

ACCESS SERVICE CHECK SHEET

Title Pages 1 and 2 and Pages 1 to 25-39 inclusive of this tariff are effective as of the date shown. Original and revised pages as named below and Supplement Nos. 13, 14, 15, 16, 17, 19, 20, 28 and 29 contain all changes from the original tariff that are in effect on the date hereof.

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21. CONTRACT TARIFFS (Cont'd)21.43 Contract Tariff Option 42

(N)

(A) Scope

- (1) Contract Tariff Option 42 (**Option 42**) is an offering exclusively for customers who disconnect an existing Special Access Verizon Dedicated SONET Ring service purchased under this tariff (**existing DSR**) and replace such existing DSR with a Special Access Verizon Dedicated SONET Ring service purchased under this tariff or under Tariff F.C.C. No. 11 (**replacing DSR**). The existing DSR must use enhanced nodes (as further described in Section 23.1 following), and the replacing DSR must be the same or higher optical carrier (**OC**) rate as the existing DSR. (x)
- (2) When the requirements of this Option 42 are met, disconnection of the existing DSR will not be subject to termination liability as it would otherwise apply under Section 23.1(E) following.

(B) Eligibility Requirements

All of the following requirements must be met in order to be eligible for subscription to Option 42.

- (1) A customer must subscribe to Option 42 by submitting a written authorization in a manner designated by the Telephone Company during the thirty (30) day period that begins on August 23, 2006 and ends on September 21, 2006 (**Subscription Period**).
- (2) The customer must accept the replacing DSR on the date that the Telephone Company makes the replacing DSR available to the customer (**original service date**). Submission of the Access Service Request as required under Section 5.2 preceding constitutes the customer's acceptance of the replacing DSR. If the customer does not accept the replacing DSR on the original service date, the customer's acceptance of the replacing DSR on a later date will make the service ineligible for subscription to Option 42, unless the later service date is designated by the Telephone Company.
- (3) When the replacing DSR is the same OC rate as the existing DSR (for example, the existing DSR and the replacing DSR are both OC12) the following requirements apply.
 - (a) The existing DSR must use enhanced nodes and the replacing DSR must use enhanced nodes.
 - (b) The Service Period for the replacing DSR must commence with the date that the replacing DSR is available for use by the customer.
 - (c) The 5-year Service Period set forth in (D) following for the replacing DSR must be equal to or greater than the commitment period of the term plan for the existing DSR. Specifically, where the existing DSR has a 3-year term plan the replacing DSR will have a 5-year Service Period and where the existing DSR has a 5-year term plan the replacing DSR will have a 5-year Service Period.

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21. CONTRACT TARIFFS (Cont'd)21.43 Contract Tariff Option 42 (Cont'd)

(N)

(B) Eligibility Requirements (Cont'd)

(3) (Cont'd)

- (d) The total monthly recurring charges for the node, high speed (pass-through) interface, mileage, and port (DS1, DS3, STS1 and Gigabit Ethernet ports only) rate elements of the replacing DSR must be at least twenty-five percent (25%) greater than the total monthly recurring charges for the node, high speed (pass-through) interface, mileage, and port (DS1, DS3, STS1 and Gigabit Ethernet ports only) rate elements of the existing DSR.
- (4) When the replacing DSR is a higher OC rate than the existing DSR, all of the provisions for an upgrade of DSR to a higher OC rate apply as follows.
 - (a) An existing DSR must be upgraded with a replacing DSR of greater capacity than the capacity of the existing DSR (e.g., an OC12 existing DSR can be upgraded to a replacing OC48 or OC192 DSR).
 - (b) The Service Period for the replacing DSR must commence with the date that the new DSR is available for use by the customer.
 - (c) The replacing DSR must use enhanced nodes.
 - (d) The 5-year Service Period set forth in (D) following for the replacing DSR must be equal to or greater than the commitment period of the term plan for the existing DSR. Specifically, where the existing DSR has a 3-year term plan the replacing DSR will have a 5-year Service Period or where the existing DSR has a 5-year term plan the replacing DSR will have a 5-year Service Period.
 - (e) The total monthly recurring charges for the node, high speed (pass-through) interface, mileage and port (DS1, DS3, STS1 and Gigabit Ethernet ports only) rate elements of the replacing DSR must be at least twenty-five percent (25%) greater than the total monthly recurring charges for the node, high speed (pass-through) interface, mileage and port (DS1, DS3, STS1 and Gigabit Ethernet ports only) rate elements of the existing DSR.

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21. Contract Tariffs (Cont'd)21.43 Contract Tariff Option 42 (Cont'd)

(N)

(C) Serving Area

- (1) The Serving Area for the existing or replacing DSR ordered under this tariff includes all of the Metropolitan Statistical Areas (**MSAs**) that have achieved Phase I or Phase II pricing flexibility under this tariff. Wire centers for the Phase II MSAs are listed in Section 14.7 preceding.

