

Starways Telecommunications, Inc.
d/b/a StarTel

TITLE SHEET

KENTUCKY TELECOMMUNICATIONS TARIFF

This tariff applies to the intrastate resale telecommunication services furnished by Starways Telecommunications, Inc., d/b/a StarTel, between one or more points in the State of Kentucky. This tariff is on file with the State Public Service Commission and copies may be inspected, during normal business hours, at the Company's principal place of business at 196 E. 200 North, Salem, Utah 84653.

PUBLIC SERVICE COMMISSION
PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

FEB 06 1998

PURSUANT TO 207 KAR 5-011
PURSUANT TO 207 KAR 5-011

ISSUED: January 5, 1998

EFFECTIVE: SECTION 9(1) February 6, 1998

ISSUED BY: Thomas Mower, President
STARWAYS TELECOMMUNICATIONS, INC.
196 E. 200 North
Salem, Utah 84653
(801) 423-4489

BY: Stephan O. Beck
SECRETARY OF THE COMMISSION

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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.

<u>SHEET</u>	<u>REVISION</u>
Title	Original
1	Original
2	Original
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SECTION 9(1) February 6, 1998

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CONCURRING, CONNECTING AND PARTICIPATING CARRIERS

AT&T Communications, Inc., MCI Telecommunications Corporation, US Sprint Communications Company, L.P., and WilTel, Inc.

EXPLANATION OF SYMBOLS, REFERENCE MARKS, AND ABBREVIATIONS

The following symbols shall be used in this tariff for the purpose indicated below:

- (C) - to signify change regulations
- (D) - to signify discontinued rate or regulation.
- (I) - to signify rate increase.
- (N) - to signify new rate or regulation.
- (R) - to signify reduction in rate.
- (T) - to signify a changed in text but no change in rate or regulation.
- (K) - to signify material transferred to a different location.
- (M) - to signify material transferred from a different location.

Glossary of acronyms:

DA	Directory Assistance.
IXC	Interexchange Communications Carrier.
KYPSC	Kentucky Public Service Commission.
LEC	Local Exchange Company.
STI	Starways Telecommunications, Inc., d/b/a StarTel
WATS	Wide Area Telecommunications Service.

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TARIFF FORMAT

- A. **Sheet Numbering** - Sheet numbers appear in the upper right corner of the sheet. 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 sheet. These numbers are used to determine the most current sheet version on file with the KYPSC. For example, the 4th revised sheet 14 cancels the 3rd revised sheet 14.
- C. **Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

- 2
- 2.1
- 2.1.1
- 2.1.1.A
- 2.1.1.A.1
- 2.1.1.A.1.(a)
- 2.1.1.A.1.(a).I
- 2.1.1.A.1.(a).I.(i)
- 2.1.1.A.1.(a).I.(i).(1)

- D. **Check Sheets** - When a tariff filing is made with the KYPSC, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new sheets are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this sheet if these are the only changes made to it (i.e., the format, etc. remain the same, just revised revision levels on some sheets.) The tariff user should refer to the latest Check Sheet to find out if a particular sheet is the most current on file with the KYPSC.

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SECTION I - TECHNICAL TERMS AND ABBREVIATIONS

Accounting Code -

A multi-digit code which enables a customer to allocate long distance regulated charges to its internal accounts.

Access Line -

A circuit used to carry long distance calls all or part way between Customer premises and the underlying carrier's switches.

Authorization Code -

A numerical code, one or more of which are assigned to a Customer to enable Carrier to identify use of Service on the Customer's account and to bill the Customer accordingly. Multiple authorization codes may be assigned to a Customer to identify individual users or groups of users. Entitlement to any authorization code shall create no property or other right or interest in the use of any particular authorization code.

Authorized User -

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

Carrier -

Starways Telecommunications, Inc. unless otherwise clearly indicated by the context.

Commission -

The Kentucky Public Service Commission.

Company -

StarTel d/b/a Starways Telecommunications, Inc. unless otherwise clearly indicated by the context.

