pay the Company a fee equal to the difference between the Customer's discounted rate and the higher rate associated with the lower volume.

A Customer who terminates a term plan in the 1st Year prior to the terms expiration will be required to pay in one lump sum an amount equaling the selected monthly commitment level times the number of months remaining in the term, plus an amount equal to any promotional credit, or discount, or waiver, if applicable, that was provided to the Customer.

A Customer who terminates a term plan in the 2nd or 3rd year prior to the term's expiration will be required to pay 35% an amount equaling the selected monthly commitment level times the number of months remaining in the term, plus an amount equal to any promotional credit, or discount, or waiver, if applicable, that was provided to the Customer.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 5 –DESCRIPTION OF INTRASTATE LONG DISTANCE SERVICES, (CONT'D.)

5.5 West Telecom Services, LLC Long Distance Service (LDS), (Cont'd.)

5.5.3 Discounts

The following discounts on per minute base rates for qualifying usage are based on the monthly commitment level and term plan selected by the Customer. These discounts are applicable to the rates found in Section 7.1 of this tariff.

<u>Term Plan</u>	<u>Discount (per minute)</u>
One Year	\$0.01
Two Years	\$0.02
Three Years	\$0.03

5.6 West Telecom Services, LLC Toll Free Service

5.6.1 Description

West Telecom Services, LLC Toll Free Service is an inbound communications service which permits calls to be completed at the Customer's location without charge to the calling party. Access to the service is gained by dialing a ten (10) digit telephone number (800+NXX-XXXX) which will terminate at the Customer's location. Calls may originate from any location within the State of New York and may terminate at the Customer's location.

Toll Free Service will be billed per call based on the duration of the call. Each call will be billed in 6 second increments with an initial billing period of 6 seconds. Usage discounts apply to aggregate monthly interstate and intrastate usage.

Toll Free Service is offered in two variations depending upon the method the Customer employs to access the Company's network for use of the service.

Switched Toll Free service calls are originated via normal shared use facilities and are terminated via the Customer's local exchange service access line.

Dedicated Toll Free service calls are originated via normal shared use facilities and are terminated via dedicated access facilities connecting the Customer's premises and the Company's POP. This service is offered to the extent facilities are available and where the Company and the Customer jointly arrange for the establishment of dedicated access facilities connecting the Customer's trunk-compatible PBX or other suitable equipment to the Company's POP. The Customer shall be responsible for all costs and charges associated with the dedicated access facilities.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 5 –DESCRIPTION OF INTRASTATE LONG DISTANCE SERVICES, (CONT’D.)

5.6 West Telecom Services, LLC Toll Free Service, (Cont’d.)

5.6.2 Commitment Levels and Term Plans

Toll Free is available on a month to month basis or on an optional 1, 2, or 3-year term plan. Discounts off the base rates are available to the Customer according to the commitment level and term plan selected by the Customer. The commitment level is calculated from the monthly total usage generated from the following Company products: shared and dedicated domestic and interstate and intrastate outbound and inbound service, intraLATA, and calling card. Charges such as taxes, late payment fees or other service nonrecurring and monthly recurring charges will not be included in the total usage amount calculation.

Should the Customer's actual usage fall below the monthly minimum usage commitment, the Customer is required to pay the Company a fee equal to the difference between the Customer's discounted rate and the higher rate associated with the lower volume.

A Customer who terminates a term plan in the 1st year prior to the term's expiration will be required to pay in one lump sum an amount equaling the selected monthly commitment level times the number of months remaining in the term, plus an amount equal to any promotional credit, or discount, or waiver, if applicable, that was provided to the Customer.

A Customer who terminates a term plan in the 2nd or 3rd year prior to the term's expiration will be required to pay 35% of an amount equaling the selected monthly commitment level times the number of months remaining in the term, plus all amount equal to any promotional credit, or discount, or waiver, if applicable, that was provided to the Customer.

5.6.3 Discounts

The following discounts on per minute base rates for qualifying usage are based on the monthly commitment level and term plan selected by the Customer. These discounts are applicable to the rates found in Section 7.2 of this tariff.

<u>Term Plan</u>	<u>Discount (per minute)</u>
One Year	\$0.01
Two Years	\$0.02
Three Years	\$0.03

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 5 –DESCRIPTION OF INTRASTATE LONG DISTANCE SERVICES, (CONT'D.)

5.7. Miscellaneous Intrastate Long Distance Services

5.7.1 West Telecom Services, LLC Calling Card Service

West Telecom Services, LLC Calling Card Service is provided to Customers for use when away from their established service location. Access to the service is gained by dialing a Company designated 800 access number (800-NXX-XXXX), plus the Customer's / User's Company Calling Card authorization number and the called telephone number.

Beyond these standard features, the Company calling card includes the following enhanced features: conference calling, West Telecom Services, LLC Voice Mail access, voice messaging, news and information access and speed dialing. Use of these enhanced features is subject to separate charges. The Company's calling card calls are billed in full minute increments, with a one minute minimum. This service is offered with Peak and Off-Peak pricing. A description of the additional features are as follows.

