

INTERSTATE ACCESS SERVICES

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Regulations, Rates and Charges  
applying to the provision of Access Service  
for connection to Interstate communications  
facilities for Interstate Customers within  
the operating territory of

**Beaver Creek Cooperative Telephone Company, Inc.**

in the State of Oregon.

All material contained herein is new.

Access Services are provided by means of wire, fiber optics,  
or any other suitable technology or combination thereof.

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Effective: November 1, 2019

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**INTERSTATE ACCESS SERVICES**

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**Check Sheet**

This Check Sheet contains the following sheets that are effective as of the date shown on each sheet. Original and revised sheets as named below contain all changes from the original Tariff that are in effect on the date hereof.

Sheet	Revision Number	Sheet	Revision Number	Sheet	Revision Number
Title	Original	28	Original	56	Original
1	Original	29	Original	57	Original
2	Original	30	Original	58	Original
3	Original	31	Original	59	Original
4	Original	32	Original	60	Original
5	Original	33	Original	61	Original
6	Original	34	Original	62	Original
7	Original	35	Original	63	Original
8	Original	36	Original	64	Original
9	Original	37	Original	65	Original
10	Original	38	Original	66	Original
11	Original	39	Original	67	Original
12	Original	40	Original	68	Original
13	Original	41	Original	69	Original
14	Original	42	Original	70	Original
15	Original	43	Original	71	Original
16	Original	44	Original	72	Original
17	Original	45	Original	73	Original
18	Original	46	Original	74	Original
19	Original	47	Original	75	Original
20	Original	48	Original	76	Original
21	Original	49	Original	77	Original
22	Original	50	Original	78	Original
23	Original	51	Original	79	Original
24	Original	52	Original	80	Original
25	Original	53	Original	81	Original
26	Original	54	Original		
27	Original	55	Original		

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CONCURRING CARRIERS

NO CONCURRING CARRIERS

CONNECTING CARRIERS

NO CONNECTING CARRIERS

OTHER PARTICIPATING CARRIERS

NO OTHER PARTICIPATING CARRIERS

REGISTERED SERVICE MARKS

None

REGISTERED TRADEMARKS

None

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Use of the Tariff

Tariff Sheet Format

Sheet Numbering

Sheet numbers are numbered sequentially. When a new sheet must be added between existing sheets, a decimal and number is added to the sheet number, to sequentially number the new sheet. For example, a new sheet between existing sheets 20 and 21 would be numbered 20.1. A new sheet added between sheets 18.1 and 18.2 would be numbered 18.1.1.

Sheet Revision Numbering

The number is the most recent sheet revision on file with the Commission. Due to Notice Periods, and changes in Effective Dates, the most recent sheet on file with the Commission may not be in effect. Consult the Effective Date on a specific sheet and Check Sheets to determine if that sheet is in effect.

Issued Date

The Issued Date on each tariff sheet is the date that sheet was established.

Effective Date

The Effective Date is the date the sheet is scheduled to go into effect (at 12:01 a.m. on that date). The effective date may be changed by reissuing the sheet to change the effective date without reissuing the sheet.

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Use of the Tariff

Tariff Sheet Format (Cont'd)

Tariff Section Numbering

An alpha-numeric numbering plan is used to number tariff regulations and rates. Each level is subordinate to and dependent on its next higher level. An example of the numbering sequence follows:

6.  
6.2  
6.2.1  
6.2.1(B)  
6.2.1(B)(2)  
6.2.1(B)(2)(a)  
6.2.1(B)(2)(a)(i)

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Explanation of Symbols

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

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1. Application of Tariff

- 1.1 This tariff contains regulations, rates, and charges applicable to the provision of interstate access service (hereinafter Services) provided by Beaver Creek Cooperative Telephone Company, Inc. (CLEC) hereinafter referred to as the Company, to the customer(s) in the state of Oregon.
- 1.2 The provision of such services by the Company as set forth in this tariff does not constitute a joint undertaking with the customer for the furnishing of any service.
- 1.3 Services provided to customers of the Company include, but are not limited to Switched Access, Common Line, Optional Features & Functions and other Miscellaneous Access Service associated with the provision of Access Services.

2. General Regulations

2.1 Undertaking of the Telephone Company

2.1.1 Scope

- (A) The Company does not undertake to transmit messages under this tariff.
- (B) The Company shall be responsible only for the installation, operation, and maintenance of the services it provides.
- (C) The Company will, for maintenance purposes, test its services only to the extent necessary to detect and/or clear troubles.
- (D) Services are provided 24 hours daily, seven days per week, except as set forth in other sections of this tariff.
- (E) The Company does not warrant that its facilities and services meet standards other than those set forth in this tariff.

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2. General Regulations (Cont'd)

2.1 Undertaking of the Telephone Company (Cont'd)

2.1.2 Limitations

- (A) The customer may assign or transfer the use of services under this tariff if there is no interruption in or relocation of services. The assignee or transferee must agree to assume all outstanding indebtedness for services provided under this tariff and any termination liability associated with the services provided. The customer will remain jointly liable with the assignee or transferee for any obligations existing at the time of the assignment.

Prior to assignment, the Company must acknowledge in writing that all requirements have been met. Acknowledgement will be made within fifteen (15) days after the Company has been notified of the proposed assignment.

- (B) All services offered in this tariff will be provided on a first-come first-served basis. The use and restoration of services shall be in accordance with Part 64, Subpart D, Appendix A of the F.C.C. Rules and Regulations.

2.1.3 Liability

- (A) Except in the case of willful misconduct for which the Company's liability is not limited by this tariff, the Company's liability for damages shall not exceed an amount equal to the proportionate tariff charge for the period during which the service was affected. This liability for damages shall be in addition to any amounts that may be due the customer as described in Section 2.4.3.
- (B) The 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 Company for its own act or omission hold liable any other carrier or customer providing a portion of a service.

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2. General Regulations (Cont'd)

2.1 Undertaking of the Telephone Company (Cont'd)

2.1.3 Liability (Cont'd)

- (C) The Company is not liable for damages to the customer premises resulting from the furnishing of a service, including the installation and removal of equipment and associated wiring, unless the damage is caused by the Company's negligence.
- (D) The Company shall be indemnified, defended, and held harmless by the end user against any claim, loss, or damage arising from the end user's use of services offered under this tariff, involving:
  - (1) Claims for libel, slander, invasion of privacy, or infringement of copyright arising from the end user's own communications;
  - (2) Claims for patent infringement arising from the end user's acts combining or using the service furnished by the Company in connection with facilities or equipment furnished by the end users or IC or;
  - (3) All other claims arising out of any act or omission of the end user in the course of using services provided pursuant to this tariff.
- (E) The Company shall be indemnified, defended, and held harmless by the IC against any claim, loss, or damage arising from the IC's use of services offered under this tariff involving:
  - (1) Claims for libel, slander, invasion of privacy, or infringement of copyright arising from the IC's own communications;

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2. General Regulations (Cont'd)

2.1 Undertaking of the Telephone Company (Cont'd)

2.1.3 Liability (Cont'd)

(E) (Cont'd)

(2) Claims for patent infringement arising from the IC's acts combining or using the service furnished by the 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 IC in the course of using services provided pursuant to this tariff.

(F) The Company's failure to provide or maintain services under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, criminal actions taken against the Company, acts of God and other circumstances beyond the Company's reasonable control, subject to the Credit Allowance for a Service Interruption as set forth in 2.4.3 following.

(G) The included tariff language does not constitute a determination by the Commission that a limitation of liability imposed by the Company should be upheld in a court of law. Acceptance for filing by the Commission recognizes that it is a court's responsibility to adjudicate negligence and consequential damage claims. It is also the court's responsibility to determine the validity of the exculpatory clause.

2.1.4 Provision of Services

The Company's obligation to furnish the services described in this tariff is dependent upon its ability to provide such service after provision has been made for the Company's exchange services.

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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 will include any entrance cable or drop wiring and wire or intrabuilding cable to that point where provision is made for termination of the Company's outside distribution network facilities at a suitable location inside a customer-designated premises and will be installed by the Company to such Point of Termination.

**2.1.6 Maintenance of Services**

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

**2.1.7 Changes and Substitutions**

Except as provided for equipment and systems subject to FCC Part 68 Regulations at 47 C.F.R. section 68.110(b), the Company may, where such action is reasonably required in the operation of its business, (A) change any facilities used in providing service under this tariff, (B) change minimum protection criteria, (C) change operating or maintenance characteristics of facilities or (D) change operations or procedures of the Company. The Company shall not be responsible if the change renders customer furnished services obsolete or requires modification of the customer furnished services. If such change materially affects the operating characteristics of the facility, the Company will provide reasonable notification to the customer in writing. Reasonable time will be allowed for any redesign and implementation required by the changes made. The Company will work cooperatively with the customer to determine reasonable notification procedures.

