

September 18, 2002 Overnight Delivery

05153000

Cancellation of Certificate of Public Convenience and Necessity to Provide

Toledo Area Telecommunications Services, Inc. d/b/a Buckeye TeleSystem

Interexchange Telecommunications Services and Withdrawal of Tariff

210 N. Park Ave. Winter Park, FL 32789 Mr. Brent Kirtley, Tariff Branch Manager Kentucky Public Service Commission 211 Sower Boulevard Frankfort, KY 40602-0615 Overnight Delivery

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PUBLIC SERVICE COMMISSION

P.O. Drawer 200 Winter Park, FL

32790-0200

Tel: 407-740-8575 Fax: 407-740-0613 tmi@tminc.com

Dear Mr. Willard:

RE:

The purpose of the original and three (3) copies of this letter is to advise the Commission that Toledo Area Telecommunications Services, Inc. d/b/a Buckeye TeleSystem is hereby requesting the immediate cancellation of its Certificate of Public Convenience and Necessity to offer telecommunications services within the State of Kentucky and withdrawal of its tariff. The Company does not have any customers in Kentucky and has ceased its operations for telecommunications in the state.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for this purpose.

If you have any questions regarding this filing, please do not hesitate to contact me at (407) 740-8575. Thank you for your assistance in this matter.

Sincerel a

Thomas M. Forte Consultant to Toledo Area Telecommunications Services, Inc.

TMF/ks

- cc: Tom Dawson Buckeye
- file: Buckeye KY
- tms: KYo0201



KY P.S.C. - Tariff No. 1

Original Sheet 1

Title Sheet

Kentucky Telecommunications Tariff

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by Toledo Area Telecommunications Services, Inc. d.b.a. Buckeye TeleSystem, sometimes hereinafter in the text of this tariff referred to as "Buckeye TeleSystem," with principal offices at 5566 Southwyck Boulevard, Toledo, Ohio 43614. This tariff applies for services furnished within the State of Kentucky. This tariff is on file with the Kentucky Public Service Commission, and copies may be inspected during normal business hours at the Company's principal place of business.

PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE

MAY 27 2000

PURSUANT TO 807 KAR 5:011. SECTION 9 (1) BY: Stephan Buy SECRETARY OF THE COMMISSION

Issued:

Issued by:

Effective:

David G. Huey, President Toledo Area Telecommunication System D/B/A Buckeye TeleSystem 5566 Southwyck Boulevard Toledo, Ohio 43614

KY P.S.C. - Tariff No. 1

Original Sheet 2

Check Sheet

Sheets 1 through 28 inclusive 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 page.

| Sheet | Revision | Sheet | <u>Revision</u> | |
|-------|----------|-------|-----------------|---|
| 1 | Original | 20 | Original | |
| 2 | Original | 21 | Original | |
| 3 | Original | 22 | Original | |
| 4 | Original | 23 | Original | |
| 5 | Original | 24 | Original | |
| 6 | Original | 25 | Original | |
| 7 | Original | 26 | Original | |
| 8 | Original | 27 | Original | |
| 9 | Original | 28 | Original | |
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| 19 | Original | | | PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE |

MAY 27 2000

PURSUANT TO 807 KAR 5:011. SECTION 9 (1) BY SECRETARY OF THE COMMISSION

Effective:

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KY P.S.C. - Tariff No. 1

Original Sheet 3

Table of Contents

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KY P.S.C. - Tariff No. 1

Original Sheet 4

Symbols

The following are the only symbols used for the purposes indicated below:

- D Delete or discontinue.
- I Change resulting in an increase to a customer's bill.
- M Moved from another tariff location.
- N New.
- R Change resulting in a reduction to a Customer's bill.
- T Change in text or regulation but no change in rate or charge.

