Regulations, Rates and Charges
Applicable to Access Services provided by

EXCEL TELECOMMUNICATIONS, INC.

within a Local Access and Transport Area (LATA) or
equivalent Market Area for connection to intrastate
communications facilities for Intrastate Customers within
the State of Kentucky

PUBLIC SERVICE COMMISSION
OF KENTUCKY
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SEP 0 8 2002

PURSUANT TO 807 KAR 5:011
SECTION 9 (1)
BY
EXECUTIVE DIRECTOR

Issued: August 9, 2002

Effective: September 8, 2002

Jerry G. Kirby, Sr. Tariff Manager
1600 Viceroy Drive
Dallas, Texas 75235
214-424-1000

CHECK SHEET

All sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

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CONCURRING CARRIERS

NONE

CONNECTING CARRIERS

NONE

OTHER PARTICIPATING CARRIERS

NONE

REGISTERED SERVICE MARKS

NONE

REGISTERED TRADEMARKS

NONE

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EXPLANATION OF SYMBOLS

(C) - Indicates a Change in Regulations

(D) - Indicates a Discontinued Rate or Regulation

(E) – Indicates a Correction of an Error Made During a Revision

(I) - Indicates a Rate Increase

(M) - Indicates a Move of Text but no Change in Text, Rate or Regulation

(N) – Indicates a New Rate or Regulation

(R) - Indicates a Rate Reduction

(T) - Indicates a Change in Text but no Change in Rate or Regulation

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1. Application of Tariff

1.1 This tariff contains regulations, rates and charges applicable to the provision of Switched Access and other miscellaneous services hereinafter referred to collectively as service(s). These services are provided to customers by Excel Telecommunications, Inc., hereinafter the Company.

1.2 The provision of such services by the Company as set forth in this tariff does not constitute a joint undertaking with the customer for the furnishing of any service.

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2. General Regulations

2.1 Undertaking of the Company

2.1.1 Scope

(A) The Company does not undertake to transmit messages under this tariff.

(B) The Company shall be responsible only for the installation, operation and maintenance of the services it provides.

(C) The Company will, for maintenance purposes, test its service only to the extent necessary to detect and/or clear troubles.

(D) Services are provided 24 hours daily, seven days per week, except as set forth in other applicable sections of this tariff.

(E) The Company does not warrant that its facilities and services meet standards other than those set forth in this tariff.

(F) The Company makes no understanding under this tariff with respect to any Customer that has provided a Service Order relating to facilities of the Company to another telephone company (such as provider of service at an Access Tandem), but has not provided a copy of the Service Order directly to the Company. Notwithstanding the foregoing, such Customers shall be fully liable for the obligations and undertakings of Customers under this tariff as fully as if such Customers had provided valid Service Orders directly to the Company.

(G) With respect to Network Element-Provided Access Service (NEPAS), the Company shall not be responsible for the facilities used to provide such services, including installation, operation, maintenance, testing, trouble handling, or performance of such facilities.

(H) This tariff applies only to access services provided over Excel facilities, including NEPAS.

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2. **General Regulations** - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.2 Limitations

(A) Assignment or Transfer of Services

The customer may assign or transfer the use of services provided under this tariff only where there is no interruption of use or relocation of the services. Such assignment or transfer may be made to:

(1) another customer, whether an individual, partnership, association or corporation, provided the assignee or transferee assumes all outstanding indebtedness for such services, and the unexpired portion of the minimum period and the termination liability applicable to such services, if any; or

(2) a court-appointed receiver, trustee or other person acting pursuant to law in bankruptcy, receivership, reorganization, insolvency, liquidation or other similar proceedings, provided the assignee or transferee assumes the unexpired portion of the minimum period and the termination liability applicable to such services, if any.

In all cases of assignment or transfer, the written acknowledgment of the Company is required prior to such assignment or transfer. This acknowledgment shall be made within 15 days from the receipt of notification. All regulations and conditions contained in this tariff shall apply to such assignee or transferee.

The assignment or transfer of services does not relieve or discharge the assignor or transferor from remaining jointly or severally liable with the assignee or transferee for any obligations existing at the time of the assignment or transfer.

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2. **General Regulations** - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.2 Limitations - (Continued)

(B) Use and Restoration of Services

The use and restoration of services shall be in accordance with Part 64, Subpart D, Appendix A, of the Federal Communications Commission's Rules and Regulations, which specifies the priority system for such activities.

(C) Sequence of Provisioning

Subject to compliance with the rules mentioned in (B) preceding, the services offered herein will be provided to customers on a first-come, first-served basis.

The first-come, first served sequence shall be based upon the received time and date recorded, by stamp or other notation, by the Company on customer access orders. These orders must contain all the information as required for each respective service as delineated in other sections of this tariff. Customer orders shall not be deemed to have been received until such information is provided. Should questions arise which preclude order issuance due to missing information or the need for clarification, the Company will attempt to seek such missing information or clarification on a verbal basis.

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2. **General Regulations** - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.3 Liability

(A) Limits of Liability

The Company's liability, if any, for its willful misconduct 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 the installation, provision, termination, maintenance, repair or restoration of service, and subject to the provisions of (B) through (G) following, the Company's liability if any, shall not exceed an amount equal to the proportionate charge for the service for the period during which the service was affected. This liability for damages shall be in addition to any amounts that may otherwise be due the customer under this tariff as a Credit Allowance for a Service Interruption.

IN NO EVENT SHALL THE COMPANY BE LIABLE FOR SPECIAL, INDIRECT, CONSEQUENTIAL OR INCIDENTAL DAMAGES, INCLUDING BUT NOT LIMITED TO LOST PROFITS AND LOST SAVINGS, ARISING OUT OF, RESULTING FROM, OR IN ANY WAY RELATED TO, THE SERVICES AND FACILITIES FURNISHED BY THE COMPANY, EVEN IF THE COMPANY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

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2. General Regulations - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.3 Liability - (Continued)

(B) Acts or Omissions

The Company shall not be liable for any act or omission of any other carrier or customer providing a portion of a service, nor shall the Company for its own act or omission hold liable any other carrier or customer providing a portion of a service.

(C) Damages to Customer or End-User Premises

The Company is not liable for damages to the customer or any End-User premises resulting from the furnishing of a service, including the installation and removal of equipment and associated wiring, unless the damage is caused by the Company's negligence.

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2. General Regulations - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.3 Liability - (Continued)

(D) Indemnification of Company

(1) By the End User

The Company shall be indemnified, defended and held harmless by the end user against any claim, loss or damage arising from the end user's use of services offered under this tariff, involving:

(a) Claims for libel, slander, invasion of privacy, or infringement of copyright arising from the end user's own communications;

(b) Claims for patent infringement arising from the end user's acts combining or using the service furnished by the Company in connection with facilities or equipment furnished by the end users or customer or;

(c) All other claims arising out of any act or omission of the end user in the course of using services provided pursuant to this tariff.

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2. **General Regulations** - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.3 Liability - (Continued)

(D) Indemnification of Company - (Continued)

(2) By the Customer

The Company shall be indemnified, defended and held harmless by the customer against any claim, loss or damage arising from the customer's use of services offered under this tariff, involving:

(a) Claims for libel, slander, invasion of privacy, or infringement of copyright arising from the customer's own communications;

(b) Claims for patent infringement arising from the customer's acts combining or using the service furnished by the Company in connection with facilities or equipment furnished by the end user or customer or;

(c) All other claims arising out of any act or omission of the customer in the course of using services provided pursuant to this tariff.

(E) Explosive Atmospheres

The Company does not guarantee or make any warranty with respect to its services when used in an explosive atmosphere. The Company shall be indemnified, defended and held harmless by the customer from any and all claims by any person relating to such customer's use of services so provided.

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2. General Regulations - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.3 Liability - (Continued)

(F) No License Granted

No license under patents (other than the limited license to use) is granted by the Company or shall be implied or arise by estoppel, with respect to any service offered under this tariff. The Company will defend the customer against claims of patent infringement arising solely from the use by the customer of services offered under this tariff and will indemnify such customer for any damages awarded based solely on such claims.

2.1.4 Provision of Services

(A) Circumstances Beyond the Company's Control

The Company's failure to provide or maintain services under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, criminal actions taken against the Company, acts of God and other circumstances beyond the Company's reasonable control, subject to the Credit Allowance for a Service Interruption as set forth in 2.4.6 following.

The Company will provide to the customer, upon reasonable notice, services offered in other applicable sections of this tariff at rates and charges specified therein. Services will be made available where technically feasible to the extent that such services are or can be made available with reasonable effort, and, the Company determines in its discretion that sufficient capacity and facilities are available to allow for the provision of service and after provision has been made for the Company's telephone exchange services.

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2. **General Regulations** - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.5 Points of Termination

The term "Point of Termination" denotes a point at a Customer Premise at which the Company's responsibility for the provision of Access Service ends.

2.1.6 Service Maintenance

Except under NEPAS, the services provided under this tariff shall be maintained by the Company. The Customer or others may not rearrange, move, disconnect, or attempt to repair any facilities applied by the Company, other than by connection or disconnection to any interface means used, except with written consent of the Company.

(A) Trouble Reporting

(1) Trouble Receipt- The first point of contact (the Company or the customer) will, upon receipt of the trouble report, be responsible for determining the source of the trouble by testing or other means. If analysis or testing indicates the trouble to be in the service provider other than the one taking the report, the holder of the trouble report may refer the trouble report to the appropriate service provider (the Company or the Customer) or the person or entity who initiated the trouble report may be referred to the appropriate service provider.

(2) Sectionalization- The Company or Customer identifying the trouble is responsible to initiate sectionalization to the Point of Termination. It is anticipated that the sectionalization could involve cooperative testing and, in the interest of maintaining continuity of service, all entities are expected to participate in this activity when requested.

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2. **General Regulations** - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.6 Service Maintenance - (Continued)

(3) Repair Verification- Repair verification tests, as warranted by the trouble condition found, will be cooperatively performed upon request by the Company or the Customer to ensure the service is optional.

2.1.7 Changes and Substitutions

Except as provided for equipment and systems subject to FCC Part 68 Regulations at 47 C.F.R. Section 68.110(b), the Company may, where such action is reasonably required in the operation of its business, substitute, change or rearrange any Company facilities used in providing service under this tariff. Such actions may include, without limitation:

-substitution of fiber or optical facilities
-change of minimum protection criteria,
-change of operating or maintenance characteristics of facilities, or
-change of operations or procedures of the company.

In case of any such substitution, change or rearrangement, the transmission parameters will be within the range set forth in the applicable sections of the tariff. The Company shall not be responsible if any such substitution, change or rearrangement renders any Customer furnished services obsolete or requires modification or alteration thereof or otherwise affects performance. If such substitution, change or rearrangement materially affects the operating characteristics of the facility, the Company will provide reasonable notification to the Customer in writing. Reasonable time will be allowed for any redesign and implementation required by the change in operating characteristics. The Company will work cooperatively with the Customer to determine reasonable notification procedures.

