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March 31, 2002

Commonwealth of Kentucky Public Service Commission 211 Sower Boulevard PO Box 615 Frankfort, KY 40602-0615

RE: TOTALink of Kentucky, LLC c/o Utilicom Network LLC 124 Grove Street, Suite 220 Franklin, MA 02038-3159

Dear Director:

TOTALink of Kentucky, LLC is a non-operating company which has never had revenues nor employees, and that is registered in your state.

Please advise us as to the proper procedure to dissolve the company and cease our registration.

Very truly yours,

Michael Shuipis

Vice President and Controller Utilicom Networks LLC

> 124 Grove Street • Suite 220 • Franklin, Massachusetts 02038-3195 Phone: (508) 553-7000 • Fax: (508) 553-7100 • www.utilicomnetworks.com

TOTALink of Kentucky, LLC

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1 Title Page – Section 4

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

# TOTALINK OF KENTUCKY, LLC

# REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES

## APPLYING TO COMPETITIVE LOCAL EXCHANGE

#### TELECOMMUNICATIONS SERVICES

#### WITHIN THE STATE OF KENTUCKY

This tariff applies to the telecommunications service furnished by TOTALink of Kentucky, LLC ("TOTALink") between one or more points in 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 Carrier's principal place of business, 124 Grove Street, Suite 220, Franklin, MA 02038.

PUBLIC SERVICE COMMISSION OF KENTUCKY	
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Effective:

JUL 10 2000

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

Issued:

Issued by:

Michael Angi - President TOTALINK OF KENTUCKY LLC 124 Grove Street, Suite 220 Franklin, MA 02038

### CHECK SHEET

Sheets 1 through 167 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 sheet.

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# EXPLANATION OF SYMBOLS

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

- C To signify changed listing, rules or condition which may affect rates or charges.
- D To signify discontinued material, including listing, rates, rules or condition.
- I To signify an increase.
- M To signify material relocated from one page to another.
- N To signify new materials including listing, rate, rule or condition.
- R To signify reduction.
- T To signify a change in working of text but no change in rate, rule or condition.

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## TARIFF FORMAT

- A. <u>Sheet Numbering</u> Sheet numbers appear in the upper right corner of the page. 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 10 and 11 would be 10.1.
- B. <u>Sheet Revision Numbers</u> Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet revision on file with the Commission. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc., the Commission 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 h gher level:

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

D. <u>Check Sheets</u> - When a tariff filing is made with the Commission, an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new 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 there are only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages). The tariff user should rever to the latest check sheet to find out if a particular sheet is the most current on file with the Commission.

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### **APPLICATION OF TARIFF**

This tariff sets forth the service offering:, rates, terms and conditions applicable to the furnishing of intrastate communications services by TOTALink of Kentucky, LLC within the State of Kentucky.

The services offered under this tariff are available only to the extent that services and facilities are available. Services provided her under are used by the Customer for the purpose of originating and terminating intrastate communications between points within the State of Kentucky to complete an end-to-end intrastate local telecommunications. TOTALink of Kentucky, LLC, offers other services under other tariffs or, in the case of unregulated services, under contract.

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		BY: <u>Stephand</u> Buy SECRETARY OF THE COMMISSION

## Section 1 - DEFINITIONS

Certain terms used generally throughout this tariff are defined below.

Advance Payment : Part or all of a payment required before the start of service.

<u>Authorized User</u>: A person, f.m., corporation, or any other entity authorized by the Customer to communicate utilizing the carrier's service.

<u>Automatic Busy Redial</u>: Permits a user to activate redial of last number dialed if busy, sometimes known as "Continuous Redial."

<u>Automatic Call Back</u>: Permits a user to activate redial of the last incoming call, sometimes referred to as "Last Call Return."

Basic Service Area: Kentucky.

Bit: The smallest unit of information in the binary system of notation.

<u>Call Back/Camp On</u>: Permits a station line encountering an all-trunk-busy condition the option of being notified when a trunk becomes idle.

<u>Call Forwarding</u>: Permits calls to be directed to a different number if original terminating number is busy or after a specified number of seconds of ring time if call is unanswered.

<u>Call Forwarding Station</u>: Allows calls directed to a station line to be routed to a user defined line inside or outside the customer's Multi-Station System.

<u>Call Forwarding System</u>: Permits calls attempting to terminate to a busy station line to be re-directed to a predetermined line inside or outside the customer's Multi-Station System.

<u>Call Hold</u>: Allows the user to hold one call for any length of time provided that neither party goes on-hook.

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## Section 1 - <u>DEFINITIONS</u> (Continued)

<u>Call Park</u>: Allows a station line to park a call against its own line number. The parked call can be retrieved from any station line by dialing a feature code and the line number against which the call is parked.

<u>Call Pickup</u>: Allows a station line to answer incoming calls to another station line within a defined call pickup group. Call pickup is provided on individual station lines within a customer group.

<u>Call Screening</u>: Allows the user to block calls from certain telephone numbers. The user can also block incoming calls from the last calling number even if the number is unknown.

<u>Call Transfer</u>: Allows a station line user to transfer any established call to another station line inside or outside the sustomer group without the assistance of the attendant.

<u>Call Waiting</u>: Permits a line in the talking State to be alerted by a tone when another call is attempting to complete to the line. Audible ringing is returned to the originating line. The Service also provides a hold feature that is activated by a switchhook flash.

<u>Communications Services</u>: The Company's intrastate toll and local Exchange switched telephone services offered for both intraLATA and interLATA use.

Company or TOTALink: TOTALink of Kentucky, LLC, the issuer of this tariff.

<u>Customer</u>: The person, firm o<sup>w</sup> corporation which orders service and is responsible for the payment of charges and compliance with the Company's regulations.

Commission: Refers to the Kentucky Public Service Commission.

Dial Pulse (or "DP"): The pulse type employed by rotary dial station sets.

<u>Direct Inward Dial (or "DID")</u>: A service attribute that routes incoming calls directly to stations, bypassing a central answering point.

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SECTION 9 (1) BY: <u>Stephan</u> BU SECRETARY OF THE COMMISSION

#### Section 1 - DEFINITIONS (Continued)

Direct Outward Dial (or "DOD"): A service attribute that allows individual station users to access and dial outside numbers directly.

Do Not Disturb : Permits the attendant to cut off a single station line and selected groups of station lines from receiving incoming and station-to-station calls.

Dual Tone Multi-Frequency (or "DTMF"): The pulse type employed by tone dial station sets.

Service which provides for simultaneous transmission in both Duplex Service : directions.

Facilities: Equipment and/or machinery owned or leased by the Company, or utilized by a wholesaler in providing the service that the Company resells to provide services described in this tariff.

Hunting: Routes a call to an idle station line in a prearranged group when the called station line is busy.

In-Only: A service attribute that restricts outward dial access and routes incoming calls to a designated answer point.

Kbps: Kilobits per second, denotes thousands of bits per second.

Last Number Redial : Enables a station line user to redial the last called number by use of an access code rather than dia ing the entire number.

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SECRETARY OF THE COMMISSION

#### Section 1 - <u>**DEFINITIONS</u>** (Continued)</u>

<u>LATA</u>: A Local Access and Transport Area established pursuant to the Modification of Final Judgment entered by the United States District Court for the District of Columbia in Civil Action No. 82-0192; or any other geographic area designated as a LATA in the National Exchange Carrier Association, Inc. Tariff F.C.C. No. 4.

<u>Loop Start</u>: Describes the signal ng between the terminal equipment or PBX/key system interface and the switch. It is the signal requesting service.

Mbps: Megabits, denotes millions of bits per second.

<u>Multi-Frequency</u> or ("MF"): An inter-machine pulse-type used for signaling between telephone company switches, or between telephone company switches and PBX/key systems.

<u>Port</u> A connection to the Company's switching network with one or more voice grade communications channels, each with a unique network address (telephone number) dedicated to the customer. Each port is equipped with a Terminal Interface.

<u>Recurring Charges</u>: The monthly charges to the Customer for services, facilities and equipment, which continue for the agreed upon duration of the service.

<u>Service Commencement Date</u>: The first day following the date on which the Company notifies the Customer that the requested service or facility is available for use, unless extended by the Customer's refusal to accept service which does not conform to standards set forth in the Service Order or this tariff, in which case the Service Commencement Date is the date of the Customer's acceptance. The Company and Customer may mutually agree on a substitute Service Commencement Date.

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#### Section 1 - <u>DEFINITIONS</u> (Continued)

<u>Service Order</u>: The request for Network Services executed by the Customer and the Company in the format devised by the Company. The signing of a Service Order by the Customer and acceptance by the Company initiates the respective obligations of the parties as set forth therein and pursuant to this tariff, but the duration of the service is calculated from the Service Commencement Date.

<u>Shared</u>: A facility or equipment system or subsystem that can be used simultaneously by several Customers.

<u>Speed Calling</u>: Permits a station line user to dial selected numbers by using fewer digits than normally required. This is accomplished through the assignment of abbreviated codes to frequently called numbers. The speed-calling list is customer-changeable.

<u>System</u> - Allows shared use of a speed-calling list. A control station will add, change or delete telephone numbers from the list for the group.

<u>Station</u> - Allows a station line user to add, change or delete telephone numbers from a list. The list is dedicated to the individual station line user.

<u>Three-Way Calling</u>: Allows a station line user to add a third party to an existing conversation.

<u>Two Way</u>: A service attribute that includes DOD for outbound calls and can also be used to carry inbound calls to a contral point for further processing.

<u>User</u>: A Customer, Joint User, or any other person authorized by a Customer to use service provided under this tariff

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BY: <u>Stephanh</u>) ISW

SECTION 9 (1)

#### Section 2 - RULES AND REGULATIONS

#### 2.1 Undertaking of the Company

2.1.1 Scope

The Company undertakes to furnish intrastate local exchange and long distance telecommunications service pursuant to the terms of this tariff in connection with one-way and/or two-way voice, data and other types of transmissions between points within the State.

Customers and users may use services and facilities provided under this tariff to obtain access to services offered by other service providers. The Company is responsible under this tariff only for the services and facilities provided hereunder, and it assumes no responsibility for any service provided by any other entity that purchases access to the Company's network in order to originate or terminate its own services, or to communicate with its own customers.

The Company's obligation to furnish service under this tariff is dependent upon the availability of Company facilities.

#### 2.1.2 Shortage of Equipment or Facilities

- 2.1.2.1 The Company reserves the right to limit or to allocate the use of existing facilities by the company when necessary because of lack of facilities, or due to some other cause beyond the Company's control.
- 2.1.2.2 The furnishing of service under this tariff is subject to the availability on a continuing basis of all the necessary facilities and is limited to the capacity of the facilities the Company may obtain from other carriers to furnish service from time to time as required at the sole discretion of the Company.

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## Section 2 - RULES AND REGULATIONS (Continued)

#### 2.1 Undertaking of the Company (Continued)

#### 2.1.3 Terms and Conditions

2.1.3.1 Service is provided on the basis of a minimum period of at least one month, 24-hours per day. For the purpose of computing charges in this tariff, a month is considered to have 30 days.

If a customer disconnects service before the end of the minimum servie period, that customer is responsible for paying the regular rates for the remainder of the minimum service period. When the service is moved within the same building, to another building on the same premises, or to a different premises entirely, the period of service at each location is accumulated to calculate if the customer has met the minimum period of service obligation.

If service is terminated before the end of the minimum period of service as a result of condemnation of property, damage to property requiring the premises to be abandoned, or by the death of the customer, the customer is not obligated to pay for service for the remainder of the minimum period.

If service is switched over to a new customer at the same premises after the first month's service, the minimum period of service requirements are assigned to the new customer if the new customer agrees in writing to accept them. For facilities not taken over by the new customer, the original customer is responsible for the remaining payment for the minimum service period in accordance with the terms under which the service was originally furnished.

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## Section 2 - RULES AND REGULATIONS (Continued)

- 2.1 Undertaking of the Company (Continued)
  - 2.1.3 Terms and Conditions (Continued)
    - 2.1.3.2 Customers may be required to enter into written service orders which shall contain or reference a specific description of the service ordered, the rates to be charged, the duration of the services, and the terms and conditions in this tariff. Customer may also be required to execute any other documents as may be reasonably requested by the Company.
    - 2.1.3.3 At the expiration of the initial term of the contract period specified in each Service Order, or in any extension thereof, service shall continue on a month-to-month basis at the then current rates unless terminated by either party upor thirty (30) days' written notice. Any termination shall not relieve Customer of its obligation to pay any charges incurred under the service order and this tariff prior to termination. The rights and obligations, which by their nature extend beyond the termination of the term of the service order shall survive such termination.

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# Section 2 - RULES AND REGULATIONS (Continued)

- 2.1 <u>Undertaking of the Company</u> (Continued)
  - 2.1.3 Terms and Conditions (Continued)
    - 2.1.3.4 In any action between the parties to enforce any provision of this tariff, the prevailing party shall be entitled to recover its legal fees and court costs from the non-prevailing party in addition to other relief a court may award.

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#### Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

- 2.1 Undertaking of the Company (Continued)
  - 2.1.4 Liability of the Company
    - 2.1.4.1 Except where provided otherwise by applicable laws, rules, policies and regulations of the State of Kentucky or the Commission, the liability of the Company for damages arising out of the furnishing of its Services, including but not limited to mistakes, omissions, interruptions, delays, or errors, or other defects, representations, or use of these services or arising out of the failure to furnish the service, whether caused by acts or omission, shall be limited to the extension of allowances for interruption as set forth in this tariff. The extension of such allowances for interruption shal be the sole remedy of the Customer and the sole liability of the Company. To the extent permitted by state and federal law, the Company will not be liable for any direct, indirect, incidental, special, consequential, exemplary or punitive damages to Customer as a result of any Company service, equipment or facilities, or the acts or omissions or neg igence of the Company's employees or agents.
    - 2.1.4.2 The Company shall not be liable for any delay or failure of performance or equipment due to causes beyond its control, including but not limited to: acts of God, fire, flood, explosion or other catastrophes; any law, order, regulation, direction, action, or request of any military authority; national emergencies; insurrections; riots; wars; or strikes, lock-outs, work stoppages, or other labor difficulties.

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#### Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

- 2.1 Undertaking of the Company (Continued)
  - 2.1.4 Liability of the Company (Continued)
    - 2.1.4.3 The Company shall not be liable for any act or omission of any entity furnishing to the Company or to the Company's Customers facilities, or equipment or services used for, with, or in connection to the services the Company offers
    - 2.1.4.4 The Company shall not be liable for any damages or losses due to the fault or negligence of the Customer or due to the failure or malfunction of Customer-provided equipment or facilities.
    - 2.1.4.5 The Company does not guarantee nor make any warranty with respect to installations provided for use in an explosive atmosphere. The Customer indemnifies and holds the Company harmless from any and all loss, claims, demands, suits, or other action, or any liability whatsoever, whether suffered, made, instituted, or asserted by any other party or person(s), and for any loss, damage, or destruction of any property, whether owned by the Customer or others, 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 installation so provided. The Company reserves the right to require each Customer to sign an agreement acknowledging acceptance of the provisions of this section 2.1.4.5 as a condition precedent to such installations.

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### Section 2 - RULES AND REGULATIONS (Continued)

- 2.1 Undertaking of the Company (Continued)
  - 2.1.4 Liability of the Company (Continued)
    - 2.1.4.6 The Company is not liable for any defacement of or damage to Customer premises resulting from the furnishing of services or equipment on such premises or the installation or removal thereof, unless such defacement or damage is caused by negligence or willful misconduct of the Company's agents or employees.
    - 2.1.4.7 The Company is not liable for any claims for loss or damages involving:
      - (a) Breach in the privacy or security of communications transmitted over the Company's facilities;
      - (b) Injury to property or injury or death to persons, including claims for payments made under Workmen's Compensation law or under any plan for employee disability or death benefits arising out of, or caused by, any act or omission of the Customer, or the construction, installation, maintenance, presence, use or removal of the Customer's facilities or equipment connected or to be connected to the Company's facilities;
      - (c) Any representations made by Company employees which relate to matters that are beyond the scope of their employment that do not comport, c: that are inconsistent, with the provisions of this tariff;
      - (d) Any act or omission in connection with the provision of 911, E911 or similar services of an emergency or related service;
      - (e) Any non-completion of calls due to network busies conditions.

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### Section 2 - RULES (ND REGULATIONS (Continued)

- 2.1 Undertaking of the Company (Continued)
  - 2.1.4 Liability of the Company (Continued)
    - 2.1.4.8 The Company shall be indemnified, defended, and held harmless by the Customer agains: any claim, loss, or damage arising from Customer's use of services, involving claims for libel, slander, invasion of privacy, or infringement of copyright arising from the Customer's own communications
    - 2.1.4.9 The Company shall be indemnified, defended and held harmless by the Customer, end user or third party from and against, to the extent not caused by the Company, any and all claims, loss, demands, suits, expense, or other action or any liability whatsoever, including attorney fees, whether suffered, made, instituted, or asserted by the Customer or by any other party, for any personal injury to or death of any person or persons, and fer any loss, damage or destruction of any property, including environmental contamination, whether owned by the Customer or by any other party, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, presence, condition, location, use or removal of any Company or Customer equipment or facilities or service provided by the Company.

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### Section 2 - RULES AND REGULATIONS (Continued)

- 2.1 Undertaking of the Company (Continued)
  - 2.1.4 Liability of the Company (Continued)
    - 2.1.4.10 The Company assumes no responsibility for the availability or performance of any cable or satellite systems or similar related facilities under the control of other entities, or for other facilities provided by other entities used for service to the Customer, even if the Company has acted as the Customer's agent in arranging for such facilities or services. Such facilities are provided subject to such degree of protection or non-preemptibility as may be provided by the other entities.
    - 2.1.4.11 Any claim of whatever nature against the Company shall be deemed conclusively to have been waived unless presented in writing to the Company within a reasonable time, not to exceed any time required by the laws, rules and policies of the State of Kentucky or the Commission, after the date of the occurrence that gave rise to the claim.
    - 2.1.4.12 The liability of the Company for errors in billing that result in overpayment by the Customer shall be limited to credit equal to the total overcharged and plus accrued interest as that might be required by the laws, rules and policies of the State of Kentucky or the Commission or, in the event that payment has been made and service has been discontinued, to a refund of the amount erroneously billed.

