# REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES APPLYING TO END-USER COMMUNICATION SERVICES WITHIN THE COMMONWEALTH OF KENTUCKY

TV SERVICE, INC.
PO Box 1410
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RATES, RULES AND REGULATIONS FOR FURNISHING NETWORK TRANSMISSION SERVICE (INCLUDING DIGITAL CHANNELS) BETWEEN FIXED POINTS IN THE COMMONWEALTH OF KENTUCKY.

This tariff is on file with the Kentucky Public Service Commission, and copies may be inspected during normal business hours at the company's principal place of business.

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Issue Date: November 9, 2006 Effective Date: November 10, 2006

Issued By: Archie W. Everage

Archie W. Everage, General Manager / Secretary / Treasurer
Issued by the Authority of the Order of the Public Service Commission of the Commonwealth of Kentucky in Administrative Case No. 370, dated January 8, 1998.

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## TARIFF FORMAT

A. Sheet Numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.

B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14.



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## EXPLANATION OF SYMBOLS

The following symbols shall be used in this tariff for the purpose indicated and shall appear in the right margin of the sheet:

| | | |
|---|---|---|
| C | - | To signify changed regulation. |
| D | - | To signify discontinued rate, regulation, or condition. |
| I | - | To signify increased rate. |
| K | - | To signify that material has been transferred to another sheet or place in the tariff. |
| M | - | To signify that material has been transferred from another sheet or place in the tariff. |
| N | - | To signify new rate, regulation, condition or sheet. |
| R | - | To signify reduced rate. |
| T | - | To signify a change in, text for clarification, but no change in rate or regulation. |



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## APPLICATION OF TARIFF

This tariff sets forth the service offerings, rates, terms and conditions applicable to the furnishing of intrastate end-user communications services by TV Service, Inc., hereinafter referred to as the Company, to customers within the Commonwealth of Kentucky.



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## CONCURRING, CONNECTING AND OTHER PARTICIPATING CARRIERS

Concurring Carriers:

None

Connecting Carriers:

None

Other Participating Carriers:

None

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## DEFINITION OF TERMS

Certain terms used generally throughout this tariff are defined below.

Access Line: Denotes the line between the service Central Office and the demarcation point at the Subscriber's premises.

Account: A Company accounting category containing one or more residential local exchange access lines billed to the same Customer at the same address.

Advance Payment: Part or all of a payment required before the start of service.

Applicant: A person, firm, partnership, corporation, etc., requesting service from the Company.

Authorized User: A person, firm or entity other than the customer who may communicate over the services of the customer.

Billing Cycle: The frequency with which Customer bills are rendered. Customer bills are typically generated once each month. For purposes of billing, a month is considered to consist of thirty days.

Business Service: Telecommunications service provided a customer where the use is primarily or substantially of a business, professional, institutional or otherwise occupational nature.

Call: An attempted or completed communication.

Cancellation Charge: A charge under certain conditions when an application for service is cancelled prior to the completion of work involved.

Central Office Line: See "Exchange Line"

Class of Service: A description of telephone service furnished to a subscriber that describes the nature of the service provided. Such description may include the character of the service (residential or business), billing type (flat or usage variable), dialing method, etc.



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## DEFINITION OF TERMS

Commission: The Kentucky Public Service Commission.

Company: TV Service, Inc., the issuer of this tariff.

Connecting Company: A telephone company operating one or more exchanges and with which telecommunications services are interchanged.

Contract: The arrangement between the customer and Company whereby services and facilities are provided pursuant to the applicable provisions of the Tariff.

Cost: Refers to total material, contractor and labor expenses, including supervision and other overhead expenses, associated with specific work activities performed by the Company.

Customer or Subscriber: The person, firm or corporation that orders service and is responsible for the payment of charges and compliance with the Company's regulations.

Customer-Provided or Premise Equipment or Terminal Equipment: Devices, apparatus, accessories, and their associated wiring provided by the customer that are connected pursuant to the terms of this Tariff with the Company's network and comply with FCC rules.

Demarcation Point: The point at which the Company's facilities end and customer owned and / or maintained facilities begin.

Drop Wire: Wires used to connect the circuits of open wire, aerial or underground distribution facilities to the point where connection is made with the inside wiring.

Exchange: A determination established by the telephone utility for the administration of telecommunications service within a specific area to which a rate schedule applies.

Exchange Line: See "Network Access Line".



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## DEFINITION OF TERMS

Exchange Service: The general telephone service rendered in accordance with tariff provisions. Exchange service is a general term describing as a whole the facilities provided for local intercommunications, together with the right to originate and receive a specified or an unlimited number of local messages at charges in accordance with the provisions of this tariff.

Exchange Service Area: The territory served by an exchange within which local telephone service is furnished at applicable exchange rates.

Extended Area Service: A type of telephone service whereby customers of a given exchange may complete or receive calls without the application of long distance message charges, pursuant to tariff(s).

Facilities: All property, means, and instruments owned, operated, leased, licensed, used, furnished, or supplied for, by or in connection with the rendition of telephone service.

Initial Service Period: The minimum length of time for which a customer is obligated to pay for service, facilities, and equipment.

Installation Charge: A separate, non-recurring charge applied for the provision of service in addition to service connection charges.

Interexchange Carrier IXC: See Long Distance provider.

Local Calling Area: An area within which telecommunications service is furnished under a specific schedule without long distance charges.

Local Exchange Service: Telecommunications service provided within local exchange service areas in accordance with the tariffs.

Local Message: A completed call between customer locations within the same exchange or local calling area.

Long Distance Message Service: The furnishing of facilities for telecommunication between persons in different local service areas in accordance with the regulations and system of charges specified in this tariff



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## DEFINITION OF TERMS

Long Distance Provider: A long distance telecommunications services provider, also known as IXC or Interexchange Carrier.

Message: A communication between two stations.

Minimum Contract Period: The minimum length of time for which a customer is obligated to pay for a service or facilities regardless of whether or not the service is retained by the customer for that minimum length of time.

