

Nationcall, Inc.

TELECOMMUNICATIONS SERVICE TARIFF
FOR
NATIONCALL, INC.

This tariff contains the rules, regulations, and rates applicable to the furnishing of interLATA common carrier communications services within the State of Kentucky as provided by Nationcall, Inc.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

NOV 19 1990

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

BY: 
PUBLIC SERVICE COMMISSION MANAGER

ISSUED: October 11, 1990

EFFECTIVE: November 19, 1990

ISSUED BY: E. Michael Ingram
Vice President & Secretary
Nationcall, Inc.
National Data Plaza
Atlanta, Georgia 30329-2010



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CHECK SHEET

Pages 1-25 inclusive, of this tariff, are effective as of the date shown.

<u>PAGE</u>	<u>NUMBER OF REVISIONS (except as indicated)</u>	<u>EFFECTIVE DATE</u>
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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 cancelling 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.
- (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.

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APPLICATION OF TARIFF

This tariff contains the regulations and rates applicable to the furnishing of interLATA common carrier communications services within the State of Kentucky as provided by Nationcall, Inc.

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A. DEFINITION OF TERMS

Access Line

A dedicated or switched access channel or transmission path provided by a Local Exchange Carrier or Other Common Carrier which connects a Customer's location to Carrier's location or switching center.

Authorization Code

One or more numerical codes which may be assigned to a Customer to enable Carrier to identify the origin of service and associate it with Customer for purposes of entitlement to access, call handling, and accounting.

Customer

A Customer whose use of service is primarily or substantially of a professional, business, institutional, occupational or other commercial nature.

Carrier or Company

Unless otherwise indicated, Nationcall, Inc. ("Nationcall").

Dedicated Port

A port on Carrier's switching facility which is dedicated, at extra charge, to customer's exclusive use and which is connected to Customer's premises by a private line furnished by Customer.

Home Area

The local calling area associated with the switch accessed.

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A. DEFINITION OF TERMS (Cont'd)

Local Access Transport Area (LATA)

A geographic area established pursuant to the AT&T/Bell System Plan of Reorganization developed under the Modification of Final Judgment that defines the boundaries for provision and administration of services as between Bell Operating Companies and AT&T and other Interexchange Carriers.

Local Exchange Carrier (LEC)

The telephone company which furnishes local exchange services.

Measured Usage Charges

Charges assessed on a per minute and distance-sensitive basis, exclusive of fixed operator assistance service charges.

Operator-Assisted Call

A call completed with the assistance of an operator or involving an automated operator interface.

Point of Destination

The exchange code and telephone number called in Kentucky other than the point of origination.

Point of Origination

The Carrier's switch location accessed by the Customer for the purpose of making a call using Carrier's service.

Remote Access Code

A code to permit Customers to access Carrier's switch in areas other than Customer's home area.

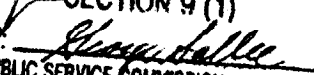
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A. DEFINITION OF TERMS (Cont'd)

Service Central Office

The physical point of access to the Nationcall network. Because Nationcall is a non-facilities-based reseller, a Service Central Office may be part of another facilities based interexchange carrier's network.

Specific Project Code

Specifically assigned code by Customer for billing to that activity within Customer's business.

Subscriber

See definition of Customer.

Subscription Fee

A continuing monthly charge for recovery of certain administrative costs.

Terminal Equipment

Telecommunications devices, apparatus, and their associated wiring, such as teleprinters, telephones and data sets.

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B. RULES AND REGULATIONS**2.1 Description of Service**

- 2.1.1 Nationcall, Inc. ("Nationcall") is a resale common carrier providing interLATA intrastate and interstate communications service to Customers for the direct transmission and reception of voice, data and other types of telecommunications between various locations within Kentucky. Service is available on a full-time basis, twenty-four hours per day, seven days per week. Service is generally provided to Customers on a subscription basis, which is termed "Basic Service."
- 2.1.2 Basic Service is provided a dial-up basis from equal access areas only. Dial-Up (equal access) service originates when the Customer dials "1" plus the area code and telephone number desired.
- 2.1.3 No charge is made for uncompleted calls.
- 2.1.4 Dedicated Service utilizes dedicated facilities to access the Carrier's network and can be obtained at additional cost to the Customer.
- 2.1.5 The Customer is billed a charge for each individual call placed during the billing month. For billing purposes, each call is rounded to the next higher tenth of a minute. Section C contains the appropriate schedule of rates and charges.
- 2.1.6 The Customer is responsible for the charges, local or toll, incurred in accessing the Carrier's switch, said charges to be billed to the originating number, by the appropriate carrier in the absence of special billing instructions from the Customer.