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# Section 2 - <u>RULES ND REGULATIONS</u> (Continued)

- 2.1 <u>Undertaking of the Company</u> (Continued)
  - 2.1.4 Liability of the Company (Continued)
    - 2.1.4.13 The entire liability for any claim, loss, damage or expense from any cause whatsoever shall in no event exceed the credit allowances set forth in section 2.6 of this tariff.
    - 2.1.4.14 THE COMPANY MAKES NO WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE, EXCEPT THOSE EXPRESSLY SET FORTH HEREIN.

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#### Section 2 - RULES AND REGULATIONS (Continued)

#### 2.1 Undertaking of the Company (Continued)

2.1.5 Notification of Service-Arfecting Activities

The Company will attempt to reasonably provide the Customer reasonable notification of service-affecting activities that may occur in normal operation of its business. Such activities may include, but are not limited to, equipment or facilities additions, removals or rearrangements and routine preventative maintenance. Generally, such activities are not specific to an individual Customer but affect many Customers' services. No specific advance notification period is applicable to all service activities. The Company will work cooperatively with the Customer to determine the reasonable notification requirements. With some emergency or unp anned service-affecting conditions, such as an outage resulting from cable damage, notification to the Customer may not be possible.

- 2.1.6 Provision of Equipment and Facilities
  - 2.1.6.1 The Company shall use reasonable efforts to make available services to a Customer on or before a particular date, subject to the provisions of and compliance by the Customer with, the regulations contained in this tariff and applicable regulations in the approved tariff of the underlying service provider. The Company does not guarantee availability by any such date and shall not be liable for any delays in commencing service to any Customer.

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## Section 2 - RULES : ND REGULATIONS (Continued)

- 2.1 <u>Undertaking of the Company</u> (Continued)
  - 2.1.6 Provision of Equipment and Facilities (Continued)
    - 2.1.6.2 The Company shall use reasonable efforts to maintain only the facilities that it furnishes to the Customer. The Customer may not, nor may Customer permit others to, rearrange, disconnect, remove, attempt to repair, or otherwise interfere with any of the facilities provided by the Company, except upon the written consent of the Company.
    - 2.1.6.3 The Company may substitute, change or rearrange any facility at any time and from time to time, but shall not thereby alter the technical parameters of the service provided the Customer.
    - 2.1.6.4 The Customer shall be responsible for the payment of service charges as set forth herein for visits by the Company's agents or employees to the Premises of the Customer when the service difficulty or trouble report does not result from equipment, facilities or services provided by the Company.
    - 2.1.6.5 The Company shall not be responsible for the installation, operation, or maintenance of any Customer provided communications equipment. Where such equipment is connected to the facilities furnished pursuant to this tariff, the responsibility of the Company shall be limited to the furnishing of facilities offered under this tariff and to the maintenance and operation of such facilities. Subject to this responsibility, the Company shall not be responsible for:
      - (a) the transmission of signals by Customer provided equipment or for the quality of, or defects in, such transmission; or
      - (b) the reception of signals by Customer-provided equipment.

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## Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

#### 2.2 Prohibited Uses

- 2.2.1 The services the Company offers shall not be used for any unlawful purpose or for any use as to which the Customer has not obtained all required governmental approvals, authorizations, licenses, consents and permits.
- 2.2.2 The Company may require applicants for service who intend to use the Company's offerings for shared use tc file a letter with the Company confirming that their use of the Company's offerings complies with relevant laws and Commission regulations, policies, orders, and decisions.
- 2.2.3 The Company may require a Customer to immediately shut down its transmission of signals if said transmission is causing interference to others.
- 2.2.4 A customer, joint user, or authorized user may not assign, or transfer in any manner, the service or any rights associated with the service without the written consent of the Company The Company will permit a Customer to transfer its existing service to another entity if the existing Customer has paid all charges owed to the Company for regulated communications services. Such a transfer will be treated as a disconnection of existing service and installation of new service, and non-recurring installation charges as stated in this tariff will apply.

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## Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

#### 2.3 Obligations of the Customer

#### 2.3.1 General

The Customer shall be responsible for:

- (a) the payment of all applicable charges pursuant to this tariff;
- (b) damage to or 1:ss of the Company's facilities caused by the acts or omissions of the Customer; or the noncompliance by the Customer, with these regulations; or by fire or theft or other casualty on the Customer Premises, unless caused by the negligence or willful misconduct of the employees or agents of the Company;
- (c) providing at no charge, as specified from time to time by the Company, any needed personnel, space and power to operate Company facilities and installed on the premises of the Customer Premises, and the level of heating and air conditioning necessary to maintain the proper operating environment on such premises;
- (d) obtaining, maintaining, and otherwise having full responsibility for all rights-of-way and conduit necessary for installation of fiber optic cable and associated equipment used to provide Communications Services to the Customer from the cable building entrance or property line to the location of the equipment space described in 2.3.1(c). Any and all costs associated with the obtaining and maintaining the rights-of-way described herein, including the costs of altering the structure to permit installation of the Company-provided facilities, shall be borne entirely by, or may be charged by the Company to, the Customer. The Company may require the Customer to demonstrate its compliance with this section prior to accepting an order for service;

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## Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

- 2.3 <u>Obligations of the Customer</u> (Continued)
  - 2.3.1 General (Continued)
    - (e) providing a safe place to work and complying with all laws and regulations regarding the working conditions on the premises at which Company employees and agents shall be installing or maintaining the Company's facilities. The Customer may be required to install and maintain Company facilities within a hazardous area if, in the Company's opinion, injury of damage to the Company employees or property might result from installation or maintenance by the Company. The Customer shall be responsible for identifying, monitoring, removing and disposing of any hazardous material (e.g. friable asbestos) prior to any construction or installation work;
    - (f) complying with all laws and regulations applicable to, and obtaining all consents, approvals, licenses and permits as may be required with respect to, the location of Company facilities in any Customer premises or the rights-of-way for which Customer is responsible under Section 2.3.1(d); and granting or obtaining permission for Company agents or employees to enter the premises of the Customer at any time for the purpose of installing, inspecting, maintaining, repairing, or upon termination of service as stated therein, removing the facilities of the Company;
    - (g) not creating or allowing to be placed any liens or other encumbrances on the Company's facilities; and
    - (h) making Compary facilities available periodically for maintenance purposes at a time agreeable to both the Company and the Customer. No allowance will be made for the period during which service is interrupted for such purposes.

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## 2.3 Obligations of the Customer (Continued)

- 2.3.1 General (Continued)
  - (i) The customer shall be responsible for making arrangements or obtaining permission for safe and reasonable access for Company employees or agents of the Company to enter the premises of the customer or any joint user or customer of the customer at any reasonable hour for the purpose of inspecting, repairing, testing or removing any part of the Company's facilities.

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# Section 2 - RULES AND REGULATIONS (Continued)

## 2.3 Obligations of the Customer (Continued)

2.3.2 Claims

With respect to any service or facility provided by the Company, Customer shall indemnify, defend and hold harmless the Company from and against all claims, actions, damages, liabilities, costs and expenses, including reasonable attorneys' fees for:

- (a) any loss, destruction or damage to property of the Company or any third party, or the death or injury to persons, including, but not limited to, employees or invites of either party, to the extent caused by or resulting from the negligent or intentional act or omission of the Customer, its employees, agents, representatives or invites; or
- (b) any claim, loss. damage, expense or liability for infringement of any copyright, patent, trade secret, or any proprietary or intellectual property right of any third party, arising from any act or omission by the Customer, including, without limitation, use of the Company's services and facilities in a manner not contemplated by the agreement between Customer and Company.

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## Section 2 - RULES AND REGULATIONS (Continued)

#### 2.4 Customer Equipment and Channels

#### 2.4.1 General

A User may transmit or receive information or signals via the facilities of the Company. The Company's services are designed primarily for the transmission of voice-grade telephonic signals, except as otherwise stated in this tariff. A User may transmit any form of signal that is compatible with the Company's facilities, but the Company does not guarantee that its services will be suitable for purposes other than voice-grade telephonic communication except as specifically stated in this tariff. A User's ability to connect equipment or facilities to the Company's facilities is subject to a y restrictions set forth in the approved tariff of the underlying service provider.

#### 2.4.2 Station Equipment

- 2.4.2.1 Terminal equipment on the User's Premises and the electric power consumed by such equipment shall be provided by and maintained at the expense of the User. The User is responsible for the provision of wiring or cable to connect its terminal equipment to the Company Point of Connection.
- 2.4.2.2 The Customer is responsible for ensuring that Customer-provided equipment connected to Company facilities is compatible with such facilities. The magnitude and character of the voltages and currents impressed on Company-provided equipment and wiring by the connection, operation, or maintenance of such equipment and wiring shall be such as not to cause damage to the Company-provided equipment and wiring or injury to the Company's employees or to other persons. Any additional protective equipment required to prevent such damage or injury shall be provided by the Company at the Customer's expense.

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## Section 2 - RULES AND REGULATIONS (Continued)

- 2.4 Customer Equipment and Channels (Continued)
  - 2.4.3 Interconnection of Facilities
    - 2.4.3.1 Any special interface equipment necessary to achieve compatibility between the facilities of the Company used for furnishing Communications Services and the channels, facilities, or equipment of others shall be provided at the Customer's expense.
    - 2.4.3.2 Communication: Services may be connected to the services or facilities of other communications carriers only when authorized by, and in accordance with the terms and conditions of the tariffs of the other communications carriers which are applicable to such connections.
    - 2.4.3.3 Facilities furnished under this tariff may be connected to customer provided terminal equipment in accordance with the provisions of this tariff. All such terminal equipment shall be registered by the Federal Communications Commission pursuant to Part 68 of Title 47, Code of Federal Regulations; and all User-provided wiring shall be installed and maintained in compliance with those regulations.
    - 2.4.3.4 Users may interconnect communications facilities that are used in whole or in part for interstate communications to services provided under this tariff only to the extent that the user is an "end user" as defined in Section 69.2(m), Title 47, Code of Federal Regulations. This restriction does not apply to Trunk-Side Access Feature Group D Access Service.

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## Section 2 - RULES AND REGULATIONS (Continued)

2.4 Customer Equipment and Channe's (Continued)

#### 2.4.4 Inspections

- 2.4.4.1 Upon suitable notification to the Customer, and at a reasonable time, the Company may make such tests and inspections as may be necessary to determine that the Customer is complying with the requirements set forth in Section 2.4.2.2 for the installation, operation, and maintenance of Customer-provided facilities in the connection of Customer-provided facilities and equipment to Company-owned facilities.
- 2.4.4.2 If the protective requirements for Customer-provided equipment are not being complied with, the Company may take such action as it deems necessary to protect its facilities, and personnel. The Company will notify the Customer promptly if there is any need for further corrective action. Within ten days of receiving this notice, the Customer must take this corrective action and notify the Company of the action taken. If the Customer fails to do this, the Company may take whatever additional action is deemed necessary, including the suspension of service, to protect its facilities, and personnel from harm.

#### 2.5 Payment Arrangements

#### 2.5.1 Payment for Service

The Customer is responsible for the payment of all charges for facilities and services furnished by the Company to the Customer and to all Users authorized by the Customer, regardless of whether those services are used by the Customer itself or are shared with other persons.

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## Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

- 2.5 Payment Arrangements (Continued)
  - 2.5.2 Billing and Collection of Charges
    - 2.5.2.1 Non-recurring charges are due and payable by the due date specified on the invoice mailed to the Customer by the Company. Customers should mail payments to Carrier at the following address: TOTALink of Kentucky, LLC, 124 Grove Street, Suite 220, Franklin, MA 02038. In the case of local residential service, the Company will offer the subscriber the option of deferred payments of installation charges over a period of three (3) months.
    - 2.5.2.2 With the Company's approval, the Customer may elect to make payments to the Company for charges for facilities and services furnished by the Company using the following credit/debit cards: Visa, MasterCard, American Express or Discover. The election to pay for services rendered by credit/debit card must be made when the Customer initially applies for service.
    - 2.5.2.3 The Company shall present invoices for Recurring Charges monthly to the Customer, in advance of the month in which service is provided, and Recurring Charg:s shall be due and payable within 30 days after the invoice is mailed
    - 2.5.2.4 When service does not begin on the first day of the month, or end on the last day of the month, the charge for the fraction of the month in which service was furnished will be calculated on a pro rata basis. For this purpose, every month is considered to have 30 days.

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## Section 2 - RULES AND REGULATIONS (Continued)

- 2.5 Payment Arrangements (Continued)
  - 2.5.2 Billing and Collection of Charges (Continued)
    - 2.5.2.5 Billing of the Customer by the Company will begin on the Service Commencement Date, which is the date on which the Company notifies the Customer that the service or facility is available for use, except that the Service Commencement Date may be postponed by mutual agreement of the parties, or if the service or facility does not conform to standards set for the in this tariff or the Service Order. Billing accrues through and includes the day that the service, circuit, arrangement or

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## Section 2 - <u>RULES (AND REGULATIONS</u> (Continued)

- 2.5 Payment Arrangements (Continued)
  - 2.5.2 Billing and Collection of Charges (Continued)

2.5.2.5 (Continued)

component is discontinued.

2.5.2.6 If any portion of the payment is received by the Company after the date due, or if any portion of the payment is received by the Company in funds, which are not immediately available, then a late payment penalty shall be due to the Company. The late payment penalty shall be the portion of the payment not received by the date due, multiplied by a late factor of 1.5% or the maximum rate allowed by law. Any payment received shall first be applied to the bill service rendered. The late payment penalty shall not apply to a previously charged late payment fee. Additional penalty charges shall not be assessed on unpaid penalty charges.

Return Check Charge:

\$15.00

\*The Company does reserve the right to waive the return check charge based on an individual case basis.

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#### Section 2 - RULES AND REGULATIONS (Continued)

#### 2.5 Payment Arrangements (Continued)

#### 2.5.3 Advance Payments

To safeguard its interests, the Company may require a Customer to make an advance payment before services and facilities are furnished. The advance payment will not exceed an amount equal to the non-recurring charge(s) and one month's charges for the service or facility. The advance payment will be credited to the Customer's initial bill. An advance payment may be required in addition to a deposit.

#### 2.5.4 Deposits

Subject to special provisions as may be set forth below and in Section 2.5.4.1 2.6 of this Tariff, any applicant or customer whose financial responsibility is not established to the satisfaction of the Company may be required to deposit a sum not to exceed 2/12ths (two twelfths) of the total of annual estimated local service charges. If the minimum period of service for the requested facilities and service is more than one (1) month as specified in this Tariff, the Customer may also be required to deposit a sum up to an amount equal to the total charges for service for the minimum service period, not to exceed an amount equal to two (2) months' estimated charges less any connection charges paid by the customer. The fact that a deposit has been made shall in no way relieve the Applicant or Customer from complying with the Tariff regulations for the prompt payment of bills on presentation. The Applicant from who a deposit is collected will be given a Certificate of Deposit and circular containing the terms and conditions applicable to deposits in accordance with the rules and regulations of the Commission pertaining to Customer deposits.

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## Section 2 - RULES AND REGULATIONS (Continued)

- 2.5 Payment Arrangements (Continued)
  - 2.5.4 Deposits (Continued)
    - 2.5.4.2 A deposit may be required in addition to an advance payment.
    - 2.5.4.3 When a service or facility is discontinued, the amount of a deposit, if any, will be applied to the Customer's account and any credit balance remaining will be refunded. Before the service or facility is discontinued, the Company may, at its option, return the deposit or credit it to the Customer's account. If the amount of the deposit is insufficient to cover the balance due to the Customer's account, the Company retains the right to collect the amount owing after the deposit has been applied.
    - 2.5.4.4 After the Customer has paid invoices for service for twelve (12) consecutive months without having service suspended or terminated and without having paid invoices subsequent to the date due on more than two (2) occasions, the Company will promptly return a deposit plus accrued interest or credit it to the customer's account, provided the customer is not currently delinquent.
    - 2.5.4.5 Deposits held will accrue interest at the rate as specified in both KRS 278.460 and 807 KAR 5:006, Section 7.
    - 2.5.4.6 The Company will maintain a record of each unclaimed deposit and the interest thereon until the funds are paid over to the State Treasurer under the escheat provisions of the Kentucky General Statute.
    - 2.5.4.7 A receipt will be given to each customer when a deposit is received.
    - 2.5.4.8 Deposits will be refunded if a customer loses a receipt.

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## Section 2 - RULES AND REGULATIONS (Continued)

- 2.5 <u>Payment Arrangements</u> (Continued)
  - 2.5.5 Cancellation of Application for Service
    - 2.5.5.1 Applications for service are non-cancelable unless the Company otherwise agrees. Where the Company permits Customer to cancel an application for service prior to the start of service or prior to any special construction, no charges will be imposed except for those specified below.
    - 2.5.5.2 Where, prior to cancellation by the Customer, the Company incurs expenses in installing the service or in preparing to install the service that it otherwise would not have incurred, a charge equal to the costs the Company incurred, less net salvage, shall apply, but in no case shall this charge exceed the sum of the charge for the minimum period of services ordered, including installation charges, and all charges others levy against the Company that would have been chargeable to the Customer had service begun.
    - 2.5.5.3 The special charges described in 2.5.5.1 through 2.5.5.2 will be calculated and applied on a case-by-case basis.

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## Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

#### 2.5 <u>Payment Arrangements</u> (Continued)

#### 2.5.6 Changes in Service Requested

If the Customer makes or requests material changes in circuit engineering, equipment specifications, service parameters, premises locations, or otherwise materially modifies any provision of the application for service, the Customer's installation fee shall be adjusted accordingly.

#### 2.5.7 Surcharges and Taxes

In addition to the rates and charges applicable according to the rules and regulations of this Tariff, various surcharges and taxes may apply to the regulations of this Tariff, various surcharges and taxes may apply to the customer's monthly billing statement. The Customer is responsible for payment of any fees (including franchise and right-of-way fees), charges, surcharges and taxes (however designated)(including without limitation sales, use, gross receipts, excise, access or other taxes but excluding taxes on the Company's net income) imposed by any local, state, or federal government on or based upon the provision, sale or use of Network Services. Fees, charges, and taxes imposed by a city, county, or other political subdivision will be collected only from those Customers receiving service within the boundaries of that subdivision.