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2. **General Regulations** - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.8 Refusal and Discontinuance of Service

(A) If a customer fails to comply 2.3.1, or 2.4.1 following (respectively, Damages, Payment Arrangements) including any customers failure to make payments on the date and times therein specified, the Company may, on thirty (30) days written notice to the customer by Certified U.S. Mail, take the following actions:

- refuse additional applications for service and/or refuse to complete any pending orders for service, and/or

- discontinue the provision of service to the customer.

In the case of discontinuance all applicable charges, including termination charges, shall become due.

If a customer terminates service prior to the expiration of a term, the customer will be assessed an early termination penalty based upon the terms contained within the contract signed by the customer.

(B) If a customer or end- user fails to comply with 2.2.2 following (Unlawful and Abusive Use), the Company may, upon written request from a customer, or another exchange carrier, terminate service to any subscriber or customer identified as having utilized service provided under this tariff in the completion of abusive or unlawful telephone calls. Service shall be terminated by the Company as provided for in its general and/or local exchange service tariffs.

In such instances when termination occurs the Company shall be indemnified, defended and held harmless by any customer or Exchange Carrier requesting termination of service against any claim, loss or damage arising from the Company's actions in terminating such service, unless caused by the Company's negligence.

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2. **General Regulations** - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.8 Refusal and Discontinuance of Service - (Continued)

(C) Except as provided for equipment or systems subject to the FCC Part 68 Rules in 47 C.F.R. Section 68.108, if the customer fails to comply with 2.2.1 following (Interference or Impairment), the Company will, where practicable, notify the customer that temporary discontinuance of the use of a service may be required; however, where prior notice is not practicable, the Company may temporarily discontinue service forthwith if such action is reasonable in the circumstances. In case of such temporary discontinuance, the customer will be notified promptly and afforded the opportunity to correct the condition which gave rise to the temporary discontinuance. During such period of temporary discontinuance, credit allowance for service interruptions as set forth in 2.4.6 following is not applicable.

(D) When access service is provided by more than one Company, the companies involved in providing the joint service may individually or collectively deny service to a customer for nonpayment. Where the Company(s) affected by the nonpayment is incapable of effecting discontinuance of service without cooperation from the other joint providers of Switched Access Service, such other Company(s) will, if technically feasible, assist in denying the joint service to the customer. Service denial for such joint service will only include calls originating or terminating within, or transiting, the operating territory of the Companies initiating the service denial for nonpayment. When more than one of the joint providers must deny service to effectuate termination for nonpayment, in cases where a conflict exists in the applicable tariff provisions, the tariff regulations of the end office Company shall apply for joint service discontinuance.

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2. General Regulations - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.8 Refusal and Discontinuance of Service - (Continued)

(E) If the Company does not refuse additional applications for service and/or does not discontinue the provision of the services as specified for herein, and the customer's noncompliance continues, nothing contained herein shall preclude the Company's right to refuse additional applications for service and/or to discontinue the provision of the services to the non-complying customer without further notice.

(F) The Company may immediately, and without notice, discontinue the furnishing of any and/or all services to the Customer if the Company deems that such action is necessary to prevent or protect against fraud or to otherwise protect its personnel, agents, other customers, facilities or services. The Company may discontinue service under this Section 2.1.8(F) if a Customer is using, or attempting to use, the services with the intent to avoid the payment, either in whole or part of the Company's tariffed charges by:

-Using or attempting to use services by rearranging, tampering with, or making connections not authorized by the tariff to the Company's service, or

-Using fraudulent means or devices, tricks, false or invalid numbers, false credit devices, or electronic devices, whether directed at the Company or others, or

-Using any fraudulent means or devices.

With respect to NEPAS, the Company may discontinue the furnishing of any and/or all services to the Customer or refuse additional applications for service to the extent that such services are discontinued or applications are refused by the Incumbent Local Exchange Carrier.

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2. General Regulations - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.9 Network Management

The Company will administer its network to insure the provision of acceptable service levels to all telecommunications users of the Company's network services. Generally, service levels are considered acceptable only when both End Users and Customers are able to establish connections with little or no delay encountered within the Company network. The Company maintains the right to apply protective controls over any traffic carried over its network, including that associated with Access Services. Generally, protective measures (such as those actions which selectively cancel the completion of traffic) would only be taken as a result of occurrences such as failure or overload of Company or Customer facilities, natural disasters, mass calling or national security demands.

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2. **General Regulations** - (Continued)

2.1 Undertaking of the Company - (Continued)

2.1.10 Notification of Service-Affecting Activities

The Company will provide the customer reasonable notification of service-affecting activities that may occur in the normal operation of its business. Such activities may include, but are not limited to the following:

- equipment or facilities additions,
- removals or rearrangements,
- routine preventative maintenance, and
- major switching machine change-out.

Generally, such activities are not individual customer service specific, but may affect many customer services. No specific advance notification period is applicable to all service activities. The Company will work cooperatively with the customer to determine reasonable notification requirements.

2.1.11 Provision and Ownership of Telephone Numbers

The Company reserves the right to assign, designate or change telephone numbers, any other call number designations associated with Access Services, or the Company serving central office prefixes associated with such numbers, when necessary in the conduct of its business. Should it become necessary to make a change in such number(s), the Company will furnish to the customer six (6) months notice, by Certified U.S. Mail, of the effective date and an explanation of the reason(s) for such change(s).

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2. **General Regulations** - (Continued)

2.2 Use

2.2.1 Interference or Impairment

The characteristics and methods of operation of any circuits, facilities or equipment provided by other than the Company and associated with the facilities utilized to provide services under this tariff shall not:

- interfere with or impair service over any facilities of the Company, its affiliated companies, or its connecting and concurring carriers involved in its services,
- cause damage to their plant,
- impair the privacy of any communications carried over their facilities, or
- create hazards to the employees of any of them or the public.

2.2.2 Unlawful and Abusive Use

The service provided under this tariff shall not be used for an unlawful purpose or used in an abusive manner.

Abusive use includes:

- The use of the service of the Company for a call or calls, anonymous or otherwise, in a manner reasonably expected to frighten, abuse, torment, or harass another;
- The use of the service in such a manner as to interfere unreasonably with the use of the service by one or more other customers.

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2. **General Regulations** - (Continued)

2.3 Obligations of the Customer

2.3.1 Damages

The customer shall reimburse the Company for damages to Company facilities or the facilities of any third party-utilized to provide services under this tariff caused by the negligence or willful act of the customer or resulting from the customer's improper use of the Company facilities, or due to malfunction of any facilities or equipment provided by other than the Company. Nothing in the foregoing provision shall be interpreted to hold one customer liable for another customer's actions. The Company will, upon reimbursement for damages, cooperate with the customer in prosecuting a claim against the person causing such damage and the customer shall be subrogated to the right of recovery by the Company for the damages to the extent of such payment.

2.3.2 Ownership of Facilities and Theft

Facilities utilized by the Company to provide service under the provisions of this tariff shall remain the property of the Company. Such facilities shall be returned to the Company by the customer, whenever requested, within a reasonable period. The equipment shall be returned in as good condition as reasonable wear will permit.

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2. **General Regulations** - (Continued)

2.3 Obligations of the Customer - (Continued)

2.3.3 Equipment Space and Power

The Customer shall furnish or arrange to have furnished to the Company, at no charge, equipment space and electrical power required by the company to provide services under this tariff at non-Company locations where such services terminate. The selection of AC or DC power shall be mutually agreed to by the Customer and the Company. The Customer shall also make necessary arrangements in order that the Company will have access to such spaces at reasonable times for installing, testing, repairing, or removing facilities used to provide service.

2.3.4 Availability for Testing

Access to facilities used to provide services under this tariff shall be available to the Company at times mutually agreed upon in order to permit the Company to make tests and adjustments appropriate for maintaining the services in satisfactory operating condition. Such tests and adjustments shall be completed within a reasonable time. As set forth in 2.4.6(C)(4) following, no credit will be allowed for any interruptions involved during such tests and adjustments.

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2. General Regulations - (Continued)

2.3 Obligations of the Customer - (Continued)

2.3.5 Design of Customer Service

Subject to the provisions of 2.1.7 preceding, the Customer shall be solely responsible, at its own expense, for the overall design of its services and for any redesigning or rearrangement of its services and for any redesigning or rearrangement of its services which may be required because of changes in facilities, operations, or procedures of the Company, minimum protection criteria or operating or maintenance characteristics of the Company's facilities.

Customer services must be designated and maintained, and sufficient services ordered by the Company, so that the following grades of service are maintained on the Customer's Access Service trunks:

-For traffic routed via Access Tandems
-For traffic routed directly to End Offices

With the respect to NEPAS, the customer shall be responsible for compliance with all requirements imposed by the Incumbent Local Exchange Carrier.

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2. **General Regulations** - (Continued)

2.3 Obligations of the Customer - (Continued)

2.3.6 Claims and Demands for Damages (Customer Indemnification Obligations)

(A) With respect to claims of patent infringement made by third persons, the customer shall defend, indemnify, protect and save harmless the Company from and against all claims arising out of the combining with, or use in connection with, the services provided under this tariff, any circuit, apparatus, system or method provided by the customer.

(B) The customer shall defend, indemnify and save harmless the Company from and against any suits, claims, losses and damages, including punitive damages, attorney fees and court costs by third persons arising out of the construction, installation, operation, maintenance, or removal of the customer's circuits, facilities, or equipment connected to the Company's services provided under this tariff including, without limitation, Worker's Compensation claims, actions for infringement of copyright and/or unauthorized use of program material, libel and slander actions based on the content of communications transmitted over the customer's circuits, facilities or equipment, and proceedings to recover taxes, fines, or penalties for failure of the customer to obtain or maintain in effect any necessary certificates, permits, licenses, or other authority to acquire or operate the services provided under this tariff; provided, however, the foregoing indemnification shall not apply to suits, claims, and demands to recover damages for damage to property, death, or personal injury unless such suits, claims or demands are based on the tortuous conduct of the customer, its officers, agents or employees.

(C) The customer shall defend, indemnify and save harmless the Company from and against any suits, claims, losses or damages, including punitive damages, attorney fees and court costs by the customer or third parties arising out of any act or omission of the customer in the course of using services provided under this tariff.

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2. **General Regulations** - (Continued)

2.3 Obligations of the Customer - (Continued)

2.3.7 Coordination with Respect to Network Contingencies

Customer shall, in cooperation with the Company, coordinate in planning the actions to be taken to maintain maximum network capability following natural or man-made disasters which affect telecommunications services.

2.3.8 Jurisdictional Report and Certification Requirements

(A) Jurisdictional Reports - Switched Access

For Switched Access Service, the Company cannot in all cases determine the jurisdictional nature of customer traffic and its related access minutes. In such cases the customer may be called upon to provide a projected estimate of its traffic, split between the interstate and intrastate jurisdictions. The following regulations govern such estimates, the reporting by the customer and cases where the Company will develop jurisdictional percentages.