Monthly Recurring Charges: The monthly charges paid by the Customer for services, facilities and equipment, which continue for the agreed upon duration of the service.

Network Access Line: A central office or exchange line, less instruments, to provide access to the local and national telecommunications network.

New Subscriber: Applicants having no basic monthly service or those subscribers changing service premises.

Non-Listed Telephone: A subscriber who has the telephone number listing omitted from the telephone directory but listed in the directory assistance records, available from the directory assistance operator.

Non-Published Telephone: A subscriber who has the telephone number listing omitted from both the telephone directory and directory assistance records at the customer's request.

Recurring Charges: The monthly charges to the Customer for services, facilities and equipment, that continue for the agreed upon duration of the service.

Residential Service: Service furnished to customers where the actual or obvious use is for domestic purposes.

Service Commencement Date: The first day following the date on which the Company notifies the Customer that the requested service or facility is available for use. The Company and Customer may mutually agree on a substitute Service Commencement Date.



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## DEFINITION OF TERMS

Service Order: The written request for Network Services executed by the Customer and the Company in the format devised by the Company. The signing of a Service Order by the Customer and acceptance by the Company initiates the respective obligations of the parties as set forth therein and pursuant to this tariff, but the duration of the service is calculated from the Service Commencement Date.

Subscriber: Any person, firm, partnership, corporation, municipality, cooperative, organization or governmental agency furnished communication service by the Company under the provisions and regulation of its tariff.

Suspension of Service: An arrangement made at the request of the customer, or initiated by the Company for violation of tariff regulations by the customer, for temporarily discontinuing service without terminating the service agreement or removing the telephone equipment from the customer's premises.

Tariff: The rates, charges, rules and regulations adopted and filed by the Company and accepted by the Kentucky Public Service Commission.

Temporary Disconnection: An arrangement whereby service is discontinued or suspended without terminating the contract or removing the telephone equipment.

Temporary Service: For the purpose of distinguishing between permanent and temporary service, temporary service is "any" service provided by the company that (1) does not fulfill the requirements of a minimum service contract, (2) would create an unusual expense for the Company caused by the short duration of service.

Termination Charge: A charge that applies for the discontinuance of an item of service or equipment prior to the expiration of the initial service period.

User or End User: A Customer, Joint User, or any other person authorized by a Customer to use service provided under this tariff.



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## GENERAL REGULATIONS

B.1 Application of Regulations

The regulations set forth herein apply to intrastate services and facilities furnished within the State of Kentucky by TV Service, Inc., after referred to as the "Company", subject to the jurisdiction of the Kentucky Public Service Commission. When service and facilities are provided in part by the Company and in part by other companies, the regulations of the Company apply to that portion of the service or facilities furnished by it.

B.2 Limitations and Use of Service

B.2.1 Use of Subscriber's Service

1. Except as otherwise provided in this tariff, telephone equipment and facilities are furnished for the use of the following:
   a. the subscriber; or
   b. members of the subscriber's domestic establishment; or
   c. employees, agents or representatives of the subscriber; or
   d. patrons of hospitals or of hotels; or
   e. members of clubs at the specified club location; or
   f. students living in quarters furnished by schools, colleges or universities; or
   g. persons temporarily subleasing a subscriber's residential premises; or
   h. tenants living in retirement complexes.

2. Except as otherwise provided in this tariff, service furnished by the Company is intended only for communications in which the subscriber has a direct interest and shall be received by him from any other person, firm, or corporations for use, or in the collection, transmission or delivery of any communication for others. This prohibition shall not apply to a subscriber who is engaged as a communications common carrier for message telegraph communications, or to approved Sharing and Resale of Basic Local Exchange Service Subscribers, or customer provided public telephones.



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## GENERAL REGULATIONS

B.2 Limitations and Use of Service (cont'd)

B.2.1 Use of Subscriber's Service (cont'd)

3. In view of the fact that the subscriber has exclusive control of the subscriber's own communications over the facilities furnished to the subscriber by the Company, and of the other uses for which facilities may be furnished to the subscriber by the Company, and because of unavoidable errors incident to the services and to the use of such facilities of the Company, the services and facilities furnished by the company are subject to the terms, conditions, and limitations herein specified.

B.2.2 Establishment of Identity

1. The calling party shall establish his identity in the course of any communications as often as may be necessary.

2. The calling party shall be solely responsible for establishing the identity of the person with whom connection is made at the called location.

B.2.3 Minimum Contract Period

1. Except as specified elsewhere in this Tariff, the minimum contract period is one month from the date service or additions to service are established and the minimum charge is the authorized rate for one month. For purposes of rate administration each month is considered to have 30 days.

2. The Company may require a contract period longer than one month at the same location in connection with special types or arrangements of equipment or for unusual construction necessary to meet specific demands for service.

3. The length of contract period for directory listings, where the listing actually appears in the directory, is the directory period. The directory period is from the day on which the directory is first distributed to the Customers to the day the succeeding directory is first distributed to Customers.



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## GENERAL REGULATIONS

B.2 Limitations and Use of Service (cont'd)

B.2.4 Cancellation of Service

1. The Company may without notice either suspend service or terminate the subscriber's contract without suspension of service or, following a suspension of service, disconnect the service and remove any of its equipment from the subscriber's premises upon:

   a. Abandonment of the Service;

   b. Failure of a subscriber to make suitable deposit as required by this Tariff;

   c. Impersonation of another with fraudulent intent;

   d. Use of service in such a way as to impair or interfere with the service of other subscribers such improper use includes, but is not limited to, the use of telephone service by a subscriber or with him permission in connections with a plan or attempt to secure a large volume of telephone calls, to be directed to such subscriber at or about the same time which may result in preventing obstructing, or delaying the telephone service of others.