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

Customer -

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

Long Distance Resale Service -

Long Distance Resale Service is a public communications service for hire, which includes providing long distance service to Customers through the resale of leased lines and services provided by multiple other common Carriers.

User -

A person, firm, corporation or other entity which contracts and/or presubscribes with STI for services offered by STI, as set forth in this tariff, and is responsible for payment of regulated charges and compliance with the Company's tariff.

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SECTION II - RULES AND REGULATIONS

2.1 Undertaking of STI

2.1.1 STI's services and facilities are furnished for communications originating at specified points within the state of Kentucky under terms of this tariff. Service is provided twenty-four hours a day, seven days a week.

2.1.2 STI is a resale common carrier. STI's services provide intrastate long distance message telephone service to Customers for their direct transmission and reception of voice, data, and other types of communications. STI may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities (such as the local exchange carrier), when authorized by the Customer, to allow connection of a Customer's location to the STI network. The Customer shall be responsible for all regulated charges due for such service arrangement. The Carrier agrees to dutifully abide by all Rules and Regulations as set forth by the KYPSC.

2.1.3 The Customer's monthly charge for services are based upon the total time the Customer actually uses the service. For billing purposes, calls are rounded up to the next full billing increment, one minute. Minimum call duration time is one minute.

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

2.2 Obligation of Customer

2.2.1 The customer will assume responsibility for all usage and services billed.

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SECTION II - RULES AND REGULATIONS, (CONT'D)

2.3 Initial Contract Period and Termination of Service by Customer

- 2.3.1 Contract Periods -- The initial contract period for service and facilities is thirty (30) days.
- 2.3.2 Termination by Customer - Customer may cancel service by providing written or verbal notice to STI. The Carrier requires such notification in order to protect Customer from unauthorized account transfer, "slamming." If Carrier is not notified accordingly, Carrier may reinstate Customer's account by implementation of its automatic provisioning system. The Company will confirm all cancellations, either verbal or written, in writing within five (5) business days of any cancellation. Additionally, in the event that the Company has found, through its automatic polling system, that Customer is no longer receiving service, Customer may be reinstated as above and written notice of same will be sent to Customer within five (5) business days of such action.

2.4 Limitations

- 2.4.1 Service is offered subject to the availability of the necessary facilities and equipment, or both facilities and equipment, and subject to the provisions of this tariff.
- 2.4.2 STI reserves the right to disconnect or limit service when necessitated, per Kentucky Public Service Commission Rules and with ten (10) days advanced written termination notice, by conditions beyond its control, or when the Customer is using service in violation of provisions of this tariff, or in violation of the law.
- 2.4.3 With the exception of shared tenant services, all facilities and services provided under this tariff are directly or indirectly controlled by STI and the Customer may not transfer or assign the use of service or facilities without the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.

2.5 Use

- 2.5.1 Services provided under this tariff may be used for any lawful purpose for which the service is technically suited.

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SECTION II - RULES AND REGULATIONS, (CONT'D)

2.6 Liability of Carrier

- 2.6.1 Liability of the Carrier for damages arising out of mistakes, omissions, interruptions, delays or errors or defects in the transmission occurring in the course of furnishing service, channels or other facilities and not caused by the negligence of the Customers, commences upon activation of service and in no event exceeds an amount equivalent to the proportionate charge to the Customer for the period of service during which such mistakes, omissions, interruptions, delays or errors or defects in the transmission occur, or as otherwise determined in a court of law. For the purposes of computing such amount a month is considered to have thirty (30) days.
- 2.6.2 In no event will Carrier be responsible for consequential damages or lost profits suffered by Customer on account of interrupted or unsatisfactory service unless Carrier is found to have been grossly negligent.