(1) General

When a customer initially utilizes Switched Access Service, the customer shall state the Percent Interstate Usage (PIU) on a statewide or LATA level (at the option of the customer) on a local exchange company specific basis for the following:

Pursuant to Federal Communications Commission Order FCC 85-145 released April 16, 1985, interstate usage is to be developed as though every call that enters a customer network at a point within the same state as that in which the called station (as designated by the called station number) is situated, is an intrastate communication and every call for which the point of entry is in a state other than that where the called station (as designated by the called number) is situated is an interstate communication.

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2. **General Regulations** - (Continued)

2.3 Obligations of the Customer - (Continued)

2.3.8 Jurisdictional Report and Certification Requirements - (Continued)

(A) Jurisdictional Reports - Switched Access - (Continued)

(1) General - (Continued)

The customer shall furnish to the Company annually a report of the actual PIU on a statewide or LATA (at the option of the customer) on a local exchange company specific basis.

The customer, at its own option, may report revised PIUs more frequently if a change warrants an update before the annual period. These updates should be made to the Company on the first day of the next available quarter (January, April, July, or October). The annual report of revised PIUs should be received by the first of March of each year. The report should show revised interstate percentages of use representing interstate usage for the past calendar year period, for each interstate service. The revised percentage will be implemented July 1, and will serve as interstate percentage for the next twelve months billing. If the customer does not supply the report, the Company will assume the percentages to be the same as those provided in the last report. For those cases in which a report has never been received from the customer, the Company will assume the percentages to be the same as those provided in the order for service as set forth in (2) following.

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2. **General Regulations** - (Continued)

2.3 Obligations of the Customer - (Continued)

2.3.8 Jurisdictional Report and Certification Requirements - (Continued)

(A) Jurisdictional Reports - Switched Access - (Continued)

(2) The customer shall compute the PIU using the following formula (rounded to a whole percentage).

Interstate Minutes/Total Minutes

For originating access minutes, the projected interstate percentage will be developed on a monthly basis by end office where the Feature Group D Switched Access Service access minutes are measured by dividing the measured interstate originating access minutes (the access minutes where the calling number is in one state and the called number is in another state) by the total originating access minutes, when the call detail is adequate to determine the appropriate jurisdiction.

The Company, where the jurisdiction can not be determined from the call detail, will determine the projected interstate percentages as follows:

- When originating call details are insufficient to determine the jurisdiction for the call, the customer must supply the projected interstate percentage or a default percentage of 50% will be applied.

- For terminating access minutes, the customer must supply the interstate percentage or a default percentage of 75% will be applied.

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2. **General Regulations** - (Continued)

2.3 Obligations of the Customer - (Continued)

2.3.8 Jurisdictional Report and Certification Requirements - (Continued)

(B) Billing Disputes Involving Jurisdictional Reports - Switched Access

For Switched Access, if a billing dispute arises involving the projected interstate percentage, the Company will ask the customer to provide the data the customer used to determine the projected interstate percentage. The customer shall supply the data within thirty (30) days of the Company request. The customer shall keep, for a minimum of 12 months, records of call detail from which the percentage of interstate use can be ascertained and upon request of the Company make the records available for inspection as reasonably necessary for purposes of verification of the percentage. At a minimum for annual PIU revisions, the information used by the customer to support the revised PIU must reflect usage (either actual or a representative sample) for each quarter of the prior calendar year. No change will be made to existing interstate percentages until the detail has been provided to warrant such change.

If the revised PIU represents what the Company considers to be a substantial deviation (a deviation of ten percentage points or more for the preceding twelve calendar months is a substantial deviation) from the customer's previously reported PIU for the period upon which the revised PIU was based, and cannot be attributed to seasonal changes or other identifiable reasons the Company will request a traffic summary or other customer-initiated independently determined verification of PIUs.

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2. **General Regulations** - (Continued)

2.3 Obligations of the Customer - (Continued)

2.3.9 Determination of Intrastate Charges for Mixed Interstate and Intrastate Switched Access Service

When mixed interstate and intrastate Switched Access Service is provided, all charges (i.e., nonrecurring, monthly and/or usage) including optional features charges, will be prorated between interstate and intrastate. The percentage determined as set forth in 2.3.8 preceding will serve as the basis for prorating the charges unless the Company is billing according to actual data by jurisdiction. The percentage of an Access Service to be charged as intrastate is applied in the following manner:

(A) Monthly and Nonrecurring Charges

For monthly and nonrecurring chargeable rate elements, multiply the percent intrastate use times the quantity of chargeable elements times the stated tariff rate.

(B) Usage Sensitive Charges

For usage sensitive (i.e., access minutes and calls) chargeable rate elements, multiply the percent intrastate use times actual use (i.e., measured or Company assumed average use) times the stated tariff rate.

The intrastate percentage may change as revised usage reports are submitted as set forth in 2.3.8 preceding.

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2. **General Regulations** - (Continued)

2.3 Obligations of the Customer - (Continued)

2.3.10 Sales Use and Other Taxes

The Customer is responsible for the payment of its portion of any sales, use, gross receipts, excise, franchise, access or other local, state, and federal surcharges (however designated), excluding taxes on the Company's net income, imposed on or based upon the provision, sale, or use of company services.

If the Company becomes liable for any sales, use, gross receipts, excise, franchise, access or other local, state, and federal surcharges (however designated), excluding taxes on the Company's net income, imposed on or based upon the provision, sale, or use of company services, and which are in addition to such taxes, charges or surcharges already specified in the tariff, in such event the Customer shall be responsible for payment of those taxes, charges or surcharges from the date that the Company first became liable for the same.

In the event of any dispute over the lawfulness of any tax, charge, or surcharge, the Company may elect to impose such tax, charge or surcharge during such dispute, unless otherwise ordered by a court or other lawful authority with jurisdiction. The Company shall credit or refund any funds thus collected, if ordered to do so by the court or other lawful authority if such funds were retained by the company, or were returned to the Company by the taxing jurisdiction which imposed the tax or surcharge.

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2. **General Regulations** - (Continued)

2.3 Obligations of the Customer - (Continued)

2.3.11 Settlements Through Other Carriers

Where traffic is transmitted through the facilities of another Carrier, including the Incumbent Local Exchange Carrier, the Company and the Customer may permit such Other Carrier to act on their behalf for billing and settlements related to such traffic.

In certain circumstances, the Company makes arrangements with another carrier (an "Intermediate Carrier") under which the Intermediate Carrier will provide services that may include, without limitation, data base, switching and/or transport services in connection with Calls and is authorized to bill the Customer for all access services under the Intermediate Carrier's tariff as if all services had been provided by the Intermediate Carrier. Where such arrangements are in effect, the terms and conditions governing payment (including applicable rates and charges) for services shall be governed by the applicable tariff of the Intermediate Carrier (or other arrangement in effect between the Intermediate Carrier and the Customer), rather than this Tariff.

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2. General Regulations - (Continued)

2.4 Payment Arrangements

2.4.1 Payment of Rates, Charges and Deposits

(A) Deposits

To safeguard its interests, Excel may require the Customer to make a deposit to be held as a guarantee for the payment of charges. A deposit does not relieve the Customer of the responsibility for the prompt payment of bills on presentation. The deposit will not exceed an amount equal to:

-Two (2) months' charges for a service or facility which has a minimum payment period of one (1) month; or

-The charges that would apply for the minimum payment period for a service or facility which has a minimum payment period of more than one (1) month; except that the deposit may include an additional amount in the event a termination charge is applicable.

A deposit may be required in addition to an advance payment.

When a service or facility is discontinued, the amount of a deposit, if any, will be applied to the Customer's account and any credit balance remaining will be refunded. Before the service or facility is discontinued, Excel may, at its option, return the deposit or credit it to the Customer's account. Excel retains the right to collect any amounts owing after the deposit has been applied plus any costs related to the collection of any remaining balance.

Deposits held will accrue interest at a rate specified by the Commission without deductions for any taxes on such deposits. Interest accrued will be credited to the Customer's bill on an annual basis, except that Excel shall not be required to credit interest on deposits if the Customer's bill is delinquent on the anniversary of the deposit date. Interest will not accrue on any deposit after the date on which reasonable effort has been made to return it to the Customer.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.1 Payment of Rates, Charges and Deposits - (Continued)

(A) Deposits - (Continued)

Simple interest, set annually by the Commission at a rate of not less than 6% per annum or greater than 12% per annum, will be paid on deposits. The rates of interest to be paid on Customer deposits are in accordance with applicable state law and regulation and are established annually on December 1 for the subsequent calendar year by the Commission.

The interest shall be paid to the Customer annually, if requested by the Customer, or at the time the deposit is returned or credited to the Customer's account. The deposit shall cease to draw interest on the date it is returned or credited to the Customer's account.

Excel shall promptly and automatically refund the deposit plus accrued interest to the Customer in the form of cash or credit to a Customer's bill, or void the guaranty, when the following conditions have been met:

-The Customer has paid bills for service for twelve (12) consecutive residential billings or twenty-four (24) consecutive commercial or industrial billings without having service disconnected and without having more than two (2) occasions in which a bill was delinquent, and

-The Customer is not delinquent in the payment of the current bill. At such time as the provision of service to the Customer is terminated, the amount of the deposit will be credited to the Customer's account and any credit balance which may remain will be refunded.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.1 Payment of Rates, Charges and Deposits - (Continued)

(B) Bill Dates

The Company shall bill on a current basis all charges incurred by and credits due to the customer under this tariff attributable to services established or discontinued during the preceding billing period. In addition, the Company shall bill in advance charges for all services to be provided during the ensuing billing period except for charges associated with service usage and for the Federal Government which will be billed in arrears. The bill day (i.e., the billing date of a bill for a customer for Access Service under this tariff), the period of service each bill covers and the payment date will be as follows:

(1) Presubscription

For Presubscription Service, the Company will establish a bill day each month for each end user account or advise the customer in writing of an alternate billing schedule. Alternate billing schedules shall not be established on less than 60 days notice or initiated by the Company more than twice in any consecutive 12 month period. Any applicable Presubscription Charges, any known unbilled charges for prior periods and any known unbilled adjustments for prior periods for Presubscription Service will be applied to this bill. Such bills are due when rendered.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.1 Payment of Rates, Charges and Deposits - (Continued)

(B) Bill Dates - (Continued)

(2) Access Services Other Than Presubscription

For Service other than Presubscription Service, the Company will establish a bill day each month for each customer account or advise the customer in writing of an alternate billing schedule. Alternate billing schedules shall not be established on less than 60 days notice or initiated by the Company more than twice in any consecutive 12 month period.

The bill will cover non-usage sensitive service charges for the ensuing billing period for which the bill is rendered, any known unbilled non-usage sensitive charges for prior periods and unbilled usage charges for the period after the last bill day through the current bill day. Any known unbilled usage charges for prior periods and any known unbilled adjustments will be applied to this bill. Payment for such bills is due in immediately available funds by the payment date, as set forth in (C) following. If payment is not received by the payment date, a late payment penalty will apply as set forth in (C) following.