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## GENERAL REGULATIONS

B.2 Limitations and Use of Service (cont'd)

B.2.4 Cancellation of Service (cont'd)

1. (cont'd)

e. Abuse or fraudulent use of service; such abuse or fraudulent use includes:

i. The use of service or facilities of the Company to transmit a message or to locate a person or otherwise to give or obtain information without payment of the charge applicable for the service;

ii. The obtaining, or attempting to obtain, or assisting another to obtain long distance messages telephone service, by rearranging, tampering with, or making connection with any facilities of the Company, or by any trick, scheme, false representation, or false credit device, or by or through any other fraudulent means or device whatsoever, with intent to avoid the payment, in whole or in part, of the regular charge for such service;

iii. The use of service or facilities of the Company for a call or calls, anonymous or otherwise, if in a manner reasonably expected to frighten or torment another;

iv. The use of profanity of obscene language;

v. 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.

f. Any other violation of the Company's regulations.



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## GENERAL REGULATIONS

B.2 Limitations and Use of Service (cont'd)

B.2.4 Cancellation of Service (cont'd)

2. The Company reserves the right to cancel any contract for service with and to discontinue service to any person who uses or permits the use of obscene, profanity or grossly abusive language over or by means of the Company's facilities, and who, after reasonable notice fails, neglects or refuse to cease and refrain from such practice or to prevent the same, such cancellation or discontinuance shall include the removal of company property from the customer's premises.

3. The Company may terminate the service and remove its equipment for non-payment of any sum due for exchange, long distance, or other services when the following requirements are met:

   a. Written notice shall be sent to the customer no sooner than 10 days after the original bill is sent out.
   b. The subscriber shall have a minimum of ten days to comply.
   c. The disconnection of service shall not be made before the twenty-first day after the original bill is sent out.
   d. Disconnection shall not occur on the preceding day of or on Saturday, Sunday and legal holidays.



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## GENERAL REGULATIONS

B.2 Limitations and Use of Service (cont'd)

B.2.5 Unauthorized Attachments or Connections

1. Except as provided by FCC regulations, no equipment, apparatus, circuit or device not furnished by the Company shall be attached to or connected with the facilities furnished by the Company whether physically, by induction or otherwise, except as provided in this tariff and under current FCC rules governing the application of and use of customer provided equipment. In case such unauthorized attachment or connection is made, the Company shall have the right to remove or disconnect the same, or to suspend the service during the continuance of said attachments or connection or to terminate the service.

2. Where a maintenance or repair visit is made to the subscriber's premises and the difficulty or trouble report results from the use of unauthorized attachments or connections a service maintenance fee applies.

B.2.6 Broadcast of Recordings of Telephone Conversations

The broadcasting of a recording of a telephone conversations during the period of recording is permissible provided that, in the interest of protecting the privacy of telephone service, the recording is made in accordance with the regulations governing connection with subscriber-provided voice recording equipment as specified in this Tariff and other regulations as may apply.



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## GENERAL REGULATIONS

B.2 Limitations and Use of Service (cont'd)

B.2.7 Recorded Public Announcements

1. Use of Company facilities or service in connection with automatic announcement service, automatic answering and recording service, or miscellaneous devices for recorded public announcements are subject to the following conditions:

2. For purposes of identification, subscribers to telephone service who transmit recorded public announcements over facilities provided by the Company must include in the recorded message the name of the organization or individual responsible for the service and the address at which the service is provided, unless the address of the organization or individual named in the announcement is shown in the currently distributed telephone directory.

3. Private telephone numbers will not be furnished for use with recorded public announcements.

4. Failure to comply with the provisions of this Tariff shall be cause for termination of service.

B.2.8 Limited Communication

The Company reserved the right to limit the length of communication when necessary because of a shortage of facilities caused by emergency conditions.

B.2.9 Transmitting Messages

The Company does not transmit messages but offers the use of its facilities for communications between subscribers. If, because of transmission difficulties, the operator repeats messages in order to accommodate the subscriber, the operator will be deemed to be acting as an agent of the subscribers involved. No liability shall attach to the Company because of any errors made by the operator or misunderstandings that may arise between subscribers because of such errors.



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## GENERAL REGULATIONS

B.2 Limitations and Use of Service (cont'd)

B.2.10 Unlawful Use of Service

The service is furnished subject to the condition that it will not be used for an unlawful purpose; Service will be discontinued if any law enforcement agency, acting within its apparent jurisdiction, advises in writing that such service is being used in violation of law. The Company will refuse to furnish service when it has reasonable grounds to believe that such service will be used in violation of law.

B.2.11 Access to Subscriber Premise for Inspections

The Company reserves the right to access of the subscriber's premise and property to inspect facilities when the Company suspects that the subscriber is not using facilities as prescribed by this Tariff.

Should the subscriber refuse the Company its right to access after the Company has made reasonable efforts to arrange for a convenient time with the subscriber, the Company can at its sole option, disconnect the service of the subscriber.

There upon, the subscriber permits the Company to make its inspection after disconnection of service, and the facilities are found to be in conformance with the rules and regulations of this Tariff, the subscriber's service will be immediately restored.

B.2.12 Transmission Interference

The Customer, upon notification from the Company, will immediately shut down its transmission of signals if said transmission is causing interference to others.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service

B.3.1 Application for Service

1. The Company's business office personnel will accept applications for service in person, in writing, or over the phone pursuant to reasonable Company practices.

2. The Company reserves the right, within restriction of the Kentucky Public Service Commission, to refuse service to any applicant who is found to be indebted to the Company for service previously furnished until satisfactory arrangements have been made for the payment of all such indebtedness. The Company may also refuse to furnish service to any applicant seeking to establish service for former subscribers of the Company who are indebted for previous service, regardless of the listing requested for such service, until satisfactory arrangements have been made for the payment of such indebtedness.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.2 Application of Residential Rates

Residential rates apply as follows:

1. Residence rates apply in private residences where business alphabetical or classified telephone directory listings are not provided.

2. In private apartments of hotels, rooming houses, or boarding houses where service is confined to the subscriber's use, and elsewhere in rooming houses which are not advertised as a place of business or which have less than five rooms for roomers of which furnish meals to less than ten boarders, provided business telephone directory listing are not furnished.

