

U.S. Digital Network Limited Partnership

U.S. DIGITAL NETWORK LIMITED PARTNERSHIP

Kentucky Tariff No. 1
Original Title Page

U.S. DIGITAL NETWORK LIMITED PARTNERSHIP

8575-D Sudley Road
Manassas, Virginia 22110

RATES, RULES and REGULATIONS for FURNISHING

RESALE TELECOMMUNICATIONS SERVICES

Filed with the

PUBLIC SERVICE COMMISSION OF KENTUCKY

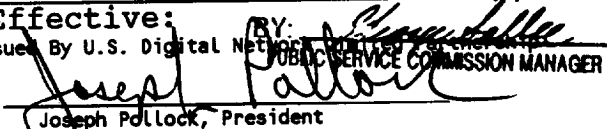
This tariff contains the descriptions, regulations, and rates applicable to the furnishing of telecommunication services provided by U.S. Digital Network Limited Partnership between points within the Commonwealth of Kentucky.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

APR 22 1994

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

Issued: May 6, 1994
Issued by authority of an order of
the Public Service Commission of
Kentucky in Case No. 93-479
dated: April 22, 1994

Effective:
Issued By U.S. Digital Network Limited Partnership
By: 
Joseph Pollock, President
PUBLIC SERVICE COMMISSION MANAGER

CHECK SHEET

The Title Page and Pages 1 to 23, inclusive, of this tariff are effective as of the date shown. Original and revised pages, as named below, contain all changes from the original tariff that are in effect on the date thereon except as otherwise noted.

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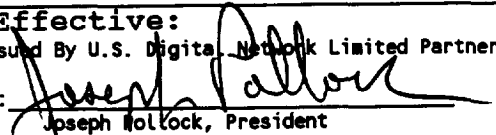
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TARIFF FORMAT

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

Explanation of Symbols - When changes are made in any tariff sheet, a revised sheet will be issued canceling the tariff sheet affected. Changes will be identified on the revised page(s) through the use of the following symbols:

- (C) - To signify changed regulation.
- (D) - To signify discontinued rate or regulation.
- (I) - To signify increased rates.
- (M) - To signify material relocated from one page to another without change.
- (N) - To signify new rate, regulation, or text.
- (R) - To signify reduced rate.
- (T) - To signify a change in text, but no change in rate or regulation.

**PUBLIC SERVICE COMMISSION
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EFFECTIVE**

APR 22 1994

**PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)**

BY: *Charles H. ...*
PUBLIC SERVICE COMMISSION MANAGER

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Kentucky in Case No.93-479
dated: April 22, 1994

Effective
Issued By U.S. Digital Network Limited Partnership
By: *Joseph Pollock*
Joseph Pollock, President

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**PUBLIC SERVICE COMMISSION
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EFFECTIVE**

APR 22 1994

**PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)**

BY: *Cheryl Walker*
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Issued: May 6, 1994
Issued by authority of an order of
the Public Service Commission of
Kentucky in Case No. 93-479
dated: April 22, 1994

Effective:
Issued By U.S. Digital Network Limited Partnership
By: *Joseph Pollock*
Joseph Pollock, President

Application of Tariff

This tariff contains the regulations and rates applicable to the furnishing of intrastate resale common carrier communications service by U.S. Digital Network Limited Partnership within the State of Kentucky.

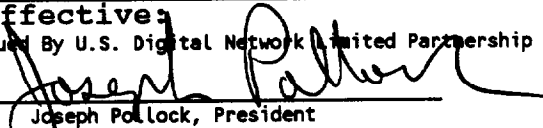
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SECTION 1 - TERMS AND ABBREVIATIONS

Access Line - An arrangement which connects the Customer's telephone to an U.S. Digital Network designated switching center or point of presence.

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

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

Company or Carrier - U.S. Digital Network unless otherwise clearly indicated by the context.

Dedicated Access Origination/Termination - Where originating or terminating access between the Customer and the interexchange carrier is provided on dedicated circuits. The cost of these dedicated circuits is billed by the access provider directly to the Customer.

Equal Access - Where the local exchange company central office provides interconnection to interexchange carriers with Feature Group D circuits. In such end offices, customers presubscribe their telephone line(s) to their preferred interLATA carrier.