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KY P.S.C. - Tariff No. 1

Original Sheet 5

Tariff Format

- A. <u>Sheet Numbering</u> 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. <u>Sheet Revision Numbers</u> 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. Because of various suspension periods, deforrals, etc. the KYPSC follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. <u>Paragraph Numbering Sequence</u>. 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).

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KY P.S.C. - Tariff No. 1

Original Sheet 6

Tariff Format (Continued)

D. <u>Check Sheets</u> - When a tariff filling is made with the KYPSC, an updated check sheet accompanies the tariff filling. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new pages 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 page if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages). 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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KY P.S.C. - Tariff No. 1

Original Sheet 7

Section 1 - Technical Terms and Abbreviations

Access Line - An arrangement which connects the Customer's location to a Buckeye TeleSystem service or switching center.

Authorization Code - A numerical code, one or more of which are available to a Customer to enable him/her to access the carrier, and which are used by the carrier both to prevent unauthorized access to its facilities and to identify the Customer for billing purposes.

Company or Carrier - Toledo Area Telecommunication Services, Inc. d.b.a. Buckeye TeleSystem or Buckeye TeleSystem" or Company"

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

Day - From 8:00 AM up to but not including 5:00 PM local time Monday through Friday.

- Evening - From 5:00 PM up to but not including 11:00 PM local time Sunday through Friday.

Holidays - Buckeye TeleSystem's recognized holidays are New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day and Christmas Day.

Night/Weekend - From 11:00 PM up to but not including 8:00 AM Sunday through Friday, and 8:00 AM Saturday up to but not including 5:00 PM Sunday.

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KY P.S.C. - Tariff No. 1

Original Sheet 8

Section 2 - Rules and Regulations

2.1 Undertaking of Buckeye TeleSystem

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

Buckeye TeleSystem installs, operates, and maintains the communication services provided hereunder in accordance with the terms and conditions set forth under this tariff. It may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities, as legally defined in Kertucky Public Service Commission rules and regulations, when authorized by the Customer to allow connection of a Customer's location to the Buckeye TeleSystem service. The Customer shall be responsible for all charges due for such service arrangement.

2.2 Limitations

- 2.2.1 Service is offered subject to the availability of facilities and the provisions of this tariff.
- 2.2.2 Buckeye TeleSystem reserves the right to discontinue furnishing service, or limit the use of service necessitatec by conditions beyond its control or when the Customer is using service in violation of the law or the provisions of this tariff.
- 2.2.3 All facilities provided under this tariff are directly controlled by Buckeye TeleSystem and the Customer may not transfer or assign the use of service or facilities, except with 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.

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KY P.S.C. - Tariff No. 1

Original Sheet 9

Section 2 - Rules and Regulations (Continued)

2.2 Limitations (Continued)

2.2.4 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 for service.

2.3 Liabilities of the Company

- 2.3.1 Buckeye TeleSystem's liability for damages arising out of mistakes, interruptions, omissions, delays, errors or defects in the transmissions occurring in the course of furnishing service or facil ties, and not caused by the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the Customer for the period during which the aforementioned faults in transmission occur.
- 2.3.2 Buckeye TeleSystem, shall be indemnified and held harmless by the Customer against:
 - (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over the Company's facilities.
 - (B) All other claims arising out of any act or omission of the Customer in connection with any service or facility provided by Buckeye TeleSystem.

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Section 2 - Rules and Regulations (Continued)

2.4 Interruption of Service

- 2.4.1 Credit allowance for the interruption of service which is not due to the Company's testing or adjusting, negligence of the Customer, or to the failure of channels or equipment provided by the Customer, are subject to the general liability provisions set forth in 2.3.1 herein. It shall be the obligation of the Customer to notify the Company immediately of any interruption in service for which a credit allowance is desired. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any action or omission by the Customer within his control, or is not in wiring or equipment, if any, furnished by the Customer and connected to the Company's facilities. The Company's service and facilities are provided on a monthly basis, unless ordered on a longer basis and are provided 24 hours per day, 7 days per week.
- 2.4.2 For purposes of credit computation, every month shall be considered to have 720 hours.
- 2.4.3 No credit shall be allowed for an interruption of a continuous duration of less than two hours.
- 2.4.4 The Customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the monthly charge for the facilities affected for each hour or major fraction thereof that the interruption continues.