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B. RULES AND REGULATIONS (Cont'd)

2.2 Location of Service

2.2.1 Customers may obtain Nationcall's service for completion of intrastate, interLATA calls throughout Kentucky.

2.2.2 This tariff does not apply to interstate calls.

2.3 Limitations

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

2.3.2 The Company reserves the right to discontinue service when necessitated by conditions beyond its control, or when the Customer is using the service in violation of the provisions of this tariff, in violation of the law, or in violation of a Public Service Commission order, rule or regulation.

2.3.3 Customer's service may not be used for any unlawful purpose.

2.4 Customer Interconnection

2.4.1 Services furnished by Nationcall may be interconnected only after Customer has executed a service agreement and sufficient network interface capability has been established.

2.4.2 The Customer is responsible for satisfying all necessary legal and regulatory criteria prior to interconnecting the Customer-provided terminal equipment or switching systems with Nationcall

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facilities or services. Customer shall secure all necessary certificates, licenses, permits and other necessary arrangements.

2.4.3 The Customer shall ensure that the Customer-provided equipment is properly interfaced with Nationcall facilities and services, that the signals emitted into the network are of proper mode, bandwidth, power and signal level for the intended use of the Customer and in compliance with the criteria set forth by the Company, and that the signals do not damage equipment, injure personnel, or degrade service to other Customers.

2.4.4 Customer-provided terminal equipment or switching facilities used to access Nationcall service (such as pay telephones and PBX equipment) shall be furnished and maintained by Customer at Customer's expense, except as otherwise agreed in writing. 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 Nationcall service.

2.4.5 Establishment of sufficient network interface capability involves confirmation that originating telecommunications equipment properly directs only authorized traffic to the Nationcall network, that the equipment will afford access to alternate carriers and emergency services and, where applicable in the case of COCOT equipment, that necessary screening and/or blocking service has been subscribed to from the local exchange carriers.

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2.4.6 Nationcall reserves the right to modify Customer's terminal equipment interconnection and access arrangement upon prior notice.

2.5 Inspection, Testing, Adjustment

Nationcall may, upon reasonable notice, gain access to the location, facilities or terminal equipment of Customer, on a direct or remote basis, to make such tests, inspections and adjustments to assure that all requirements of this tariff are being met. Nationcall may interrupt the service as necessary without penalty to itself because of Customer's departure from any of these requirements.

2.6 Cancellation of Service

2.6.1 Cancellation by Customer

The length of the Customer's commitment will be determined by its service agreement. That agreement shall automatically renew for the same period thereafter unless the Customer provides written notice of termination at least ninety (90) days prior to the renewal date. If the Customer orders service which requires special construction or special facilities dedicated to the Customer's use, the cost for which Nationcall is liable, and Customer cancels before service begins, a charge will be made to the Customer for the nonrecoverable portions of the expenditures or liabilities incurred expressly on behalf of the Customer by Nationcall. If the Customer orders service which requires special construction or special facilities dedicated to the Customer's use, the cost for which Nationcall is liable, and then the Customer cancels the service prior to the


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BY:  Gary Helle
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expiration of the service agreement period, a prorated charge may be made to the Customer for the nonrecoverable portions of the expenditures of liabilities incurred expressly on behalf of the Customer by Nationcall.

2.6.2 Cancellation by Nationcall

Without incurring liability, Nationcall may immediately discontinue service or cancel an application for service by ten (10) days after Nationcall issues written notice to the Customer: (a) for non-payment of any sum due Nationcall for more than thirty (30) days after Nationcall issues the bill for the amount due; (b) for violation of any of the provisions governing the furnishing of service under this tariff or the service agreement; (c) for any violation of any law, rule, regulation, or policy of any government authority having jurisdiction over the service; or (d) by reason of any order or decision of a court or other government authority having jurisdiction which prohibits Nationcall from furnishing service.