A. Enhanced Features Charges

Enhanced features are available for use as described below. Enhanced features charges apply in lieu of standard usage charges. Usage charges are billed in six second increments with a one minute minimum.

1. Conference Calling

Allows the User to establish a conference call by accessing the conference operator. Charges apply per established line and per minute of usage.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 5 –DESCRIPTION OF INTRASTATE LONG DISTANCE SERVICES, (CONT’D.)

5.7 Miscellaneous Intrastate Long Distance Services, (Cont’d.)

5.7.1 West Telecom Services, LLC Calling Card Service, (Cont’d.)

A. Enhanced Features Charges, (Cont’d.)

2. Voice Mail Access

Allows the User to access West Telecom Services, LLC Voice Mail and to place return calls without having to hang-up and initiate a new calling card call.

3. Voice Messaging

Allows the Customer to leave up to a three minute voice recorded message that is stored for future delivery when the called number is busy or no answer.

4. News and Information

Provides access to news, weather, sports, financial information and other features.

5. Speed Dialing

Allows the User to access Speed Dialing by programming and storing up to nine frequently dialed numbers.

5.7.2 Bill-to-Calling Card (BCC) Service

Bill-to-Calling Card Service allows users of touch-tone telephones connected to the Company's LDS services to charge calls to their local exchange company (LEC) calling card. In addition to standard LDS, the BCC charge, as set forth in 7.3.1.A applies when users complete calls by entering both the called number and their ITC calling card number without the assistance of an operator. For BCC calls to Directory Assistance, the appropriate charges set forth in 7.3.1.B will apply in addition. The Company accepts only LEC calling cards which it can identify as valid. Charges for BCC calls will appear on the Customer's LEC bill.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 5 –DESCRIPTION OF INTRASTATE LONG DISTANCE SERVICES, (CONT'D.)

5.7. Miscellaneous Intrastate Long Distance Services, (Cont'd.)

5.7.3 Directory Assistance (DA)

The Company will connect LDS Service Customers to Directory Assistance (DA) for a fee as set forth in Section 7.3.1.B. A credit allowance for DA will be provided upon request if the Customer experiences poor transmission quality, is cut-off, receives an incorrect telephone number, or misdials the intended DA number (NPA+ 555-1212).

5.7.4 Special Promotions

The Company may from time to time engage in special promotional service offerings designed to attract new Customers or to increase existing Customers awareness of a particular tariff offering. The New York Public Service Commission will be notified of the starting and ending dates, times, and/or locations of such promotions.

5.7.5 Special Service Arrangements

Customer-specific service arrangements, which may include engineering, installation, construction, facilities, assembly and/or other special services, may be furnished in addition to existing tariff offerings. Rates, terms, and conditions plus any additional regulations, if applicable for the special service arrangements will be developed upon the Customer's request. Unless otherwise specified, the regulations for the special service arrangements are in addition to the applicable regulations specified in other sections of this tariff. The necessary tariff revisions will be filed to reflect the special service arrangements.

5.7.6 Bad Check Charges

If payment for Service is made by a check, draft, or similar instrument (collectively "Check") that is returned to the Company unpaid by a bank or another financial institution for any reason, the Company will bill a Returned Check Charge to the residential Customer for \$10.00 and the Business Customer for \$20.00. In addition, the Customer may be required to replace the returned Check with a payment in cash or equivalent to cash, such as cashier's check, certified check or money order.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 5 –DESCRIPTION OF INTRASTATE LONG DISTANCE SERVICES, (CONT'D.)

5.7. Miscellaneous Intrastate Long Distance Services, (Cont'd.)

5.7.7 Reconnection

Reconnection charges occur where service to an existing Customer has been discontinued for proper cause, and the Customer desires to resume service with the Company. If service has been discontinued for proper cause and where a Customer desires reconnection, the Customer will be charged a fee to defray the cost of restoring service to the Customer.

5.7.8 Late Payment Fee

A late payment fee of 1.5% will be applied to service charges not paid within twenty (20) days after the due date of the bill. The late payment fee will not be applied to previous late payment charges that have been assessed but remain unpaid, but will apply to the accumulated amount for which the Customer is in arrears.

 LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 6 – RATES AND CHARGES FOR LOCAL SERVICES

6.1 Resold Local Exchange Service

	<u>Nonrecurring Charge</u>	<u>Monthly Recurring Charge</u>
<u>Resold Basic Lines</u>		
A. Flat Rate Service		
1 st Line	\$87.00	\$34.11
Each Add'l. Line	\$87.00	\$34.11
B. Measured Service		
1 st Line	\$87.00	\$21.03
Each Add'l. Line	\$87.00	\$21.03
<u>Resold Basic Trunks</u>		
A. Flat Rate Service		
1 st Trunk	\$87.00	\$40.50
Each Add'l. Trunk	\$87.00	\$40.50
B. Measured Service		
1 st Trunk	\$87.00	\$40.50
Each Add'l. Trunk	\$87.00	\$40.50
Per line		\$0.45
Per PBX trunk		\$4.05

 1 Includes Hunting

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 6 – RATES AND CHARGES FOR LOCAL SERVICES, (CONT'D.)