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2. **General Regulations**- (Continued)

2.4 Payment Arrangements - (Continued)

2.4.1 Payment of Rates, Charges and Deposits - (Continued)

(C) Payment Dates and Late Payment Penalties

(1) All bills dated as set forth in (B)(2) preceding for service, other than Presubscription Service, provided to the customer by the Company are due 31 days (payment date) after the bill day or by the next bill date (i.e., same date in the following month as the bill date), whichever is the shortest interval, except as provided herein, and are payable in immediately available funds. If the customer does not receive a bill at least 20 days prior to the 31 day payment due date, then the bill shall be considered delayed. When the bill has been delayed, upon request of the customer the due date will be extended by the number of days the bill was delayed. Such request of the customer must be accompanied with proof of late bill receipt.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.1 Payment of Rates, Charges and Deposits - (Continued)

(C) Payment Dates and Late Payment Penalties - (Continued)

(1) - (Continued)

If such payment date would cause payment to be due on a Saturday, Sunday or Legal Holiday, payment for such bills will be due from the customer as follows:

- If the payment date falls on a Sunday or on a Legal Holiday which is observed on a Monday, the payment date shall be the first non-Holiday day following such Sunday or Legal Holiday.

- If the payment date falls on a Saturday or on a Legal Holiday which is observed on Tuesday, Wednesday, Thursday or Friday, the payment date shall be the last non-Holiday day preceding such Saturday or Legal Holiday.

EXAMPLE: CALCULATION OF PAYMENT DATES

JANUARY (31 DAYS)	FEBRUARY (28 DAYS)	MARCH (31 DAYS)
1 6 11 16 21 26 31	5 10 15 20 25	2 7 12 17 22 27

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.1 Payment of Rates, Charges and Deposits - (Continued)

(D) Billing Disputes

Any objection to billed charges should be reported to the Company as soon as possible. Questions regarding the Company's services or charges assessed to a Customer's bill may be directed to the Company's Customer Service Department toll-free at (800) 875-9235. The Company shall investigate the particular case and report the results to the Customer. During the period that the disputed amount is under investigation, the Company shall not pursue any collection procedures or assess late fees with regard to the disputed amount. The Customer shall be required to pay the undisputed part of the bill, and if not paid, the Company may discontinue service. In the event the disputed charges are not resolved, the Company shall inform the Customer that the Customer may utilize the complaint procedures of the Commission's Consumer Services Division. The Company shall provide the Customer with the following information:

Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602
(502) 564-3940
(800) 772-4636

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.1 Payment of Rates, Charges and Deposits - (Continued)

(E) Billing Disputes Resolved in Favor of the Company

(1) Late payment charges will apply to amounts withheld pending settlement of the dispute. Late payment charges are calculated as set forth in (C)(1) preceding except that when the customer disputes the bill on or before the payment date and pays the undisputed amount on or before the payment date, the penalty interest period shall not begin until 10 days following the payment date. The late payment penalty may be assessed only once on any bill for rendered services. Any payment received shall first be applied to the bill for service rendered. Additional penalty charges shall not be assessed on unpaid penalty charges.

(2) If the customer pays the bill in full by the payment due date, and initiates a billing dispute within ninety (90) days of the payment due date and the dispute is resolved in favor of the Company then neither a late payment charge nor a penalty interest charge are applicable.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.1 Payment of Rates, Charges and Deposits - (Continued)

(F) Billing Disputes Resolved in Favor of the Customer
If the customer pays the total billed amount and disputes all or part of the amount, the Company will refund any overpayment. In addition, the Company will pay to the customer penalty interest on the overpayment. When a claim is filed within 90 days of the due date, the penalty interest period shall begin on the payment date. When a claim is filed more than 90 days after the due date, the penalty interest period shall begin from the date of the claim or the date of overpayment, whichever is later.

The penalty interest period shall end on the date that the Company actually refunds the overpayment to the customer. The penalty interest rate shall be the lesser of:

(1) the highest interest rate (in decimal value) which may be levied by law for commercial transactions, compounded daily for the number of days from the first date to and including the last date of the period involved, or

(2) 0.000292 per day, compounded daily for the number of days from the first date to and including the last date of the period involved.

(G) Proration of Charges
Adjustments for the quantities of services established or discontinued in any billing period beyond the minimum period will be prorated to the number of days based on a thirthy (30) day month. The Company will, upon request, furnish within 30 days of a request and at no charge to the customer such detailed information as may reasonably be required for verification of any bill.

(H) Rounding of Charges
When a rate as set forth in this tariff is shown to more than two decimal places, the charges will be determined using the rate shown. The resulting amount will then be rounded to the nearest penny (i.e., rounded to two decimal places).

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.2 Minimum Periods

The minimum period for which services are provided and for which rates and charges are applicable is one month except for the following, or as otherwise specified:

- Switched Access usage rated services
- Directory Assistance usage rated services

The minimum period for which service is provided and for which rates and charges are applicable for a specialized service or arrangement provided on an individual case basis is one month unless a different minimum period is established with the individual case filing.

When a service is discontinued prior to the expiration of the minimum period, charges are applicable, whether the service is used or not.

A service with a one month minimum period that is discontinued prior to the expiration of the minimum period, a one month charge will apply at the rate level in effect at the time service is discontinued.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.3 Re-establishment of Service Following Fire, Flood or Other Occurrence

(A) Nonrecurring Charges Do Not Apply

Nonrecurring Charges do not apply for the re-establishment of service following a fire, flood or other occurrence attributed to an Act of God provided that:

(1) The service is of the same type as was provided prior to the fire, flood or other occurrence.

(2) The service is for the same customer.

(3) The service is at the same location on the same premises.

(4) The re-establishment of service begins within 60 days after Company service is available. (The 60 day period may be extended a reasonable period if the renovation of the original location on the premises affected is not practical within the allotted time period).

(B) Nonrecurring Charges Apply

Nonrecurring Charges apply for establishing service at a different location on the same premises or at a different premises pending re-establishment of service at the original location.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.4 Title or Ownership Rights

The payment of rates and charges by customers for the services offered under the provisions of this tariff does not assign, confer or transfer title or ownership rights to proposals or facilities developed or utilized, respectively, by the Company in the provision of such services.

2.4.5 Access Services Provided By More Than One Company - Meet Point Billing

When an Access Service is provided by more than one Company, the Companies involved will mutually agree upon one of the billing methods as set forth in (A) and (B) following based on the service being provided. The Companies will notify the customer in writing of the billing method being used.

Meet Point Billing is required when an access service is provided by multiple Companies for Feature Group D Switched Access Services.

Each Company jointly providing the access service will receive an order or a copy of the order from the customer and arrange to provide the service.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.5 Access Services Provided by More Than One Company - Meet Point Billing - (Continued)

For usage rated access services the access minutes of use will generally be determined by the recording company. Where the recording company is not the Bill Rendering Company, the recording company will provide detailed usage records to the Bill Rendering Company to develop the access minutes.

The Bill Rendering Company in a single bill arrangement for Feature Group D Switched Access Services, is normally the end user's end office, for WATS usage the Bill Rendering Company is normally the WATS Serving Office, for Directory Assistance, the Bill Rendering Company is normally the Directory Assistance location. The name of the Bill Rendering Company will be included in the meet point billing notification provided to the customer by all the telephone companies on all meet point billed services.

The non Bill Rendering Company(s) is any Company(s) in whose territory a segment of the Local Transport or Channel Mileage is provided and/or where the customer's Point of Termination is located.

There are two Meet Point Billing Options, Single Bill and Multiple Bill. These billing options are explained in (A) and (B) following. The Single Bill option is the preferred method. However, when a single bill option can not be agreed to by all Companies providing service, the multiple bill option is the default.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.5 Access Services Provided by More Than One Telephone Company - Meet Point Billing - (Continued)

Each Company must provide meet point billing notification to the customer, in writing, when new service is ordered or thirty days prior to changing an existing meet point arrangement. The notification should include the following:

- The Meet Point Billing Option that will be used,
- The Company(s) that will render the bill(s),
- The Company(s) to whom payment(s) should be remitted, and the Company(s) that will provide the bill inquiry function.

A Company that renders a meet point bill, the Bill Rendering Company, will render the bill in accordance with the industry standards as described in the Multiple Exchange Carrier Access Billing (MECAB) Guidelines and the Multiple Exchange Carrier Ordering and Design (MECOD) Guidelines. The bill will include cross reference(s) to the other Company(s) providing service and common circuit identifiers. Should a billing dispute arise, the terms and conditions of the Bill Rendering company will apply.

(A) Single Bill Option

The single bill option allows the customer to receive one bill for access services that are provided by more than one company. The single bill option provides the following three billing alternatives:

- Single Bill/Multiple Tariff
- Single Bill/Pass Through Billing, and
- Single Bill/Single Tariff

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These options are described following in (1), (2) and (3) respectively.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.5 Access Services Provided by More Than One Company - Meet Point Billing - (Continued)

(A) Single Bill Option - (Continued)

(1) Single Bill/Multiple Tariff

The single bill/multiple tariff bill is prepared by the Bill Rendering Company but reflects all rates and charges for each connecting company's part of the service based on each company's access tariff.

The Bill Rendering Company will:

- determine and include all recurring and nonrecurring rates and charges for each involved Company;
- identify each involved Company's rates and charges separately on the bill;
- forward the bill to the customer and provide a copy of the bill or other substantiation of the charges to the connecting Companies; and
- advise the customer how to remit the payment, either directly to each Company involved in the provision of this meet point billed service, or, as a single payment made to the Bill Rendering Company. If payments are to be sent directly to the Bill Rendering Company, the non Bill Rendering Company(s) will provide the customer with written authorization for the payment arrangement.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.5 Access Services Provided by More Than One Company - Meet Point Billing - (Continued)

(A) Single Bill Option - (Continued)

(2) Single Bill/Pass-Through Billing

The single bill/pass-through bill is compiled by the Bill Rendering Company. Each Company will prepare a bill for its portion of the access service and forward it to the Bill Rendering Company. Normally, these connecting Company bills are forwarded to the Bill Rendering Company without usage to eliminate possible delays.

Each non Bill Rendering Company will:

- prepare its own bill;
- determine its rates and charges for Local Transport, Directory Transport and/or Channel Mileage as set forth in (3) following;
- determine and include all applicable recurring and nonrecurring rates and charges of its access tariff; and
- forward the bill to the Bill Rendering Company for the meet point access service.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.5 Access Services Provided by More Than One Company - Meet Point Billing - (Continued)

(A) Single Bill Option - (Continued)

(2) Single Bill/Pass-Through Billing - (Continued)

The Bill Rendering Company will:

- apply usage data, when needed, to the bills and calculate the charges;

- combine all the bills of the involved Companies providing the meet point access service;

- forward the bill to the customer; and

- advise the customer how to remit the payment, either directly to each Company involved in the provision of this meet point billed service; or, as a single payment made to the Bill Rendering Company. If payments are to be sent directly to the Bill Rendering Company, the non Bill Rendering Company(s) will provide the customer with written authorization for the payment arrangement.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.5 Access Services Provided by More Than One Company - Meet Point Billing - (Continued)

(A) Single Bill Option - (Continued)

(3) Single Bill/Single Tariff

The single bill/single tariff bill provides a meet point bill that is billed completely at the Billing Rendering Company's tariff rates and regulations.