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## Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

#### 2.5 Payment Arrangements (Continued)

#### 2.5.7 Surcharges and Taxes (Continued)

If a municipality or political subdivision collects or receives any payment or payments or any telephone service without charge or at reduced rates from the Carrier for or by reason of the use of the streets, alleys or public places of a municipality or political subdivision or for or by reason of the operation of the Carrier's business or any portion or phase thereof in the municipality or political subdivision or by reason of an agreement between the municipality or political subdivision and the Carrier, whether such payments or such service be called a license, occupational, privilege, franchise or inspection tax or fee or otherwise, or whether in a lump sum, or at a flat rate, based on receipts or based on poles, wires, conduits or other facilities or otherwise, the aggregate amount of such payments and such service will be billed, insofar as practical, pro rata to the exchange customers within such municipality or political subdivision, provided, however, the foregoing shall not apply to any such payment or payments or to any such telephone service without charge or at reduced rates during the term of any agreements or arrangement now in effect.

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#### Section 2 - RULES AND REGULATIONS (Continued)

#### 2.6 Allowances for Interruptions in Service

Interruptions in service, which are not due to the gross or willful negligence of the company, or which are not due to the noncompliance with the provisions of this tariff by, the Customer or the operation or malfunction of the facilities, power or equipment provided by the Customer, will be credited to the Customer as set forth in 2.6.1 for the part of the service that the interruption affects.

- 2.6.1 Credit for Interruptions
  - 2.6.1.1 A credit allowarce will be made when an interruption occurs because of a failure of any component furnished by the Company under this tariff. An interruption period begins when the Customer reports a service, facility or circuit to be interrupted and releases it for testing and repair. An interruption period ends when the service, facility or circuit is operative. If the Customer reports a service, facility or circuit to be inoperative but declines to release it for testing and repair, it is considered to be impaired, but not interrupted.
  - 2.6.1.2 For calculating credit allowances, every month is considered to have 30 days. A credit a lowance is applied on a pro rata basis against the rates specified hereunder and is dependent upon the length of the interruption. Only those facilities on the interrupted portion of the circuit will receive a credit.

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## Section 2 - RULES AND REGULATIONS (Continued)

#### 2.6 Allowances for Interruptions in Service (Continued)

- 2.6.1 Credit for Interruptions (Continued)
  - 2.6.1.3 Credit Allowance

A credit allowance will be given for interruptions of 30 minutes or more. Credit allowances shall be calculated as follows:

Interruptions of 24 Hours or Less

Length of Interruption	Interruption Period To Be Credited
Less than 30 minutes	None
30 minutes up to but not including 3 hours	1/10 Day
3 hours up to but not including 6 hours	1/5 Day
6 hours up to but not including 9 hours	2/5 Day
9 hours up to but not including 12 hours	3/5 Day
12 hours up to but not including 15 hours	4/5 Day
15 hours up to but not including 24 hours	One Day

Two or more interruptions of 15 minutes or more during any one 24-hour period shall be considered as one interruption.

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## Section 2 - RULES AND REGULATIONS (Continued)

- 2.6 Allowances for Interruptions in Service (Continued)
  - 2.6.1 Credit for Interruptions (Continued)
    - 2.6.1.3 Credit Allowance (Continued)
      - i. if interruption continues for more than twenty-four (24) hours but less than forty-eight (48) hours, the credit shall be a pro-rata portion of the monthly charge(s) or any and all local services rendered inoperative during the interruption.
      - ii. if interruption continues for more than forty-eight (48) hours but less than seventy-two (72) hours, the credit shall be one-third of one month s charges for any local services rendered inoperative.
        - iii if interruption continues for more than seventy-two (72) hours but less than nonety-six (96) hours, the credit shall be two-thirds of one month's charges for any local services rendered inoperative.
        - iii. if the interruption continues for more than ninety-six (96) hours, the credit shall be one month's charges for any local services rendered in operative.

Two or more interruptions of 15 minutes or more during any one 24-hour period shall be considered as one interruption.

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## Section 2 - RULES AND REGULATIONS (Continued)

#### 2.6 Allowances for Interruptions in Service (Continued)

#### 2.6.2 Limitations on Allowances

- (a) For interexchange (long distance) services, no credit allowance will be made for:
  - i. interruptions due to the negligence of, or noncompliance with the provisions of this tariff by the Customer, authorized user, joint user, or other common carrier providing service connected to the service of the Company;
  - ii. interruptions due to the negligence of any person other than the Company, including but not limited to the Customer or other common carriers connected to the Company's facilities;
  - iii. interruptions due to the failure or malfunction of non-Company equipment;
    - iv. interruptions of service during any period in which the Company is not given full and free access to its facilities and equipment for the purpose of investigating and correcting interruptions;
    - v. interruptions of service during a period in which the Customer continues to use the service on an impaired basis;
    - vi. interruptions of service during any period when the Customer has released service to the Company for maintenance purposes or for implementation of a Customer order for a change in service arrangements; and
    - vii. interruption of service due to circumstances or causes beyond the control of Company.

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## Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

- 2.6 Allowances for Interruptions in Service (Continued)
  - 2.6.2 Limitations on Allowances (Continued)
    - (b) For local exchange services, no credit allowance will be made for:
      - i. interruption due to the negligence of, or willful act on the part of the Customer;
      - ii. interruptions due to the failure or malfunction of Customer-owned equipment, including service connected to customer provided electric power;
      - iii. interruptions of service during any period in which the Company is not given full and free access to the Customer's premise due to the Customer missing a repair appointment; and
      - iv. interruptions of service due to acts of God; military action, war, insurrection, riots or strikes.

## 2.6.3 Cancellation for Service Interruption

Cancellation or termination for service interruption is permitted only if any circuit experiences a single continuous outage of 8 hours or more or cumulative service credits equaling 16 hours in a continuous 12-month period. The right to cancel service under this provision applies only to the single circuit, which has been subject to the outage, or cumulative service credits.

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#### Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

#### 2.7 Use of Customer's Service by Others

#### 2.7.1 Sharing

Any service provided under this tariff may be shared with other persons at the option of Customer, subject to compliance with the tariff of the underlying service provider and any applicable laws or Commission regulations governing such sharing. Customer remains solely responsible for all use of services ordered by it or billed to its telephone number(s) pursuant to this tariff, for determining who is authorized to use its services, and for notifying the Company of any unauthorized use.

#### 2.7.2 Joint Use Arrangements

Joint use agreements will be permitted for all services available for resale and sharing pursuant to this Fariff. From each joint use arrangement, one member will be designated as the Customer responsible for the manner in which the joint use of the service will be allocated. The Company will accept orders to start, rearrange, relocate, or discontinue service only from the Customer. Without affecting the Customer's cltimate responsibility for the payment of all serves, each joint user shall be responsible for the payment of the charges billed to it.

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## Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

#### 2.8 Cancellation of Service

If a Customer cancels a Service Order or terminates services before the completion of the term for any reason whatsoever other than a service interruption (as defined in 2.6.1 above), Customer agrees to pay 10 Company the following sums which shall become due and owing as of the effective date of the cancellation or termination and be payable within the period set forth in 2.5.2: all costs, fees and expenses reasonably incurred in connection with

- 1) all Non-Recurring charges reasonably expended by Company to establish service to Customer, plus
- 2) any disconnection, early cancellation or termination charges reasonably incurred and paid to third parties by Company on behalf of Customer, plus
- 3) all Recurring Charges specified for the applicable service for the balance of the then current term.
- 2.9 Transfers and Assignments

The Customer may not assign or transfer its rights or duties in connection with the services and facilities provided by the Company without the written consent of the Company.

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## Section 2 - <u>RULES</u> AND <u>REGULATIONS</u> (Continued)

#### 2.10 Notices and Communications

- 2.10.1 The Customer shall designate on the Service Order an address to which the Company shall mail or deliver all notices and other communications, except that Customer may also designate a separate address to which the Company's bills for service shall be mailed.
- 2.10.2 The Company shall permit all customers to contact its designated representatives without charge. The Company shall designate on the Service Order an address, which is currently TOT ALink of Kentucky, LLC, 124 Grove Street, Suite 220, Franklin, MA 02038, to which the Customer shall mail or deliver all notices and other communications, except that Company may designate a separate address on each bill for service to which the Customer shall mail payment on that bill. The Company's bill will also include the Company's toll free telephone number and the address and phone number of the Kentucky Public Service Commission.
- 2.10.3 Notices and other communications of either party, and all bills mailed by the Company, shall be presumed to have been delivered to the other party on the third business day following placement of the notice, communication or bill with the U.S. Mail or a private delivery service, prepaid and properly addressed, or when actually received or refused by the addressee, whichever occurs first.
- 2.10.4 The Company or the Customer shall advise the other party of any changes to the addresses designated for notices, other communications or billing, by following the procedures for giving notice set forth herein.
- 2.10.5 The Company will make prompt and reasonable investigations of complaints made in writing or in person.
- 2.10.6 A Customer may complain to the Company in person, by telephone, or in writing. Upon receipt of a customer complaint, the Company shall promptly investigate the matter. Records shall be maintained for two (2) years from the date of resolution of the complaint. If a complaint is not resolved, the Company shall inform the complainant of his right to file a complaint with the Commission and shall give the complainant the address and telephone number of the Commission.

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	124 Grove Street, Suite 220

## Section 2 - RULES AND REGULATIONS (Continued)

#### 2.11 Suspension or Termination of Service

- 2.11.1 Suspension or Termination for Nonpayment
  - A. Subject to the provisions in this Section and Section 2.5, and in compliance, to the extent applicable, with 807 KAR 5:006, Sections 13, 14 and 15:
    - i. In the event that any bill rendered or any deposit required is not paid, the Company may suspend service or terminate service until the bill or the required deposit has been paid. If service is suspended or terminated for nonpayment, the customer will be billed a Connection Charge as well as any payment due and any applicable deposits upon reconnection.
    - ii. Telephone service shall not be suspended or terminated by reason of nonpayment during the period prohibited by Kentucky Public Service Commission.
  - B. Contested Charges

If the disputed amount is unable to be resolved after the investigation and review by the Company, the Customer may file an appropriate complaint with the Commission. The Commission's address is:

State of Kentucky Public Service Commission 211 Sower Boulevard P.O. Box 615 Frankfort, Kentucky 40602 (502) 564-3940

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## Section 2 - RULES AND REGULATIONS (Continued)

- 2.11 Suspension or Termination of Service (Continued)
  - 2.11.1. Suspension or Termination for Nonpayment (Continued)
    - C. Prior to termination of service, the Company shall provide customer with a notice in accordance with the provisions of the Kentucky Public Service Commission and containing the following:
      - i. Statement that failure to pay the amount required at the Company's office or to one of its authorized agents by the date specified on the notice may result in the termination of local or toll or optional services;
      - ii. The earliest date when termination will occur;
      - iii. The reason(s) for termination and any action which the customer must take in order to avoid the termination including the total amount required to be paid (which shall not be greater than the past due balance);
      - iv. The total amount due to avoid termination of local exchange service which includes every regulated service provided by the Company and excludes 900 and 976-like services;
      - v. The total amount due for toll charges and a statement that nonpayment of toll charges may result in the termination of toll service
      - vi. The total amount due for nonregulated charges and statement that nonpayment of such charges cannot result in the termination of basic local service or regulated toll service;
      - vii. The address and telephone number of the office of the Company that the customer may contact in reference to his/her account;

Section 2 - RULES AND REGULATIONS (Continued) PUBLIC SERVICE COMMISSION

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## 2.11 Suspension or Termination of Service (Continued)

- 2.11.1. Suspension or Termination for Nonpayment (Continued)
  - C. (Continued)
    - viii. A statement that an additional charge for reconnection may apply if service is terminated;
    - ix. A statement that payments to an unauthorized payment agent may result in untimely or improper crediting of the customer's account; and
    - x. If applicable, a statement that the customer is eligible for a Deferred Payment Arrangement as described in Section 2.5.2.1 of this Tariff.
    - xi. A brief explanation of the customer's rights under the same section, and the Customer's responsibilities.
    - xii. For residential Customer, a serious illness notice.

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# Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

- 2.11 <u>Suspension or Termination of Service</u> (Continued)
  - 2.11.1. Suspension or Termination for Nonpayment (Continued)
    - D. Unless prevented by circumstances beyond the Company's control or unless a customer requests otherwise, service shall be reconnected by 5 p.m. on the next business day following either:
      - i. Receipt by the Company or its authorized agent of the full amount in arrears for which service was suspended or terminated, or upon verification by the Company that conditions which warranted suspension or termination have been eliminated; or
      - ii. Agreement by the Company and the customer on a deferred payment plan, if required, under the plan.

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Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

## 2.11 Suspension or Termination of Service (Continued)

2.11.2 Exceptions to Suspension and Termination for Nonpayment

Telephone service shall not be suspended or terminated for:

- A. Nonpayment of bills rendered for charges other than telephone service or deposits requested in connection with telephone service;
- B. Nonpayment for service for which a bill has not been rendered;
- C. Nonpayment for services which have not been rendered;
- D. Nonpayment of any billed charge which is in dispute or for the nonpayment of a deposit which is in dispute during the period before a determination of the dispute is made by the Company in accordance with Company's complaint handling procedures. These procedures shall be in accordance with the Commission's Rules and Regulations.

Telephone service may be suspended or terminated for nonpayment of the undisputed portion of a disputed bill or deposit if the customer does not pay the undisputed portion after being asked to do so.

E. Nonpayment of an , billed charge which is in dispute or for the nonpayment of a deposit which is in dispute during the period before a determination of the dispute is made by the Company in accordance with Company's complaint handling procedures. These procedures shall be in accordance with the Commission's Rules and Regulations.

Telephone service may be suspended or terminated for nonpayment of the undisputed portion of a disputed bill or deposit if the customer does not pay the undisputed portion after being asked to do so.

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## Section 2 - <u>RULES (AND REGULATIONS</u> (Continued)

#### 2.11 Suspension or Termination of Service (Continued)

### 2.11.3 Verification of Nonpayment

Telephone service shall not be suspended or terminated for nonpayment of a bill rendered or a required deposit unless:

- a. The Company has verified, in a manner approved by the Commission, that payment has not been received at any office of the Company or at any office of an authorized collection agent through the end of the period indicated in the notice, and
- b. The Company has checked the customer's account on the day that suspension or termination is to occur to determine whether payment has been posted to the customer's account as of the opening of business on that day.

#### 2.11.4 Restoral Charge

A restoral charge applies each time a service is reconnected after suspension or termination for nonpayment but before cancellation of the service, as described in Section 2.11 of this Tariff. If the customer makes partial payment of twenty percent of the unpaid balance of a delinquent account after receipt of a termination notice and after the expiration date of that notice but prior to or on the same day as actual termination by the Company, the Company will reinstate the Customer's service without any reconnection or installation charges and give the Customer additional notice.

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## Section 2 - RULES AND REGULATIONS (Continued)

- 2.11 Suspension or Termination of Service (Continued)
  - 2.11.5 Discontinuance of Service for Reasons Other Than Nonpayment
    - 2.11.5.1 The Company, without incurring liability, may discontinue or suspend service for the following reasons after an appropriate notice has been given:
      - A. Violation of or non-compliance with the rules or tariffs which the Company has filed with and have been approved by the Commission and after the Company has made a reasonable effort to obtain customer compliance and after the Customer has been given at least ten (10) days advance written termination notice pursuant to Section 13(5) of 807 KAR 5:006;
      - B. Furnishing of service would be in contravention of any orders, ordinances, laws or regulations of the Federal government or of the State of Kentucky or any political subdivision or regulatory body thereof, and such orders, ordinances, laws or regulations do not forbid explicitly or implicitly notification of impending termination and after the Company has made a reasonable effort to obtain customer compliance and after the Customer has been given at least ten (10) days advance written termination notice pursuant to Section 13(5) of 807 KAR 5:006;
      - C. Tampering with wires or other telephone equipment by the Customer;
      - D. Fraud or misrepresentation by the Customer in obtaining the service;

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## Section 2 - <u>RULES AND REGULATIONS</u> (Continued)

## 2.11 Suspension or Termination of Service (Continued)

2.11.5 Discontinuance of Service for Reasons Other Than Nonpayment (Continued)

2.11.5.1 (Continued)

- E. Use of equipment by the Customer in such a manner as to adversely affect the Company's equipment or the Company's service to others;
- F. Failure of the Customer to permit the Company reasonable access to its equipment, or in the event access thereto is obstructed or hazardous;
- G. Customer's failure or refusal to reimburse the Company for the cost of replacement, installation and/or repair of any telephone instrument, facility or equipment subscribed by the Customer which is lost or damaged due to theft, vandalism, willful injury or negligence or any other cause whatsoever except Hood, fire other than fire intentionally caused by the Customer or his agent, or natural disaster;
- H. Failure of the Customer to furnish such service, equipment, permits, certificates or right-of-way as shall have been specified by the Company as a condition to obtaining service, or if such equipment or permissions are withdrawn or terminated;
- I. Non-payment of a delinquent account provided that the Company has notified the Customer of the delinquency and has made a diligent effort to have the customer pay the delinquent account; and
- J. Customer's failure to provide identification within 15 days of opening an account.

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Section 2 - RULES AND REGULATIONS (Continued)

- 2.11 Suspension or Termination of Service (Continued)
  - 2.11.5 Discontinuance of Servic: for Reasons Other Than Nonpayment (Continued)
    - 2.11.5.2 The Company r ay terminate the service without notice of the impending termination including the situations in which:
      - A. There exists a condition determined by the Company to be hazardous; including, but not limited to any condition which causes a clear and present danger to life, health, safety, and physical property, or to the Company's ability to serve other customers; and
      - B. The furnishing of service would be in contravention of any orders, ordinances, laws or regulations of the Federal government or of the State of Kentucky or any political subdivision or regulatory body thereof, and such orders, ordinances, laws or regulations forbid or do not allow time for notice of the impending termination.

The Company will notify the customer in writing after termination of the reason for the termination and the conditions which the customer must meet to obtain service.