Credit Formula: Credit = $A \times B$ 720

"A" - outage time in hours.

"B" - total monthly charge for affected facility.

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Section 2 - Rules and Regulations (Continued)

2.5 Restoration of Service

The use and restoration of service shall be in accordance with the priority system specified in part 64, subpart D of the Rules and Regulations of the Federal Communications Commission.

2.5.1 Returned Checks

If Company receives a check from a Customer in payment for 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, the Company shall apply a service charge of \$25.00.

The charge shall be applied to Customer's monthly billing in additional to any other charges, which may apply under this Tariff. Payment rendered by check, which is subsequently dishonored shall not constitute payment until such time as repayment is made by valid means.

2.6 Deposits

The Company does not require a deposit from the Customer.

2.7 <u>Taxes</u>

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 quoted rates.

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| | | BY: <u>Stephan</u> BU SECRETARY OF THE COMMISSION |

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Section 3 - Description of Service

- 3.1 <u>Buckeye TeleSystem Switched Residential and Commercial</u> Pre-subscribed flat rate service. All calls are billed in increments of the first six (6) seconds and each six (6) seconds thereafter with rates keyed to the time of day the call is placed. A monthly service charge of \$10.00 for each location may apply.
- 3.2 <u>Buckeye TeleSystem Dedicated Service</u> Pre-subscribed flat rate service. All calls are billed in increments of the first Six (6) seconds and each six (6) seconds thereafter.
- 3.3 <u>Buckeye TeleSystem Dedicated 800 Service</u> Dedicated flat rate service. All calls are billed in increments of the first six (6) seconds and each six (6) second thereafter with rates keyed to the time of day the call is placed.
- 3.4 <u>Buckeye TeleSystem Switched 800 Service Residential and Commercial</u> Switched flat rate 800 service. All calls are billed in increments of Six (6) seconds with a six(6) second minimum.
- 3.5 <u>Buckeye TeleSystem Travel Card Service</u> Travel Card service is a card issued to Customers which allows them to use Buckeye TeleSystem's telecommunications service when they are away from their home or office telephones.

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Section 4 - Rates

This section contains the Company's basic usage rates for telephone calls completed by means of its services.

4.1 Application of Rate Tables

The total charge for each completed operator assisted call consists of the following charge elements: (a) a measured usage charge dependent on the duration and time of day of the call; (b) a fixed Operator Services charge, which will be dependent on the type of billing selected (i.e., calling card, third party or other) and/or the completion restriction selected (i.e., station-to-station or person-to-person). The usage charge element is specified as a rate per minute which applies to each minute of call duration, with fractional minutes of use thereafter counted as one full minute.

4.2 Taxes

All Federal excise taxes, state and local sales, use, and similar taxes, are billed as separate line items and are not included in the quoted rates.

4.3 <u>Timing of Calls</u>

Billing for calls placed over the Company network is based in part on the duration of the call. Timing of each all begins as specified below, and ends when the called party hangs up.

- 4.3.1 Collect Calls Tining begins when the called party accepts the responsibility for payment.
- 4.3.2 Person-to-person Calls (other than Collect) Timing begins when the designated party comes on the line, or when the caller agrees to speak with a substitute party.
- 4.3.3 All other Calls Taming begins when the called station is answered, as determined by standard industry methods generally in use for ascertaining answer, including hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection.

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Section 4 - Rates (Continued)

4.4 Rate Period Chart

 Day
 Evening
 Night & Weekend

 (8:00 a.m. to *5:00
 (5:00 p.m. to *11:00 p.m.)
 (11:00 p.m. to *8:00 a.m.)

 p.m.)
 (11:00 p.m. to *8:00 a.m.)