The Bill Rendering Company will:

- determine and include on the access bill all usage data and all other recurring and nonrecurring rates and charges per its access tariff; and

- forward the bill to the customer.

The customer will remit the payment to the Bill Rendering Company.

(B) Multiple Bill Option

Under the Multiple Bill Option each company providing the access service will render an access bill to the customer for its portion of the service based on its access tariff rates and regulations. For switched access Multiple bills, the end office company is generally the Initial Billing Company (IBC). The IBC is the company that calculates the access charges to be billed to the customer and provides this data to each connecting company providing service, i.e., the Subsequent Billing Company (SBCs). Each company, IBC and SBC, will:

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2. General Regulations - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.5 Access Services Provided by More Than One Company - Meet Point Billing - (Continued)

(B) Multiple Bill Option - (Continued)

- prepare its own bill;
- determine and include all recurring and nonrecurring rates and charges of its access tariff;
- reflect its Billing Account Reference (BAR) and all connecting company Billing Account Cross Reference (BACR) code(s);
- forward its bill to the customer.

The customer will remit payment directly to each Bill Rendering Company.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.5 Access Services Provided by More Than One Company - Meet Point Billing - (Continued)

(C) Customer Bill Information

A Customer subscribing to Excel's local exchange service will receive a monthly invoice that includes the following information:

a. Company address where payment should be sent.

b. Customer's name, address, account number(s), telephone number(s) and invoice date.

c. Customer Service toll-free number.

d. Local Service account summary; including charges for recurring and non-recurring basic and pay-per-use calls, custom calling features, installation and repairs, taxes and surcharges.

e. Summary of charges including previous balance, payment received, current charges, total charges due, and payment due date.

f. Itemization of calls indicating date calls were madel; time of day calls were made; called location; called number; length of call, and total charges for each call.

In addition, the Company may from time to time include informational messages on customer bills containing a description of a new product, a new service offering or a new charge to be added to a Customer's bill.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.6 Credit Allowance for Service Interruptions

(A) General - A service is interrupted when it becomes unusable to the Customer because of a failure of a facility or component used to furnish service under this tariff or in the event that the protective controls applied by the Company as set forth in 2.1.9. preceding result in the complete loss of service by the Customer. An interruption period starts when an inoperative service is reported to the Company, and ends when the service is operative.

(B) When a Credit Allowance Applies - In case of an interruption to any service, allowance for the period of interruption shall be provided unless one or more of the conditions set forth in (C) following applies.

(1) Credit Allowance Computation - For flat rated Access Service rate elements (e.g., DLAS Direct Connect Transport), no credit shall be allowed for an interruption of less than thirty (30) minutes. The Customer shall be credited for an interruption of thirty (30) minutes or more at the rate of 1/1440 of the monthly charges for the facility or service for each period of thirty (30) minutes or major fraction thereof that the interruption continues. The monthly charges used to determine the credit shall be the total of all the monthly rate element charges associated with the service.

(2) Credit Allowances Cannot Exceed Monthly Charges - The credit allowance(s) for an interruption or for a series of interruptions shall not exceed any monthly charges for the service interrupted in any one billing period.

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2. **General Regulations** - (Continued)

2.4 Payment Arrangements - (Continued)

2.4.6 Credit Allowance for Service Interruptions - (Continued)

(C) When a Credit Allowance Does Not Apply - No credit allowance will be made for:

(1) Interruptions caused by the negligence of the Customer.

(2) Interruptions of a service due to the failure of equipment or systems provided by the Customer or others.

(3) Interruptions of a service during any period in which the Company is not afforded access to the premises where the service is terminated.

(4) Interruptions of a service when the Customer has released that service to the Company for maintenance purposes, to make rearrangements, or for the implementation of an order for a change in the service during the time that was negotiated with the Customer prior to the release of that service. Thereafter, a credit allowance as set forth in (B) preceding applies.

(5) Periods when the Customer elects not to release the service for testing and/or repair and continues to use it on an impaired basis.

(6) An interruption or a group of interruptions, resulting from a common cause, that would result in credit in an amount less than one dollar.

(7) Interruptions of a service which continue because of the failure of the Customer to authorize replacement of any element of Special Construction. The period for which no credit allowance is made begins on the seventh day after the Customer receives the Company's written notification of the need for such replacement and ends on the day after receipt by the Company of the Customer's written authorization for such replacement.

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2. **General Regulations** - (Continued)

2.5 Definitions

Certain terms used herein are defined as follows:

800 Data Base Access Service
The term "800 Data Base Access Service" denotes a service which uses a data base system to identify 800 access customers on a 10-digit basis. For purposes of administering the rules and regulations set forth in this tariff regarding the provision of 800 Database Access, except where otherwise specified, 800 Database Access Service shall include the following service access codes 800, 888, 877, 866, 855, 844, 833, and 822.

800 Series
The term "800 Series" denotes the service access codes of 800, 888, 877, 866, 855, 844, 833, and 822.

Access Customer Name Abbreviation (ACNA)
Denotes a three alpha character code that identifies the Customer to which the Access Service bill is rendered.

Access Minutes
For the purpose of calculating chargeable usage, the term "Access Minutes" denotes customer usage of exchange facilities in the provision of intrastate or foreign service. On the originating end of an intrastate or foreign call, usage is measured from the time the originating end user's call is delivered by the Company to and acknowledged as received by the customer's facilities connected with the originating exchange. On the terminating end of an intrastate or foreign call, usage is measured from the time the call is received by the end user in the terminating exchange. Timing of usage at both originating and terminating ends of an intrastate or foreign call shall terminate when the calling or called party disconnects, whichever event is recognized first in the originating and terminating exchanges, as applicable.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Access Services
Originating or terminating intrastate switched access services provided by Excel to telecommunications carriers that access Excel's End-Users via Excel's local exchange network. Switched Access to the network of an Interexchange Carrier for the purpose of originating or terminating communications.

Access Service Request (ASR)
The industry service order format used by Access Service Customers and access providers as agreed to by the Ordering and Billing Forum.

Access Tandem
The term "Access Tandem" denotes a Company or centralized equal access provider switching system that provides a concentration and distribution function for originating or terminating traffic between end offices and a customer designated premises.

Aggregator
The term "Aggregator" denotes any entity that, in the ordinary course of its operations, makes telephones available to the public or to transient users of its premises, for intrastate telephone calls using a provider of operator services.

Answer/Disconnect Supervision
The term "Answer/Disconnect Supervision" denotes the transmission of the switch trunk equipment supervisory signal (off-hook or on-hook) to the customer's point of termination as an indication that the called party has answered or disconnected.

Authorized User
A person, firm, corporation or other entity that either is authorized by the Customer to use Access Services or is placed in a position by the Customer, either through acts or omissions to use Access Services.

Billing Account Number (BAN)
Denotes a code that identifies the Customer's billing account to which Access Services are billed.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Bit
The term "Bit" denotes the smallest unit of information in the binary system of notation.

Business Day
The term "Business Day" denotes the times of day that a company is open for business. Generally, in the business community, these are 8:00 or 9:00 a.m. to 5:00 or 6:00 p.m., respectively, with an hour for lunch, Monday through Friday, resulting in a standard forty (40) hour work week. However, Business Day hours for the Company may vary based on company policy, union contract and location.

Busy Hour Minutes of Capacity (BHMC)
The term "Busy Hour Minutes of Capacity (BHMC)" denotes the customer specified maximum amount of Switched Access Service and/or Directory Assistance Service access minutes the customer expects to be handled in an end office switch during any hour in an 8:00 a.m. to 11:00 p.m. period for the Feature Group and/or Directory Assistance Service ordered. This customer specified BHMC quantity is the input data the Company uses to determine the number of transmission paths for the Feature Group and/or Directory Assistance Service ordered.

Call
The term "Call" denotes a customer attempt for which complete address information (e.g., 0-, 911, or 10 digits) is provided to the serving dial tone office.

Carrier Access Code (CAC)
A uniform seven digit code in the form 101XXXX that identifies a specific interexchange carrier, the dialing of which allows a customer to choose a specific carrier on a per call basis. This service is only available in areas where equal access is in effect.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Carrier Identification Code (CIC)
The term "Carrier Identification Code (CIC)" denotes a numeric code assigned by the North American Numbering Plan (NANP) Administrator for the provisioning of Switched Access Services. The numeric code is unique to each carrier and is used by the Company to route switched access traffic to the Customer Designated Premises.

Carrier or Common Carrier
See Interexchange Carrier.

CCS
The term "CCS" denotes a hundred call seconds, which is a standard unit of traffic load that is equal to 100 seconds of usage or capacity of a group of servers (e.g., trunks).

Central Office
See End Office

Central Office Maintenance Technician
The term "Central Office Maintenance Technician" denotes a Company employee who performs installation and/or repair work, including testing and trouble isolation, within the Company Central Office.

Central Office Prefix
The term "Central Office Prefix" denotes the first three digits (NXX) of the seven digit telephone number assigned to a customer's Telephone Exchange Service when dialed on a local basis.

C-Message Noise
The term "C-Message Noise" denotes the frequency weighted average noise within an idle voice channel. The frequency weighting, called C-message, is used to simulate the frequency characteristic of the 500-type telephone set and the hearing of the average subscriber.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

C-Notched Noise
The term "C-Notched Noise" denotes the C-message frequency weighted noise on a voice channel with a holding tone, which is removed at the measuring end through a notch (very narrow band) filter.

Channel(s)
Denotes an electrical or photonic, in the case of fiber optic based transmission systems, communications path between two or more points of termination.

Commission
The Kentucky Public Service Commission

Common Channel Signaling (CCS)
The term "Common Channel Signaling" (CCS) denotes a high speed packet switched communications network which is separate (out of band) from the public packet switched and message networks. Its purpose is to carry addressed signaling messages for individual trunk circuits and/or database related services between Signaling Points in the CCS network.

Common Line
The term "Common Line" denotes a line, trunk, pay telephone line or other facility provided under the general and/or local exchange service tariffs of the Company, terminated on a central office switch. A common line-residence is a line or trunk provided under the residence regulations of the general and/or local exchange service tariffs. A common line-business is a line provided under the business regulations of the general and/or local exchange service tariffs.

Communications System
The term "Communications System" denotes channels and other facilities which are capable of communications between terminal equipment provided by other than the Company.

Company
Excel Telecommunications, Inc.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Constructive Order
Delivery of calls to or acceptance of calls from Excel's End User locations over Excel switched local exchange services constitutes a Constructive Order by the Customer to purchase switched access services as described herein. Similarly, the selection by a Company's End User of the Customer as the presubscribed IXC constitutes a Constructive Order of Switched Access by the Customer.

