

**ACCESS SERVICE****CHECK SHEET**

The title page and pages 1 through 12-8 inclusive of this Tariff are effective as of the dates shown. Original and revised pages, as named below, comprise all changes from the original Tariff in effect on the date indicated.

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\* Issued: August 5, 2020

Issued: August 5, 2020

Effective: August 6, 2020

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**ACCESS SERVICE**

APPLICATION OF TARIFF

This tariff sets forth the service offerings, rates, terms and conditions applicable to the furnishing of interstate Switched Access service and miscellaneous services related to the provision of facilities-based Switched Access Service by the Competitive Local Exchange Carrier (CLEC) and Competitive Access Provider (CAP) operations of Emery Telecommunications & Video, Inc. (hereinafter "the Company").

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Special Access Service is provided outside this tariff. Special Access Services may be referred to in this tariff in general terms to assist in understanding the services that encompass an entire circuit. Terms and conditions for Special Access Services will be provided under individual commercial agreements or under terms and conditions found at the Company's website.

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**ACCESS SERVICE****1. DEFINITIONS** (Cont'd)

Signaling Point of Interface: The customer designated location where the SS7 signaling information is exchanged between the Company and the Customer.

Signaling System 7 (SS7): The common Channel Out of Band Signaling protocol developed by the Consultative Committee for International Telephone and Telegraph (CCITT) and the American National Standards Institute (ANSI).

Signaling Transfer Point Access: Allows the Customer to access a specialized switch which provides SS7 network access and performs SS7 messaging routing and screening.

Switched Access Service: Access to the switched network of an Exchange Carrier for the purpose of originating or terminating communications. Switched Access is available to carriers, as defined in this tariff.

Time Division Multiplexing (TDM): A method of transmitting and receiving voice signals over the public switched telephone network (PSTN).

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

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

VoIP: The technology used to transmit voice communications by aid of wire, cable, radio, or other like connection over a data network using Internet Protocol format. VoIP Services are those services that require the use of IP-compatible customer premises equipment.

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**ACCESS SERVICE****2. REGULATIONS****2.1 Undertaking of the Company****2.1.1 Scope**

Access Services consist of furnishing communications service in connection with one-way or two-way information transmission between points within the United States under the terms of this tariff. Access Services provided under this tariff include Switched Access Services described in Section 4 following.

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**2.1.2 Shortage of Equipment or Facilities**

- (A) The Company reserves the right to limit or to allocate the use of existing facilities, or of additional facilities offered by the Company when necessary because of lack of facilities or due to some other cause beyond the Company's control.
- (B) The furnishing of service under this tariff is subject to the availability on a continuing basis of all the necessary facilities and is limited to the capacity of the Company's facilities as well as facilities the Company may obtain from other carriers from time to time, to furnish service as required at the sole discretion of the Company.
- (C) The provisioning and restoration of service in emergencies shall be in accordance with Part 64, Subpart D, Appendix A of the Federal Communication Commission's Rules and Regulations, which specifies the priority system for such activities.

**2.1.3 Terms and Conditions**

- (A) Except as otherwise provided herein, service is provided and billed on the basis of a minimum period of at least one month, and shall continue to be provided until canceled by the Customer, in writing, in not less than 30 days notice. Unless otherwise specified herein, for the purpose of computing charges in this tariff, a month is considered to have 30 days.
- (B) Customers may be required to enter in written Service Orders which shall contain or reference the name of the Customer, a specific description of the Service Ordered; the rates to be charged, the duration of the services, and the terms and conditions in this tariff. The Customer will also be required to execute any other documents as may be reasonably requested by the Company.

**ACCESS SERVICE****3. ORDERING OPTIONS FOR ACCESS SERVICE****3.1 General**

This section sets forth the regulations and order related charges for Access Service Requests (ASR) for Access Services comprising of Switched Access Service, as defined in this tariff. These charges are in addition to other applicable charges set forth in other sections of this tariff. (C)

**3.1.1 Ordering Conditions**

All services offered under this tariff will be ordered using an ASR. The format and terms of the ASR will be as specified in the industry Access Service Order Guidelines, unless otherwise specified herein. 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.

The Customer shall provide all information necessary for the Company to provide and bill for the requested service. When placing an order for Access Service, the Customer shall provide the following minimum information:

- (A) Customer name and Premise(s) address;
- (B) Billing name and address (when different from Customer name and address); and
- (C) Customer contact name(s) and telephone number(s) for the following provisioning activities: order negotiation, order confirmation, interactive design, installation and billing.

The order date (Application Date) is the date on which the Company receives a firm commitment and sufficient information from the Customer to allow processing of the ASR. The Customer is advised of the critical events in the provisioning process, the Application Date, the Plant Test Date and the Service Commencement Date, at the time the Company gives the Customer a Firm Order Confirmation (FOC).