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2. General Regulations (Cont'd)

2.1 Undertaking of the Telephone Company (Cont'd)

2.1.8 Refusal and Discontinuance of Service

- (A) Unless the provisions of 2.2.1(B) or 2.5 following apply, if a customer fails to comply with 2.1.6 preceding or 2.2.2, 2.3.1, 2.3.4, 2.3.5, or 2.4 following, including any payments to be made by it on the dates and times herein specified, the Company may on thirty (30) day's written notice by Certified U.S. Mail to the person designated by that customer to receive such notices of non-compliance, refuse additional applications for service and/or refuse to complete any pending orders for service by the non-complying customer at any time thereafter.

If the Company does not refuse additional applications for service on the date specified in the thirty (30) day's notice, and the customer's non-compliance continues, nothing contained herein shall preclude the Company's right to refuse additional applications for service to the non-complying customer without further notice.

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2. General Regulations (Cont'd)

2.1 Undertaking of the Telephone Company (Cont'd)

2.1.8 Refusal and Discontinuance of Service (Cont'd)

- (B) Unless the provisions of 2.2.1(B) or 2.5 following apply, if a customer fails to comply with 2.1.6 preceding or 2.2.2, 2.3.1, 2.3.4, 2.3.5, or 2.4 following, including any payments to be made by it on the dates and times herein specified, the Company may, on thirty (30) day's written notice by Certified U.S. Mail to the person designated by that customer to receive such notices of non-compliance, discontinue the provision of the services to the non-complying customer at any time thereafter. In the case of such discontinuance, all applicable charges, including termination charges, shall become due. If the Company does not discontinue the provision of the services involved on the date specified in the thirty (30) day's notice, and the customer's non-compliance continues, nothing contained herein shall preclude the Company's right to discontinue the provision of the services to the non-complying customer without further notice.
- (C) When access service is provided by more than one Company, the companies involved in providing the joint service may individually or collectively deny service to a customer for non-payment. Where the Company(s) affected by the non-payment is/are incapable of effecting discontinuance of service without cooperation from the other joint providers of Switched Access Service, such other Company(s) will, if technically feasible, assist in denying the joint service to the customer. Service denial for such joint service will only include calls originating or terminating within, or transiting, the operating territory of the Companies initiating the service denial for non-payment. When more than one of the joint providers must deny service to effectuate termination for non-payment, in cases where a conflict exists in the applicable tariff provisions, the tariff regulations of the end office Company shall apply for joint service discontinuance.

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**2. General Regulations (Cont'd)****2.1 Undertaking of the Telephone Company (Cont'd)****2.1.9 Notification of Service-Affecting Activities**

The Company will provide the customer reasonable notification of service-affecting activities that may occur in normal operation of its business. Such activities may include, but are not limited to, equipment additions, removals, and routine preventative maintenance. Generally, such activities are not individual customer service specific, they affect many customer services. No specific advance notification period is applicable to all service activities. The Company will work cooperatively with the customer to determine the notification requirements.

**2.1.10 Provision and Ownership of Telephone Numbers**

The Company reserves the reasonable right to assign, designate, or change telephone numbers associated with Access Services, or the Company serving central office prefixes associated with such numbers, when necessary in the conduct of its business. Should it become necessary to make a change, the Company will furnish to the customer 6 months' notice, by certified mail, of the effective date and an explanation of the reason(s) for such change(s).

**2.1.11 Coordination with Respect to Network Contingencies**

The Company intends to work cooperatively with the customer to develop network contingency plans in order to maintain maximum network capability following natural or man-made disasters which affect telecommunications services.

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2. General Regulations (Cont'd)

2.2 Use

2.2.1 Interference or Impairment

- (A) The facilities and equipment provided by the customer which are used in conjunction with Company facilities in the provision of Access Service shall not interfere with or impair the provision of service by the Company.
- (B) If interference as described in (A) above exists, except for equipment subject to the F.C.C. Part 68 rules in 47 C.F.R. Section 68.108, when practicable, the Company will notify the customer that service will be temporarily disconnected until the problem is corrected. When prior notice is not practical, the Company may temporarily disconnect services without prior notification to the customer. The customer will be notified of the action as soon as possible and given the opportunity to correct the problem. During the period of discontinuance, the credit allowance for service interruptions as set forth in 2.4.3 following does not apply.

2.2.2 Unlawful Use

The service provided under this tariff shall not be used for an unlawful purpose.

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**2. General Regulations (Cont'd)****2.3 Obligations of the Customer****2.3.1 Damages**

The customer shall reimburse the Company for damages to the Company facilities utilized to provide services under this tariff caused by the negligence or willful act of the customer, or resulting from the customer's improper use of the Company facilities, or due to malfunction of any facilities or equipment provided by other than the Company. Nothing in the foregoing provision shall be interpreted to hold one customer liable for another customer's actions. The 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 Company for the damages to the extent of such payment.

**2.3.2 Ownership of Facilities**

Facilities utilized by the Company to provide service under the provisions of this tariff shall remain the property of the Company. Such facilities shall be returned to the Company by the customer, whenever requested, within a reasonable period following the request in as good condition as reasonable wear will permit. Any cost of repair or replacement for unreasonable wear or damage will be billed to the customer who utilized the equipment.

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2. General Regulations (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.3 Design of Customer Services

Subject to the provisions of 2.1.7 preceding, 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 which may be required because of changes in facilities, operations, or procedures of the Company, minimum protection criteria or operating or maintenance characteristics of the facilities.

2.3.4 Reference to the Telephone Company

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

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**2. General Regulations (Cont'd)****2.3 Obligations of the Customer (Cont'd)****2.3.5 Claims and Demands for Damages**

The customer shall defend, indemnify, and hold harmless the Company from and against any suits, claims, losses, or damages, including punitive damages, attorney fees, and court costs by third persons arising out of the construction, installation, operation, maintenance, or removal of the customer's circuits, facilities, or equipment connected to the Company's services provided under this tariff, including, without limitation, Workmen's Compensation claims, actions for infringement of copyright and/or unauthorized use of program material, libel, and slander actions based on the content of communications transmitted over the customer's circuits, facilities, or equipment, and proceedings to recover taxes, fines, or penalties for failure of the customer to obtain or maintain in effect any necessary certificates, permits, licenses, or other authority to acquire or operate the services provided under this tariff; provided, however, the foregoing indemnification shall not apply to suits, claims, and demands to recover damages for damage to property, death, or personal injury unless such suits, claims, or demands are based on the tortuous conduct of the customer, its officers, agents, or employees. The customer shall defend, indemnify and hold harmless the Company from and against any suits, claims, losses, or damages, including punitive damages, attorney fees, and court costs by the customer or third parties arising out of any act or omission of the customer in the course of using services provided under this tariff.

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2. General Regulations (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.6 Jurisdictional Report Requirements

(A) Jurisdictional Requirements

Every call that is originated by a calling party in the state and terminated to a called party in another state, or vice versa, is an interstate communication. This is true regardless of where the call is routed between the point of origin and the point of termination.

(1) Feature Group C (FGC) or Feature Group D (FGD) Service

(a) Originating FGC or FGD Service

When a customer orders FGC or FGD Switched Access Service(s), where the jurisdiction is determined from the call detail, the Company will develop the projected Percent Interstate Usage (PIU) factor according to such jurisdiction. The projected interstate percentage is developed on a monthly basis, by end office, when the originating FGC or FGD access minutes are measured, by dividing the measured interstate originating access minutes by the total originating access minutes.

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2. General Regulations (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.6 Jurisdictional Report Requirements (Cont'd)

(A) Jurisdictional Requirements (Cont'd)

(1) Feature Group C (FGC) or Feature Group D (FGD) Service  
(Cont'd)

(b) Terminating FGC Service

When a customer orders terminating FGC Switched Access Service, the data used by the Company to develop the projected Percent Interstate Usage (PIU) factor for originating FGC access minutes is used to develop the projected PIU factor for such terminating access minutes. When originating call details are insufficient to determine the jurisdiction for the call, the customer may supply the projected PIU factor or authorize the Company to use the Company developed percentage for such call detail. The Company will designate the number obtained by subtracting the projected PIU factor for originating and terminating access minutes calculated by the Company from 100 (100 - Company calculated projected interstate percentage = intrastate percentage) as the intrastate percentage of use.

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2. General Regulations (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.6 Jurisdictional Report Requirements (Cont'd)

(A) Jurisdictional Requirements (Cont'd)

(1) Feature Group C (FGC) or Feature Group D (FGD) Service  
(Cont'd)

(c) Terminating FGD Service

When a customer orders terminating FGD, if the Company has sufficient call details to determine the jurisdiction for the call, the Company will bill the call minutes of use according to that jurisdiction.

