Budget Call Long Distance, Inc.

BUDGET CALL LONG DISTANCE, INC.
of
180 South Clinton Avenue
Rochester, New York 14646

RATES, RULES and REGULATIONS for FURNISHING

RESALE TELECOMMUNICATIONS SERVICES

Filed with the
PUBLIC SERVICE COMMISSION OF KENTUCKY

PUBLIC SERVICE COMMISSION
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EFFECTIVE

MAR 22 1996

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)
BY: Andrea C. Neal
FOR THE PUBLIC SERVICE COMMISSION

CHECK SHEET

The of this tariff as indicated below are effective as of the date shown. Original and revised pages, as named below, contain all changes from the original tariff that are in effect on the date thereon, except as otherwise noted.

SHEET	REVISION
1	Original *
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Issued: January 17, 1996
Issued by authority of an order of By:
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Michael J. Hughes
BUDGET CALL LONG DISTANCE, INC.

TARIFF FORMAT

Page Numbering - Page numbers appear in the upper right hand corner of the page. Pages are numbered sequentially. From time to time new pages may be added to the tariff. When a new page is added between existing pages a decimal is added to the preceding page number. For example, a new page added between Pages 3 and 4 would be numbered 3.1.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement which connects the Customer's location to a Budget Call Long Distance, Inc. switching center or point of presence.

Authorized User - A person, firm, corporation, or any other entity authorized by the Customer to communicate utilizing the Carrier's service.

Budget Call - Used throughout this tariff to mean Budget Call Long Distance, Inc. unless clearly indicated otherwise by the text.

Commission - The Kentucky Public Service Commission.

Company or Carrier - Budget Call Long Distance, Inc. unless otherwise clearly indicated by the context.

Customer - The person, firm, corporation or other entity which orders, cancels, amends or uses service and is responsible for payment of charges and compliance with the Company's tariff.

Daytime - From 8:00 AM up to but not including 5:00 PM local time Monday through Friday.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, (CONT'D.)

End User - Any person, firm, corporation, partnership or other entity which uses the services of the Carrier under the provisions and regulations of this tariff. The End User is responsible for payment unless the charges for the services utilized are accepted and paid by another Customer.

Equal Access - The ability of the Carrier to serve End Users on a presubscribed basis rather than through the use of dial access codes.

Holidays - Holidays observed by the Carrier as specified in this tariff.

LATA - Local access and transport area. A geographic area established by the US District Court for the District of Columbia in Civil Action No. 17-49, within which a local exchange company provides communications services.

LEC - Local Exchange Company

Subscriber - The person, firm, Customer, corporation or other entity that arranges for the Carrier to provide, discontinue or rearrange telecommunications services on behalf of itself or others under the provisions and terms of this tariff. Also see Customer.

Switched Access Origination/Termination - Where originating or terminating access between the Customer and the interexchange carrier is provided on Feature Group circuits. The cost of switched Feature Group access is billed to the interexchange carrier.

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SECTION 2 - RULES AND REGULATIONS

2.1 Application of Tariff

2.1.1 This tariff contains the regulations and rates applicable to intrastate long distance resale telecommunications services provided by Budget Call for telecommunications between points within the State of Kentucky.

2.1.2 The services of Budget Call are not part of a joint undertaking with any other entity providing telecommunications channels, facilities or services, but do involve the resale of the Message Toll Services (MTS) of underlying common carriers.

2.1.3 The rates and regulations contained in this tariff apply only to the services furnished by Budget Call and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carrier for use in accessing the services of Budget Call.

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SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.2 Use of Services

2.2.1 Budget Call's services may be used for any lawful purpose consistent with the transmission and switching parameters of the telecommunications facilities utilized in the provision of services.

2.2.2 The use of Budget Call's services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another or in such a way as to unreasonably interfere with use by others is prohibited.

2.2.3 The use of Budget Call's services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.

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SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.3 Liability of Budget Call

2.3.1 The liability of the Company for its willful misconduct or gross negligence which is the sole legal cause of damage or injury is not limited by this tariff. With respect to any other claim or suit, by a Customer or by any others, for damages associated with acts or omissions involving initiation, installation, provision, termination, maintenance, repair, interruption or restoration of any service or facilities offered under this tariff, the Company's liability, if any, is limited to the lesser of $500 or the actual damages or injury sustained, which in the the event of any failure of service shall be deemed to be 1/30 of the monthly charge for service affected for each 24-hour period during which such failure of service occurs and is reported to or known by the Company. In addition, Customer credits for interrupted service will be issued, where applicable, in accordance with the provisions of Section 2.14.

