

COMMUNICATIONS SERVICES TARIFF

CHECK SHEET

All pages inclusive of this Tariff are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, and Supplement No. 1 comprise all changes from the original Tariff and are currently in effect as of the date on the bottom of this page.

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SECTION 2 - REGULATIONS (Continued)

2.17 Service Response Credits (SRC)

2.17.1. The following lists the services that are subject to optional SRCs:

- | | | |
|-----|----------------------------|-----------------------|
| (A) | Frame Relay Service (FRS) | Part I, Section 5.1 |
| | ATM CRS | Part I, Section 5.5 |
| | Exchange Access FRS | Part I, Section 5.8 |
| | Exchange Access ATM CRS II | Part I, Section 5.10 |
| | Frame Relay III | Part II, Section 5.9 |
| | ATM CRS | Part II, Section 5.10 |

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2.17.2. Service Response Credits apply to the following categories:

- On Time Provisioning
- Mean Time to Repair (MTTR)
- Network Availability

The Service Response Credits apply against the following rate elements:

- ATM CRS UNI Port with Access Line Connection
- ATM CRS IISP Port with Access Line Connection
- FRS UNI Port With Access Line Connection

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SECTION 2 - REGULATIONS (Continued)

2.17 Service Response Credits (SRC) (Continued)

2.17.5. On Time Provisioning

On Time Provisioning is defined as Company providing service to the Customer no later than the Firm Order Commitment (FOC) due date provided by the Company plus twenty-four (24) hours. For these purposes, "providing service" is defined as successful completion of testing of the circuit/connection and rate element by Company. The FOC due date is provided to Customer at the time an order is verified for order accuracy, availability of required facilities and components, and completion of design and ordering related forms and documents (including, but not limited to, network design, configuration and data gathering form(s), and ASRs).

If Company does not meet the FOC due date plus 24 hours for a rate element, due to Company reasons, an On-Time Provisioning SRC equal to a percentage of the associated monthly recurring charge for the rate element for the month in which the due date was missed will apply as follows.

<u>SRC Eligible Service</u>	<u>Applicable Percentage</u>
ATM	50%
FRS	50%

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(A) The On-Time Provisioning SRC does not apply:

1. Where facilities sufficient to provision the order do not exist;
2. Where special construction of facilities is required;
3. When the FOC date is missed because the Customer is not ready to accept service on the FOC date;
4. When Customer changes the order after receiving the FOC date from Company;
5. On orders for which an expedited interval has been requested;
6. On orders for disconnection; or
7. When one or more of the conditions set forth in Section 2.17.8 apply.

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COMMUNICATIONS SERVICES TARIFF

SECTION 2 - REGULATIONS (Continued)

2.17 Service Response Credits (SRC) (Continued)

2.17.6. Mean Time to Repair (MTTR)

- (A) MTTR applies to a Customer-reported interruption of service on a subscribed rate element that is within the Company's network (outside plant or central office).
- (B) Interruption of Service or Trouble is defined as a condition which renders a service unusable to the Customer due to a failure of a facility component within the Company's network that is used to furnish the service. The Company reserves the right to determine when the service is unusable based on its internal procedures. When the Customer reports trouble to the Company-designated entity for such reports, a trouble ticket is opened.
- (C) MTTR for a calendar month shall be the average of all ticket outage duration, or Time to Repair (TTR), as calculated by Company. The TTR is the Restored Date and Time (the trouble ticket closed time) minus the reported Date and Time (the trouble ticket start time) minus any stop clock time associated with hold, no access or suspend that was logged against the Trouble Report. Stop clock time includes, but is not limited to, the following times:
1. Periods when Customer testing is occurring.
 2. Periods when Customer is working on its own Customer Premises Equipment (CPE) and has not yet released the circuit/connection to Company for maintenance, testing or repair.
 3. Periods when the Company is awaiting Customer authorization to commence work on the circuit/connection.
 4. Periods when the Company is denied access to premises or facilities as necessary to diagnose, repair or test a circuit/connection.
 5. Periods following repair of a circuit/connection when the ticket is held open by Customer to ensure the trouble is resolved.
 6. Periods when pre-defined maintenance windows have been established between Company and Customer.

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MTTR is calculated by summing TTR for all measured tickets for Customer for the month and dividing by the total number of tickets for that Customer during that month.

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SECTION 2 - REGULATIONS (Continued)

- 2.17 Service Response Credits (SRC) (Continued)
 2.17.6. Mean Time to Repair (MTTR) (Continued)
 (C) (Continued)

MTTR excludes any subsequent reports (i.e., additional Customer inquiries while the trouble is pending), CPE troubles, trouble found on the Customer's side of the point of demarcation, no trouble found, troubles closed due to Customer action and troubles repaired by Company prior to receipt of a trouble report on that circuit/connection.

