

New Millennium Communications
Corporation

NEW MILLENNIUM COMMUNICATIONS
CORPORATION

P.S.C. KY Tariff No. 1
Original Page 1

NEW MILLENNIUM COMMUNICATIONS CORPORATION
of
200 S. Biscayne Blvd., Suite 5400
Miami, Florida 33131

RATES, RULES, and REGULATIONS for FURNISHING
RESALE TELECOMMUNICATIONS SERVICES

Filed with the
PUBLIC SERVICE COMMISSION OF KENTUCKY

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

ISSUED: July 27, 1998

EFFECTIVE:

AUG 27 1998

Issued by: Edward St. Croix, Chairman/President/CEO
200 S. Biscayne Blvd., Suite 5400
Miami, Florida 33131

PURSUANT TO 807 KAR 5.011,
SECTION 9(1)

BY: Stephan O. Bell
SECRETARY OF THE COMMISSION

CHECK SHEET

The tariff contains Pages 1 through 21, 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 and are in effect on the date thereon except as otherwise noted.

PAGE

REVISION NUMBER

All pages original

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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.

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1.0 EXPLANATION OF TERMS AND ABBREVIATIONS

Access Line - An arrangement which connects the customer's location to a New Millennium Communications Corporation switching center or point of presence.

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

Carrier or Company - Whenever used in this tariff, "Carrier," "Company," or "NMC" refers to New Millennium Communications Corporation unless otherwise specified or clearly indicated by the context.

Commission - The Kentucky Public Service Commission.

Customer - 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.

KYPSC - Kentucky Public Service Commission.

NMC - Used throughout this tariff to mean New Millennium Communications Corporation unless clearly indicated otherwise by the text.

Switched Access Origination - Where originating access between the customer and the interexchange carrier is provided on local exchange company Feature Group circuits.

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2.0 RULES AND REGULATIONS

2.1 Application of Tariff

- 2.1.1 This tariff contains the regulations and rates applicable to intrastate long distance resale telecommunications services provided by NMC for telecommunications between points within the State of Kentucky.
- 2.1.2 The services of NMC are not part of a joint undertaking with any other telecommunications entity, but do involve the resale of the Intrastate Long Distance Message Toll Services (MTS) of underlying common carriers.
- 2.1.3 The rates and regulations contained in this tariff apply only to the services furnished by NMC and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carrier for use in accessing the services of NMC.

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2.0 RULES AND REGULATIONS, CONT.

2.2 Undertaking of New Millennium Communications Corporation

NMC's services and facilities are furnished for communications originating at specified points within the State of Kentucky under terms of this tariff.

NMC installs, operates, and maintains the communications services provided hereinunder in accordance with the terms and conditions set forth under this tariff. NMC may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities as required in KYPS rules and orders, when authorized by the Customer, to allow connection of a Customer's location to NMC's service. 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 indicated, and are available twenty-four hours per day, seven days per week.

2.3 Limitations

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

2.3.2 NMC 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 in violation of the law.

2.3.3 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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2.0 RULES AND REGULATIONS, CONT.

2.3 Limitations, cont.

2.3.4 All facilities provided under this tariff are directly controlled by NMC 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.

2.3.5 Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions of service.

2.4 Use

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

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2.0 RULES AND REGULATIONS, CONT.

2.5 Liability of NMC

2.5.1 NMC's liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in transmission which occur in the course of furnishing service or facilities, in no event shall exceed an amount equivalent to the proportionate charge to the Customer for the period during which the faults in transmission occur.

2.5.2 The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage), for any interruption, delay, error, omission, or defect in any service, facility, or transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.

2.5.3 The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copy-right or patent, unauthorized use of any trademark, tradename, or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, or operation,

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2.0 RULES AND REGULATIONS, CONT.

2.5 Liability of NMC, cont.

- 2.5.3 (Continued)
failure, presence, use or removal of equipment or wiring provided by the Company, if not directly caused by negligence of the Company.
- 2.5.4 No agent or employee of any other carrier shall be deemed to be an agent or employee of the Company.
- 2.5.5 The Company shall not be liable for any defacement of or damages to the premises of a Customer or Subscriber resulting from the furnishing of service which is not the direct result of the Company's negligence.
- 2.5.6 The Company shall not be liable for any claim, loss or refund as a result of loss or theft of prepaid calling cards or Personal Identification Numbers issued for use with the Company's services.

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2.0 RULES AND REGULATIONS, CONT.

2.6 Refusal or Discontinuance by Company

NMC may refuse or discontinue service under the following conditions provided that, unless otherwise stated, the Customer shall be given seven days written notice to comply with any rule or remedy any deficiency:

- 2.6.1 For non-compliance with or violation of any State, municipal, or Federal law, ordinance or regulation pertaining to telephone service.
- 2.6.2 For use of telephone service for any other property or purpose than that described in the application.
- 2.6.3 For neglect or refusal to provide reasonable access to NMC or its agents for the purpose of inspection and maintenance of equipment owned by NMC or its agents.
- 2.6.4 For noncompliance with or violation of Commission regulation or NMC's rules and regulations on file with the Commission, provided five days written notice is given before termination.
- 2.6.5 For nonpayment of bills, provided that suspension or termination of service shall not be made until the bill is past due, with five days written notice to the Customer or Subscriber, except in extreme cases.
- 2.6.6 Without notice in the event of Customer or Authorized User use of equipment in such a manner as to adversely affect NMC's equipment or service to others.
- 2.6.7 Without notice in the event of tampering with the equipment or services owned by NMC or its agents.