3. In the places of residence of a clergyman, and in the place of residence of a physician, dentist, veterinary, surgeon or other medical practitioner, provided the customer, does not maintain an office in the residence. In the residence of a Christian Science practitioner, nurse or midwife, or in the office of any of the group of persons, provided the office building. In any of such cases the listing may indicate the subscriber's profession, but only in connection with an individual name. If listings of person not residing in the same household are desired, business rates apply.

4. Where the place of business and residence of a subscriber are in the same premises and no telephone is installed in the place of business, the business rate shall be charged for the telephone installed in the residence.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.3 Application of Business Rates

Business rates apply as follows:

1. In a residential location if the listing indicates a business or profession, unless otherwise provided in this Tariff;

2. In office buildings, stores, factories and all other places of a business nature;

3. In hotels, apartment houses, clubs and boarding and rooming houses except when service is within the customer's domestic establishment and no business listings are provided; in churches except when applied per Section B.3.2.

4. At any location when the listing, public advertising, or display of a business sign indicates a business, profession or office unless otherwise provided in this Tariff;

5. At any location where the substantial use of the service is occupational, rather than domestic.

6. At any location where the service includes an extension that is at a location where business rates apply unless the extension is restricted to incoming calls.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.4 Availability of Facilities

1. The Company's obligation to furnish service is dependent upon its ability to secure and provision, without unreasonable expense, suitable facilities and rights for the provision of such service.

2. The rates and charges quoted in this Tariff provide for the furnishing of service and facilities where suitable facilities are commercially available.

3. When excessive costs are involved for the construction of facilities, charges for such construction will be determined in accordance with the regulations as set forth in Section D "Charges Applicable Under Special Conditions", except as otherwise specified.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.5 Subscriber Billing

1. The subscriber is responsible for the payment of all charges in conjunction with the service furnished to the subscriber including, but not limited to, toll charges that have been accepted at the subscriber's location.

2. Monthly recurring charges are billed in advance and usage-based charges are billed in arrears.

3. Special billing arrangements may be established for services provided to Government agencies.

4. Bills are due when rendered unless otherwise specified on the bill and may be paid at any business office of the Company or at any agency authorized to receive such payments.

5. For billing purposes each month is presumed to have 30 days.

6. Retroactive billing adjustments will not be made for a period exceeding twelve (12) months.

7. A late payment charge of 2.0 percent may be applied to each customer's bill for any undisputed amount from a previous month's bill when that amount has not been paid in full prior to the due date shown on the bill. State agencies subject to KRS 45.454 shall be assessed late payment charges in accordance with that statute. The late payment charge will not apply to unpaid late payment charges.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.5 Subscriber Billing (cont'd)

8. Billing of the Customer by the Company will begin on the Service Commencement Date. The Commencement Date is the first day following the date on which the Company notifies the Customer that the service or facility is available for use. The Service Commencement Date may be postponed by mutual agreement of the parties or if the service or facility does not conform to standards set forth in this tariff or the Service Order. Billing accrues through and includes the day that the service, circuit, arrangement or component is discontinued.

B.3.6 Telephone Numbers

1. The subscriber has no property right to the telephone number or any right to continuance of service through any particular central office.

2. The Company reserves the right to change the subscriber's telephone number or the central office associated with such number, or both, as may be required for the proper conduct of its business.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.7 Transfer of Service Between Subscribers

Service previously furnished one subscriber may be assumed by a new subscriber upon due notice of cancellation with the consent of the company and provided there is no lapse in the rendition of service. Such transfers are subject to service connection charge regulations and may be arranged for under the following condition:

a. If the new subscriber, fully understanding the regulations governing the service and the status of the account and willingly assumes all obligation thereunder, then future bills will be rendered to the new subscriber without an adjustment to or from any particular date, with the Company arranging for the requested change in billing and directory listing.

b. Under transfer of service, the reassignment of the old telephone number to the service of the new party is permitted for accounts for which all outstanding charges have been paid in full. Service transfer is arranged for only after the former subscriber has given consent to its use, and then only when, in the judgment of the Company there exists no relationship, business or otherwise, between the old and new subscriber, and when in the judgment of the Company a change in the telephone number is not required.

c. The Company reserves the right to request written permission from the old subscriber to release the telephone number to another subscriber.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.8 Floor Space, Electric Power and Operating at the Subscriber's Premises

1. The subscriber is responsible for the provision and maintenance at the subscriber's expense, of all suitable space and floor arrangements, including but not limited to adequate lighting, proper relative humidity and temperature control, required on the subscriber's premises for communication facilities provided by the Company in connection with services furnished to the subscriber by the company. Any power outlets and commercial power required for the operation of such facilities shall be provided by, and at the expense of, the subscriber.

2. Except as may be specified elsewhere in this Tariff, all operating power required for the use of communications facilities provided by the Company at the subscriber's premises will be performed at the expense of the subscriber, and must conform to the operating practices and procedures of the Company to maintain a proper standard of service.

B.3.9 Termination of Service

1. Termination of Service by the Company
   a. Violation of any of the regulation contained in this Tariff on the part of the subscriber may be regarded as sufficient cause for termination of the subscriber.

   b. When the service is terminated on the initiative of the Company because of violation of its regulations by the subscriber the regulations stipulated below for termination of service at the subscriber's request apply.