2.11.5.3 Any termination discontinuance or suspension will occur in compliance with the laws, rules and policies of the State of Kentucky and the Commission.

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## Section 3 - <u>APPLICATION OF RATES</u>

#### 3.1 Introduction

The regulations set forth in this section govern the application of rates for services contained in other sections of this tariff, which TOTALink intends to offer throughout the state of Kentucky.

#### 3.2 Charges Based on Duration of Use

Where charges for a service are specified based on the duration of use, such as the duration of a telephone call, the following rules apply:

- 3.2.1 Calls are measured in durational increments identified for each service. All calls, which are fractions of a measurement increment, are rounded up to the next whole unit.
- 3.2.2 Timing on completed calls begins when the called party answers the call. Answering is determined by hardware answer supervision in all cases where this signaling is provided b, the terminating local carrier and any intermediate carrier(s).
- 3.2.3 Timing terminates on all calls when the calling party hangs up or the Company's network receives an on-hook signal from the terminating carrier.

#### 3.3 Charges Based on Distance

Where charges for a service are specified based upon distance, the following rules apply:

3.3.1 Distance between two points is measured as airline distance between the Rate Centers of the originating and terminating telephone lines. The Rate Center is a set of geographic coordinates, as referenced in National Exchange Carrier Association, Inc. Tariff FCC No. 4, associated with each NPA-NXX combination (where NPA is the area code and NXX is the first three digits of a seven digit

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## Section 3 - APPLICATION OF RATES (Continued)

## 3.3 Charges Based on Distance (Continued)

#### 3.3.1 (Continued)

telephone number). Where there is no telephone number associated with an access line on the Company's network (such as a dedicated 800 line), the Company will apply the Rate Center of the Customer's main billing telephone number at the location the service is provided.

- 3.3.2 The airline distance between any two Rate Centers is determined as follows:
  - a) Obtain the "V" (vertical) and "H" (horizontal) coordinates for each Rate Center from the above-referenced NECA tariff.
  - b) Compute the difference between the "V" coordinates of the two Rate Centers; and the difference between the two "H" coordinates.
  - c) Square each difference obtained in step (b) above.
  - d) Add the square of the "V" difference and the square of the "H" difference obtained in step (c) above.
  - e) Divide the sum of the squares by 10, Round to the next higher whole number if any fraction is obtained.
  - f) Obtain the square root of the whole number result obtained above. Round to the next higher whole number if any fraction is obtained. This is the airline mileage.

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Section 3 - APPLICATION OF RATES (Continued)

## 3.4 Payphone Compensation Surcharge

The Company will assess a surcharge for each call placed from a payphone to compensate payphone service providers pursuant to rules and regulations issued by the Federal Communications Commission.

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#### Section 4 OPTIONAL FEATURES

## 4.1 Directory Listings

For each Customer of Company-provided Exchange Access Service(s), the Company shall arrange for the listing of the Customer's main billing telephone number in the directory(ies) published by the dominant Local Exchange Carrier in the area at no additional charge. At a Customer's option, the Company will arrange for additional listings at the following rates:

		Monthly <u>Rate</u>
A)	Non-Published Private Listing	\$2.85
B)	Non-Listed (Semiprivate) Listing	\$1.50
C)	Each Additional Listing Business	\$3.00
D)	Each Additional Listing · Residential	\$1.65

Non-Recurring

E) Change Listing \$8.55

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#### Section 4 · OPTIONAL FEATURES

#### 4.1 Directory Listings (Continued)

#### 4.1.1 Directory Errors

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In the absence of gross negligence or willful misconduct and except for the allowances stated below, no liability for damages arising from errors or mistakes in or omissions of directory listings, from errors or mistakes in or omissions of listings obtainable from the directory assistance operator, including errors in the reporting thereof, shall attach to the Company.

An allowance for errors or mistakes in or omissions of published directory listings or for errors or mistakes in or omissions of listings obtainable from the directory assistance operator shall be given as follows:

- 1. Free Listings: For free or no charge published directory listings, credit shall be given at the rate of two times the monthly tariff rate for an additional or charge listing for each individual, auxiliary or party line, PBX trunk or Centrex-type attendant loop affected, for the life of the directory or the charge period during which the error, mistake or emission occurs.
- 2. Charge Listings: For additional or charge published directory listings, credit shall be given at the monthly tariff rate for each such listing for the life of the directory or the charge period during which the error, mistake or omission occurs.
- 3. Operator Records: For free or charge listings obtainable from records used by the directory assistance operator, upon notification to the Company of the error, mistake or omission in such records by the subscriber, the Company shall be allowed a period of three business days to make a correction. If the correction is not made in that time, credit shall be given at the rate of 2/30ths of the basic monthly rate for the line or lines in question for each day thereafter that he records remain uncorrected. (Where Centrex-type attendant loops are involved, credit shall be given at the rate of 2/30th of the basic monthly rate for PBX trunks.)

Section 4 - OPTIC	NAL FEATURES
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#### 4.1 Directory Listings (Continued)

4.1.1 Directory Errors (continued)

- 4. Credit Limitation: The total amount of the credit provided for the preceding paragraphs 1, 2, and 3 shall not exceed, on a monthly basis; the total of the charges for each charge listing plus the basic monthly rate, as specified in paragraph 3, for the line or lines in question.
- 5. Definitions: As used in Paragraphs 1, 2, 3, and 4 above, the terms "error," "mistake" or "omission" shall refer to a discrepancy in the directory listing or directory assistance records which the Company has failed to correct and where the error affects the ability to locate a particular subscriber's correct telephone number. The terms shall refer to addresses only to the extent that an error, mistake or omission of an address places the subscriber on an incorrect or in an incorrect community.
- 6. Notice: Such allowances or credits as specified in Paragraphs 1, 2, and 3 above, shall be given upon not be to the Company by the subscriber that such error, mistake or omission has occurred; provided, however, that when it is administratively feasible for the Company to have knowledge of such error, mistake or omission, the Company shall give credit without the requirement of notification by the subscribers.

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#### Section 5 - DISCRIPTION OF SERVICES

#### 5.1 Types of Services Offered

This section of the tariff contains a general description of the services offered by TOTALink and the rates applicable to each service. TOTALink provides switched, telephonic-quality voice and data transmission services that enable users to communicate on a real-time basis between points within local calling areas in the state of Kentucky, as well as ancillary services that facilitate the use or expand the capabilities of switched communications services. The Company also provides dedicated telephone quality voice and data transmission services to communicate on a real time basis between points within and outside the state of Kentucky.

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## Section 5 - DESCRIPTION OF SERVICES (Continued)

#### 5.2 Basic Local Exchange Service

#### 5.2.1 General

Basic Local Exchange Service provides a Customer with a Connection to the Company's switching network, which enables the Customer to:

- a) receive calls from other stations on the public switched telephone network;
- b) access the Company's Local Calling Services and other Services as set forth in this tarifi;
- c) access interchange calling services of the Company and of other carriers;
- d) access (at no additional charge) the Company's operators and business office for service related assistance; access toll-free telecommunications services such as 800 NPA; and access 9-1-1 service for emergency calling.

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## Section 5 - DESCRIFTION OF SERVICES (Continued)

#### 5.2 Basic Local Exchange Service (Continued)

5.2.2 Service Areas and Rate Groups

TOTALink of Kentucky, LLC's exchange area, rate group, and local calling area are identical to those defined in the tariffs of the incumbent local exchange company serving each exchange area.

TOTALink of Kentucky, LLC provides service in the exchange areas served by the following local exchange companies:

BellSouth Telecommunications Company

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- 5.2 Basic Local Exchange Service (Continued)
  - 5.2.3 Exchange Area Rate Groups

5.2.3.1 General

Rates for telephone exchange service are based on the number of main terminals in the local calling area of an exchange that can be called without a toll charge. The schedule of the basic exchange rate is set forth in this Section.

#### 5.2.3.2 Reclassification of Exchanges

When the number of main terminals in the local calling area of an exchange has either exceeded or fallen below the limits of its then effective rate classification by 5%, or for a period of six consecutive months, which we shall first occur, the Company will file a verified Petition with the Commission setting forth the facts with respect thereto, and also the number of calls per 100 attempts on which a subscriber of the exchange may be expected to encounter a busy condition on local calls during the "busy hour" due to trunks or equipment, together with the number of subscribers per line by class of service offered, and requesting authority to reclassify said exchange to the proper rate classification.

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# Section 5 - DESCRIPTION OF SERVICES (Continued)

- 5.2 Basic Local Exchange Service (Continued)
  - 5.2.3 Exchange Area Rate Groups (Continued)
    - 5.2.3.3 Rate Classification

TOTALink intends to serve cities and counties throughout the State of Kentucky. Although this tariff page does not indicate specific Cities and Counties, the rate classification in each exchange area throughout the State of Kentucky shall be two (2), unless amended from time to time to reflect changes in TOTALink's service areas or rate classifications.

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		Section 5 - <u>DESCRIPTION OF SERVICES</u> (Co	ontinued)
5.2	<u>Basic</u>	Local Exchange Service (Continued)	
	5.2.4	Local Service Rates	
		5.2.4.1 Schedule of Monthly Rates - Residence Ser	vice
		RESIDENCE SERVICE	EXCHANGE RATE CLASSIFICATION 2
		Flat Rate Exchange Access Line One Party	\$19.00
		<u>Telephone Value Packages</u> Favorite Residence Value Package including:	\$21.95
		<ul> <li>local exchange access</li> <li>Interstate and Intrastate toll calling at \$0.11</li> <li>Touch-Tone</li> <li>Call Waiting</li> <li>Caller ID / Name</li> <li>Automatic Busy Redial</li> <li>Three Way Calting</li> </ul>	1 per minute
		Additional lines with Faverite Residence Value Pack	age \$10.98
		Convenience Residence Value Package including: - Favorite Residence Value Package features - Call Forwarding - Distinctive Ringing - Call Screening - Call Blocking - Speed Calling - 30 Code	\$25.95 s
		Additional lines with Corvenience Residence Value	Package \$12.98
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5.2	Basic Local Exchange Service (Continued)	
	5.2.4 Local Service Rates (Continued)	<u>EXCHANGE RATE</u> <u>CLASSIFICATION 2</u>
Telephone Value Packages (Continued)		
	Voice Mail Plus Value Package including: - local exchange access	\$21.95
- Interstate and Intrastate toll calling at \$0.11 per minute		
	- Enhanced Residence Voice Mail Service Additional lines with Favorite Residence Value Package	\$10.98

A non-recurring Access I ine Connection Charge also applies for the installation of the above residence local exchange services as specified in Section 5.7.2.

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## 5.2 Basic Local Exchange Service (Continued)

5.2.4 Local Service Rates (Conunued)

5.2.4.2. Schedule of Monthly Rates - Business Service

	EXCHANGE RATE CLASSIFICATION 2
Flat Rate Exchange Access Line	\$45.86
Multi-Line Business Exchange Service - Flat Rate Line	\$48.20
Hotel/Motel/Hospital PBX Service - Toll Only Trunk	\$10.35

A non-recurring Access Line Connection Charge also applies for the installation of business local exchange service lines as specified in Section 5.7.2.

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#### Section 5 - DESCRIPTION OF SERVICES (Continued)

- 5.2 Basic Local Exchange Service (Continued)
  - 5.2.4 Local Service Rates (Continued)
    - 5.2.4.3 Rates and Charges (Continued)

#### **Term Payment Plans**

Term payment plans are available on an optional basis. Term payment plans offer discounts on the monthly recurring rates for Digital Centrex service when the customer chooses to purchase the service from the Company for a specified period of time or term (12, 24, 36, 48, 60 and 84 month terms are available). The monthly recurring rates for Digital Centrex service under any of the available Term Payment Plans are established on an Individual Case Basis (ICB).

The customer shall not assign or otherwise transfer its rights or obligations under any Digital Centrex term agreement without prior written consent of TOTALink of Kentucky, LLC.

Termination charges apply when service is terminated prior to the end of the specified service term. Termination charges are based on 70% of the remaining amount due for the applicable Term Payment Plan.

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#### 5.2 Basic Local Exchange Service (Continued)

#### 5.2.5 Preferred Carrier (PIC) Change Charge

Basic Local Exchange Service Customers can specify a preferred carrier for toll calls. Customers can specify a designated preferred carrier for their IntraLATA toll, InterLATA toll and International toll call traffic. A customer may presubscribe the same or different carriers, provided only one is designated as the preferred carrier for each of the IntraLATA toll, InterLATA toll and International toll services. When a customer changes the Primary Interexchange Carrier they wish to use, a PIC change charge shall apply at the time of change as follows:

PIC Change Charge per initial line or trunk	\$5.00
PIC Change Charge per additional line or trunk	\$5.00

Where the Customer designates a single carrier to be the customer's PIC for more than one service in a sing e request, only one PIC Change Charge will be assessed per line or trunk to implement that request

Section 5 - <u>DESCRIPTION OF SERVICES</u> (Continued)

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#### 5.3 [RESERVED FOR FUTURE USE]

#### 5.4 Directory Assistance Service

The Company furnishes Directory Assistance Service ("DA") for the purpose of aiding subscribers in obtaining telephone numbers. When a party requests assistance in obtaining telephone numbers of subscribers who are located within the same local calling area as the number the party is calling from, the charges as set forth following apply:

Charge for each inquiry: \$0.40

A charge of \$0.35 for DA is applicable to inquiries received from public and semipublic telephones. Charges for DA are not applicable to inquiries received from telephone service furnished for the use of handicapped persons.

For each call for Local Director, Assistance placed through the "O" Operator, provided the "O" Operator is not the orly route for Local Directory Assistance, the following charge applies:

Charge for each inquiry: \$0.90

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## 5.5 Operator Assisted Local Calls

Operator Assisted Charges: All types of local exchange service have local calling areas within which local calls can be r ade on a flat rate basis, on a local coin call rate basis, on a Message rate basis, or on a measured service basis.

Local Dial Call: The call must be dialed and completed without the assistance of a Company operator and must be billed to the originating telephone when a charge is applicable.

The following service charges for operator-assisted local calls apply in addition to the local dial rate applicable:

	Charge per use
Station-to-Station operator-assisted charges:	
Each (non-recurring charge):	
Sent Paid	\$1.05
Collect	\$2.10
Third Party Billing	\$2.20
Person-to-Person operator-assisted local call:	
Each (non-recurring charge):	\$4.50
Information call completion	\$0.25

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Section 5 - DESCRIPTION OF SERVICES (Continued)

#### 5.5 Operator Assisted Local Calls (Continued)

The following operator-assisted local calls are exempted from the service charge:

- Calls to designated Company numbers for official telephone business
- Emergency calls to recognizable authorized civil agencies
- Those cases where a Corpany operator provides assistance to re-establish a call which has been interrupted after the calling number has been reached, reach the calling number where facility problems prevent customer dial completion, and/or place a non-coin, sent paid call for a calling party who identifies himself as being handicapped and unable to dial the call because of said handicap.

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#### 5.6 Verification and Emergency Interrupt Service

#### Application of Rates and Charges: 5.6.1

No charge will apply if the requesting customer identifies that the call is to or from an official public emergency agency. An official public emergency agency is defined as a government agency, which is operated by the Federal, State or local government, and has the capability and legal authority to provide prompt and direct aid to the public in emergency situation. Such agencies include the local police, State police, fire department, etc.

Charges may not be billed on a collect basis or on a third number basis to the number being verified or interrupted.

If the number verified is not in use, or as a result of interrupt the line is cleared, and, at the calling party's request, the operator completes the call, the charges for Operator Assisted Local Calls as defined in Section 5.4 of this tariff apply in addition to the applicable verification and emergency interrupt charges.

	<u>Non-recurring</u> <u>Charge</u>
Verification request, Each:	\$2.00
Emergency Interrupt request, Each:	\$3.00

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## Section 5 - DESCRIPTION OF SERVICES (Continued)

## 5.7 Service Charges

5.7.1 Service Ordering Charge Multi Element Charges

		<u>Non-recurring</u> Charge
5.7.1.1	Primary - For connecting new or additional Access lines, telephone number change requests, and restoration of service.	
	Residence, per service order	\$6.00
	Business, per service order	\$8.00
5.7.1.2	Secondary - For moving or changing existing service or adding new or additional service other than Access lines.	
	Residence, per service order	\$6.00
	Business, per service order	\$8.00
5.7.1.3	Record - For record type orders affecting directory listing	;S.
	Residence, per service order	\$15.00
	Business, per se vice order	\$20.00

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#### Service Charges (Continued) 5.7

5.7.2 Access Line Connection Charge

These charges apply to the installation of business and residence local exchange service lines.

#### Non-recurring Charge

#### 5.7.2.1 Per Access Line - Residence \$49.95 New Line Connection Charge i) Service Reestablish Charge (Instrumer calities already in place) \$45.95 5.7.2.2 Per Access Line Business New Line Connection Charge i) \$49.95 Single Line Up to Ten Lines \*, each \$44.95 \$39.95 Up to Twenty lines \*, each \$34.95 Over Twenty-one lines \*, each

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Franklin, MA 02038

124 Grove Street, Suite 220

#### 5.7 <u>Service Charges</u> (Continued)

- 5.7.2 Access Line Connection Charge (Continued)
  - 5.7.2.2 Per Access Line Business (Continued)

\*Charges apply when single line business service is established for more than one line, for the same customer, at the same time and at the same location, through instrumentalities already in place.

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#### 5.8 <u>Touch-Tone Calling Service</u>

Touch-Tone calling service prov les for the origination of telephone calls through the use of push buttons in lieu of a rotary dial.

#### 5.8.1 Rates and Charges

Touch-Tone calling service rates and charges shall apply where the customer has the capability to originate calls by means of instruments equipped for tone-type signaling and where the special central office facilities exist. The following rates and charges apply for Touch-Tone calling service and are in addition to all other applicable rates and charges for the facilities and service furnished:

Individual line service:	Non-recurring Charge
Residence (per line):	\$4.00
Business (per line):	\$6.00

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#### 5.9 Central Office Non-Transport Service Offerings (Continued)

5.9.1 PBX Trunks and Direct Inward Dialing Service (DID)

#### A. Description

PBX trunks provide switched access to the public switched telephone network for local and toll calling services. Two-wire and four-wire PBX trunks are provided from the Company's central office where facilities permit.

