

ACCESS SERVICE5. Access Ordering (Cont'd)

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5.2 Ordering Requirements (Cont'd)5.2.7 Ethernet Transport Service (ETS)

When placing an order for ETS, the customer must specify:

- the customer designated premises;
- the type(s) of ETS Port Interface(s);
- the speed for each ETS Port;
- the number and bandwidth capacity for each ETS Channel Termination (ETS CT), ETS Ethernet Virtual Connection (ETS EVC), ETS Extended Ethernet Virtual Connection (ETS E-EVC) and ETS Interconnected Ethernet Virtual Connections (ETS I-EVCs) associated with an ETS Port;
- options desired, if applicable;
- that the traffic consists of more than 10 percent interstate traffic.

When connecting to the ETS Port of another customer, the ordering customer must obtain authorization from the other customer.

Discontinuance charges as specified in Section 16.2.5 (D), following, will not apply when an existing ETS Term Discount Plan customer: 1) orders the disconnect of an existing committed ETS Port and its replacement by one or more newly installed committed ETS Ports(s) as described in Section 16.2.5 (B) (1), following, and 2) complies with the following requirements:

- The customer's orders for the disconnection of the existing committed ETS Port and the installation of the replacement committed ETS Port(s) are submitted to the Telephone Company at the same time.
- Both orders specifically reference the replacement of the existing committed ETS Port with the newly installed committed ETS Port in the customer's existing ETS Term Discount Plan.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)

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16.2 Ethernet Transport Service16.2.1 General

Ethernet Transport Service (ETS) is a high speed data transport service that provides end-to-end transmission using Ethernet packet technology at transport speeds ranging from 5 Mbps to 1 Gbps, where available. ETS is ideal for transport of broadband multimedia traffic (i.e., voice, data and video) using variable length Ethernet packets with the ability to interconnect multiple locations using the Telephone Company's ETS network. Ethernet packets generated by Ethernet-compatible customer premises equipment (CPE) are transmitted using available capacity on shared transmission paths through the Telephone Company's ETS network to a pre-specified destination. The ETS customer may use ETS to:

- (1) interconnect customer designated premises (CDPs) served by the Telephone Company's ETS network,
- (2) interconnect with its local area network (LAN) to the Telephone Company's ETS network and /or
- (3) interconnect its CDPs to an Ethernet network located outside of the Telephone Company's serving territory.

16.2.2 Service Description

ETS is provided using a combination of ETS Channel Terminations (ETS CTs), ETS Ports, ETS Ethernet Virtual Connections (ETS EVCs), ETS Extended Ethernet Virtual Connections (ETS E-EVCs) and ETS Interconnected Ethernet Virtual Connections (ETS I-EVCs). As described below, ETS may be used in conjunction with Special Access High Capacity DS3 and Synchronous Optical Channel Services OC3 and OC12 Services as specified in Section 7, preceding, and with DSL Access Services as specified in Section 8, preceding.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)

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16.2 Ethernet Transport Service (Cont'd)16.2.2 Service Description (Cont'd)

An ETS Port is required to provide the interface into the Telephone Company's ETS network. ETS EVCs establish a shared transmission path between any two ETS Ports on the Telephone Company's ETS network. ETS E-EVCs may be ordered to connect the Telephone Company's ETS network to an adjacent telephone company's Ethernet network. ETS I-EVCs may be ordered to connect the Telephone Company's ETS network to a non-adjacent telephone company's Ethernet network as described in Section 16.2.4 (A) (5), below.

The transmission quality of ETS is not guaranteed and is offered to ETS customers at a best effort level. The Telephone Company will attempt to deliver all Ethernet packets received; however, network congestion may result in a loss of Ethernet packets. Transmission speeds using copper facilities may be affected by distance from the Telephone Company central office and other technical limitations in the Telephone Company's copper network and are also not guaranteed.

Service is provided, where available, between CDPs and designated Telephone Company Serving Wire Centers (SWCs). ETS will be furnished where suitable facilities exist as determined by the Telephone Company. The Telephone Company will identify its ETS-equipped Serving Wire Centers (SWCs) in the NATIONAL EXCHANGE CARRIER ASSOCIATION, INC. Tariff F.C.C. No.4.

Rates and charges for ETS are specified in Section 17, following. The application of rates and charges for ETS is described later in the section.

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ACCESS SERVICE

16. Public Packet Data Network (Cont'd)

16.2 Ethernet Transport Service (Cont'd)

16.2.3 Obligations of the Customer

In addition to the regulations described in other sections of this tariff, the following provisions apply to ETS:

- (A) The ETS customer is responsible for providing the Telephone Company with the necessary information to provision ETS as specified in Section 5.2 Ordering Requirements, preceding.
- (B) The ETS Customer is responsible for providing and maintaining all required CPE, which is compatible with ETS and complies with the standards specified in Technical Reference IEEE Standard 802.3-2005, Part 3, Sections 1 through 5.

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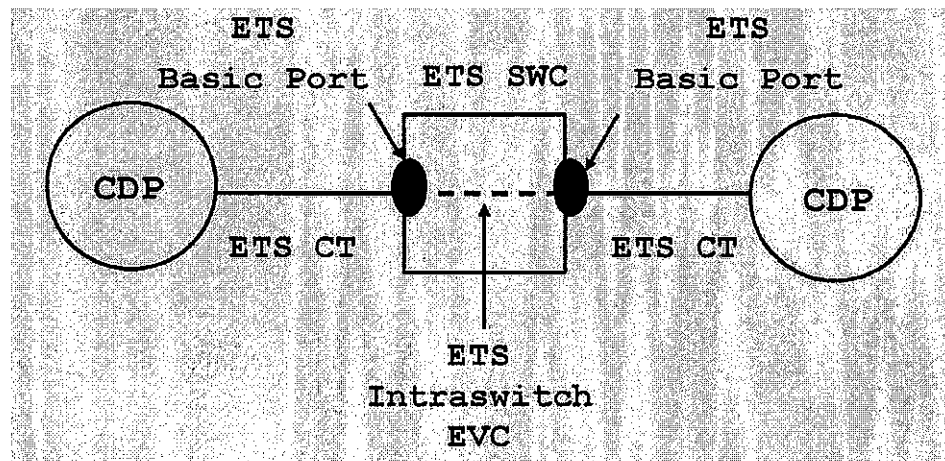
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ACCESS SERVICE**16. Public Packet Data Network (Cont'd)****16.2 Ethernet Transport Service (Cont'd)****16.2.4 Rate Regulations**

This section contains the regulations governing the rates and charges that apply for ETS. Regulations governing the rates and charges for Special Access and DSL Access Services provided under the tariff used in conjunction with ETS are as specified in Sections 7 and 8, preceding.

The following diagrams depict generic views of the elements of ETS. In the first figure, the ETS customer's CDPs are served by a single ETS SWC. ETS EVCs ordered between two ETS Ports in the same SWC are classified as ETS intra switch EVCs. The ETS customer orders the applicable ETS elements from the Telephone Company pursuant to the provisions specified in this section.