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

2.7 Responsibilities of the Customer

- 2.7.1 The Customer is responsible for compliance with the applicable regulations set forth in this tariff.
- 2.7.2 The Customer is responsible for placing any necessary orders; for complying with tariff regulations; and for assuring that users comply with tariff regulations. The Customer shall ensure compliance with any applicable laws, regulations, orders or other requirements (as they exist from time to time) of any governmental entity relating to services provided or made available by the Customer to other customers. The Customer is also responsible for the payment of charges for calls originated at the Customer's numbers which are not collect, third party, calling card, or credit card calls.
- 2.7.3 The Customer shall ensure that Customer's terminal equipment and/or system is properly interfaced with STI's facilities or services, that the signals emitted into STI's network are of the proper mode, bandwidth, power, and signal level for the intended use of the Customer and in compliance with the criteria set forth in this tariff, and that the signals do not damage equipment, injure personnel, or degrade service to other Customers.

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SECTION II - RULES AND REGULATIONS, (CONT'D)

2.8 Disconnection

2.8.1 Without incurring liability STI may disconnect services to a Customer or may withhold the provision of ordered or contracted services, subject to the procedures per Kentucky Public Service Commission Rules and with written notice, under any of the following conditions:

2.8.1.A For nonpayment of any sum due STI for more than thirty days after issuance of the bill for the regulated amount due.

2.8.1.B For periods of account inactivity in excess of sixty days.

2.8.1.C In the event that the Customer supplies false or inaccurate information of a material nature in order to obtain service.

2.8.1.D For violation of any of the provisions of this tariff.

2.8.1.E For the use of foul or profane expressions, the impersonation of another with fraudulent intent.

2.8.1.F For violation of any law, rule, regulation or policy of any governing authority having jurisdiction over STI's services.

2.8.1.G By reason of any order or decision of a court or other governing authority prohibiting STI from furnishing its services.

2.8.1.H If the Customer fails to maintain Customer's equipment and/or system properly, with resulting imminent harm to STI equipment, personnel, or the quality of service to other Customers, STI may, upon written notice, require the use of protective equipment at the Customer's expense. If this fails to produce satisfactory quality and safety, STI may, upon written notice, terminate the Customer's service.

2.8.2 STI may disconnect service without notice for any of the following reasons:

2.8.2.A If a Customer or user causes or permits any signals or voltages to be transmitted over STI's network in such a manner as to cause a hazard or to interfere with STI's service to others.

2.8.2.B If a Customer or user uses STI's services in a manner to violate the law.

2.8.3 Procedures for disconnection of existing service:

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SECTION II - RULES AND REGULATIONS, (CONT'D)

2.8 Disconnection, (Cont'd)

2.8.3.A In all other circumstances, STI will provide the Customer with written notice stating the reason for discontinuance, and will allow the Customer not less than 10 days to remove the cause for discontinuance. In cases of non-payment of regulated charges due, the Customer will be allowed at least five days, from receipt of notice to make full payment of all undisputed charges. Under no circumstances shall service be terminated before twenty (20) days after the mailing date of the original unpaid bill.

2.9 Interruption of Service

2.9.1 Without incurring liability, STI may interrupt the provision of services at any time in order to perform tests and inspections to assure compliance with tariff regulations and the proper installation and operation of Customer and STI equipment and facilities and may continue such interruption until any items of non-compliance or improper equipment operation so identified are rectified, in compliance with the Kentucky Public Service Commission Rules. When a Customer(s) service is interrupted and remains out of service for twenty-four consecutive hours as a result of the above, or after being reported, the Company shall make an appropriate adjustment to the Customer's bill.

2.9.2 Service may be disconnected by STI without prior notice to the Customer, but with notice per Kentucky Public Service Commission Rules, by blocking traffic to certain countries, cities, or NXX exchanges, or by blocking calls using certain customer authorization codes, when STI deems it necessary to take such action to prevent unlawful use of its service. STI will restore service as soon as it can be provided the customer affected and assign a new authorization code to replace the one that has been deactivated, per Kentucky Public Service Commission Rules.

