
ACCESS SERVICE

2. General Regulations2.1 Undertaking of the Telephone Company2.1.1 Scope

- (A) The Telephone Company will provide service under this tariff only to Customers in connection with their use and/or provision of interstate communications service.
- (B) The Telephone Company does not undertake to transmit messages under this tariff.
- (C) The Telephone Company shall be responsible only for the installation, operation and maintenance of the services which it provides.
- (D) The Telephone Company will, for maintenance purposes, test its services only to the extent necessary to clear troubles.
- (E) Services are provided twenty-four (24) hours daily, seven (7) days a week unless otherwise stated.

2.1.2 Limitations

- (A) The use and restoration of services shall be in accordance with Part 64, Subpart D, Appendix A of the FCC's Rules and Regulations, which specifies the priority system for such activities.
- (B) Subject to compliance with the above-mentioned rules, the services offered herein will be provided to Customers on a first-come, first-served basis. The Telephone Company will use service order dates to determine the service provision priority.

2.1.3 Liability

- (A) The Telephone Company's liability for damages for its willful misconduct, if any, is not limited by this tariff. The Telephone Company's liability, if any, to a Customer or to others for damages arising from the furnishing of or the failure to furnish service or facilities, including but not limited to errors, interruptions, breakdowns, or other defects, whether caused by act or omission shall be limited to the allocable charges for the service or facilities for the period affected, and shall be further limited under the provisions of Sections 2.1.3(B), (C) and (D) where applicable. The Telephone Company's responsibility, if any, to pay amounts otherwise due as a Credit Allowance for a Service Interruption under this tariff is not affected by this limitation of liability.

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2. General Regulations (Cont'd)2.1 Undertaking of the Telephone Company (Cont'd)2.1.3 Liability (Cont'd)

- (B) The Telephone Company is not liable for any special, incidental or consequential damages, or for commercial loss of any kind, whether or not it has been informed of the possibility of such damages.
- (C) The Telephone Company is not liable for physical damage to a Customer's designated premises resulting from the furnishing of a service, including the installation and removal of equipment and associated wiring, unless the damage is caused solely by the Telephone Company's negligence.
- (D) The Telephone Company does not guarantee or make any warranty with respect to its services when used in an explosive atmosphere. The Telephone Company shall be indemnified, defended and held harmless by the Customer from any and all claims by any person relating to the services so provided to that Customer.
- (E) No license under patents (other than the limited license to use) is granted by the Telephone Company or shall be implied or arise by estoppel, with respect to any service offered under this tariff. The Telephone Company will defend the Customer against claims of patent infringement arising solely from the use by the Customer of services offered under this tariff and will indemnify such Customer for any damages awarded based solely on such claims.
- (F) The Telephone Company's failure to provide or maintain services under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, acts of God, and other circumstances beyond the Telephone Company's reasonable control.
- (G) The Telephone Company shall not be liable for any act or omission of any other carrier or Customer providing a portion of a service, nor shall the Telephone Company for its own act or omission hold liable any other carrier or Customer providing a portion of a service.

2.1.4 Provision of Services

The provision of all services under this tariff is dependent in all situations on the availability of Telephone Company plant and equipment.

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2. General Regulations (Cont'd)2.1 Undertaking of the Telephone Company (Cont'd)2.1.5 Installation and Termination of Services

The services provided under this tariff (A) will include any entrance cable within a building necessary to terminate the services at points, selected by the Customer, reasonably situated so as to serve the Customer's premises and (B) will be installed by the Telephone Company to such points of termination. Wiring to apparatus or facilities of the Customer shall be furnished by the Customer from such points of termination.

2.1.6 Maintenance of Services

The services provided under this tariff shall be maintained by the Telephone Company. The Customer or others may not, except with the prior written consent of the Telephone Company, rearrange, move, disconnect, remove, or attempt to repair any facilities provided by the Telephone Company, other than by connection or disconnection to any interface means used.

2.1.7 Changes and Substitutions

Except as provided for equipment and systems subject to FCC Part 68 regulations, the Telephone Company may, where such action is reasonably required in the operation of its business, (A) substitute, change or rearrange any facilities used in providing service under this tariff, including but not limited to, (1) substitution of different metallic facilities, (2) substitution of carrier or derived facilities for metallic facilities used to provide other than metallic facilities, and (3) substitution of metallic facilities for carrier or derived facilities used to provide other than metallic facilities; (B) change minimum network protection criteria; (C) change operating or maintenance characteristics of facilities; or (D) change operation or procedures of the Telephone Company. In case of any such substitution, change or rearrangement, the facility parameters will be within the ranges set forth in Sections 4 and 5. The Telephone Company shall not be responsible if any such substitution, change or rearrangement renders any Customer furnished services obsolete or requires modification or alteration thereof or otherwise affects their use or performance. If a substitution, change or rearrangement materially affects the operating characteristics of the facility, the Customer will be given adequate notice in writing. Reasonable time will be allowed for any redesign and implementation required by the change in operating characteristics. The Telephone Company will work cooperatively with the Customer to minimize any disruption caused or changes made necessary by changes in service.

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2. General Regulations (Cont'd)2.1 Undertaking of the Telephone Company (Cont'd)2.1.8 Discontinuance and Refusal of Services

Unless the provision of Sections 2.1.2 or 2.2.1(B) apply, if the Customer fails to comply with Sections 2.1.6, 2.2.2, 2.3.3, 2.3.4, 2.3.5, or 2.4 or fails to make any payment to be made by it on the dates and times herein specified, including the payment of a disputed amount, the Telephone Company may, on thirty (30) days written notice given in person, by registered or certified mail, or by recognized overnight courier service to the person designated by that Customer to receive notices of noncompliance:

- (A) refuse additional applications for service and/or refuse to complete any pending orders for service; and/or
- (B) discontinue the provision of services to the Customer. In the case of such discontinuance, all applicable charges shall become due as if that Customer had cancelled service.

If the Telephone Company does not refuse additional applications for service on the date specified in the thirty (30) day notice given pursuant to (A) above, or does not discontinue the provision of the services involved on the date specified in the thirty (30) days notice given pursuant to (B) above, and that Customer's noncompliance continues, the Telephone Company shall have the right to refuse additional applications for service or to discontinue service without further notice.

2.1.9 Limitation of Use of Metallic Facilities

In the case of application of dc telegraph signaling systems, the Customer shall be responsible, at its expense, for the provision of current limiting devices to protect the Telephone Company facilities from excessive current due to abnormal conditions and for the provision of noise mitigation networks when required to reduce excessive noise.

2.1.10 Rights to Telephone Numbers

The Telephone Company reserves the right to assign, designate or change telephone numbers or change the central office prefixes associated with telephone numbers assigned to Customers as is reasonably necessary in the conduct of the Telephone Company business. Written notice of any change will be given to the Customer ninety (90) days in advance of the change. Where extenuating circumstances do not permit notice to be given ninety (90) days in advance, the Telephone Company will give notice within a reasonable period of time as circumstances permit. The notice will contain an explanation of the reasons for the change.

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2. General Regulations (Cont'd)2.1 Undertaking of the Telephone Company (Cont'd)2.1.11 Representations

The Telephone Company does not represent that its facilities will meet standards other than those set forth in Sections 4, 5, 6, and 7 of this tariff.

2.2 Use2.2.1 Interference or Impairment

- (A) The characteristics and methods of operation of any circuits, facilities or equipment provided by other than the Telephone Company and associated with the facilities utilized to provide services under this tariff shall not interfere with or impair service over any facilities of the Telephone Company or its affiliated companies, cause damage to plant, impair the privacy of any communications carried over facilities or create hazards to employees of the Telephone Company or its affiliated companies or to the public.
- (B) Except as provided for equipment or systems subject to the FCC Part 68 rules, if such characteristics or methods of operation are not in accordance with Section 2.2.1(A), the Telephone Company will, where practicable, notify the Customer that temporary discontinuance of the use of a service may be required; however, where prior notice is not practicable, nothing contained herein shall be deemed to preclude the Telephone Company from temporarily discontinuing the use of a service if such action is reasonable under the circumstances. In case of such temporary discontinuance, the Customer will be promptly notified and afforded the opportunity to correct the condition which gave rise to the temporary discontinuance.