2.3.2 In no event will Company be responsible for consequential damages or lost profits suffered by Customer on account of interrupted or unsatisfactory service unless Company is found to have been willfully negligent.

2.3.3 The Company is not liable for any act or omission of any other company or companies furnishing a portion of the service. No agents or employees of other carriers shall be deemed to be agents or employees of the Company.

2.3.4 The Company shall be indemnified and held harmless by the Customer against:

a. Claims for libel, slander, infringement of copyright or unauthorized use of any trade mark, trade name or service mark arising out of the material, data, information, or other content transmitted by the Customer over the Company's facilities; and

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SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.3 Liability of Budget Call, (cont'd.)

2.3.4 (cont'd.)

b. Claims for patent infringement arising from combining or connecting the Company's facilities with apparatus and systems of the Customer; and

c. All other claims arising out of any act or omission of the Customer in connection with any service provided by the Company.

2.3.5 The Company will make no refund of overpayments by a Customer unless the claim for such overpayment together with proper evidence be submitted within one (1) year from the date of alleged overpayment unless billing records prepared by the Company can be produced which would justify a credit beyond one year.

2.3.6 Acceptance by the Commission of the liability provisions contained in this tariff does not constitute its determination that the limitation of liability imposed by the Company should be upheld in a court of law, but the recognition that, as it is the duty of the courts to adjudicate negiligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of this tariff.

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SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.4 Responsibilities of the Customer or Subscriber

2.4.1 The Customer is responsible for placing any necessary orders; for complying with tariff regulations; and for assuring that users comply with tariff regulations. The Customer shall ensure compliance with any applicable laws, regulations, orders or other requirements (as they exist from time to time) of any governmental entity relating to services provided or made available by the Customer to Authorized Users.

2.4.2 The Customer must pay the Company for replacement or repair of damage to the equipment or facilities of the Company caused by negligence or willful act of the Customer, users, or others, by improper use of the services, or by use of equipment provided by the Customer, users, or others.

2.4.3 The Customer or Authorized User is responsible for payment of the charges set forth in this tariff.

2.4.4 The Customer or Authorized User is responsible for compliance with the applicable regulations set forth in this tariff.

2.4.5 The Customer or Authorized User is responsible for establishing its identity as often as necessary during the course of a call.

2.4.6 The Customer or Authorized User is responsible for identifying the station, party, or person with whom communications is desired and/or made at the called number.

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SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.5 Cancellation or Interruption of Services

2.5.1 Without incurring liability, Budget Call may with proper notice in accordance with 807 KAR 5:006, Section 14, immediately discontinue services to a Customer or may withhold the provision of ordered or contracted services:

(A) Upon 5 days written notice for nonpayment of any sum due Budget Call for more than thirty days after issuance of the bill for the amount due,

(B) For violation of any of the provisions of this tariff,

(C) For violation of any law, rule, regulation or policy of any governing authority having jurisdiction over the Company's services, or

(D) By reason of any order or decision of a court, public service commission or federal regulatory body or other governing authority prohibiting Budget Call from furnishing its services.

2.5.2 Without incurring liability, Budget Call may interrupt the provision of services at any time in order to perform tests and inspections to assure compliance with tariff regulations and the proper installation and operation of Customer and Company's equipment and services and may continue such interruption until any items of noncompliance or improper equipment operation so identified are rectified.

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SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.5 Cancellation or Interruption of Services (cont'd.)

2.5.3 Service may be discontinued by Budget Call, without notice to the Customer, by blocking traffic to certain countries, cities, or NXX exchanges, or by blocking calls using certain Customer authorization codes, when Budget Call deems it necessary to take such action to prevent unlawful use of its service. Budget Call will restore service as soon as it can be provided without undue risk, and will, upon request by the Customer affected, assign a new authorization code to replace the one that has been deactivated. Within twenty-four (24) hours after such termination, Budget Call shall send written notification to the Customer of the reasons for termination or refusal of service upon which Budget Call relies, and of the Customer's right to challenge the termination by filing a formal complaint with the Commission.