LEC - Local Exchange Company.

P.S.C. KY - Public Service Commission of Kentucky.

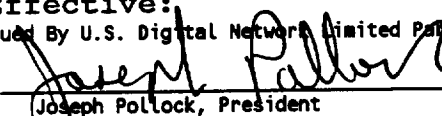
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SECTION 1 - TERMS AND ABBREVIATIONS, (CONT'D.)

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

U.S. Digital Network - Refers to U.S. Digital Network Limited Partnership.

V & H Coordinates - Geographic points which define the originating and terminating points of a call in mathematical terms so that the airline mileage of the call may be determined. Call mileage is used for the purposed of rating calls.

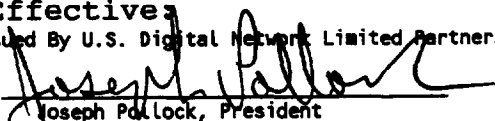
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SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of the Company

U.S. Digital Network services and facilities are furnished for intrastate communications originating at specified points within the state of Kentucky under terms of this tariff. Intrastate service is offered in conjunction with interstate service.

U.S. Digital Network installs, operates, and maintains the communications services provided hereinunder in accordance with the terms and conditions set forth under this tariff. U.S. Digital Network may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities, when authorized by the Customer, to allow connection of a Customer's location to the U.S. Digital Network network. The Customer shall be responsible for all charges due for such service arrangement.

The Company's services and facilities are provided on a monthly basis unless otherwise provided, and are available twenty-four hours per day, seven days per week.

2.2 Limitations

2.2.1 Presubscribed service is offered in Equal Access areas only.

2.2.2 Service is offered subject to the availability of the necessary facilities and equipment and subject to the provisions of this tariff.

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PUBLIC SERVICE COMMISSION MANAGER

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Joseph Pollock, President

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

2.2 Limitations, (cont'd.)

- 2.2.3 U.S. Digital Network reserves the right to discontinue or limit service when necessitated by conditions beyond its control, or when the Customer is using service in violation of provisions of this tariff or of the law.
- 2.2.4 The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.

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BY: Joseph Pollack
PUBLIC SERVICE COMMISSION MANAGER

Issued: May 6, 1994
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the Public Service Commission of
Kentucky in Case No.93-479
dated: April 22, 1994

Effective:
Issued By U.S. Digital Network Limited Partnership
By: Joseph Pollack
Joseph Pollack, President

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

2.3 Use

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

2.4 Liabilities of the Company

2.4.1 U.S. Digital Network liability for damages arising from any failure of service shall not exceed an amount equivalent to the proportionate charge to the Customer for the period during which the failure occurs.

2.4.2 The Company shall not be liable for any claim or loss not directly caused by negligence of the Company.

2.4.3 Acceptance by the Commission of the liability provisions contained herein 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 therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of this tariff.

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PUBLIC SERVICE COMMISSION MANAGER

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

2.5 Deposits

2.5.1 General Guidelines. Company may require a cash deposit to secure payment of bills. Service may be refused or discontinued for failure to pay the requested deposit. Interest, as prescribed by KRS 278.460 will be paid annually either by refund or credit to the Customers' bill, except that no refund or credit will be made if the Customer's bill is delinquent on the anniversary date of the deposit.

The deposit may be waived by Company upon a Customer's showing of satisfactory credit or payment history, and deposits will be returned after one (1) year if the Customer has established a satisfactory payment record for that period. If a deposit has been waived or returned and the Customer fails to maintain a satisfactory payment record, a deposit may be required. Company may require a deposit in addition to the initial deposit if the Customer's classification of service changes or if there is a substantial change in usage. Upon termination of service, the deposit and any interest earned will be credited to the Customer's account with any credit balance refunded to the Customer thirty (30) days following termination of service.

2.5.2 Deposit Requirement or Waiver Criteria. In determining whether a deposit will be required or waived, the Company will consider the following criteria: previous payment history, established income or line of credit, length of residency, ownership of property, bankruptcy filings within the last seven (7) years.

