

REGULATIONS RATES AND CHARGES

Applying to the Provision of Public Coast Maritime Mobile Radio Service between the public coast station located at Freeland, Washington (FCC License No. WHU 300 issued January 11, 1985) and ship stations for connection to other ship stations or telephone stations on land.

Public Coast Maritime Mobile Radio Service is furnished by means of wire telephone and radiotelephone facilities.

WHIDBEY TELEPHONE COMPANY

TARIFF FCC No. 1
ORIGINAL PAGE 1

PUBLIC COAST MARITIME MOBILE RADIO SERVICE

CHECK SHEET

Title Page and Pages 1 through 24 of this tariff are effective as of the date shown.

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PUBLIC COAST MARITIME MOBILE RADIO SERVICE

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PUBLIC COAST MARITIME MOBILE RADIO SERVICE

NO CONCURRING CARRIERS

NO CONNECTING CARRIERS

NO OTHER PARTICIPATING CARRIERS

NO REGISTERED SERVICE MARKS AND TRADEMARKS

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EXPLANATION OF SYMBOLS

- (C) - to signify changed regulation
- (D) - to signify discontinued rate or regulation
- (I) - to signify increase
- (M) - to signify matter relocated without change
- (N) - to signify new rate or regulation
- (R) - to signify reduction
- (S) - to signify reissued matter
- (T) - to signify a change in text but no change
in rate or regulation
- (Z) - to signify a correction

REFERENCES TO OTHER TARIFFS

Wherever reference is made in this tariff or to other tariffs of this Company, or to tariffs of other Common Carriers, the reference is to the tariffs in force as of the effective date of this tariff, and to amendments thereto and successive issues thereof.

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PUBLIC COAST MARITIME MOBILE RADIO SERVICE

1. APPLICATION OF TARIFF

- 1.1 This tariff applies to Public Coast Maritime Mobile Radio Service furnished by Whidbey Telephone Company between its public coast radio telephone station located 4.6 miles NNW of Freeland, Washington, and ship stations within the service area of that station, or between such ship stations and telephone stations on land or other ship stations.

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PUBLIC COAST MARITIME MOBILE RADIO SERVICE

2. REGULATIONS2.1 Undertaking of Whidbey Telephone Company2.1.1 Scope

- (A) Public Coast Maritime Mobile Radio Service is a public communications service for hire for two-way voice communications through a base station, between a ship station and a landline telephone system, or between two ship stations served via one or more base stations.
- (B) Whidbey Telephone Company does not undertake to transmit messages but furnishes the use of its service to its Customers for telecommunications.

2.1.2 Availability of Service

- (A) Public Coast Maritime Mobile Radio Service is available to any person who wishes to become a Customer. The service is available to ship stations equipped for this service when within range of the base station(s) as set forth in 3.1 following, through which such service is furnished and subject to transmission, atmospheric and like limitations.
- (B) The use and restoration of service shall be in accordance with Part 64 Subpart D of the Federal Communications Commission's Rules and Regulations, which specifies the priority system for such activities.
- (C) Service is furnished subject to the availability of the service components required. Whidbey Telephone Company will (1) determine which of those components shall be used and (2) make modifications to those components at its option.

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PUBLIC COAST MARITIME MOBILE RADIO SERVICE

2. REGULATIONS2.1 Undertaking of Whidbey Telephone Company
(Cont'd)2.1.3 Limitation of Duration of Connections

Whidbey Telephone Company reserves the right to limit the duration of connection.

2.1.4 Liability

- (A) In view of the fact that the Customer has exclusive control of his communications over the service furnished him by Whidbey Telephone Company, and of the other uses for which service may be furnished him by Whidbey Telephone Company, and because of the unavailability of errors incident to the use of such services of Whidbey Telephone Company, the services furnished by Whidbey Telephone Company are subject to the terms, conditions and limitations specified in (B), (C) and (D) following.
- (B) With respect to any claim or suit, by a Customer or by any others, for damages associated with any aspect of the provision of service (including the failure to reach a called station), and subject to the provisions of (C) through (E) following, Whidbey Telephone Company's liability, if any, shall not exceed an amount equal to the initial period charge applicable for such a message to the called station. This liability shall be in addition to any billing adjustments that may otherwise be appropriate.