The Company may refuse to furnish or continue to furnish service hereunder, if such service would be used or is used for a purpose other than that for which it is provided or when its use interferes with or impairs, or would interfere with or impair any other service rendered to the public by the Company.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.9 Termination of Service

2. Termination of Service at the Subscriber's Request

a. Service may be terminated at any time upon reasonable notice from the subscriber to the Company. Upon such termination the subscriber shall be responsible for the payment of all charges due for the period service has been rendered plus any unexpired portion of an initial service period or applicable termination charges, or both.

b. In the case of directory listings where the listing has appeared in the directory, the charges due to the end of the directory period, except that in the following cases charges will be continued only to the date of termination of the extra listing or joint-user service, subject, however, to a minimum charge for one month:

i. The contract for the main service is terminated.
ii. The listed party becomes a subscriber to some class of exchange service.
iii. The listed party or joint-user moves to a new location.
iv. The listed party or joint-user dies.

c. For contract service or special equipment, the charges may be based on the individual circumstances in each case as agreed upon at the time of installation.

d. Contracts for periods of longer than the minimum period covering services whose installation required line extension may be terminated upon payment of all charges that would accrue to the end of the contract period, or the contract will be transferred to a new applicant who is to occupy the same premises and will subscriber to the service effective on the day following termination by the original subscriber.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.10 Suspension of Business and Residential Service

1. General

a. Upon request, a subscriber to residence service may arrange for the temporary suspension of such service unless otherwise specified in other sections of this Tariff. Suspension of service is available on the subscriber's complete service or on such portion thereof as can be suspended.

b. When the period of suspension is less than one month, the regular charges for the full month of service shall apply.

c. In Connection with complete suspension of service, local or long distance service is not furnished during the period of suspension. At the request of the subscriber, inward calls to a party at which service is suspended may be referred to the call number of another party in the same or a distant exchange.

d. The charge for the total suspension period may be collected in advance.

e. There is no reduction in the charge for foreign central office line mileage and foreign exchange line mileage during the period of suspension.

f. In connection with service at a concession rate the charge for service during the period of suspension is 50 percent of the rate regularly charged for service without concession, except in the case the concession is 50 percent or more, then the charge during the period of suspension is the rate regularly charged for the concession service.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.10 Suspension of Residential Service (cont'd)

2. Application of Charges

The charge for Network Access Service during the period of suspension is 50 percent of the rate regularly charged, except as specified in f preceding.

B.3.11 Equipment and Facilities – Provision and Ownership

1. All equipment necessary for the provision of a given service will be furnished and owned by the Company except as provided elsewhere in this Tariff. This subscriber may be required to provide suitable housing or other protective measure where equipment is to be installed in location exposed to weather or other hazards. The Subscriber will furnish commercial power at the subscriber's premises through suitable outlets when required.

2. Except as provided by the FCC, no equipment, apparatus, circuit or device not furnished by the Company shall be attached to or connected with the facilities furnished by the company; whether physically, by induction, acoustically or otherwise; except as provided in this Tariff or as otherwise authorized in writing by the Company or authorized by FCC regulation. In case any such authorized attachment or connection is made, the Company shall have the right to remove or disconnect the same or to terminate the service. Subscribers connecting customer owned terminal equipment, must notify the company and supply FCC administration number.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.11 Equipment and Facilities – Provision and Ownership (cont'd)

3. The provisions of the preceding shall not be construed or applied to bar a subscriber from using devices with Company facilities as necessary for use of services provided any such device used does not:

   a. Endanger the safety of Company employees or the public;
   b. Damage, require change in or alternation of, or involve direct electrical connection to, the equipment or other facilities of the Company, unless as provided for elsewhere in this Tariff;
   c. Interfere with the proper functioning of Company equipment or facilities;
   d. Impair the operation of the communication system;
   e. Otherwise injure the public.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.12 Maintenance and Repairs

All ordinary expense of maintenance and repairs, unless otherwise specified in this Tariff, is borne by the Company, on company provided leased equipment. In case of damage, loss, theft, or destruction of any of the Company's property due to the negligence or willful act of the subscriber or other persons authorized to use the service, and not due to ordinary wear and tear or causes beyond the control of the subscriber, the subscriber shall be required to pay the expense incurred by the Company in connection with the replacement of the property damaged, lost, stolen, or destroyed, or the expense incurred in restoring it to its original conditions.

B.3.13 Company Facilities at Hazardous or Inaccessible Locations

Where service is to be established at a location that would involve undue hazards to employees of the Company, or where accessibility is impracticable, the subscriber may be required to install and maintain the Company's equipment. All customer-provided equipment and facilities must be constructed and maintained in a manner satisfactory to the Company and in compliance with all regulations set forth in this Tariff. Failure by the Customer to comply with these requirements will result in disconnection of the service.

B.3.14 Work Performed Outside Regular Working Hours

The rates and charges specified in this Tariff contemplate that all work in connection with furnishing or arranging service is performed during regular working hours. Whenever a subscriber requests that work necessarily required in the furnishing or rearranging of the Customer's service be performed outside the Company's regular working hours or that work once begun be interrupted, so that the Company incurs costs that would not otherwise have been incurred, the subscriber may be required to pay, in addition to the other rates and charges specified in this Tariff, the amount of additional costs incurred by the Company as a result of the subscriber's special requirements.



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## GENERAL REGULATIONS

B.3 Establishment and Furnishing of Service (cont'd)

B.3.15 Resolution of Disputes

Upon receiving a complaint from a customer at the Company's office, either by telephone, in writing or in person, the Company will make a prompt and complete investigation and advise the complainant of its findings in writing.



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## GENERAL REGULATIONS

B.4 Payment Arrangement and Credit Allowances

B.4.1 Advance Payments

1. At the time an application for service is made, an applicant may be required to pay an advanced payment equal to at least one month's service and/or installation charges which may be applicable, and any applicable taxes or franchise fees in addition to such special construction and installation charges as are to be borne by the applicant. The amount of the advance payment is credited to the subscriber's account on the first bill rendered.

2. Federal, State or Municipal governmental agencies may not be required to make advance payments.

B.4.2 Establishment of Credit

In accordance with Kentucky Public Service Commission rules, the Company is not obligated to furnish service to any individual or firm that owes for service previously rendered at the same or a different address, until arrangements have been made to liquidate such previous indebtedness to the Company. Nor is the Company obligated to continue to furnish service to any individual or firm whose credit is or becomes in the opinion of the company, doubtful. In order to insure the payment of all charges due for its service, the Company may require a subscriber to establish and maintain credit in one or more of the following ways:

a. By furnishing reference suitable to the Company;
b. By providing a suitable guarantee in writing, in form prescribed by the Company;
c. By means of cash deposit;
d. By having been a satisfactory subscriber of the Company.