Figure 1



Transmittal No. 114

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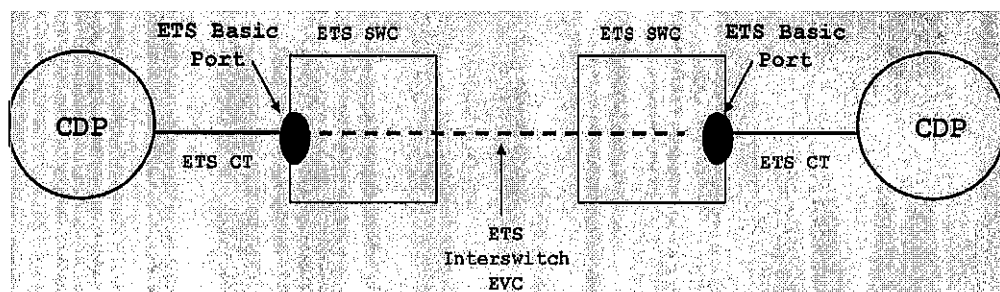
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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)

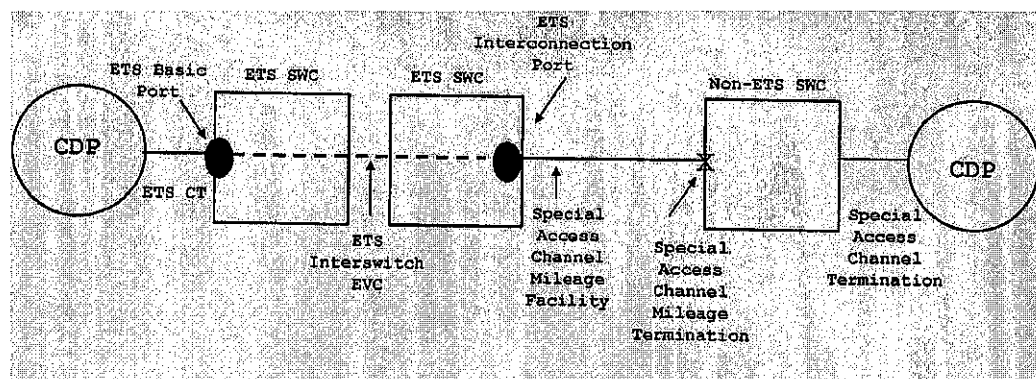
In the second figure, the ETS customer's CDPs are served by different ETS SWCs. ETS EVCs ordered between two ETS Ports in different SWCs are classified as ETS Interswitch EVCs. The ETS customer orders the applicable ETS elements from the Telephone Company pursuant to the provisions specified in this section.

Figure 2



In the third figure, one of the ETS customer's CDPs is served by a non-ETS SWC. The ETS customer orders the applicable ETS elements from the Telephone Company pursuant to the provisions specified in this section and the applicable Special Access facilities pursuant to the provision specified in Section 7, preceding.

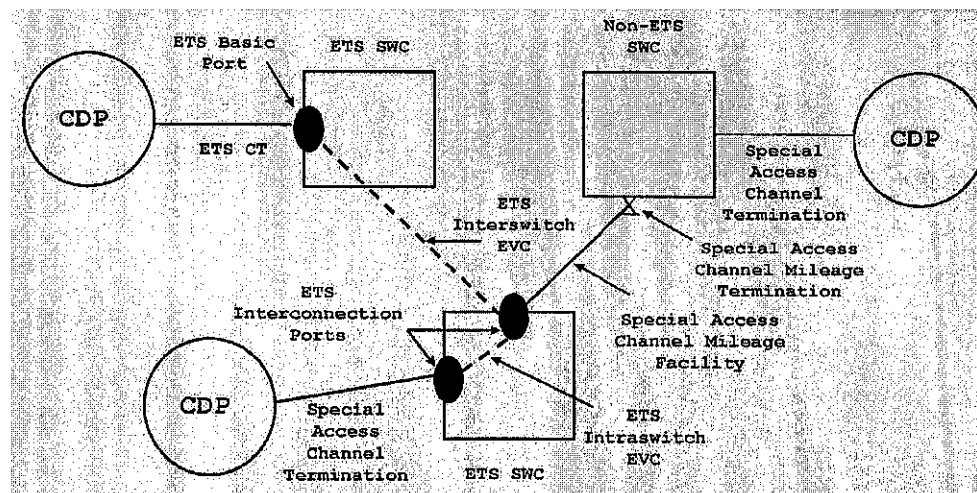
Figure 3



ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)

In the fourth figure, a multipoint configuration is depicted where the customer chose to order Special Access Service to an ETW SWC. The ETS customer orders the applicable ETS elements from the Telephone Company pursuant to the provisions specified in this section and applicable Special Access facilities pursuant to the provisions specified in Section 7, preceding.

Figure 4



Transmittal No. 114

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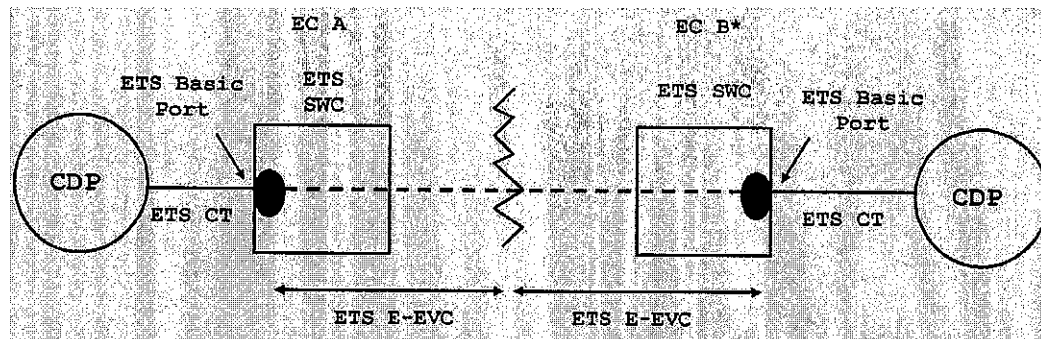
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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)

In the fifth figure, one of the ETS customer's CDPs is served by an adjacent telephone company's Ethernet network. The ETS customer orders the applicable ETS elements from the Telephone Company pursuant to the provisions specified in this section. In addition, the ETS customer will order the applicable Ethernet service elements from the adjacent telephone company.