6.1 Resold Local Exchange Service, (Cont'd.)

	<u>Nonrecurring Charge</u>	<u>Monthly Recurring Charge</u>
<u>Resold Local Usage</u>		
<u>Flat Rate Calling</u>	Unlimited	Unlimited
<u>Peak</u>	<u>1st Min.</u>	<u>Addl. Min.</u>
Intra-wire Center	\$0.0250	\$0.0100
All Other Local Calls	\$0.0400	\$0.0150
<u>Off-Peak</u>		
Intra-wire Center	\$0.0063	\$0.0025
All Other Local Calls	\$0.0100	\$0.0038

Resold features associated with Resold Local Exchange Service will be priced according to the rates established for such features in the underlying carrier's effective intrastate tariffs.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 6 – RATES AND CHARGES FOR LOCAL SERVICES, (CONT'D.)

6.2 IntraLATA Calling

<u>Mileage</u>	<u>First Minute</u>	<u>Addl. Minute</u>
0-8	\$0.0550	\$0.0440
9-12	\$0.0660	\$0.0550
13-16	\$0.0825	\$0.0660
17-21	\$0.0990	\$0.0825
22-26	\$0.1265	\$0.0990
27-31	\$0.1265	\$0.1100
32-41	\$0.1265	\$0.1210
42-56	\$0.1265	\$0.1265
57-71	\$0.1265	\$0.1265
72-87	\$0.1265	\$0.1265
88-127	\$0.1265	\$0.1265
128+	\$0.1265	\$0.1265

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 6 – RATES AND CHARGES FOR LOCAL SERVICES, (CONT'D.)

6.3 Service Implementation

per service order

Resold Nonrecurring Charge
\$84.00

6.4 Restoration of Service

per occasion

Resold Nonrecurring Charge
\$84.00

 LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 6 – RATES AND CHARGES FOR LOCAL SERVICES, (CONT'D.)

6.5 Charges for Connecting or Changing Service

	<u>Resold Nonrecurring Charge</u>
Line Connection Charge	
Applies per exchange access line or trunk,	
First Line	\$84.00
Additional Line (each)	\$84.00
Line Change Charge	
Applies per exchange access line or trunk	
First Line	\$8.00
Additional Line (each)	\$8.00
Secondary Service Charge	
Applies per Customer request	
Each	\$8.00
Premises Work Charge	
First 15-minute increment or fraction thereof	
Per increment	\$17.00
Each Additional 15-minute increment or fraction thereof	
Per increment	\$9.00

 LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 7 –RATES AND CHARGES FOR INTRASTATE LONG DISTANCE

7.1 West Telecom Services, LLC Long Distance Service (LDS)

New Service Offering

	<u>Rates and Charge</u>
Outbound Switched	\$0.089
Outbound Dedicated	\$0.079
Inbound Switched	\$0.089
Inbound Dedicated	\$0.079

7.2 West Telecom Services, LLC Toll Free Service

New Service Offering

	<u>Rates and Charges</u>
Inbound Switched	\$0.089
Inbound Dedicated	\$0.079

Recurring and Nonrecurring Rates

	<u>Monthly Recurring</u>	<u>Nonrecurring</u>
	<u>Charge</u>	<u>Charge</u>
Shared charge per 800 number	N/A	N/A
Dedicated charge per routing arrangement	N/A	N/A
Advanced features (per feature)	\$50.00	
1 routing feature	\$30.00	N/A
3 routing features	\$30.00	N/A
All routing features	\$30.00	N/A

 LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 7 –RATES AND CHARGES FOR INTRASTATE LONG DISTANCE, (CONT'D.)

7.3 Miscellaneous Long Distance Services

7.3.1 West Telecom Services, LLC Calling Card Service

A.	Standard Usage Charges (per minute of use)	
	Peak/Off-Peak Rate	\$0.24
	Surcharge	\$0.31
B.	Directory Assistance Calls	
	Requested Number Charge	\$1.26
	Call Completion Charge (per minute)	N/C
C.	Enhanced Feature Charges	
	<u>Conference Calling</u>	
	Per established line	\$2.50
	Per minute of usage per line (Day)	\$0.59
	Per minute of usage per line (Weekend)	\$0.35
	<u>Voice Mail Access</u>	
	Per minute of usage	\$0.32
	<u>Voice Messaging</u> (per minute of usage)	
	1 message	\$2.90
	up to 5 messages	\$9.39
	up to 10 messages	\$16.90
	up to 20 messages	\$31.00
	message status	N/C
	<u>News and Information</u>	
	per minute of usage	N/A
	<u>Speed Dialing</u>	N/C

 LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 7 –RATES AND CHARGES FOR INTRASTATE LONG DISTANCE, (CONT'D.)