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## GENERAL REGULATIONS

B.4 Payment Arrangement and Credit Allowances (cont'd)

B.4.3 Deposits

1. Unless credit has otherwise been established, the Company may require from any applicant or subscriber for service a minimum cash deposit or other guarantee to secure payment of bills of an amounts not to exceed two-twelfths (2/12) of the estimated annual bill of such subscriber or applicant.

2. The Company shall pay interest on deposits at the rate set by the Public Service Commission for such deposits. Interest on deposits shall accrue annually and, if requested, shall be annually credited to the subscriber by deducting such interest from the amount of the next bill for service following the accrual date.

3. The fact that a deposit has been made in no way relieves the applicant or subscriber from complying with the Company's regulations as to advance payment and the prompt payment of bills on presentation or constitutes a waiver or modification or the regular practices of the Company providing for the discontinuance of service for nonpayment of any sum due the Company.

4. After discontinuance of service and following rendition of the final bill, the Company will refund the subscriber's deposit plus accrued interest, or the balance, if any, in excess of any unpaid bills for past service provided. Such refund, if any, will be forwarded to the last known address of the subscriber.

5. The fact that a subscriber is not required to make a deposit with the initial application or that a deposit collected with the initial application is not sufficient to cover a subscriber's anticipated needs in no way prohibits the Company from requiring a deposit or increasing a deposit. Should a subscriber be notified of the requirement for a deposit or an increase in a deposit and refuse to do so, service may be terminated at the Company's option. Deposit cannot be applied to service charges until service is discontinued.



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## GENERAL REGULATIONS

B.4 Payment Arrangement and Credit Allowances (cont'd)

B.4.4 Payment for Service

The Customer is responsible for the payment of all charges for facilities and services furnished by the Company to the Customer and to all users authorized by the Customer, regardless of whether those services are used by the Customer itself or are resold to or shared with other persons.

B.4.5 Taxes

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

B.4.6 Discontinuance of Service for Failure to Maintain Credit

Service may be discontinued for failure to maintain credit, as specified above, within ten days after the Company has served or mailed notice requiring the subscriber to do so, except in extreme cases.

B.4.7 Restoration Charge

Where service has been discontinued for failure to maintain credit as specified above, a restoration charge will be made and collected by the Company.

B.4.8 Returned Check Charge

A returned check charge will be applied to each insufficient fund check received. Telephone service will be subject to discontinuance as specified in Section B of this Tariff.



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## GENERAL REGULATIONS

B.4 Payment Arrangement and Credit Allowances (cont'd)

B.4.9 Credit for Interruptions

When the use of service of facilities furnished by the Company is interrupted due to any cause other than the negligence or willful act of the subscriber or the failure of the facilities provided by the subscriber, a pro rata adjustment of the fixed monthly charges involved will be allowed, upon request of the subscriber, for the service and facilities rendered useless and inoperative by reason of the interruption during the time said interruption continues in excess of twenty-four hours from the time it is reported to or detected by the Company, except as otherwise specified in this Tariff. For the purpose of administering this regulation, every month is considered to have thirty days.



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## GENERAL REGULATIONS

B.5 Obligation and Liability of the Company

B.5.1 General Liability

1. The liability of the Company for damages arising out of mistakes, omissions, interruptions, delays or errors or defect in transmission recurring in the course of furnishing service and caused by negligence of the customer shall in no event exceed an amount equivalent to the proportionate charge to the subscriber for the period of local service during which such mistakes, omissions, interruptions, delays or errors or defects in transmission occurs. These limitations shall not limit any right the Company may have to be indemnified, defended, or held harmless against any amounts payable to a third person, including any losses, costs, fines, penalties, criminal or civil judgments or settlements, expenses (including attorney's fees), and consequential damages of such third persons.

2. The subscriber indemnifies and saves the Company harmless against the following:

   a. Acts or omissions of other companies when their facilities are used in connection with the Company's facilities to provide service.

   b. Any defacement or damage to the subscriber's premises resulting from the existence of the Company's instruments, apparatus and associated wire on such premises, or from the installation or removal thereof, when such defacement or damage is not the result of the negligence of the Company or its employees.

   c. Any accident, injury, or death occasioned by its equipment or facilities, when such is not due to gross negligence of the Company.

   d. Liability for failure to provide service.



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## GENERAL REGULATIONS

B.5 Obligation and Liability of the Company (cont'd)

B.5.1 General Liability

2. Continued

e. Claims for libel, slander, or infringement of copyright arising from the material transmitted or recorded over its facilities, claims for infringement or patents arising from combining with, or using in connection with, facilities, of the Company, apparatus and system of the customer; and again all other claims arising our of any act or omission of the subscriber in connection with facilities provided by the Company.

B.5.2 Service Irregularities

The liability of the Company for damages arising out of impairment of service provided to its subscribers such as defect or failures in facilities furnished by the Company or mistakes omission, interruption, delays, errors, or defects in the provision of its services set forth herein of any portion of its services, occurring in the course of furnishing such facilities or services, and not caused by the negligence of the subscriber, or of the Company in failing to maintain proper standards of maintenance and operations and to exercise reasonably supervision shall in no event exceed an amount equivalent to the proportionate charge to the subscriber for the period of service which such mistake, omission, interruption, delay, error or defect in transmission or defect or failure in facilities or services occurs.

B.5.3 Defacement of Premises

The Company is not liable for any defacement of or damage to the premises of a subscriber resulting from the furnishing of service or the attachment of the instruments, apparatus and associated wiring furnished by the Company on such premises or by the installation or removal thereof, when such defacement or damage is not the result of gross negligence of employees of the Company.