2.7 Payment, Billing, and Minimum Service Period

Basic Service is provided and billed on a monthly (30 day) basis, beginning on the date that service becomes effective. Billing is payable upon receipt. The minimum period for service is one month (30 days).

2.8 Interruption and Restoration of Service

Credit allowances for interruptions of service which are not due to the Carrier's testing or adjusting, or due to the negligence of the Customer, or to the failure of channels, equipment and/or communication systems provided by the Customer, are subject to the

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general liability provisions set forth in Section 2.10 herein. It shall be the obligation of the Customer to notify the Carrier of any interruption in service. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any action or omission of the subscriber, not within his control, and is not in the wiring or equipment connected to the terminal of the Carrier.

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

2.9 Terminal Equipment

The Carrier's facilities and service may be used with or terminated in Customer-provided terminal equipment or Customer-provided communication systems, such as teleprinters, handsets or data sets. 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 its premises, including Customer personnel, wiring, electrical power and the like, incurred in its use of Carrier's service.


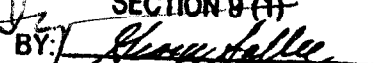
2.9.1 The Customer shall also comply with the minimum protective criteria generally accepted in the telephone industry and other appropriate criteria as may be prescribed by the Carrier. The Customer shall ensure that its terminal equipment is properly interfaced with the Carrier's facilities, that the signals emitted into the Carrier's facilities are of the proper mode, band-width, power, data speed, and signal

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level for the intended use of the Customer, and that the signals do not damage the Carrier's equipment, injure personnel or degrade service to other Customers.

2.9.2 If the Customer fails to maintain and operate its terminal equipment properly, resulting in the occurrence or possibility of harm to the Carrier's equipment, personnel, or the quality of service to other Customers, the Carrier may, upon written notice, require the use of protective equipment at the Customer's expense. If this fails to produce satisfactory quality and safety of service, the Carrier may, upon written notice, terminate the Customer's service.

2.10 Credit Allowances

2.10.1 A credit allowance is applicable to that portion of a call which is interrupted due to poor transmission (e.g., noisy circuit condition) or involuntary disconnection of the call caused by components of the Carrier's service. To receive the proper credit, the Customer must notify the Carrier's office and furnish the called number, the trouble experienced (e.g., cut-off, noisy circuit), and the approximate time the call was placed.

When a call to be billed under this tariff is interrupted due to cut-off, one-way transmission, or poor transmission conditions, the customer will receive credit equivalent to one conversation unit (i.e., the last six seconds of the call).
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Credit allowances do not apply for interruptions not reported to the Carrier, or interruptions that are due to the failure of power, equipment or systems not provided by the Carrier.

2.10.2

A credit allowance for monthly recurring charges will be given when an interruption occurs because of a failure to dedicated service, except as provided below. An interruption period begins when the Customer reports that service has been interrupted and releases it for testing and repair. An interruption period ends when the service is operative. This provision is in addition to credit allowances for interruptions to established calls as specified in Section 2.10.1.

In addition to the restrictions given in Section 2.10.1, no credit allowance will be made for:

(a) Interruptions caused by the negligence of the Customer or others authorized by the Customer to use the Customer's Service.

(b) Interruptions during any period when the Customer has released the service to the Company for maintenance or rearrangement purposes, or for implementation of a customer order.

(c) Non-completion of calls due to network busy conditions, since no charge is assessed.

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(d) Interruptions caused by the failure of other services provided by this Company which are connected to long distance service.

(e) Interruptions not reported to the Company.

2.10.3 When service is interrupted, credit allowances will apply as set forth below:

(a) When service is interrupted for a period of less than two hours, no credit allowance applies.

(b) When service is interrupted for a period of two hours to 24 hours, a credit allowance of 1/30th of the monthly recurring charge applies.

(c) When service is interrupted for a period of more than 24 hours, a credit allowance of 1/30th of the monthly recurring charge applies for each 24-hour period or fraction thereof.

2.10.4 If the Customer elects to use another means of communication during the period of interruption, the Customer must pay the charges for the alternative service used.