B. Features

PBX trunks support incoming and outgoing calling (two-way service) from/to the public switched telephone network. These trunks can be equipped with the following optiona features:

#### **Direct Inward Dialing (DID)**

DID delivers the called number to a PBX or other customer provided equipment on all incoming calls. This allows, for example, the customer's PBX to deliver incoming calls directly to the station with that extension number without intervention by an attendant.

#### Dual Tone Multi-Frequency (DTMF)

DTMF is a signaling option that can be used to deliver incoming call signals to the customer's equipment on PBX and DID trunks.

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#### 5.9 Central Office Non-Transport Service Offerings (Continued)

- 5.9.1 PBX Trunks and Direct Inward Dialing Service (DID) (Continued)
  - C. Terms and Conditions

PBX trunks and DID service are provided where facilities exist from the Company's central office.

Two-wire PBX (loop start) or DID (wink start) trunks are provided in multiples of four trunk s.

For four-wire PBX o<sup>-</sup> DID trunks, a minimum of eight (8) trunks must be purchased.

Additional four-wire trunks of either type can be added in increments of four (4) trunks up to a maximum of twenty four (24) trunks.

Each time a multiple of twenty four (24) four-wire trunks is reached, the next increment of trunks idded must again be a minimum of eight (8) trunks followed by increments of four (4) trunks.

When DID service is ordered, the customer must purchase DID numbers in multiples of ten (10) numbers.

DID numbers are not available with PBX trunks.

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## Section 5 - DESCRIPTION OF SERVICES (Continued)

## 5.9 Central Office Non-Transport Service Offerings

- 5.9.1 PBX Trunks and Direct Inward Dialing Service (DID) (Continued)
  - D. Rates and charges

The following rates apply to PBX trunks and Direct Inward Dialing (DID) service.

	Non- recurring	Monthly
PBX and DII:) Service	Charge	Rate
Establish DID trunk group, each	\$400.00	
Initial or add'l group of four (4) two- wire PBX trunks, per group	\$400.00	\$200.00
Initial group of eight (8) four-wire PBX trunks, per group	\$800.00	\$400.00
Add'l group of four (4) four-wire PBX Trunks, per group #	\$200.00	\$170.00
Initial or add'l group of four (4) two- wire DID trunks, per group	\$440.00	\$220.00
Initial group of eight (8) four-wire DID Trunks, per group	\$880.00	\$440.00
Add'l group of four (4) four-wire DID Trunks, per group #	\$200.00	\$190.00
Group of 10 DID Numbers, each	\$25.00	\$2.05
Dual Tone Multi-Frequency Signaling - Per Trunk Group, each	\$34.50	
- Per Trunk, each	\$25.65	

- Applies only to increments of trunks being added to an existing quantity of trunks that are not a multiple of twenty-four (24).

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## 5.10 Custom Calling Services

5.10.1 Residence Local Exchange: Service - Individual Features

The following individual line features are available with Residence Local Exchange Service:

Monthly Rate

1)	Call Forwarding – variable	\$2.14
2)	Remote Call Forwarding	\$18.24
3)	Busy Line Transfer	\$0.71
	Customer Control Option	\$0.95
4)	Call Waiting	\$2.85
5)	Speed Calling 30	\$2.85
6)	Auto. Call Back	\$5.00
	Auto. Call Back – Pay Per Use	\$0.71
7)	Auto. Busy Redial	\$2.85
	Auto. Busy Redial – Pay Per Use	\$0.71
8)	Call Screening	\$3.80
9)	Caller ID (number only)	\$6.00
10)	Caller-ID with Name	\$8.55
11)	Alternate Answer	\$0.71
	- customer control option	\$0.95
12)	Three-Way Calling	\$2.61
13)	Three-Way Calling – Pay Per Use	\$0.71
14)	Distinctive Ringing	\$2.85
	- second additional number	\$1.90
15)	Message Waiting	\$0.24
16)	Call Blocking	\$3.80

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## 5.10 <u>Custom Calling Services</u> (Continued)

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5.10.2 Business Local Exchange Service - Individual Features

The following individual line features are available with Business Local Exchange Service:

Monthly Rate

1)	Call Forwarding - variable	\$3.75
2)	Remote Call Forwarding	\$18.24
3)	Busy Line Transfer	\$0.71
	Customer Control Option	\$0.95
4)	Call Waiting	\$3.80
5)	Speed Calling 30	\$3.80
6)	Auto. Call Back	\$5.00
	Auto. Call Back - Pay Per Use	\$0.71
7)	Auto. Busy Redial	\$3.80
ŕ	Auto. Busy Redial – Pay Per Use	\$0.71
8)	Call Screening	\$3.80
9)	Caller ID (number only)	\$6.65
10)	Caller-ID with Name	\$8.55
11)	Alternate Answer	\$0.71
	- customer control option	\$0.95
12)	Three-Way Calling	\$3.66
13)	Three-Way Calling – Pay Per Use	\$0.71
14)	Distinctive Ringing	\$3.80
	- second additional number	\$3.80
15)	Message Waiting	\$0.24
16)	Call Transfer	\$3.80
17)	Multi-Ring	\$3.80
	- second additional number	\$3.80

Section 5 - DESCR PTION OF SERVICES (Continued)

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#### 5.11 CENTREX Services

This section sets forth the Centrex Services made available by TOTALink of Kentucky, LLC. General terms, conditions, service and feature descriptions as described in this tariff apply where appropriate, unless otherwise specified in this Part.

#### 5.11.1 DIGITAL CENTREX Service

A. Description

Digital Centrex Service is a business telecommunications system utilizing digital stored program control switching equipment that is maintained and operated by TOT ALink. It is furnished, subject to the availability of facilities, by means of equipment located in a Company central office. This offering is an alternative to premises based PBX and Key systems.

Digital Centrex is offered only as a complete service. The Exchange Access and Intercommunication portions of the Primary Station are not offered separately. Exchange Access will be applied using Channel Equivalency which is based on the total number of Primary Stations per location.

Direct Interconnection of unaffiliated Centrex systems is prohibited. In order for the Company to provide direct interconnection, the Carrier of the customer must provide evidence, acceptable to the Company, of the Carrier's affiliation with the customer.

Digital Centrex intercom calling is only allowed between station users internal to the end user customer or station users of an affiliated company.

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#### 5.11 CENTREX Services (Continued)

#### 5.11.1 DIGITAL CENTREX Service (Continued)

#### B. Definitions

1. Primary Station

A Digital Centrex station which has intercommunication with other Digital Centrex stations and which has other outgoing and/or incoming calling privileges. The outgoing calling privileges of Primary Stations may be restricted to varying degrees by the customer.

#### 2. Intercom Only Station

A Digital Centrex station which has intercommunication with other Centrex Stations only. Therefore, this station is restricted from all of the following:

- a) placing calls over the toll network,
- b) receiving calls from the toll network,
- c) placing calls over the local network, and
- d) receiving calls from the local network.

If the station is capable of doing one or more of the these functions, the station is either a pure Primary Station or a Primary Station with restriction(s).

3. ISDN Lines

ISDN Digital Centrex lines provide up to two communications channels that support voice and data communications. For more information on ISDN lines refer to section Section 5.11.1.E

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#### 5.11 CENTREX Services (Continued)

#### 5.11.1 DIGITAL CENTREX Service (Continued)

- C. Terms and Conditions
  - 1. Direct Interconnection of unaffiliated Centrex systems is prohibited. In order for the Company to provide direct interconnection, the customer or its representative must provide evidence, acceptable to the Company, of the Carrier's affiliation with the customer.
  - 2. Digital Centres intercom calling is only allowed between station users internal to the end user customer or station users of an affiliated company.
  - 3. The Company will furnish, without additional charge, a listing under the name of the customer in the Company's Alphabetical Directory.
  - 4. To establish Digital Centrex Service, the Company may require a minimum number of Primary Stations at the main location for the same customer as may be specified in the tariff.
  - 5. Station features are activated, deactivated and changed by the preparation and entry of feature information in the central office. All standard features will be activated at service establishment. Chargeable and non-chargeable optional features will be activated at any time at the request of the customer. Additional charges may apply as specified in Section 5.1. 1.1 and Section 5.11.1.1.
  - 6. Digital Centrex Service is not available for resale unless otherwise agreed to in writing by the Company.

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#### Section 5 - DESCRIPTION OF SERVICES (Continued)

#### 5.11 CENTREX Services (Continued,

#### 5.11.1 DIGITAL CENTREX Service (Continued)

- C. Terms and Conditions (Continued)
  - 7. The Company may interrupt service at any time if such action should become necessary because of a violation of this tariff. The service will be re-established at appropriate prices after the violation has been corrected. A one-time Charge may apply to cover the cost of discontinuing and re-established service.
  - 8. The rates established for Digital Centrex Primary Stations, Intercom Only Stations and ISDN Lines include the cost of voice intercom usage and are based on a 1.5 or less Hundred Call Second (CCS) load per line.

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#### 5.11 CENTREX Services (Continued)

#### 5.11.1 DIGITAL CENTREX Service (Continued)

- D. Station Features and Capabilities
  - 1. Automatic C allback enables a line user to activate redial of last incoming call
  - 2. Automatic Busy Redial allows a line user to activate redial of the last number dialect if busy.
  - 3. Call Forwarding Busy Line permits calls attempting to terminate to a busy line to be forwarded to a pre-selected line within the system or to a line external to the system.
  - 4. Call Forwarding Don't Answer provides for the forwarding of any incoming calls to a pre-selected line within the system or to a telephone number outside the system within the called line does not answer.
  - 5. Call Forwarding Variable allows a line to have incoming calls forwarded to another line within the system or to a telephone number outside the system. The customer can activate/de-activate this feature and change the forwarded to telephone number on a real time basis.
  - 6. **Call Hold** enables a line user to place a call on hold for any length of time provided that neither party goes on-hook.

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#### 5.11 CENTREX Services (Continued)

#### 5.11.1 DIGITAL CENTREX Service (Continued)

- D. Station Features and Capabilities (Continued)
  - 7. **Call Pick-up** allows a line user to answer incoming calls to another line within the Digital Centrex system by dialing a special code. One or more call pickup groups may be established.
  - 8. Call Transfer allows a line user to transfer any established call to another line inside or outside the customer group without the assistance of an attendant.
  - 9. Call Waiting permits a line user who is on a call to receive an audible tone indicating that an incoming call is waiting.
  - 10. **Direct Connect** allows a Digital Centrex line to connect to another Digital Centrex line when the phone is taken off hook without the need to dial the called extension number.
  - 11. Directed Call Pickup permits a line user to answer a call ringing on another line in the Digital Centrex group by dialing an access code. IF the called line has already been answered, the line user will not be given access to the answered line.
  - 12. **Distinctive Ringing** provides a unique pattern of ringing to permit the line user to distinguish between incoming intragroup and DID calls.

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#### 5.11 <u>CENTREX Services</u> (Continued)

#### 5.11.1 DIGITAL CENTREX Service (Continued)

- D. Station Features and Capabilities (Continued)
  - 13. Speed Calling 30 Code allows a line user to call a predesignated seven or ten digit telephone number by dialing a valid two-digit dialing code. The customer changeable speed calling list furnished contains up to thirty codes.
  - 14. Station and Group Hunting permits the routing of calls to an idle line in a prearranged group of lines when the called line is busy. Group Hunting allows for the routing of calls to circular hunt to the beginning of the group when all prearranged lines are busy.
  - 15. Station Restriction enables the customer to place calling restrictions on selected Digital Centrex lines. These restrictions can be established for the following types of calls:
    - All calls
    - All outgoing calls
    - All toll calls
  - 16. **Three Way Calling** enables a line user to establish voice connections involving themselves and two other parties. The line user, by switchhook operation, is able to place on existing call on hold and dial the telephone number of a third party and then connect all three parties together.
  - 17. Voice Mail Service is available on a per Primary Station and per Intercom-Only Station basis. The Voice Mail services available with Digital Centre lines are the same as those available to Business local exchange serv ce customers as described in Section 6.1.3 following. The rates for Voice Mail service on Digital Centrex lines are specified in Section 6.1.3 following.

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#### 5.11 CENTREX Services (Continued)

#### 5.11.1 DIGITAL CENTREX Service (Continued)

E. ISDN Features and Capabilities

ISDN lines can be provided as part of a Digital Centrex system. These lines consist of two B channels that support end user voice and data communications and a third D channel that is used exclusively for signaling and call control. ISDN Basic Rate Centrex lines can be equipped with either one or both of the B channels activated.

ISDN Digital Centrex lines are normally provided to customer locations that are within 2.5 cable miles from the Company's serving central office where facilities permit and capacity exists.

A description of the available ISDN Digital Centrex Line features and capabilities follow:

 National ISDN Standards are supported by the company. This means that the Company's ISDN Digital Centrex service is compatible only with Customer Provided Equipment (CPE) that meets National ISDN standards. A maximum of <u>one</u> National ISDN terminal device can be connected to the line by the customer. The number of voice and data devices the customer can connect to the ISDN terminal equipment will depend on the manufacturer's specifications for that equipment.

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5.11 <u>CENTREX Services (Continued)</u>

#### 5.11.1 DIGITAL CENTREX Service (Continued)

- E. ISDN Features and Capabilities (Continued)
  - 2. Alternate Voice / Circuit Mode Data provides 64 Kbps clear channel capability on either of the two B channels of an ISDN Digital Centrex line. This capability allows a ISDN Digital Centrex line user to send data or voice communications alternately over either of the two B channels depending on the capabilities of the user-provided ISDN terminal equipment. When both B channels are activated, the user can simultaneously transmit voice and/or date on the line. The two B channels can be connected in tandem to a common location to simultaneously support a common application/connection or to separate locations to simultaneously support separate applications.
  - 3. Calling Number Identification delivers the calling station number associated with an incoming call, if not blocked at the originating end, to the customers ISDN terminal equipment over the separate signaling channel (D channel).
  - 4. **Primary Directory Numbers** are provided one per ISDN Digital Centrex line.
  - 5. Secondary Directory Numbers, in addition to the primary directory number, are available on ISDN Digital Centrex lines. An additional charge applies for each Secondary Number provided. A maximum of three Secondary numbers can be provided per line.

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Section 5 - DESCRIFTION OF SERVICES (Continued)

5.11 CENTREX Services (Continued)

## 5.11.1 DIGITAL CENTREX Service (Continued)

- E. ISDN Features and Capabilities (Continued)
  - 6. **ISDN Digital Centrex Line Features**, depending on compatibility with the customer's ISDN terminal equipment, are available as follows:
    - Call Forwarding
    - Call Hold
    - Call Pick-Up
    - Call Transfer
    - Call Waiting
    - Three Way Calling
    - Hunting

Also refer to Section 5.11.2.H for feature availability and to Section 5.11.1.B for a description of these features although their operation may vary based on the ISDN terminal equipment used.

7. Technical References for ISDN define the interface specifications that the customer's ISDN terminal equipment must meet in order to work properly with SDN Digital Centrex service. The applicable technical reference for ISDN is AM-TR-NIS-000068 and can be obtained from:

Manager - TIRM Office Services, Inc. 2000 W. Center Drive, Locn 3A09F Hoffman Estates, IL 60196 (847) 248-4328

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#### Section 5 - DESCRIPTION OF SERVICES (Continued)

## 5.11 <u>CENTREX Services (Continued)</u>

#### 5.11.1 DIGITAL CENTREX Service (Continued)

- F. System Features and Capabilities
  - 1. Attendant Call Transfer allows the attendant to dial a code prior to dialing the th rd leg of a three-way call which, in tern, allows the attendant to consult privately with the called party on the third leg of the call before adding in the other conferees.
  - 2. Attendant Camp-On allows an attendant who attempts to complete an incoming exchange network call to a busy station to place the call on hold until the called line becomes available. At that point the waiting call will automatically be completed to the called line. A tone indicating the Camp-On feature was used is heard by the called station at the time the attendant attempts to complete the call. This feature is controlled by the attendant and is provided on a per console basis.
  - 3. Attendant Console Feature Package provides the features necessary to allow a Digital Centrex line to support normal attendant console functionality such as call hold and call transfer.
  - 4. Automatic Identification of Outward Dialing (AIOD) provides identification of individual Primary Digital Centrex station numbers on outgoing Message Toll Service (MTS) calls.

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#### 5.11 <u>CENTREX Services (Continued)</u>

#### 5.11.1 DIGITAL CENTREX Service (Continued)

- F. System Features and Capabilities (Continued)
  - 5. Automatic Route Selection (ARS) provides automatic routing of outgoing calls over alternative customer specified facilities based on the DDD telephone number dialed. The station user dials an ARS access code followed by the DDD telephone number and the system routes the call over the first available special trunk facility (such as FX or Tie Lines) checking in a customer specified sequence. Overflow routing to the DDD network is optional.
  - 6. Direct Inward and Outward Dialing (DID/DOD) allows an incoming call from the exchange network to reach a specific Primary Digital Centrex station without attendant assistance and a Primary Digital Centrex station to place outgoing exchange network calls without attendant assistance.
  - 7. Night Service routes calls, normally directed to an attendant, to preselected Primary Digital Centrex stations within the system when the attendant consoles are unattended.
  - 8. Other Common Carrier (OCC) Access provides equipment in the Company's central office to allow Digital Centrex station users to access Other Common Carrier Facilities for outgoing calls. This feature includes a T-1 Port to which a High Capacity T-1 line must be connected to the POP of the customer's designated carrier.

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#### 5.11 <u>CENTREX Services (Continued)</u>

## 5.11.1 DIGITAL CENTREX Service (Continued)

- F. System Features and Capabilities (Continued)
  - 9. **Private Line** Termination allows the customer to build voice grade private trunk facilities like Tie Lines and Foreign Exchange Trunks into their Digital Centrex system for the routing of on-network and offnetwork calls. The routing of calls over these private facilities can be accomplished by dial access code (standard) or by Automatic Route Selection (Optional).
  - 10. Station-to-Station Dialing allows line users to place calls directly to another Digital Centrex station using only the extension number of the called line.
  - 11. **Touch Tone** provides for the origination of calls by means of station instruments equipped for tone-type address signaling over special central office facilities.
  - 12. Uniform Call Distribution, a form of line hunting, provides for an even distribution of incoming calls among available members of a hunt group. This feature may be arranged with queuing and delay announcemen:
  - 13. **Multi Premise Call Appearance** allows lines to appear in multiple locations provided they are served out of the same TOTALink central office.