2.5.4 Customer may cancel service by providing 30 days written notice to the Company.

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SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.5 Cancellation or Interruption of Services, (cont'd.)

2.5.5 Interruption of Service

For services which are billed on a monthly fee bases, credit allowances for interruptions of service which are not due to the Company's testing or adjusting, to the negligence of the Customer, or to the failure of channels, equipment or communications systems provided by the Customer, are subject to the general liability provisions set forth in Section 2.3 herein. It shall be the obligation of the Customer to notify Company immediately of any interruption in service for which a credit allowance is desired by Customer. Before giving such notice, Customer shall ascertain that the trouble is not within his or her control, or is not in wiring or equipment, if any, furnished by Customer and connected to Company's terminal. Interruptions caused by Customer-provided automatic dialing equipment or access-code programmed PBXs are not deemed an interruption of service as defined herein since the Customer has the option of using the long distance network via local exchange company access.

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SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.6 Deposits

The Company does not require deposits of Customers.

2.7 Advance Payments

The Company does not require advance payments of Customers.

2.8 Taxes

All state and local taxes (e.g., gross receipts tax, sales tax, municipal utilities tax) are billed as separate line items and are not included in the quoted rates.

2.9 Payment for Service

2.9.1 The Customer is responsible for payment of all charges for services and equipment furnished to the Customer or to an Authorized User of the Customer by Budget Call Long Distance, Inc. All charges due by the Customer are payable to the Company or to the Company's authorized billing agent (such as a local exchange telephone company). Any objections to billed charges must be reported to the Company or its billing agent within six months after receipt of bill. Adjustments to the Customer's bill shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate.

2.9.2 Customers are billed directly by the local exchange company and are subject to the payment regulations applicable to the local exchange company which are approved by the Commission.

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SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.9 Payment for Service, (cont'd.)

2.9.3 (cont'd.) accruing at a rate of one-and-one half percent (1.5%) per month. Collection fees on unpaid charges shall begin to accrue when the account is assigned to an outside collection agency. Such collection fees are separate and distinct from attorney's fees and other costs incurred in collecting charges owed to the Company.

2.9.4 The Customer shall be responsible for all calls placed by or through Customer's equipment by any person. In particular and without limitation to the foregoing, the Customer is responsible for any calls placed by or through the Customer's equipment via any remote access features. The Customer is responsible for all calls placed via their authorization code as a result of the Customer's intentional or negligent disclosure of the authorization code.

2.9.5 Billing is performed by the local exchange company that serves the Customer and shall conform in all respects to billing requirements imposed by the Commission. Bills include the following information: Date of Bill Rendering

- Company Name
- Service Dates
- Due Date
- Past Due Date
- Current Amount Due
- Past Due Amount (if applicable)
- Past Due Penalties (if applicable)
- Date and Time of Each call
- Originating location/ terminating number
- Call duration
- Call type
- Total Charges per Call
- Total Charges for Company Services
- Taxes

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SECTION 3 - SERVICE AND RATE DESCRIPTION

3.1 General

Service is available twenty-four hours per day, seven days a week on a presubscription basis and dial access basis from equal access exchanges, and on a dial access basis only from exchanges in which equal access is not available. Services arranged for the use of the transient public are subject to restrictions imposed by the Kentucky Public Service Commission and the Federal Communications Commission.

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SECTION 3 - SERVICE AND RATE DESCRIPTION, (CONT'D.)

3.2 Calculation of Distance

Usage charges for all mileage sensitive products are based on the airline distance between the rate center locations associated with the originating and terminating points of the call.

The distance between the originating and terminating points is calculated by using the "V" and "H" coordinates of the rate centers as defined by BellCore (Bell Communications Research), in the following manner:

Step 1 - Obtain the "V" and "H" coordinates for the rate center of the originating and the destination points.

Step 2 - Obtain the difference between the "V" coordinates of each of the rate centers. Obtain the difference between the "H" coordinates.

Step 3 - Square the differences obtained in Step 2.

Step 4 - Add the squares of the "V" difference and "H" difference obtained in Step 3.

Step 5 - Divide the sum of the square obtained in Step 4 by ten (10). Round to the next higher whole number if any fraction results from the division.