2.2.2 Unlawful Use

The services provided under this tariff shall not be used unlawfully or for any unlawful purpose.

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2. General Regulations (Cont'd)2.3 Obligations of the Customer2.3.1 Damages and Indemnification

- (A) The Customer shall reimburse the Telephone Company for damages to the Telephone Company facilities utilized to provide services under this tariff caused by the negligence or willful act of the Customer, its agents, employees, officers, directors, invitees, guests, Customers, and others using the services provided to the Customer by the Telephone Company, or resulting from improper use of the Telephone Company facilities by the Customer, its agents, employees, officers, guests, Customers, and others using the services provided to the Customer by the Telephone Company, or due to malfunction of any facilities or equipment provided by other than the Telephone Company. Nothing in the foregoing provision shall be interpreted to hold one Customer liable for another Customer's actions. The Telephone Company will, upon reimbursement for damages, cooperate with the Customer in prosecuting a claim against the person causing such damage and the Customer shall be subrogated to the right of recovery by the Telephone Company for the damages to the extent of such payment.
- (B) The Telephone Company shall be indemnified, defended and held harmless by the IC or End User against any claim, loss or damage arising from the use of services offered under this tariff. This obligation to indemnify, defend and hold harmless shall attach to the IC or the End User separately, and each shall be responsible for its own acts and omissions, including:
- (1) Claims for libel, slander, invasion of privacy, or infringement of copyright arising from any communications;
 - (2) Claims for patent infringement arising from combining or using the service furnished by the Telephone Company in connection with facilities or equipment furnished by the End User or IC; or
 - (3) All other claims arising out of any act or omission of the End User or IC in the course of using services provided pursuant to this tariff.

Notwithstanding the other provisions of this Section 2.3.1(B), the Telephone Company shall be indemnified, defended and held harmless by the Customer from any and all claims by any person relating to the Customer's use of services provided under this tariff.

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.2 Return of Facilities

Facilities provided by the Telephone Company to the possession or control of a Customer shall be returned by that Customer at its expense to the Telephone Company, upon request, within a prompt period of time following the request in as good a condition as when initially provided, reasonable wear and tear accepted.

2.3.3 Equipment Space and Power

The Customer shall furnish or arrange to have furnished to the Telephone Company, at no charge, equipment space and electrical power required by the Telephone Company to provide services under this tariff at the points of termination of such services. The selection of ac or dc power shall be mutually agreed to by the Customer and the Telephone Company. The Customer shall also make necessary arrangements in order that the Telephone Company will have access to such spaces at reasonable times for installing, testing, repairing, or removing services or facilities of the Telephone Company.

2.3.4 Availability for Testing

The service provided under this tariff shall be available to the Telephone Company at times mutually agreed upon in order to permit the Telephone Company to make tests and adjustments appropriate for maintaining the service in satisfactory operating condition. Such tests and adjustments shall be completed within a reasonable time. No credit will be allowed for any interruptions involved during such tests and adjustments.

2.3.5 Balance

All signals for transmission over the services provided under this tariff shall be delivered by the Customer balanced to ground except for loop and duplex (DX) type signaling and dc telegraph transmission at speeds of 75 baud or less.

2.3.6 Design of Customer Services

Subject to the provisions of Section 2.1.7, the Customer shall be solely responsible, at its own expense, for the overall design of its services and for any redesigning or rearrangement of its services.

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.7 References to the Telephone Company

The Customer may advise End Users that certain services are provided by the Telephone Company in connection with the service the Customer furnishes to End Users; however, the Customer shall not represent that the Telephone Company jointly participates in the Customer's services.

2.3.8 Coordination with Respect to Network Contingencies

The Customer shall, in cooperation with the Telephone Company, coordinate in planning the actions to be taken to maintain maximum network capability following natural or man-made disasters which affect telecommunications services.

2.3.9 Assignment or Transfer of Services

The Customer may not assign or transfer the use of services provided under this tariff except, where there is no interruption of use or relocation of the services, such assignment or transfer may be made to:

- (A) another Customer, whether an individual, partnership, association, or corporation, provided the assignee or transferee expressly assumes all outstanding indebtedness for such services, and the unexpired portion of the minimum period and the termination liability applicable to such services, if any; or
- (B) a court appointed receiver, trustee or other person acting pursuant to law in bankruptcy, receivership, reorganization, insolvency, liquidation, or other similar proceedings, provided the assignee or transferee expressly assumes the unexpired portion of the minimum period and the termination liability applicable to such services, if any. In all cases of assignment or transfer, the written acknowledgment of the Telephone Company is required prior to such assignment or transfer. The acknowledgment will be made within fifteen (15) days from the receipt of notification. All regulations and conditions contained in this tariff shall apply to such assignee or transferee. The assignment or transfer of services does not relieve or discharge the assignor or transferor from remaining jointly or severally liable with the assignee or transferee for any obligations existing at the time of the assignment or transfer.

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.10 Certification of Special Access Services (Lines) as Interstate(A) Interstate Classification Requirements

Pursuant to Federal Communications Commission Order FCC 89-224 adopted June 24, 1989, and released July 20, 1989, the jurisdiction for mixed interstate and intrastate Special Access Services will be determined as follows:

If the Customer's estimate of the interstate traffic on the service involved constitutes ten percent (10%) or less of the total traffic on that service, the service will be provided in accordance with the applicable rules and regulations of the appropriate intrastate tariff.

If the Customer's estimate of the interstate traffic on the service involved constitutes more than ten percent (10%) of the total traffic on that service, the service will be provided in accordance with the applicable rules and regulations of this tariff.

(B) Certification Requirements

When a Customer orders a Special Access Service under this tariff, the Customer shall certify, in its order, that the Special Access Service carries interstate traffic and the interstate traffic is more than ten percent (10%) of the total traffic carried on the Special Access Service.

Existing Customers of Mixed Use Special Access Service as of July 1, 1990 will be required to certify the jurisdiction of each Special Access line. Implementation of changes in jurisdictional use of the line indicated by Customers of Mixed Use Special Access Service will be completed via an Access Service Request (ASR).

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.10 Certification of Special Access Services (Lines) as Interstate (Cont'd)(C) Verification Information

If a billing dispute arises or a regulatory commission questions the Customer certification the Telephone Company will ask the Customer to provide the data the Customer uses to determine the jurisdiction of each Special Access line. The Customer shall supply the data within 30 days of the Telephone Company request. The Customer shall keep records of system design and functions from which the jurisdiction of each Special Access line can be determined and upon request of the Telephone Company make the records available for inspection as reasonably necessary for purpose of verification of the jurisdiction of each Special Access line.

(D) Nonrecurring Charges and Penalties

Customers of Mixed Use Special Access Service will not incur a nonrecurring charge in accordance with Section 5.4.1(C) of this tariff nor any penalty for changes made to jurisdictional use of the line.

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.11 Identification and Rating of VoIP-PSTN Traffic

(N)

(A) Scope

VoIP-PSTN Traffic is defined as traffic exchanged between the Telephone Company end user and the customer in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. This section governs the identification of VoIP-PSTN Traffic that is required to be compensated at interstate access rates by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011) ("FCC Order"). Specifically, this section establishes the method of separating VoIP-PSTN Traffic from the customer's traditional intrastate access traffic, so that such VoIP-PSTN Traffic can be billed in accordance with the FCC Order.

(B) Rating of VoIP-PSTN Traffic

Interstate and Intrastate VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Telephone Company's applicable tariffed interstate switched access rates as specified in Section 15 following.

(C) Calculation and Application of Percent-VoIP-Usage Factor

The Telephone Company will determine the number of VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection (B), above, by applying a Percent VoIP Usage ("PVU") factor to the total terminating intrastate access MOU received by The Telephone Company from the customer. The PVU will be derived and applied as follows:

- (1) The customer will calculate and furnish to the Telephone Company a factor (the "PVU") representing the percentage of the total intrastate and interstate access MOU that the customer terminates to the Telephone Company in the State, that is sent to the Telephone Company and that originated in IP format. This PVU shall be based on information such as traffic studies, actual call detail, or other relevant and verifiable information. The customer shall retain the call detail, work papers, and information used to develop the PVU factor for a minimum of one year.