2.9.3 Credit allowances for interruptions of service which are due to the negligence of the Customer, or the failure of channels, equipment or communication systems provided by the Customer, are subject to the general liability provisions set forth in Section 2.6 herein. It shall be the obligation of the Customer to notify Carrier, when known, immediately of any interruption of service for which a credit allowance is desired by Customer, unless the Company is aware or should be aware of system outages. Before giving such notice, Customer shall ascertain that the trouble is not within his or her control, or is not in wiring or equipment, if any furnished by Customer and connected to Carrier's terminal.

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SECTION II - RULES AND REGULATIONS, (CONT'D)

2.10 Customer's Liability in the Event of Denial or Disconnection of Service

2.10.1 In the event Customer's service is denied or disconnected by the Carrier for any of the reasons stated in section 2.8, Customer shall be liable for all unpaid regulated charges due and owing to Carrier.

2.11 Reinstitution of Service

2.11.1 If Customer seeks reinstatement of service following disconnection of service by Carrier, Customer shall pay to Carrier prior to the time service is reinstated (1) all undisputed accrued and unpaid regulated charges and (2) a new connection fee as described in Section IV, paragraph 4.5 of this tariff.

2.12 Authorization to Obtain Credit Information

2.12.1 Carrier reserves the right to require all Customers to establish credit-worthiness to the reasonable satisfaction of Carrier. Upon application for service, Customer shall be deemed to have authorized Carrier to obtain such routine credit information and verification as Carrier shall require in accordance with its then existing credit policies. All criteria and methods used in the acquisition and assessment of credit related information shall be consistent and uniform for all applicants or Customers.

2.13 Description of Payment and Billing Periods

2.13.1 Charges for service are applied on a recurring and non-recurring basis. Service is provided and billed in arrears on a monthly basis until canceled by the customer.

2.13.2 Billing will be payable upon receipt and past due 20 days after deposit in U.S. mail, postage prepaid.

2.13.3 Charges are based on actual usage during a month and will be billed monthly in arrears. Service charges will be billed monthly in advance.

2.13.4 The Customer is responsible for the payment of ALL regulated undisputed charges for services. This applies to Customers where the provision of service by Carrier includes the use of authorization (access) codes. The Customer agrees to pay to Carrier ANY regulated undisputed cost incurred as a result of ANY DELEGATION OF AUTHORITY resulting in use of his/her authorization code.

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SECTION II - RULES AND REGULATIONS, (CONT'D)

2.13 Description of Payment and Billing Periods, (Cont'd)

2.13.5 Where a Customer, e.g. an employer, provides the use of authorization codes to his/her employees, or where the Customer, e.g. a family member, provides the use of authorization codes to his/her family relations or friend, guest, etc., the Customer agrees to pay to Carrier ANY regulated undisputed cost incurred as a result of these of the authorization codes.

2.14 Deposit

2.14.1 The company does not collect deposits from customers in the State of Kentucky.

2.15 Taxes

2.15.1 All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items on monthly bills to customers and are not included in the quoted rates.

2.16 Right to Backbill for Improper Use of Carrier's Services

2.16.1 Any person or entity which uses, appropriates or secures the use of services from Carrier, whether directly or indirectly, in any unlawful manner or through the providing of any misleading or false information to Carrier and which use, appropriation, or securing of services is inconsistent with the stated uses and purposes of this tariff or any restrictions, conditions, and limitations stated herein, shall be liable for an amount equal to the accrued and unpaid regulated charges that would have been applicable to the use of Carrier's services actually made by Customer.

2.17 Late Payment

2.17.1 In addition, Carrier shall bill an amount equal to a late payment fee of 1.5 percent per month for the period(s) for which such regulated charges would have been payable, if a billing remains unpaid after twenty days of deposit of said billing in the U.S. Mail. Any payment received shall first be applied to the bill for service rendered. Additional penalty charges shall not be assessed on unpaid penalty charges.