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2.0 RULES AND REGULATIONS, CONT.

2.6 Refusal or Discontinuance by Company, cont.

- 2.6.8 Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, NMC may, before restoring service, require the Customer or Subscriber to make, at his or her own expense, all changes in facilities or equipment necessary to eliminate illegal use and to pay an amount reasonably estimated as the loss in revenues resulting from such fraudulent use. Written notice will be provided following termination.
- 2.6.9 Without notice by reason of any order or decision of a court or other government authority having jurisdiction which prohibits Carrier from furnishing such services. Written notice will be provided following termination.
- 2.6.10 For extended periods of inactivity.
- 2.6.11 With live or automated verbal notification when the available prepaid calling card balance is depleted to a level insufficient to place a one-minute call to the location of least cost.
- 2.6.12 Without notice when the expiration date of a prepaid calling card issued by the Company is reached.

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2.0 RULES AND REGULATIONS, CONT.

2.7 Installation

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

2.8 Interruption of Service

Credit allowances for interruptions of service which are not due to the Carrier's testing or adjusting, to the negligence of the Customer, or to the failure of channels, equipment or communications systems provided by the Customer, are subject to the general liability provisions set forth in Section 2.4 herein. It shall be the obligation of the Customer to notify Carrier immediately of any interruption in service for which a credit allowance is desired by Customer. 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. Interruptions caused by Customer-provided or Carrier-provided automatic dialing equipment are not deemed an interruption of service as defined herein since the Customer has the option of using the long distance network via local exchange company access.

2.9 Payment for Service

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer for transmission of calls by the Company. This includes payment for all calls or services originating from the Customer's number(s), as well as calls placed using the Company's prepaid calling card and appropriate PIN from any location, by any party. The Customer is responsible for all prepaid calling card calls placed by any party as a result of Customer's intentional or negligent disclosure of his or her PIN.

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2.0 RULES AND REGULATIONS, CONT.

2.9 Payment for Service, cont.

All charges due by the Customer are payable to the Company or to the Company's authorized billing agent. Terms of payment shall be according to the rules and regulations of the Company and the billing agent. Any objections to billed charges or depletion of Company-issued prepaid calling cards must be promptly reported to the Company or its billing agent. Adjustments to Customer's bills or prepaid calling card balances shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate.

All charges to commercial credit cards, including prepaid calling card renewals, are subject to the terms and conditions of the issuing commercial credit card company and those of the Company's credit card processing agent.

2.10 Cancellation by Customer

Unless covered by a term agreement, Customers may cancel service verbally or in writing at any time. The Company shall hold the Customer responsible for payment of all charges, including fixed fees, surcharges, etc. which accrue up to the date of cancellation. Service provided by the Company pursuant to a term agreement must be cancelled in accordance with the terms of the agreement, subject to any penalties contained therein.

2.11 Interconnection

Service furnished by NMC may be connected with the services or facilities of other carriers or enhanced service providers. The Customer is responsible for all charges billed by these entities for use in connection with NMC's service. Any special interface equipment or facilities necessary to achieve compatibility between these entities is the responsibility of the Customer.

2.12 Deposits

The Company does not require a deposit from the Customer.

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2.0 RULES AND REGULATIONS, CONT.

2.13 Advance Payments

For Customers from whom the Company feels an advance payment is necessary, NMC reserves the right to collect an amount not to exceed two months' estimated charges as an advance payment for service. This will be applied against the next one or two months' charges and a new advance payment may be collected for the next one or two month period.

2.14 Taxes and Regulatory Charges

All state and local taxes and regulatory charges (e.g., gross receipts tax, sales tax, municipal utilities tax, and universal service charges) are billed as separate line items and are not included in the quoted rates.

2.15 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 PBX, key systems or Pay Telephone. 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.

2.16 Late Payment Charge

In accordance with KAR 5:0005, Section 8(3)(H), a late fee of 1.5% may be charged only once on any bill for rendered services on any past due balances beginning 30 days from the mailing date of the bill. Any payment received by the Customer will first be applied to the bill for services rendered. Additional penalty charges will not be assessed on unpaid penalty charges.

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2.0 RULES AND REGULATIONS, CONT.

2.17 Return Check Charges

A fee of \$15.00 may be charged for each check returned for insufficient funds. For prepaid calling card services, the Company reserves the right to temporarily discontinue provision of service to Customer until the returned check or draft is cleared or paid.

2.18 Reconnection Charge

A reconnection fee of \$25.00 per occurrence may be charged when service is re-established for customers who have been disconnected for non-payment.

