

ACCESS SERVICE  
CHECK SHEET

The Title Page and Pages 1 through 35-6 inclusive of this tariff are effective as of the date shown. The Original and revised pages named below and on Supplement No. 1 contain all changes from the original tariff that are in effect on the date shown.

<u>Page</u>	Number Revisions Except as Indicated		<u>Page</u>	Number Revisions Except as Indicated	<u>Page</u>	Number Revisions Except as Indicated
1	41 <sup>st</sup> Revised	*	5-48	1 <sup>st</sup> Revised	32-70	1 <sup>st</sup> Revised
1.1	4 <sup>th</sup> Revised	*	6-4	1 <sup>st</sup> Revised	32-71	2 <sup>nd</sup> Revised
6	1 <sup>st</sup> Revised		6-34	1 <sup>st</sup> Revised	32-72	2 <sup>nd</sup> Revised
7	1 <sup>st</sup> Revised		6-51	1 <sup>st</sup> Revised	32-73	2 <sup>nd</sup> Revised
8	1 <sup>st</sup> Revised		6-202	1 <sup>st</sup> Revised	32-74	2 <sup>nd</sup> Revised
9	1 <sup>st</sup> Revised		6-230	1 <sup>st</sup> Revised	32-75	1 <sup>st</sup> Revised
13	1 <sup>st</sup> Revised		6-251	1 <sup>st</sup> Revised	32-76	2 <sup>nd</sup> Revised
49	2 <sup>nd</sup> Revised		7-256	3 <sup>rd</sup> Revised	32-77	2 <sup>nd</sup> Revised
51	2 <sup>nd</sup> Revised		7-257	3 <sup>rd</sup> Revised	32-78	2 <sup>nd</sup> Revised
53	1 <sup>st</sup> Revised		20-14	2 <sup>nd</sup> Revised	32-79	2 <sup>nd</sup> Revised
2-36	1 <sup>st</sup> Revised		20-15	2 <sup>nd</sup> Revised	32-80	1 <sup>st</sup> Revised
2-64	1 <sup>st</sup> Revised		20-15.1	3 <sup>rd</sup> Revised	32-81	1 <sup>st</sup> Revised
2-65	1 <sup>st</sup> Revised		20-15.2	1 <sup>st</sup> Revised	32-82	1 <sup>st</sup> Revised
2-69	1 <sup>st</sup> Revised		20-16	2 <sup>nd</sup> Revised	32-83	2 <sup>nd</sup> Revised
2-76	1 <sup>st</sup> Revised		20-17	2 <sup>nd</sup> Revised	32-84	2 <sup>nd</sup> Revised
2-77	1 <sup>st</sup> Revised		20-18	2 <sup>nd</sup> Revised	32-85	2 <sup>nd</sup> Revised
2-83	1 <sup>st</sup> Revised		20-19	2 <sup>nd</sup> Revised	32-86	2 <sup>nd</sup> Revised
2-87	1 <sup>st</sup> Revised		20-20	Original	32-87	2 <sup>nd</sup> Revised
2-94	1 <sup>st</sup> Revised		20-21	Original	32-184	1 <sup>st</sup> Revised
2-107	1 <sup>st</sup> Revised		20-22	Original	32-185	1 <sup>st</sup> Revised
2-110	1 <sup>st</sup> Revised		30-97	3 <sup>rd</sup> Revised		
4-1	1 <sup>st</sup> Revised		30-105	3 <sup>rd</sup> Revised		
4-2	1 <sup>st</sup> Revised		30-158	3 <sup>rd</sup> Revised		
4-3	1 <sup>st</sup> Revised		31-3	6 <sup>th</sup> Revised		
4-4	1 <sup>st</sup> Revised		31-4	6 <sup>th</sup> Revised		
4-5	1 <sup>st</sup> Revised		31-8	20 <sup>th</sup> Revised		
4-6	1 <sup>st</sup> Revised		31-9	20 <sup>th</sup> Revised		
4-7	1 <sup>st</sup> Revised		31-9.1	1 <sup>st</sup> Revised		
4-8	1 <sup>st</sup> Revised		31-9.2	1 <sup>st</sup> Revised		
4-9	2 <sup>nd</sup> Revised		31-120	4 <sup>th</sup> Revised		
5-32	1 <sup>st</sup> Revised		31-133	1 <sup>st</sup> Revised		
5-33	1 <sup>st</sup> Revised		31-136	1 <sup>st</sup> Revised		
5-34	1 <sup>st</sup> Revised		31-167	3 <sup>rd</sup> Revised		
5-35	1 <sup>st</sup> Revised		31-241	2 <sup>nd</sup> Revised		
5-36	1 <sup>st</sup> Revised		32-63	2 <sup>nd</sup> Revised		
5-37	1 <sup>st</sup> Revised		32-64	2 <sup>nd</sup> Revised		
5-38	1 <sup>st</sup> Revised		32-65	1 <sup>st</sup> Revised		
5-39	1 <sup>st</sup> Revised		32-66	1 <sup>st</sup> Revised		
5-40	1 <sup>st</sup> Revised		32-67	1 <sup>st</sup> Revised		
5-41	1 <sup>st</sup> Revised		32-68	1 <sup>st</sup> Revised		
5-42	1 <sup>st</sup> Revised		32-69	2 <sup>nd</sup> Revised		
5-43	1 <sup>st</sup> Revised					
5-44	1 <sup>st</sup> Revised					
5-45	1 <sup>st</sup> Revised					