Calls originating in one time period and terminating in another will be billed for the entire call according to the highest rate applicable to any portion of the call.

- * To, but not including
- 4.5 Busy Line Verification and Interrupt Service
 - 4.5.1 Busy Line Verification: \$1.00.
 - 4.5.2 Busy Line Verification with Interrupt: \$2.50.

4.6. Determination of Duration

- 4.6.1 Chargeable time begins when the connection is established between the calling station and the desired telephone, attendant board, or private branch exchange console.
- 4.6.2 Chargeable time ends when the connection is terminated. Chargeable time does no¹ include the time lost because of faults or defects in the service.
- 4.6.3 Calculation of Billable Time The initial rate is stated in terms of full minutes and is measured and billed in a full minute increment. Rate period is determined using applicable rate periods.
 - 4.6.3.1 After the first minute of use, subsequent time is measured and billed in six (6) second increments. PUBLIC SERVICE COMMISSION OF KENTUCKY

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Section 4 - Rates (Continued)

Business and Residential Customers 4.7 **Toll Rates**

Calls are billed in initial increments of one (1) minute with additional increments of six (6) seconds

| 4.7.1 | Switched | Outbound |
|-------|----------|----------|
|-------|----------|----------|

Month to

| Initial Base Rate: Additional increment rate | \$0.14 per initial one (1) minute increment \$0.014 per additional six (6) second |
|---|--|
| increment. | |
| | |

| Term: | Month to Month | 1 Year | 2 Year | 3 Year | 5 Year | 6 Year |
|-------|-------------------|---------|--------|---------|--------|--------|
| | WOR | 1 I Cai | 21000 | 5 1 000 | | |
| | 0-10% | 11-20% | 21-30% | 31-40% | 41-50% | 51-55% |

4.7.2 Dedicated Outbound

| | | | | \$0.090 per first minute of usage \$0.009 per additional six (6) second | | |
|-------|----------------------------|------------------|------------------|--|------------------|------------------|
| Term: | Month to Month 0-10% | 1 Year 11-20% | 2 Year 21-30% | 3 Year 31-40% | 5 Year 41-50% | 6 Year 51-55% |

The Company policy is not to charge for emergency type services.

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KY P.S.C. - Tariff No. 1

Original Sheet 16

Section 4 – Rates (Continued) Rates for 8XX Service **Business and residential Customers** 4.8 8XX Service is a one-way inbound service originating on feature group facilities provided by the Company and terminating on a regular telephone line(s) and is available to both business and residential Customers. This service enables the Customer to receive calls which are toll-free to the originating party. The Customer is responsible for payment of all charges associated with calls so terminated. Switched Inbound 4.8.1 Initial Base Rate: \$0.140 per initial one (1) minute increment \$0.0140 per additional six (6) second Additional increment rate increment Term: Month to Month 1 Year 2 Year 3 Year 5 Year 6 Year 0-10% 11-20% 21-30% 31-40% 41-50% 51-55% 4.8.2 Dedicated Inbound Initial Base Rate: \$0.090 per full minute increment Additional increment rate \$0.009 per six (6) second increment Term: Month to 2 Year 3 Year 5 Year 6 Year Month 1 Year 41-50% 51-55% 0-10% 11-20% 21-30% 31-40%

The Company policy is not to charge for emergency type services.

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Sectior 4 - Rates (Continued)

- 4.9 Calling Card Services
 - 4.9.1 Calling Card Rates

To and from point: within the Continental U.S. \$0.204 per full minute increment. Applicable term discounts will apply to Calling Card rates

4.9.2 Availability of Service

The Company allows Customers to utilize the calling cards of other local exchange carriers.

4.9.3 Surcharge for Calling Card Services

There will be no surcharge assessment to calling card calls.