(N)

ACCESS SERVICE

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.11 Identification and Rating of VoIP-PSTN Traffic (Cont'd)

(N)

(C) Calculation and Application of Percent-VoIP-Usage Factor (Cont'd)

- (2) The customer shall not modify their reported PIU factor to account for VoIP-PSTN Traffic.
- (3) The Telephone Company will apply the PVU factor to the total terminating intrastate access MOU received from the customer to determine the number of VoIP-PSTN Traffic MOUs.
- (4) If the customer does not furnish the Telephone Company with a PVU pursuant to the preceding paragraph 1, the Telephone Company will utilize a PVU equal to zero.

(D) Initial PVU Factor

If the PVU factor is not available and/or cannot be implemented in the Telephone Company's billing systems by December 31, 2011, once the factor is available and can be implemented the Telephone Company will adjust the customer's bills to reflect the PVU retroactively to December 31, 2011. This retroactive adjustment will be made to December 31, 2011, provided that the customer provides the factor to the Telephone Company no later than April 15, 2012; otherwise, it will set the initial PVU equal to zero, as specified in subsection (C)(4), above.

The Telephone Company may choose to provide credits based on the reported PVU factors until such time as billing system modifications can be implemented.

(E) PVU Factor Updates

The customer may update the PVU factor quarterly using the method set forth in subsection (C)(1), above. If the customer chooses to submit such updates, it shall forward to the Telephone Company, no later than 15 days after the first day of January, April, July and/or October of each year, a revised PVU factor based on data for the prior three months, ending the last day of December, March, June and September, respectively. The revised PVU factor will apply prospectively and serve as the basis for billing until superseded by a new PVU. No prorating or back billing will be done based on the updated PVU factor.

(N)

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.11 Identification and Rating of VoIP-PSTN Traffic (Cont'd)

(N)

(F) PVU Factor Verification

- (1) Not more than four times in any year, the Telephone Company may request from the customer an overview of the process used to determine the PVU factors, the call detail records, description of the method for determining how the end user originates or terminates calls in IP format, and other information used to determine the customer's PVU factor furnished to the Telephone Company in order to validate the PVU factor supplied. The customer shall comply, and shall reasonably supply the requested data and information within 15 days of the Telephone Company's request.
- (2) The Telephone Company may dispute the customer's PVU factor based upon:
 - (a) A review of the requested data and information provided by the customer.
 - (b) The Telephone Company's reasonable review of other market information, FCC reports on VoIP lines, such as FCC Form 477 or state level results based on FCC Local Competition Report or other relevant data.
 - (c) A change in the reported PVU factor by more than five percentage points from the preceding quarter.
- (3) If after review of the data and information, the customer and the Telephone Company establish a revised PVU factor, the customer and the Telephone Company will begin using that revised PVU factor with the next bill period.

(N)

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.11 Identification and Rating of VoIP-PSTN Traffic (Cont'd)

(N)

(F) PVU Factor Verification (Cont'd)

(4) If the dispute is unresolved, the Telephone Company may initiate an audit. The Telephone Company shall limit audits of the customer's PVU factor to no more than four times per year. The customer may request that the audit be conducted by an independent auditor. In such cases, the associated auditing expenses will be paid by the customer.

(a) In the event that the customer fails to provide adequate records to enable the Telephone Company or an independent auditor to conduct an audit verifying the customer's PVU factors, the Telephone Company will bill the usage for all contested periods using the most recent undisputed PVU factors reported by the customer. These PVU factors will remain in effect until the audit can be completed.

(b) During the audit, the undisputed PVU factors from the previous reporting period will be used by the Telephone Company.

(c) The Telephone Company will adjust the customer's PVU factors based on the results of the audit and implement the revised PVU in the next billing period or quarterly report date, whichever is first. The revised PVU factors will apply for the next two quarters before new factors can be submitted by the customer.

(d) If the audit supports the customer's PVU factors, the usage for the contested periods will be adjusted to reflect the customer's audited PVU factors.

(N)

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowances2.4.1 Payment of Rates, Charges and Deposits

- (A) The Telephone Company may, in order to safeguard its interests, require a Customer which has a history of late payments to the Telephone Company or does not have established credit to make a deposit prior to or at any time after the provision of a service to the Customer. That deposit will be held by the Telephone Company as a guarantee of the payment of rates and charges. No such deposit will be required if a Customer is a successor to a company which has established credit and has no history of late payments to the Telephone Company. The deposit will not exceed the anticipated charges for the service and facilities for a two month period. The fact that a deposit has been made in no way relieves the Customer from complying with the Telephone Company's regulations as to advance payments or the prompt payment of bills. After such time as the provision of the service to the Customer is terminated, the amount of the deposit will be credited to the Customer's account and any credit balance which may remain will be refunded. A deposit will be refunded or credited to the Customer's account after the Customer has established credit or in any event after Customer has established a timely payment record for 12 consecutive months. For the period a cash deposit is held by the Telephone Company, the Customer will receive interest at the same rate as is set forth in Section 2.4.1(D) for late payment charges. A deposit given in connection with Special Construction under the applicable Interstate Special Construction Tariff or Specialized Service or Arrangements under Section 7 of this tariff shall be treated in accordance with those tariff provisions. (C)
- (B) The Telephone Company shall bill on a current basis all charges incurred by and credits due to the Customer under this tariff attributable to services established or discontinued during the preceding billing period. In addition, the Telephone Company shall bill in advance charges for all services to be provided during the ensuing billing period except for charges associated with service usage or with service to the Federal Government, which will be billed in arrears. The bill date shall be printed on the bill. Adjustments for the quantities of services established or discontinued in any billing period, after the expiration of the minimum period for the service (as set forth in this tariff), will be prorated to the number of days or major fraction of days based on a 30-day month. To assist the Customer in verifying a bill, the Telephone Company will provide upon Customer's request, figures and calculations used by the Telephone Company in rendering the bill to the Customer, including information related to the calculation of the subscriber line ratio. (C)

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowances (Cont'd)2.4.1 Payment of Rates, Charges and Deposits (Cont'd)

- (C) Payment of bills must result in Immediately Available Funds on or before the payment due date. The payment due date shall be the 30th day following the bill date, provided that if such 30th day falls on a Saturday, Sunday or legally observed Holiday, (i.e., New Year's Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, the second Tuesday in November and a day when Washington's Birthday, Memorial Day, Columbus Day or Martin Luther King's Birthday is legally observed), payment will be due as follows:
- (1) If such 30th day falls on a Sunday or on a holiday observed on a Monday, the payment due date shall be the first non-holiday day following such Sunday or holiday; or
 - (2) If such 30th day falls on a Saturday or on a holiday observed on Tuesday, Wednesday, Thursday, or Friday, the payment due date shall be the last non-holiday day preceding such Saturday or holiday.
- (D) If any amount due is received by the Telephone Company after the payment due date or if any amount due is received by the Telephone Company in funds not immediately available to the Telephone Company on or before the payment due date, then a late payment charge shall be assessed. The late payment charge shall be such amount due times a late factor. The late factor shall be the lesser of:
- (1) The highest interest rate (in decimal value) permissible under state law for commercial transactions in the state where the services were provided, compounded daily for the number of calendar days from the payment due date to and including the date Telephone Company actually receives the payment in immediately available funds, or
 - (2) 0.000590 per day, compounded daily for the number of calendar days from the payment due date to and including the date that Telephone Company actually receives the payment in immediately available funds.

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2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowances (Cont'd)2.4.1 Payment of Rates, Charges and Deposits (Cont'd)

(D) (Cont'd)

If Customer does not receive a bill at least 20 days prior to the payment due date, upon request of Customer submitted with proof of such late receipt of the bill, the late payment charge shall not apply for the number of days the bill was late.