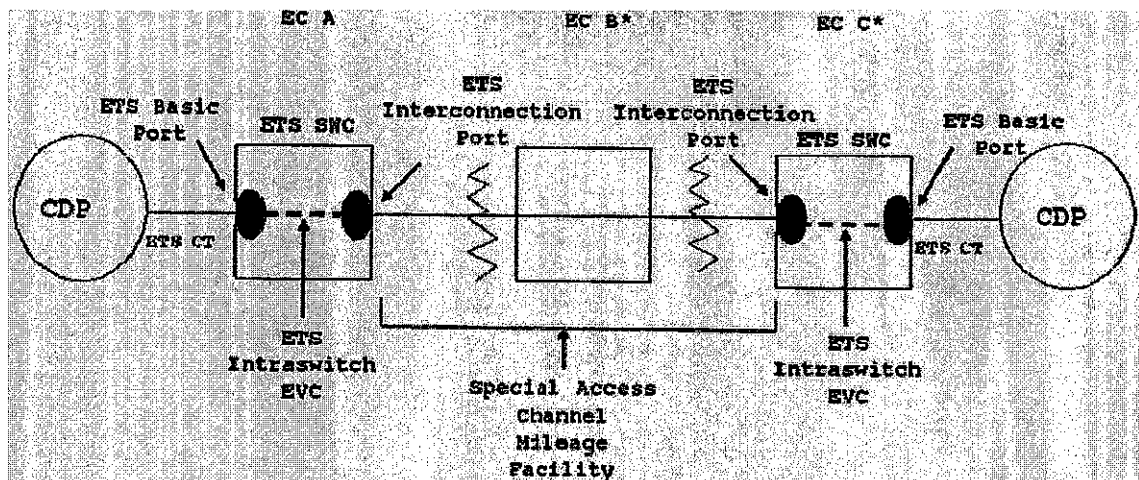
Figure 5



ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)

In the sixth figure, one of the ETS customer's CDPs is served by a non-adjacent telephone company's Ethernet network. When the number of airline miles between the ETS SWCs serving the ETS customer's CDPs is greater than seventy-five, the ETS customer orders the applicable ETS elements from the Telephone Company pursuant to the provisions specified in this section and applicable Special Access facilities pursuant to the provision specified in Section 7, preceding. In addition, the ETS customer will order the applicable special access service and Ethernet service elements from the interconnecting telephone companies.

Figure 6



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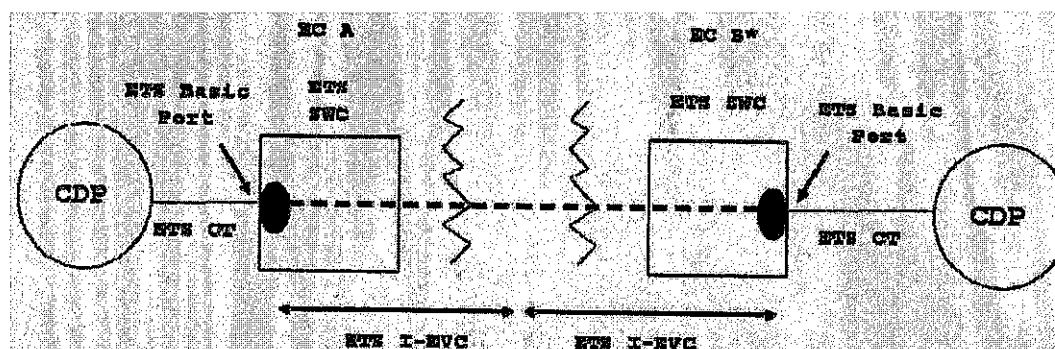
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ACCESS SERVICE**16. Public Packet Data Network (Cont'd)****16.2 Ethernet Transport Service (Cont'd)****16.2.4 Rate Regulations (Cont'd)**

In the seventh figure, one of the ETS customer's CDPs is served by a non- adjacent telephone company's Ethernet network. When the number of airline miles between the ETS SWCs serving the ETS customer's CDPs is equal to or less than seventy-five, the ETS customer orders the applicable ETS elements from the Telephone Company pursuant to the provisions specified in this section. In addition, the ETS customer will order the applicable Ethernet service elements from the non-adjacent telephone company.

Figure 7



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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(A) Rate Categories

The various ETS service elements are described below.

(1) ETS Channel Terminations (CTs)

An ETS CT provides the transport facility between the customer's designated premises and an ETS Basic Port at the Telephone Company's ETS SWC.

ETS CTs are available at bandwidth speeds of 10 Mbps, 20 Mbps, 50 Mbps, 100 Mbps, 500 Mbps, and 1 Gbps. The ETS customer orders the type of ETS CT it needs based on its bandwidth requirements. Bandwidth speeds of 50 Mbps and above require use of a fiber loop facility, where such fiber facilities exist. ETS CTs are available only from suitably equipped ETS SWCs for connection to ETS Basic Ports.

A Special Access High Capacity DS3 or Synchronous Optical Channel Service OC3 or OC12 Channel Termination may also be used to connect a CDP to the Telephone Company's ETS SWC for connection to an ETS Interconnection Port. The provisions for Special Access Channel Terminations are specified in Section 7, preceding.

Monthly and nonrecurring charges apply for each ETS CT ordered. The monthly rate is based upon the bandwidth capacity ordered and whether the CDP is located within 300 feet of the ETS SWC or more than 300 feet from the ETS SWC. Rates and charges are specified in Section 17, following.

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326 South 2nd Street, Emmaus, Pennsylvania 18049

ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(A) Rate Categories (Cont'd)(2) ETS Ports

ETS Ports provide the interface at the Telephone Company's ETS SWC for data traffic to and from the customer premises equipment as well as for connecting the Telephone Company's ETS network with the Ethernet network of another telephone company. An ETS Port receives Ethernet packets from the ETS customer's Ethernet-compatible CPE, validates the addressing parameters contained in the packet headers, and transmits the packets into the ETS network. The ETS Port also receives Ethernet packets from the Telephone Company's ETS network or from an Ethernet network located outside of the Telephone Company's serving territory, validates the addressing parameters contained in the packet headers, and transmits the packets to the pre-designated CDP.

There are two types of ETS Ports available, i.e., ETS Basic Ports and ETS Interconnection Ports.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(A) Rate Categories (Cont'd)(2) ETS Ports (Cont'd)

- (a) ETS Basic Ports provide the interface to the Telephone Company's ETS network and do not include the required transport facility between the CDP and the Telephone Company's ETS SWC.

ETS Basic Ports are available with bandwidth speeds of 10 Mbps, 20 Mbps, 50 Mbps, 100 Mbps, 500 Mbps, and 1 Gbps. Required transport to the ETS Basic Port is provided using an ETS CT as described above. Each ETS Basic Port must be associated with a minimum of one ETS EVC, one ETS E-EVC, one ETS I-EVC or one optional DSL Access Service Connection function. An ETS Basic Port may be associated with more than one ETS EVC ETS E-EVC or ETSI-EVC. The bandwidth speed of an optional DSL Access Service Connection function must be equal to the bandwidth speed of the associated ETS Basic Port.

- (b) ETS Interconnection Ports also provide the interface to the Telephone Company's ETS network and do not include the required transport facility between the CDP and the Telephone Company's ETS SWC. Used in conjunction with Special Access DS3, OC3 and/or OC12 Services, ETS Interconnection Ports permit the ETS customer to: 1) connect a CDP served by an ETS or non-ETS SWC to the Telephone Company's ETS network or 2) interconnect the Telephone Company's ETS network to an Ethernet network located in the serving territory of a non-adjacent telephone company.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)

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16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(A) Rate Categories (Cont'd)(2) ETS Ports (Cont'd)

ETS Interconnection Ports are available at bandwidth speeds of 44.736 Mbps (DS3), 155.52 Mbps (OC3) and 622.08 Mbps (OC12).