4.10 Prepaid Calling Card Services

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Section 4 – Rates (Continued)

4.11 Operator Services

| | Da (8:00 a.m. p.m | to *5:00 | Evenir (5:00 p.m. to *1 | 0 | Night & (11:00 p.m. t | |
|----------------------|-------------------------|--------------|----------------------------|--------------|--------------------------|-----------|
| | 1 st Min | Add'l Min | 1 st Min | Add'l Min | 1 st Min | Add'l Min |
| Per Min. Rate: | \$0.40 | \$0.40 | \$0.40 | \$0.40 | \$0.40 | \$0.40 |
| | Automate Card | | Automated cal | l/ attended | Live O | perator |
| Operator Surcharges: | Card | \$1.44 | Card | \$4.25 | Card | \$4.25 |
| 1 0 | | | Collect | \$2.75 | Collect | \$4.25 |
| | | | 3 rd Party | \$2.75 | 3 rd Party | \$4.25 |
| | | | Person to | \$6.80 | Person to | \$6.25 |
| | | | Person | | Person | |
| * To hat not inclu | dima | | | | | |

* To, but not including

6.11 4.12 Directory Assistance

Calls placed to Directory Assistance Centers for information or listings of dialable telephone numbers are provided at the rate specified below. This charge applies whether live Operator Service or mechanical means provides the listed number. Rate Per Call \$1.00

4.13 Broadcast Fax Service

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KY P.S.C. - Tariff No. 1

Original Sheet 19

Sectior 4 - Rates (Continued)

4.14 Promotional Services

The Company may, from time to time, engage in special promotions of new or existing tariffed offerings of limited duration designed to attract new Customers or to increase existing Customer awareness of a particular offering. These promotional offerings are subject to the availability of services and facilities and may be limited to a specific geographical area or to a subset of a specific market group, and subject to prior Commission approval. These offerings may be based on volume of usage and/or contract term

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Section 5 - Other Services

Frame Relay Service (FRS) is the provision of digital non-switched facility interconnections between Customer Designated Premises and/or for the provision of dedicated transmission paths to meet specific customer requirements. Standard bit rates of 64 Kbps through 1.544 Mbps and 44.736 Mbps may be selected by the customer. Certain non-standard configurations may be provided on an Individual Case Basis (ICB).

General

5.1

Packet Data Networks utilize separate data networks, comprised of switching and transmission facilities. The networks provide for the transfer of data provided by a Customer in a frame format. The data is separated into discreet segments for Transmission through the public packet data network.

Frame Relay Service (FRS) is a medium-speed, connection-oriented packet Switched data service that allows for the interconnection of Local Area Networks (LANs) or other compatible customer premises equipment for the purpose of Connecting to a local or ir trastate frame relay network. Terminal equipment Accumulates the Customer data and puts them into a frame relay format suitable for Transmission over the FRS network. Terminal equipment must conform to the American National Standards Institute and Telecommunication Standardization Bureau of the International Telecommunication Union standards.

The Company's provision of originating FRS requires an originating 5.1.1 special access service connection from the Customer's local exchange carrier or alternative access provider to the Company's Point of Presence. At the request of the Customer, the Company will arrange for this special access service, and will pass through the charges to the Customer that the Company incurs for such special access service. These charges are in addition to those listed herein.

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Section 5 – Other Services (Continued)

- 5.1.2 The Customer also will be charged for the special access service arrangements that are required to terminate the Company's FRS. The Company shall arrange for these terminating special access service arrangements from other carriers, and will pass through the charges that the Company incurs for such terminating special access service from such carriers to the Customer. The terminating special access service charges are likewise in addition to those listed herein.
- 5.1.3 Due to the need to arrange for special access facilities, the Company requires advanced notice of a Customer's order for FRS prior to the initiation of FRS. Once the Customer's order for FRS is received, the Company will use its best efforts to initiate FRS within 30 to 45 days. Upon notification to the Customer, the Company may extend the initiation date of FRS to the Customer based on delays that the Company experiences in arranging for the special.