\* New or revised page.

(TR 40)

Issued: June 7, 2013

Effective: June 8, 2013

Vice President, Regulatory  
521 East Morehead St., Suite 250, Charlotte, NC 28202

ACCESS SERVICE  
CHECK SHEET, (CONT'D)

<u>Page</u>	Number Revisions Except as Indicated	<u>Page</u>	Number Revisions Except as Indicated
32-278	First Revised	32-347	Original
32-279	First Revised	32-348	Original
32-280	First Revised	32-349	Original
32-281	First Revised	32-350	Original
32-282	First Revised	32-351	Original
32-283	First Revised	32-352	Original
32-284	First Revised	32-353	Original
32-285	First Revised	32-354	Original
32-286	First Revised	32-355	Original
32-287	First Revised	32-356	Original
32-288	Second Revised	32-357	Original
32-289	Second Revised	32-358	Original
32-290	Second Revised	32-359	Original
32-291	Second Revised	32-360	Original
32-292	Second Revised	32-361	Original
32-293	Second Revised	32-362	Original
32-294	Second Revised	32-363	Original
32-295	Second Revised	32-364	Original
32-296	Third Revised	32-365	Original
32-297	Second Revised	32-366	Original
32-298	First Revised	32-367	Original
32-299	First Revised	32-368	Original
32-300	First Revised	32-369	Original
32-301	First Revised	32-370	Original
32-302	First Revised	32-371	Original
32-303	First Revised	32-372	Original
32-304	Second Revised	32-373	Original
32-305	Second Revised	32-374	Original
32-306	First Revised	32-375	Original
32-307	Second Revised	32-376	Original
32-308	First Revised	32-377	Original
32-309	First Revised	32-378	Original
32-310	First Revised	32-379	Original
32-311	First Revised	32-380	Original
32-312	First Revised	32-381	Original
32-313	Second Revised	32-382	Original
32-314	Second Revised	32-383	Original
32-315	Second Revised	32-384	Original
32-316	Second Revised	32-385	Original
32-317	Second Revised	32-386	Original
32-318	First Revised	32-387	Original
32-319	First Revised	32-388	Original
32-320	Second Revised	32-389	Original
32-321	Second Revised	32-390	Original
32-322	First Revised	32-391	Original
32-340	Original	32-392	Original
32-341	Original	32-393	Original
32-342	Original	32-394	Original
32-343	Original	32-395	Original
32-344	Original	32-396	Original
32-345	Original		
32-346	Original		

\* New or revised page.

(TR 40)

Issued: June 7, 2013

Effective: June 8, 2013

Vice President, Regulatory  
521 East Morehead St., Suite 250, Charlotte, NC 28202

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ACCESS SERVICE

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32. Contract Tariffs (Cont'd)32.30 Contract Tariff Option 53

## A. Scope

Subject to the terms and conditions set forth herein, Contract Tariff Option 53 allows a Customer who currently subscribes to a Commitment Discount Plan ("CDP") under Section 25.1 of this tariff to meet the CDP minimum commitment level and avoid termination liability or shortfall adjustment when the Customer terminates its DS1 and DS3 services under its CDP and converts them to Carrier Ethernet Services ("CES").

## B. Eligibility

The Customer must meet all of the following criteria in order to be eligible for this Contract Tariff Option.