The Serving Area for a replacing DSR ordered under Tariff F.C.C. No. 11 includes all of the Metropolitan Statistical Areas (**MSAs**) that have achieved Phase I or Phase II pricing flexibility in that tariff. Tariff F.C.C. No. 11 wire centers for the Phase II MSAs are listed in Section 15.3 of that tariff.

(x)

(x)

- (2) Any additions of, or changes to, the MSAs (including changes to wire centers or Level 1/Level 2 pricing status) that occur during the Service Period will apply beginning on the effective date of such change and continuing through the end of the commitment period. When such change results in an increase or decrease to the rates applicable to the replacing DSR, no retroactive billing or adjustment will be made for the portion of the Service Period that has elapsed prior to the effective date of the change.

(D) Service Period

- (1) The service period for the replacing DSR is the DSR 5-year term plan specified in Section 23.1 of this tariff or Section 34.1 of Tariff F.C.C. No. 11, as applicable (**Service Period**).
- (2) The Service Period for a replacing DSR commences with the date that billing for the replacing DSR begins in accordance with Section 5.2 preceding or with Section 5.2 of Tariff F.C.C. No. 11, as applicable, and ends sixty (60) months later.

(x)

(x)

(x)

(E) Eligible Rate Elements and Service Configurations

- (1) Replacing DSR rate elements that are eligible for subscription to this Option 42 are:
- Enhanced nodes (OC12, OC48, OC192)
 - High speed (pass-through) interfaces (OC12, OC48, OC192)
 - Mileage (OC12, OC48, OC192)
 - Ports (DS1, DS3, STS1 and Gigabit Ethernet only)
- (2) Both full ring and partial ring service configurations may be subscribed to this Option 42.

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21. Contract Tariffs (Cont'd)21.43 Contract Tariff Option 42 (Cont'd)

(N)

(F) Application of Rates and Charges

- (1) The rates and charges for a replacing DSR ordered under this tariff are the rates and charges set forth in Section 23.1(L) following (as determined in accordance with Section 15.3 preceding) and apply for the eligible rate elements set forth in (E)(1) preceding during the applicable Service Period.

- (1) The rates and charges for a replacing DSR ordered under Tariff F.C.C. No. 11 are the rates and charges set forth in Tariff F.C.C. No. 1 at Section 30.34.1 for price band rates and charges and Section 31.34.1 for all other rates and charges (as determined in accordance with Section 15.3 of that tariff) and apply for the eligible rate elements set forth in (E)(1) preceding during the Service Period.

(x)

(x)

(G) Terms and Conditions

Unless superseded by the terms and conditions set forth herein, all terms and conditions, including termination liability as stated in Section 23.1 following of this tariff, or in Section 34.1 of Tariff F.C.C. No. 11, apply to the replacing DSR.

(x)

(x)

(1) Subscription to Other Contract Tariff Options

- (a) A customer subscribing to a replacing DSR under this Option 42 may concurrently subscribe to any other tariff arrangement, contract tariff option, special service arrangement, or Individual Case Basis (ICB) arrangement offered by the Telephone Company and available to the customer either currently or at any time during the commitment period, which tariff arrangement, contract tariff option, special service arrangement, or ICB provides a discount, credit, or other reduction in rates or terms based on achievement of revenue or volume targets/levels by the customer for those same services.
- (b) Except as set forth in (G)(1)(a) preceding, the customer may not concurrently subscribe the replacing DSR, or any rate element of such replacing DSR, to another contract tariff option, unless the other contract tariff option specifically allows the replacing DSR for this Option 42 to concurrently subscribe to that other contract tariff option.

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21. Contract Tariffs (Cont'd)21.43 Contract Tariff Option 42 (Cont'd)

(N)

(G) Terms and Conditions (Cont'd)

(2) Termination Liability

- (a) Termination liability will not apply to cancellation of the commitment period for the existing DSR when the replacing DSR is ordered in accordance with (B)(3) and (4) preceding and Section 23.1 following or Section 34.1 of Tariff F.C.C. No. 11, as applicable. (x)
- (b) Termination liability as it applies to the replacing DSR will not apply if the replacing DSR is converted (during the Service Period specified in (D) preceding) to another Telephone Company service with a higher OC rate or with a longer commitment period than the replacing DSR.
- (c) In all other cases, termination liability will apply if the replacing DSR or a portion of the replacing DSR is terminated prior to the end of the Service Period specified in (D) preceding. Termination liability is calculated in accordance with Section 23.1(E) following of this tariff or Section 34.1(E) of Tariff F.C.C. No. 11. (x)
(x)

(3) Expiration of Service Period

- (a) Upon completion of the Service Period for this Option 42, the customer's subscription to this Option 42 is terminated, and the customer must choose one of the following options:
 - (1) discontinue the replacing DSR without termination liability;
 - (2) select any then offered term plan or contract tariff option for which the customer is eligible; or
 - (3) continue subscription to the replacing DSR on a monthly basis at the rates and charges for the 5-year term plan.
- (b) In the event that the customer does not make an election of (G)(3)(a)(1) through (3) preceding, the customer's subscription to the replacing DSR will continue in accordance with (G)(3)(a)(3) preceding. (N)

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