2.11 Liability

2.11.1 Nationcall's entire liability for all claims of whatever nature arising out of the Company's provision of service and not caused by the negligence of the Customer shall in no event exceed an amount equal to the proportionate charges for the period of

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service during which any mistake, omission, interruption, delay, error, or defect in service or equipment or any other event or action giving rise to a claim occurs. The Company's liability for its willful misconduct, if any, is not limited by this tariff. In no event shall Nationcall be liable for special, punitive, consequential or incidental damages. The Company disclaims any express or implied warranties with respect to company services or equipment including, without limitation, any implied warranties of merchantability and fitness for a particular purpose.

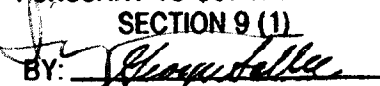
- 2.11.2 Nationcall is not liable for any act or omission of any other company or companies furnishing a portion of the service.
- 2.11.3 Nationcall shall be indemnified and held harmless by the Customer against:
 - (a) Claims for libel, slander, infringement of copyright or unauthorized use of any trademark, trade name or service mark arising out of the material, data, information, or other content transmitted over the Carrier's facilities.
 - (b) Claims for patent infringement arising from combining or connecting the Carrier's facilities with apparatus and systems of the Customer.
 - (c) All other claims arising out of any act or omission of the Customer in connection with any service provided by the Carrier.

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2.11.4 Nationcall shall not be liable for (and the Customer indemnifies and holds the Carrier harmless from) any loss, claims, suits, other actions, or any liability whatsoever, whether suffered, made, instituted or asserted by the Customer or by any other party or persons, for any personal injury to, or death of any person or persons, or for any loss, damage, defacement or destruction of the premises of the Customer or any other property (whether owned by the Customer or others) or for any incidental, special or consequential damages including interruption to business, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of any equipment provided by the Carrier (e.g., including but not limited to autodialers, jacks, and antennas) or wiring provided by the Carrier where such installation, operation, failure to operate, maintenance, condition, location or use is not the direct result of the Carrier's intentional acts. No agents or employees of other carriers shall be deemed to be agents or employees of the Carrier.

2.11.5 In no event shall Nationcall be liable to any Customer for any damages caused by any act or omission of any Local Exchange Carrier or other third party in establishing the Carrier as the Customer's primary interexchange carrier. Nationcall shall not be liable for any charges billed to the Customer by another carrier caused by a Local Exchange Carrier's failure to

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process a request designating Nationcall as the Customer's primary interexchange carrier or caused by any act or omission of any third party.

C. RATES AND CHARGES FOR SERVICES OFFERED

3.1 Basic Service

3.1.1 There are no nonrecurring charges or monthly subscription fees.

3.1.2 Every Customer will be required to meet a monthly minimum of \$1500 in usage charges. If the Customer's total network charges do not equal or exceed \$1500, the Customer will be charged the \$1500 minimum.

3.2 Dedicated Service

Dedicated service rates include a monthly charge, usage charges and nonrecurring charges that apply per Carrier Service Central Office, per recording number. Dedicated service requires the use of at least one recording number. At the Customer's option, multiple recording numbers at the same Service Central Office may be ordered to meet a Customer's need to distinguish traffic between two or more specific access service arrangements connected to that Service Central Office. The monthly charge is billed in advance and applies whether or not the Customer uses the service. Usage and nonrecurring charges are billed in arrears. Usage charges apply to all completed calls on dedicated service. Nonrecurring charges apply when the Customer orders services to be installed, moved or changed.

3.2.1 A nonrecurring installation charge of \$545 applies for the set up of Dedicated Service.

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C. RATES AND CHARGES FOR SERVICES OFFERED (Cont'd)

3.2.2 A nonrecurring installation charge of \$50 applies for each recording number per Service Central Office.

3.2.3 Rates and charges for dedicated access are in addition to the other charges in this tariff. The Customer is solely responsible for furnishing and paying other common carriers for the Customer's private line connecting the dedicated port to the Customer's premises.

3.3 Call Charges

Each Customer is charged individually for each call placed through the Carrier since the previous month's billing. Calls are measured and rounded to the next one tenth of a minute from the point of Customer call origination to the point of destination of the call. Minimum call length is six seconds.

3.4 Measured Usage Charges

Each call billed to the Customer will contain a measured usage charge component that is computed on the basis of the duration, distance and time of day discounts applicable to that call.

3.4.1 Each call is timed and billed in increments. Fractional durations are rounded up to the next six second increment. No charge will apply to uncompleted calls.