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## 5.11 <u>CENTREX Services (Continued)</u>

## 5.11.1 DIGITAL CENTREX Service (Continued)

#### G. Line Usage

## 1. Intercom Calling

Station-to-station voice calls involving Primary or Intercom-Only Stations or ISDN Lines within a Digital Centrex system are flat rated. There are no limits placed on these calls and no charges associated with these calls. Station-to-station ISDN data calls within a Digital Centrex system are also flat rated, but are subject to a monthly usage limit of 90 hours per line (cumulative usage from both B channels). When this monthly limit is exceeded, a nominal per minute charge will apply to all station-to-station intercom data usage originated on either B channel of that line.

## 2. Outbound Local Calling

Outbound local voice calls originating from Primary or Intercom-Only Stations or ISDN Lines within a Digital Centrex system are flat rated. There are no limits placed on these calls and no charges associated with these calls. Outbound local ISDN data calls are also flat rated, but are subject to a monthly usage limit of 50 hours per line (cumulative usage from both B channels). When this monthly limit is exceeded, a per minute charge will apply to all outbound local data usage minutes of use in excess of this limit that originate on either B channel of the ISDN Basic Service line.

## 3. Outbound IntraLATA and InterLATA Intrastate Calling TOTALink of Kentucky, LLC usage rates for outbound intraLATA

and interLATA, intrastate voice and data calls are the same and are specified in Section 5.3 preceding.

#### 4. Outbound Interstate Calling

TOTALink of Kentucky, LLC, usage rates for outbound interstate voice and data calls are the same and are specified in the Company's applicable Interstate and Access Tariffs.

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Availability

## Section 5 - DESCRIPTION OF SERVICES (Continued)

## 5.11 CENTREX Services (Continued)

# 5.11.1 DIGITAL CENTREX Service (Continued)

H. Feature Availability

This section identifies the Digital Centrex features that are available on Basic Digital Centrex lines as well as with two available Value Packages (Suite and Advanced). Each Value Package offers different levels of standard features.

STD - Standard or all lines ONC - Optional - No additional recurring charge OAC - Optional - Additional charges apply N/A - Not Available

Primary and Intercom-Only Station Features and	
<b>Options - Basic Digital Centrex</b>	

Automatic Callback	OAC
Automatic Busy Redial	OAC
Call Forwarding - Busy	OAC
Call Forwarding - Don't Answer	OAC
Call Forwarding - Variable	OAC
Call Hold	OAC
Call Pick-Up	OAC
Call Transfer	OAC
Call Waiting	OAC
Directed Call Pick-Up	OAC
Distinctive Ringing	OAC
Speed Calling - 30 Code	OAC
Station Hunting	OAC
Group Hunting	OAC
Station Restriction	OAC
Three-Way Calling	OAC
Voice Mail	OAC

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	Section 5 - DESCRIPTION OF SERVICES (Continu	ed)
5.11	CENTREX Services (Continued)	
	5.11.1 DIGITAL CENTREX Service (Continued)	
	H. Feature Availability (Continued)	
	STD - Standard on all lines ONC - Optional - No additional recurring charge OAC - Optional - Additional charges apply N/A - Not Available	
	Primary and Intercom-()nly Station Features and	
	Options - Suite Value Package	Availability
	Automatic Callback	OAC
	Automatic Busy Redial	OAC
	Call Forwarding - Busy	STD
	Call Forwarding - Don't Answer	STD
	Call Forwarding - Variable	ONC
	Call Hold	STD
	Call Pick-Up	N/A
	Call Transfer	STD
	Call Waiting	N/A
	Directed Call Pick-Up	N/A
	Distinctive Ringing	N/A
	Speed Calling - 30 Code	N/A
	Station Hunting	ONC
	Group Hunting	OAC
	Station Restriction	N/A
	Three-Way Calling	STD
	Voice Mail	OAC
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**CENTREX** Services (Continued) 5.11 5.11.1 DIGITAL CENTREX Service (Continued) Feature Availability (Continued) H. STD - Standard or all lines ONC - Optional - 'No additional recurring charge OAC - Optional - Additional charges apply N/A - Not Available Primary and Intercom-Only Station Features and **Options - Advanced Value Package** Availability ONC Automatic Callback ONC Automatic Busy Redial STD Call Forwarding - Busy STD Call Forwarding - Don't Answer ONC Call Forwarding - Variabie STD Call Hold STD Call Pick-Up **STD** Call Transfer STD Call Waiting STD Directed Call Pick-Up STD **Distinctive Ringing** ONC Speed Calling - 30 Code ONC Station Hunting ONC Group Hunting ONC Station Restriction STD Three-Way Calling OAC Voice Mail PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE Effective:

Section 5 - DESCRIPTION OF SERVICES (Continued)

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#### Section 5 - DESCRIPTION OF SERVICES (Continued) 5.11 **CENTREX Services** (Continued) 5.11.1 DIGITAL CENTREX Service (Continued) H. Feature Availability (Continued) STD - Standard on all lines ONC - Optional - No additional recurring charge OAC - Optional - Additional charges apply Availability ISDN Digital Centrex Line Features and Options **STD** Initial B channel for Alternate Voice or Data Additional B channel for Alternate Voice or Data OAC Primary Directory Number STD Secondary Directory Numbers OAC Calling Forwarding STD STD Call Hold Calling Number Identification STD Call Pick-Up STD STD Call Transfer STD Call Waiting ONC Line Hunting OAC Speed Calling - 30 Code Three Way Calling STD

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#### Section 5 - DESCRIPTION OF SERVICES (Continued) CENTREX Services (Continued) 5.11 5.11.1 DIGITAL CENTREX Service (Continued) Feature Availability (Continued) H. STD - Standard on all lines ONC - Optional - No additional recurring charge OAC - Optional - Additional charges apply Digital Centrex System Features and Options Availability OAC Attendant Call Transfer ONC Attendant Camp-On OAC Attendant Console Feature Package Automatic Identification of Outward Dialing (AIOD) STD OAC Automatic Route Selection STD Direct Inward/Outward Dialing (DID/DOD) STD Night Service OAC Other Common Carrier (OCC) Access OAC Private Line Termination STD Station-to-Station Dialing STD Touch-Tone OAC Uniform Call Distribution (UCD) OAC Multi Premise Call Appearance

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## 5.11 <u>CENTREX Services</u> (Continued)

## 5.11.1 DIGITAL CENTREX Service (Continued)

1

I. Rates and Charges

Digital Centrex service is offered by TOTALink of Kentucky, LLC. from its central office at the rates and charges specified herein.

#### **Non-Recurring Charges**

One time non-recurring charges apply, where applicable, for the establishment of service or for future service activations.

#### **Recurring Rates**

Recurring rates apply, where applicable, for system and line features and capabilities. Recurring rates are billed on a monthly basis.

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#### Section 5 - DESCRIPTION OF SERVICES (Continued)

#### 5.11 <u>CENTREX Services</u> (Continued)

#### 5.11.1 DIGITAL CENTREX Service (Continued)

I. Rates and Charges (Continued)

#### **Term Payment Plans**

Term payment plans are available on an optional basis. Term payment plans offer discounts on the monthly recurring rates for Digital Centrex service when the customer chooses to purchase the service from the Company for a specified period of time or term (12, 24, 36, 48, 60 and 84 month terms are available). The monthly recurring rates for Digital Centrex service inder any of the available Term Payment Plans are established on an individual Case Basis (ICB).

The customer shall not assign or otherwise transfer its rights or obligations under any Digital Centrex term agreement without prior written consent of TOTALink of Kentucky, LLC.

Termination charges apply when service is terminated prior to the end of the specified service term. Termination charges are based on 70% of the remaining amount due for the applicable Term Payment Plan.

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## Section 5 - DESCRIPTION OF SERVICES (Continued)

## 5.11 CENTREX Services (Continued)

#### 5.11.1 DIGITAL CENTREX Service (Continued)

I. Rates and Charges (Continued)

#### Term Payment Plans (Continued)

At the end of the payment plan term, service will be continued at the monthly rates in effect at the time unless otherwise specified by the customer.

During the term of a payment plan agreement, the customer may enter into a new Term Payment Plan agreement as long as the term of the new agreement is great in than the term remaining on the existing agreement.

If the standard monthly rate for any service element is reduced below the rate charged under a Term Payment Plan, the lower rate will be applied to the Term Payment Plan as well.

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#### 5.11 <u>CENTREX Services</u> (Continued)

## 5.11.1 DIGITAL CENTREX Service (Continued)

I. Rates and Charges (Continued)

#### **Residual Charges**

Residual Charges are rates and charges that may be assessed from time to time by the Company based upon costs not normally associated with the provisioning of service. Examples of Residual Charges could include a local loop charge when a service like ISDN is provided over loop facilities supplied by another exchange carrier. These rates and charges are intended exclusively to allow the company to recover unusual costs not normally associated with the provisioning of service and are in addition to other applicable rates and charges. Due to the uncertain nature of these charges, Residual charges are not specified in this tariff.

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## 5.11 <u>CENTREX Services</u> (Continued)

## 5.11.1 DIGITAL CENTREX Service (Continued)

## I. Rates and Charges (Continued)

			Monthly
	Non-	Recurring	Term
Primary and Intercom-Only Station Features	Recurring	Monthly	Payment
and Options – Basic Digital Centrex	Charge	Rate	Plan Rate
Primary Stations			
- 6 - 10 Stations, each	\$19.00	\$44.00	ICB
- Up to 15 Stations, each	\$19.00	\$43.00	ICB
- Up to 20 Stations, each	\$19.00	\$42.00	ICB
- Up to 25 Stations, each	\$19.00	\$41.00	ICB
- Up to 30 Stations, each	\$19.00	\$40.00	ICB
- Up to 50 Stations, each	\$19.00	\$39.00	ICB
- Up to 60 Stations, each	\$19.00	\$38.00	ICB
- Up to 80 Stations, each	\$19.00	\$36.00	ICB
- Up to 100 Stations, each	\$19.00	\$35.00	ICB
- Up to 200 Stations, each	\$19.00	\$34.00	ICB
- Up to 300 Stations, each	\$19.00	\$33.00	ICB
- Up to 400 Stations, each	\$19.00	\$32.00	ICB
- Over 400 Stations, each	\$19.00	\$31.00	ICB
Intercom only Stations, each	\$3.95	\$3.95	ICB
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## 5.11 <u>CENTREX Services</u> (Continued)

## 5.11.1 DIGITAL CENTREX Service (Continued)

#### I. Rates and Charges (Continued)

Primary and Intercom-Only Station Features and Options – Basic Digital Centrex (Continued)	Non- Recurring <u>Charge</u>	Recurring Monthly <u>Rate</u>	Monthly Term Payment <u>Plan Rate</u>
Optional Features			
- Automatic Call Back	\$2.00	\$5.00	ICB
- Automatic Busy Redial	\$2.00	\$5.00	ICB
- Call Forwarding – Busy/Don't Answer,	\$1.00	\$2.14	
per station			ICB
- Call Forwarding - Variable, per station	\$2.00	\$3.75	ICB
- Call Hold, per station	\$1.00	\$0.90	ICB
- Call Pick-Up, per station	\$2.00	\$3.85	ICB
- Call Transfer, per station	\$2.00	\$3.80	ICB
- Call Waiting, per station	\$2.00	\$3.80	ICB
- Directed Call Pick-Up, per station	\$2.00	\$2.14	ICB
- Distinctive Ringing, per station			
Common Equipment, per system	\$81.00	\$4.50	ICB
Per Station Equipped	\$1.50	\$0.94	ICB
- Speed Calling - 30 Code, per station	\$3.75	\$3.80	ICB
- Station Hunting			
per hunt group	\$10.00	\$4.50	ICB
per station	\$2.00	\$2.85	ICB
- Station Restriction, per station	\$2.00	\$2.14	ICB
- Three-Way Calling, per station	\$1.00	\$3.66	ICB
- Voice Mail			
Basic		\$4.25	ICB
Value Package 1		\$6.95	ICB
Value Package 2		\$12.95	

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## 5.11 CENTREX Services (Continued)

## 5.11.1 DIGITAL CENTREX Service (Continued)

## I. Rates and Charges (Continued)

Primary and Intercom-Only Station Features and Options - Suite Value Package	Non- Recurring <u>Charge</u>	Recurring Monthly <u>Rate</u>	Monthly Term Payment <u>Plan Rate</u>
Primary Stations			
- 6 - 20 Stations, each	\$19.00	\$46.00	ICB
- Up to 50 stations, each	\$19.00	\$44.00	ICB
- Up to 70 stations, each	\$19.00	\$43.00	ICB
- Up to 90 stations, each	\$19.00	\$42.00	ICB
- Over 90 Stations, each	\$19.00	\$41.00	ICB
Intercom only Stations, each	\$3.95	\$3.95	ICB

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## 5.11 CENTREX Services (Continued)

## 5.11.1 DIGITAL CENTREX Service (Continued)

## I. Rates and Charges (Continued)

Primary and Intercom-Only Station Features and Options - Advanced Value Package	Non- Recurring <u>Charge</u>	Recurring Monthly <u>Rate</u>	Monthly Term Payment <u>Plan Rate</u>
Primary Stations			
- 6 – 9 Stations, each	\$19.00	\$59.00	ICB
- Up to 19 Stations, each	\$19.00	\$53.00	ICB
- Up to 50 Stations, each	\$19.00	\$50.00	ICB
- Up to 100 Stations, each	\$19.00	\$56.00	ICB
- Up to 300 Stations, each	\$19.00	\$54.00	ICB
- Over 300 Stations, each	\$19.00	\$50.00	ICB
Intercom only Stations, each	\$3.95	\$3.95	ICB

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## Section 5 - DESCRIPTION OF SERVICES (Continued)

# 5.11 <u>CENTREX Services</u> (Continued)

5.11.1 DIGITAL CENTREX Service (Continued)

I. Rates and Charges (Continued)

Primary and Intercom-Only Station Features and Options – Advanced Value Package (Continued)	Non- Recurring <u>Charge</u>	Recurring Monthly <u>Rate</u>	Monthly Term Payment
	MIN/MAX	MIN/MAX	Plan Rate
Optional Features			
-Automatic Callback	N/C	N/C	ICB
-Repeat Dialing	N/C	N/C	ICB
-Call Forwarding - Busy, per station	N/C	N/C	N/A
-Call Forwarding - Don't Answer, per station	N/C	N/C	N/A
-Call Forwarding - Variable, per station	N/C	N/C	N/A
-Call Hold, per station	N/C	N/C	N/A
-Call Pick-Up, per station	N/C	N/C	N/A
-Call Transfer, per station	N/C	N/C	N/A
-Call Waiting, per station	N/C	N/C	N/A
-Directed Call Pick-Up, per station	N/C	N/C	N/A
-Distinctive Ringing, per station			
Common Equipment, per system	N/C	N/C	N/A
Per Station Equipped	N/C	N/C	N/A
-Speed Calling - 30 Code, per station	N/C	N/C	N/A
-Station Hunting			
per hunt group	N/C	N/C	N/A
per station	N/C	N/C	N/A
-Station Restriction, per station	N/C	N/C	N/A
-Three-Way Calling, per station	N/C	N/C	N/A
-Voice Mail			
Basic		\$4.25	ICB
Value Package 1		\$6.95	ICB
Value Package 2		\$12.95	ICB

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## 5.11 <u>CENTREX Services</u> (Continued)

## 5.11.1 DIGITAL CENTREX Service (Continued)

I. Rates and Charges (Continued)

<u>ISI</u>	ON Features and Options	Non- Recurring <u>Charge</u>	Recurring Monthly <u>Rate</u>	Monthly Term Payment <u>Plan</u> <u>Rate</u>
•	al Centrex Lines	• • • • • •	<b></b>	
- Standard channel,	I Line e/w one active B each	\$60.00	\$55.00	ICB
,	hal B channel, each		\$20.00	ICB
-	Optional Features ry Directory Number	\$3.95	\$1.98	ICB
	ISDN Digital Centrex Overtim	e Usage		Per Minute of Use
Overtime IS	SDN Digital Centrex Intercor U	sage		
- Voice C	alls			N/A
- Circuit I	Mode Data Calls			\$0.005
Overtime IS	SDN local Usage			
- Voice C	alls			N/A
- Circuit I	Mode Data Calls			\$0.05
Overtime IS	SDN IntraLATA and InterLATA	Interstate Usage	e	
- Voi	ce Calls			N/A
- Circ	uit Mode Data Calls			\$0.10
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## 5.11 <u>CENTREX Services</u> (Continued)

## 5.11.1 DIGITAL CENTREX Service (Continued)

## I. Rates and Charges (Continued)

System Features and Options	Non- Recurring <u>Charge</u>	Recurring Monthly <u>Rate</u>	Monthly Term Payment <u>Plan Rate</u>
Initial System Establishment			
- 6-20 Stations	\$400.00	N/C	N/A
- Up to 50 Stations	\$800.00	N/C	N/A
- Up to 100 stations	\$1200.00	N/C	N/A
- Over 100 Stations	\$1500.00	N/C	N/A
Attendant Call Transfer, per Console	\$15.00	\$5.00	ICB
Attendant Camp-On, per Console	\$97.55	N/C	ICB
Attendant Console Feature Package, per Console	\$825.00	\$75.00	ICB

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## 5.11 <u>CENTREX Services</u> (Continued)