When terminating call details are insufficient to determine the jurisdiction for the call, the customer may supply the projected Percent Interstate Usage (PIU) factor. The Company will designate the number obtained by subtracting the projected PIU factor for terminating access minutes from 100 (100 - projected interstate percentage = intrastate percentage) as the intrastate percentage of use. When terminating call details are insufficient to determine the jurisdiction, and the customer does not supply a projected PIU factor, calls will be billed using a PIU of 50 (50% interstate - 50% intrastate).

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2. General Regulations (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.6 Jurisdictional Report Requirements (Cont'd)

(B) Jurisdictional Reports

- (1) Except where the Company measured access minutes are used as set forth in (A)(2), preceding, the customer reported interstate and intrastate percentage of use as set forth in (A)(1) or (A)(2), preceding, will be used until the customer reports a different projected interstate and intrastate percentage for an in service end office group. When the customer adds or discontinues BHMC, lines or trunks to an existing end office group, the customer shall furnish a projected interstate and intrastate percentage that applies to the remaining BHMC, lines or trunks. The revised report will serve as the basis for future billing and will be effective on the next bill date. No prorating or back billing will be done based on the report.
- (2) Effective on the first of January, April, July, and October of each year the customer shall update the interstate and intrastate jurisdictional report. The customer shall forward to the Company, to be received no later than fifteen (15) days after the first of each such month, a revised report showing the interstate and intrastate percentage of use for the past three months ending the last day of December, March, June, and September, respectively, for each service arranged for interstate use.

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**2. General Regulations (Cont'd)****2.3 Obligations of the Customer (Cont'd)****2.3.6 Jurisdictional Report Requirements (Cont'd)****(B) Jurisdictional Reports (Cont'd)****(2) (Cont'd)**

The revised report will serve as the basis for the next three months billing and will be effective on the bill date for that service. No prorating or back billing will be done based on the report. However, delayed charges will be billed issuing the interstate and intrastate percentage that was in effect at the time charges were incurred. When the quarterly reports are not supplied by the customer, the following steps, as set forth in (a) through (d), following, will be taken by the Company.

- (a) If the customer does not supply the reports, the Company will assume the percentages to be the same as those provided in the last quarterly report. For those cases in which a quarterly report has never been received from the customer, the Company will assume the percentages to be the same as those provided in the order for service as set forth in (A)(1), preceding.
- (b) If no report is received by the date specified, the Company will send a letter to the customer (by certified U.S. Mail, return receipt requested) requesting an updated interstate percentage within thirty (30) days and reminding them that if no report is received, the procedures set forth in (c) following, will begin.

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2. General Regulations (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.6 Jurisdictional Report Requirements (Cont'd)

(B) Jurisdictional Reports (Cont'd)

(2) (Cont'd)

- (c) If no report is received within thirty (30) days, the Company may develop an interstate percentage based upon customer specific data or designate a fifty percent (50%) interstate percentage beginning with the next billing period. This interstate percentage will be applied until an updated PIU report is submitted or until the provisions set forth in (d) or (e), following, are met. The Company will send a letter to the customer (by certified U.S. Mail, return receipt requested) requesting the work papers and summary used by the customer to substantiate the most recent interstate percentage. The requested information must be submitted by the customer to the Company within thirty (30) days after receipt of the certified letter.
- (d) Upon receipt of the customer's work papers and summary, the Company will begin using the interstate percentage derived from the work papers and summary with the next billing period and will review the work papers and summary submitted within thirty (30) days from receipt of the information.

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2. General Regulations (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.6 Jurisdictional Report Requirements (Cont'd)

(B) Jurisdictional Reports (Cont'd)

(2) (Cont'd)

(e) If after review of the information, it is determined that a billing dispute exists, the Company will continue to use the derived interstate percentage and begin auditing procedures.

(3) The customer shall maintain and retain for a minimum of three years, complete detailed and accurate records, work papers and backup documentation in form and substance to evidence the percentage data provided to the Company as set forth in this section.

(C) Jurisdictional Report Dispute and Auditing Procedures

If a billing dispute arises concerning the projected interstate percentage, the Company will ask the customer to provide the data the customer uses to determine the projected interstate percentage as described in (1) and (2) following.

(1) Switched Access Services

(a) If the Company questions the information provided by the customer in (B), preceding, the Company will send a letter to the customer (by certified U.S. Mail, return receipt requested) requesting that the customer contact the Company to discuss and explain their report within thirty (30) days of the Company's request.

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2. General Regulations (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.6 Jurisdictional Report Requirements (Cont'd)

(C) Jurisdictional Report Dispute and Auditing Procedures (Cont'd)

(1) Switched Access Services (Cont'd)

- (b) If no response is received from the customer, the Company will send a letter to the customer (by certified U.S. Mail, return receipt requested) requesting the work papers and summary as described in (i), following, used by the customer to substantiate the most recent interstate percentage. The requested information must be submitted by the customer to the Company within thirty (30) days after receipt of the certified letter.
- (c) If the customer submits the work papers and summary as requested in (b), preceding, the Company will review this information within thirty (30) days after receipt of the customer's information.
- (d) If, after review of the documentation, the Company and the customer establish a revised interstate percentage, the Company will begin using that percentage with the next billing period.
- (e) If the Company and the customer do not establish a revised interstate percentage, the Company will begin the procedures as set forth in (g), following.
- (f) If no response is received from the customer, the Company will begin the auditing procedures as set forth in (g), following.

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2. General Regulations (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.6 Jurisdictional Report Requirements (Cont'd)

(C) Jurisdictional Report Dispute and Auditing Procedures (Cont'd)

(1) Switched Access Services (Cont'd)

- (g) If the customer does not provide the work papers and/or summary in accordance with the provisions set forth in this tariff or if a billing dispute is not resolved from the submission of such work papers, the Company may request the actual call detail records or a statistically valid sample of such records, on a prospective basis, not to exceed a consecutive three (3) month period. The actual call detail records will be used to statistically substantiate the interstate percentage provided to the Company and the process by which it is developed. Such call detail records shall consist of calling information, including call terminating address (i.e. called number), call duration, the trunk group number(s), or access line number(s) over which the call is routed and the point at which the call enters the customer's network. The Company will not request such data more than once a year.

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2. General Regulations (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.6 Jurisdictional Report Requirements (Cont'd)

(C) Jurisdictional Report Dispute and Auditing Procedures (Cont'd)

(2) Jurisdictional Report Proprietary Information

The data the customers provide to the Company to support their interstate percentage are considered proprietary to the customer. The Company agrees to use and protect such information by exercising the same degree of care normally used to protect its own proprietary information.

2.3.7 Determination of Interstate Charges for Mixed Interstate and Intrastate Switched Access Service

When mixed interstate and intrastate Switched Access Service is provided, all charges (i.e., nonrecurring, monthly and/or usage), will be prorated between interstate and intrastate. The percentage provided in the reports as set forth in 2.3.6, preceding, will serve as the basis for prorating the charges. The percentage of an Access Service to be charged as interstate is applied in the following manner:

- (A) For monthly and nonrecurring chargeable rate elements, multiply the percent interstate use times the quantity of chargeable elements times the stated tariff rate per element.
- (B) For usage sensitive (i.e., access minutes and calls) chargeable rate elements, multiply the percent interstate use times actual use times the stated tariff rate.

The interstate percentage will change as revised usage reports are submitted as set forth in 2.3.6, preceding.

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2. General Regulations (Cont'd)

2.4 Payment Arrangements and Credit Allowance

2.4.1 Payment of Rates, Charges, and Deposits

(A) Deposits

The Company will require a deposit from all customers with a proven history of late payments to the Company and all customers who do not have established credit unless the customer is a successor of a company which has established credit and has no history of late payments to the Company. The deposit may be required prior to or after establishment of service. The total deposit may not exceed the estimated charges for service for a two-month period.

The fact that a deposit has been made does not relieve the customer from the responsibility of complying with the Company's regulations regarding prompt payment of bills. Annual interest at the rate described in the 2.4.1(B)(4) will be paid on all deposits held from the date the deposit is received up to and including the date the deposit is returned or credited to the customer's account. The deposit will be refunded after the customer has established a record of prompt payment for one year. When service is terminated, any deposit held will be credited on the final bill.

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2. General Regulations (Cont'd)

2.4 Payment Arrangements and Credit Allowance (Cont'd)

2.4.1 Payment of Rates, Charges, and Deposits (Cont'd)

(B) Payment of Rates and Charges

The Company will bill all usage charges monthly in arrears. All non usage sensitive access services, including the Presubscription charge(s), will be billed monthly in advance. Nonrecurring charges will be billed in the month following the provision of service.

- (1) The bill day for Presubscription Service will be the same day established for the provision of local service.
- (2) The bill day(s) for all access services other than Presubscription Service will be established by the Company for each customer account and shall appear on the carrier access bill. If the Company advises the customer in writing, an alternate billing schedule may be established on less than sixty (60) days' notice or initiated by the Company more than twice in any consecutive 12-month period.