Required transport to the ETS Interconnection Port is provided using Special Access DS3, OC3 and/or OC12 Service facilities as described in Section 7, preceding. Each ETS Interconnection Port must be associated with a minimum of one ETS EVC, one ETS E-EVC, one ETS I-EVC or one optional DSL Access Service Connection function. An ETS Interconnection Port may be associated with more than one ETS EVC, ETS E-EVC or ETS I-EVC. The bandwidth speed of an ETS Interconnection Port must be equal to the bandwidth speed of the associated Special Access Service Channel Termination. The bandwidth speed of an optional DSL Access Service Connection function must be equal to the bandwidth speed of the associated ETS Interconnection Port.

Monthly and nonrecurring charges apply for each ETS Port ordered. The monthly recurring charge is determined by the capacity and type of ETS Port ordered. Rates and charges are specified in Section 17, following.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(A) Rate Categories (Cont'd)(3) ETS Ethernet Virtual Connections (ETS EVCs)

ETS EVCs are logical associations established by the Telephone Company across a shared transmission path that allow the ETS customer to transmit packets between any two ETS Ports located on the Telephone company's ETS network. ETS EVCs are available in fixed bandwidth amounts of 5 Mbps, 10 Mbps, 20 Mbps, 50 Mbps, 100 Mbps, 500 Mbps, and 1 Gbps. The Telephone Company will establish ETS EVCs based upon the bandwidth capacity specified by the ETS customer on its Access Order. When ETS EVCs are ordered between two ETS Ports in the same SWC, the ETS customer will be charged the ETS Intraswitch EVC rate. When ETS EVCs are ordered between ETS Ports that are in different SWCs within the Telephone Company's serving territory, the ETS customer will be billed the ETS Interswitch EVC rate.

Monthly and nonrecurring charges apply for each ETS EVC ordered. The monthly recurring charge is based upon the bandwidth capacity ordered and whether the associated ETS Ports are located within one SWC (Intraswitch) or between different SWCs (Interswitch). Rates and charges are specified in Section 17, following.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(A) Rate Categories (Cont'd)(4) ETS Extended Ethernet Virtual Connections (ETS E-EVCs)

ETS E-EVCs are logical associations established by the Telephone Company across a shared transmission path that allow the ETS customer to transmit packets to and receive packets from an ETS Port located in the Telephone Company's ETS network to another telephone company's Ethernet network located in an adjacent serving territory. ETS E-EVCs can be established between two ETS Basic Ports, between two ETS Interconnection Ports or between an ETS Basic Port and an ETS Interconnection Port. ETS E-EVCs are available in fixed bandwidth amount of 5 Mbps, 10 Mbps, 20 Mbps, 50 Mbps, 100 Mbps, 500 Mbps, and 1 Gbps. The Telephone Company will establish ETS E-EVCs based upon the bandwidth capacity specified by the ETS customer on its Access Order.

Monthly and nonrecurring charges apply for each ETS E-EVC ordered. The ETS E-EVC monthly recurring charge is based upon the bandwidth capacity of the ETS E-EVC ordered. Rates and charges are specified in Section 17, following.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(A) Rate Categories (Cont'd)(5) ETS Interconnected Ethernet Virtual Connections (ETS I-EVCs)

ETS I-EVCs are logical associations established by the Telephone Company across a shared transmission path that allow the ETS customer to transmit packets to and receive packets from an ETS Port located in the Telephone Company's ETS network to another telephone company's Ethernet network located in a non-adjacent serving territory. ETS I-EVCs can only be used when the airline distance between the ETS SWCs serving the ETS customer's CDPs is fifty miles or less. When the airline distance is greater than fifty miles, the ETS customer will use a combination of ETS elements and Special Access Service elements as depicted in Figure 6, above, to connect to its CDP in the non-adjacent serving territory. The Telephone Company will determine the airline distance between the ETS SWCs using the V&H Coordinates method, as described in the NATIONAL EXCHANGE CARRIER ASSOCIATION, INC. TARIFF F.C.C. NO.4.

ETS I-EVCs can only be used when the airline distance between the ETS SWCs serving the ETS customer's CDPs is seventy-five miles or less. When the airline distance is greater than seventy-five miles, the ETS customer will use a combination of ETS elements and Special Access Service elements as depicted in Figure 6, above, to connect to its CDP in the non-adjacent serving territory. The Telephone Company will determine the airline distance between the ETS SWCs using the V&H Coordinates method, as described in the NATIONAL EXCHANGE CARRIER ASSOCIATION, INC. TARIFF F.C.C. NO. 4.

ETS I-EVCs can be established between two ETS Basic Ports, between two ETS Interconnection Ports or between an ETS Basic Port and an ETS Interconnection Port. ETS I-EVCs are available in fixed bandwidth amounts of 2Mbps, 5 Mbps, 10 Mbps, 20 Mbps, 50 Mbps, 100 Mbps, 250 Mbps, 500 Mbps 750 Mbps and 1 Gbps. The Telephone Company will establish ETS I-EVCs based upon the bandwidth capacity specified by the ETS customer on its Access Order.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(A) Rate Categories (Cont'd)(5) ETS Interconnected Ethernet Virtual Connections (ETS I-EVCs)
(Cont'd)

ETS I-EVCs can be established between two ETS Basic Ports, between two ETS Interconnection Ports or between an ETS Basic Port and an ETS Interconnection Port. ETS I-EVCs are available in fixed bandwidth amounts of 5 Mbps, 10 Mbps, 20 Mbps, 50 Mbps, 100 Mbps, 500 Mbps, and 1Gbps. The Telephone Company will establish ETS I-EVCs based upon the bandwidth capacity specified by the ETS customer on its Access Order.

Monthly and nonrecurring charges apply for each ETS I-EVC based upon the bandwidth capacity of the ETS I-EVC ordered by the ETS customer. Rates and charges are specified in Section 17, following.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)

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16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(A) Rate Categories (Cont'd)(6) Optional Features and Functions(a) DSL Access Service Connection

Where available, ETS Basic or Interconnection Ports may be equipped with the DSL Access Service Connection function. The function provides for the interconnection of ETS with ADSL Access Service as described in Section 8.1, preceding, and with SDSL Access Service as described in Section 8.2, preceding, provided by the Telephone Company under this tariff. The function also provides for the interconnection of ETS with a wireline broadband Internet transmission service provided on a non-tariffed, common carrier basis. This optional function allows the ETS customer to receive ADSL, SDSL and/or wireline broadband Internet transmission service data traffic from and transmit ADSL, SDSL, and/or wireline broadband Internet transmission service data traffic to its end user customers.

The speed of the DSL Access Service Connection function ordered by the ETS customer must equal the speed of the associated ETS Port.