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dated: April 22, 1994

Effective:
Issued By U.S. Digital Network Pursuant to KYR 5:011.
By: Joseph Pollock SECTION 9 (1)
Joseph Pollock, President
BY: Cheryl Miller
PUBLIC SERVICE COMMISSION MANAGER

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

2.5 Deposits (cont'd.)

2.5.3 Amount of Deposit. All Customer deposits shall be based upon actual usage of the Customer at the same or previous premises for the most recent twelve (12) month period of Customer's previous credit history with Company or previous company, if such information is available. If usage information is not available, the deposit will be based on the average bills, calculated annually, of Customers in the system. The deposit amount shall not exceed two-twelfths (2/12) of the Customer's actual or estimated annual bill where bills are rendered monthly.

2.5.4 Deposit Recalculation. If a deposit is held longer than eighteen (18) months, the deposit will be recalculated at the Customer's request based on the Customer's actual usage. If the deposit on account differs from the recalculated amount by more than \$10.00 for a residential Customer or by more than 10% for a non-residential Customer, Company may collect underpayment and shall refund any overpayment by check or credit to the Customer's bill. No refund will be made if Customer's bill is delinquent at the time of the recalculation.

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

2.5 Deposits (cont'd.)

2.5.5 Deposit Not to Affect Regular Collection Practices.
The fact that a deposit has been made shall in no way relieve the applicant or Customer from complying with the Company's regulations as to advance payments and the prompt payment of bills on presentation; nor constitute a waiver or modification of the regular practices of Carrier providing for the discontinuance of service for non-payment of any sums due to Company for services rendered. Company may discontinue service to any Customer failing to pay current bills without regard to the fact that such Customer as made a deposit with Company to secure payment of such bills.

2.6 Inspection, Testing and Adjustment

Upon reasonable notice, the facilities provided by the Carrier shall be made available to the Carrier for tests and adjustments as may be deemed necessary by the Carrier for maintenance. No interruption allowance will be granted for the time during which such tests and adjustments are made when the interruption is less than twenty-four consecutive hours.

**PUBLIC SERVICE COMMISSION
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**BY: Charles D. Miller
PUBLIC SERVICE COMMISSION MANAGER**

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

2.7 Taxes

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the rates for telecommunications service.

2.8 Terminal Equipment

The Company's facilities and service may be used with or terminated in Customer-provided terminal equipment or Customer-provided communications systems, such as a telephone set, PBX or key system. Such terminal equipment shall be furnished and maintained at the expense of the Customer, except as otherwise provided. The Customer is responsible for all costs at his or her premises, including personnel, wiring, electrical power, and the like, incurred in the use of the Company's service. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry as endorsed by the Federal Communications Commission.

2.9 Installation and Termination

Service is installed upon mutual agreement between the Customer and the Company. The service agreement does not alter rates specified in this tariff.

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

2.10 Payment for Service

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer or to an Authorized User of the Customer by U.S. Digital Network. All charges due by the Customer are payable to the Company or to the Company's authorized billing agent (such as a local exchange telephone company or other authorized entity). Terms of payment shall be according to the rules and regulations of the billing agent and subject to the rules of regulatory agencies, including the P.S.C Ky. Any objections to billed charges must be reported to the Company or its billing agent within sixty days after receipt of bill. Contested charges will be handled in accordance with 807 KAR 5:006, Section 9. Adjustments to Customer's bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate. All invoices are due and payable within thirty (30) days from the date of invoice.

All amounts owed after the due date are subject to late payment penalty charges of 1.5% per month. The late payment charge applies to the total amount carried forward except that such late payment charge will not be applied or assessed on unpaid penalty charges.

2.11 Interconnection

Service furnished by U.S. Digital Network may be connected with the services or facilities of other carriers. Such service or facilities, if used, are provided under the terms, rates and conditions of the other carrier. The Customer is responsible for all charges billed by other carriers for use in connection with U.S. Digital Network service. Any special interface equipment or facilities necessary to achieve compatibility between carriers is the responsibility of the Customer.

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PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

BY: *Clayton Diller*
PUBLIC SERVICE COMMISSION MANAGER

SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**2.12 Cancellation by Customer**

A Customer may request cancellation of service in person, in writing or by telephone pursuant to 807 KAR 5:006, Section 12(1) of the general rules and regulations of the Commission.