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2. General Regulations (Cont'd)

2.4 Payment Arrangements and Credit Allowance (Cont'd)

2.4.1 Payment of Rates, Charges, and Deposits (Cont'd)

(B) Payment of Rates and Charges (Cont'd)

- (3) Payment for service is due by the next bill day of the following month unless the due date falls on a Saturday, Sunday, or legal holiday (i.e., New Years, Independence Day, Labor Day, Thanksgiving, Christmas, Martin Luther King, Jr. Day, Memorial Day, and Presidents' Day are observed). If such payment date falls on a Sunday or on a Holiday, which is observed on a Monday, the payment date shall be the first non-Holiday day following such Sunday or Holiday. If such payment date falls on a Saturday or on a Holiday, which is observed on Tuesday, Wednesday, Thursday, or Friday, the payment date shall be the last non-Holiday day preceding such Saturday or Holiday.
- (4) If no payment is received by the payment date or if a payment or any portion of a payment is received by the Company after the payment date, or if a payment or any portion of a payment is received by the Company in funds which are not immediately available to the company, then a late payment penalty shall be due to the Company. The late payment penalty shall be the payment or the portion of the payment not received by the payment date times a late factor. The late payment factor of 0.000292 per day, compounded daily for the number of days from the payment date to and including the date that the customer actually makes the payment to the Company.

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2. General Regulations (Cont'd)

2.4 Payment Arrangements and Credit Allowance (Cont'd)

2.4.1 Payment of Rates, Charges, and Deposits (Cont'd)

(B) Payment of Rates and Charges (Cont'd)

- (5) In the event that a billing dispute concerning charges billed to the customer by the Company is resolved in favor of the Company, any disputed payments withheld pending settlement of the dispute shall be subject to the late payment penalty beginning ten (10) days after the payment date. If the dispute is resolved in favor of the customer, no late payment penalty will apply to the disputed amount. In this case, if full payment was made by the due date, the Company will refund the disputed amount in question plus interest. The penalty interest period shall begin ten (10) days following the due date or on the date the disputed amount was actually paid, whichever is later. Interest will be calculated as described in (4), above.
- (6) All actions by the Company or customer to recover its charges, or any part thereof, shall be initiated within two (2) years from the time the charges were incurred by the customer. For this purpose, an access bill of Company charges to the customer is sufficient action.

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2. General Regulations (Cont'd)

2.4 Payment Arrangements and Credit Allowance (Cont'd)

2.4.1 Payment of Rates, Charges, and Deposits (Cont'd)

(B) Payment of Rates and Charges (Cont'd)

- (7) When a payment for Access Service charges billed under this tariff is due to the Company from the customer as set forth in (3), preceding, on the same payment date that a Purchase of Accounts Receivable net purchase amount is due to the customer from the Company, the Company upon thirty-one (31) days notice to the customer may net the payment for customer Access Service charges with the net purchase amount. The Company will pay the net amount to the customer on the payment date when such net amount is due to the customer or require the customer to pay to the Company the net amount when the net amount is due to the Company. If either party does not make the payment on the payment date, a late payment penalty as set forth in (4), preceding, applies.
- (8) For services provided on a monthly basis, the charge for the provision of a fractional month's service will be determined by dividing the number of days that service was provided by thirty (30) and multiplying the result times the monthly rate. This calculation will be made subject to any minimum service periods required for specific services. The Company will, upon request and if available, furnish such detailed information as may reasonably be required for verification of any bill.
- (9) When a rate as set forth in this tariff is shown to more than two decimal places, the charges will be determined using the rate shown. The resulting amount will then be rounded to the nearest penny (i.e., rounded to two decimal places).

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2. General Regulations (Cont'd)

2.4 Payment Arrangements and Credit Allowance (Cont'd)

2.4.2 Minimum Periods

Unless a minimum service period is described for a specific tariff item, the minimum period for which services are provided and for which rates and charges are applicable is one month.

When a service is discontinued prior to the expiration of the minimum period, the total charges at the rate level in effect at the time service is discontinued will apply for the remainder of the minimum period. The Company will estimate usage to the end of the minimum period based on historical data.

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 facilities used to furnish service under this tariff or in the event that the protective controls applied by the Company result in the complete loss of service by the customer. An interruption period starts when an inoperative service is reported to the Company and ends when the service is operative. An allowance for interruption will apply only when the interruption is not due to the negligence of the customer. The credit allowance for an interruption or for a series of interruptions shall not exceed the monthly rate for the service interrupted in any one monthly billing period.

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2. General Regulations (Cont'd)

2.4 Payment Arrangements and Credit Allowance (Cont'd)

2.4.3 Credit Allowance for Service Interruptions

(B) When a Credit Allowance Applies

In case of an interruption to any service, allowance for the period of interruption, if not due to the negligence of the customer, shall be as follows:

- (1) For Switched Access Service, no credit 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 the applicable monthly rates for each period of 24 hours or major fraction (12 hours and one minute) thereof that the interruption continues.

(C) 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 during any period in which the Company is not afforded access to the premises where the service is terminated.

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2. General Regulations (Cont'd)

2.4 Payment Arrangements and Credit Allowance (Cont'd)

2.4.3 Credit Allowance for Service Interruptions (Cont'd)

(C) When a Credit Allowance Does Not Apply (Cont'd)

- (4) Interruptions of a service when the customer has released that service to the Company for maintenance purposes, to make rearrangements, or for the implementation of a change order during the time that was negotiated with the customer prior to the release of the service. Thereafter, a credit allowance as set forth in (B), preceding, applies.
- (5) Periods when the customer elects not to release the service for testing and/or repair and continues to use it on an impaired basis.

2.4.4 Re-establishment of Service Following Fire, Flood, or Other Occurrence

(A) Nonrecurring Charges Do Not Apply

Charges do not apply for the re-establishment of service for the same customer following an interruption resulting from a fire, flood, or other occurrence attributed to an Act of God provided that:

- (1) The service is of the same type as was provided prior to the interruption.
- (2) The service is at the same location on the same premises.
- (3) The re-establishment of service begins within sixty (60) days after Company service is available.

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2. General Regulations (Cont'd)

2.4 Payment Arrangements and Credit Allowance (Cont'd)

2.4.4 Re-establishment of Service Following Fire, Flood, or Other Occurrence  
(Cont'd)

(B) Nonrecurring Charges Apply

Nonrecurring Charges apply for establishing service at a different location on the same premises or at a different premises pending re-establishment of service at the original location.

2.4.5 Access Service Provided by More Than One Telephone Company

When more than one company is involved in the provision of FGC or FGD, the Companies involved will use the Multiple Company/Multi Billing arrangement to bill for the transport or mileage portion of the service.

The Company will notify the customer of this arrangement. The customer will place the order for service as set forth in 4.9.

(A) Multiple Company/Multiple Billing Arrangement

Under the arrangement, each Company providing service will bill the customer according to its tariff and must use the same access minutes of use.

For Feature Group C, and D Switched Access service, the portion of the Local Transport provided by the Company is not distance sensitive. The Local Transport rate will apply to the total number of access minutes. The rate charged for the portion of Local Transport provided by a connecting exchange Telephone Company will be based on the connecting exchange Telephone Company's access tariff and may be distance sensitive.

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2. General Regulations (Cont'd)

2.5 Connections

2.5.1 General

Customer Premise Equipment and Systems may be connected with Switched Access Service furnished by the Company where such connection is made in accordance with the provisions specified in the Technical Reference Publication AS No. 1 and in 2.1.

2.6 Definitions

Access Order

An order to provide the customer with Switched Access Service or changes to existing services.

Access Minutes

The unit of usage of exchange facilities in intrastate for the purpose of calculating chargeable usage. On the originating end of an intrastate, usage is measured from the time the originating end user's call is delivered by the Company to and acknowledged as received by the customer's facilities connected with the originating exchange. On the terminating end of an intrastate 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 intrastate 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

A Company switching system that provides a concentration and distribution function for originating or terminating traffic between end offices and a customer's premises.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Answer/Disconnect Supervision

The transmission of the switch trunk equipment supervisory signal (off-hook or on-hook) to the customer's point of termination as an indication that the called party has answered or disconnected.

Balance (100 Type) Test Line

An arrangement in an end office which provides for balance and noise testing.

Business Day

The times of day that a company is open for business. Business Day hours for the Company may be determined by contacting the business office.

Busy Hour Minutes of Capacity (BHMC)

The customer specified maximum amount of Switched Access Service access minutes the customer expects to be handled in an end office switch during any hour in an 8:00 A.M. to 11:00 P.M. period for the Switched Access Service ordered. This customer furnished BHMC quantity is the input data the Company uses to determine the number of transmission paths for the Switched Access Service ordered.