Such proof includes but is not limited to the received date stamp of the Customer on the bill along with certification of the Accounts Payable supervisor of the Customer that the received date stamp is accurate.

- (E) If a billing dispute arises, Customer shall pay the disputed amount by the payment due date and notify Telephone Company in writing of the dispute. Disputed amounts paid after the payment due date are subject to late payment charges. If the dispute is ultimately resolved in favor of Customer, Telephone Company shall refund the overpayment, including any late payment charges collected by Telephone Company with respect to the overpayment, plus interest at the rate prescribed for late payment charges in section 2.4.1(D).

For claims filed with the Telephone Company within four (4) months of the payment date, interest will be paid from the date the Customer pays the bill to the date the refund is made. For claims filed with the Telephone Company more than four (4) months after the payment date, interest will be paid from the claim date to the date the refund is made.

2.4.2 Minimum Periods

The minimum period for which service is provided and for which rates and charges are applicable is one month unless a different minimum period is established elsewhere in this tariff. When a service is discontinued prior to the expiration of the minimum period, a charge is applicable for the remaining portion of the minimum period, whether the service is used or not, and will be based on the rates in effect for the service at the time of discontinuance. In instances where the minimum period is more than thirty (30) days, the charge will be the lesser of the Telephone Company's non-recoverable costs less the net salvage value, if any for the discontinued service or the total monthly charges at the rates in effect at the time service is discontinued, unless otherwise provided elsewhere in this tariff.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowances (Cont'd)2.4.3 Credit Allowance for Service Interruptions(A) General

A service is interrupted when it becomes unusable to the Customer because of a failure of a facility component used to furnish service under this tariff. For certain Special Access Services (Wideband Digital, Digital Data Access, and High Capacity), any period during which the error performance is below that specified for the service will be considered as an interruption. Except as otherwise provided, an interruption period starts when the Telephone Company becomes aware of the inoperative service, regardless of when it is reported by the Customer, and ends when the service is operative.

For purposes of administering the following regulations a "major fraction" means more than half of the incremental credit period using the unit of time in which the service interruption is measured, i.e., 30 seconds, 5 minutes. For example, a major fraction for a 30 minute period equals 16 minutes and for a 5 minute period equals 2 minutes and 31 seconds.

In case of an interruption to any service, allowance for the period of interruption shall be as follows:

- (1) For services, other than those mentioned in Sections 2.4.3(A)(2), (3) or (5), no credit shall be allowed for an interruption of less than thirty (30) minutes. The Customer shall be credited for an interruption of thirty (30) minutes or more at the rate of 1/1,440 of the monthly charge for the service for each period of thirty (30) minutes or major fraction thereof that the interruption continued from the time that an interruption period starts. For flat rated Switched Access Service rate elements, the monthly charge shall be the total of all monthly rate element charges associated with the service (i.e., Entrance Facility, Direct Trunked Transport and Multiplexing).

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowances (Cont'd)2.4.3 Credit Allowance for Service Interruptions (Cont'd)(A) General (Cont'd)

- (2) For Video Service provided at daily rates, no credit shall be allowed for an interruption of less than thirty (30) seconds. The Customer shall be credited for an interruption of thirty (30) seconds or more at the rate of 1/288 of the daily charge for the service for each five (5) minutes or fraction thereof that an interruption continues from the time of notice to the designated Telephone Company operating center that an interruption has occurred. Two or more such interruptions occurring during a period of five (5) consecutive minutes shall be considered as one interruption.
- (3) For Switched Access Service other than flat rated Switched Access Transport rate elements (i.e. Entrance Facility, Direct Trunked Transport and Multiplexing), credit allowances for interruptions apply only to the applicable monthly rates or the assumed minutes of use charge, whichever is applicable to the service involved. No credit allowance shall be allowed for an interruption of less than 24 hours. The Customer shall be credited for an interruption of 24 hours or more at the rate of 1/30 of any applicable monthly rate or assumed minutes of use charge for each period of 24 hours or major fraction thereof that the interruption continues. Credit allowances for Entrance Facility, Direct Trunked Transport and Multiplexing service interruptions shall be as set forth in 2.4.3(A)(1).
- (4) The credit allowance(s) for an interruption or for a series of interruptions shall not exceed the monthly rate or minimum monthly charge for the service interrupted in any one monthly billing period.
- (5) Service interruptions for Specialized Service or Arrangements provided under the provisions of Section 7 shall be administered in the same manner as those set forth in this Section 2.4.3 unless other regulations are specified with the individual case filing.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowances (Cont'd)2.4.3 Credit Allowance for Service Interruptions (Cont'd)(B) When a Credit Allowance Does Not Apply

No credit allowance will be made for:

- (1) Interruptions caused by the negligence of the Customer.
- (2) Interruptions of a service due to the failure of equipment or systems provided by the Customer or others.
- (3) Interruptions of a service which continue because of the failure of the Customer to authorize replacement of any element of Special Construction, as set forth in the applicable Interstate Special Construction Tariff. (C)
(C)
- (4) Periods when the Customer elects not to release the service for testing and/or repair and continues to use it on an impaired basis.
- (5) An interruption or a group of interruptions, resulting from a common cause, for amounts less than one dollar.

(C) Use of an Alternative Service Provided by the Telephone Company

Should the Customer elect to use an alternative service provided by the Telephone Company during the period that a service is interrupted, the Customer must pay the tariffed rates and charges for the alternative service used.

(D) Temporary Surrender of a Service

In certain instances, the Customer may be requested to surrender a service for purposes other than maintenance, testing or activity relating to a service order. If the Customer consents, a credit allowance will be granted. The credit allowance will be determined in the same manner as a credit for service interruptions as set forth in Section 2.4.3(A).

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowances (Cont'd)2.4.4 Access Services Provided by More Than One Telephone Company

When an Access Service is provided by more than one Telephone Company, the Telephone Companies involved will mutually agree upon one of the billing methods as set forth in (A) and (B) following based upon the types of access services and the interconnection arrangements between the Telephone Companies.

The Telephone Company will notify the Customer which billing methods will be used. The Customer will place the order for the service as set forth in Section 9.2.10 dependent upon the billing method.

(A) Non Meet Point Billing

The non Meet Point Billing options apply to Feature Group A Switched Access Service.

(1) Single Company Billing

Under Single Company Billing, the Telephone Company receiving the order from the Customer, as specified in Section 9.2.10(A)(1), will arrange to provide the service, determine the applicable charges and bill the Customer for the service in accordance with its Access Services tariff.

(B) Meet Point Billing

Meet Point Billing is required when an access service is provided by multiple Telephone Companies for Feature Groups B, C, and D Switched Access Services, Directory Assistance and Special Access.

For usage rated access services the access minutes of use will be determined by the Initial Billing Company and used by the Initial Billing Company and any Subsequent Billing Company(ies) for the development of access charges.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowances (Cont'd)2.4.4 Access Services Provided by More Than One Telephone Company (Cont'd)(B) Meet Point Billing (Cont'd)

- The Initial Billing Company for Feature Groups B, C and D Switched Access Services is normally the end user's end office, for WATS usage the Initial Billing Company is normally the WATS serving office, for Directory Assistance the Initial Billing Company is normally the Directory Assistance location. When the Initial Billing Company is other than the normally designated Telephone Company office, the Telephone Company will notify the Customer.
- The Subsequent Billing Company(ies) is any Telephone Company whose territory a segment of Switched Transport is provided and/or where the Customer's Point of Termination is located.

The Telephone Company will utilize the Multiple Bill Meet Point Billing Option. The Telephone Company shall notify the Customer that this option will be utilized at the time that orders are placed for access service. Additionally, the Telephone Company shall provide this notice in writing 30 days in advance of any change.

Meet Point bills rendered by the Telephone Company will include, based upon Industry Standards, cross reference(s) to the other Telephone Company(ies) service and the common circuit identifiers. Should a billing dispute arise, the terms and conditions of the Telephone Company rendering the bill will apply.