**3.1.2 Provision of Other Services**

Unless otherwise specified herein, all services offered under this tariff shall be ordered with an ASR.

With the agreement of the Company, other services may subsequently be added to the ASR at any time, up to and including the service date for the Access Service. When added subsequently, charges will apply when an engineering review is required.

**ACCESS SERVICE****3. ORDERING OPTIONS FOR ACCESS SERVICE (Cont'd)****3.2 Access Order****3.2.1 Access Service Requests**

An Access Order in the form of an Access Service Request (ASR) is required by the Company to provide a Customer Switched Access Service, as described herein. An ASR will be required for each new similar service arrangement or group of common circuits. (C)

When a Customer requests new or additional Switched Access Service one or more ASR's may be required. The number of orders required is dependent on the type of services and/or facilities being requested. (C)

In the event constructive ordering of Switched Access Service under Section 3.1.3, an ASR is not required.

**3.2.2 Access Service Date Intervals**

The Company will provide a FOC and the Service Commencement Date contingent on the ASR being complete as received. To the extent the Access Service can be made available with reasonable effort, the Company will provide the Access Service in accordance with the Customer's requested interval subject to the following conditions.

**(A) Customer Requested Interval**

If none of the conditions described in Section 3.2.2.(B) below apply, the Service Date interval shall be based on provision of access service by the Customer's requested Service Date.

**(B) Negotiated Interval**

The Company will negotiate a Service Date interval with the Customer when one of the following conditions exists. In such cases, the Company will offer a Service Date based on the type and quantity of Access Service the Customer has requested.

- (1) There is no existing facility connecting the Customer premises with the Company; or
- (2) The Customer requests a service that is not considered by the Company to be a standard service offering (for example, if Additional Engineering is required to complete the order); or



**ACCESS SERVICE****3. ORDERING OPTIONS FOR ACCESS SERVICE (Cont'd)****3.2 Access Order (Cont'd)****3.2.2 Access Service Date Intervals (Cont'd)****B. Negotiated Interval (Cont'd)**

- (3) The Customer requests a service that requires provision of facilities by a connecting local exchange carrier in addition to facilities provided by the Company and the connecting local exchange carrier is unable to place connecting facilities in service by Customer's requested Service Date.
- (4) The Company determines that Access Service cannot be installed within the time frame requested by the Customer.
- (5) All services for which rates are applied on an Individual Case Basis are provided with a Negotiated Interval.

**3.2.3 Access Order Charge**

The Access Order Charge, as set forth in Section 12 following is applied to all Customer requests for new Switched Access Service. In addition, the Access Order Charge is applicable to Customer requests for additions, changes or rearrangements to existing Switched Access Service with the following exceptions:

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The Access Order Charge does not apply:

- 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 Presubscription Charge is applicable;
- When a Company initiated network reconfiguration requires a Customer's existing access service to be reconfigured;
- When a service with an Individual Case Basis (ICB) rate is converted to a similar service with a non-ICB tariff rate prior to the expiration of the ICB; or
- When a Billing Name and Address Order charge is applicable.

The Access Order Charge will be applied on a per order basis to each order received by the Company or copy of an order received by the Company pursuant to Sections 3.1 and 3.2 above is in addition to other applicable charges as set forth in this and other sections of this tariff.

**ACCESS SERVICE****3. ORDERING OPTIONS FOR ACCESS SERVICE (Cont'd)****3.4 Design Change Charge**

The customer may request a design change to the service ordered. A design change is any change to an Access Order which requires engineering review. An engineering review is a review by Telephone Company personnel of the service ordered and the requested changes to determine what changes in the design, if any, are necessary to meet the changes requested by the customer. Design changes include such things as the addition or deletion of optional features or functions or a change in the type of Switched Access Transport Termination, type of channel interface, type of Interface Group or technical specification package. Design changes do not include a change of customer premises, end user premises, end office switch, Basic Serving Arrangement, or Switched Access service channel type. Changes of this nature will require the issuance of a new order and the cancellation of the original order with appropriate cancellation charges applied. (C)

Should a customer requested design change be received on a pending access order that results in the establishment of a new service date that exceeds the original service date by more than 30 days, the customer shall not be required to cancel and reissue a new order, but shall be billed a design change charge and a service date change charge.

The Telephone Company will review the requested change, notify the customer whether the change is a design change, if it can be accommodated and if a new service date is required. If the customer authorizes the Telephone Company to proceed with the design change, a Design Change Charge will apply as set forth in Section 12 following.

