

ACCESS SERVICE  
CHECK SHEET

The Title Page and Pages 1 through 33-14 inclusive of this tariff are effective as of the date shown, and Supplement Nos. 8, 9, 10, 11, 13, 14, 15, and 23 contain all changes from the original tariff that are in effect on the date hereof.

<u>Page</u>	<u>Number</u> <u>Revisions</u> <u>Except as</u> <u>Indicated</u>	<u>Page</u>	<u>Number</u> <u>Revisions</u> <u>Except as</u> <u>Indicated</u>	<u>Page</u>	<u>Number</u> <u>Revisions</u> <u>Except as</u> <u>Indicated</u>
Title Page 1	1st	27	Original	59	Original
		28	Original	60	4th
		29	2nd	60.1	2nd
1	232nd*	30	Original	60.2	Original
2	22nd	31	Original	60.3	Original
3	8th	32	1st	61	Original
4	31st	33	Original	62	2nd
5	1st	34	5th	63	4th
6	32nd	35	Original	64	1st
7	15th	36	Original	65	2nd
8	25th	37	Original	66	Original
9	8th	38	Original	67	12th
10	48th	39	Original	67.1	19th
11	29th	40	2nd	67.2	9th*
12	14th	41	1st	68	Original
13	9th	42	5th	69	4th
14	10th	43	Original	70	5th
15	8th	44	Original	71	2nd
16	27th	45	Original	72	2nd
17	14th	46	1st	73	1st
18	17th	47	Original	74	Original
18.1	4th	48	Original	75	1st
18.2	9th	49	1st	75.1	Original
18.3	25th	50	2nd	76	2nd
18.3.1	1st	51	1st	77	Original
18.4	46th	52	Original	78	Original
19	27th	53	Original	79	Original
20	11th	54	Original	80	Original
21	46th	55	Original	81	Original
22	27th	56	1st	82	2nd
23	2nd	57	6th	82.1	Original
24	40th	58	6th	83	1st
24.1	18th			84	3rd
24.2	11th*				
25	Original				
26	1st				

\* Indicates new or revised page

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ACCESS SERVICE  
CHECK SHEET

<u>Page</u>	<u>Number of Revisions Except as Indicated</u>	<u>Page</u>	<u>Number of Revisions Except as Indicated</u>	<u>Page</u>	<u>Number of Revisions Except as Indicated</u>
32-143	Original	32-195	Original	32-247	Original
32-144	Original	32-196	Original	32-248	Original
32-145	Original	32-197	Original	32-249	Original
32-146	Original	32-198	Original	32-250	Original
32-147	Original	32-199	Original	32-251	Original
32-148	Original	32-200	Original	32-252	Original
32-149	Original	32-201	Original	32-253	Original
32-150	Original	32-202	Original	32-254	Original
32-151	Original	32-203	Original	32-255	Original
32-152	Original	32-204	Original	32-256	Original
32-153	Original	32-205	Original	32-257	Original
32-154	Original	32-206	Original	32-258	Original
32-155	Original	32-207	Original	32-259	Original
32-156	Original	32-208	Original	32-260	Original
32-157	Original	32-209	Original	32-261	Original
32-158	Original	32-210	Original	32-262	Original*
32-159	Original	32-211	Original	32-263	Original*
32-160	Original	32-212	Original	32-264	Original*
32-161	Original	32-213	Original	32-265	Original*
32-162	Original	32-214	Original	32-266	Original*
32-163	Original	32-215	Original		
32-164	Original	32-216	Original		
32-165	Original	32-217	Original	33-1	2nd
32-166	Original	32-218	Original	33-2	2nd
32-167	Original	32-219	Original	33-3	2nd
32-168	Original	32-220	Original	33-4	2nd
32-169	Original	32-221	Original	33-5	2nd
32-170	Original	32-222	Original	33-6	2nd
32-171	Original	32-223	Original	33-7	2nd
32-172	Original	32-224	Original	33-8	2nd
32-173	Original	32-225	Original	33-9	2nd
32-174	Original	32-226	Original	33-10	2nd
32-175	Original	32-227	Original	33-11	2nd
32-176	Original	32-228	Original	33-12	2nd
32-177	Original	32-229	Original	33-13	2nd
32-178	Original	32-230	Original	33-14	2nd
32-179	Original	32-231	Original		
32-180	Original	32-232	Original		
32-181	Original	32-233	Original		
32-182	Original	32-234	Original		
32-183	Original	32-235	Original		
32-184	Original	32-236	Original		
32-185	Original	32-237	Original		
32-186	Original	32-238	Original		
32-187	Original	32-239	Original		
32-188	Original	32-240	Original		
32-189	Original	32-241	Original		
32-190	Original	32-242	Original		
32-191	Original	32-243	Original		
32-192	Original	32-244	Original		
32-193	Original	32-245	Original		
32-194	Original	32-246	Original		

\*Indicates new or revised page

(TR 617)

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Vice President, Federal Regulatory  
1300 I Street, NW, Washington, D.C. 20005

ACCESS SERVICE  
TABLE OF CONTENTS (Cont'd)

	<u>Page No.</u>	
32. <u>Contract Tariffs</u> (Cont'd)		
32.25 <u>Contract Tariff Option 24</u>	32-157	
32.26 <u>Contract Tariff Option 25</u>	32-176	
32.27 <u>Contract Tariff Option 26</u>	32-195	
32.28 <u>Contract Tariff Option 27</u>	32-198	
32.29 <u>Contract Tariff Option 28</u>	32-223	
32.30 <u>Contract Tariff Option 29</u>	32-229	
32.31 <u>Contract Tariff Option 30</u>	32-235	
32.32 <u>Contract Tariff Option 31</u>	32-242	
32.33 <u>Contract Tariff Option 32</u>	32-255	
32.34 <u>Contract Tariff Option 33</u>	32-262	(N)
33. <u>Advanced Data Communications</u>	3-1	
33.1 <u>TCP/IP Data Aggregation Service</u>	33-1	

(TR 617)

Issued: September 13, 2005

Effective: September 28, 2005

Vice President, Federal Regulatory  
1300 I Street, NW, Washington, D.C. 20005

## ACCESS SERVICE

32. Contract Tariffs (Cont'd)32.34 Contract Tariff Option 33

(N)

## (A) Scope

- (1) Contract Tariff Option 33 (Option 33) is offered to customers who already subscribe to Special Access Optical Carrier 12 IntelliLight® Dedicated SONET Ring (**existing OC12 IDSR**) under a commitment period that expired prior to September 28, 2005, and reuses the nodes from such OC12 IDSR to establish a new Special Access Optical Carrier 12 IDSR (**new OC12 IDSR**) that is subscribed to this Option 33 in accordance with (B) through (F) following.
- (2) The terms and conditions, regulations, and rates provided in this Section 32.34 apply to customers who order OC12 IDSR as offered herein.

## (B) Eligibility

All of the following requirements must be met in order to be eligible for subscription to Option 33.

- (1) The customer must already subscribe to existing OC12 IDSR that utilizes nodes that are not enhanced.
- (2) The commitment period for the existing OC12 IDSR must have expired prior to September 28, 2005.
- (3) The customer must subscribe to a new OC12 IDSR in a full ring configuration under this Option 33 by submitting a written authorization in a manner designated by the Telephone Company during the subscription period which begins on September 28, 2005 and ends on December 31, 2005 (**Subscription Period**).
- (4) The customer must subscribe to this Option 33 for the service period set forth in (D) following.
- (5) Except as otherwise allowed under (B)(6) following, each node of the new OC12 IDSR must be a node that was reused from the existing OC12 IDSR. When configuring the new OC12 IDSR, the reused nodes must be located at the same customer designated premises and Telephone Company wire centers as they were located under the existing OC12 IDSR configuration.
- (6) In addition to the reused nodes described in (B)(5) preceding, the customer must install one or two nodes at a customer designated premises or Telephone Company wire center that was not part of the configuration for the old OC12 IDSR. However, such different customer designated premise or Telephone Company wire center must be within the Serving Area of this Option 33.

(N)

(TR 617)

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Effective: September 28, 2005

Vice President, Federal Regulatory  
1300 I Street, NW, Washington, D.C. 20005

## ACCESS SERVICE

32. Contract Tariffs (Cont'd)32.34 Contract Tariff Option 33 (Cont'd)

(N)

## (C) Serving Area

- (1) The serving area of Option 33 is comprised of the Phase II, Level 2 wire centers of the Metropolitan Statistical Area (**MSAs**) specified in Section 15.3 preceding of this tariff.
- (2) Wire centers for the Phase II, Level 2 MSAs are listed in Section 15.3 preceding, as the same may be amended from time to time.
- (3) Any additions of, or changes to, the MSAs (including changes to wire centers or Level 1/Level 2 pricing status as described in this tariff) that occur after September 28, 2005 do not apply.

## (D) Service Period

The service period for this Option 33 is one (1) year and commences with the date that the new OC12 IDSR is available for use by the customer.

## (E) Terms and Conditions

- (1) Except as set forth in this Section 32.34, the terms and conditions and application of rates and charges as set forth in Section 7.2.17 preceding apply to the new OC12 IDSR and to any service connected to such new OC12 IDSR.
- (2) Each OC12 node must be located at a customer designated premises or a Telephone Company wire center that is within the Serving Area of this Option 33.
- (3) The rate elements to be included in the 1-year service period of this Option 33 include only the nodes and mileage around the circumference of the new OC12 IDSR. All ports on the new OC12 IDSR must be ordered on monthly terms in accordance with Section 7.2.17 preceding.
- (4) When a node is installed in accordance with (B)(6) preceding, a Subsequent Installation Nonrecurring Charge as specified in Section 7.2.17(A)(1) applies. Such nonrecurring charge is set forth in Section 30.7.19(A)(2) preceding for price band rates and charges and Section 31.7.19(A)(2) preceding for all other rates and charges (as determined in accordance with Section 15.3 preceding).
- (5) The new OC12 IDSR may be configured with OC3 nodes that subtend the OC12 nodes or with an OC3 ring-on-ring configuration. In either case, the OC3 nodes are subject to the rates and charges set forth in (F) following.

(N)

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Vice President, Federal Regulatory  
1300 I Street, NW, Washington, D.C. 20005

## ACCESS SERVICE

32. Contract Tariffs (Cont'd)32.34 Contract Tariff Option 33 (Cont'd)

(N)

## (E) Terms and Conditions (Cont'd)

## (6) Minimum Period

- (a) The minimum period for the new OC12 IDSR under this Option 33 is one year. In the event that the new OC12 IDSR is discontinued prior to the end of the minimum period, the minimum period obligation for this Option 33 are satisfied through the application of a termination liability charge as determined in (E) (8) following. However, the customer remains responsible for satisfying any outstanding minimum period obligations on other rate elements purchased under Section 7.2.17 preceding and to any other services connected to the new OC12 IDSR as purchased under other sections of this tariff.
- (b) When calculating any minimum period charges or cancellation charges as they apply under other sections of this tariff, the rates set forth in Section 30.7.19 preceding for price band rates and charges and Section 31.7.19 preceding for all other rates and charges (as determined in accordance with Section 15.3 preceding) are used in lieu of the rates set forth in (F) following.
- (7) Except as set forth in this Option 33, all other rates and charges and terms and conditions set forth in other sections of this tariff apply for any other rate element or work activity that may be associated with the new OC12 IDSR of this Option 33.

## (8) Termination Liability

- (a) If the new OC12 IDSR under this Option 33 is discontinued prior to the end of the Service Period specified in (D) preceding, termination liability applies. Termination liability is calculated at one hundred percent (100%) of the monthly recurring charges for the node rate elements for the balance of the Service Period.
- (b) When applicable, the termination liability charge under this Option 33 is calculated using the rates set forth in (F) following.
- (c) The customer remains responsible for satisfying any termination liability as it may apply to other rate elements purchased under Section 7.2.17 preceding and to any other services connected to the new OC12 IDSR as purchased under other sections of this tariff. Such termination liability is calculated using the rates set forth in Section 30 preceding for price band rates and charges and Section 31 preceding for all other rates and charges (as determined in accordance with Section 15.3 preceding).

(N)

(TR 617)

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Vice President, Federal Regulatory  
1300 I Street, NW, Washington, D.C. 20005

## ACCESS SERVICE

32. Contract Tariffs (Cont'd)32.34 Contract Tariff Option 33 (Cont'd)

(N)

## (E) Terms and Conditions (Cont'd)

## (9) Expiration of Service Period

Upon completion of the Service Period for this Option 33, the customer must choose one of the following options:

- (a) discontinue service without termination liability; or
- (b) select any then offered term plan or contract tariff option for which the customer is eligible; or
- (c) continue subscription to the service on a month-to-month basis at the rates for the 5-year term plan set forth in Section 30.7.19 preceding for price band rates and charges and Section 31.7.19 preceding for all other rates and charges (as determined in accordance with Section 15.3 preceding).
- (d) In the event that the customer does not make an election of (a) through (c) preceding, the customer's subscription to the new OC48 IDSR will continue in accordance with (c) preceding.

(N)

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1300 I Street, NW, Washington, D.C. 20005

## ACCESS SERVICE

32. Contract Tariffs (Cont'd)32.34 Contract Tariff Option 33 (Cont'd)

(N)

## (F) Rates and Charges

- (1) The following rates and charges apply to the node and mileage rate elements of this Option 33. The rates and charges for all other rate elements associated with the new OC12 IDSR, including those rate elements associated with services that connect to such new OC12 IDSR, are set forth in other sections of this tariff

## (a) Monthly Rates

<u>Rate Element</u>	<u>USOC</u>	<u>Monthly Rate</u>
OC12 Node, per node	-----	\$2,238.00
OC3 Node, per node	-----	1,290.00
Mileage, OC12 per mile between OC12 nodes	-----	359.00

## (b) Nonrecurring Charges

	<u>Nonrecurring Charge</u>
OC12 or OC3 Node, per node reused	None
OC12 or OC3 Node, per node installed at or moved to a new location	See Section 7.2.17(A)(1)

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