Step 6 - Obtain the square root of the whole number obtained in Step 5. Round to the next higher whole number if any fraction is obtained. This is the distance between the originating and terminating rate centers of the call.

Formula:

$$\sqrt{\frac{(V_1-V_2)^2+(H_1-H_2)^2}{10}}$$

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SECTION 3 - SERVICE AND RATE DESCRIPTION, (CONT'D.)

3.3 Timing of Calls

3.3.1 Long distance usage charges are based on the actual usage of Budget Call's network. The Company will determine that a call has been established through industry standard answer detection methods, including hardware answer detection.

3.3.2 Chargeable time for a call ends upon disconnection by either party.

3.3.3 The minimum call duration and initial period for billing purposes is one minute.

3.3.4 Unless otherwise specified in this tariff, for billing purposes usage is measured and rounded to the next higher full minute.

3.3.5 No charges apply for incomplete calls. If a Customer believes he or she has been incorrectly billed for an incomplete call, the Company will, upon notification, investigate the circumstances of the call and issue a credit when appropriate.

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SECTION 3 - SERVICE AND RATE DESCRIPTION, (CONT'D.)

3.4 Per-minute Charges - Applicable Rate Periods

Unless otherwise specified, applicable rate periods (Day, Evening, Night/Weekend) are indicated in the chart below:

Day Rate Period:	Monday through Friday, 8:00 AM to 5:00 PM*
Evening Rate Period:	Sunday through Friday, 5:00 PM to 11:00 PM*
Night/Weekend Rate Period:	All days, 11:00 PM to 8:00 AM* Saturday 8:00 AM to Sunday 5:00 PM*

* To, but not including

3.5 Recognized Holidays

Company recognizes the following holidays for the purposes of discounting usage rates in certain cases: New Year's Day (January 1), Labor Day, Independence Day (July 4), Thanksgiving Day, and Christmas Day (December 25). Evening Rate Period rates will apply to all calls made between 8:00 AM and 5:00 PM during Company-recognized holidays.

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SECTION 3 - SERVICE AND RATE DESCRIPTION, (CONT'D.)

3.6 Casual Calling

Casual calling is a specialized service allowing Customers to access the Company's network by using the dialing sequence "10XXX." As all Casual Calling calls are billed via local exchange carrier monthly invoices, Casual Calling is only available in those areas where a billing and collection agreement exists between the Company and the local exchange carrier serving the Customer's account.

Per Minute Usage Charges are based on airline mileage as calculated using formula in Section 3.2 of this tariff. All calls are rounded to the next higher full minute with a minimum billing of one minute per call.

InterLATA Rates:

Mileage Band	Day		Evening		Night/Weekend	
	1ST MINUTE	ADD'L MINUTE	1ST MINUTE	ADD'L MINUTE	1ST MINUTE	ADD'L MINUTE
0-10	.2300	.1800	.1900	.1425	.1534	.1121
11-16	.2070	.1620	.1710	.1283	.1381	.1009
17-22	.2160	.1890	.1710	.1305	.1381	.1209
23-30	.2160	.1890	.1710	.1305	.1381	.1209
31-55	.2340	.1890	.1751	.1643	.1440	.1440
56-85	.2700	.2250	.1935	.1800	.1499	.1499
86-124	.2700	.2520	.1935	.1800	.1593	.1535
125-196	.3060	.2970	.2250	.2070	.1746	.1746
197-292	.2890	.2805	.2125	.2040	.1649	.1649
293+	.2844	.2765	.2052	.2003	.1590	.1590

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SECTION 3 - SERVICE AND RATE DESCRIPTION, (CONT'D.)