As described in Sections 8.1 and 8.2, preceding, the DSL Access Service Connection Point may be located within the serving territory of the Telephone Company, or in the serving territory of an adjacent telephone company when used in conjunction with ETS.

The availability of the DSL Access Service Connection function is designated by the Telephone Company in the NATIONAL EXCHANGE CARRIER ASSOCIATION, INC. Tariff F.C.C. No. 4.

A nonrecurring charge applies per port to equip the ETS Port with the DSL Access Service Connection function. Rates and charges are specified in Section 17, following.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(A) Rate Categories (Cont'd)(6) Optional Features and Functions (Cont'd)(a) DSL Access Service Connection (Cont'd)

- (i) Where suitable facilities exist, an ETS customer that requires the ability to send high speed multimedia transmission may also order an ETS MultiMedia Virtual Circuit Channel (ETS MM-VCC) between its CDP and the premises of its end user customer, provided such end user customer's premises is equipped with ADSL Access Service provided by the Telephone Company under the tariff as described in Section 8.1, preceding. ETS MM-VCCs are only available when ETS customer's CDP, the ETS customer's end user premises and the Telephone Company's DSL Access Service Connection Point SWC are all located within the serving territory of the Telephone Company. ETS MM-VCCs do not increase the bandwidth capacity of ETS CTs, ETS Ports, ETS EVCs and/or Special Access Service Channel Terminations, Channel Mileage Facility and Channel Mileage Terminations used by the ETS customer to connect its CDP to the DSL Access Service Connection Point SWC.

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16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(A) Rate Categories (Cont'd)(6) Optional Features and Functions (Cont'd)(a) DSL Access Service Connection (Cont'd)

Transmission speed across the ETS MM-VCC is not guaranteed and may be affected by factors that affect the actual speeds delivered, including the ADSL Access Service customer's distance from the Telephone Company SWC, condition of the facilities, and any capacity limitations in the ETS customer's network design.

At each premises to which the ETS customer wants to transmit multimedia content using an ETS MM-VCC, the ETS customer must specify on its Access Order its end user customer's premises location and the total number of 10 Mbps bandwidth capacity increments required to that location. For example, an ETS customer requires an additional 40 Mbps of bandwidth capacity to one of its end user customers. On its Access Order to the Telephone Company, the ETS customer would specify the end user customer premises address and order one ETS MM-VCC made up of four 10 Mbps increments.

In the above example, the Telephone Company would bill the ETS customer for one ETS-MMVCC nonrecurring charge specified in Section 17, following, and one Access Order Charge specified in Section 17, following. The Monthly recurring rate for this ETS MM-VCC would be calculated at four times the 10 Mbps increment rate specified in Section 17, following.

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ACCESS SERVICE**16. Public Packet Data Network (Cont'd)**

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16.2 Ethernet Transport Service (Cont'd)**16.2.4 Rate Regulations (Cont'd)****(A) Rate Categories (Cont'd)****(6) Optional Features and Functions (Cont'd)****(a) DSL Access Service Connection (Cont'd)**

Monthly and nonrecurring charges apply to each ETS-MMVCC established by the Telephone Company in addition to any applicable Access Order Charges specified in Section 5.4.1, preceding. The ETS customer may order multiple ETS MM-VCCs to multiple end users' locations on a single Access Order, in which case only one Access Order Charge would apply for that order in addition to the applicable nonrecurring charge for each ETS MM-VCC established. The ETS MM-VCC charges apply in addition to the nonrecurring charge for equipping the ETS Port with the DSL Access Service Connection function. Rates and charges are specified in Section 17, following.

The Telephone Company will waive the ETS MM-VCC monthly rate specified in Section 17, following, when the local exchange telephone service, ADSL Access Service and ETS MM-VCC are provided from the same serving wire center where the Telephone Company has located its DSL Access Service Connection Point. The ETS MM-VCC nonrecurring charge specified will apply.

When an ETS customer elects to change the bandwidth capacity of an existing ETS MM-VCC or to remove an existing ETS MM-VCC from its associated ADSL Access Service line, the ETS MM-VCC nonrecurring charge specified in Section 17, following, will not apply. In lieu of such charge, the ETS Design Change Charge will apply, as specified in Section 17, following.

When an ETS customer disconnects an ETS MM-VCC and the associated ADSL Access Service line at the same time, neither the ETS MM-VCC nonrecurring charge nor the ETS Design Change Charge will apply.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(B) Types of Rates and Charges

There are two types of rates and charges. They are monthly rates and nonrecurring charges. The rates and charges are described below:

(1) Monthly Rates

Monthly rates are recurring rates that apply each month or fraction thereof when an ETS service element is provided. For billing purposes, each month is considered to have 30 days.

(2) Nonrecurring Charges

Nonrecurring charges are one-time charges that apply for specific work activity (i.e., installation or change to an existing service). The types of nonrecurring charges that apply for ETS are installation of service, service rearrangements, moves and design changes.

Except as specified below, these charges are in addition to the Access Order Charge as specified in Section 17, following.

(a) Installation of Service

Nonrecurring charges apply for installation of ETS CTs, ETS Ports, ETS EVCs, ETS E-EVCs, ETS I-EVCs and ETS Optional Features and Functions ordered by the ETS customer

(N)

(N)

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326 South 2nd Street, Emmaus, Pennsylvania 18049

ACCESS SERVICE16. Public Packet Data Network (Cont'd)

(N)

16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(B) Types of Rates and Charges (Cont'd)(2) Nonrecurring Charges (Cont'd)(b) Service Rearrangements

Service rearrangements are changes to existing (i.e., installed) services, which may be administrative only in nature as set forth below or, that involve an actual physical change to the service.

When the ETS customer elects to decrease the bandwidth capacity on existing ETS Ports, associated DSL Access Service Connection function (where applicable), and associated ETS CTs, the request will be considered a discontinuance of service for the former capacity and start of service for the new capacity. Associated nonrecurring (i.e., installation) charges will apply. New minimum period requirements will be established for the new ETS elements. The ETS customer will also remain responsible for satisfying all outstanding minimum period charges for the discontinued ETS elements.

When the ETS customer elects to increase the bandwidth capacity on existing ETS Ports, associated DSL Access Service Connection functions (where applicable), and associated ETS CTs, the request will be considered a discontinuance of service for the former capacity and start of service for the new capacity. Associated nonrecurring (i.e., installation) charges will apply. New minimum period requirements will be established for the new ETS elements. Any outstanding minimum period charges associated with the discontinued ETS elements that would otherwise be applicable for the bandwidth capacity upgrades described in this paragraph will be waived.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)

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16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(B) Types of Rates and Charges (Cont'd)(2) Nonrecurring Charges (Cont'd)(b) Service Rearrangements (Cont'd)

When the ETS customer elects to change the bandwidth capacity on existing ETS EVCs, ETS E-EVCs, ETS I-EVCs and/or ETS MM-VCCs (i.e., the customer requests an increase or decrease in capacity), the ETS Design Change Charge described in (d), below, will apply per ETS element changed.