2.19 Tests, Pilots, Promotional Campaigns and Contests

The Carrier may conduct special tests or pilot programs and promotions at its discretion to demonstrate the ease of use, quality of service and to promote the sale of its services. The Carrier may also waive a portion or all processing fees or installation fees for winners of contests and other occasional promotional events sponsored or endorsed by the Carrier. From time to time, the Company may waive all processing fees for a Customer.

2.20 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.

2.21 Cost of Collection and Repair

The Customer is responsible for reasonable costs incurred in the collection of monies due the Carrier, including legal and accounting expenses. Customer is also responsible for recovery costs of Carrier-provided equipment and any expenses required for repair or replacement of damaged equipment.

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3.0 DESCRIPTION OF SERVICE

3.1 Timing of Calls

- 3.1.1 Long distance usage charges are based on the actual usage of NMC's network. The Company will determine that a call has been established through industry standard answer detection methods including, where available, by signal from the local telephone company.
- 3.1.2 Minimum billed call duration and billing increments differ from product to product. Product specific information is included in Section 4 of the Rate Schedules.
- 3.1.3 Unless otherwise specified in this tariff, usage is measured and rounded to the next higher billing increment for billing purposes.
- 3.1.4 There is no billing applied for incomplete calls.
- 3.1.5 Chargeable time ends when either party "hangs up" thereby releasing the network connection.

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3.0 DESCRIPTION OF SERVICE, CONT.

3.2 General

New Millennium offers direct dial switched inbound and outbound services, prepaid calling cards and access to directory assistance. Service is available 24 hours a day, 7 days a week. Intrastate service is offered only in conjunction with interstate service.

3.3 New Millennium Switched Outbound Calling

Switched Outbound Calling is a direct dial outbound service over switched facilities. Rates are not time-of-day or distance sensitive. Calls are billed in one (1) minute increments, with a one (1) minute minimum call duration for billing purposes. Customers may choose from a flat rate plan with or without a Monthly Recurring Charge.

3.4 New Millennium Toll Free Service

New Millennium Toll Free Service is a switched inbound calling service (eg: 800/888/877). Calls are billed in one (1) minute call duration. Rates are not time-of-day or distance sensitive. Calls originate from any intrastate location over a toll free number and terminate to a Customer-provided residential or business switched access line. Call charges are billed to the Subscriber rather than to the originating caller. Calls are billed in six (6) second increments with a minimum billing period of sixty (60) seconds. A monthly service charge per toll free number applies.

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3.0 DESCRIPTION OF SERVICE, CONT.

3.5 New Millennium Prepaid Calling Card Service

New Millennium Prepaid Calling Card Service is a switched service that enables an end user to place calls against a predetermined dollar amount associated with a PIN and prepaid card.

Calls are originated by dialing an access telephone number, followed by a PIN. The Prepaid Calling Card balance is depleted on a real-time basis as calls are placed. Calls are billed in one (1) minute increments, with a one (1) minute minimum call duration. A per call surcharge also applies.

All calls must be charged against a Prepaid Card that has sufficient available balance. A Customer's call will be interrupted with an announcement one (1) minute before the balance is about to be depleted. Calls in progress will be terminated by the Company if the Prepaid Calling Card balance is not sufficient to continue the call.

Prepaid Calling Card Service may be accessed through touchtone telephones only. Calls to 700, 800, 900 and 976 numbers and calls requiring operator assistance and the quotation of time and charges cannot be completed using this service. Air to ground and high seas service may not be completed.

New Millennium is not liable or responsible for theft, loss or unauthorized use of cards or PINs. New Millennium will not refund or issue credit on the unused balance of the Prepaid Calling Card.

3.6 Directory Assistance

Directory Assistance is available to New Millennium Customers. A Directory Assistance per call charge applies to each call to the Directory Assistance Bureau. Up to two requests may be made on each call to Directory Assistance. The per call charge applies to each call regardless of whether the Directory Assistance Bureau is able to furnish the requested number.

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4.0 RATES

4.1 Computation of Charges

Each Customer is charged individually for each call placed through the Carrier. Rates vary with call duration.

Customers are billed based on their use of NMC's long distance service. Monthly recurring charges may also apply.

4.2 New Millennium Switched Outbound Calling

	<u>Per Minute Rate</u>	<u>Monthly Recurring Charge</u>
Plan 1	\$0.18	\$4.95
Plan 2	\$0.20	n/a

4.3 New Millennium Toll Free Service

Per Minute Rate:	\$0.23
Monthly Service Charge:	\$5.00

4.4 New Millennium Prepaid Calling Card Service

Per Minute Rate:	\$0.20
Per Call Access Fee:	\$0.50

4.5 Directory Assistance

Per Call Charge:	\$0.95
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5.0 BILLING CONTENTS

5.1 NMC Billing Contents

NMC's customer bills contain the following information:

Name and address of Company
 Address for Correspondence
 Address for Remittance
Customer Service/Billing Inquiry toll-free telephone number
Name and address of Customer
Bill Date
All Account Numbers
Invoice Number
Summary of Charges
Detail of Charges

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