5.2 FRS Ordering and Requirements

FRS must be made by the Customer in writing. In addition, the Company shall assess a per-element installation/change.

A minimum of two FRS connections is required for data to be transported between Customer designated premises.

5.2.1 Acceptance Testing

At the Customer's request, the Company will, at no additional charge, cooperatively test at the time of installation.

5.3 Rate Categories, Regulations

This section contains the specific categories and regulations governing the rates and charges for FRS.

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5.3.1 Frame Relay Connection

The FRAC rate element recovers the cost associated with the communication path between the end user's premises and the company frame relay switch. It consists of an end-user interface port (EUP) to the Company's network and a bundled access line. One FRAC charge applies per customer designated premises at which the FRS connection is terminated. This applies even if the customer designated premises and the frame relay switch are collocated. A Customer may order a port-only EUP service.

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Section 5 – Other Services (Continued)

5.3 Rate Categories, Regulations (Continued)

5.3.1Frame Relay Connection (Continued)

5.3.1.1 Frame Relay Inter-Network Connection

The FRIC rate element recovers the costs associated with the communication path between the access Customer's (e.g., other common carrier, ILEC or IXC) customer designated premises and the frame relay switch.

FRIC includes the physical transmission facility between the Customer designated premises and the frame relay switch per any interoffice transport that may apply, and the inter-network customer port (ICP) on the frame relay switch. One FRIC charge applies per Customer designated premises at which the FRS connection is terminated and applies even if the Customer designated premises and the frame relay switch are collocated. A Customer may order only an Inter-network Customer Port to interface between the frame relay switch network and another network provided by another common carrier which would be dedicated to a single Customer.

5.3.2 Frame Relay Port Charges

5.3.2.1 End-User Port (EUP) charge is applied as a discreet rate element in conjunction with jointly-provided Special Access Service and is in addition to other applicable rates and charges identified in Section 6 of this Tariff. The EUP is the physical location in the Company's switch office where the transport facility of the end-user Customer connects to the FRS network. It specifies how a frame relay switch sends and receives data from a frame relay end-user Customer LAN or compatible Customer premises equipment. The end-user Customer must specify the appropriate speed so as to match the port and the associated transport facility.

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5.3.2.2 Inter-network Customer Port (ICP) charge is applied as a discreet rate element in conjunction with jointly-provided Special Access Service and is in addition to other applicable rates and charges this Section of this tariff. The ICP is the physical network-to-network interface location where the transport facility of the access Customer connects to the Company's frame relay switch network.

The access Customer must specify the appropriate speed so as to match the port and the associated transport facility.

5.3.3 Permanent Virtual Connection (PVC)

A PVC is a software defined link between two frame relay ports based on Customer specified Committed Information Rate (CIR). The CIR is a transmission speed specified by the Customer ranging from 64 Kbps to 44.736 Mbps. Customers will be provided with the capacity to transmit a speeds up to two times the CIR with no guarantee of completion. Customer may order multiple PVCs on a given port subject to switch limitations. Customers anticipating non-simultaneous transmission may order CIRs assigned to these multiple PVCs, the sum of which may theoretically exceed the actual throughput of the port. However, when simultaneous transmission of multiple PVCs occurs, the total of the transmission rate (CIRs) may not exceed the actual throughput of the port.

A Standard Permanent Virtual Connection (SPVC) establishes a communications path between two ports within the Company's frame relay switch network.

An Extended Permanent Virtual Connection (EPVC) establishes a communications path between two ports on two interconnected (network-to-network) frame relay networks.