When the ETS customer elects to remove existing ETS EVCs, ETS E-EVCs, or ETS I-EVCs, the ETS Design Change Charge described in (d), below, will apply per ETS EVC, ETS E-EVC or ETS I-EVC removed.

When the ETS customer elects to remove the existing ETS MM-VCC from its associated ADSL Access Service line, the ETS Design Change Charge described in (d), below, will apply per ETS MM-VCC removed.

Administrative changes will be made without charge (s) to the ETS customer. Administrative changes are as follows:

- Change of customer name,
- Change of customer or customer's end user premises address when the change of address is not a result of physical relocation of equipment,
- Change in billing data (name, address, or contact name or telephone number),
- Change of agency authorization,
- Change of customer circuit identification,
- Change of billing account number,
- Change of customer or customer's end user contact name or telephone number, and
- Change of jurisdiction

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(B) Types of Rates and Charges (Cont'd)(2) Nonrecurring Charges (Cont'd)(c) Moves

A move involves a change in the physical location of one of the following:

- The Point of Termination at the customers' premises
- The customer's premises

The charges for moving ETS elements are dependent on whether the move is to a different location within the same building, to a different building within the same SWC, or to a different building in a different SWC. The charges specified below apply in addition to any applicable charges for moving any applicable Special Access Services as specified in Section 7.2.3, preceding.

(i) Moves Within the Same Building

ETS Basic and Interconnection Ports, ETS EVCs, ETS E-EVCs, and ETS I-EVCs are not impacted when an ETS customer moves its Point of Termination to a different location within the same building. The charge for moving an ETS CT within the same building will be an amount equal to one half of the nonrecurring (i.e., installation) charge for the ETS CT. There will be no charge in the minimum period requirements.

ACCESS SERVICE16. Public Packet Data Network (Cont'd)

(N)

16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(B) Types of Rates and Charges (Cont'd)(2) Nonrecurring Charges (Cont'd)(c) Moves (Cont'd)(ii) Moves To a Different Building Within the Same SWC

ETS Basic and Interconnection Ports, ETS EVCs, ETS E-EVCs, and ETS I-EVCs are not impacted when an ETS customer moves its Point of Termination to a different building within the same SWC. The move of an ETS CT will be treated as a discontinuance and start of service. Associated nonrecurring (i.e., installation) charges will apply. New minimum period requirements will be established for the new services. The ETS customer will also remain responsible for satisfying all outstanding minimum period charges for the discontinued service.

(iii) Moves To a Different Building in a Different SWC

A move to a different building in a different SWC will be treated as a discontinuance and start of service of all associated ETS elements. Associated nonrecurring (i.e., installation) charges will apply. New minimum period requirements will be established for the new services. The ETS customer will also remain responsible for satisfying all outstanding minimum period charges for the discontinued service.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.4 Rate Regulations (Cont'd)(B) Types of Rates and Charges (Cont'd)(2) Nonrecurring Charges (Cont'd)(d) ETS Design Changes

As described in (b), above, the ETS Design Change Charge specified in Section 17, following, will apply when the ETS customer elects to: (1) change the bandwidth capacity of existing ETS EVCs, ETS E-EVCs, ETS I-EVCs and/or ETS MM-VCCs; (2) remove existing ETS EVCs, ETS E-EVCs, or ETS I-EVCs or (3) remove an existing ETS MM-VCC from its associated ADSL Access Service line.

When applicable, the ETS Design Change Charge applies in lieu of the ETS EVC, ETS E-EVC, ETS I-EVC and/or ETS MM-VCC nonrecurring charge. The Access Order Charge will not apply when the ETS Design Change Charge is applicable.

(C) Minimum Periods

The minimum period of ETS service elements provided to an ETS customer and for which charges are applicable is:

- Twelve months for ETS Basic Ports, ETS Interconnection Ports, ETS Channel Terminations and
- One month for all other ETS elements.

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326 South 2nd Street, Emmaus, Pennsylvania 18049

ACCESS SERVICE16. Public Packet Data Network (Cont'd)

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16.2 Ethernet Transport Service (Cont'd)16.2.5 ETS Term Discount Plan

An optional term discount plan is available for Ethernet Transport Service (ETS). Under the ETS Term Discount Plan, the monthly rates for eligible ETS service elements are reduced by a fixed percentage. The amount of the discount percentage differs based on the length of the term commitment period selected by the ETS customer.

ETS may be ordered at the customer's option on a month-to-month basis or, under a single term commitment period of either 36 months or 60 months. The customer must notify the Telephone Company in writing of the length of its selected term commitment period. For purposes of this plan, all ETS Basic and ETS Interconnection Ports included in a customer's ETS Term Discount Plan are referred to as committed ETS Ports. To be included in an ETS Term Discount Plan, all committed ETS Ports must be ordered for the same term commitment period (i.e., all 36 months or all 60 months) and remain in-service at the same bandwidth capacity throughout the entire term commitment period. ETS Ports installed after the establishment of the customer's ETS Term Discount Plan may be ordered on a month-to-month basis or added as additional committed ETS Ports to a customer's existing term commitment period as described in (A), below.

Access Order Charges as described in Section 5.4.1, preceding, do not apply to establish a new or make any changes to an existing ETS Term Discount Plan.

The monthly rates for ETS service elements are set forth in Section 17, following. The term discount percentages for the ETS Term Discount Plan are set forth in Section 17, following.

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326 South 2nd Street, Emmaus, Pennsylvania 18049

ACCESS SERVICE16. Public Packet Data Network (Cont'd)

(N)

16.2 Ethernet Transport Service (Cont'd)16.2.5 ETS Term Discount Plan (Cont'd)

The term discount percentage for the customer's selected term commitment period applies to all committed ETS Ports provided within the Telephone Company's operating territory. The term discount percentage also applies to the following eligible ETS elements when these elements are provided within the Telephone Company's operating territory and associated with a committed ETS Port: 1) ETS Channel Terminations (ETS CTs); 2) ETS Ethernet Virtual Connections (ETS EVCs); 3) ETS Extended Ethernet Virtual Connections (ETS E-EVCs); 4) ETS Interconnected Ethernet Virtual Connections (ETS I-EVCs) and 5) ETS MultiMedia Virtual Circuit Channels (ETS MM-VCCs). Since there are no bandwidth or in-service requirements for ETS CTs, ETS EVCs, ETS E-EVCs, ETS I-EVCs and ETS MM-VCCs associated with committed ETS Ports under the ETS Term Discount Plan, customer ordered disconnects of or changes to the number or bandwidth capacities for these elements do not affect the customer's ETS Term Discount Plan.

The term discount percentage does not apply to: 1) ETS Ports ordered on a month-to-month basis; 2) ETS CTs, ETS EVCs, ETS E-EVCs, ETS I-EVCs and ETS MM-VCCs that are not associated with a committed ETS Port; 3) ETS nonrecurring charges; and 4) special access services connected to an ETS Interconnection Port.