Customer(s)
The term "Customer(s)" denotes any individual, partnership, association, joint-stock company, trust, corporation, or governmental entity or other entity which subscribes to the services offered under this tariff, including both Interexchange Carriers (ICs) and End Users.

Customer Designated Premises
The term "Customer Designated Premises" denotes the premises specified by the customer for the provision of Access Service.

Decibel
The term "Decibel" denotes a unit used to express relative difference in power, usually between acoustic or electric signals, equal to ten (10) times the common logarithm of the ratio of two signal powers.

Decibel Reference Noise C-Message Weighting
The term "Decibel Reference Noise C-Message Weighting" denotes noise power measurements with C-Message Weighting in decibels relative to a reference 1000 Hz tone of 90 dB below 1 milliwatt.

Decibel Reference Noise C-Message Referenced to 0
The term "Decibel Reference Noise C-Message Referenced to 0" denotes noise power in "Decibel Reference Noise C-Message Weighting" referred to or measured at a zero transmission level point.

Detail Billing
The term "Detail Billing" denotes the listing of each message and/or rate element for which charges to a customer are due on a bill prepared by the Company.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Directory Assistance
The term "Directory Assistance" denotes the provision of telephone numbers by a Company operator when the operator location is accessed by a customer by dialing NPA + 555-1212 or 555-1212.

Directory Assistance Location
The term "Directory Assistance Location" denotes a Company office where Company equipment first receives the Directory Assistance call from the customer's end user and selects the first operator position to respond to the Directory Assistance call.

Disconnect
To render inoperable or to disable circuitry thus preventing outgoing and incoming toll communications service.

Echo Control
The term "Echo Control" denotes the control of reflected signals in a telephone transmission path.

Echo Path Loss
The term "Echo Path Loss" denotes the measure of reflected signal at a 4-wire point of interface without regard to the send and receive Transmission Level Point.

Echo Return Loss
The term "Echo Return Loss" denotes a frequency weighted measure of return loss over the middle of the voiceband (approximately 500 to 2500 Hz), where talker echo is most annoying.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

End Office
The term "End Office" denotes a local Company switching system where Telephone Exchange Service customer station loops are terminated for purposes of interconnection to each other and to trunks. This term includes Remote Switching Modules/Systems served by a Host Central Office in a different wire center.

End Office Switch
Denotes a local Company switching system where Telephone Exchange Service Customer station loops are terminated for purposes of interconnection to trunks. Included are Remote Switching Modules (RSM) and Remote Switching Systems (RSS) served by a host office in a different wire center.

End User
The term "End User" means any customer of an intrastate or foreign telecommunications service that is not a carrier, except that a carrier other than a Company shall be deemed to be an "end user" when such carrier uses a telecommunications service for administrative purposes, and a person or entity that offers telecommunications service exclusively as a reseller shall be deemed to be an "end user" if all resale transmissions offered by such reseller originate on the premises of such reseller.

Enhanced Service
The term "Enhanced Service", as defined in Part 64 of the F.C.C.'s Rules and Regulations, are services "...offered over common carrier transmission facilities used in interstate communications, which employ computer processing applications that act on the format, content, code, protocol or similar aspects of the subscriber's transmitted information; provide the subscriber additional, different, or restructured information; or involve subscriber interaction with stored information."

Entrance Facility
A Switched Transport facility between a Company serving wire center and a Customer premises that provides a Customer with dedicated transport from the serving wire center to the Customer's premises. A trunk facility connecting the Customer's point of presence with the local switching center.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Exchange
The term "Exchange" denotes a unit generally smaller than a local access and transport area, established by the Company for the administration of communications service in a specified area which usually embraces a city, town or village and its environs. It consists of one or more central offices together with the associated facilities used in furnishing communications service within that area. The exchange includes any Extended Area Service area that is an enlargement of a Company's exchange area to include nearby exchanges. One or more designated exchanges comprise a given local access and transport area.

Expected Measured Loss
The term "Expected Measured Loss" denotes a calculated loss which specifies the end-to- 1004-Hz loss on a terminated test connection between two readily accessible manual or remote test points. It is the sum of the inserted connection loss and test access loss including any test pads.

Extended Area Service
See Exchange.

Facility
Denotes any one of the elements of physical telephone plant that is needed to provide access service, including switching systems, cables, fiber optic and microwave radio transmission systems.

Feature Group (FG)
Denotes a category of Switched Access Service differentiated by the technical characteristics, e.g., line side vs. trunk side connection at an Excel entry switch.

First Point of Switching
The term "First Point of Switching" denotes the first Company or centralized equal access provider location at which switching occurs on the terminating path of a call proceeding from the customer designated premises to the terminating end office and, at the same time, the last Company or centralized equal access provider location at which switching occurs on the originating path of a call proceeding from the originating end office to the customer designated premises.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Grandfathered
The term "Grandfathered" denotes Terminal Equipment, Multiline Terminating Systems and Protective Circuitry directly connected to the facilities utilized to provide services under the provisions of this tariff, and which are considered grandfathered under Part 68 of the F.C.C.'s Rules and Regulations.

Host Central Office
The term "Host Central Office" denotes an electronic local Company End Office where Telephone Exchange Service customer station loops are terminated for purposes of interconnection to each other and to trunks. Additionally, this type of End Office contains the central call processing functions which service itself and its Remote Switching Modules/Systems.

Immediately Available Funds
The term "Immediately Available Funds" denotes a corporate or personal check drawn on a bank account and funds which are available for use by the receiving party on the same day on which they are received and include U.S. Federal Reserve bank wire transfers, U.S. Federal Reserve notes (paper cash), U.S. coins, U.S. Postal Money Orders and New York Certificates of Deposit.

Individual Case Basis (ICB)
A condition in which the regulations, if applicable, rates and charges for an offering under the provisions of this tariff are developed based on the circumstances in each case. A service arrangement in which the regulations, rates and charges are developed based on the specific circumstances of the Customer's situation.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Installation and Repair Technician
The term "Installation and Repair Technician" denotes a Company employee who performs installation and/or repair work, including testing and trouble isolation, outside of the Company Central Office and generally at the customer designated premises.

Interexchange Carrier (IC) or Interexchange Common Carrier
The terms "Interexchange Carrier" (IC) or "Interexchange Common Carrier" denotes any individual, partnership, association, joint- stock company, trust, governmental entity or corporation engaged for hire in intrastate or foreign communication by wire or radio, between two or more exchanges.

Interstate Communications
The term "Interstate Communications" denotes both interstate and foreign communications.

Intrastate Communications
The term "Intrastate Communications" denotes any communications within a state subject to oversight by a state regulatory commission as provided by the laws of the state involved.

Legal Holiday
The term "Legal Holiday" denotes days other than Saturday or Sunday for which the Company is normally closed. These include New Year's Day, Independence Day, Thanksgiving Day, Christmas Day and a day when Washington's Birthday, Memorial Day or Columbus Day is legally observed and other locally observed holidays when the Company is closed.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Line Side Connection
The term "Line Side Connection" denotes a connection of a transmission path to the line side of a local exchange switching system.

Local Access and Transport Area (LATA)
The term "Local Access and Transport Area" denotes a geographic area established for the provision and administration of Telecommunications service. It encompasses one or more designated exchanges, which are grouped to serve common social, economic and other purposes.

Local Area Network
The term "Local Area Network" denotes a network permitting the interconnection and intercommunication of a group of computers.

Local Switching Center
The switching center where telephone exchange service Customer station Channels are terminated for purposes of interconnection to each other and to interoffice Trunks.

Local Traffic
A call which originates and terminates in the same exchange area, or a call which originates and terminates within different Excel exchanges that share a common mandatory local calling area (e.g., a mandatory Extended Local Calling Service (ELCS) or Extended Area Service areas (EAS) or other like types of mandatory local calling scopes. Calls to or from a Wireless Provider do not constitute Local Traffic, and are therefore subject to Excel's switched access charges, if they are either (1) interMTA or (2) the Wireless Provider does not have a direct connection to Excel's underlying carrier facilities without the use of an intermediary carrier.

Loss Deviation
The term "Loss Deviation" denotes the variation of the actual loss from the designed value.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Major Fraction Thereof
The term "Major Fraction Thereof" denotes any period of time in excess of ½ of the stated amount of time. As an example, in considering a period of 24 hours, a major fraction thereof would be any period of time in excess of 12 hours exactly. Therefore, if a given service is interrupted for a period of thirty-six hours and fifteen minutes, the customer would be given a credit allowance for two twenty-four hour periods for a total of forty-eight hours.

Meet Point
A point of interconnection that is not an End Office or tandem.

Meet Point Billing
The arrangement through which multiple Exchange Carriers involved in providing Access Services, divide the ordering, rating, and billing of such services on a proportional basis, so that each Exchange Carrier involved in providing a portion of the Access Service agrees to bill under its respective tariff.

Message
The term "Message" denotes a "call" as defined preceding.

Milliwatt (102 Type) Test Line
The term "Milliwatt (102 Type) Test Line" denotes an arrangement in an end office which provides a 1004 Hz tone at 0 dBm0 for one-way transmission measurements towards the customer's premises from the Company end office.

Network Control Signaling
The term "Network Control Signaling" denotes the transmission of signals used in the telecommunications system which perform functions such as supervision (control, status, and charge signals), address signaling (e.g., dialing), calling and called number identifications, rate of flow, service selection error control and audible tone signals (call progress signals indicating re-order or busy conditions, alerting, coin denominations, coin collect and coin return tones) to control the operation of the telecommunications system.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Network Element-Provided Access Service (NEPAS)
The term Network Element-Provided Access Service (NEPAS) refers to service that provides switched access to the Premises of an End User which is obtaining a NEP Service offering (NEPS End User) under the Company's Local Exchange Service Tariff. NEPAS is provided utilizing network elements of the Incumbent Local Exchange Carrier.

Network Element-Provided (NEP) Service
The term "NEP Service" means a Company local service offering pursuant to the Company's Local Exchange Service Tariff that is provided by the Company using the facilities of an Incumbent Local Exchange Carrier.

NEPS End Office
The term "NEPS End Office" means an Incumbent Local Exchange Carrier's End Office used in connection with the provision of an NEP Service by the Company.

NEPS End User
The term "NEPS End User" means an End User that purchases an NEP Service.

Nonsynchronous Test Line
The term "Nonsynchronous Test Line" denotes an arrangement in step- by-step end offices which provides operational tests which are not as complete as those provided by the synchronous test lines, but can be made more rapidly.

North American Numbering Plan
The term "North American Numbering Plan" denotes a three-digit area code (Numbering Plan Area - NPA) and a seven-digit telephone number made up of a three-digit Central Office prefix plus a four-digit station number.

Off-hook
The term "Off-hook" denotes the active condition of Switched Access or a Telephone Exchange Service line.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

On-hook
The term "On-hook" denotes the idle condition of Switched Access or a Telephone Exchange Service line.

Open Circuit Test Line
The term "Open Circuit Test Line" denotes an arrangement in an end office which provides an ac open circuit termination of a trunk or line by means of an inductor of several henries.

