

BROADBAND VIDEO SERVICES

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Director - Tariffs
600 Hidden Ridge, Irving, Texas 75038

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3. ORDERING CONDITIONS

This section sets forth the regulations for ordering Broadband Video service and order related charges.

3.1 General

The customer shall supply all details necessary to complete an order. The details may include, but are not limited to, the following: customer name and address(es), requested service date, RCDL(s), HCDL(s), interface arrangement, bandwidth and signal quality parameters requested at the RCDL(s).

3.2 Broadband Video Service Order

A Broadband Video service order is used by the Telephone Company to receive orders for Broadband Video service.

The schedule of dates for the provisioning activities associated with the customer's order will be provided to the customer on the Firm Order Confirmation (FOC) date and prior to the Scheduled Issue Date (SID).

3.2.1 Order Modifications

The customer may request a modification of its order prior to the in service date. The Telephone Company will make every effort to accommodate a requested modification when it is able to do so with the normal work force assigned to complete such an order within normal business hours. If the modification cannot be accomplished with the normal work force during normal business hours, the Telephone Company will notify the customer. If the customer still desires the order modification, the Telephone Company will schedule a new service date. All charges for order modifications as described in Sections 3.2.1(A), (B), (C), (D) and (E) will apply on a per occurrence basis.

For WVT, a change of location for either an HCDL or an RCDL will require the issuance of a new order.

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Director - Tariffs
600 Hidden Ridge, Irving, Texas 75038

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3. ORDERING CONDITIONS (Cont'd)3.2 Broadband Video Service Order (Cont'd)3.2.1 Order Modifications (Cont'd)(A) Service Date Change Charge (USOC - SUM)

Service dates may be changed after the scheduled issued date of the order.

The new service date may not exceed the original service date by more than 30 calendar days. If the requested service date is more than 30 calendar days after the original service date, the order will be canceled by the Telephone Company. Cancellation charges in 3.2.3 will apply and the order will be reissued with the new service date unless the customer indicates that billing for the service is to commence as in 3.2.3(A).

If the Telephone Company determines it can accommodate the customer's request without delaying service dates for orders of other customers, a new service date may be established that is prior to the original service date and the provisions in (E) will apply in addition to the Service Date Change Charge. The Service Date Change Charge is applied per order, per occurrence and is set forth under 3.2.1(F).

(B) Partial Cancellation Charge

A customer may cancel any number of Broadband Video circuits.

When a customer partially cancels the service ordered on an order, charges will apply as follows:

- (1) When an order is partially canceled, on or after the Scheduled Issue Date, the charge will be determined by multiplying the total nonrecurring charges for the canceled portion of the order by the total number of business days elapsed since the Scheduled Issue Date and multiplying that figure by five percent.

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Director - Tariffs
600 Hidden Ridge, Irving, Texas 75038

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3. ORDERING CONDITIONS (Cont'd)3.2 Broadband Video Service Order (Cont'd)3.2.1 Order Modifications (Cont'd)(B) Partial Cancellation Charge (Cont'd)

- (2) When a customer cancels part of an order for which billing has commenced as provided in 3.2.1(A) and 3.2.3(A), cancellation charges in 3.2.3(C) will apply to that part of the order being canceled.

(C) Discontinuance of Service

A customer may discontinue WVT that is in service at any time. The request for discontinuance of service must be received by the Telephone Company at least two business days prior to the date on which service is to be disconnected and billing discontinued. The request may be verbal or written, however, a verbal request must be followed, within ten days, by written confirmation. The written confirmation serves as a confirmation of the verbal request rather than a request itself. The customer must notify the Telephone Company of a delay or cancellation in the discontinuance request prior to the disconnect date. The Telephone Company, where possible, will establish the disconnect date in accordance with such request. Billing and service will then continue until the new requested disconnect date. If a service is discontinued prior to the expiration of the service period chosen by the customer, termination liability charges in 4.1.7 will apply.

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600 Hidden Ridge, Irving, Texas 75038

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3. ORDERING CONDITIONS (Cont'd)3.2 Broadband Video Service Order (Cont'd)3.2.1 Order Modifications (Cont'd)(D) Design Change Charge (USOC - H28)

The customer may request a design change to a pending order for Broadband Video Services. A design change is a change 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. For WVT, design changes may include such things as:

- change in customer requested signal quality parameters at the RCDL(s)
- change in location(s) of the HCDL(s) and/or RCDL(s)
- the addition and/or deletion of HCDL(s) and/or RCDL(s)
- change in requested bandwidth level

The Telephone Company will review the requested change, notify the customer whether the charge can be accommodated and specify 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.

The Design Change Charge as set forth in 3.2.1(G) will apply on a per order per occurrence basis for each order requiring a design change.

If a change of service date is required, the Service Date Change Charge as set forth under 3.2.1(F) will also apply.

(E) Requests for Expedition

A customer may request an expedited service date. When this situation occurs, charges will be applicable as in 5.3. The Telephone Company will provide an estimate of the charges to the customer. The customer must accept the price estimate before expedited service will be initiated. The actual charges billed to the customer will not exceed the estimate by more than 10 percent.