(1) Multiple Bill Option

Each Telephone Company will receive an order or a copy of the order from the Customer as specified in Section 9.2.10(B). Each Telephone company will: prepare its own bill; determine its portion of Switched Transport, Directory Assistance and/or Channel Mileage as set forth in Section 2.4.4(B)(2) following and determine the applicable charges; include all recurring and nonrecurring rates and charges of its tariff; bill in accordance with its tariff; and forward the bill to the Customer.

The Customer will remit the payment directly to each Telephone Company that bills it.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowances (Cont'd)2.4.4 Access Services Provided by More Than One Telephone Company (Cont'd)(B) Meet Point Billing (Cont'd)(2) Determination of Meet Point Billed Transport Calculations

Each Telephone Company will calculate its portion of the Switched Transport, Directory Assistance Transport and Channel Mileage as follows:

- (a) Determine the total Direct Trunked Transport Facility Tandem Switched Transport Facility or Channel Mileage Facility by computing the number of airline miles between the Telephone Company premises (end office, access tandem or serving wire centers for Switched Access or serving wire centers for Special Access) using the V&H method set forth in Sections 4.6.12 and 5.4.4. Determine each Telephone Company's Switched Transport and Channel Mileage using the Billing Percentage (BP) method as follows:
- (b) Each Telephone Company will multiply the total number of airline miles, as set forth in (a) preceding, by its tariffed rate to determine a dollar amount.
- (c) Determine the billing percentage (BP), as set forth in EXCHANGE CARRIER ASSOCIATION TARIFF F.C.C. NO. 4 which represents the portion of the services provided by each Telephone Company.

Multiply the BP times the dollar amount calculated in (b) preceding times the number of direct trunks to obtain the Direct Trunked Transport Facility charges for Switched Access Feature Groups and Directory Assistance.

Multiply the BP times the dollar amount calculated in (b) preceding, times the number of access minutes to obtain the Tandem Switched Transport Facility charges for Switched Access Feature Groups and Directory Assistance.

ACCESS SERVICE

2. General Regulations (Cont'd)2.4 Payment Arrangements and Credit Allowances (Cont'd)2.4.4 Access Services Provided by More Than One Telephone Company (Cont'd)(B) Meet Point Billing (Cont'd)(2) Determination of Meet Point Billed Transport Calculations

(c) (Cont'd)

Multiply the BP times the dollar amount calculated in (b) preceding to obtain the Channel Mileage Facility charges for Special Access.

Direct Trunked and Tandem Switched Transport Termination charges also apply as set forth in Sections 4.1.2(A) and 15, except as set forth in (d) following. For jointly provided facilities, this charge applies at the Telephone Company end office (i.e., when the Telephone Company is the Initial Billing Company).

Channel Mileage Termination charges also apply as set forth in Sections 5.1.2(B)(2) and 15 except as set forth in (d) following, and apply only where the Telephone Company provides the channel termination. There is no distinction drawn between meet point billing Customers and Customers where the Telephone Company is the sole provider.

(d) When three or more Telephone Companies are involved in providing an access service, the intermediate Telephone Company(ies) will determine the appropriate charges as set forth in (a), (b), and (c) preceding, except the Direct Trunked Termination, Tandem Switched Termination or Channel Mileage Termination charges do not apply.

(e) When the tandem office is located within a Telephone Company operating territory, that company will bill 100% of the tandem switching rate.

(f) When the local switching office is located within a Telephone Company operating territory, that company will bill 100% of the Residual Interconnection Charge.

ACCESS SERVICE

2. General Regulations (Cont'd)2.5 Connections

Equipment and Systems (i.e., terminal equipment, multiline terminating systems and communications systems) may be connected with Switched and Special Access Services furnished by the Telephone Company where such connection is made in accordance with the provisions specified in Technical Reference Publication AS No. 1 and in Section 2.1.

2.6 Definitions

Certain terms used herein are defined as follows:

Access Code

The term (Access Code) denoted a uniform five or seven digit code assigned by the Telephone Company to an individual Customer. The five digit code has the form 10XXX, and the seven digit code has the form 950-10XX or 950-00XX.

Access Minutes

The term "Access Minutes" denotes that usage of exchange facilities in interstate or foreign service for the purpose of calculating chargeable usage. On the originating end of an interstate or foreign call, usage is measured from the time the originating End User's call is delivered by the Telephone Company to and acknowledged as received by the Customer's facilities connected with the originating exchange. On the terminating end of an interstate or foreign call, usage is measured from the time the call is received by the End User in the terminating exchange. Timing of usage at both originating and terminating ends of an interstate or foreign call shall terminate when the calling or called party disconnects, whichever event is recognized first in the originating and terminating end exchanges, as applicable.

Access Tandem

The term "Access Tandem" denotes a Telephone Company switching system that provides a traffic concentration and distribution function for traffic originating from or terminating to an end office serving a Customer designated premises.

Answer/Disconnect Supervision

The term "Answer/Disconnect Supervision" denotes the transmission of the switch trunk equipment supervisory signal (off-hook or on-hook) to the point of termination for terminating calls to the exchange as an indication that the called party has answered or disconnected.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Asymmetrical Digital Subscriber Line (ADSL)

The term "Asymmetrical Digital Subscriber Line", or "ADSL", denotes a service that is designed to provide high bandwidth services over the existing copper distribution network.

Asynchronous

A method of transmission in which information is sent with each character (byte) providing synchronization via start and stop bits.

Asynchronous Polled interface (API)

Burrough's protocol that parallels IBM's SNA protocol.

Attenuation Distortion

The term "Attenuation Distortion" denotes the difference in loss at specified frequencies relative to the loss at 1004 Hz.

Authorized Billing Agent

The term "Authorized Billing Agent" means a third party hired by a telecommunications service provider to perform billing and collection.

Balance (100 Type) Test Line

The term "Balance (100 Type) Test Line" denotes an arrangement in an end office which provides for balance and noise testing.

Bit

The term "Bit" denotes the smallest unit of information in the binary system of notation.

Business Day

The term "Business Day" denotes the times of day that a company is open for business. Generally, in the business community, these are 8:00 or 9:00 A.M. to 5:00 or 6:00 P.M., respectively, with an hour for lunch, Monday through Friday, resulting in a standard forty (40) hour work week. To determine the specific hours for a particular company, that company should be contacted at the address shown under the Issuing Carrier's name listed on the Title Page.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Busy Hour Minutes of Capacity (BHMC)

The term "Busy Hour Minutes of Capacity" denotes the average of the highest time consistent hour of usage (i.e., the average of a series of measurements for the same clock hour) during the highest twenty consecutive business day period (i.e., a four consecutive week period during a calendar year).

Byte

8 bits of data, also referred to as an octet.

Call

The term "Call" denotes a communication, including an off-hook signal and routing information, initiated by a Customer (calling party) and completed to a Directory Assistance Service access location or End User (called party) or to a Customer designated premises.

Call Set-Up

Any attempt by a CPSN user to establish a circuit to send packetized data.

CCS

The term "CCS" denotes a hundred call seconds which is a standard unit of traffic load that is equal to 100 seconds of usage or capacity of a group of lines or trunks.

Central Office

The term "Central Office" denotes a local Telephone Company switching system where Telephone Exchange Service Customer station loops are terminated for purposes of interconnection to each other and to trunks.

Central Office Code

The term "Central Office Code" denotes the first three digits (NXX) of the 7 digit telephone number assigned to a Customer's Telephone Exchange Service.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Channel(s)

The term "Channel(s)" denotes an electrical or photonic, in the case of fiber optic based transmission systems, communications path between two or more points of termination.

Channel Service Unit

The term "Channel Service Unit" denotes equipment which performs one or more of the following functions: Termination of a digital facility, regeneration of digital signals, detection and/or correction of signal format errors, remote loop back.

Channelize

The term "Channelize" denotes the process of multiplexing-demultiplexing channels using analog or digital techniques.

Circuit Termination

The data circuit and associated conditioning which provides for dedicated access to the network.

Clear Channel Capability (CCC)

The term "Clear Channel Capability" denotes the transport of twenty-four, 64 Kbps channels over a 1.544 Mbps High Capacity service via B8ZS line code format.