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SECTION II - RULES AND REGULATIONS, (CONT'D)

2.18 Returned Checks

- 2.18.1 If Company receives a check from a Customer in payment for regulated service rendered or for any other reason of indebtedness and which is returned from the bank due to insufficient or uncollected funds, closed account, apparent tampering, missing signature or endorsement, or for any other reason, Company shall apply a service charge after Customer has been forwarded a notice of returned item: Service charge: 15% or \$20.00 per check, whichever is greater.
- 2.18.2 The returned check charge as described in Section IV, paragraph 4.5 shall be applied to Customer's monthly billing, in addition to any other regulated charges which may apply under this tariff.
- 2.18.3 Payment rendered by check, which is subsequently dishonored shall not constitute payment until such time as repayment is made by valid means.

2.19 Emergency Calls

- 2.19.1 STI is not an operator service provider and as such does not handle emergency calls. All emergency calls will be handled by its underlying carriers.

2.20 Customer Service

- 2.20.1 In the event that the customer is experiencing a service or billing problem, the Customer can contact the Company at the phone number located on the bill of the billing entity for resolution. The customer can communicate with STI's Customer Service Department in Tulsa, Oklahoma by dialing their toll free number, 800-290-7885. STI will make all reasonable attempts to resolve the problem. The Customer will receive a response within thirty days of receipt of complaint. If the Customer feels that the matter has not been adequately resolved, the Customer will be advised that further resolution may sought by contacting the Kentucky Public Service Commission at:

Kentucky Public Service Commission
730 Schenkel Lane
Frankfort, Kentucky 40601
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SECTION III - DESCRIPTION OF SERVICES

3.1 General Description of Service

- 3.1.1 For purposes of this tariff, the service provided by STI is the resale of long distance telecommunications service within the State of Kentucky and is available to all customers in equal access areas who have established an account(s) with STI. The service may be accessed on a direct dial, or "Touch One" basis.
- 3.1.2 STI's services are offered to subscribers on a monthly basis.
- 3.1.3 STI's services are offered to subscribers twenty-four hours a day.
- 3.1.4 All service shall remain in effect for a minimum of thirty days.
- 3.1.5 STI's underlying carriers in Kentucky include AT&T Communications, Inc., MCI Telecommunications Corporation, US Sprint Communications Company, L.P., and WiTel, Inc. STI may resell the services of other underlying carriers approved to provide such services by the Kentucky Public Service Commission.

3.2 Service Options

- 3.2.1 **STI Residential Service:** A one-way multi-point service whereby the subscriber originates and terminates calls via residential telephone lines. Subscribers switch on through Equal Access Dialing procedures.
- 3.2.2 **STI Business Service:** A one-way multi-point service whereby the user originates and terminates calls via business telephone lines.
- 3.2.3 **STI 800 Service:** STI's 800 Service is available twenty-four hours a day, seven days a week. Service is provided by STI's underlying carriers. Incoming calls from the STI network terminate at the Customer premises via business or special access line termination.
- 3.2.4 **STI Travel Card Service:** STI's Travel Card Service provides facilities to complete toll calls between two points when the Customer is away from his or her premises. The Customer will be assigned a unique travel authorization code(s) that authorizes the use of Travel Card Service by that Customer. Customers will receive a Travel Card for use in accessing STI's carrier services when away from their telephones. The appropriate carrier access number sequence specified on the Customer's STI Travel Card must be dialed.
- 3.2.5 **Directory Assistance:** The underlying carrier provides service to STI to offer directory assistance services which the Customer may access by dialing the area code plus 555-1212. Customer will be billed for such service by STI, except as stated in this tariff.

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STARWAYS TELECOMMUNICATIONS, INC.
196 E. 200 North
Salem, Utah 84653
(801) 423-4489

PURSUANT TO 807 KAR 5011,
SECTION 9(1)
SIGNED BY: Stephan O. Bledsoe
SECRETARY OF THE COMMISSION

SECTION III - DESCRIPTION OF SERVICES, (CONT'D)

3.3 Service Area

3.3.1 The service area of Carrier includes all equal access points in Kentucky.

3.4 Minimum Call Completion Rate

3.4.1 Customers can expect a call completion rate of 98% during peak use periods for all Feature Group D Equal Access 1+ services. The call completion rate is calculated as the number of calls completed (including calls completed to a busy line or to a line which remains unanswered by the called party) divided by the number of calls attempted.