Call

A customer attempt for which the complete address code (e.g., 0-, 911, or 10 digits) is provided to the serving dial tone office.

Carrier or Common Carrier

See Interexchange Carrier.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

CCS

A standard unit of traffic load that is equal to 100 seconds of usage or capacity of a group of servers (e.g., trunks). Also known as “100 call seconds”.

Central Office

A local Company switching system where Telephone Exchange Service customer station loops are terminated for purposes of interconnection to each other and to trunks.

Centrex CO Service

A service that (1) uses a portion of a Company switch located at the Company central office to meet the customer’s internal needs and serves as the customer’s interface with the local and interexchange networks and (2) links the customer’s main stations to the Company switch with subscriber loops.

Channels

A communications path between two or more points of termination.

Coin Station

A location where equipment is provided where customers can originate telephonic communications and pay the applicable charges by inserting coins into the equipment.

Commission

Federal Communications Commission.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Common Channel Signaling (CCS)

The term "Common Channel Signaling" (CCS) denotes a high speed packet switched communications network which is separate (out of band) from the public packet switched and message networks. Its purpose is to carry addressed signaling messages for individual trunk circuits and/or database related services between Signaling Points in the CCS network.

Common Channel Signaling Access Capability (CCSAC)

The term "Common Channel Signaling Access Capability" denotes the connection between the customer's point of presence and the Signal Transfer Point (STP) designated by the Company for the transport of signaling information.

Common Line

A line, trunk, pay telephone line, or other facility provided under the general and/or Local Exchange Service Tariff of the Company, terminated on a central office switch. A common line-residence is a line or trunk provided under the residence regulations of the Local Exchange Service Tariff. A common line-business is a line provided under the business regulations of the general and/or Local Exchange Service Tariff.

Communications Systems

Channels and other facilities which are capable of communications between terminal equipment provided by other than the Company.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Conventional Signaling

The inter-machine signaling system which has been traditionally used in North America for the purpose of transmitting the called number's address digits from the originating end office to the switching machine that will terminate the call. In this system, all of the dialed digits are received by the originating switching machine, a path is selected, and the sequence of supervisory signals and outpulsed digits is initiated. No overlap outpulsing, ten-digit ANI, ANI information digits, or acknowledgement wink are included in this signaling sequence.

Customer Message

A completed intrastate call originated by an end user. A customer message begins when answer supervision from the premises of the ordering customer is received by Company recording equipment indicating that the called party has answered. A message ends when disconnect supervision is received by Company recording equipment from either the premises of the ordering customer or the customer's end user premises from which the call originated.

Customer Designated Premises

The premises specified by the customer for the provision of Access Service.

Customers

Any individual, partnership, association, joint-stock company, trust, corporation, or governmental entity or other entity which subscribes to the services offered under this tariff, including both Interexchange Carriers and end users.

Data Transmission (107 Type) Test Line

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.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Detail Billing

The listing of each message and/or rate element for which charges to a customer are due on a bill prepared by the Company.

Effective 2-Wire

A condition which permits the simultaneous transmission in both directions over a channel, which does not insure independent information transmission in both directions. Effective 2-wire channels may be terminated with 2-wire or 4-wire interfaces.

Effective 4-Wire

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 Company (physical, time domain, frequency-domain separation, or echo cancellation techniques).

End Office Switch

A local Company switching system where Telephone Exchange Service customer common lines are terminated for purposes of interconnection to trunks. Included are Remote Switching Modules and Remote Switching Systems served by a host office in a different wire center.

End User

Any customer of an intrastate telecommunications service that is not a carrier, except that a carrier shall be deemed to be an "end user" to the extent that such carrier uses a telecommunications service for administrative purposes, without making such service available to others, directly or indirectly.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Entry Switch

See First Point of Switching.

Exchange

A unit generally smaller than a local access and transport area, established by the 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 Company's exchange area to include nearby exchanges.

Exit Message

The term "Exit Message" denotes an SS7 message sent to an end office by the Company's tandem switch to mark the Carrier Connect Time when the Company's tandem switch sends an Initial Address Message to an interexchange customer.

First Point of Switching

The first Company location at which switching occurs on the terminating path of a call proceeding from the customer premises to the terminating end office and, at the same time, the last Company location at which switching occurs on the originating path of a call proceeding from the originating end office to the IC or customer premises.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Gain Conditioning

The increase in signal power resulting from amplification. Gain is characterized as the ratio of output to input power, voltage or current, expressed in decibels (dBs). The ratio of the output power of a device or circuit to the input power, expressed in decibels.

Henry

The inductance in a circuit in which the electromotive force induced is one volt when the inducing current varies at the rate of one ampere per second. It is 1,000,000,000 electromagnetic units, and is the unit of inductance.

Host Office

An electronic switching system which provides call processing capabilities for one or more Remote Switching Modules or Remote Switching Systems.

Immediately Available Funds

A corporate or personal check drawn on a bank account for which funds 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.

Individual Case Basis

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.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Initial Address Message

The term "Initial Address Message" denotes an SS7 message sent in the forward direction to initiate trunk set up, reserve an outgoing trunk and process the information about that trunk along with other data relating to the routing and handling of the call to the next switch.

Interconnection Point

A point where facilities of the Company meets facilities of a connecting exchange telephone company.

Interexchange Carrier (IC) or Interexchange Common Carrier

Any individual, partnership, association, joint-stock company, trust, governmental entity, or corporation engaged for hire in intrastate by wire or radio, between two or more exchanges.

Interstate Call

A term which denotes both interstate and foreign communications.

Intrastate Call

Every call that is originated by a calling party in Indiana and terminated to a called party in Indiana is an intrastate communication.

Line Side Connection

A connection of a transmission path to the line side of a local exchange switching system.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Local Access and Transport Area

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.

Loop Around Test Line

An arrangement utilizing a Company central office to provide a means to make certain two-way transmission tests on a manual basis. This arrangement has two central office terminations, each reached by means of separate telephone numbers and does not require any specific customer premises equipment. Equipment subject to this test arrangement is at the discretion of the customer.

Message

See "Call".

Milliwatt (102 Type) Test Line

An arrangement in an end office which provides a 1004 Hz tone at 0 dBm0 for one-way transmission measurements towards the customer's premises from the Company end office.

Net Salvage

The estimated scrap, sale, or trade-in value, less the estimated cost of removal. Cost of removal includes the costs of demolishing, or otherwise disposing of the material and any other applicable costs. Since the cost of removal may exceed salvage value, net salvage may be negative.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Network Control Signaling

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 reorder or busy conditions, alerting, coin denomination, coin collect, and coin return tones) to control the operation of the telecommunications system.

Nonsynchronous Test Line

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

A three-digit area (Numbering Plan Area) code and a seven-digit telephone number made up of a three-digit Central Office code plus a four-digit station number.

Off-Hook

The active condition of Switched Access or a Telephone Exchange Service line.

On-Hook

The idle condition of Switched Access or a Telephone Exchange Service line.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Open Circuit Test Line

An arrangement in an end office which provides an ac open circuit termination of a trunk or line by means of an inductor of several Henries. (See the definition Henry).

Originating Direction

The use of access service for the origination of calls from an end user Premises to an IC Premises.

Overlap Outpulsing

The feature of the exchange access signaling system which permits initiation of pulsing to the customer's premises before the calling subscriber has completed dialing an originating call.

Pay Telephone

Instruments that are available to the general public for public convenience and necessity.

Point of Termination

The point of demarcation within a customer-designated premises at which the Company's responsibility for the provision of Access Service ends.

Premises

A building or buildings on continuous property (except Railroad Right-of-Way, etc.) not separated by a public highway.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

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.

Release Message

The term "Release Message" denotes an SS7 Message sent in either direction to indicate that a specific circuit is being released.

Remote Switching Modules and/or Remote Switching Systems

Small, remotely controlled electronic end office switches which obtain their call processing capability from an ESS-type Host Office. The Remote Switching Modules and/or Remote Switching Systems cannot accommodate direct trunks to an IC.

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.

Serving Wire Center

The wire center from which the customer designated premises would normally obtain dial tone from the Company.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Signaling Point (SP)

The term "Signaling Point" (SP) denotes an SS7 network interface element capable of originating and terminating SS7 trunk signaling messages.

Signaling Point of Interface (SPOI)

The term "Signaling Point of Interface" (SPOI) denotes the interface point between the Company and its Access Service customers for purposes of exchanging SS7 signaling messages for CCS services.

Signaling System Seven (SS7)

The term "Signaling System Seven" (SS7) denotes the layered protocol used for standardized Common Channel Signaling in the United States.

Signaling Transfer Point (STP)

The term "Signaling Transfer Point" (STP) denotes a packet switch providing CCS Network Access that performs CCS message routing and screening.