1. The Customer must maintain its subscription to the CDP as described in (A) above.
2. The Customer must have at least five hundred thousand (500,000) DS0 equivalents, as defined in Section 25.1 of this tariff as of the effective date of this Contract Tariff Option.
3. The Customer must submit a subscription to this plan by June 23, 2013.

## C. Commitment Period

The "Commitment Period" shall commence on the Effective Date the customer subscribes to this Contract Tariff Option and runs for the duration of the CDP (the "Initial Commitment Period").

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(TR 40)

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Issued: June 7, 2013Effective: June 8, 2013

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## ACCESS SERVICE

32. Contract Tariffs (Cont'd)32.30 Contract Tariff Option 53 (Cont'd)

(N)

## D. Modification to Customer's Commitment Discount Plan

Under this Contract Tariff Option, if the Customer terminates services subject to the Customer's CDP and replaces those services with Carrier Ethernet Services ("CES") purchased from the Telephone Company or its affiliates outside the tariff, the CES services will be counted toward the Customer's Minimum Commitment under the Customer's CDP.

Such CES services will be converted to DS<sub>n</sub> equivalents for purposes of determining whether the Customer has met its Minimum Commitment under the CDP based on the table set forth below. If the DS<sub>n</sub> equivalent for the new CES allows the Customer to maintain its Minimum Commitment, it will not be subject to termination liability under Section 25.1.11 or a Shortfall Adjustment under 25.1.7 of this tariff due to the termination of services subject to the CDP.

There are no changes to the terms or conditions of the CDP discount specified in Section 25.1.4. The CDP discount only applies to services described in Section 7 of the tariff.

CES DS<sub>n</sub> Equivalents

<u>Per Ethernet EVC</u>	<u>DS<sub>n</sub> to E-Line Equivalency</u>
5M	67
10M	134
20M	269
50M	672
100M	1344
150M	2016
200M	2688
300M	4032
400M	5376
500M	6720
1,000M   1 GE	13440
5,000M   5 GE	67200
10,000M   10 GE	134400

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(TR 40)

Issued: June 7, 2013

Effective: June 8, 2013

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ACCESS SERVICE

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32. Contract Tariffs (Cont'd)32.30 Contract Tariff Option 53 (Cont'd)

(N)

## E. Shortfall and Termination Liability

Other than the terms set forth herein, nothing in this Contract Tariff Option shall modify the terms and conditions of any shortfall liability, as set forth in Section 25.1.7, or termination liability, as set forth in Section 25.1.11, that applies to the Customer's CDP.

## F. Mergers, Acquisitions, Divestitures, and Other Changes in Control of Customer

Only the Customer ACNAs listed in the Customer's CDP are included in calculation of the Customer's Minimum Commitment under this Contract Tariff Option. If the Customer experiences either of the following changes in control, the ACNAs associated with such change in control will not be added or removed from the calculation of the Customer's Minimum Commitment unless the Telephone Company and the Customer agree in writing to such addition or removal:

1. The Customer merges with, acquires, or otherwise gains an interest (whether through stock, assets, or otherwise) in one or more ACNA(s), entities, or unaffiliated third parties; or
2. The Customer sells or otherwise divests one or more ACNA(s), or a line of business, division, affiliate or other interest.

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(TR 40)

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5-39	1 <sup>st</sup> Revised		32-66	1 <sup>st</sup> Revised		
5-40	1 <sup>st</sup> Revised		32-67	1 <sup>st</sup> Revised		
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\* New or revised page.

(TR 40)

Issued: June 7, 2013

Effective: June 22, 2013

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32-279	First Revised	32-348	Original
32-280	First Revised	32-349	Original
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32-283	First Revised	32-352	Original
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32-286	First Revised	32-355	Original
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32-295	Second Revised	32-364	Original
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32-304	Second Revised	32-373	Original
32-305	Second Revised	32-374	Original
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32-307	Second Revised	32-376	Original
32-308	First Revised	32-377	Original
32-309	First Revised	32-378	Original
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32-340	Original	32-392	First Revised *
32-341	Original	32-393	First Revised *
32-342	Original	32-394	Original
32-343	Original	32-395	Original
32-344	Original	32-396	Original
32-345	Original		
32-346	Original		

\* New or revised page.

(TR 40)

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ACCESS SERVICE

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32. Contract Tariffs (Cont'd)

32.29 [Reserved for Future Use]

(D)

(D)

(TR 40)

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---

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(D)

(D)

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(D)

(D)

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(D)

(D)

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