Closed User Group (CUG)/International Closed User Group (ICUG)

An optional subscriber feature which allows the Customer to establish a private network within the public network. The ICUG feature allows users in different public packet switching networks to form CUGS.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)C-Message Noise

The term "C-Message Noise" denotes the frequency weighted average noise within an idle voice channel. The frequency weighting, called C-message, is used to simulate the frequency characteristic of the 500-type telephone set and the hearing of the average subscriber.

C-Notched Noise

The term "C-Notched Noise" denotes the C-message frequency weighted noise on a voice channel with a holding tone, which is removed at the measuring end through a notch (very narrow band) filter.

Coin Station

The term "Coin Station" denotes a location where Telephone Company equipment is provided in a public or semi-public place where Telephone Company Customers can originate telephonic communications and pay the applicable charges by inserting coins into the equipment.

Coinless Pay Telephone

The term "Coinless Pay Telephone" denotes a public telephone provided by either the Telephone Company or a Customer through which an End User may originate interstate calls for which he pays by credit card, collect, or third number billing procedures.

Commingling

The term "Commingling" means the connecting, attaching, or otherwise linking of an unbundled network element (UNE), or a combination of unbundled network elements (UNEs), to one or more facilities or services that a requesting telecommunications carrier has obtained at wholesale from an incumbent LEC, or the combining of an UNE, or a combination of UNEs, with one or more such facilities or services.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Common Line

The term "Common Line" (also referred to as "subscriber line") denotes a line, trunk, pay telephone line or other facility provided under the General and/or Local Exchange Service tariffs of the Telephone Company, terminated on a central office switch. A common line-residence is a line or trunk provided under the residence regulations of the General and/or Local Exchange Service tariffs. A common line-business is a line provided under the business regulations of the General and/or Local Exchange Service tariffs. A common line-pay telephone is a line provided under the public, semi-public and inmate service regulations of the General and/or Local Exchange Service tariffs of the Telephone Company. The investment associated with common lines is considered jointly used subscriber plant.

Communications System

The term "Communications System" denotes channels and other facilities which are capable of communications between terminal equipment provided by other than the Telephone Company or Telephone Company stations.

Completed Call

The term "Completed Call" denotes a call in which answer supervision is received from the called location.

CCITT

Consultative Committee for International Telephone and Telegraph.

Cost

Except as provided otherwise in this tariff, the term "cost" denotes all sums expended directly by the Telephone Company to provide particular facilities and/or services to a user, plus a pro-rata share of the cost to the Telephone Company of its facilities and personnel, including general and administrative costs, used in the provision of the facilities and/or services, plus a reasonable profit.

Customer(s)

The term "Customer(s)" denotes any individual, partnership, association, joint-stock company, trust, corporation, or governmental entity or any other entity which subscribes to the services offered under this tariff, including both Interexchange Carriers (ICs) and End Users.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)DTE Backup

An optional Customer feature which allows an alternate Data Network Address (DNA) to be designated for a particular CPSN switch termination in case the original is not in service. If the original DNA is out of order, the calling party will be automatically rerouted to the destination indicated by the alternate DNA.

Data Network Address (DNA)

Ten digit address in accordance with CCITT Recommendation X.121 used to identify terminations on a packet switching network.

Data Terminal Equipment (DTE)

Customer premises equipment that transmits and receives data.

Data Transmission (107 Type) Test Line

The term "Data Transmission (107 Type) Test Line" denotes an arrangement which provides for a connection to a signal source which provides test signals for one-way testing of data and voice transmission parameters.

Decibel (dB)

The term "Decibel" denotes a unit used to express relative difference in power, usually between acoustic or electric signals, equal to ten (10) times the common logarithm of the ratio of two signal powers.

Decibel Reference Noise C-Message Referenced to 0 (dBrnC)

The term "Decibel Reference Noise C-Message Referenced to 0" denotes noise measurements with C-Message weighting in decibels relative to a reference tone of 90 dB below 1 milliwatt.

Detail Billing

The term "Detail Billing" denotes the listing of each message and/or rate element for which charges to a Customer are due on a bill prepared by the Telephone Company.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Direct Call

An optional Customer feature which allows a CPSN terminal to be preprogrammed with a called DNA. The CPSN network will reference the preprogrammed DNA at the time of call establishment and connect the Customer with that DNA. If the Customer chooses to override the Direct Call, a Different DNA can be addressed at call set-up.

Display System Protocol (DSP)

End to end protocol description for support of IBM 3270 devices on an X.25 packet data network.

Dual Tone Multifrequency Address Signaling

The term "Dual Tone Multifrequency Address Signaling" denotes a type of signaling that is an optional feature of Switched Access Feature Group A. It may be utilized when Feature Group A is being used in the terminating direction (from the point of termination with the Customer to the local exchange end office). An office arranged for Dual Tone Multifrequency Signaling would expect to receive address signals from the Customer in the form of Dual Tone Multifrequency signals.

Echo Path Loss (EPL)

The term "Echo Path Loss" denotes the measure of reflected signal at a 4-wire point of interface without regard to the send and receive Transmission Level Point (TLP).

Echo Return Loss (ERL)

The term "Echo Return Loss" denotes a frequency weighted measure of return loss over the middle of the voiceband (approximately 500 to 2500 Hz), where talker echo is most annoying.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Effective 2-Wire

The term "Effective 2-Wire" denotes a condition which permits the simultaneous transmission in both directions over a channel, but it is not possible to insure independent information transmission in both directions. Effective 2-wire channels may be terminated with 2-wire or 4-wire interfaces.

Effective 4-Wire

The term "Effective 4-Wire" denotes a condition which permits the simultaneous independent transmission of information in both directions over a channel. The method of implementing effective 4-wire transmission is at the discretion of the Telephone Company (physical, time domain, frequency-domain separation or echo cancellation techniques). Effective 4-wire channels may be terminated with a 2-wire interface at the Customer premises or central office.

800 Data Base Access Service

The term "800 Data Base Access Service" denotes a service which uses a data base system to identify 800 access customers on a 10-digit basis. For purposes of administering the rules and regulations set forth in this tariff regarding the provision of 800 Database Access, except where otherwise specified, 800 Database Access Service shall include the following service access codes: 800, 888, 877, 866, 855, 844, 833, and 822.

800 Series

The term 800 series denotes the service access codes of 800, 888, 877, 866, 855, 844, 833, and 822.

800 Service Provider

The term "800 Service Provider" denotes a telecommunications company, including Exchange and Interexchange Carriers, that offer 800 Series Service to subscribers.

End Office Switch

The term "End Office Switch" denotes a local Telephone Company switching system where Telephone Exchange Service Customer station loops are terminated for purposes of interconnection to each other and to trunks.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)End User

"End User" means any Customer of an interstate or foreign telecommunications service that is not a carrier, except that a carrier other than a telephone company shall be deemed to be an "end user" when such carrier uses a telecommunications service for administrative purposes, and a person or entity that offers telecommunications service exclusively as a reseller shall be deemed to be an "end user" if all resale transmission offered by such reseller originate on the premises of such reseller.

Entrance Facility

The term "Entrance Facility" denotes a Switched Access Service dedicated Switched Transport facility between the customer's serving wire center and the customer's premises.

Entry Switch

See First Point of Switching.

Envelope Delay Distortion (EDD)

The term "Envelope Delay Distortion" denotes a measure of the linearity of the phase versus frequency of a channel.

Equal Level Echo Path Loss (ELEPL)

The term "Equal Level Echo Path Loss" denotes the measure of Echo Path Loss (EPL) at a 4-wire interface which is corrected by the difference between the send and receive TLP. {ELEP=EPL-TLP(send)+TLP(receive)}.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Exchange

The term "Exchange" denotes a unit generally smaller than a local access and transport area, established by the Telephone Company for the administration of communications service 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. The exchange includes any Extended Area Service area that is an enlargement of a Telephone Company's exchange area to include nearby exchanges. One or more designated exchanges comprise a given local access and transport area.

Exchange Termination

Central Office equipment (Modem or Channel Service Unit/Digital Service Unit) required for circuit termination at the switch.