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## GENERAL REGULATIONS

B.5 Obligation and Liability of the Company (cont'd)

B.5.4 Equipment in Explosive Atmosphere

1. The Company does not guarantee nor make any warranty with respect to equipment provided by it for use in an explosive atmosphere. The subscriber shall indemnify and hold the company harmless from any and all loss, claims, demands, suits, or other action, or any liability whatsoever, whether suffered, made, instituted or asserted by the subscriber or by any other party or person, for any personal injury to or death of any person or persons, and for any loss, damage or destruction of any property, whether owned by the subscriber or others, caused or claims to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of said equipment so provided.

2. The Company may require each subscriber to sign an agreement for the furnishing of such equipment as a condition precedent to the furnishing of such equipment.

3. The subscriber shall furnish, install and maintain sealed conduit with explosion proof fittings between this equipment and points outside the hazardous area where connection may be made with regular facilities of the Company. The subscriber may be required to install and maintain this equipment within the hazardous area if, in the opinion of the Company, injury or damage to company employees or property might result from installation or maintenance by the Company.



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## GENERAL REGULATIONS

B.6 Lifeline Surcharge

On November 16, 1998 (PSC Case 360) the Kentucky Public Service Commission found that a surcharge per month per access line on all ILEC, CLEC and wireless bills should be applied. The surcharge is effective January 1, 1999 and is identified on the monthly bill as "Kentucky Lifeline Support".

Surcharge per access line per month $0.14 **(I)**



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ACTING EXECUTIVE DIRECTOR
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Bunt Kirtley
EFFECTIVE
3/10/2016
PURSUANT TO 807 KAR 5:011 SECTION 9 (1)

## GENERAL REGULATIONS

B.7 Kentucky Telecommunications Relay Service for Hearing-Impaired or Speech-Impaired Persons in Kentucky

B.7.1 Regulations

Pursuant to KPSC Administrative Case No. 333 and 372, a monthly surcharge shall be imposed on all local exchange access lines to fund the Kentucky Telecommunications Relay Service. This service provides telephone communications between deaf and hearing / speech-impaired customers who use telecommunications devices for the deaf and customers who use standard voice telephones.

B.7.2 Surcharge Rate

1. Recovery of state costs associated with the Telephone Relay Service ("TRS") and Telecommunications Access Program ("TAP") is based on a fixed monthly charge per access line.

2. For purposes of application of the surcharge, access lines are defined as facilities that provide access to and from the telecommunications network for toll service and for local calling. WATS, Remote Call Forwarding, Radio Common Carriers, InterLATA Foreign Exchange Lines, Private Line Services, Mobile, Other Common Carriers, and Company Official Accounts are excluded from this category.

3. The monthly surcharge will appear in customer invoices labeled "TRS/TAP Surcharge."

4. The monthly surcharge amount is as follows:
Per access line

| | Monthly Recurring Charge Billed Prior to June 1, 2009 | Billed Effective June 1, 2009 | |
|---|---|---|---|
| TRS | $0.07 | $0.02 | |
| TAP | $0.02 | $0.02 | |
| TRS / TAP Surcharge | $0.09 | $0.04 | (D) |



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EXECUTIVE DIRECTOR
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7/1/2010
PURSUANT TO 807 KAR 5:011 SECTION 9 (1)

4. In accordance with KRS 278.548, TRS shall be available state-wide for all ready center calls originating and terminating within Kentucky, but shall not include interstate calls.
The Kentucky Telecommunications Relay Service will handle most calls normally handled over the regular telephone network (except "900" and "976" numbers). These include calls that are dialed direct, billed to a third number, collect, person to person, AT&T, and LEC calling card.

5. The amount of the TRS surcharge is .02 cents per month per "access line". In addition to the TRS surcharge there will be a surcharge of .02 cents per month per access line for the funding of the Telecommunications Access (TAP) Program. Local rates, if any, will apply. Long distance calls will be charged as normal. Long distance calls will be rated from the originating point to the terminating point of the call and will receive a discount in addition to other applicable discounts. R

Issue Date: February 26, 2009 Effective Date: June 1, 2009

Issued By: _____
Archie W. Everage, General Manager / Secretary / Treasurer
Issued by the Authority of the Order of the Public Service Commission of the Commonwealth of Kentucky in Administrative Case No. 372, dated February 16, 2009.

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OF KENTUCKY
EFFECTIVE
6/1/2009
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By _____
Executive Director

## GENERAL REGULATIONS

B.8 Universal Emergency Telephone Number Service (911 / E911)

1. The Company will supply the E-911 service provider in the Company's service area with accurate information necessary to update the E-911 database.

2. With the limited exception of services provided through the resale of ILEC services, the Company will make the necessary equipment or facility additions in the E-911 service provider's equipment in order to accurately and properly update the database for E-911 provisioning.

3. The Company will provide facilities to route calls from the end users to the proper Public Safety Answering Point.

4. All required E-911 taxes or surcharges will be collected and remitted to the appropriate authority as required by the applicable governing body.



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## BASIC LOCAL EXCHANGE SERVICE

C.1 Exchange Service

The Company provides one-party service throughout its service area.

C.1.1 Description of Service

Local Exchange Service provides a Customer with a telephonic connection to, and a unique telephone number address on the public switched telecommunications network. The Company will provide Local Exchange Service from its serving central office to a demarcation/connection block ("Protector") at the Customer's premises.

Each Local Exchange Service Line is provided with pushbutton ("touch-tone") service that allows the origination of telephone calls through the use of either a pushbutton or rotary dial.

C.1.2 Area of Operations

The Company provides Local Exchange Service in the areas as defined below, where necessary underlying network elements or facilities are reasonably available to the company on terms that are both technically and economically feasible. As technical and/or economic feasibility allows, this section will be modified to reflect additional areas in which the Company will offer local exchange service.

C.1.3 Exchange Areas

The Company provides service in the exchanges currently served by WindStream (f/k/a Kentucky-AllTel) and BellSouth and / or their successor companies.

The Company reserves the right to amend its operating territory through a revision to its tariff at its sole discretion as its business requirements warrant.