Shortage of Facilities or Equipment

A condition which occurs when the Company does not have appropriate cable, switching capacity, bridging, or multiplexing equipment, etc., necessary to provide the Access Service requested by the customer.

Short Circuit Test Line

An arrangement in an end office which provides for an ac short circuit termination of a trunk or line by means of a capacitor of at least four Micro Farads.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Subtending End Office of an Access Tandem

An end office that has final trunk group routing through that tandem.

Synchronous Test Line

An arrangement in an end office which performs marginal operational tests of supervisory and ring-tripping functions.

Terminating Direction

The use of Access Service for the completion of calls from an IC premises to an end user premises.

Termination Liability

The amount which will be billed if services using specially constructed facilities are terminated prior to the expiration of the Termination Liability Period.

Traffic Service Position System

Permits operator positions serving public phones to be located remotely from the central office which services the pay phone.

Transmission Measuring (105 Type) Test Line

An arrangement in an end office which provides far-end access to a recorder and permits two-way loss and noise measurements to be made on trunks from a near end office.

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Transmission Path

An electrical path capable of transmitting signals within the range of the service offering, e.g., a voice grade transmission path is capable of transmitting voice frequencies within the approximate range of 300 to 3000 Hz. A transmission path is comprised of physical or derived facilities consisting of any form or configuration of plant typically used in the telecommunications industry.

Trunk

A communications path connecting two switching systems in a network, used in the establishment of an end-to-end connection.

Trunk Group

A 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 connection of a transmission path to the trunk side of a local exchange switching system. This type of connection is used when providing FGC and FGD Switched Access Service.

Two-Wire to Four-Wire Conversion

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 (e.g., a central office switch).

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2. General Regulations (Cont'd)

2.6 Definitions (Cont'd)

Uniform Service Order Code

A three or five character alphabetic, numeric, or an alphanumeric code that identifies a specific item of service or equipment. Uniform Service Order Codes are used in the Company billing system to generate recurring rates and nonrecurring charges.

VoIP-PSTN Traffic

The term VoIP-PSTN Traffic shall have the meaning denoted in the Federal Communications Commission Report and Order in WC Docket Nos. 10-90, etc., F.C.C. Release No. 11-161 (November 18, 2011). It is traffic exchanged over PSTN (Public Switched Telephone Network) facilities that originates and/or terminates in IP (Internet Protocol) format.

V and H Coordinates Method

A method of computing airline miles between two points by utilizing an established formula which is based on the vertical and horizontal coordinates of the two points.

WATS Serving Office

The term "WATS Serving Office" denotes a Company designated serving wire center where switching, screening, and/or recording functions are performed in connection with the closed-end of WATS or WATS-type services.

Wire Center

A building in which one or more central offices, used for the provision of Telephone Exchange Services, are located.

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**3. Access Ordering****3.1 General**

This section sets forth the regulations and order related charges for Service(s) shown in other sections of this tariff. Order charges are in addition to other applicable charges for Service(s) provided. An Access Service Request (ASR) is an order to provide the Customer with Switched Access, Special Access, or to provide changes to existing access services. "Customer" denotes any individual, partnership, association, joint-stock company, trust, corporation, or governmental entity or other entity which subscribes to the services offered under this tariff, including but not limited to End Users, Interexchange Carriers (IXCs) and other telecommunications carriers or providers of originating or terminating toll.

A Customer may order any number of services of the same type and between the same premises on a single ASR. All details for services for a particular order must be identical except for those for multi-point Service.

The Customer shall provide to the Company the following information in addition to other requirements of this section:

- Customer name and premises address,
- Billing name and address, if different from Customer name and address,
- Customer contact name(s) and telephone number(s) for order confirmation, order provisioning information, order negotiation, interactive engineering design, installation and billing.

**3.1.1 Service Installation**

The Company will provide Access Service in accordance with the Customer's requested Service date, subject to the constraints established by the Company schedule of Service dates.

The Company schedule shall specify the applicable service interval for Service(s) and the quantities of Service(s) that can reasonably be provided by a service date. Said schedule will be available to Customers upon request and will be provided in a reasonable period of time.

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3. Access Ordering (Cont'd)

3.1 General (Cont'd)

3.1.1 Service Installation (Cont'd)

Installation of Service(s) will be during Company business days and hours. Customer requests for installations outside of scheduled work hours, if agreed to by the Company, will be subject to applicable additional labor charges.

The Company will not accept orders for Service that are for a date more than six months from the current date. The Company will, however, accept information for planning purposes in advance of order placement.

3.1.2 Expedited Orders

When a Customer places an Access Service Request (ASR) and requests a Service date that is prior to the Company's applicable interval service date of the Company, or when a Customer requests an earlier Service date on an existing ASR, the Company, in addition to other applicable charges for modification or Service date change, will determine if it can meet the requested date and what additional labor and/or extraordinary costs are required. The Customer will be notified of the additional estimated costs for authorization.

3.1.3 Selection of Facilities

The option to request a specific path or channel is not provided to the Customer, but within the purview of the Company.

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3. Access Ordering (Cont'd)

3.2 Ordering Requirements

3.2.1 Switched Access Service Feature Group D

When ordering Feature Group D Switched Access Service, the following information shall be provided by the Customer:

- The number of Busy Hour Minutes of Capacity (BHMC) from the customer designated premises to the end office or the number of trunks desired between the Customer designated premises and the entry switch;
- Optional Features desired; and
- Projected percentage of jurisdictional use.

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3. Access Ordering (Cont'd)

3.3 Access Ordering Charges

This section describes the application of the ordering charges in Section 7.3.3.

3.3.1 Access Order Charge

An Access Order Charge is applied to all Customer requests for new, additions, or changes and rearrangements to existing Switched Access Service except as follows:

- When a Service Date Change Charge is applicable;
- When a Design Change Charge is applicable;
- When a change to a pending order does not result in the cancellation of the pending order and the issuance of a new order;
- When a Miscellaneous Service Order Charge is applicable;
- When a Presubscription Charge is applicable; or
- When a Company initiated network reconfiguration requires a customer's existing access service to be reconfigured;

An Access Order Charge will be applied on a per order basis to each order, or copy of an order received by the Company.

3.3.2 Access Order Change Charge

Access Order Change Charges involve service date changes and/or design changes. A change would be a Customer request any time prior to the Service date for the requested Service(s). Any increase in the number of Switched Access lines, trunks or BHMC will be treated as a new order (for the increased amounts) rather than a change order.

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**3. Access Ordering (Cont'd)****3.3 Access Ordering Charges (Cont'd)****3.3.3 Service Date Change Charge**

A change of Service date is a change of the scheduled Service date by the Customer to either an earlier date or a later date which does not exceed 10 calendar days from the original Service date. The Customer may request a change of Service date on a pending Access Service Request prior to the Service date and if the Company can accommodate the change, a new Service date will be set and a service date change charge will apply.

**3.3.4 Design Change Charge**

A design change is any change to an Access Service Request that requires engineering review prior to the requested service date. Design changes do not include a change of Customer Designated Premises ("CDP"), first point of switching Access channel type. Changes of this nature require the issuance of a new order and the cancellation of the original order. Design changes would include such items as the addition or deletion of optional features or functions, change in type of transport termination, type of channel interface group or technical specification changes.

The Company will review the requested Customer change and notify the Customer whether the change is a design change, if it can be accommodated, and if a new Service date is required. On customer approval, a Design Change Charge would apply in addition to any other charges (e.g. service date change).

**3.3.5 Miscellaneous Service Order Charge**

A Miscellaneous Service Order Charge is for compensation of administrative expenses associated with issuing the order associated with the provision of Miscellaneous Services such as overtime repair, standby repair, testing, and other labor. The charge does not apply to Service(s) where a pending Service order exists, such as additional engineering, overtime installation, standby acceptance testing, testing with other companies with acceptance testing and additional cooperative acceptance testing.

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3. Access Ordering (Cont'd)

3.3 Access Ordering Charges (Cont'd)

3.3.6 Cancellation of Access Order Charge

A Customer may cancel an Access Order for the installation of Service on any date prior to the Service date. The cancellation date is the date on which the Company receives written notice from the customer. When a Customer cancels an Access Service Request, a Cancellation Charge will apply as follows:

Installation of Switched Access Service facilities is considered to have started when the Company incurs any cost in connection with provisioning the Service that otherwise would not have been incurred.

When installation of access facilities has been started prior to the cancellation, a charge equal to the lower of either the cost incurred in such installation, less net salvage, or the charges for a minimum period for the service will apply.

Any partial cancellation (e.g. cancellation in the number of trunks, channels ordered) will be treated as a cancellation and subject to applicable charges as stated in this Section.

Where the Customer cancels an Access Service Request prior to the start of installation of access facilities and no costs have occurred, no charges shall apply.