2.13 Refusal or Discontinuance by Company

U.S. Digital Network may discontinue service or cancel an application for service without incurring any liability for any of the following reasons:

- (a) After five (5) day's written notice for non-payment of any sum due to Company for service for more than thirty (30) days beyond the date of rendition of the bill for such service;
- (b) without notice, where a dangerous condition is found to exist or for theft;
- (c) without notice, for illegal use of the service in violation of any law, rule, or regulation of any governmental authority having jurisdiction over the service; or
- (d) after ten (10) days written notice if Company is prohibited from furnishing services by order of a court or other government authority having jurisdiction.
- (e) In the event of fraudulent use of the Company's service, Company will discontinue service and/or seek legal recourse to recover all costs involved in enforcement of this provision.

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PUBLIC SERVICE COMMISSION MANAGER

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

2.14 Tests, Pilots, Promotional Campaigns and Contests

The Carrier may conduct special tests, pilot programs, waivers and promotions at its discretion to demonstrate the ease of use, quality of service and to promote the sale of its services. Such promotions will be filed with the P.S.C. Ky. in this Tariff on not less than thirty (30) days notice.

2.15 Bill Format

USDN's bills are printed in the following format:

U.S. Digital Network
10105 Residency Road
Manassa, VA 22110
800-828-8736

Page No. x
Date Printed: xx/xx/xx
Account No. xxxxxxxxx

Account Summary

Current Usage.....\$xx.xx
Federal Tax.....\$
[date] Network Access Charge.....\$

Total Current Charges.....\$

Total Amount of Previous Bill.....\$
Balance.....\$
Total Amount Due.....\$

***** Please Detach Here and Return with Payment *****

Payment Due Before	Past Due Amount	Total Amount Due	Amount Paid
xx-xx-xx	\$xx.xx	\$xx.xx	

On a separate page, all bills contain call detail in the following format for all calls:

<u>DATE</u>	<u>TIME</u>	<u>CITY/STATE</u>	<u>NUMBER DIALED</u>	<u>MINUTES</u>	<u>CHARGES</u>
xx/xx	X:XX	XXXXXXXXXX	XXX-XXX-XXXX	X.X	X.XX

Additional call summary reports are also provided, summarizing calls by telephone number or authorization code.

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PUBLIC SERVICE COMMISSION MANAGER

SECTION 3 -- DESCRIPTION OF SERVICE

3.1 General

Service is offered to residential or business customers. Presubscribed service is available from equal access originating end offices only.

3.2 Timing of Calls

- 3.2.1 Long distance usage charges are based on usage of U.S. Digital Network's service. Chargeable time begins when a connection is established between the calling station and the called station. Chargeable time ends when either party "hangs up" thereby releasing the network connection.
- 3.2.2 Minimum call duration and usage measurement and rounding for billing purposes is specified on per-product basis in the rate section of this tariff.
- 3.2.3 There is no billing applied for incomplete calls.

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BY: *Sharon Della*
PUBLIC SERVICE COMMISSION MANAGER

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

3.3 Calculation of Distance

Usage charges for all mileage sensitive products are based on the airline distance between the rate centers associated with the originating and terminating points of the call. The rate centers or serving central office of a call are determined by the NPAs (or Area Codes) and exchanges (NXXs) of the originating and terminating points.

The distance between the originating and terminating points is calculated by using the "V" and "H" coordinates of the rate center or serving AT&T central office as defined and listed in AT&T FCC Tariff No. 10 and AT&T P.S.C. Ky. Tariff No. 4 and on file with the Kentucky PSC in the following manner:

Step 1 - Obtain the "V" and "H" coordinates of the originating and the destination points as filed with the Kentucky PSC.

Step 2 - Obtain the difference between the "V" coordinates. Obtain the difference between the "H" coordinates.

Step 3 - Square the differences obtained in Step 2.

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

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

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

Formula:

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

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SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)**3.4 Product Descriptions**

U.S. Digital Network offers 1+ outbound message telecommunications service and inbound 800 number service to its Customers. Intrastate service is offered in conjunction with interstate service.