## 5.11.1 DIGITAL CENTREX Service (Continued)

## I. Rates and Charges (Continued)

System Features and Options (Continued)	Non- Recurring <u>Charge</u>	Recurring Monthly <u>Rate</u>	Monthly Term Payment <u>Plan Rate</u>
Automatic Route Selection			
	\$548.00	\$37.50	ICB
<ul> <li>Common Equipment, per system</li> <li>Per Facility Terminated in a Pattern</li> </ul>	NA	\$3.95	ICB
- Automatic Route Selection Patterns		\$2.75	100
<ul> <li>Pattern by NPA area code only ("hree digit routing) with final route to the DDD or overflow tone, each</li> </ul>	\$255.00	\$7.50	ICB
• Pattern by NPA area code and central office NNX codes (six digit routing) with final route to DDD or overflow tone, each	\$375.00	\$15.00	ICB
<ul> <li>Additions, deletions or changes of routes in existing patterns including additions or changes in NPA or</li> </ul>	•		
central office codes, each	\$150.00	N/C	ICB

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# 5.11 <u>CENTREX Services</u> (Continued)

# 5.11.1 DIGITAL CENTREX Service (Continued)

## I. Rates and Charges (Continued)

System Features and Options (Continued)	Non- Recurring <u>Charge</u>	Recurring Monthly <u>Rate</u>	Monthly Term Payment <u>Plan Rate</u>
Other Common Carrier Access, per T-1 Port or Facility	\$60.00	\$67.55	ICB
Private Line Termination, each	\$70.00	\$119.00	ICB
Uniform Call Distribution (UCD) - With queuing Per Group Per Primary Station - Without queuing	\$210.00 \$11.70	\$5.20 \$12.75	ICB ICB
<ul> <li>Without queuing</li> <li>Per Primary Station</li> <li>Delay Announcement, per arrangement</li> <li>Multi Premise Call Appearance</li> </ul>	\$11.70 \$50.00 \$10.00	\$3.75 \$12.75 \$1.00	ICB ICB ICB

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#### Section 5 - DESCRIPTION OF SERVICES (Continued)

## 5.11 <u>CENTREX Services</u> (Continued)

## 5.11.1 DIGITAL CENTREX Service (Continued)

I. Rates and Charges (Continued)

Overtime Intercon Usage

Per Minute of Use

Primary or Intercom-Only Stationand ISDN Line - Voice CallsN/AISDN Line - Circuit Mod : Data Calls\$0.005

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## Section 5 - DESCRIPTION OF SERVICES (Continued)

## 5.12 Asynchronous Transfer Mode (AT'M) Connecting Service

#### 5.12.1 Description

Asynchronous Transfer Mode (ATM) Connecting Service provides dedicated, non-switched ATM formatted high capacity digital connections between two customer specified locations. ATM Connecting Services are available to business customers only from the Company's central office. These services support full duplex synchronous transmission at the following speeds:

Service	Transmission Speed
ATM-155M	155 Mbps
ATM-100M	100 Mbps
ATM-90M	90 Mbps
ATM-45M	45 Mbps
ATM-40M	40 Mbps
ATM-35M	35 Mbps
ATM-30M	30 Mbps
ATM-25M	25 Mbps
ATM-20M	20 Mbps
ATM-15M	15 Mbps
ATM-10M	10 Mbps
ATM-5M	5 Mbps

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## 5.12 <u>Asynchronous Transfer Mode (ATM) Connecting Service (Continued)</u>

## 5.12.2 Terms and Conditions

ATM Connecting Service is furnished subject to the availability of facilities. These services, where available, will support customer originated data communications.

The customer is responsible for providing compatible customer provided equipment that is used in connection with ATM Connecting Service. The customer is also responsible for providing the Company with the necessary information to provision ATM Connecting Service.

A customer ordering ATM Connecting Service on behalf of one or more of its end users must obtain a letter of agency from those users.

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#### 5.12 Asynchronous Transfer Mode (A<sup>\*</sup>M) Connecting Service (Continued)

#### 5.12.3 Rates and Charges

ATM Connecting Service is offered by TOTALink of Kentucky, LLC from its central office at the rates and charges specified herein. Each ATM Connecting Service line provides a connection from the customers' equipment at one location to the Company's equipment in the central office. A minimum of two LAN Connecting Service lines as well as any interoffice mileage connections, where applicable, are required for a complete end-to-end service.

#### **Non-Recurring Charges**

One time non-recurring charges apply, where applicable, for the establishment of service or for future service activations. Non-recurring charges apply per end of a LAN Connecting Service installation.

#### **Recurring Rates**

Recurring rates apply, where applicable, for the ongoing use of these services. Recurring rates are billed on a monthly basis and apply per end of the ATM Connecting Service arrangement.

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#### 5.12 Asynchronous Transfer Mode (ATM) Connecting Service (Continued)

5.12.3 Rates and Charges (Continued)

#### Mileage Charges

Mileage charges apply, where applicable, for the interoffice mileage between the TOTALink serving central office and the Point-of Presence (POP) of an interconnecting exchange or interchange carrier where TOTALink is providing one end of the ATM Connecting Service and the other end is served by a different exchange carrier. Mileage charges do not apply for the distance between the customer and the local TOTALink serving central office. It is the Company's intent to determine this interoffice mileage based on the V&H coordinates of its central office and the connecting carrier's POP. Initially, however, a fixed mileage charge will apply for all such mileage associated with Local Area Network Connecting Service provided by the Company.

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## 5.12 Asynchronous Transfer Mode (ATM) Connecting Service (Continued)

5.12.3 Rates and Charges (Continued)

#### **Term Payment Plans**

Term payment plans are available on an optional basis. Term payment plans offer discounts on the monthly recurring rates for ATM Connecting Service when the customer chooses to purchase the service from the Company for a specified period of time or term (12, 24, 36, 48, 60 and 84 month terms are available). The monthly recurring rates for ATM Connecting Service, under any of the available Term Payment Plans, are established on an Individual Case Basis (ICB).

The customer shall not assign or otherwise transfer its rights or obligations under any ATM Connecting Service term agreement without prior written consent of TOTALink of Kentucky, I.LC.

Termination charges apply when service is terminated prior to the end of the specified service term. Termination charges are based on 70% of the remaining amount due for the applicable Term Payment Plan.

At the end of the payment plan term, service will be continued at the monthly rates in effect at the time unless otherwise specified by the customer.

During the term of a payment plan agreement, the customer my enter into a new Term Payment Plan agreement as long as the term of the new agreement is greater than the term remaining on the existing agreement.

If the standard monthly rate for any service element is reduced below the rate charged under a Term Payment Plan, the lower rate will be applied to the Term Payment Plan as well

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#### 5.12 Asynchronous Transfer Mode (A [M) Connecting Service (Continued)

5.12.3 Rates and Charges (Continued)

#### **Residual Charges**

Residual Charges are rates and charges that may be assessed from time to time by the Company based upon costs not normally associated with the provisioning of service. Examples of Residual Charges could include a local loop charge for an ATM Connecting Service provided over loop facilities supplied by another exchange carrier. These nates and charges are intended exclusively to allow the company to recover unusual costs not normally associated with the provisioning of service and are in addition to other applicable rates and charges. Due to the uncertain nature of these charges, Residual charges are not specified in this tariff.

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## Section 5 - DESCRIPTION OF SERVICES (Continued)

## 5.12 Asynchronous Transfer Mode (A<sup>TM</sup>) Connecting Service (Continued)

## 5.12.3 Rates and Charges (Continued)

					<u>Term Pay</u>	ment Plan
				Monthly		Monthly
		Non-	Monthly	Recurring	Monthly	Recurring
ATM Connecting		Recurring	Recurring	Mileage	Recurring	Mileage
Services	Speed	Charge	Rate	<u>Rate #</u>	Rate	Rate #
Initial ATM-155M Line,						
each	155 Mbps	\$7500.00	\$4900.00	\$250.00	ICB	ICB
Add'l ATM-155M Line, each*	155 Mbps	\$3750.00	\$4900.00	\$250.00	ICB	ICB
Initial ATM-100M Line,						
each	100 Mbps	\$5000.00	\$4500.00	\$200.00	ICB	ICB
Add'l ATM-100M Line, each*	100 Mbps	\$2500.00	\$4500.00	\$200.00	ICB	ICB
Initial ATM-90M Line,						
each	90 Mbps	\$5000.00	\$4100.00	\$190.00	ICB	ICB
Add'l ATM-90M Line, each*	90 Mbps	\$2500.00	\$4100.00	\$190.00	ICB	ICB
Initial ATM-45M Line,						
each Add'l ATM-45M Line,	45 Mbps	\$2500.00	\$2900.00	\$100.00	ICB	ICB
each*	45 Mbps	\$1250.00	\$2900.00	\$100.00	ICB	ICB

\* Installed at the same location and ordered at the same time as the initial line.

# This charge, where applicable, will be fixed regardless of mileage until otherwise indicated.

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# 5.12 Asynchronous Transfer Mode (ATM) Connecting Service (Continued)

## 5.12.3 Rates and Charges (Continued)

		Non-	Monthly	Monthly Recurring	<u>Term Pay</u> Monthly	<u>ment Plan</u> Monthly Recurring
ATM Connecting		Recurring	Monthly Recurring	Mileage	Recurring	Mileage
Services (Continued)	Speed	Charge	Rate	<u>Rate #</u>	Rate	Rate #
	-					
Initial ATM-40M Line, each Add'l ATM-40M Line,	40 Mbps	\$2500.00	\$2800.00	\$100.00	ICB	ICB
each*	40 Mbps	\$1250.00	\$2800.00	\$100.00	ICB	ICB
Initial ATM-35M Line, each	35 Mbps	\$2500.00	<b>\$265</b> 0.00	\$100.00	ICB	ICB
Add'l ATM-35M Line, each*	35 Mbps	\$1250.00	\$2650.00	\$100.00	ICB	ICB
Initial ATM-30M Line,						
each	30 Mbps	\$2500.00	\$2600.00	\$100.00	ICB	ICB
Add'l ATM-30M Line, each*	30 Mbps	\$1250.00	\$2600.00	\$100.00	ICB	ICB
Initial ATM-25M Line, each	25 Mbps	\$2500.00	\$2350.00	\$100.00	ICB	ICB
Add'l ATM-25M Line, each*	25 Mbps	\$1250.00	\$2350.00	\$100.00	ICB	ICB

\* Installed at the same location and ordered at the same time as the initial line.

# This charge, where applicable, will be fixed regardless of mileage until otherwise indicated.

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# Section 5 - DESCRIPTION OF SERVICES (Continued)

# 5.12 Asynchronous Transfer Mode (A'['M) Connecting Service (Continued)

## 5.12.3 Rates and Charges (Continued)

					<u>Term Pay</u>	
ATM Connecting Services (Continued)	Speed	Non- Recurring <u>Charge</u>	Monthly Recurring <u>Rate</u>	Monthly Recurring Mileage <u>Rate #</u>	Monthly Recurring <u>Rate</u>	Monthly Recurring Mileage <u>Rate #</u>
Initial ATM-20M Line, each Add'l ATM-20M Line,	20 Mbps	\$2500.00	\$2000.00	\$100.00	ICB	ICB
each*	20 Mbps	\$1250.00	\$2000.00	\$100.00	ICB	ICB
Initial ATM-15M Line, each	15 Mbps	\$2500.00	\$1500.00	\$100.00	ICB	ICB
Add'l ATM-15M Line, each*	15 Mbps	\$1250.00	\$1500.00	\$100.00	ICB	ICB
Initial ATM-10M Line, each Add'l ATM-10M Line,	10 Mbps	\$2500.00	<b>\$1</b> 000.00	\$80.00	ICB	ICB
each*	10 Mbps	\$1250.00	\$1000.00	\$80.00	ICB	ICB
Initial ATM-5M Line, each	5 Mbps	\$2500.00	\$825.00	\$40.00	ICB	ICB
Add'l ATM-5M Line, each*	5 Mbps	\$1250.00	\$825.00	\$40.00	ICB	ICB

\* Installed at the same location and ordered at the same time as the initial line.

# This charge, where applicable, will be fixed regardless of mileage until otherwise indicated.

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## 5.13 Wire Protection Service Offering

## 5.13.1 Description

Wire Protection covers diagnosis and repair of inside telephone wiring and associated jacks. This program goes into effect the day dial tone services has been activated by TOTALink.

## 5.13.2 Rates and Charges

	Monthly Recurring <u>Rates</u>
Residential - per line	\$1.95
Business - per line	\$3.50

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## 5.14 Special Services and Programs

5.14.1Universal Emergency Telephone Number Service

- 5.14.1.1 Universal Emergency Telephone Number Service (911 Service) is an arrangement of Company central office and trunking facilities whereby any telephone use: who dials the number 911 will reach the emergency report center for the telephone from which the number is dialed or will be routed to an operator if all lines to an emergency report center are busy. If no emergency report center customer exists for a central office entity, a telephone user who dials the number 911 will be routed to an operator. The telephone user who dials the 911 number will not be charged for the call.
- 5.14.1.2 Regulations
  - (a) This service is furnished to municipalities and other governmental agencies only for the purpose of voice reporting of emergencies by the public. For this service, the municipality or government agency(s) designated by the customer as responsible for the control and staffing of the emergency report center is referred to as the "Agency".
  - (b) When 911 service replaces an existing emergency number, intercept service shall be the responsibility of the Agency. However, if the Agency is inable to provide this service, the operator will intercept and forward requests for emergency aid for a period of at least one year.
  - (c) 911 service is furnished for incoming calls only.

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#### 5.14 Special Services and Programs (Continued)

5.14.1 Universal Emergency Telephone Number Service (Continued)

5.14.1.3 Conditions of Furnishing Service

(a) This service is offered solely as an aid in handling assistance calls in connection with fire, police, medical, and other emergencies. The Company is not responsible, in the absence of gross negligence or willful misconduct, for any losses, claims, demands, suites, or any liability, whether suffered, made, instituted, or asserted by the customer or by any other party or person, for any personal injury to or death of any person or persons, and for any loss, damage, or destruction of any property, whether owned by the customer or others, caused or claimed to have been caused by the installation, operation, failure to operate maintenance, removal, presence, conditions, location, or use of such facilities. By dialing 911, the customer agrees to release, indemnify, defend, and hold harmless the Company from any and all loss or claims, whatsoever, whether suffered, made, instituted, or asserted by the destruction of any property, whether owned by the custom r or others. Not withstanding any provision to the contrary, ir no event shall the Company be liable for any special, incidental, consequential, exemplary, or punitive damages of any nature whatsoever.

(b) The Company is not responsible for any infringement or invasion of the right of privacy of any person or persons, caused, or claimed to have been caused, directly or indirectly, by the installation, operation, failure to operate, maintenance, removal, presence, conditions, occasion or use of the 911 service features and the equipment associated therewith, including, but not limited to, the identification of the telephone number, address or name associated with the telephone used by the party or parties accessing the 911 service.

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Section 5 – <u>Description of Services</u> (Continued)

#### 5.14 Special Services and Programs (Continued)

5.14.2 Enhanced Universal Emergency Telephone Number Service

5.14.2.1 General

Enhanced Universal Emergency Telephone Number Service (E911 Service) is a Call Delivery Network whereby any telephor e user who dials the number 911 will reach a designated Public Safety Answering Point (PSAP). E911 Service is offered in the Company's serving area subject to the availability of stored program control central office facilities, Enhanced 911 software, and ANI equipment. The telephone user who dials the 911 number will not be charged for the call.

#### 5.14.2.2 Regulations

In addition to the following, the regulations in Section 5.20.3 apply.

- (a) This tariff does not provide for the inspection or constant monitoring of facilities to discover errors, defects, or malfunctions in the service, nor does the company undertake such responsibility. The Agency shall make such operational tests as in their judgment are required to determine whether the system is functioning properly for its use The Agency shall promptly notify the Company in the event the system is not functioning properly.
- (b) E911 information, consisting of the names, addresses, and telephone numbers of all telephone customers, is confidential, The Company will release such information to the Agency periodically for the update of their systems.

# Section 5 – <u>DESCRIPTION OF SERVICES</u> (Continued)<sub>PUBLIC</sub> SERVICE COMMISSION OF KENTUCKY Effective: JUL 10 2000

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### 5.14 Special Services and Programs (Continued)

5.14.2 Enhanced Universal Emergency Telephone Number Service (Continued)

5.14.2.2 Regulations (Continued)

- (c) The E911 calling party, by dialing 911, waives the privacy afforded by non-listed and non-published service to the extent that the telephone number ("ANI") and address ("Al.I") associated with the originating station location are furn shed to the PSAP, on call by call basis, after an E911 call has been received.
- (d) Service boundaries of the Company and political subdivision boundaries may not coincide. In the event that the Agency does not subscribe to Selective Routing, it must make arrangements to handle all 911 calls that originate form telephones served by central offices in the local service areas (i.e., exchange) whether or not the calling telephone is situated on property within the geographical boundaries of the Agency's public safety jurisdiction.

### 5.14.2.3 Conditions of Furnishing Service

(a) This service is offered solely as an aid in handling assistance calls in connection with fire, police, medical, and other emergencies. The Company is not responsible, in the absence of gross negligence or willful misconduct, including default routing, for any losses, claims, demands, suits, or any liability, whether suffered, made, instituted, or asserted by the customer or by any other party or person, for any personal injury to or death of any person or persons, and for any loss, damage, or destruction of any property, whether owned by the customer or others, caused or claimed to have

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## Section 5 - DESCRIFTION OF SERVICES (Continued)

#### 5.14 Special Services and Programs (Continued)

- 5.14.2 Enhanced Universal Emergency Telephone Number Service (Continued)
  - 5.14.2.3 Conditions of Furnishing Service (Continued)

been caused by the installation, operation, failure to operate, maintenance, removal, presence, condition, location, or use of such facilities. By dialing 911, the customer agrees to release, indemnify, defend, and hold harmless the Company from any and all loss or claims, whatsoever, whether suffered, made, instituted, or asserted by the destruction of any property, whether owned by the customer or others. Not withstanding any provision to the contrary, in no event shall the Company, be liable for any special, incidental, consequential, exemplary, or punitive damages of any nature whatsoever, including for default routing.

(b) The Company is not responsible for any infringement or invasior of the right of privacy of any person or persons, caused, or claimed to have been caused, directly or indirectly, by the ir stallation, operation, failure to operate, maintenance, removal, presence, condition, occasion or use of the 911 service features and the equipment associated therewith, including, but not limited to, the identification of the telephone number, address or name associated with the telephone used by the party or partics accessing the 911 service.