When the Customer cancels an order for the disconnection of service, no charge applies for the cancellation.

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4. Switched Access – Carrier Common Line Access Service

4.1 General

The Carrier Common Line portion of Switched Access is associated with the local loop, drop and associated equipment from the end office switching center to the End User Customer. The Company will provide the use of Company common lines by a Customer for access to end users at rates and charges set forth in Section 7. Jurisdictional rates apply for originating, terminating and terminating only usage.

The Customer facilities at the premises of the ordering Customer shall provide the necessary on-hook and off-hook supervision.

All Switched Access Service provided to the Customer will be subject to the Carrier Common Line charges, excluding the Common Channel Signaling Access exemption.

4.1.1 Rate Categories

Carrier Common Line, originating and terminating

The Company's rates for Carrier Common Line Access Service assessed to interexchange carriers are found in Section 7.2 following.

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**5. Switched Access Service – Feature Group D Switched Service****5.1 General**

Switched Access Service provides for the use of common switching, terminating, and trunking facilities between a Customer Designated Premises and an end-user's premises for originating and terminating traffic. The Company provides Feature Group D Switched Access (Equal Access) service, which consists of local transport and the appropriate end office switching and functions to enable an interexchange carrier Customer to provide message toll service (MTS), wide area telephone service (WATS), directory information and 1+, or when required an access code of 1010 XXXX, services.

**5.1.1 Rate Categories**

Certain of the rate elements included within the Company's offering of Switched Access Services are included within the single rate for Interstate Switched Exchange Access Service. The Company's Interstate Switched Exchange Access Service rate elements include, but are not limited to, the following rate elements or their functional equivalent if applicable: carrier common line; local end office switching; information surcharge; tandem switched transport termination (fixed); and tandem switch transport facility (per mile).

Rate categories and descriptions include the following:

**(A) Local Transport**

Charges for trunks related to the transmission and tandem switching facilities, if appropriate, between the customer designated premises and the end office switch where the customer's originating or terminating traffic is switched. The Local Transport rates consist of a Tandem Switched Termination per termination per access minute and a Tandem Switched Transport Facility rate per mile per access minute charge.

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5. Switched Access Service – Feature Group D Switched Service (Cont'd)

5.1 General (Cont'd)

5.1.1 Rate Categories (Cont'd)

(B) End Office/Local Switching

Charges related to the Company's local end office switching entity which routes traffic to and from end users to interexchange carrier Customers. The end office rate category includes the elements of Local Switching per AMOU and Information Surcharge per MOU.

(C) Optional Features and Functions

Features and functions that are available in lieu of or in addition to the standard features provided with Feature Group D Service. They include, but are not limited to:

Automatic Number Identification - this option provides the automatic transmission of a ten digit number and information digits to the customer designated premises to identify the calling station on a call-by-call basis. Where complete ANI detail cannot be provided, information digits will be provided to the customer.

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5. Switched Access Service – Feature Group D Switched Service (Cont'd)

5.2 Switched Access Service Specifications – Company Requirements

The provision of Switched Access Service has certain obligations of the Company in addition to those listed in Section 2 preceding. They are as follows:

5.2.1 Network Management

The Company will administer its network to insure the provision of acceptable service levels to all communications users of those services. Generally service levels are acceptable when Customers are able to establish connections without delay. The Company maintains the right to apply protective controls in the provision of Switched Access Service. Generally protective controls would be taken as a result of occurrences such as failure or overload of Company or Customer facilities, natural disasters, mass calling demands, or national security demands.

5.2.2 Transmission Specifications

Each Switched Access Service transmission path is provided with industry standard transmission for its type of service. The Company will work in cooperation with the Customer to insure that those parameters are met. In the event the established specifications are not maintained, the Company may require immediate corrective action and may work independently or in cooperation with the Customer to remedy the situation.

5.2.3 Testing

Certain testing services offered under the tariff are subject to the availability of qualified personnel and test equipment. Acceptance Testing and Routine Testing will be provided at no additional charge and shall be mutually arranged by the Company and the Customer.

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5. Switched Access Service – Feature Group D Switched Service (Cont'd)

5.3 Switched Access Specifications – Customer Requirements

The provision of Switched Access Service has certain obligations of the Customer in addition to those set forth in Section 2 preceding. They are as follows:

5.3.1 Report Requirements

The Customer is responsible for providing reports to the Company, when applicable. Such reports include:

- (a) Jurisdictional Reports – are required when Customer orders Access Service with both intrastate and interstate use so that charges may be apportioned in accordance with those reports.
- (b) Supervisory Signaling - necessary on-hook, off-hook supervision shall be provided by the Customer's facilities in order to provide answer and disconnect supervision.

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5. Switched Access Service – Feature Group D Switched Service (Cont'd)

5.4 800 Data Base Access Service

800 Data Base Access Service is provided with FGD switched access service. When a 1+ (e.g. 800, 888, or other toll free number) + NXX + XXXX call is originated by an end user, the Company will utilize the Signalling System 7 (SS7) network to query an 800 Data Base Access Service to perform the identification function. The call will then be routed to the identified customer over FGD switched access. The manner in which 800 Data Base Access Service is provided dependent on the availability of SS7 service at the end office from which the service is provided as outlined below:

When 800 Data Base Access Service originates at an end office equipped with Service Switching Point (SSP) capability for querying centralized data bases, all such service will be provisioned from that end office.

When 800 Data Base Access Service originates at an end office not equipped with SSP customer identification capability, the 800 Data Base Access Service call will be delivered to the access tandem on which the end office is homed and which is equipped with the SSP feature to query centralized data bases.

Query charges as set forth in the following are in addition to those charges applicable for the FGC or FGD switched access service.

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5. Switched Access Service – Feature Group D Switched Service (Cont'd)

5.5 Rate Regulations

This section contains a brief description and the general regulations governing the rates and charges that apply for Switched Access Service.

5.5.1 Description and Application of Rates

Switched Access Service rates are generally of two types; usage rates and non-recurring rates. Usage rates may be minute, and/or distance sensitive, occurrence and/or quantity sensitive or combinations of these usage elements. Non-recurring rates are one-time charges that apply for a specific work activity. Examples would include installation of service, rearrangements of service, moves and changes of service, provision of optional features and functions not ordered initially, service date changes, service design changes, cancellation of access, orders for additional engineering, and expedited orders.

5.5.2 Individual Case Basis Rates

Subject to FCC regulations and approval, the Company may, where certain Access Services or arrangements are required to meet Customer requirements, utilize rates and charges based on an Individual Case Basis (ICB).

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**6. Miscellaneous Access Service****6.1 General**

Miscellaneous Access Service may be provided by the Company at the request of a Customer on an individual case basis if such service arrangements are: not offered under other sections of this tariff; the facilities utilized to meet the request are of a type normally used by the Company in furnishing service; the service or arrangements are compatible with other services and facilities; the service is available and within the Company's personnel and capital resources. Charges may include non- recurring, recurring and/or special, terminating costs or combinations thereof.

**6.2 Services Offered**

Miscellaneous Access Services may include, but are not limited to the following: Special Construction; Additional engineering or Labor; Maintenance of Service; New Access Services; Testing Services; Presubscription; or Verification of Orders for Long Distance. Miscellaneous Access Service may be provided to Customers on an individual case basis (ICB) in accordance with rules of the FCC.

**6.2.1 Special Construction**

Special construction would include the costs for the provision of an Access Service that may not be available over such routes, facilities or equipment normally provided.

**6.2.2 Additional Engineering or Labor**

Additional Engineering will apply when requested and approved by the Customer for the following: (1) when a Customer requests additional information subsequent to the Company-provided Design Layout Report ("DLR") information; (2) when additional engineering time is required for a customized order; or (3) when a customer requests a design change and additional engineering time is required.

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**6. Miscellaneous Access Service (Cont'd)****6.2 Services Offered (Cont'd)****6.2.3 Testing**

When the Customer requests testing which is beyond that which is normally provided at Company locations in connection with Service(s) and at Customer designated premises, additional charges will apply when accepted and approved by the Customer. All testing of this type shall be subject to availability of the necessary qualified personnel and test equipment. A request for testing that is not consecutive with an employee's scheduled work period is regarded as a call out. A minimum call out of four hours will apply.

**6.2.4 Presubscription**

Presubscription is the process by which an end user Customer may select and designate to the Company an interexchange carrier (IC) for the provision of interstate toll service. This IC is referred to as the end user's pre-designated IC. An end user Customer may indicate a primary interexchange carrier or may elect to select an IC on a per call basis by dialing an access code to make toll calls. Customers that have pre-designated an IC may also dial an access code to direct calls to an alternative IC on a per-call basis. There are no initial charges associated with presubscription.

A Customer may initiate a presubscription change at any time. The Company will maintain a listing of all available interexchange carriers and provide them on a random sequential basis to aid the Customer in the selection process. The change of an IC is subject to the appropriate non-recurring charge.