Optional Expanded Area Service Traffic (OEAS)
Optional service found in large urban areas financed by separate charges on end users that elect service as defined by a tariff approved by the Commission.

Pay Telephone
The term "Pay Telephone" denotes a coin or coinless instrument provided in a public or semipublic place where Payphone Service Provider customers can originate telephonic communications and pay the applicable charges by (1) inserting coins into the equipment, or (2) using a credit card, or (3) third party billing the call or (4) calling collect.

Payphone Service Provider
The term "Payphone Service Provider" denotes an entity that provides pay telephone service, which is the provision of public, semi-public or inmate pay telephone service.

Point of Presence (POP)
Location where the Customer maintains a facility for purposes of interconnecting to Excel's underlying carrier's network.

Point of Termination
The term "Point of Termination" denotes the point of demarcation within the Customer-designated premises at which the Company's responsibility for the provision of Access Service ends.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Premises
The term "Premises" denotes a building or buildings on continuous property (except Railroad Right-of-Way, etc.) not separated by a public highway.

Presubscription
An arrangement whereby an End User may select and designate to Excel an IXC or Carrier it wishes to access, without an Access Code, for completing both intraLATA toll calls and/or interLATA toll calls. The selected IXC(s) is/are referred to as the End User's Primary Interexchange Carrier (PIC).

Query
Denotes a request for specific information generated by a computer processor and sent to an application, i.e., a data base, with a predefined set of possible responses.

Remote Switching Modules/Systems
The term "Remote Switching Modules/Systems" denotes small, remotely controlled electronic end office switches which obtain their call processing capability from an electronic Host Central Office. The Remote Switching Modules/Systems cannot accommodate direct trunks to an IC.

Return Loss
The term "Return Loss" denotes a measure of the similarity between the two impedances at the junction of two transmission paths. The higher the return loss, the higher the similarity.

Registered Equipment
The term "Registered Equipment" denotes the customer's premises equipment which complies with and has been approved within the Registration Provisions of Part 68 of the F.C.C.'s Rules and Regulations.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Service Access Code
The term "Service Access Code" denotes a 3 digit code in the NPA format which is used as the first three digits of a 10 digit address and which is assigned for special network uses. Whereas NPA codes are normally used for identifying specific geographical areas, certain Service Access Codes have been allocated in the North American Numbering Plan to identify generic services or to provide access capability. Examples of Service Access Codes include the 800 and 900 codes.

Service Outage
A complete loss of call origination and/or receipt capability which begins when the IXC reports the outage to Excel and ends when the affected circuit and/or associated Excel equipment is fully operational in accordance with the technical specifications.

Service Switching Point (SSP)
The term "Service Switching Point" denotes an end office or tandem which, in addition to having SS7 and SP capabilities, is also equipped to query centralized data bases.

Serving Wire Center
The term "Serving Wire Center" denotes the wire center from which the customer designated premises would normally obtain dial tone from the Company.

Seven Digit Manual Test Line
The term "Seven Digit Manual Test Line" denotes an arrangement which allows the Customer to select balance, milliwatt and synchronous test lines by manually dialing a seven digit number over the associated access connection.

Shortage of Facilities or Equipment
The term "Shortage of Facilities or Equipment" denotes a condition which occurs when the Company does not have appropriate cable, switching capacity, bridging, or multiplexing equipment, etc., necessary to provide the Access Service requested by the customer.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Short Circuit Test Line
The term "Short Circuit Test Line" denotes an arrangement in an end office which provides for an ac short circuit termination of a trunk or line by means of a capacitor of at least four microfarads.

Signaling Point (SP)
The term "Signaling Point (SP)" denotes an SS7 network interface element capable of originating and terminating SS7 trunk signaling messages.

Signaling Point of Interface (SPOI)
The term "Signaling Point of Interface (SPOI)" denotes the customer designated location where the SS7 signaling information is exchanged between the Company and the customer.

Signaling System 7 (SS7)
The term "Signaling System 7 (SS7)" denotes the layered protocol used for standardized common channel signaling in the United States and Puerto Rico.

Signal Transfer Point (STP)
The term "Signal Transfer Point (STP)" denotes a packet switch which provides access to the Company's SS7 network and performs SS7 message signal routing and screening.

Signal Transfer Point (STP) Port
The term "Signal Transfer Point (STP) Port" denotes the point of termination and interconnection to the STP.

Special Order
The term "Special Order" denotes an order for a Directory Assistance Service.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Subtending End Office of an Access Tandem
The term "Subtending End Office of an Access Tandem" denotes an end office that has final trunk group routing through that tandem.

Super Intermediate Hub
The term "Super Intermediate Hub" denotes a wire center at which bridging or multiplexing functions are performed for Customers served by all wire centers in the LATA. A Super Intermediate Hub can be restricted to one or more designated NPAs within a LATA and/or to wire centers that are owned by the same Company as the hub. Super Intermediate Hubs and the wire centers they serve are identified in NATIONAL EXCHANGE CARRIER ASSOCIATION, Inc. Tariff F.C.C. No. 4.

Switched Access Service
Access to the switched network of an Exchange Carrier for the purpose of originating or terminating communications.

Synchronous Optical Network (SONET)
The term "SONET" denotes a North American Standard for high speed synchronous optical channels having minimum transmission rates of 51.84 Mbps. The standard SONET optical carrier rate of 51.84 Mbps. is called OC1; the equivalent electrical signal rate is called STS-1. SONET standardizes higher transmission bit rates, AOCN, as exact multiples of OC1 (N X 51.84 Mbps.). For example, OC3 equals 3 X 51.84 Mbps.

Synchronous Transport Signal (STS)
The term "Synchronous Transport Signal" denotes a 51.84 Mbps. electrical signal used within the SONET optical carrier network. The signal consists of the information content and the overhead used by SONET. The overhead is used for controlling, framing and maintaining the STS signal so it can be directly connected to other SONET carrier channels. STS signals are in exact multiples of 51.84 Mbps. (STS-1 is 51.84 Mbps., STS-3 is 155.52 Mbps., etc.).

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Tandem-Switched Transport Facility
Denotes a Switched Transport facility between a Company hub office (when multiplexing occurs at an office other than the serving wire center) and an end office that provides a Customer with transport to or from the end office by routing through an access tandem.

Terminating Direction
The term "Terminating Direction" denotes the use of Access Service for the completion of calls from an IC premises to an End User Premises.

Throughput
The term "Throughput" denotes the number of data bits successfully transferred in one direction per unit of time.

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

Transmission Measuring (105 Type) Test Line/Responder
The term "Transmission Measuring (105 Type) Test Line/ Responder" denotes an arrangement in an end office which provides far-end access to a responder and permits two-way loss and noise measurements to be made on trunks from a near end office.

Transmission Path
The term "Transmission Path" denotes an electrical path capable of transmitting signals within the range of the service offering, e.g., a voice grade transmission path is capable of transmitting voice frequencies within the approximate range of 300 to 3000 Hz. A transmission path is comprised of physical or derived facilities consisting of any form or configuration of plant typically used in the telecommunications industry.

Trunk
The term "Trunk" denotes a communications path connecting two switching systems in a network, used in the establishment of an end-to-end connection.

Trunk Group
The term "Trunk Group" denotes a set of trunks which are traffic engineered as a unit for the establishment of connections between switching systems in which all of the communications paths are interchangeable.

Trunk Side Connection
The term "Trunk Side Connection" denotes the connection of a transmission path to the trunk side of a local exchange switching system.

Two-Wire to Four-Wire Conversion
The term "Two-Wire to Four-Wire Conversion" denotes an arrangement which converts a four-wire transmission path to a two-wire transmission path to allow a four-wire facility to terminate in a two-wire entity (e.g., a central office switch).

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2. **General Regulations** - (Continued)

2.5 Definitions - (Continued)

V and H Coordinates Method
The term "V and H Coordinates Method" denotes a method of computing airline miles between two points by utilizing an established formula which is based on the vertical and horizontal coordinates of the two points.

WATS Serving Office
The term "WATS Serving Office" denotes a Company designated serving wire center where switching, screening and/or recording functions are performed in connection with the closed-end of WATS or WATS-type services.

Wire Center
The term "Wire Center" denotes a building in which one or more central offices, used for the provision of Telephone Exchange Services, are located.

Wireless Switching Center
The term "Wireless Switching Center" (WSC) denotes a Wireless Service Provider (WSP) switching system that is used to terminate wireless stations for purposes of interconnection to each other and to trunks interfacing with the public switched network.

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3. Switched Access Service

3.1 General

Switched Access Service, which is available to Customers for their use in furnishing their services to End Users, provides a two-point communications path between a Customer's Premises and a n End User's Premises. It provides for the use of common terminating, switching and transport facilities. Switched Access Service provides the ability to originate calls from an End User's Premises to a Customer's Premises, and to terminate calls from a Customer's Premises to an End User's Premises.

Switched Access Service is available when originating or terminating calls from or to an End User which subscribes to the Company's Local Exchange Services.

Rates and charges are set forth in Section 4 herein. The application of rates for Switched Access Service is described in Section 4.

3.1.1 Service Commencement Date

The date on which a Customer first sends or receives traffic from an End User or the date specified on the Service Order, whichever occurs first and whichever is applicable.

3.1.2 Service Cancellation Date

The date on which a Customer notifies Excel, in writing, of its intention to terminate its access arrangements with Excel, or the date on which Excel notifies the Customer, in writing, of its intention to terminate access service to the Customer. Such dates must conform to the effective dates for cancellation of service or the Customer's intention to block or have access traffic blocked, as set forth herein.

In the event that Excel terminates service without cause for reasons set forth herein, the service cancellation date shall be the date that Excel terminates service with the Customer.

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3. **Switched Access Service** - (Continued)

3.2 Provision and Description of Switched Access Service Arrangements

3.2.1 Feature Group Access

FG Access is provisioned at the DS-1 level and provides trunk-side access to Local Switching Center switches, for the Customer's use in originating and terminating communications. Basic FG Access service will be provided with Multi-Frequency In Band Signaling (SS7 is also available, where capabilities exist).

All traffic is routed to and from the local switching center via the Customer's tandem provider or via end office trunking, where available. Delivery of calls to, or acceptance of calls from, the Customer's End User locations over switched local exchange services shall constitute an agreement by the Customer to purchase switched access services as described herein. Excel reserves the right to require the Customer to submit an ASR for switched access.

3.2.2 Manner of Provision

Feature Group D (FGD) Access is furnished on a BHMC and on a per trunk basis. BHMCs are differentiated by type and directionality of traffic carried over a Switched Access Service arrangement. Differentiation of traffic among BHMC types is necessary for the Company to properly design Switched Access Service to meet the traffic carrying capacity requirement of the customer.