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Issued by: Michael Angi - President TOTALINK OF KENTUCKY LLC 124 Grove Street, Suite 220 Franklin, MA 02038 Section 5 – <u>DESCRITION OF SERVICES</u> (Continued)

- 5.14 Special Services and Programs (Continued)
  - Special Equipment for the Hearing or Speech Impaired Customer 5.14.3
    - 5.14.3.1 The Company will provide, upon request, specialized telecommunications equipment for a customer certified as hearing or speech impaired.
    - 5.14.3.2 A customer can be certified as hearing or speech impaired by a licensed phys cian, otolaryngologist, speech-language pathologist, audiologist or an authorized representative of a social agency that conducts programs for persons with hearing or speech impairments in cooperation with an official agency of the State of Ohio.
    - 5.14.3.3 The Company will make every reasonable effort to locate and obtain equipment for a certified customer.
    - 5.14.3.4 The customer may purchase equipment at a price not to exceed the actual purchase price (including any applicable shipping costs) the Company pays.
    - 5.14.3.5 The Company will also advise the customer who requests this equipment of the applicable terms for purchase.

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## Section 5 – <u>DESCRIF</u>, <u>TION OF SERVICES</u> (Continued)

#### 5.14 Special Services and Programs (Continued)

- 5.14.4 Discounted Service for the Hearing or Speech Impaired
  - 5.14.4.1 A handicapped person who has been certified to the Company as having a hearing or speech impairment which requires that he or she communicate over telephone facilities by means other than voice, and who either use non-voice equipment or make calls through an interpreter, will receive, upor application to the Company, a fifty percent (50%) discount on local message rate service.
  - 5.14.4.2 Acceptable certifications are:
    - (a) Those made by a licensed physician, otolaryngologist, speechlanguage pathologist or audiologist or an authorized representative of a social agency that conducts programs for persons with hearing or speech impairment in cooperation with an official agency of the State of Kentucky; or
    - (b)A pre-existing certification establishing the impairment of hearing or speech such as those which qualify the handicapped person for social security benefits on the basis of total hearing impairment or for the use of facilities of an agency for a person with hearing or speech impairment.

## 5.14.4.3 Qualification

A customer qualifying for the discount is one whose impairment is such that competent authority would certify him or her as being unable to use a telephone for voice communication.

#### 5.14.4.4 Billing

The reduction in charges is applied only at one location, designated by the impaired person.

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## Section 5 – <u>DESCRIPTION OF SERVICES</u> (Continued)

#### 5.14 Special Services and Programs (Continued)

## 5.14.5 Kentucky Relay Service and Lifeline Charges

Effective December 1, 1999, \$0.07 will be levied per access line per month as a Kentucky Relay Service Surcharge. Effective December 1, 1999 through December 31, 1999, \$0.03 will be levied per access line per month as a Kentucky Lifeline Charge. Pursuant to Administrative Case No. 360, effective January 1, 2001, the Kentucky Lifeline Charge will be \$0.05 per access line per month.

5.14.5.1 [Intentionally deleted].

5.14.5.2 [Intentionally deleted].

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## Section 5 - DESCRIPTION OF SERVICES (Continued)

5.14 Special Services and Programs (Continued)

5.14.5 Kentucky Relay Service and Lifeline Charges (Continued)

5.14.5.2 [Intentionally deleted].

5.14.5.3 [Intentionally deleted].

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## Section 5 - DESCRIPTION OF SERVICES (Continued)

5.14.5.4 Delayed Payment Charges

In accordance with 807 KAR 5:006, Section 8(3)(h), a penalty may be assessed if a customer fails to pay a bill for services by the due date shown on the customer's bill. The penalty may be assessed only once on any bill for rendered services. Any payment received shall first be applied to the bill for service rendered. Additional penalty charges shall not be assessed on unpaid penalty charges.

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## Section 6 - MISCELLANEOUS SERVICES

#### 6.1. Non-Regulated Services

In addition to the regulated services offered by TOTALink of Kentucky, LLC through this tariff, the company also offers its customers non-regulated services from its central office. Although it is not necessary to specify these non-regulated services in this tariff, the Company is doing so to help explain how certain discounts offered on regulated services are based on revenues billed for both regulated and non-regulated services. For information on these discounts as they apply to regulated services, refer to Section 7 of this tariff.

#### 6.1.1 Internet Service

The Company offers customers standard Internet services that provide access to email services and the Internet World Wide Web.

6.1.2 Video Entertainment Serv ces

The Company offers customers cable TV services including local programming as well as other entertainment and pay-per-view services. In addition, the company offers cable modem services used for access to its Internet service.

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## 6.1. Non-Regulated Services (Continued)

6.1.3 Voice Mail Service

6.1.3.1 Description

Voice Mail Service is available, where facilities permit, from the Company's central office. It is available to Residence and Business local exchange service customers. In addition, the voice mail services described here for Business local exchange service customers are also available to Digital Centrex Service customers at rates specified Section 5.11).

Voice Mail Service allows a customer to record messages from incoming calls when not available to answer the phone or when busy with another call and allows the customer to retrieve those messages at a later time.

Voice Mail Service is available in different configurations or packages for Business and Residence customers as noted in Section 6.1.3.4, Section 6.1.3.5 and Section 6.1.3.6 following.

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#### 6.1. Non-Regulated Services (Continued)

6.1.3 Voice Mail Service (Continued)

6.1.3.2 Definitions

#### A. Voice Mail Box

System memory where messages are stored until retrieved by the customer.

#### B. Message Deposit

The storage of a received message in a mailbox

### C. Message Notification

An indication that a new message is waiting to be retrieved from one or more of the customer's mailboxes. For Residence Service, this notification is in the form of stuttered dial tone. For Business Service, this notification can be made to a compatible display unit and/or to a paging system.

#### D. Message Retrieval

Receipt of a stored message.

#### E. Personal Greeting

The customer can create a personal greeting which callers will hear when diverted to Voice Mail Service. This message can be a "canned" message built into the system or the customer's own personally recorded message.

#### F. Greeting Schedules

Allows a voice mail user to program different greetings for specified times of the day and of the week.

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## Section 6 - MISCELLANEOUS SERVICES (Continued)

#### 6.1. Non-Regulated Services (Continued)

6.1.3 Voice Mail Service (Continued)

6.1.3.2 Definitions (Continued)

#### G. Direct Dial

Allows a voice mill subscriber to initiate telephone calls from the Main Menu of his voice mailbox

#### H. Automatic Call Back

Allows a voice n ail subscriber to place a call directly to the callback number associated with a stored message.

#### I. Group Messaging

Allows a voice mail subscriber to record and send a message, reply to a message and redirect a message to another voice mail subscriber.

#### J. Broadcast Messaging

Allows a voice mail subscriber to send a single recorded message to multiple destinations.

#### K. Operator Revert

Allows a caller to a voice mail subscriber's telephone number to transfer to a live person from the called subscriber's voice mailbox greeting.

#### L. Auto Attendant

Allows a customer to offer custom call answering and call routing for inbound callers through customized greetings that instruct the caller to make a selection from a list of possible destinations.

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## Section 6 - MISCHLANEOUS SERVICES (Continued)

## 6.1. Non-Regulated Services (Continued)

- 6.1.3 Voice Mail Service (Continued)
  - 6.1.3.3 Terms and Conditions

Voice Mail Service is furnished subject to the availability of facilities and only from the Company's central office.

Charges for Voice Mail Services are in addition to any charges applicable to the service with which it is associated.

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### 6.1. Non-Regulated Services (Continued)

- 6.1.3 Voice Mail Service (Continued)
  - 6.1.3.4 System Features and Capabilities
    - A. Residence Service

**Enhanced Residence Voice Mail Service** includes the following features:

- Twenty (20) Message Storage (1 minute long each)
- Thirty (30) day message storage
- Message Notification to one (1) additional device (pager)
- Message Retrieval
- Personal Greeting
- One (1) Primary Mail Box
- Seven (7) day message saved

In addition Enhanced Residence Voice Mail Service is available in a Residence Voice Mail Value Package, the Favorite Residence Feature Package and the Convenience Plus Residence Value Package as described in Section 5.2 and at the rates specified in Section 6.1.3.6.

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## 6.1. Non-Regulated Services (Continued)

6.1.3 Voice Mail Service (Continued)

6.1.3.4 System Features and Capabilities (Continued)

B. Business Service

**Basic Business Voice** Mail Service includes the following service capabilities:

- Twenty (20) Message Storage (1 minute long each)
- Thirty (30) day message storage
- Message Notification to one (1) additional device (pager)
- Message Retrieval
- One (1) Personal Greeting
- One (1) Primary Mail Box
- Seven + 7) day message saved

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- 6.1. Non-Regulated Services (Continued)
  - 6.1.3 Voice Mail Service (Commund)
    - 6.1.3.4 System Features and Capabilities (Continued)

In addition to Bas a Business Voice Mail Service, Voice Mail Service for Business Exchange Service customers is available in the following Business Value Packages:

### **Business Voice Mail Value Package 1**

In addition to the features provided with Basic Business Voice Mail Service, Business Voice Mail Value Package 1 includes the following additional features

- Twenty (20) Additional Message Storage (1 minute long each)
- Two (2) Additional Personal Greetings
- Three (3) Greeting Schedules
- Direct Dial
- Auto. Call Return
- Three (3) supplemental mail boxes

### **Business Voice Mail Value Package 2**

In addition to the features provided with Business Voice Mail Value Package 1, Business Voice Mail Value Package 2 includes the following additional features:

- Message Storage (2 minutes long each)
- Message nonfication to one(1) additional device (total of 3 devices)
- Advanced Messaging
- Broadcasts List
- Operator Revert
- Auto Attendant
- Message Forwarding
- Record Messages

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## 6.1. Non-Regulated Services (Continued)

6.1.3 Voice Mail Service (Continued)

6.1.3.5 Feature Availability

## A. Residence Service

This section describes the features that are included with Basic Residence Voice Mail Service as well as the available Residence Voice Mail Service Value Packages.

Basic Residence Voice Mail Service	<u>Availability</u>
Twenty (20) Message Storage (1 minute long each)	STD
Thirty (30) day message storage	STD
Message Notification to one (1) additional device (pager)	STD
Message Retrieval	STD
Personal Greeting	STD
Primary Mai Box, One (1)	STD
Five (5) Additional Message Storage	OPT
Seven (7) $da_{j'}$ message saved	STD

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Section 6 - MICELL ANEOUS SERVICES (Continued)

## 6.1.3 Voice Mail Service (Continued)

(Reserved for future use)

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## 6.1. Non-Regulated Services (Continued)

# 6.1.3 Voice Mail Service (Continued)

# 6.1.3.5 Feature Availability (Continued)

## B. Business Service

Basic Business Voice Mail Service	
Twenty (20) Message Storage (1 minute long each)	STD
Thirty (30) day message storage	STD
Seven (7) day message saved	STD
Message Notification to one (1) device (pager)	STD
Message Retrieval	STD
One (1) Personal Greeting	STD
One (1) Primary Mail Box	STD
Five (5) Additional Message Storage	OPT

Business Value Package 1	Availability
Business Value Package 1 Forty (40) Message Storage (1 minute long each) Thirty (30) day message storage Seven (7) day message saved Message Notification to one (1) device (pager) Message Retrieval Three (3) Personal Greeting One (1) Primary Mail Box Three (3) Supplemental Mail Boxes Three (3) Greeting Schedules	<u>Availability</u> STD STD STD STD STD STD STD STD STD STD
Direct Dial Auto. Call Return Five (5) Additional Message Storage	STD STD OPT

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## 6.1. Non-Regulated Services (Continued)

- 6.1.3 Voice Mail Service (Continued)
  - 6.1.3.5 Feature Availability' (Continued)

B. Business Service (Continued)

Business Value Package 2	<u>Availability</u>
Forty (40) Message Storage (2 minutes long each) Thirty (30) day message storage Seven (7) day message saved Message Notification to three devices Message Retrieval	STD STD STD STD STD
Three (3) Personal Greetings	STD STD
One (1) Primary Mail Box Three (3) Supplemental Mail Boxes	STD
Three (3) Greeting Schedules	STD STD
Direct Dial Auto. Call Return	STD
Advanced Messaging	STD
Record Messaging Broadcasts List	STD STD
Message Forward	STD
Operator Revert	STD
Auto Attendant Five (5) Additional Message Storage	STD OPT

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- 6.1. Non-Regulated Services (Continued)
  - 6.1.3 Voice Mail Service (Continued)
    - 6.1.3.6 Rates and Charges

Voice Mail Service is offered by TOTALink of Kentucky, LLC from its central office at the rates and charges specified herein. Voice Mail Service is available on a stand alone basis and is also included in several Value Packages with selected Residence Local Exchange Service Features.

### Non-Recurring Charges

One time non-recurring charges apply, where applicable, for the establishment of service or for future service activation.

## **Recurring Rates**

Recurring rates apply, where applicable, for the ongoing use of these services. Recurring rates are billed on a monthly basis.

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# Section 6 - MISCELLANEOUS SERVICES (Continued)

# 6.1. Non-Regulated Services (Continued)

# 6.1.3 Voice Mail Service (Continued)

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# 6.1.3.6 Rates and Charges (Continued)

## A. Residence Service

Residence Voice Mail Service	Non- Recurring <u>Charge</u>	Monthly <u>Rate</u>
Enhanced Residence Voice Mail Service	N/A	\$6.95
<ul> <li>Enhanced Residence Voice Mail Service</li> <li>With Favorite Residence Value Package</li> <li>Initial line, each</li> <li>Add'l lines, each</li> <li>With Convenience Plus Residence Value Package</li> <li>Initial line, each</li> <li>Add'l lines, each</li> </ul>	N/A N/A N/A N/A	\$4.95 \$2.48 \$4.95 \$2.48
Five (5) Additional Message Storage	N/A	\$1.25

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## 6.1. Non-Regulated Services (Continued)

# 6.1.4 Voice Mail Service (Continued)

6.1.3.6 Rates and Charges (Continued)

## B. Business Service

Business Voice Mail Service	Non-Recurring <u>Charge</u>	Monthly Rate
Basic Business Voice Mail Service, - Per line equipped	N/A	\$4.25
Business Value Package 1, - Per line equipped	N/A	\$6.95
Business Value Package 2, - Per line equipped	N/A	\$12.95
Five (5) Additional Message Storage	N/A	\$1.25

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## Section 7 · DISCOUNT PRICING

#### 7.1 Volume Discounts

TOTALink of Kentucky, LLC offers a monthly discount on its regulated business services based on the total monthly revenues billed to the customer for the regulated and non-regulated services provided. The following table specifies the percent discount offered based on the total billec revenue for all regulated and non-regulated services purchased by a customer. These discounts apply only to the regulated services offered in this tariff.

Total Monthly Billed Revenue Before Discount	Percent Discount*
\$500	2%
\$1,000	3%
\$3,000	5%
\$5,000	6%
\$10,000	7%

\* Applies to all regulated business services except IntraLATA or InterLATA Toll services.

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## Section 8 - PROMOTIONAL OFFERINGS

### 8.1. General

The Company may from time to time engage in special promotional offerings or offer discounts based on volume or contract terms. The promotion may offer services at a reduced recurring and/or non-recurring rate or offer the services free under terms specified in the promotion. Customers shall be given appropriate notice of any such offerings. Term contract discounts will also be made available to Customers.

For Customers with multiple premises served by the Company, the Company will arrange for a listing of the main billing telephone number at each premise.

## 8.2. Current Promotions

8.2.1 From time to time TOTALink of Kentucky, LLC may discount the non-recurring charges associated with the installation of new business and residence services on an Individual Case Basis (ICB).

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# Section 9 – SERVICE AREA/EXCHANGE/CALLING AREA

TOTALink intends to serve cities and counties throughout the State of Kentucky. Although this tariff page does not indicate specific Cities and County, it shall be amended from time to time to reflect changes in TOTALink's service areas.

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## Section 10 - CONNECTION CHARGES

### 10.1 Special Arrangements

10.1.1 Special Construction

Subject to the agreement of the Company and to all the regulations contained in the tariffs of the Company, special construction and special arrangements may be requested of the Company at the request of the Customer and/or the Commission. Special arrangements include any service or facility relating to a regulated telecommun cations not otherwise specified under tariff, or for the provision of service on an expedited basis or in some other manner different from the normal tariff conditions. Special construction is that construction undertaken:

- 1. where facilities are not presently available, and there is no other requirement for the facilities so constructed;
- 2. of a type other than that which the Company would normally utilize in the furnishing of its services;
- 3. over a route other than that which the Company would normally utilize in the furnishing of its services;
- 4. in a quantity greater than that which the Company would normally construct;
- 5. on an expedited basis;
- 6. on a temporary basis until permanent facilities are available;
- 7. involving abnormal costs; or
- 8. in advance of its normal construction.

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Section 10 -<u>CONNECTION CHARGES</u> (Continued)

- 10.1 Special Arrangements (Continued)
  - 10.1.2 Basis for Cost Computation

Rates and charges for special arrangements will be based on the costs incurred by the Company and may include (1) nonrecurring type charges, (2) recurring type charges, (3) termination 1 abilities, or (4) a combination thereof. The agreement for special construction will ordinarily include a minimum service commitment based upon the estimated service life of the facilities provided.

- 10.1.3 Basis for Rates and Charges
  - 1. The costs referred to in 7.1.3 preceding may include one or more of the following items to the extent that they are applicable:
    - (a) Special costs of the facilities or services to be provided including estimated costs for the rearrangement of existing facilities, cost of obtaining services at wholesale, or cost of specially ordered network elements. Special costs of newly installed facilities may also include the cost of:
      - (I) equipment and materials provided or used,
      - (II) engineering, labor, and supervision,
      - (III) transportation, and
      - (IV) right of way;
      - (V) any other iter: chargeable to the capital account;
    - (b) cost of maintenance;
    - (c) depreciation on the estimated cost installed of any facility provided, based on the anticipated useful service life of the facility with an appropriate allowance for the estimated net salvage;
    - (d) administration, taxes, and uncollectible revenue on the basis of reasonable average costs for these items;
    - (e) any other identifiable costs related to the facilities or services provided.

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