7.3 Miscellaneous Long Distance Services, (Cont'd.)

7.3.1 West Telecom Services, LLC Calling Card Service, (Cont'd.)

A.	BCC Service BCC Charge	\$0.60
B.	Directory Assistance Per requested number	\$0.65

7.4 Exemptions and Special Rates

7.4.1 Discounts for Hearing Impaired Customers

A telephone toll message which is communicated using a telecommunications device for the deaf (TDD) by properly certified hearing or speech impaired persons or properly certified business establishments or individuals equipped with TDDs for communicating with hearing or speech impaired persons will receive, upon request, credit on charges for certain intrastate toll calls placed between TDDs. The credit to be given on a subsequent bill for such calls placed between TDDs will be equal to applying the evening rate during business day hours and the night/weekend rate during the evening rate period. Discounts do not apply to surcharges or per call add on charges for operator service when the call is placed by a method that would normally incur the surcharge.

7.4.2 Directory Assistance for Handicapped Persons

There is no charge for Directory Assistance for the first 50 calls in a monthly billing period from handicapped persons. Such persons must contact the Company for credit on their directory assistance calls.

7.4.3 Exemptions and Special Rates

A. Discounts for Telecommunications Relay Service

For intrastate toll calls received from the telecommunications relay service, there will be a 50 percent discount off the applicable rate for a voice non relay call except that where either the calling or called party indicates that either party is both bearing and visually impaired, the call will be discounted 60 percent off the applicable rate for a voice non relay call. The above discounts apply only to time-sensitive elements of a charge for the call and shall not apply to per call charges such as a credit card surcharge.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS**8.1 Special Construction****8.1.1 Basis for Charges**

Where the Company furnishes a facility or service for which a rate or charge is not specified in the Company's tariffs, charges will be based on the costs incurred by the Company and may include:

- A. nonrecurring type charges;
- B. recurring type charges;
- C. termination liabilities; or
- D. combinations thereof.

8.1.2 Termination Liability

To the extent that there is no other requirement for use by the Company, a termination liability may apply for facilities specially constructed at the request of the Customer.

- A. The termination liability period is the estimated service life of the facilities provided.
- B. The amount of the maximum termination liability is equal to the estimated amounts for:
 - 1. Cost installed of the facilities provided including estimated costs for rearrangements of existing facilities and/or construction of new facilities as appropriate, less net salvage. Cost installed includes the cost of:
 - (a) equipment and materials provided or used;
 - (b) engineering, labor and supervision;
 - (c) transportation; and
 - (d) rights-of-way.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)

8.1 Special Construction, (Cont'd.)

8.1.2 Termination Liability, (Cont'd.)

B. (Cont'd.)

2. license preparation, processing, and related fees;
3. tariff preparation, processing, and related fees;
4. cost of removal and restoration, where appropriate; and
5. any other identifiable costs related to the specially constructed or rearranged facilities.

- C. The applicable termination liability method for calculating the unpaid balance of a term obligation. The amount of such charge is obtained by multiplying the sum of the amounts determined as set forth in Section 8.1.2 preceding by a factor related to the unexpired period of liability and the discount rate for return and contingencies. The amount determined in section 8.1.2 preceding shall be adjusted to reflect the re-determined estimate net salvage, including any reuse of the facilities provided. This product is adjusted to reflect applicable taxes.

8.1.3 Individual Case Basis (ICB) Arrangements

Arrangements will be developed on a case-by-case basis in response to a bona fide request from a Customer or prospective Customer to develop a competitive bid for a service offered under this tariff. Rates quoted in response to such competitive requests may be different than those specified for such services in this tariff. ICB rates will be offered to the Customer in writing and on a non-discriminatory basis. All ICB rates are subject to Commission approval.

8.1.4 Temporary Promotional Program

The Company may establish temporary promotional programs wherein it may waive or reduce nonrecurring or recurring charges, to introduce present or potential Customers to a service not previously received by the Customers. All promotions are subject to Commission approval.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)**8.2 Schools and Libraries Discount Program****8.2.1 General**

The Schools and Libraries Discount Program permits eligible schools (public and private, grades Kindergarten through 12) and libraries to purchase the Company services offered in this tariff at a discounted rate, in accordance with the Rules adopted by the Federal Communications Commission (FCC) in its Universal Service Order 97-157, issued May 8, 1997 and the New York State Public Service Commission in its Opinion and Order 97-11 Adopting Discounts for Services for Schools and Libraries, issued June 25, 1997. The Rules are codified at 47 Code of Federal Regulation (C.F.R.) 54.500 ct. seq.

As indicated in the Rules, the discounts will be between 20 and 90 percent of the pre-discount price, which is the price of services to schools and libraries prior to application of a discount. The level of discount will be based on an eligible school or library's level of economic disadvantage and by its location in either an urban or rural area. A schools level of economic disadvantage will be determined by the percentage of its students eligible for participation in the national school lunch program, and a library's level of economic disadvantage will be calculated on the basis of school lunch eligibility in the public school district in which the library is located. A non-public school may use either eligibility for the national school lunch program or other federally approved alternative measures to determine its level of economic disadvantage. To be eligible for the discount, schools and libraries will be required to comply with the terms and conditions set forth in the Rules. Discounts are available only to the extent that they are funded by the federal universal service fund. Schools and libraries may aggregate demand with other eligible entities to create a consortium.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)

8.2 Schools and Libraries Discount Program,(Cont'd.)

8.2.2 Regulations

A. Obligation of eligible schools and libraries

Requests for service

1. Schools and libraries and consortia shall participate in a competitive bidding process for all services eligible for discounts, in accordance with any state and local procurement rules.
2. Schools and libraries and consortia shall submit requests for services to the Schools and Libraries Corporation, as designated by the FCC, and follow established procedures.
3. Services requested will be used for educational purposes.
4. Services will not be sold, resold or transferred in consideration for money or any other thing of value.