There are three major BHMC categories identified as: Originating, Terminating and Directory Assistance. Originating BHMCs represent access capacity within a LATA for carrying traffic from the end user to the customer; Terminating BHMCs represent access capacity within a LATA for carrying traffic from the customer to the end user; and, Directory Assistance BHMCs represent access capacity within a LATA for carrying Directory Assistance traffic from the customer to a Directory Assistance location. When ordering capacity for FGD Access in BHMCs, the customer must at a minimum specify such access capacity in terms of Originating BHMCs and/or Terminating BHMCs.

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3. **Switched Access Service** - (Continued)

3.2 Provision and Description of Switched Access Service Arrangements (Continued)

3.2.3 Call Types

The following Switched Access Service call types are available:

(a) Originating FG Access
(b) Originating 800 FG Access
(c) Terminating FG Access

3.2.4 Originating FG Access

The access code for FG Access switching is a uniform access code of the form 1+ or 011+ or 101XXXX. For 101XXXX dialing, a single access code will be the assigned number of all FG Access provided to the Customer by the Company. When the access code is used, FG Access switching also provides for dialing the digit 0 for access to operator services, 911 for access to emergency service, and/or the end of dialing digit (#) for cut-through access to the Customer's premises. The Company will provide originating FG access consistent with dialing parity obligations.

3.2.5 Originating 800 FG Access

800 Data Base Access Service is a service offering utilizing originating Trunk side Switched Access Service. When an 8XX + NXX + XXXX call is originated by an End User, the Company will perform Customer identification based on screening of the full ten-digits of the 8XX number to determine the Customer location to which the call is to be routed.

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3. **Switched Access Service** - (Continued)

3.2 Provision and Description of Switched Access Service Arrangements (Continued)

3.2.6 Terminating FG Access

FG Access, when used in the terminating direction, may only be used to access Customers who are subscribing to the Company's Local Exchange Services. Calls in the terminating direction will not be completed to 950-0XXX or 950-1 XXX access codes, local operator assistance (0- and 0+), Directory Assistance, (411 or 555-1212) service codes 611 and 911 and 101XXXX access codes.

3.3 Ordering Options

This section sets forth the regulations and order related charges for Access Service Requests (ASR) for Switched Access Service, as defined in this tariff. These charges are in addition to other applicable charges set forth in other sections of this tariff.

3.3.1 Ordering Conditions

The Customer may order switched access through a Constructive Order, as defined herein, or through an ASR. The format and terms of the ASR will be as specified in the Industry Access Service Order Guidelines, unless otherwise specified herein.

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3. **Switched Access Service** - (Continued)

3.3 Ordering Options (Continued)

3.3.2 Minimum Period of Service

The minimum period for which Access Service is provided and for which charges are applicable is one month. The following changes will be treated as a discontinuance of the existing service and a request for installation of a new service. All associated Non-Recurring Charges will apply for the new service, and a new minimum period will be established:

(a) A change in the identity of the Customer of record; or

(b) A move by the Customer to a different building.

When Access Service is disconnected prior to the expiration of the minimum period, charges are applicable for the balance of the minimum period. The Minimum Period Charge for monthly billed services will be determined as follows: For Switched Access Service, the charge for a month or fraction thereof is equivalent to 50,000 billed minutes of use for the applicable service. All applicable Non-Recurring Charges for the service will be billed in addition to the Minimum Period Charge.

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3. **Switched Access Service** - (Continued)

3.4 Reports and Testing

3.4.1 Design Layout Report

At the request of the Customer, the Company will provide to the Customer the makeup of the facilities and services provided from the Customer's Premises to the first point of switching. This information will be provided in the form of a design layout report. The design layout report will be provided to the Customer at no charge.

3.4.2 Acceptance Testing

At no additional charge, the Company will, at the Customer's request, cooperatively test, at the time of installation, the following parameters: loss, C-notched noise, C-message noise, 3-tone slope, d.c. continuity and operational signaling.

3.5 End User Access Service

Excel will provide End User Access Service to Customers who are provided local exchange service under the provisions of Excel's Kentucky Tariff No. 3 - Local Exchange Services Tariff on file with the Commission. Customers of End User Access Service are responsible for the End User Common Line Charge as specified herein.

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4. Switched Access Rates

4.1 General

This section contains the specific regulations governing the rates and charges that apply for Switched Access Services:

There are three types of rates and charges that apply to Switched Access Service:

- **Non-Recurring Charges**: One-time charges that apply for a specific work activity.

- **Recurring Charges**: Fixed charges apply each month and depend on the number and type of facilities in place.

- **Usage Charges**: Charges that are applied on a per access minute basis. Usage rates are accumulated over a monthly period.

4.2 Rate Categories

There are several rate categories which apply to Switched Access Service:

- Carrier Switched Access Originating
- Carrier Switched Access Terminating
- Toll-Free 8XX Data Base Access Service

The Company provides originating and terminating switched access service rated upon aggregate traffic volumes from the following cost categories:

4.2.1 Common Line

The Common Line cost category establishes the charges related to the use of Company-provided end user common lines by Customers and End Users for switched access.

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4. Switched Access Rates - (Continued)

4.2 Rate Categories (Continued)

4.2.2 Switched Transport

The Switched Transport cost category establishes the charges related to the transmission and tandem switching facilities between the Customer designated premises and the end office switch(es) where the Customer's traffic is switched to originate or terminate the Customer's communications.

4.2.3 End Office Switching

The End Office Switching cost category establishes the charges related to the use of end office switching equipment, the terminations in the end office of subscriber lines, the terminations of calls at Company provided Intercept Operators or recordings, the Signaling Transfer Point (STP) costs, and the SS7 signaling function between the end office and the STP.

4.2.4 Toll-Free 8XX Database Query

The Toll-Free 8XX Data Base Query Charge, will apply for each Toll-Free 8XX call query received at the Company's (or its provider's) Toll-Free 8XX data base.

4.2.5 Optional Features

Other optional features may be available on an Individual Case Basis (ICB).

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4. **Switched Access Rates** - (Continued)

4.3 Billing of Access Minutes

When recording originating calls over FG Access with multi-frequency address signaling, usage measurement begins when the first wink supervisory signal is forwarded from the Customer's facilities. The measurement of originating call usage over FG Access ends when the originating FG Access entry switch receives disconnect supervision from either the originating End User's Local Switching Center - (indicating that the originating End User has disconnected), or the Customer's facilities, whichever is recognized first by the entry switch.

For terminating calls over FG Access with multi-frequency address signaling, the measurement of access minutes begins when a seizure signal is received from a trunk group at the Point of Presence within the LATA. The measurement of terminating call usage over FG Access ends when a disconnect signal is received, indicating that either the originating or terminating user has disconnected.

When recording originating calls over FG Access with SS7 signaling, usage measurement begins with the transmission of the initial address message by the switch for direct trunk groups and with the receipt of an exit message by the switch for tandem trunk groups. The measurement of originating FG Access usage ends when the entry switch receives or sends a release message, whichever occurs first.

For terminating calls over FG Access with SS7 signaling, the measurement of access minutes begins when the terminating recording switch receives the initial address message from the terminating End Users. On directly routed trunk groups or on tandem routed trunk groups, the Company switch receives the initial address message and sends the indication to the Customer in the form of an answered message. The measurement of terminating FG Access call usage ends when the entry switch receives or sends a release message, whichever occurs first.

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4. **Switched Access Rates** - (Continued)

4.4 Timing of Calls

The Customer's monthly usage charges for the Company's switched access service are based upon the total number of minutes the Customer uses.

Customer traffic to the Company's end offices will be measured (i.e., recorded or assumed) by the Company at end office switches or access tandem switches. Originating and terminating calls will be measured (i.e. recorded or assumed) by the Company to determine the basis for computing chargeable access minutes. In the event that message detail is unavailable because the Company has lost or damaged tapes or experienced recording system outages, the Company will estimate the volume of lost Customer access minutes of use based upon previously-known values.

For billing purposes, FGD access minutes or fractions thereof (the exact value of the fraction being a function of the switch technology where the measurement is made), are accumulated over the billing period for each end office and then are rounded up to the nearest access minute for each end office and billed in increments of one (1) minute.

The Company will not knowingly charge for Incomplete Calls. Upon the Customer's request and proper verification, the Company shall promptly adjust or credit the Customer's account for charges or payments for any unanswered call inadvertently billed due to the unavailability of Feature Group D or due to Common Carrier failure to provide answer supervision.

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4. Switched Access Rates - (Continued)

4.5 Rates and Charges

4.5.1 Carrier Common Line Access

Originating	$0.000000 per minute
Terminating	$0.000000 per minute

4.5.2 Local Transport

Tandem Switched Facility per mile	$0.000023 per minute
Tandem Switched Termination per minute	$0.000176 per minute
Access Tandem Switching	$0.001177 per minute

4.5.3 Local Switching

LS1	$0.004497 per minute
LS2	$0.004497 per minute

4.5.4 Toll-Free Database Query

Per Query	$0.004210 per minute

4.5.5 Switched Access Optional Features

All Optional Features are offered on an ICB.

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4. **Switched Access Rates** - (Continued)

4.5 Rates and Charges (Continued)

4.5.6 End User Access Service

Customers of Excel's Local Exchange Service will be billed for the End User Common Line Charge in addition to all charges associated with the Customer's basic local service plan. Charges are specified in Excel's FCC Tariff No. 6: Interstate Access Services Tariff, Section 4.10.6.

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5. Local and OEAS Traffic Exchange and Termination

5.1 General

This section establishes the methodology for the exchange and termination of local and OEAS traffic for carriers that do not have an interconnection agreement with the Company.

5.2 Ordering Conditions

The Customer may order switched access through a Constructive Order, as defined herein, or through an ASR. The format and terms of the ASR will be as specified in the Industry Access Service Order Guidelines, unless otherwise specified herein.

5.3 Local and OEAS Traffic Compensation

Local and OEAS traffic exchange will be conducted under a Bill and Keep arrangement. All local traffic will be exchanged under a Meet Point Billing Arrangement which utilizes Category 92 summary usage record exchange, unless and until either the Commission or the FCC requires an alternative approach for the exchange of usage information for such traffic for use by all industry participants, pursuant to which the Company and other Terminating Carriers shall recover the costs of transporting and terminating such traffic on their networks from other parties in accordance with the then applicable regulations, including to the extent practicable, any Internet Service Provider access charge exemption. This provision does not apply to access traffic, transit traffic, or wireless traffic.

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6. Contracts and Individual Case Basis Arrangements

6.1 Contracts

The Company may provide any of the services offered under this rate sheet, or combinations of services, to Customers on a contractual basis. The terms and conditions of each contract offering are subject to the agreement of both the Customer and Company. Such contract offerings will be made available to similarly situated Customers in substantially similar circumstances. Rates in other sections of this rate sheet do not apply to Customers who agree to contract arrangements, with respect to services within the scope of the contract.

Services provided under contract are not eligible for any promotional offerings which may be offered by the Company from time to time.

6.2 Individual Case Basis Arrangements

Arrangements will be developed on an ICB in response to a bona fide special request from a Customer or prospective Customer to develop a competitive bid for a service. ICB rates will be offered to the Customer in writing and on a non-discriminatory basis.

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