Except as specified in (A) – (C) below, discontinuance charge will apply when the customer fails to satisfy the term commitment period or the in-service requirements for its committed ETS Ports.

The term discount percentage set forth in Section 17, following, will not be subject to Telephone Company initiated decreases during the customer's selected term commitment period.

If a term discount percentage increase occurs during the term of an existing ETS Term Discount Plan, the increased percentage will be applied automatically for the remainder of the customer's existing term commitment period.

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Vice President — Tariff and Regulatory Matters
326 South 2nd Street, Emmaus, Pennsylvania 18049

ACCESS SERVICE16. Public Packet Data Network (Cont'd)

(N)

16.2 Ethernet Transport Service (Cont'd)16.2.5 ETS Term Discount Plan (Cont'd)

At the end of the term commitment period, the customer may subscribe to a new ETS term Discount Plan commitment period or revert to month-to-month rates. If the customer does not notify the telephone Company in writing of its choice by the end of its existing term commitment period, the Telephone Company will automatically convert the customer's ETS billing to month-to-month rates. An Access Order Charge will not apply when a customer at the end of its existing term commitment period subscribes to a replacement ETS Term Discount Plan or reverts to month-to-month rates.

(A) ETS Port Additions

An ETS Term Discount Plan customer will choose one of the following options when ordering a new ETS Port during its existing term commitment period:

- (1) Add the new ETS Port to its existing ETS Term Discount Plan provided:
1) the customer commits to retain the newly installed ETS Port in-service at the same bandwidth capacity for the remainder of the existing term commitment period and 2) the ETS Port is being added before the last year of an existing term commitment period. The term commitment period of the customer's existing ETS Term Discount Plan will continue uninterrupted. During the last year of the commitment period, ETS Ports may not be added to an existing term commitment period.
- (2) Order the new ETS Port on a month-to-month basis. No term discount percentage would apply to the newly installed ETS Port. The term commitment period of the customer's existing ETS Term Discount Plan will continue uninterrupted.
- (3) Replace the existing ETS Term Discount Plan in its entirety with a new ETS Term Discount Plan as described in (C), below.

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326 South 2nd Street, Emmaus, Pennsylvania 18049

ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.5 ETS Term Discount Plan (Cont'd)(B) Committed ETS Port Replacements

- (1) An ETS Term Discount Plan customer may disconnect a committed ETS Port before the end of its existing term commitment period and replace it with one or more newly installed committed ETS Port(s) without the application of a discontinuance charge as described in (D), below, provided: 1) the bandwidth capacity of the replacement committed ETS Port(s) is equal to or greater than the bandwidth capacity of the disconnected committed ETS Port; 2) the customer commits to retain the replacement committed ETS Port(s) in-service at the same bandwidth capacity for the remainder of the existing term commitment period; 3) the replacement committed ETS Port(s) is added to the existing term commitment before the last year of an existing term commitment period; and 4) the customer's orders for the disconnect of the originally committed ETS Port(s) are submitted to the Telephone Company at the same time and include cross references as described in Section 5.2.7, preceding.
- (2) If the bandwidth capacity of the newly installed committed ETS Port(s) is less than the bandwidth capacity of the disconnected committed ETS Port, the disconnected committed ETS Port will be subject to a discontinuance charge as described in (D), below. The newly installed port(s) can be added as a committed ETS Port to the existing term commitment period or ordered on a month-to-month basis as described in (A), above.
- (3) Since newly installed ETS Ports cannot be added to an existing term commitment period during the last year of the commitment period, an existing committed ETS Port disconnected during the last year of the commitment period cannot be replaced as described in (B) (1), above. The disconnected committed ETS Port will be subjected to a discontinuance charge as described in (D), below. During the last year of the term commitment period, newly installed ETS Ports can be ordered as described in (A) above.

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326 South 2nd Street, Emmaus, Pennsylvania 18049

ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.5 ETS Term Discount Plan (Cont'd)(C) ETS Term Discount Plan Replacements

- (1) The customer may replace an existing ETS Term Discount Plan in its entirety with a new ETS Term Discount Plan without the application of a discontinuance charge as described in (D), below, provided: 1) the term commitment period of the new ETS Term discount Plan meets or exceeds the number of months remaining in the customer's existing ETS term commitment period and 2) the bandwidth capacity of the committed ETS Ports under the new ETS Term Discount Plan meets or exceeds the bandwidth capacity of the committed ETS Ports in the customer's existing ETS term commitment. The term discount percentage applicable for the replacement ETS Term Discount Plan will apply on a going forward basis based on the customer's written request to establish a new ETS Term Discount Plan commitment period under this provision.

For example, a customer with an existing 36 month term commitment period and 50Mbps of bandwidth capacity for its committed ETS Ports can replace that term commitment in its entirety with a new 36 month or 60 month term commitment period at any time during the existing term commitment period without the application of a discontinuance charge provided the bandwidth capacity of the customer's committed ETS Ports under the new term commitment period is at least 50 Mbps.

- (2) When the term commitment period of a replacement ETS Term Discount Plan does not meet or exceed the number of months remaining in the customer's existing ETS Term Discount Plan commitment period, a discontinuance charge as described in (D), below, will apply.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.5 ETS Term Discount Plan (Cont'd)(C) ETS Term Discount Plan Replacements (Cont'd)

(3) When the term commitment period of the new ETS Term Discount Plan meets or exceeds the number of months remaining in the customer's existing ETS term commitment period, but the bandwidth capacity of the customer's committed ETS Ports under the new term commitment period is less than the bandwidth capacity of the committed ETS Ports under the customer's existing term commitment period, the following provisions will apply.

(a) When the total monthly undiscounted charges for the number and type of committed ETS Ports to be included in the customer's replacement ETS Term Discount Plan is equal to or greater than the total monthly undiscounted charges for the number and type of committed ETS Ports included in the customer's existing ETS Term Discount Plan, the customer will be permitted to replace its existing ETS Term Discount Plan without the application of either a discontinuance charge as described in (D), below, or a commitment shortfall charge as described in (b), below.

(b) When the total monthly undiscounted charges for the number and type of committed ETS Ports to be included in the customer's replacement ETS Term Discount Plan is less than the total monthly undiscounted charges for the number and type of committed ETS Ports included in the customer's existing ETS Term Discount Plan, the customer will be permitted to replace its existing ETS Term Discount Plan under this provision, however, a commitment shortfall charge will apply. The commitment shortfall charge will apply in lieu of a discontinuance charge as described in (D), below, and will be calculated as follows:

Step 1: Determine the difference between the total monthly undiscounted charges for the number and type of committed ETS Ports included in the customer's existing ETS Term Discount Plan and the total monthly undiscounted charges for the number and type of committed ETS Ports to be included in the customer's replacement ETS Term Discount Plan.

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)

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16.2 Ethernet Transport Service (Cont'd)16.2.5 ETS Term Discount Plan (Cont'd)(C) ETS Term Discount Plan Replacements (Cont'd)

(3) (b) (Cont'd)

Step 2: Multiply the result from Step 1 by 35%.