B. Obligations of the Company

1. The Company will offer discounts to eligible schools and libraries on commercially available telecommunications services contained in this tariff. Those services contained in this tariff which are excluded from the discount program, in accordance with the Rules, are included as an attachment to this tariff.
2. The Company will offer services to eligible schools, libraries and consortia at prices no higher than the lowest price it charges to similarly situated non-residential Customers for similar services (lowest corresponding price).

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)

8.2 Schools and Libraries Discount Program,(Cont'd.)

8.2.2 Regulations, (Cont'd.)

B. Obligations of the Company, (Cont'd.)

3. In competitive bidding situations, the Company may offer flexible pricing or rates other than in this tariff, where specific flexible pricing arrangements are allowed, subject to New York State Public Service Commission approval.

8.2.3 Discounted Rates for Schools and Libraries

- A. Discounts for eligible schools and libraries and consortia shall be set as a percentage from the pre-discount price, which is the price of services to schools and libraries prior to application of a discount.
- B. The discount rate will be applied to eligible intrastate services purchased by eligible schools, libraries or consortia,
- C. The discount rate is based on each school or libraries level of economic disadvantage as determined in accordance with the FCC Order or other federally approved alternative measures (as permitted by the Rules) and by its location in either an urban or rural area.
- D. The discount matrix for eligible schools, libraries and consortia is included as an attachment to this tariff.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)**8.3 Healthcare Providers Support Program****8.3.1 General**

The purpose of the Health Care Providers Support Program is to enable public and non-profit rural health care providers to have access to telecommunications services necessary for the provision of health care services at rates comparable to those paid for similar services in urban areas. The Health Care Providers Support Program offers eligible public and non-profit health care providers located in rural areas reduced rates for Company intrastate services, available in this tariff. Such services must be purchased in accordance with the Rules adopted by the Federal Communications Commission ("FCC") in its Universal Service Order 97-157, issued May 8, 1997 and the New York State Public Service Commission in its Order in Cases 94-C-0095 and 28425, issued November 4, 1997. The FCC Rules are codified at 47 Code of Federal Regulation (C.F.R.) 54.601 et. seq., and any amendments made thereto.

8.3.2 Regulations

- A. To be eligible for the reduced rates, rural health care providers are required to comply with the terms and conditions set forth in the FCC Rules.
- B. Reduced rates are available only to the extent that they are funded by the federal universal service fund.
- C. Eligible rural health care providers may aggregate demand with other entities to create a consortium. Universal service support shall apply only to the portion of eligible services used by an eligible health care provider.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)

8.3 Healthcare Providers Support Program, (Cont'd.)

8.3.2 Regulations, (Cont'd.)

D. Responsibility of eligible health care providers:

1. Rural health care providers and consortia shall participate in a competitive bidding process for all services eligible for reduced rates in accordance with any State and local procurement rules.
2. Rural health care providers and consortia shall submit requests for services to the program Administrator, as designated by the FCC, and follow established procedures.
3. Services requested must be used for purposes related to the provision of health care services or instruction that the health care provider is legally authorized to provide under the law.
4. A health care provider that cannot obtain toll-free access to an Internet Service Provider and who is eligible for support for limited toll-free access under the Rules must certify that it lacks toll-free Internet access and that it is an eligible health care provider.
5. Services cannot be sold, resold or transferred in consideration for money or any other thing of value.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)

8.3 Healthcare Providers Support Program, (Cont'd.)

8.3.2 Regulations, (Cont'd.)

E. Responsibility of the Company

1. The Company shall offer the rates and charges as specified in Section 8 and the attached Rate Schedule, to eligible health care providers to the extent that facilities and services are available and offered in the tariffs specified in Section 8.
2. The Company shall offer services to eligible rural health care providers and consortia at prices no higher than the highest urban rate as defined in the FCC Order and Rules.
3. In competitive bidding situations, where specific flexible pricing arrangements are allowed, the Company may offer flexible pricing (to determine the reduced rate) subject to New York State Public Service Commission approval.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)**8.3 Healthcare Providers Support Program, (Cont'd.)****8.3.3 Rates and Charges**

The following price adjustments will be available to eligible rural health care providers, except subparagraph C., which shall be available to all eligible health care providers, regardless of location;