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5.3.4 Rates and Charge Types

The two types of rates and charges include monthly rates and nonrecurring or One-time rates, as described below:

- 5.3.4.1 <u>Monthly Rates</u>: A recurring rate or rates that apply each month or raction thereof that a FRS is provided. Each month is considered to have 30 days.
- 5.3.4.2 <u>Norrecurring Rates</u>: One-time charges that apply to a specific work activity (e.g., installation, moves, changes, etc.) for frame relay service.
 - (a) Installation of Services include nonrecurring charges for FRAC, FRIC, SPVC, EPVC and Port Only. These charges apply per item installed based on the speed of connection ordered by the Customer.
 - (b) Service Rearrangements/Moves are changes or moves to in-place service(s). A Rearrangement Charge will be applied whenever a change is made to the CIR of an existing SPVC or EPVC or the port destination of the PVC.
 - (c) Administrative Changes will be made without charge for such items as account number changes, billing name, address, contact information, circuit ID, and jurisdiction change.

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Section 5 – Other Services (Continued)

5.3.5 FRS Minimum Period

The minimum period for FRS is one month and the full monthly rate will apply for the first month. Adjustments for quantities of Frame Relay Serv ces established or discontinued in any billing period beyond the minimum period may be made by written order to the Company.

The minimum FRS period for discounted rates (where service is provided at a discount of the full rate for a specified 12, 24, 36 or 60 month term) shall be twelve (12) months.

5.3.6 Term Discount Plans

A discounted rate per month may be ordered for FRAS when the term is 12 months (1 year), 24 months (2 years), 36 months (3 years) or 60 months (5 years). The rates are shown in Section 6. The minimum period for Term Discount Plans is twelve (12) months. Should the Customer choose to discontinue a Term Discount Plan prior to the completion of the minimum service period, discontinuance charges shall apply

53.7 Tariff Rate Application

When FRS is jointly provided, each provider shall bill and apply its access tariff and regulations.

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5.4 Frame Relay Service Rates

| | Port Speed | PVC Charge | CIR 16K | CIR 56K | CIR 128K | CIR 256K |
|----|---------------|---------------|-------------------|------------|-------------|-------------|
| 1 | 56K / 64K | \$177 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 2 | 112K / 128K | \$348 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 3 | 168K / 192K | \$384 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 4 | 224K / 256K | \$421 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 5 | 280K / 320K | \$530 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 6 | 336K / 384K | \$631 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 7 | 392K / 448K | \$714 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 8 | 448K / 512K | \$798 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 9 | 504K / 576K | \$854 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 10 | 560K / 640K | \$910 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 11 | 616K / 704K | \$966 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 12 | 672K / 768K | \$1,023 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 13 | 728K / 832K | \$1,086 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 14 | 784K / 896K | \$1,150 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 15 | 840K / 960K | \$1,213 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 16 | 896K / 1024K | \$1,276 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 17 | 952K / 1088K | \$1,318 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 18 | 1008K / 1152K | \$1,359 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 19 | 1064K / 1216K | \$1,401 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 20 | 1120K / 1280K | \$1,442 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 21 | 1176K / 1344K | \$1,484 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 22 | 1232K / 1408K | \$1,526 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 23 | 1288K / 1472K | \$1,567 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 24 | 1344K / 1536K | \$1,610 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |
| 25 | 45Mbps / DS3 | \$3,209 | \$13.44 | \$47.04 | \$107.52 | \$215.04 |

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| Term Discounts: | <u>Month</u> <u>To</u> <u>Month</u> | <u>l yr.</u> | <u>2 yr.</u> | <u>3 yr.</u> | <u>5 yr.</u> |
|-----------------|---|--------------|--------------|--------------|--------------|
| | 0 | 2% | 4% | 7% | 9% |

5.4.1 Frame Relay Install/Change

Per Element (FRIC, FRAU, etc.)

| 56 Kbps | \$152.00 |
|-------------|----------|
| 64 Kbps | \$152.00 |
| 1.544 Mbps | \$175.00 |
| 44.736 Mbps | \$439.00 |

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