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3. ORDERING CONDITIONS (Cont'd)3.2 Broadband Video Service Order (Cont'd)3.2.1 Order Modifications (Cont'd)(F) Charges for Service Date Change

| (USOC) | <u>Charge</u> (SUM) |
|---------------------|------------------------|
| <u>Jurisdiction</u> | |
| California | \$70.26 |
| Florida | 62.66 |
| Illinois | 61.51 |
| Indiana | 58.70 |
| Iowa | 62.09 |
| Kentucky | 62.48 |
| Michigan | 59.08 |
| Minnesota | 61.08 |
| Missouri | 61.83 |
| Ohio | 60.25 |
| Pennsylvania | 60.80 |
| South Carolina | 61.59 |
| Texas | 60.94 |
| Virginia | 61.46 |
| Wisconsin | 60.09 |

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3. ORDERING CONDITIONS (Cont'd)3.2 Broadband Video Service Order (Cont'd)3.2.1 Order Modifications (Cont'd)(G) Charges for Design Change

| (USOC) | <u>Charge</u> (H28) |
|---------------------|------------------------|
| <u>Jurisdiction</u> | |
| California | \$225.40 |
| Florida | 192.84 |
| Illinois | 169.20 |
| Indiana | 168.20 |
| Iowa | 193.96 |
| Kentucky | 197.92 |
| Michigan | 171.64 |
| Minnesota | 193.96 |
| Missouri | 193.96 |
| Ohio | 167.88 |
| Pennsylvania | 168.04 |
| South Carolina | 197.92 |
| Texas | 189.24 |
| Virginia | 197.92 |
| Wisconsin | 170.92 |

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3. ORDERING CONDITIONS (Cont'd)3.2 Broadband Video Service Order (Cont'd)3.2.2 Minimum Period

The Minimum Period for which Wholesale Video Transport Services are provided and for which charges are applicable is either one, three, five or seven years, at the customer's option. The same service period must apply to all rate elements per order.

3.2.3 Cancellation of an Order

- (A) A customer may cancel an order for Broadband Video service on any date prior to the installation of service. The cancellation date is the date the Telephone Company receives written or verbal notice from the customer that the order is to be canceled. The verbal notice must be followed by written confirmation within 10 days.

* Delay of Service Date by Customer

If a customer is unable to accept service within 30 calendar days of the original service date, the customer has the choice of the following options:

- The order shall be canceled and charges in (C) will apply, or
- Billing for the service will commence.

In either case, the cancellation date or the billing date shall commence on the 31st calendar day beyond the original service date of the service order.

* Delay of Service Date by Telephone Company

If the Telephone Company misses a service date by more than 30 days due to circumstances over which it has direct control, excluding the circumstances set forth under 2.1.3, the customer may cancel the order for Broadband Video Service without incurring cancellation charges.

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3. ORDERING CONDITIONS (Cont'd)3.2 Broadband Video Service Order (Cont'd)3.2.3 Cancellation of an Order (Cont'd)

- (B) Order costs are considered to have started when the Telephone Company incurs any cost in connection therewith or in preparation thereof which would not otherwise have been incurred. These costs include but are not limited to preliminary engineering, orders to suppliers, and other similar items of cost. For purposes of determining cancellation charges, the costs are considered to have started the day the Telephone Company is scheduled to issue the confirmed order to all associated work groups. For all orders this is known as the Scheduled Issue Date. The customer will be notified of the applicable critical date interval on the Firm Order Confirmation (FOC) Date. The cancellation charges will not apply until the customer is notified of such charges.
- (C) When a customer cancels an order for the installation of new service, or an order to modify existing service, charges will apply as follows:
 - (1) When an order for WVT is canceled on or after the Scheduled Issue Date, the Cancellation Charge is calculated, on a per order basis, by multiplying the total nonrecurring charges for the quantity ordered by the total number of business days elapsed since the Scheduled Issue Date and multiplying that figure by five percent.

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3. ORDERING CONDITIONS (Cont'd)3.2 Broadband Video Service Order (Cont'd)3.2.3 Cancellation of an Order (Cont'd)

(C) (Cont'd)

- (2) When a customer chooses to commence billing rather than cancel an order for these services specified in (A), the customer must submit an order prior to calendar day 31 from the original service date and request a service date change. The new service date may not exceed the original service date by more than 120 calendar days. Charges in 3.2.1(A) will only apply for each subsequent service date change request after calendar day 31, not to exceed 120 calendar days.

When a customer elects to commence billing, monthly recurring charges will begin accruing at calendar day 31 after the original service date. Upon completion of the order, the initial bill for the service will include these accrued charges and any additional nonrecurring charges in addition to billable charges specified in 2.4.1(C).

If the order is not completed within 121 calendar days of the original service date, the order will be canceled. Cancellation charges in (C)(1) will apply. In addition, the customer will be billed the accrued monthly recurring charges specified above plus any additional nonrecurring charges applicable for the Service. These charges will be computed commencing at day 31 after the original service date up to and including the cancellation date, not to exceed 90 days of service (120 days from the original service date). The Telephone Company will not reissue an order with a new service date beyond 121 calendar days. It will be the customer's responsibility to submit a new order for service, as appropriate.

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3. ORDERING CONDITIONS (Cont'd)

3.3 Requests For WVT Services Provided By More Than One Telephone Company

WVT provided by more than one telephone company are services where one end of the video transport system is in the operating territory of one telephone company and the other end of the facility is in the operating territory of a different telephone company.

Each telephone company will provide its portion of the video transport system within its operating territory to the meet point with the other telephone company(s). The billing percentage will be determined by the telephone companies involved in providing the WVT service and listed in the NECA Tariff FCC No. 4.

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Director - Tariffs
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