- A. A reduced rate for telecommunications services, using a bandwidth capacity of up to 1.544 Mbps, not to exceed the highest tariffed or publicly available rate charged to a commercial Customer for a similar service provided over the same distance in the nearest city in New York State with a population of at least 50,000.
- B. An exemption from some mileage charges for any telecommunications services, using a bandwidth capacity of up to 1.544 Mbps, that is necessary for the provision of health care services. The exempted mileage includes the distance between the rural health care provider and the most distant perimeter of the nearest city in New York State with a population of 50,000 or more, less the standard urban distance, which is the maximum average diameter of all cities with population of 50,000 or more in the State.
- C. Each eligible health care provider that cannot obtain toll-free access to an Internet service provider is entitled to receive toll charge credits for toll charges imposed for connecting to an Internet service provider as per the FCC Rules. Such toll charge credits are available pursuant to applicable toll tariffs.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)**8.4 Lifeline Telephone Service****8.4.1 Lifeline Telephone Service Options****A. Flat Rate Lifeline Service**

This service provides a full waiver of the \$6.40 monthly subscriber line charge plus a reduction of \$1.75 in the monthly Service Line rate (which is offset by a Federal intrastate revenue contribution) for flat rate Lifeline Customers.

B. Basic Lifeline Service

This service provides a full waiver of the \$6.40 monthly federal subscriber line charge plus a reduction of \$1.75 in the monthly Service Line rate (which is offset by a Federal intrastate revenue contribution) for message rate Lifeline Customers. There is no monthly allowance for local calls. Primary area and Home Region calls are untimed. Extended area calls (where available) are timed.

8.4.2 Eligibility

This service is restricted to low income residential Customers. To qualify for Lifeline service a Customer must be income eligible for benefits from any one of the following Entitlement Programs administered by the New York State Department of Social Services:

Aid to Families with Dependent Children (AFDC) Food Stamps Home Energy Assistance Program (HEAP) Home Relief Medicaid Supplemental Security Income (SSI)

The applicant must provide proof to the Company that he or she is certified as income eligible to receive one or more of the above benefits. After initial contact the Customer is sent an application form to be completed by the Customer or authorized representative of the Customer, as designated by the New York State Department of Social Services and identified as so authorized on the Customer's card for any of the above benefits.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)**8.4 Lifeline Telephone Service, (Cont'd.)****8.4.2 Eligibility, (Cont'd.)**

In addition, applicants are eligible for discounted Life Line rates when approved to receive either a Veterans Disability Pension or a Veterans Surviving Spouse Pension. Applicants must provide proof to the Company that they are receiving one of these pensions.

Life Line services are effective upon receipt of a completed and signed form or an application form certified from an entity authorized by the Company. If the form is not returned, no further action is taken by the Company to establish eligibility. The Life Line discount is credited as of the service connection date.

An individual's eligibility may be documented by information obtained by the Company as a result of enrollment programs, including but not limited to confidential computerized matching programs, conducted by the Company in conjunction with the New York State Department of Social Services (DSS) and/or the New York City Community Development Agency (CDA).

The Company, in coordination with appropriate agencies, will periodically verify each Lifeline Customer's eligibility. If a Customer is identified as being ineligible, the Customer will be notified that unless the information is shown to be in error, the Lifeline discount will be discontinued. The Customer will be billed for discounts received for any period in which he or she is proven to be ineligible for the service.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)

8.4 Lifeline Telephone Service, (Cont'd.)

8.4.3 Charges

A qualified Customer may choose one of the Lifeline services as described above. For connection of new service, service connection charges apply unless the Customer qualifies for connection assistance under the Link Up America plan as outlined in 8.5, following.

Service connection charges do not apply to change existing service from:

- Message Rate Service to Basic Lifeline Service;
- Basic Lifeline Service to Message Rate Service;
- Flat Rate Service to Flat Rate Lifeline service;
- Flat Rate Lifeline Service to Flat Rate Service.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)

8.5 Link Up America

The Link Up America program is a connection assistance plan which provides for the reduction of one-half of the charges associated with connection of telephone service, up to \$30.00, subject to the following eligibility criteria:

- 8.5.1 The applicant must meet the requirements for qualification for Lifeline Telephone Service stipulated in 8.4.2, above;
- 8.5.2 The assistance can only apply for a single telephone line at the principal place of residence of the applicant; and
- 8.5.3 The applicant must not be a dependent for federal income tax purposes, unless he or she is more than 60 years old.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)

- 8.6 Special Equipment for the Hearing of Speech Impaired Customer
- 8.6.1 As required by Section 92-a of New York State Public Service Law, the Company will provide, upon request, specialized telecommunications equipment for a Customer certified as hearing or speech impaired.
 - 8.6.2 A Customer can be certified as hearing or speech impaired by a licensed physician, otolaryngologist, speech language pathologist, audiologist or an authorized representative of a social agency that conducts programs for persons with hearing or speech impairments in cooperation with an official agency of the State of New York.
 - 8.6.3 The Company will make every reasonable effort to locate and obtain equipment for a certified Customer.
 - 8.6.4 The Customer may purchase equipment at a price not to exceed the actual purchase price (including any applicable shipping costs) the Company pays.
 - 8.6.5 The Company will also advise the Customer who requests this equipment of the applicable terms for purchase.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)**8.7 Discounted Service for the Hearing of Speech Impaired Customer****8.7.1 General**

A handicapped person who has been certified to the Company as having a hearing or speech impairment which requires that he or she communicate over telephone facilities by means other than voice, and who either use non-voice equipment or make calls through an interpreter, will receive, upon application to the Company, a 50% discount on local message rate service.