If an unauthorized change takes place, the IC that requested the change will be subject to an Unauthorized PIC Change Charge in addition to the normal PIC Change Charge.

All PIC Changes and Charges shall comply with all applicable FCC and state rules.

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6. Miscellaneous Access Service (Cont'd)

6.2 Services Offered (Cont'd)

6.2.5 Verification of Orders for Long Distance

The IC shall submit orders to the Company for PIC designations only in compliance with FCC rules. When Company personnel incur administrative costs associated with verification of orders for long distance, a Miscellaneous Service Order charge may apply.

6.2.6 Maintenance of Service

The Customer shall be responsible for payment of a Maintenance of Service charge when the Company dispatches personnel to the customer designated premises and trouble is found to be with Customer facilities or equipment.

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6. Miscellaneous Access Service (Cont'd)

6.2 Services Offered (Cont'd)

6.2.7 Specialized Service or Arrangements

Specialized Service or Arrangements may be provided by the Company at the request of the Customer on an individual case basis (ICB) if such services or arrangements meet the following:

the service(s) or arrangement(s) are not offered under other sections of the tariff,

the service(s) or arrangement(s) are a type normally used by the Company, the service(s) or arrangement(s) are compatible with other Company Service(s), facilities and engineering and maintenance practices,

the offering is subject to the availability of Company personnel and capital resources.

6.2.8 Blocking Service

(A) International Blocking Service

The Company may provide International Blocking Service to customers who obtain Feature Group D Switched Access Service under this tariff. This service is only provided at appropriately equipped Company end offices.

On each line or trunk for which International Blocking Service is ordered, the Company will block all direct dialed international calls that use the call sequence of 011+ or appropriate access code dialing arrangements for international calling. When capable, the Company will route the blocked calls to a recorded message.

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6. Miscellaneous Access Service (Cont'd)

6.2 Services Offered (Cont'd)

6.2.8 Blocking Service (Cont'd)

(A) International Blocking Service (Cont'd)

An International Blocking Service charge as set forth in Section 9 following is applicable for each new or existing exchange line or trunk or Feature Group D Switched Access line to which International Blocking Service is added or removed. This charge does not apply when blocking is removed from an exchange line or trunk or Feature Group D Switched Access line at the same time that it is disconnected.

A Miscellaneous Service Order Charge as set forth in Section 9 will apply to orders adding or removing International Blocking Service that are placed subsequent to the initial installation of the associated exchange line(s) or trunk(s) or Feature Group D Switched Access line(s). This charge does not apply when blocking is removed from an exchange line or trunk or Feature Group D Switched Access line at the same time that it is disconnected.

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6. Miscellaneous Access Service (Cont'd)

6.2 Services Offered (Cont'd)

6.2.8 Blocking Service (Cont'd)

(B) 900 Blocking Service

The Company may provide 900 Blocking Service to Customers who obtain local exchange service from the Company under its general or local exchange tariffs. This service is only provided at appropriately equipped end offices.

On each line or trunk for which 900 Blocking Service is ordered, the Company will block all direct dialed calls placed to a 900 number. When capable, the Company will route the blocked calls to a recorded message.

A Blocking Service charge as set forth in Section 9 following is applicable when ordered by the end user Customer except when such Customer establishes telephone service at a new number and for 31 days thereafter.

The Blocking Service charge is applied for each line, to which 900 Blocking Service is added to remove. Requests by end user Customers to remove 900 Blocking Service must be in writing. This charge does not apply when blocking is removed from an exchange line at the same time that it is disconnected.

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## INTERSTATE ACCESS SERVICES

7. Rates and Charges7.1 General

Rates for service will include recurring charges for the rate elements, applicable non-recurring charges, miscellaneous charges, ICB charges as identified herein.

7.2 Carrier Common Line

	<u>Per AMOU</u>
Originating	\$0.00000
Terminating	\$0.00000

7.3 Switched Access7.3.1 Recurring Rates: Per AMOU

(A) <u>Local Switching, Premium</u>	
Originating	Note 1
Terminating	Note 1
(B) <u>Information Surcharge</u>	<u>Per 100 AMOU's</u>
Originating	Note 1
Terminating	\$0.00000
(C) <u>Local Transport</u>	<u>Rate Per AMOU</u>
Tandem-Switched Transport, Tandem Switched Facility, per mile	
Originating	Note 1
Terminating	Note 1
Tandem-Switched Termination, per termination	
Originating	Note 1
Terminating	Note 1

Note 1 - The Rates charged by the Company is the current rate for the incumbent provider. For switched access services provided in CenturyLink Operating Companies' service territory rates can be found in CenturyLink Operating Companies Tariff F.C.C. No. 11, sections 6.8.1, 6.8.2, and/or Section 6.8.9. For switched access services provided in Clear Creek Mutual Telephone Company's service territory rates can be found in National Exchange Carrier Association Tariff F.C.C. No. 5, sections 17.2.2, 17.2.3, and/or Section 17.4.1.

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**INTERSTATE ACCESS SERVICES**

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**7. Rates and Charges (Cont'd)****7.3 Switched Access (Cont'd)****7.3.1 Recurring Rates: (Cont'd)****(D) 800 Data Base Access Service Queries, per query**

	<u>Rate</u>
Basic	Note 1
Virtual	Note 1

**7.3.2 Access Order Charges**

(A) Access Order Charge	Note 1
(B) Access Order Change Charge	Note 1
(C) Design Change Charge	Note 1
(D) Miscellaneous Service Order Charge	Note 1
(E) Cancellation of Access Order Charge	See Section 3.3.6 of this tariff

Note 1 - The Rates charged by the Company is the current rate for the incumbent provider. For switched access services provided in CenturyLink Operating Companies' service territory rates can be found in CenturyLink Operating Companies Tariff F.C.C. No. 11, sections 6.8.1, 6.8.2, and/or Section 6.8.9. For switched access services provided in Clear Creek Mutual Telephone Company's service territory rates can be found in National Exchange Carrier Association Tariff F.C.C. No. 5, sections 17.2.2, 17.2.3, and/or Section 17.4.1.

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**INTERSTATE ACCESS SERVICES**

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**7. Rates and Charges (Cont'd)****7.4 Other Services****7.4.1 Miscellaneous Services**

**Each Hour  
or Fraction Thereof**

**(A) Additional Engineering or Labor Charge**

Basic Time per technician ICB

Overtime per technician ICB

Premium Time per technician ICB

**(B) Additional Cooperative Acceptance  
Testing - Switched Access**

Testing Period - Basic Time ICB

Testing Period – Overtime ICB

Testing Period - Premium Time ICB

**(C) Maintenance of Service Charge**

Basic Time per technician ICB

Overtime per technician ICB

Premium Time per technician ICB

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## INTERSTATE ACCESS SERVICES

7. Rates and Charges (Cont'd)7.4 Other Services (Cont'd)7.4.1 Miscellaneous Services (Cont'd)

(D) Presubscribed Interexchange Carrier Change Charge* <u>per line or trunk per interLATA PIC:</u>		<u>Charge</u>
- Per Telephone Exchange Services Line or Trunks		\$5.00
- Multi-Line Business per Line or Centrex		\$3.25
(E) <u>Blocking Service</u>		<u>Charge</u>
Per exchange service line or trunk		\$0.00

\* This charge is generally billed to the end user who is the subscriber to the Company. In those instances where the Interexchange Carrier (IXC) both requests the PIC change, and requests the associated charge be billed to it, the Company will bill the IXC. In the event the subscriber is incorrectly presubscribed due to misassignment on the part of the Company, no charge shall apply. In the event the subscriber denies requesting a PIC change, the Company will credit the subscriber's account for the PIC Change Charge associated with the alleged unauthorized change, if such charge was billed to the subscriber. The Company will then bill the IXC responsible for the alleged unauthorized change a PIC Change Charge to return the subscriber to its previous authorized carrier and, if initially billed to the subscriber, the PIC Change Charge for the alleged unauthorized change.

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**INTERSTATE ACCESS SERVICES**

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**CONTRACT SERVICES****8. General**

The rates in this tariff are the maximum rates for the services offered by Beaver Creek Cooperative Telephone Company, Inc. (CLEC). At the option of the Company, service may be offered on a contract basis to meet specialized requirements of the Customer not contemplated in this tariff. The terms of each contract shall be mutually agreed upon between the Customer and the Company and may include discounts on rates contained herein, waiver of recurring or non-recurring charges, charges for specially designed and constructed services not contained in the Company's general service offerings, or other customized features. The terms of the contract may be based partially or completely on the term and volume commitment, type of originating or terminating access, mixture of services or other distinguishing features. Service shall be available to all similarly situated Customers for a fixed period of time following the initial offering to the first contract Customer as specific in each individual contract.

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