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2. REGULATIONS2.1 Undertaking of Whidbey Telephone Company2.1.4 Liability (Cont'd)

- (C) The Customer indemnifies and saves Whidbey Telephone Company harmless against claims for libel, slander, or infringement of copyright from the material transmitted over its service; against claims for infringement of patents arising from combining with, or using in connection with, service of Whidbey Telephone Company, apparatus and systems of the Customer or of any other person or entity other than Whidbey Telephone Company; and against all other claims arising out of any act or omission of the Customer in connection with service provided by Whidbey Telephone Company.
- (D) No carrier participating in this service shall be liable for any act or omission of any other carrier also participating in the service.
- (E) The services furnished by Whidbey Telephone Company, in addition to the limitations set forth in 2.1.4 (A) through (D) preceding, also are subject to the following limitation: Whidbey Telephone 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 service of Whidbey Telephone Company.

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2. REGULATIONS (Cont'd)2.2 Use2.2.1 Use of Service

The service is provided for use by the Customer and may be used by others, when so authorized by the Customer, providing that all such usage shall be subject to the provisions of this tariff.

2.2.2 Abuse and Fraudulent Use

The service is furnished subject to the condition that there will be no abuse or fraudulent use of the service. Abuse or fraudulent use of service includes:

- the use of the service of Whidbey Telephone Company to transmit a message or to locate a person or otherwise give or obtain information, without payment of the charge applicable for service;
- the obtaining, or attempting to obtain, or assisting another to obtain or to attempt to obtain Public Coast Maritime Mobile Radio Service by rearranging, tampering with, or making connection with any service components of Whidbey Telephone Company, or by any trick, scheme, false representation, or false credit device, or by or through any other fraudulent means or device whatsoever, with intent to avoid the payment, in whole or in part, of the regular charge for such service;
- the use of the service of Whidbey Telephone Company for a call or calls, anonymous or otherwise, if in a manner reasonable expected to frighten, abuse, torment, or harass another;

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2. REGULATIONS2.2 Use2.2.2 Abuse and Fraudulent Use (Cont'd)

- the use of profane or obscene language;
- the use of the service in such a manner as to interfere unreasonably with the use of the service by one or more other Customers.

2.2.3 Unlawful Purposes

The service is furnished subject to the condition that it will not be used for an unlawful purpose.

2.3. Obligations of the Customer

2.3.1 The calling party shall establish his identity in the course of any communication as often as may be necessary.

2.3.2 The calling party shall be solely responsible for establishing the identity of the person or persons with whom connection is made at the called station or stations.

2.4 Payment Arrangements2.4.1 Payment for Service

The Customer is responsible for payment of all charges for services furnished to the Customer including charges for services originated or charges accepted at the Customer's station and for charges billed the Customer for MIN or Calling Card messages.

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2. REGULATIONS2.4 Payment Arrangements (Cont'd)2.4.2 Billing and Collection Charges

The charges for calls and chargeable reports are due when billed and are billed and collected by this Company or the connecting company from whose station the calls were sent paid or at whose station the calls were received collect.

2.4.3 Termination of Service for Cause

Upon nonpayment of any sum due Whidbey Telephone Company, or upon a violation of any of the conditions governing the furnishing of service, Whidbey Telephone Company may by notice in writing to the Customer, without incurring any liability, forthwith discontinue the furnishing of said service.

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2. REGULATIONS2.4 Payment Arrangements2.4.4 Monetary Units

In connection with service from ships or vessels outside the United States to points within the United States, when the charges to Customers are made by a company or administration not subject to the Communications Act of 1934, as amended, the following conditions apply:

- In the case of service from ships or vessels of United States registry, the charges shown in this tariff for such service are quoted in United States dollars.
- In the case of service from ships or vessels registered in countries other than the United States, the charges are quoted in United States dollars or are converted into the currency of the country of registry at rates of exchange with respect to United States dollars, which may vary from time to time because of changes in monetary and other conditions.

In connection with service from ships or vessels outside the United States to points within the United States, when the charges to Customers are made by Telephone Companies in the United States, rates as specified herein, plus additional charges of foreign administration, if any, in United States dollars, apply to all calls.

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2. REGULATIONS (Cont'd)2.5 DefinitionsCalling Card

The term "Calling Card" previously known as the "Credit Card", denotes a billing arrangement by which a call may be charged to a Calling Card number authorized or honored by Whidbey Telephone Company.

Collect Call

The term "Collect Call" denotes a billing arrangement by which the charge for a call may be reversed provided the charge is accepted at the called station. In certain instances Collect Calls may not be permitted to a public or semi-public coin telephone, mobile station or ship station.

Customer

The term "Customer" denotes the person, firm or corporation responsible for the payment of charges and compliance with the regulations of Whidbey Telephone Company.

Company

The term "Company" denotes Whidbey Telephone Company, its successors and assigns.