Expected Measured Loss (EML)

The term "Expected Measured Loss" denotes a calculated loss which specified the end-to-end 1004 Hz transducer loss on a terminated test connection between two readily accessible manual or remote test points.

Fast Select

An optional Customer feature which allows the user to send and receive up to 128 characters of user data in the call request and call clear packets. Restricted Fast Select prevents call set-up. Unrestricted Fast Select call allows set-up attempts if required.

Firm Order Confirmation Date

The date on which the Telephone Company confirms to the Customer that the requested services can be provided.

First Point of Switching

The term "First Point of Switching" denotes the first Telephone Company location at which switching occurs on the terminating path of a call proceeding from the Customer designated premises to the terminating end office and, at the same time, the last Telephone Company location at which switching occurs on the originating path of a call proceeding from the originating end office to the Customer designated premises.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Frequency Shift

The term "Frequency Shift" denotes the change in the frequency of a tone as it is transmitted over a channel.

Grandfathered

The term "Grandfathered" denotes station or switching equipment directly connected to the facilities utilized to provide services under the provision of this tariff, and which are considered grandfathered under Part 68 of the FCC Rules and Regulations.

Holding Time

The duration of a public dial call.

Hub

A Hub is a Telephone Company designated serving wire center at which bridging or multiplexing functions are performed. The bridging functions performed may be used to connect three or more Customer designated premises in a multipoint arrangement. The multiplexing functions are to channelize analog or digital facilities to individual services requiring a lower capacity or bandwidth.

Hunt Group

An optional Customer feature which allows for a grouping of CPSN terminations with a single identifying DNA.

Immediately Available Funds

The term "Immediately Available Funds" denotes a corporate or personal check drawn on a bank account and funds which are available for use by the receiving party on the same day on which they are received and include U.S. Federal Reserve Bank wire transfers, U.S. Federal Reserve notes (paper cash), U.S. coins, U.S. Postal Money Orders, and New York Certificates of Deposit.

Impulse Noise

The term "Impulse Noise" denotes any momentary occurrence of the noise on a channel over a specified level threshold. It is evaluated by counting the number of occurrences, which exceed the threshold.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Individual Case Basis (ICB)

The term "Individual Case Basis" denotes a condition in which the regulations, if applicable, rates and charges for an offering under the provisions of this tariff are developed based on the circumstances in each case.

Inserted Connection Loss (ICL)

The term "Inserted Connection Loss" denotes the 1004 Hz power difference (in dBs) between the maximum power available at the originating end and the actual power reaching the terminating end through the inserted connection.

Interexchange Carrier(s) (IC)

The term "Interexchange Carrier(s)" denotes any individual, partnership, association, corporation, or governmental agency or any other entity engaged for hire in interstate or foreign communication by wire or radio, between two or more exchanges.

Intermodulation Distortion

The term "Intermodulation Distortion" denotes a measure of the nonlinearity of a channel. It is measured using four tones, and evaluating the ratios (in dBs) of the transmitted composite four-tone signal power to the second-order products of the tones (R3).

Interstate Communications

The term "Interstate Communications" denotes both interstate and foreign communications.

Interstate Service Arrangement

The term "Interstate Service Arrangement" denotes an arrangement provided pursuant to interstate tariffs, contracts or service arrangement whereby the subscriber who obtains the arrangement permits others to make calls to the telephone number assigned to the arrangement without charges.

Intrastate Communications

The term "Intrastate Communications" denotes any communications within a state subject to oversight by a state regulatory commission as provided by the laws of the state involved.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Jointly Used Subscriber Plant

The term "Jointly Used Subscriber Plant" denotes the local nontraffic sensitive facilities which provide connection between the Customer's service location and the exchange central office serving the Customer and which may alternatively be used to place exchange service calls, interexchange intrastate service calls, or interexchange interstate service calls with no change in the nature of the facilities.

Kilobits Per Second (Kbps)

One thousand bits per second.

Kilopacket

One thousand packets.

Kilosegment

One thousand segments.

Line Side Connection

The term "Line Side Connection" denotes a connection of a transmission path to the line side of a local exchange switching system.

Local Access and Transport Area

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

Local Circuit Facility

Unconditioned copper facility used as the basis for designing a data circuit.

Local Tandem Switch

The term "Local Tandem Switch" denotes a local Telephone Company operating unit by means of which local or access telephonic communications are switched to and from an end office switch.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Logical Channel

A capability which enables one or more calls to be set up on a CPSN access line equipped with X.25 protocol. An X.25 user may subscribe to more than one logical channel per line to allow two or more simultaneous calls to take place.

Loop Around Test Line

The term "Loop Around Test Line" denotes an arrangement of equipment located on the facility between the test location and the remote loop around test unit in an end office which provides a means for making two-way transmission tests, on a manual basis. This arrangement has two terminations, each reached by means of a separate seven-digit number and does not include network channel terminating equipment.

Loss Deviation

The term "Loss Deviation" denotes the variation of the actual loss from the designed value.

Maintenance Test Unit (MTU)

The term "Maintenance Test Unit" denotes a piece of equipment installed and maintained by the Telephone Company near the end of a transmission path on the central office side of a Customer's premises. Upon proper command, the Maintenance Test Unit can isolate a Customer's wire and terminal equipment from the network loop. It enables remote testing of the transmission path's performance to the MTU.

Market Service Area

See Local Access Transport Area.

Message

The term "Message" denotes a "call" as defined preceding.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Milliwatt (102 Type) Test Line

The term "Milliwatt (102 Type) Test Line" denotes an arrangement in an end office which provides a 1004 Hz tone a 0 dBmO for one-way transmission measurements towards the Customer designated premises from the Telephone Company end office.

Minutes of Use

See Access Minutes.

Multiline Business Customer

The term "Multiline Business Customer" denotes an End User who is provided with more than one Common Line-business line in a state by the same Telephone Company under the business regulations of the General and/or Local Exchange Service tariffs of the Telephone Company.

Negotiation

An optional Customer feature that allows negotiation on a per call basis of the packet size, window size and throughput class for each direction of data transfer.

Network Control Signaling

The term "Network Control Signaling" denotes the transmission of signals used in the telecommunications system which perform functions such as supervision (control, status, and charge signals), address signaling (e.g., dialing), calling and called number identifications, rate of flow, service selection error control and audible tone signals (call progress signals indicating re-order or busy conditions, alerting, coin denominations, coin collect and coin return tones) to control the operation of the telecommunications systems.

Network Processing Charge

A charge, per kilosegment, applied to calls which require packetizing at both the originating and terminating points in the network.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Non-Standard Default Feature

An optional Customer feature that permits a Customer, at the time of subscription, to specify a non-standard default throughput class, window size, and packet size for each direction of data transfer.

Nonsynchronous Test Line

The term "Nonsynchronous Test Line" denotes an arrangement in step-by-step end offices which provides operational tests which are not as complete as those provided by the synchronous test lines, but can be made more rapidly.

North American Numbering Plan

The term "North American Numbering Plan" denotes a three-digit area or Numbering Plan Area (NPA) code and seven-digit telephone number made up of a three-digit Central Office (CO) code plus a four-digit station number.

Off-hook

The term "Off-hook" denotes the active condition of Switched Access or a Telephone Exchange Service line.

On-hook

The term "On-hook" denotes the idle condition of Switched Access or a Telephone Exchange Service line.

Open Circuit Test Line

The term "Open Circuit Test Line" denotes an arrangement in an end office which provides an a.c. open circuit termination of a trunk or line by means of an inductor of several Henries.

Originating Direction

The term "Originating Direction" denotes the use of Access Service for the origination of calls from an End User to an IC designated premises.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Packet

A continuous sequence of binary digits of information which is switched through the network as an integral unit. Consists of Customer data, facilities and addressing/signaling information.

Packet Assembler/Disassembler (PAD)

A device which performs the function of packetizing and depacketizing data for transmission over a packet switched network. A PAD may be located on the Customer premises or in the packet switching central office.