8.7.2 Certification

Acceptable certifications are:

- A. Those made by a licensed physician, otolaryngologist, speech-language pathologist or audiologist or an authorized representative of a social agency that conducts programs for persons with hearing or speech impairment in cooperation with an official agency of the State of New York, or
- B. A pre-existing certification establishing the impairment of hearing or speech such as those which qualify the handicapped person for social security benefits on the basis of total hearing impairment or for the use of facilities of an agency for a person with hearing or speech impairment.

8.7.3 Qualification

A Customer qualifying for the discount is one whose impairment is such that competent authority would certify him or her as being unable to use a telephone for voice communication. See "Handicapped Person," definition for a listing of the necessary qualifications.

8.7.4 Billing

The reduction in charges is applied only at one location, designated by the impaired person.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)

8.8 Universal Emergency Telephone Number Service

Universal Emergency Telephone Number Service (911 Service) is an arrangement of Company central office and trunking facilities whereby any telephone user who dials the number 911 will reach the emergency report center for the telephone from which the number is dialed or will be routed to an operator if all lines to an emergency report center are busy. If no emergency report center Customer exists for a central office entity, a telephone user who dials the number 911 will be routed to an operator. The telephone user who dials the 911 number will not be charged for the call.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)**8.9 New York Relay Service****8.9.1 General**

The Company will provide access to a telephone relay center for New York Relay Service. The service permits telephone communications between hearing and/or speech impaired individuals who must use a Telecommunications Device for the Deaf (TDD) or a Teletypewriter (TTY) and individuals with normal hearing and speech. The Relay Service can be reached by dialing an 800 number. Specific 800 numbers have been designated for both impaired and non-impaired Customers to use.

8.9.2 Regulations

- A. Only intrastate calls can be completed using the New York Relay Service under the terms and conditions of this tariff.
- B. Charges for calls placed through the Relay Service will be billed as if direct distance dialed (DDD) from the point of origination to the point of termination. The actual routing of the call does not affect billing.
- C. Calls through the Relay Service may be billed to a third number only if that number is within New York State. Calls may also be billed to calling cards issued by the Company or other carriers who may choose to participate in this service.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 8 – SPECIAL ARRANGEMENTS, (CONT'D.)

8.9 New York Relay Service, (Cont'd.)

8.9.2 Regulations, (Contd.)

D. The following calls may not be placed through the Relay Service:

1. calls to informational recordings and group bridging service;
2. calls to time or weather recorded messages;
3. station sent paid calls from coin telephones; and
4. operator-handled conference service and other teleconference calls.

8.9.3 Liability

The Company contracts with an outside provider for the provision of this service. The outside provider has complete control over the provision of the service except for the facilities provided directly by the Company. In addition to other provisions of this tariff dealing with liability, in the absence of gross negligence or willful misconduct on the part of the Company, the Company shall not be liable for and the Customer, by using the service, agrees to release, defend and hold harmless for all damages, whether direct, incidental or consequential, whether suffered, made, instituted or asserted by the Customer or by any other person, for any loss or destruction of any property, whatsoever whether covered by the Customer or others, or for any personal injury to or death of, any person. Notwithstanding any provision to the contrary, in no event shall the Company be liable for any special, incidental, consequential, exemplary or punitive damages of any nature whatsoever.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

ATTACHMENT

A. Services Ineligible for Schools and Libraries Discount

1. Voice Mail Services (The Company, however, does not provide voice mail services.)

B. Schools and Libraries Discount Matrix

HOW DISADVANTAGED	% DISCOUNT LEVEL	
	URBAN DISCOUNT	RURAL DISCOUNT
% of students eligible for national school lunch program		
<1	20	25
1-19	40	50
20-34	50	60
35-49	60	70
50-74	80	80
75-100	90	90

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 9 – SERVICE AREAS

9.1 In the Local Calling Area, the Company offers all of the services listed in Section 4 of this tariff at the rates specified in Section 5 and the attached Rate Schedule.

9.2 Local Calling Area

Service shall be provided throughout the State of New York.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 10 – BILLING AND COLLECTION

10.1 Billing Name and Address ("BNA") Service

Billing Name and Address ("BNA") Service is the provision of the complete billing name, street address, city or town, state and zip code for a telephone number assigned by the Company.

10.2 Automatic Number Identification ("ANI")

This service provides the automatic transmission of a seven or ten digit number and information digits to an ANI Recipient's premises for calls originating in the LATA, to identify the Calling Station.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 11 – SUPPLEMENTAL SERVICES

11.1 Blocking Service

11.1.1 General

Blocking service is a feature that permits Customers to restrict access from their telephone line to various discretionary services. The following blocking options are available to residential and business Customers:

- A. 900, 700 Blocking - allows the subscriber to block all calls beginning with the 900 and 700 prefixes (i.e. 900-XXX-XXXX) from being placed.
- B. 976 Central Office Code Blocking - allows the subscriber to block all calls with a 976 central office code (i.e xxx – 976-xxxx). (T)
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- C. Third Number Billed and Collect Call Restriction - provides the subscriber with a method of denying all third number billed and collect calls to a specific telephone number provided the transmitting operator checks their validation data base.
- D. Toll Restriction (1+ and 0+ Blocking) - provides the subscriber with local dialing capabilities but blocks any Customer-dialed call that has a long distance charge associated with it.