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2. REGULATIONS2.5 Definitions (Cont'd)Exchange

The term "Exchange" denotes a unit generally smaller than a Local Access and Transport Area, established by this Company for the administration of communication services in a specified area, which usually embraces a city, town or village and its environs. It consists of one or more central offices together with the associated facilities used in furnishing communications service within that area.

Initial and Additional Period

The term "Initial Period" denotes the interval of time allowed at the rate quoted for a connection between given points.

The term "Additional Period" denotes the unit of time used for measuring and charging for time in excess of the initial period.

Line Haul

The term "line haul" denotes the facilities and mileage, provided by a telecommunications carrier, used to complete telecommunications between land stations and Public Coast Maritime Mobile Radio Service Stations. Charges for line haul are covered in tariffs or rate schedules of the carrier(s) providing the line haul. Line haul charges are typically for MTS, WATS, or MTS or WATS-like service but may be provided via private line or other class of service. Line haul charges are not included in radio link charges.

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2. REGULATIONS2.5 Definitions (Cont'd)Local Access and Transport Area (LATA)

The term "Local Access and Transport Area" denotes a geographic area established for the provision and administration of communication services. It encompasses one or more designated exchanges, which are grouped to serve common social, economic and other purposes.

Marine Identification Number Card

The term "Marine Identification Number Card", also known as a "MIN Account Card", denotes a billing arrangement by which a call may be charged to a marine identification number account authorized or honored by Whidbey Telephone Company.

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2. REGULATIONS

2.5 Definitions (Cont'd)

Operator Station Call

The term "Operator Station" denotes station-to-station service where the person originating the call specifies to the operator a telephone number or ship's station call letters and/or ship's name to be reached.

Person-to-Person Call

The term "Person-to-Person" denotes that service where the person originating the call specifies to the operator a particular person, mobile station, department, or office to be reached.

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3. SERVICE CLASSIFICATION AND RATES3.1 Public Coast Maritime Mobile Radio Service3.1.1 Marine VHF Service - Through the Land
Radiotelephone Station of this Company(A) Application

- (1) Marine VHF Service is a two-way communications service furnished through the land radiotelephone station located at Freeland, Washington. This station is licensed to provide a maritime mobile service which is primarily of a local character.
- (2) Marine VHF Service is available to ships equipped for this service when within range of the base station. Service is furnished subject to transmission, atmospheric and like limitations.
- (3) The services offered are those referred to in (C) (1) following.

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3. SERVICE CLASSIFICATION AND RATES3.1 Public Coast Maritime Mobile Radio Service3.1.1 Marine VHF Service - Through the Land
Radiotelephone Station of This Company(B) Regulations

- (1) Service is offered on a Collect Call, MIN card or on a Calling Card basis and may be either a Operator Station or Person-to-Person call.
- (2) Whidbey Telephone Company does not undertake to bring to a telephone a called person who cannot be reached at a telephone connected to the message telecommunications network.
- (3) Calls filed in advance of the time communications is desired are accepted on the basis that Whidbey Telephone Company will endeavor to complete them as near as possible to the time specified by the calling party.

(C) Rate and Charge Application

Rates for service through the Public Coast Maritime Mobile Radio Service Station at Freeland, Washington, are determined as specified in (1) following.

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3. SERVICE CLASSIFICATION AND RATES3.1 Public Coast Maritime Mobile Radio Service3.1.1 Marine VHF Service - Through the Land
Radiotelephone Station of This Company(C) Rate and Charge Applications (Cont'd)

(1) For service involving a ship served through the Marine VHF Service Station at Freeland, Washington and another point, vessel or vehicle, the total charge is the sum of the charges of (a) and (b) following:

(a) the Marine VHF radio link charge to each ship on the connection which is served through the station as follows:

[1] For the initial period of one minute or fraction thereof \$.50

[2] For each additional one-tenth minute or fraction thereof \$.050

When the connection involves two ships served through the same Marine VHF Service Station on a single channel, the Marine VHF radio link charge applies only once.

(b) The appropriate charge for the message telecommunications network and other telecommunications service(s), provided by this Company or other carriers, necessary to complete the call. These charges are not set forth in this tariff.

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3. SERVICE CLASSIFICATION AND RATES3.1 Public Coast Maritime Mobile Radio Service3.1.1 Marine VHF Service - Through the Land
Radiotelephone Station of This Company(C) Rate and Charge Applications (Cont'd)(2) Timing of Messages

(a) Chargeable time begins when connection is established between:

[1] the calling station, or land telephone, and the called station, or land telephone; or

[2] the calling person and the particular person or station specified or an agreed alternate.

(b) Chargeable time ends when the connection is terminated at any point.

(c) Chargeable time does not include time lost because of faults or defects in service.

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