**ACCESS SERVICE****4. SWITCHED ACCESS SERVICE (Cont'd)****4.2 Provision and Description of Switched Access Service Arrangements (Cont'd)****4.2.3 Rate Categories (Cont'd)****(A) Local Transport (Cont'd)****(4) Multiplexing**

DS3 to DS1 Multiplexing charges specified in Section 12 following apply when a High Capacity DS3 Entrance Facility or High Capacity DS3 Direct Trunked Facility is connected with High Capacity DS1 Direct Trunked Transport. The DS3 to DS1 multiplexer will convert a 44.736 Mbps channel to 28 DS1 channels using digital time division multiplexing. DS1 to Voice Grade Multiplexing charges apply when a High Capacity DS1 Entrance Facility or High Capacity DS1 Direct Trunked Facility is connected with Voice Grade Direct Trunked Transport. However, a DS1 to Voice Grade Multiplexing charge does not apply when a High Capacity DS1 Entrance Facility or High Capacity DS1 Direct Trunked Transport is terminated at an electronic end office and only Switched Access Service is provided over the DS1 facility. The DS1 to Voice Grade multiplexer will convert a 1.544 Mbps channel to 24 Voice Grade channels. (C)

Multiplexing is only available at wire centers identified in NECA Tariff F.C.C No. 4, Wire Center Information.

**ACCESS SERVICE**

**8. MISCELLANEOUS SERVICES (Cont'd)**

8.3 Testing Services (Cont'd)

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**ACCESS SERVICE****8. MISCELLANEOUS SERVICES (Cont'd)****8.5 Telecommunications Service Priority – TSP**

- 8.5.1 Priority installation and/or restoration of National Security Emergency Preparedness (NSEP) telecommunications services shall be provided in accordance with Part 64.401, Appendix A, of the Federal Communications Commission's (FCC's) Rules and Regulations.

In addition, TSP System service shall be provided in accordance with the guidelines set forth in "Telecommunications Service Priority (TSP) System for National Security Emergency Preparedness (NSEP) Service Vendor Handbook" (NCSH 3-1-2) dated July 9, 1990, and "Telecommunications Service Priority System for National Security Emergency Preparedness Service User Manual" (NCSM 3-1-1).

The TSP System is a service, developed to meet the requirements of the Federal Government, as specified in the Service Vendor's Handbook and Service User's Manual which provides the regulatory, administrative and operational framework for the priority installation and/or restoration of NSEP telecommunications services. This includes Switched Access Services. The TSP System applies only to NSEP telecommunications services, and requires and authorizes priority action by the Telephone Company providing such services.

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For Switched Access Service, the TSP System's applicability is limited to those services which the Company can discreetly identify for priority provisioning and/or restoration.

- 8.5.2 A Telecommunications Service Priority charge applies as set forth in Section 12 when a request to provide or change a Telecommunications Service Priority is received subsequent to the issuance of an Access Order to install the service.

A Telecommunications Service Priority charge does not apply when a Telecommunications Service Priority is discontinued or when ordered coincident with an Access Order to install or change service.

In addition, Additional Labor rates as set forth in Section 12 may be applicable when provisioning or restoring Switched Access Services with Telecommunications Service Priority.

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When the customer requests an audit or a reconciliation of the Telephone Company's Telecommunications Service Priority records, Additional Labor rates as set forth in Section 12 are applicable.

**ACCESS SERVICE**

**9. RESERVED FOR FUTURE USE**

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**ACCESS SERVICE****12. RATES AND CHARGES****12.1 Citizens Telecommunications Company of Utah Territory (Cont'd)****12.1.3 Miscellaneous Service (Cont'd)****(G) Local Number Portability (LNP) Query**

The Local Number Portability (LNP) Fee charged by the Company is the applicable rate at Frontier Telephone Companies Tariff F.C.C. No. 1, Section 20.1.2(D)(1).

**12.2 Utah Areas Exclusive of Citizens' Utah Territory**

Emery Telecommunications & Video, Inc. operates as a Competitive Access Provider (CAP) providing Interstate Switched Access transport services throughout the State of Utah excluding exchanges where the company operates as a CLEC within the operating territory of Citizens Telecommunications Company of Utah d/b/a Frontier Communications of Utah (see section 12.1).

**12.2.1 Switched Access**

<u>Tandem Switched Transport</u>	<u>Monthly</u>	<u>Nonrecurring</u>
<u>Tandem Switched Facility</u>	<u>Rate</u>	<u>Charge</u>
Per Access Minute Per Mile	\$0.000099	

**12.3 All Areas**

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**ACCESS SERVICE**

**12. RATES AND CHARGES**

**12.3 All Areas (Cont'd)**

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**ACCESS SERVICE**

**12. RATES AND CHARGES**

**12.3 All Areas (Cont'd)**

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**12.3.1 Universal Service Fund (USF) Recovery Charge**

The USF Recovery Charge surcharge rate charged by the Company is the rate as established quarterly by the Federal Communications Commission and found at Frontier Telephone Companies Tariff F.C.C. No. 1, Section 20.1.1.