Toll Restriction will not block the following types of calls: 911 (Emergency), 1 + 800 (Toll-Free), and operator assisted toll calls.
- E. Toll Restriction Plus - provides subscribers with Toll Restriction, as described in the long Distance Section, and blocking of 411 calls.
- F. Direct Inward Dialing Blocking (Third Party and Collect Call) - provides business Customers who subscribe to DID service to have Third Party and Collect Call Blocking on the number ranges provided by the Company.

11.1.2 Regulations

- 1. The Company will not be liable for any charge incurred when any long distance carrier or alternative operator service provider accepts third number billed or collect calls.
- 2. Blocking Service is available where equipment and facilities permit.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 11 – SUPPLEMENTAL SERVICES, (CONT'D.)

11.1 Blocking Service, (Cont'd.)

11.1.3 Rates and Charges

1. Recurring and Nonrecurring Charges

The following rates and charges are in addition to all other applicable rates and charges for the facilities furnished.

	<u>Nonrecurring Charge</u>	
	<u>Minimum</u>	<u>Maximum</u>
900 and 700 Blocking		
Residential	\$0.00	\$0.00
Business (up to 200 lines)	\$0.00	\$10.00
976 Blocking		
Residential	\$0.00	\$0.00
Business (up to 200 lines)	\$0.00	\$10.00

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The nonrecurring charge for initial request of one and two-line business Customers is waived for 90 days from the Customer's service establishment date.

 LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 11 – SUPPLEMENTAL SERVICES, (CONT'D.)

11.1 Blocking Service, (Cont'd.)

11.1.3 Rates and Charges, (Cont'd.)

A. Recurring and Nonrecurring Charges, (Cont'd.)

	<u>Monthly Recurring Charges</u>	
	<u>Minimum</u>	<u>Maximum</u>
Third Number Billed and Collect Call Restriction		
Residential	\$0.00	\$5.00
Business (up to 200 lines)	\$0.00	\$5.00
Toll Restriction		
Residential	\$0.01	\$5.00
Business (up to 200 lines)	\$0.01	\$5.00
Toll Restriction Plus		
Residential	\$0.01	\$5.00
Business (up to 200 lines)	\$0.01	\$5.00
Direct Inward Dialing Blocking (Third Party and Collect Call)		
Initial Activation	\$0.01	\$50.00
Subsequent Activation (per line)	\$0.01	\$10.00

B. Pricing for Blocking Service for a business Customer with more than 200 lines will be based on the costs incurred by Company to provide the service.

C. Connection charges apply as specified in Section 3 of this tariff.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 11 – SUPPLEMENTAL SERVICES, (CONT'D.)**11.2 Customized Number Service****11.2.1 General**

- A. Customized Number Service allows a Customer to order a specified telephone number rather than the next available number.
- B. Customized Number Service is furnished subject to the availability of facilities and requested telephone numbers.
- C. The Company will not be responsible for the manner in which Customized Numbers are used for marketing purposes by the Customer.
- D. When a new Customer assumes an existing service which includes Customized Number Service, the new Customer may keep the Customized Number, at the tariffed rate, with the written consent of the Company and the former Customer.
- E. The Company reserves and retains the right:
 - 1. To reject any request for specialized telephone numbers and to refuse requests for specialized telephone numbers;
 - 2. Of custody and administration of all telephone numbers, and to prohibit the assignment of the use of a telephone number by or from any Customer to another, except as otherwise provided in this tariff,
 - 3. To assign or withdraw and reassign telephone numbers in any exchange area as it deems necessary or appropriate in the conduct of its business.
 - 4. The limitation of liability provisions of this tariff in Section 3.1.2 are applicable to Customized Number Service.

LOCAL EXCHANGE AND INTEREXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 11 – SUPPLEMENTAL SERVICES, (CONT'D.)

11.2 Customized Number Service, (Cont'd.)

11.2.2 Conditions

- A. Charges for Customized Number Service apply when a Customer:
 - 1. Requests a telephone number other than the next available number from the assignment control list, and such requested number is placed into service within six months of the date of the request.
 - 2. Requests a number change from the Customer's present number to a Customized Number.

- B. The Company shall not be liable to any Customer for direct, indirect or consequential damages caused by a failure of service, change of number, or assignment of a requested number to another Customer whether prior to or after the establishment of service. In no case shall the Company be liable to any person, firm or corporation for an amount greater than such person, firm or corporation has actually paid to the Company for Customized Number Service.

11.2.3 Rates

	<u>Minimum</u>	<u>Maximum</u>
Set-up Charges		
Residential Customer	\$0.00	\$50.00
Business Customer	\$0.00	\$100.00