3.5 Timing of Calls

3.5.1 **Residential, Business, Travel and 800 Service:** An initial minimum of sixty seconds, rounded up and billed in increments of sixty seconds.

3.5.2 Long distance usage charges are based on the actual usage of STI's network. Usage begins when the called party picks up the receiver. When the called party picks up timing is determined by hardware answer supervision. Chargeable time ends when either party "hangs up" thereby releasing the network connection. STI does not bill for uncompleted calls.

3.6 Method of Computing Charges

3.6.1 Charges for each call are made by using the flat-rated toll times the total time used for each call, and charges for all calls during a billing month are totaled. If the computed charges include a fraction of a cent, the fraction is rounded up to the next whole cent (e.g. \$2.425 would be rounded up to \$2.43).

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BY: Stephan D. Bell
SECRETARY OF THE COMMISSION

SECTION IV - RATES

4.1 STI Residential Service

Residential Service provides facilities to complete toll calls between two points in Kentucky. Residential Service rates are flat-rated and are volume sensitive. The following rates and plans apply: (All zero minus and zero plus traffic will be routed to the LEC)

	Plan "A"	Plan "B"	Plan "C"	Plan "D"	Plan "E"
Flat Rate	Per Minute - Initial and Additional				
All Times	\$0.2960	\$0.2660	\$0.2370	\$0.2070	\$0.1920

4.2 STI Business Service

Business Service provides facilities to complete toll calls between two points in Kentucky. Business Service rates are flat-rated and are volume sensitive. The following rates and plans apply: (All zero minus and zero plus traffic will be routed to the LEC)

	Plan "A"	Plan "B"	Plan "C"	Plan "D"	Plan "E"
Flat Rate	Per Minute - Initial and Additional				
All Times	\$0.2960	\$0.2660	\$0.2370	\$0.2070	\$0.1920

4.3 Volume Usage Discounts

STI Business Service Plan pricing reflects the following volume usage:
Discounted pricing plans for customers using:

- Plan "A" - up to \$500.00 per month.
- Plan "B" - between \$500.00-\$600.00 per month
- Plan "C" - between \$600.00 - \$700.00 per month
- Plan "D" - between \$700.00 - \$800.00 per month
- Plan "E" - over \$800.00 per month

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SECTION IV - RATES, (CONT'D)

4.4 Directory Assistance: \$0.85 per access.

4.5 Recurring Charges

Monthly Service Charges:

Accounting Code Charge: \$5.00 per month or \$0.20 per month per validated code number, whichever is greater.

4.6 Non-Recurring Charges

Returned Check: \$20.00 per incident.

Reconnection Charge: \$25.00 per incident.

Late Payment: 1.5% per month.

Accounting Code Set-up / Change: \$20.00.

4.7 STI 800 Service

From origination to termination, STI's Business Service rates set forth in Section 4.1 apply, plus a monthly 800 number usage charge of \$20.00. This monthly service charge is not considered part of the Customer's long distance usage charges and is not used in determining what usage level (volume discount) applies for Service Plan pricing.

4.8 STI Travel Card Service

Travel Card Service rates are flat-rated and are volume sensitive. The following plans apply. Travel Card Service provides facilities to complete toll calls between two points when the Customer is away from his/her telephone. From origination to termination, volume discount plans apply as set forth in Section 4.2.

	Plan "A"	Plan "B"	Plan "C"	Plan "D"	Plan "E"
Flat Rate	Per Minute - Initial and Additional				
All Times	\$0.3000	\$0.2800	\$0.2700	\$0.2600	\$0.2500

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OR

(RESERVED FOR FUTURE USE)

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OF KENTUCKY
REGULATORY

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