3.4.1 USDN 1+ Long Distance Service - Switched Access

USDN 1+ Long Distance Service - Switched Access provides Customers the ability to make direct dialed long distance calls. Callers access the service via local exchange company-provided Feature Group D switched access circuits. Calls are billed in six (6) second increments with a minimum call duration of six (6) seconds.

3.4.2 USDN 1+ Long Distance Service - Dedicated Access

USDN 1+ Long Distance Service - Dedicated Access provides Customers the ability to make direct dialed long distance calls. Callers access the service via dedicated (or "special") access circuits. Calls are billed in six (6) second increments with a minimum call duration of six (6) seconds. The Customer is responsible for all charges associated with the dedicated access circuits.

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SECTION 3 - DESCRIPTION OF SERVICE (CONT'D.)

3.4 Product Descriptions, (cont'd.)

3.4.3 USDN In-Bound 800 Service - Switched Access

USDN In-bound 800 Service - Switched Access is a "toll-free calling" service. The Customer of U.S. Digital Network's service is billed for each "800" rather than the call originator. Calls terminate to the Customer over local exchange company provided switched access circuits. Calls are billed in six (6) second increments with a minimum call duration of six (6) seconds.

3.4.4 USDN In-Bound 800 Service - Dedicated Access

USDN In-bound 800 Service - Dedicated Access is a "toll-free calling" service. The Customer of U.S. Digital Network's service is billed for each "800" rather than the call originator. Calls terminate to the service Customer over dedicated (or "special") access circuits. Calls are billed in six (6) second increments with a minimum call duration of six (6) seconds. The Customer is responsible for all charges associated with the dedicated access circuits.

**PUBLIC SERVICE COMMISSION
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EFFECTIVE**

APR 22 1994

**PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)**

BY: *Joseph Pollock*
PUBLIC SERVICE COMMISSION MANAGER

Issued: May 6, 1994
Issued by authority of an order of
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Kentucky in Case No. 93-479
dated: April 22, 1994

Effective:
Issued by U.S. Digital Network Limited Partnership
By: *Joseph Pollock*
Joseph Pollock, President

SECTION 3 -- DESCRIPTION OF SERVICE

3.5 Timing Rates

The appropriate rates apply for day, evening and night/weekend calls based on the following chart:

	MON	TUES	WED	THURS	FRI	SAT	SUN
8:00 AM TO 5:00 PM*	DAYTIME RATE PERIOD						
5:00 PM TO 11:00 PM	EVENING RATE PERIOD					EVE	
11:00 PM* TO 8:00 AM	NIGHT/WEEKEND RATE PERIOD						

* to, but not including

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SECTION 4 - RATES

4.1 General

USDN provides long distance services for calls made within Kentucky. Interstate service is provided in conjunction with intrastate service. A monthly service charge applies to all accounts.

Monthly Network Access Charge: \$3.85 per account

4.1.1 USDN 1+ Long Distance Service - Switched Access

Calls are billed in six (6) second increments with a minimum call duration of six (6) seconds.

	DAY	EVENING	NIGHT/ WEEKEND
Rate per minute:	\$0.1680	\$0.1680	\$0.1680

4.1.2 USDN 1+ Long Distance Service - Dedicated Access

Calls are billed in six (6) second increments with a minimum call duration of six (6) seconds.

	DAY	EVENING	NIGHT/ WEEKEND
Rate per minute:	\$0.1320	\$0.1320	\$0.1320

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SECTION 4 - RATES (CONT'D.)

4.1 General, (cont'd.)

4.1.3 USDN In-Bound 800 Service - Switched Access
Calls are billed in six (6) second increments with a minimum call duration of six (6) seconds.

	DAY	EVENING	NIGHT/ WEEKEND
Rate per minute:	\$0.1680	\$0.1680	\$0.1680

4.1.4 USDN In-Bound Service - Dedicated Access
Calls are billed in six (6) second increments with a minimum call duration of six (6) seconds.

	DAY	EVENING	NIGHT/ WEEKEND
Rate per minute:	\$0.1320	\$0.1320	\$0.1320

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