3.4.2 Each call will be rated according to the airline mileage between the originating point and terminating point of the call. The originating point shall be identified as the location of the local exchange central office serving the

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Atlanta, Georgia 30329-2010

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BY: *Chas. H. Miller*
PUBLIC SERVICE COMMISSION MANAGER

C. RATES AND CHARGES FOR SERVICES OFFERED (Cont'd)

Customer's premises where the call originates. The terminating point for all calls shall be the location of the local exchange serving central office associated with the called number. The vertical and horizontal coordinates ("V and H" coordinates) of the local serving offices shall be utilized for calculating airlines mileage, in conformity with the formula set forth in AT&T FCC Tariff No. 10.

3.4.3 Measured usage charges computed hereunder shall be subject to time of day discounts as set forth in Section 3.5. All times refer to the local time at the originating point.

3.5 Computation of Charges

3.5.1 Charges for Basic Service are as follows:

Each call is measured in Conversation Units. Each Conversation Unit equals six seconds.

a. Each billed charge for every call is determined by the following formula:

Billable charge = (rate per six seconds x the number of conversation units) - any applicable discounts.

b. The rate for any given call is composed of one charge for the first six second unit. The rate that applies to any given call is a direct function of the distance between the points of origination and destination.

c. The following is a chart relating the distance between the points of origination and destination (Distance Band) and applicable rates:

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C. RATES AND CHARGES FOR SERVICES OFFERED (Cont'd)

<u>Distance Band</u>	<u>Rate per Conversation Unit</u>
0 - 55 miles	\$ 0.0151
56 - 292 miles	\$ 0.0170
293 + miles	\$ 0.0182

- d. The rates in paragraph (c) above are discounted according to time of day and day of week as specified below:

Night and Weekend Discount applies to calls and portions of calls occurring from 11:00 P.M. to, but not including, 8:00 A.M. on Monday through Friday. The Night and Weekend Discount also applies to calls and portions of calls occurring on Sunday from 12:01 A.M. until 5:00 P.M., and all day Saturday. The discounted rates are as follows:

<u>Distance Band</u>	<u>Rate per Conversation Unit</u>
0 - 55 miles	\$ 0.0106
56 - 292 miles	\$ 0.0119
293 + miles	\$ 0.0127

3.5.2 Charges for Dedicated Service are as follows:

- a. Each billed charge for every Dedicated Service Call is determined by the following formula:

Billable charge = (rate per six seconds x the number of conversation units) - any applicable discounts.

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C. RATES AND CHARGES FOR SERVICES OFFERED (Cont'd)

Conversation units are six seconds of conversation time and are the minimum billing increment.

- b. The rate for any given call is composed of one charge per minute, but is billed in six second conversation units. The minimum call length is 18 seconds or three conversation units. The rate that applies to any given call is a direct function of the distance between the points of origination and destination as determined by the methods set forth in section 3.4.2 preceding.
- c. The following is a chart relating the distance between the points of origination and destination (Distance Band) and applicable rates:

<u>Distance Band</u>	<u>Rate per Conversation Unit</u>
0 - 292 miles	\$ 0.0121
293 + miles	\$ 0.0132

These rates are discounted based on time of day and day of week as defined below:

Evening Discount applies to calls and portions of calls occurring from 5:00 P.M. to, but not including, 11:00 P.M. on Sunday through Friday. The Evening rates are as follows:

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C. RATES AND CHARGES FOR SERVICES OFFERED (Cont'd)

<u>Distance Band</u>	<u>Rate per Conversation Unit</u>
0 - 292 miles	\$ 0.0086
293 + miles	\$ 0.0093

Night and Weekend Discount applies to calls and portions of calls occurring from 11:00 P.M. to, but not including, 8:00 A.M. on Monday through Friday. The Night and Weekend Discount also applies to calls and portions of calls occurring on Sunday from 12:01 A.M. until 5:00 P.M., and all day Saturday. The discounted rates are as follows:

<u>Distance Band</u>	<u>Rate per Conversation Unit</u>
0 - 292 miles	\$ 0.0076
293 + miles	\$ 0.0083

D. INTERLATA SERVICE AREA

InterLATA Service area includes the entire State of Kentucky.

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 November 19, 1990

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