Step 3: Multiply the result from Step 2 times the number of months remaining in the existing term commitment period.

For example, a customer elects to replace its existing 36 month ETS Term Discount Plan in its entirety in the 22nd month of the existing term commitment period with a new 36 month ETS Term Discount Plan. The existing term plan commitment includes a total bandwidth capacity requirement of 300 Mbps for the customer's six 50 Mbps committed ETS Basic Ports. In the replacement ETS Term Discount Plan, the customer will only be including two 100 Mbps committed ETS Basic Ports for a total bandwidth capacity of 200 Mbps. Although the customer satisfies the term commitment length replacement requirement with the new ETS Term Discount Plan, it does not satisfy the bandwidth capacity replacement requirement and the total monthly undiscounted charges under the new term commitment period are less than the total monthly undiscounted charges under the existing term commitment period.

Using illustrative undiscounted monthly rates of \$275.00 for a 50 Mbps ETS Basic Port and \$330.00 for a 100Mbps ETS Basic Port, the Telephone company would bill the customer a commitment shortfall charge totaling \$4,851.00 based on:

Step 1: \$1,650.00 (i.e., \$275.00 x 6 ports) - \$660.00 (i.e., \$330.00 x 2 ports) = \$990.00

Step 2: \$990.00 x 35% = \$346.50

Step 3: \$346.50 x 14 months = \$4,851.00

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ACCESS SERVICE16. Public Packet Data Network (Cont'd)

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16.2 Ethernet Transport Service (Cont'd)16.2.5 ETS Term Discount Plan (Cont'd)(D) Discontinuance Charges

Except as provided for in (B) and (C), above, discontinuance charges will apply when: 1) the customer disconnects a committed ETS Port prior to the end of the term commitment period; 2) the customer disconnects a committed ETS Port prior to the end of the term commitment period and the replacement committed ETS Port(s) does not satisfy the requirements specified in (B), above; 3) the customer discontinues an existing ETS Term Discount Plan in its entirety prior to the end of the term commitment period; or 4) the customer replaces an existing ETS Term Discount Plan with a new ETS Term Discount Plan that does not satisfy the requirements specified in (C), above.

The discontinuance charge will be equal to 35% of the total undiscounted monthly rate for each committed ETS Port included in the customer's ETS Term Discount Plan for each month remaining in the unsatisfied term commitment period. Minimum service period charges as specified in Section 16.2.4 (C), preceding, would also apply if applicable.

The following examples illustrate how the Telephone Company will calculate the applicable discontinuance charge.

Example 1

A customer discontinues its existing ETS Term Discount Plan in its entirety in the 20th month of a 36 month term commitment period. The customer included three 100 Mbps committed ETS Basic Ports when it established its initial term plan commitment.

Using an illustrative undiscounted monthly rate of \$330.00 for 100 Mbps ETS Basic Port, the Telephone Company would bill the customer a term plan discontinuance charge totaling \$5,544.00 (i.e., \$330.00 x 35% x 3 ports x 16 months).

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326 South 2nd Street, Emmaus, Pennsylvania 18049

ACCESS SERVICE16. Public Packet Data Network (Cont'd)16.2 Ethernet Transport Service (Cont'd)16.2.5 ETS Term Discount Plan (Cont'd)(D) Discontinuance Charges (Cont'd)Example 2

A customer discontinues one of the four 50 Mbps committed ETS Basic Ports included in its ETS Term Discount Plan in the 39th month of a 60 month term commitment period. The customer included all four of these ports when it established its initial term plan commitment.

Using an illustrative undiscounted monthly rate of \$275.00 for 50 Mbps ETS Basic Port, the Telephone Company would bill the customer a port discontinuance charge totaling \$2,021.25 (i.e., \$275.00 x 35% x 21 months).

(N)

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326 South 2nd Street, Emmaus, Pennsylvania 18049

ACCESS SERVICE16. Public Packet Data Network (Cont'd)

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16.2 Ethernet Transport Service (Cont'd)16.2.5 ETS Term Discount Plan (Cont'd)(E) ETS Volume Discount Plan

The ETS Volume Discount Plan (ETS VDP) is an optional pricing plan that provides the ETS Term Discount Plan customer with an additional discount applied against the monthly charges for its in-service committed ETS Basic and Interconnection Ports when the customer has at least five committed ETS Ports in-service within the Telephone Company's operating territory.

In order to subscribe to and retain the ETS VDP, the customer must have an ETS Term Discount Plan commitment with the Telephone Company. The ETS Term Discount Plan customer must notify the Telephone Company in writing it wants to establish an ETS VDP. The customer may request an ETS VDP at the same time as it establishes its ETS Term Discount Plan commitment or at any time prior to the expiration of an existing ETS Term Discount Plan. The ETS VDP will continue for the balance of the customer's ETS Term Discount Plan commitment.

Each month on the bill date, the Telephone Company will determine the number of the customer's committed ETS Basic and Interconnection Ports in-service. If that number falls below five, the customer will not be eligible for the ETS VDP discount that month. When the number of committed ETS Basic and Interconnection Ports in-service is at least five, the ETS VDP discount will be applied for that month after the ETS Term Discount Plan discount for the customer's selected term length is applied.

The ETS VDP discount does not apply to: (1) ETS Ports ordered on a month-to-month basis (i.e., non-committed ETS Ports), (2) any other ETS monthly charges, (3) any ETS nonrecurring charges, or (4) any monthly or nonrecurring charges for special access services connected to a committed ETS Interconnection Port.

Access Order Charges as described in Section 5.4.1, preceding, do not apply to establish a new ETS VDP or to terminate an existing ETS VDP.

The ETS VDP Discount is specified in Section 17, following.

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ACCESS SERVICE17. Rates and Charges (Cont'd)17.15 RTC Communications Corporation (Cont'd)17.15.5 Other Services (Cont'd)(H) Ethernet Transport Service(1) ETS Channel Terminations

- a) Per termination when customer designated premises located more than 300 feet from ETS SWC

	<u>Monthly Rate</u>	<u>Nonrecurring Charge</u>
10 Mbps	\$374.65	\$295.00
50 Mbps	\$497.27	\$295.00
100Mbps	\$520.34	\$295.00

(2) Ports

- a) Per ETS Basic Port

	<u>Monthly Rate</u>	<u>Nonrecurring Charge</u>
10 Mbps	\$161.76	\$259.00
50 Mbps	\$197.68	\$259.00
100Mbps	\$215.68	\$259.00

(3) ETS Ethernet Virtual Connections (EVCs)

- a) Per Intraswitch ETS EVC

	<u>Monthly Rate</u>	<u>Nonrecurring Charge</u>
10 Mbps	\$0.00	\$205.00
50 Mbps	\$0.00	\$205.00
100Mbps	\$0.00	\$205.00

(4) ETS Term Discount Plan

<u>Term Commitment</u>	<u>Percentage</u>
36 months	10%
60 months	20%

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