21. Contract Tariffs (Cont'd)

21.45 Contract Tariff Option 44 (Cont'd) (N)

(B) Eligibility Requirements

All of the following requirements must be met in order to subscribe to this Option 44 and to be eligible for the rates set forth in (H) following.

(1) During the twelve (12) month period prior to subscription to this Option 44, the customer must have achieved a minimum of sixteen million dollars ($16,000,000.00) in billed monthly recurring revenue for interstate telecommunications services purchased by the customer from the Telephone Company under Tariff F.C.C. No. 1 (**FCC1**), Tariff (x)
F.C.C. No. 11 (**FCC11**), Tariff F.C.C. No. 14 (**FCC14**), and Tariff (x)
F.C.C. No. 20 (**FCC20**). (x)

(2) For the twelve (12) month period prior to subscription to this Option 44, the customer must have investment grade level credit ratings on a total corporate basis, including all affiliates, of at least "A" as issued by Standard & Poor's, and at least "A2" as issued by Moody's.

(3) The customer must have short term credit ratings of at least "A1" as issued by Standard & Poor's and at least "P1" as issued by Moody's.

(4) For the twelve (12) month period prior to subscription to this Option 44, the customer must have a Quick Ratio (current assets divided by current liabilities), as measured on a total corporate basis, including all affiliates, of at least 0.5. The value of the total cash, cash equivalents, and other short term investments in the calculation of current assets used in the Quick Ratio calculation must be at least twenty billion dollars ($20,000,000,000.00). (N)

(x) Issued under authority of Special Permission No. 07-xxx of the Federal Communications Commission.

21. Contract Tariffs (Cont'd)

21.45 Contract Tariff Option 44 (Cont'd) (N)

(B) Eligibility Requirements (Cont'd)

(5) A minimum of six (6) interstate SDRs must be ordered (**Ordered SDRs**) during the period which begins January xx, 2007 and ends March x, 2007 (**Subscription Period).** The Ordered SDRs, as defined in (B)(8) following, can be new SDRs, upgrades to OC192 SDRs, renewals of SDRs, or conversions to SDR, and must meet all of the following requirements.

(a) The Ordered SDRs must be purchased by the customer from the Telephone Company.

(b) At least fifty percent (50%) of the total number of Ordered SDRs that are new SDRs, as defined in (B)(8)(a) following, must have an optical carrier (**OC**) rate of forty-eight (OC48) or one hundred ninety-two (OC192).

(c) At least two (2) of the Ordered SDRs must have an OC rate of 192 (OC192).

(d) At least one (1) of the Ordered SDRs must be replacing an IntelliLight® Dedicated SONET Ring service that was previously purchased under Section 26.1 of FCC11 (**IDSR**). (x)

(e) At least sixty percent (60%) of the existing SDRs, including any existing IDSR, any existing SDR that is upgraded in accordance with (B)(8)(b) following, or any existing SDR that is converted to an Ordered SDR in accordance with (B)(8)(d) following, must have been in service for at least two (2) years prior to January xx, 2007.

(f) At least forty percent (40%) of the existing SDRs must be under a term plan that has already expired or will expire prior to January xx, 2008. (N)

(x) Issued under authority of Special Permission No. 07-xxx of the Federal Communications Commission.