Packet Switch

A central office based switch that establishes a virtual connection between two CPSN DNAs for the transmission of discrete amounts of information. Other than the CPSN access, no dedicated physical transmission path between the two DNAs will exist.

Pay Telephone Line

The term "Pay Telephone Line" denotes a line provided by the Telephone Company for message service through the use of public or semi-public telephones, either coin or coinless, installed by the Telephone Company for the use of the general public.

Permanent Virtual Circuit (PVC)

A virtual circuit through the packet network that is established at service installation and is available on a permanent basis. No call establishment or call termination is associated with a Permanent Virtual Circuit. The PVC feature may be available across X.75 interfaces.

Phase Jitter

The term "Phase Jitter" denotes the unwanted phase variations of a signal.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Point of Termination

The term "Point of Termination" denotes the point of demarcation within a Customer designated premises at which the Telephone Company's responsibility for the provision of Access Service ends.

Premises

The term "Premises" denotes a building or portion(s) of a building including adjacent buildings on the same continuous property not separated by a public thoroughfare.

Primary Exchange Carrier

The term "Primary Exchange Carrier" denotes the Local Exchange Telephone Company in whose exchange a Customer's first point of switching (i.e., dial tone office for FGA, access tandem for FGB) is located.

Protocol

A set of rules governing the format to be followed when transmitting information between communicating devices.

Public Telephone

The term "Public Telephone" denotes the use of a pay telephone line at a location, such as at an airport, public building or city street, where a public need exists and the telephone is placed at the option of the Telephone Company and with the agreement of the owner of the property.

Query

The term "Query" denotes the inquiry to a Telephone Company data base to obtain information, processing instructions or service data.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Registered Equipment

The term "Registered Equipment" denotes the Customer's premises equipment which complies with and has been registered with the FCC pursuant to Part 68 of the FCC's Rules and Regulations or which is grandfathered, as defined in this Section 2.6.

Responsible Organization

The term "Responsible Organization" denotes the entity responsible for the management and administration of 800 Data Base Access Service records in the Service Management System according the Guidelines for 800 Data Base.

Return Loss

The term "Return Loss" denotes a measure of the similarity between the two impedances at the junction of two transmission channels (e.g., four-to-two-wire junctions). The higher the return loss, the higher the similarity.

Reverse Charge Blocking

The capability to deny reverse charge (collect) calls from other network users.

Secondary Exchange Carrier

The term "Secondary Exchange Carrier" denotes the Local Exchange Telephone Company in whose exchange a Customer's end users end office is located and where the Customer's first point of switching is provided by a Primary Exchange Carrier who is not the same Exchange Carrier as the Secondary Exchange Carrier.

Segment

A portion of a packet, defined by the Company as 16 bytes of user data.

Semi-public Telephone

The term "Semi-public Telephone" denotes the use of a pay telephone line at a location, such as at a gasoline station, restaurant, or other commercial establishment, where a general public and specific Customer need exists.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Service Management System/800 (SMS/800)

The term "Service Management System/800 (SMS/800)" denotes the main operations support system of 800 Data Base Access Service. It is used to create and update subscriber 800 series records that are then downloaded to SCPs for handling subscribers' 800 series calls. The system is also used by 800 Responsible Organizations to reserve and assign 800 series numbers.

Serving Wire Center

The term "Serving Wire Center" denotes the wire center from which the Customer designated premises would normally obtain dial tone from the Telephone Company.

Seven Digit Manual Test Line

The term "Seven Digit Manual Test Line" denotes an arrangement which allows the Customer to select balance, milliwatt and synchronous test lines by manually dialing a seven digit number over the associated access connection.

Short Circuit Test Line

The term "Short Circuit Test Line" denotes an arrangement in an end office which provides for an a.c. short circuit termination of a trunk or line by means of a capacitor of at least four microfarads.

Signal-to-C-Notched Noise Ratio

The term "Signal-to-C-Notched Noise Ratio" denotes the ratio in dB of a test signal to the corresponding C-Notched Noise.

Singing Return Loss (SRL)

The term "Singing Return Loss" denotes the frequency weighted measure of return loss at the edges of the voiceband (200 to 500 Hz and 2500 to 3200 Hz), where singing (instability) problems are most likely to occur.

ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Single Line Business Customer

The term "Single Line Business Customer" denotes an End User who pays for an End User Common Line at a rate that is not described as a residential rate in the Telephone Company's Local Exchange Service tariffs and who does not obtain more than one such line from the same Telephone Company.

Switch Termination

A line port on a central office based packet switch.

Synchronous

A method of transmission in which information being transmitted over a line is controlled by a timing device.

Synchronous Data Line Control (SDLC)

An IBM data communications protocol.

Synchronous Test Line

The term "Synchronous Test Line" denotes an arrangement in an end office which performs marginal operational tests of supervisory and ring-tripping functions.

Telecommunications Service Provider

The term "Telecommunications Service Provider" means interexchange carriers, operator service providers, enhanced service providers, and any other provider of telecommunications services.

Terminating Direction

The term "Terminating Direction" denotes the use of Access Service for the completion of calls from an IC designated premises to an End User.

ACCESS SERVICE

2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Throughput Class

The attainable data rate (bits per second) on packet switched data calls.

Toll VoIP-PSTN Traffic

The term "Toll VoIP-PSTN Traffic" denotes a customer's interexchange voice traffic exchanged with the Telephone Company in Time Division Multiplexing format over Public Switched Telephone Network (PSTN) facilities, which originates and/or terminates in Internet Protocol (IP) format. "Toll VoIP-PSTN Traffic" originates and/or terminates in IP format when it originates from and/or terminates to an end user customer of a service that requires IP-compatible customer premises equipment.

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ACCESS SERVICE

2. General Regulations (Cont'd)2.6 Definitions (Cont'd)Transmission Measuring (105 Type) Test Line/Responder

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The term "Transmission Measuring (105 Type) Test Line/Responder" denotes an arrangement in an end office which provides far-end access to a responder and permits two-way loss and noise measurements to be made on trunks from a near end office.

Trunk

The term "Trunk" denotes a communications path connecting two switching systems in a network, used in the establishment of an end-to-end connection.

Trunk Group

The term "Trunk Group" denotes set of trunks which are traffic engineered as a unit for the establishment of connections between switching systems in which all of the communications paths are interchangeable.

Trunk Side Connection

The term "Trunk Side Connection" denotes the connection of a transmission path to the trunk side of a local exchange switching system.

Two-Wire to Four-Wire Conversion

The term "Two-wire to Four-Wire Conversion" denotes an arrangement which converts a four-wire transmission path to a two-wire transmission path to allow a four-wire facility to terminate in a two-wire entity such as a central office switch trunk circuit or switching system.

Unbundled Network Elements (UNEs)

The term "Unbundled Network Elements" denotes the physical facilities of the network, including the associated features, functions and capabilities, that are capable of being used in the provision of a telecommunications service, made available pursuant to Section 251 of the Telecommunications Act of 1996.

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ACCESS SERVICE

2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

V&H Coordinates Method

The term "V&H Coordinates Method" denotes a method of computing airline miles between two points by utilizing an established formula which is based on the vertical (V) and horizontal (H) coordinates of the two points.

Virtual Circuit

A communications connection that allows transmission of sequenced data packets through the network. The connection is made up of Logical Channels at the originating and terminating ends of the call as well as intra-network facilities. Transmission bandwidth is only allocated when packets are actually being transmitted.

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WATS Serving Office

The term "WATS Serving Office" denotes a Telephone Company designated serving wire center where switching, screening and/or recording functions are performed in connection with Special Access Service used in connection with Switched Access Service.

Window Size

The number of outgoing packets that may be sent before confirmation is received indicating that the previous packets have been successfully received.

Wire Center

The term "Wire Center" denotes a building in which one or more central offices, used for the provision of Telephone Exchange Services, are located.

X.25 Packet Mode Protocol

A synchronous network interface protocol as outlined by the CCITT for transmission within a packet switched network (intra-network).

X.75 Packet Mode Protocol

A synchronous network interface protocol as outlined by the CCITT for transmission between packet switching networks (inter-network).

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