3.6 Casual Calling, Cont'd.

IntraLATA Rates

Mileage Band	Day		Evening		Night/Weekend	
	1ST MINUTE	ADD'L MINUTE	1ST MINUTE	ADD'L MINUTE	1ST MINUTE	ADD'L MINUTE
0-10	.1775	.1400	.1154	.0910	.1065	.0840
11-16	.1688	.1688	.1097	.1097	.1013	.1013
17-22	.1688	.1688	.1097	.1097	.1013	.1013
23-30	.1778	.1778	.1155	.1155	.1067	.1067
31-40	.1778	.1778	.1155	.1155	.1067	.1067
41-55	.1778	.1778	.1155	.1155	.1067	.1067
56-70	.1800	.1800	.1170	.1170	.1080	.1080
71-85	.1800	.1800	.1170	.1170	.1080	.1080
86-100	.1845	.1845	.1199	.1199	.1107	.1107
101-124	.1845	.1845	.1199	.1199	.1107	.1107
125-148	.1926	.1926	.1252	.1252	.1156	.1156
149+	.1926	.1926	.1252	.1252	.1156	.1156

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SECTION 3 - SERVICE AND RATE DESCRIPTION, (CONT'D.)

3.8 Budget Call Travel Card Service

Budget Call Travel Card Service is a one-way dial-in dial-out multipoint service allowing Subscribers to originate calls via a Carrier-provided 800 number. Budget Call Travel Card Subscribers may terminate calls in all cities within the state. All calls are rounded to the next higher full minute. In addition, a per-call surcharge will be imposed on all calls.

For purposes of assessing Per Minute Usage Charges, Standard Day, Evening and Night/Weekend calling periods apply. Per Minute Usage Charges are based on airline mileage as calculated using formula in Section 3.2 of this tariff. All calls are rounded to the next higher full minute with a minimum billing of one minute per call.

A per-call surcharge of $0.63 will be imposed on all calls.

InterLATA

Mileage Band	Day		Evening		Night/Weekend	
	1ST MINUTE	ADD'L MINUTE	1ST MINUTE	ADD'L MINUTE	1ST MINUTE	ADD'L MINUTE
1-10	.2200	.1800	.1694	.1284	.1342	.1050
11-16	.1980	.1620	.1525	.1156	.1208	.0945
17-22	.1980	.1710	.1525	.1317	.1208	.1043
23-30	.1980	.1710	.1525	.1317	.1208	.1043
31-55	.2250	.2250	.1733	.1733	.1373	.1373
56-85	.2610	.2610	.2010	.2010	.1591	.1591
86-124	.2610	.2610	.2010	.2010	.1591	.1591
125-196	.2610	.2610	.2010	.2010	.1591	.1591
197-292	.2890	.2890	.2225	.2225	.1700	.1700
293+	.2686	.2686	.2068	.2068	.1580	.1580

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BUDGET CALL LONG DISTANCE, INC.

SECTION 3 - SERVICE AND RATE DESCRIPTION, (CONT'D.)

3.8 Budget Call Travel Card Service, (Cont'd.)

IntraLATA

Mileage Band	Day		Evening		Night/Weekend	
	1ST MINUTE	ADD'L MINUTE	1ST MINUTE	ADD'L MINUTE	1ST MINUTE	ADD'L MINUTE
1-10	.2200	.1800	.1694	.1284	.1342	.1050
11-16	.1980	.1620	.1525	.1156	.1208	.0945
17-22	.1980	.1710	.1525	.1317	.1208	.1043
23-30	.1980	.1710	.1525	.1317	.1208	.1043
31-55	.2250	.2250	.1733	.1733	.1373	.1373
56-85	.2610	.2610	.2010	.2010	.1591	.1591
86-124	.2610	.2610	.2010	.2010	.1591	.1591
125-196	.2610	.2610	.2010	.2010	.1591	.1591
197-292	.2890	.2890	.2225	.2225	.1700	.1700
293+	.2686	.2686	.2068	.2068	.1580	.1580

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SECTION 4 - MISCELLANEOUS SERVICES

4.1 Directory Assistance

A Directory Assistance charge of $0.45 per call applies to all intrastate calls made from points within the State of Kentucky.

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SECTION 5 - PROMOTIONS

5.1 Promotional Offerings - General

From time to time, the Carrier may provide promotional offerings to introduce a current or potential Subscriber to a service not being used by the Subscriber. These offerings may be limited to certain dates, times or locations and may waive or reduce recurring or non-recurring charges.

5.2 Competitive Response Promotion

In order to acquire or retain customer, the Carrier will match certain offers made by other interexchange carriers/resellers where the customer can demonstrate to the Carrier's satisfaction that it intends to accept such offer as an inducement to subscribe to or remain subscribed to such other interexchange carrier's/reseller's services.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

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PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)
BY: Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION