

## ACCESS SERVICE

32. Contract Tariffs (Cont'd)32.36 Contract Tariff Option 35

(S)(x)

## (A) Scope

- (1) Contract Tariff Option 35 (Option 35) provides discounted monthly rates to customers who convert an existing Special Access Verizon Dedicated SONET Ring as defined in (a) following or an existing Special Access IntelliLight® Dedicated SONET Ring as defined in (b) following (**existing DSR**) to a new Special Access Verizon Dedicated SONET Ring (**new DSR**) in accordance with the requirements set forth in (B) through (F) following.

(S)(x)  
(T)(y)  
(T)(y)  
(T)(y)  
(T)(y)  
(T)(y)  
(S)(x)

- (a) An existing DSR at Optical Carrier 12 (OC12), 48 (OC48) or 192 (OC192) under Section 34.1 following that utilizes nodes that are not enhanced and has been in-service under its current term plan for at least the duration specified in (B)(7) following may convert to this Option 35 when the requirements and eligibility set forth herein are met; or

(T)(y)  
(T)(y)  
(S)(x)  
(S)(x)

- (b) an existing DSR at OC12 or OC48 under Section 26.1 preceding that utilizes nodes that are not enhanced and has been in-service under its current term plan for at least the duration specified in (B)(7) following may convert to this Option 35 when the requirements and eligibility set forth herein are met.

(T)(y)  
(S)(x)

- (2) The terms and conditions, regulations and rates provided in this Section 32.36 apply to customers who convert to a new DSR as offered herein.

(S)(x)  
(T)(y)  
(S)(x)

## (B) Eligibility

All of the following requirements must be met in order to be eligible for subscription to Option 35.

- (1) A customer must subscribe to Option 35 by submitting a written authorization in a manner designated by the Telephone Company during the subscription period which begins on and ends on December 30, 2005 (**Subscription Period**).
- (2) A customer must subscribe to Option 35 for the service period set forth in (D) following.
- (3) A customer must convert, in accordance with this Option 35, an existing DSR under Section 26.1 preceding or Section 34.1 following to a new DSR under this Option 35. For an existing DSR that is converted from Section 26.1 preceding, the new DSR will be configured in accordance with this Section 32.36 and Section 34.1 following. The existing DSR under Section 26.1 preceding or Section 34.1 following must be configured with nodes that are not enhanced and the new DSR must be equipped with nodes that are enhanced. Enhanced nodes for DSR are described in Section 34.1 following.

(S)(x)  
(T)(y)  
(T)(y)  
(T)(y)  
(T)(y)  
(T)(y)  
(T)(y)  
(T)(y)  
(T)(y)

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32. Contract Tariffs (Cont'd)32.36 Contract Tariff Option 35 (Cont'd)(B) Eligibility (Cont'd)

- (4) Except as allowed under (B)(7) following, the new DSR can not be an existing DSR that was disconnected from another contract tariff option or discount plan in order to subscribe that DSR to this Option 35. (T)(y)  
(T)(y)  
(T)(y)  
(S)(x)
- (5) A customer may not concurrently subscribe the new DSR to any other contract tariff option in this Section 32 during its subscription to this Option 35. (T)(y)  
(S)(x)  
(S)(x)
- (6) The new DSR must be the same optical carrier rate as the existing DSR. For example, an existing OC12 DSR can only be converted to a new OC12 DSR under this Option 35. (T)(y)  
(T)(y)  
(T)(y)
- (7) The new DSR must be configured with at least the same number of nodes as the existing DSR. (T)(y)  
(T)(y)
- (a) If the new DSR is configured with more nodes than the existing DSR, the existing DSR must have been in-service under its current term plan for at least twenty-four (24) months as of December 30, 2005, regardless of the number of months in the existing DSR term plan. (T)(y)  
(T)(y)  
(S)(x)  
(T)(y)  
(S)(x)
- (b) If the new DSR is configured with the same number of nodes as the existing DSR, the existing DSR must have been in-service under its current term plan as of December 30, 2005 as follows: (T)(y)  
(T)(y)  
(S)(x)
- | <u>Existing<br/>Term Plan</u> | <u>Minimum Number of<br/>Months In-Service</u> |        |
|-------------------------------|--|--------|
| 3-Year                        | 24 Months                                      |        |
| 5-Year                        | 36 Months                                      |        |
| 7-Year                        | 48 Months                                      | (S)(x) |
- (8) At least one of the premises enhanced nodes on the new DSR must be located at the same customer designated premises as a premises node on the existing DSR, and at least one of the central office enhanced nodes on the new DSR must be located at the same central office as a central office node on the existing DSR. All nodes on the new DSR must be located within the Serving Area of this Option 35. (T)(y)  
(S)(x)  
(T)(y)  
(T)(y)  
(T)(y)  
(T)(y)  
(S)(x)
- (9) The new DSR must include at least two (2) ports capable of transmitting Ethernet signals. (T)(y)  
(S)(x)

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32. Contract Tariffs (Cont'd)32.36 Contract Tariff Option 35 (Cont'd)

## (C) Serving Area

(S)(x)

- (1) The serving area of Option 35 is comprised of the Phase I and Phase II Metropolitan Statistical Areas (MSAs) of this tariff. Phase II MSAs are listed in Section 15.3 preceding.
- (2) Wire centers for the Phase II 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 during the Service Period of this Option 35 will apply.

## (D) Service Period

- (1) The service period for the enhanced nodes and mileage of the new DSR ordered under this Option 35 is thirty-eight (38) months for a 3-year term plan, sixty-two (62) months for a 5-year term plan, or eighty-six (86) months for a 7-year term plan. The selected 38 month, 62 month or 86 month service period is that period of time during which the rates set forth in (F) following apply and during which the customer is subject to termination liability for early discontinuance of service under this Option 35. The selected service period applies in lieu of the commitment period for the term plan specified in Section 34.1 following for the 3-year term plan, the 5-year term plan or the 7-year term plan, respectively. The number of months of the service period under this Option 35 includes two (2) months during which transitional billing credit as described in (E)(6) following applies. The service period commences with the date that the new DSR is available for use by the customer and ends 38 months, 62 months or 86 months later based on the term plan selected (**Service Period**).
 

(S)(x)  
(T)(y)  
(S)(x)  
  
(S)(x)  
(T)(y)  
(S)(x)  
(S)(x)  
(S)(x)  
(T)(y)  
(S)(x)  
(S)(x)
- (2) The term plan for each port or optional feature on the new DSR Service that is ordered with the initial installation of service shall commence with the installation of the port or optional feature and end on the same date on which the Service Period for the enhanced nodes and mileage under (D)(1) preceding ends. Except as set forth in this (D)(2), ports and optional features for DSR are offered under terms and conditions and rates set forth in Section 34.1 following.
 

(T)(y)  
(S)(x)  
  
(S)(x)  
(T)(y)  
(S)(x)  
(T)(y)

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32. Contract Tariffs (Cont'd)32.36 Contract Tariff Option 35 (Cont'd)

(S)(x)

## (D) Service Period (Cont'd)

- (3) The term plan for each port or optional feature added subsequent to the initial installation of service is subject to the terms and conditions set forth in Section 34.1 following, except that the service period selected in (D)(1) preceding shall apply in lieu of the commitment period for the term plan specified in Section 34.1 following. The expiration date of the service period for such port or optional feature will be coterminous with the expiration date of the Service Period for the enhanced nodes and mileage under (D)(1) preceding when such ports or optional features are added prior to completion of the twenty-first (21<sup>st</sup>) month of the Service Period for a 3-Year term, the thirty-sixth (36<sup>th</sup>) month of the Service Period for a 5-Year term, or the fiftieth (50<sup>th</sup>) month of the Service Period for a 7-Year term. Ports or optional features added after the aforementioned periods are subject to month-to-month billing terms as described in Section 34.1 following.

(S)(x)  
(T)(y)  
(S)(x)  
(T)(y)  
(T)(y)  
(S)(x)  
  
(S)(x)  
(T)(y)

## (E) Terms and Conditions

(S)(x)

- (1) Except as set forth in this Section 32.36, the terms and conditions (e.g., additions of nodes) and application of rates and charges as set forth in Section 34.1 following apply to the new DSR and to any service(s) connected to such new DSR.
- (2) The rates and charges set forth in (F) following for the node and mileage rate elements apply for nodes and mileage that are ordered during the subscription period specified in (B)(1) preceding. Nodes and mileage added after the end of the subscription period are subject to the rates and charges set forth in Section 30.34.1 preceding for price band rates and charges and Section 31.34.1 preceding for all other rates and charges (as determined in accordance with Section 15.3 preceding).
- (3) A new term plan and corresponding service period shall commence on the date that the new DSR is available for use by the customer. The customer may select any term plan offered, provided that the corresponding Service Period is equal to, or longer than, the number of months remaining in the term plan of the existing DSR. For example, if the existing DSR term plan is 7-Years and there are 48 months remaining to the end of that term plan, the customer may only select a 5-Year or a 7-Year term plan under this Option 35 for the new DSR. Additionally, no time-in-service credit will be applied for the period of time that the existing DSR was in-service under its current term plan.
- (4) Except as set forth in this Option 35, 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 DSR included in this Option 35.

(S)(x)  
(T)(y)  
(T)(y)  
(S)(x)  
(T)(y)  
(S)(x)  
  
(S)(x)  
(T)(y)  
(S)(x)  
(S)(x)  
(T)(y)  
(T)(y)  
(S)(x)  
  
(S)(x)  
(S)(x)  
(S)(x)  
(T)(y)

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32. Contract Tariffs (Cont'd)32.36 Contract Tariff Option 35 (Cont'd)

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

- |  |   |
|--|---|
| (5) The conversion from the existing DSR to the new DSR is complete when all circuits on the existing DSR are disconnected from the existing DSR and are installed and operational on the new DSR, and the existing DSR is disconnected.   | (T)(y)<br>(T)(y)<br>(T)(y)<br>(T)(y)                  |
| (6) Transitional Billing Credit  | (S)(x)  |
| (a) Upon completion of the conversion and regardless of the time taken to complete the conversion, the customer will receive two (2) months of transitional billing credit for a conversion to new DSR under this Option 35.   | (S)(x)<br>   <br>(S)(x)<br>(T)(y)                     |
| (b) Transitional billing credit is applied at fifty percent (50%) of the monthly recurring charges for 2 months for the node and mileage rate elements on the existing DSR, as applicable, and 50% of the monthly recurring charges for 2 months for the enhanced node and mileage rate elements on the new DSR.   | (S)(x)<br>(S)(x)<br>(T)(y)<br>(S)(x)<br>(T)(y)        |
| (7) Termination Liability  | (S)(x)  |
| (a) Termination liability does not apply to discontinuance of the existing DSR when the terms and conditions set forth in this Option 35 are met.  | (S)(x)<br>(T)(y)<br>(S)(x)                            |
| (b) Termination liability does apply if the new DSR under this Option 35 is discontinued prior to the end of the Service Period. Termination liability is subject to the terms and conditions set forth in Section 34.1 following.   | (T)(y)<br>(S)(x)<br>(S)(x)<br>(T)(y)                  |
| (c) When calculating any termination liability charge under this Option 35, the 3-year, 5-year or 7-year term plan rates set forth in Section 30.34.1 preceding for price band rates and charges and Section 31.34.1 preceding for all other rates and charges (as determined in accordance with Section 15.3 preceding) are used. These rates apply in lieu of the 38 month, 62 month or 86 month service period rates set forth in (F) following.  | (S)(x)<br>(S)(x)<br>(T)(y)<br>(T)(y)<br>(S)(x)<br>    |
| (8) When calculating any minimum period charges or cancellation charges as they apply under other sections of this tariff, the 3-year, 5-year or 7-year term plan rates set forth in Section 30.34.1 preceding for price band rates and charges and Section 31.34.1 preceding for all other rates and charges (as determined in accordance with Section 15.3 preceding) are used. These rates apply in lieu of the 38 month, 62 month or 86 month service period rates set forth in (F) following. | (S)(x)<br>(T)(y)<br>(T)(y)<br>(S)(x)<br>   <br>(S)(x) |

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32. Contract Tariffs (Cont'd)32.36 Contract Tariff Option 35 (Cont'd)

(S)(x)

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

## (9) Expiration of Service Period

Upon completion of the Service Period for this Option 35, 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 monthly basis at the applicable 3-Year, 5-Year or 7-Year term plan rates and charges 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 DSR will continue in accordance with (c) preceding.

(S)(x)  
(T)(y)  
(S)(x)

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(S)(x)

## (F) Rates and Charges

The following rates and charges apply to the enhanced nodes and mileage of the new DSR when ordered at anytime up to the end of the subscription period. The rates and charges for nodes and mileage ordered after the end of the subscription period, and for all other rate elements associated with the new DSR (e.g., ports, CSM optional feature), including those rate elements associated with services that connect to such new DSR, are set forth in other sections of this tariff.

(S)(x)  
(T)(y)  
(S)(x)  
(S)(x)  
(T)(y)  
(S)(x)

<u>Rate Element</u>	<u>USOC</u>	<u>Monthly Rate</u>	<u>Nonrecurring Charge</u>
OC12 Enhanced Node, per enhanced node			
38 Month Service Period	-----	\$ 4,860.00	None
62 Month Service Period	-----	2,430.00	None
86 Month Service Period	-----	2,308.50	None
OC48 Enhanced Node, per enhanced node			
38 Month Service Period	-----	\$10,658.00	None
62 Month Service Period	-----	4,143.60	None
86 Month Service Period	-----	3,935.85	None
OC192 Enhanced Node, per enhanced node			
38 Month Service Period	-----	\$16,560.00	None
62 Month Service Period	-----	8,280.00	None
86 Month Service Period	-----	7,866.00	None
OC12 Mileage, per mile			
38 Month Service Period	-----	\$ 671.00	None
62 Month Service Period	-----	323.10	None
86 Month Service Period	-----	323.95	None
OC48 Mileage, per mile			
38 Month Service Period	-----	\$ 1,279.00	None
62 Month Service Period	-----	575.10	None
86 Month Service Period	-----	576.65	None
OC192 Mileage, per mile			
38 Month Service Period	-----	\$ 2,559.00	None
62 Month Service Period	-----	1,151.10	None
86 Month Service Period	-----	1,154.25	None

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