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## BASIC LOCAL EXCHANGE SERVICE

C.2 Local Calling Areas

C.2.1 General

The rates in this Tariff entitle callers to make and receive local calls (i.e., toll-free) to the local calling areas indicated in Section C.2.2, below. Calls to areas not listed in Section C.2.2 will be subject to applicable long distance charges by the long distance provider.

C.2.2 Local Calling Exchanges

Local Calling Areas for subscribers of services described herein have the ability to make voice calls within the Local Exchange Company local calling area and Extended Area Service (EAS).

C.3 Basic Local Exchange Rates

Rates only include calling within the local calling area and do not include any additional equipment or services.

| | | Monthly Rate | |
|---|---|---|---|
| 1. | Residential Service | $50.00 | (I) |
| 2. | Business Service | $50.00 | |



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## BASIC LOCAL EXCHANGE SERVICE

C.4 Directory Assistance

C.4.1 General

1. The Company furnishes Directory Assistance service for the purpose of aiding customers in obtaining listing information.

2. Directory Assistance Information is not provided on non-published numbers.

C.4.2 Application of Rates

Customers will be charged for all calls to directory assistance:

C.4.3 Rates and Charges

| | |
|---|---|
| Directory Assistance (per call) | $0.95 |



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## SECTION D - CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

D.1 Construction Charges

If the initial or ongoing provision of service requires Company to incur costs beyond those it would expect to incur under normal operation ("special conditions"), the company may request any combination of one time, ongoing, or other additional charges as a condition of service. If customer refuses to pay special condition charges, Company reserves the right to either refuse service or terminate service on 10 days' notice.



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## CONNECTIONS WITH CERTAIN FACILITIES AND / OR EQUIPMENT OF OTHERS

E.1 Regulations

1. Customer-provided terminal equipment or wiring may be used with the facilities furnished by the Company for telecommunications services as provided in this tariff. In all such cases the customer-provided equipment or wiring will be constructed, maintained and operated to work satisfactorily with the facilities of the Company, and to meet all published standards of the Federal Communications Commission (FCC).

2. Subscribers may not disconnect or remove or permit others to disconnect or remove any apparatus installed by the Company, except upon the consent of the Company, with the exception of inside wiring.

3. Where telecommunications service is available under this Tariff for use in connection with customer-provided equipment and wiring, the operating characteristics of such equipment or wiring shall not interfere with any of the service offered by the Company. Such use is subject to the further provision that the customer-provided equipment or wiring does not endanger the safety of the Company's employees or the public; damage, require change in or alteration of, the equipment or other facilities of the Company; interfere with the proper functioning of such equipment or facilities; impair the operation of the Company's service. Upon notice from the Company that the customer-provided equipment or wiring is causing or is likely to cause such hazard to interference, the customer shall make such change as shall be necessary to remove or prevent such hazard or interference. The customer shall responsible for the payment of Company Maintenance of Service Charge for visits by the Company to the customer's premises where a service difficulty or trouble report results from customer-provided equipment or wiring.



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## CONNECTIONS WITH CERTAIN FACILITIES AND / OR EQUIPMENT OF OTHERS

E.1 Regulations (cont'd)

4. The Company shall not be responsible for the installation, operation or maintenance of any customer-provided communications systems. Telecommunications service is not represented as adapted to the use of customer-provided equipment or systems. When such equipment or facilities are connected to the Company facilities, the Customer is responsible for telecommunications service and the maintenance and operation of customer provided facilities in a manner proper for telecommunications service. Subject to this responsibility, the Company shall not be responsible for (1) the through transmission of signals generated by the customer-provided equipment or systems or for the quality of, or defects in, such transmission, or (2) the reception of signals by customer-provided equipment or system.

5. The Company shall not be responsible to the customer if changes in the criteria outlined herein or in any of the facilities or procedures of the Company render any customer-provided equipment or communications systems inoperable or otherwise affect its use or performance.

6. The Company will not be responsible for any loss or damage, nor for any impairment or failure of the service, arising from or connection with the use of facilities of customers and not caused solely by the negligence of the Company.

7. Where any customer-provided equipment or system is used with telecommunications service in violation of any of the provisions in this tariff, the Company will take immediate action as necessary for the protection of its services, and will promptly notify the customer of the violation. Following the receipt of written notice from the Company, the customer shall either discontinue use of the equipment or system or correct the violation. The Customer must provide written confirmation of corrective action to the Company within 10 days of receipt of written notice from the Company. Failure of the customer to take corrective action and provide written confirmation to the Company within the time stated above may result in termination of the customer's service.



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## CONNECTIONS WITH CERTAIN FACILITIES AND / OR EQUIPMENT OF OTHERS

E.1 Regulations (cont'd)

8. Customer-provided systems that provide service to a location deemed by the Company to be impracticable to serve because of hazard(s) or inaccessibility may be connected with the telecommunications service by means of connecting equipment furnished by the Company.

9. The customer indemnifies and saves the Company harmless against claims for infringements of patents rising from combining such equipment or system with, or using it in connection with, facilities of the Company; and against all other claims arising out of any act or omissions of the customer in connection with facilities provided by the Company.

10. No equipment, apparatus, circuit or device not furnished by the Company shall be attached to or connected with the facilities furnished by the Company, except as provided in this Tariff. In case unauthorized attachments or connections are made, the Company shall have the right to remove or disconnect the same; or to suspend the service during the continuance of said attachments or connection; or to terminate service.



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## CONNECTIONS WITH CERTAIN FACILITIES AND / OR EQUIPMENT OF OTHERS

E.2 Network Protection Criteria

To protect the telecommunications network and the services furnished to the general public by the Company from harmful effects, the signal from the customer-provided communications system to the long distance message telecommunications network must comply with minimum network protection criteria established by the Company. Such criteria will be provided to the Customer and may be updated by the Company at its sole discretion.

E.3 Maintenance Service Charge

The customer shall be responsible for the payment of the Maintenance of Service Charge, for visits by the Company to the customer's premises where a service difficulty or trouble report results from customer-provided equipment or facilities.



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