

7. Special Access Service (Cont'd)7.11 High Capacity Service (Cont'd)7.11.5 Rates and Charges General Description

This section contains the specific regulations governing the rates and charges which apply to High Capacity Services.

DS3 High Capacity Service is available under a month-to-month*, one, three or five-year billing period as described in 7.11.5.1 (A), following. If the Utility initiates rate changes resulting in a decrease of rates for an existing DS3 service with a 1, 3 or 5 year billing period, those rate changes will be passed along to the customer. Rate changes resulting in an increase of rates for an existing DS3 service with a 1, 3 or 5 year billing period will not exceed the original rate for that selected billing period. (Tx)

7.11.5.1 DS3 High Capacity Service Rate DescriptionMonthly Extension Rates

Monthly extension rates are charges that the customer may elect to be converted to at the end of their 1, 3 or 5-year billing period, until a new billing period is selected or service is disconnected. Monthly extension rates are only available once the billing period has expired. (Tx)

(A) DS3 High Capacity Service Billing Period

The billing period establishes the amount of time that rates for a service are stabilized by the Utility.

The following billing periods are available for DS3 High Capacity Services and associated optional features and functions:

- Month-to-Month*
- Monthly Extension Rate
- 1 Year (Channel Termination Only)
- 3 Year (Channel Termination Only)
- 5 Year (Channel Termination Only) (Tx)

* This option will no longer be available for new circuits provisioned on or after, November 21, 2003. There will be no change to existing circuits.

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7. Special Access Service (Cont'd)7.11 High Capacity Service (Cont'd)7.11.5 Rates and Charges General Description (Cont'd)7.11.5.1 DS3 High Capacity Service Rate Description (Cont'd)(A) DS3 High Capacity Service Billing Period (Cont'd)

No nonrecurring charges will apply as long as the same number of DS3s is renewed. Any change in the number of DS3s will incur appropriate nonrecurring charges. (Tx)

The customer may elect to extend an existing DS3 under a 1, 3 or 5 year billing period for a single, additional 12 month period at the current rates for the existing billing period provided the same number of DS3 circuits are being extended.* (Tx)

If the current DS3 rates are lower than the original DS3 rates, the lower rate will be charged.

The customer must provide the Utility with a written notice of intent to extend the DS3 billing period no later than one month prior to the expiration of the service period.

An existing DS3 under a 1 or 3 year billing period may be converted to a DS3 under a longer term 3 or 5-year billing period without termination liabilities, provided that: (Tx)

- (1) the expiration date for the new term agreement is beyond the end of the original term agreements,
- (2) the converted DS3 must be based upon the rates that are currently in effect and otherwise available to all customers,
- (3) the customer maintains the same or greater number of DS3 circuits under the new billing period, and
- (4) No lapse in service occurs.

* This option will no longer be available for new circuits provisioned on or after, November 21, 2003. There will be no change to existing circuits.

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7. Special Access Service (Cont'd)7.11 High Capacity Service (Cont'd)7.11.5 Rates and Charges General Description (Cont'd)7.11.5.1 DS3 High Capacity Service Rate Description (Cont'd)(B) DS3 High Capacity Service Termination Charges

In the event service is terminated prior to the expiration of the billing period, termination charges will apply. Termination charges do not apply to Month-to-Month service. In the event service is terminated prior to the end of the billing period, a termination charge utilizing the following termination percentage will apply:

<u>Billing Period</u>	<u>Termination Percentage</u>	
1, 3 or 5-year	45%	(Tx)

The termination charge is calculated as follows:

Monthly Rate x Months Remaining in Billing Period x Termination Percentage

Example: A customer with a \$5,000 monthly rate terminates service with 10 months remaining in a 3 year billing period. The termination charge would be calculated as follows:

$$\$5,000 \times 10 \times .45 = \$22,500$$

The termination charge would be: \$22,500

- (2) Customers requesting the termination of a DS3 under a 1, 3 or 5-year billing period prior to the expiration date of an extension of service will be charged a termination charge calculated as follows: (Tx)

Number of Months Utilized of the Extension of Service	X	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <table> <tr> <td>Current Month To Month Rate</td> <td>-</td> <td>Billing Period Monthly Rate</td> </tr> </table> </div>	Current Month To Month Rate	-	Billing Period Monthly Rate
Current Month To Month Rate	-	Billing Period Monthly Rate			

- (3) When a DS3 High Capacity Service, which is billed under the Shared Use provision is terminated, the termination liability will be based on the full charges as listed in 7.11.5.2 following. (Tx)

- (4) A termination charge will not apply if the customer modifies service as set forth in 7.2.3 (Moves), preceding, as long as the customer maintains the same or greater number of DS3 circuits. (Tx)

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7. Special Access Service (Cont'd)7.11 High Capacity Service (Cont'd)7.11.5.2 DS1 Term Payment Plan (DS1 TPP)(A) General Description

The DS1 Term Payment Plan (DS1 TPP) is a term plan that allows a customer to purchase DS1 High Capacity Service over a 1, 2, 3, 5, or 7 year period. During the term of the selected DS1 TPP, Telephone Company initiated recurring rate changes (increases or decreases) will automatically be applied to the monthly payments for the remaining months of the current DS1 TPP term. The monthly recurring rate during the DS1 TPP term will never exceed the initial DS1 TPP rate. The DS1 TPP rates can be found in Section 7.11.5.3 following. (Tx)

The DS1 TPP cannot be combined with other tariffed services, discounts, or pricing flexibility contracts, unless explicitly stated in the respective tariff terms and conditions.

The following recurring rate elements are included in the DS1 TPP as described in 7.2 (Rate Regulations):

- DS1 High Capacity Service Channel Termination;
- DS1 High Capacity Service Channel Mileage - Channel Mileage Facility (per mile) and Channel Mileage Termination (per termination);
- DS1 High Capacity Service Central Office Multiplexing;
- DS1 High Capacity Service Collocation Transport (Fixed and Per Mile).

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7. Special Access Service (Cont'd)7.11 High Capacity Service (Cont'd)7.11.5.2 DS1 Term Payment Plan (DS1 TPP) (Cont'd)(B) Conversion of service to a new DS1 TPP or Higher Speed Service

During a customer's DS1 TPP term, conversion may be made to a new DS1 TPP term of the same or different length or an upgrade may be made to a higher speed service, if the expiration date for the new DS1 TPP term or for the new higher service is beyond the expiration of the original DS1 TPP term. The new DS1 TPP term or higher speed service must occur between the same two termination points as the original DS1 service being converted. The new DS1 TPP term or the higher speed service term becomes effective upon completion of the conversion activity. The rates, terms, and conditions applicable for the new DS1 TPP term or higher speed service will be those in effect at the time the conversion is requested. Credit for months under the previous DS1 TPP may not be transferred to the new DS1 TPP or to the higher speed service term. When all conditions described above are met, termination liability for the remaining months on the original DS1 TPP will not apply.

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(C) Moves

During a DS1 TPP term a customer may move one end of a DS1 High Capacity Service to another location in the same LATA and keep the DS1 TPP in force provided the following requirements are met:

- (1) the customer must have met the minimum in-service period at the previous location and will be subject to a new minimum in-service period at the new location; and
- (2) the Move is accommodated on a single customer order with the stipulation that the BAN (Billing Account Number), the NC (Network Channel Code), ACTL (Access Customer Terminal Location) and the ECCKT (Circuit Id) are provided and are the same as for the existing circuit being moved.

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