The following one-time MTTR SRC applies per rate element per calendar month period.

For ATM and FRS, when the overall MTTR is greater than 4 hours, SRCs apply as follows:

1. A credit equal to 50% of the monthly recurring charge (MRC) applies per rate element that was the subject of a trouble ticket during the monitoring period whose open duration exceeded 4 hours but did not exceed 8 hours.
2. A credit equal to 100% of the monthly recurring charge (MRC) applies per rate element only that was the subject of a trouble ticket during the monitoring period whose open duration exceeded 8 hours.

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(D) The MTTR SRC does not apply:

1. When the Customer fails to report the outage to the Company;
2. When a circuit/connection has been in service for less than one full calendar month;
3. When an interruption of service is 4 hours or less; or
4. When one or more of the conditions set forth in Section 2.17.8 apply.

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SECTION 2 - REGULATIONS (Continued)

2.17 Service Response Credits (SRC) (Continued)

2.17.7. Network Availability

Network Availability refers to the percentage of time over a measured calendar month that the service is available for use by Customer. The Company threshold for Network Availability is 99.90% in a calendar month.

Network Availability is calculated based upon the total number of minutes in a calendar month that a Customer was actually in service divided by the total number of minutes in that month that a Customer could have been in service for a given set of service component(s).

Network Availability = (1,440 minutes x number of days in month x number of service components) - (Number of minutes service was interrupted during month) and then divided by the possible number of available minutes for the month (1,440 minutes x number of days in month x number of service components).

<u>SRC Eligible Service</u>	<u>Service Component Used in Calculation</u>
ATM	Permanent Virtual Circuit (PVC)
FRS	PVC

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For example: A customer has 50 PVCs in the month of July. July has 31 days; 1,440 minutes per day. Three PVCs were out of service over the course of the month for 120 minutes each or a total of 360 minutes. Network availability would be calculated by (1,440 minutes/day X 31 days X 50 PVCs) = 2,232,000 minutes less 360 minutes out of service = 2,231,640 minutes of actual customer network availability. 2,231,640 is divided by 2,232,000 which equals that customer's July Network Availability of 99.98%.

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SECTION 2 - REGULATIONS (Continued)

2.17 Service Response Credits (SRC) (Continued)

2.17.7. Network Availability (Continued)

The Number of Minutes Out of Service is computed in the same fashion as the number of minutes for Time to Repair. If overall Network Availability is less than the threshold of 99.90%, then a Network Availability SRC equal to a percentage of the associated monthly recurring charge (MRC) will apply for the applicable individual rate elements for the service components that do not achieve the threshold. The Company will not round up the calculation to reach the 99.90% threshold.

<u>SRC Eligible Service</u>	<u>Applicable Percentage</u>
ATM	10%
FRS	10%

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The Network Availability Service Response Credit does not apply:

1. When Customer fails to report the outage to Company.
2. When a circuit/connection has been in service for less than one full calendar month.
3. When one or more of the conditions set forth in Section 2.17.8 apply.

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SECTION 2 - REGULATIONS (Continued)

2.17 Service Response Credits (SRC) (Continued)

2.17.8. When a Service Response Credit Does Not Apply

Service Response Credits do not apply under the following conditions:

1. The negligence of Customer or other party authorized by Customer to use the service;
2. Interruptions, failures or delays due to power, equipment, service or systems not provided by Company;
3. Interruptions, failures or delays in Customer owned or installed equipment;
4. Interruptions, failures or delays at any time in which Company or Company's agents are not granted reasonable access to the premises where access lines associated with the service are terminated;
5. Interruptions, failures or delays as a result of Customer authorized maintenance, rearrangement of services or implementation of an order;
6. Interruptions, failures or delays resulting from a Customer's refusal to release service(s) for testing and/or repair;
7. Interruptions, failures or delays due to acts of God or the public enemy, compliance with any order of any governmental authority, acts of terrorism, war, rebellion, insurrection or sabotage or damage resulting therefrom, fires, floods, earthquakes, unusually severe weather, explosions, washouts, rules and regulations with regard to common carriers, accidents, epidemics, breakdowns, riots, strikes or other concerted acts of its employees, whether direct or indirect, lockouts or other industrial disturbances, whether direct or indirect, worms, viruses or other contaminants that may cause damage to or disable software, computer or electronic systems, or any similar cause, or other causes beyond such party's reasonable control;
8. Interruptions, failures or delays due to the hours of scheduled maintenance and scheduled downtimes where Customer has received prior notification from the Company;
9. During periods of temporary discontinuance as set forth in Section 2.4 preceding.

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SECTION 5 - DESCRIPTION OF DATA SERVICES AND RATES (Continued)

PART I (Continued)

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