

**NOS COMMUNICATIONS, INC.**

**4380 Boulder Highway  
Las Vegas, Nevada 89121**

**LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES TARIFF**

This tariff contains the description, regulations and rates for the furnishing of services and facilities for resold and facilities-based local exchange telecommunications services provided by NOS Communications, Inc. with principal offices at 4380 Boulder Highway, Las Vegas, Nevada 89121. This tariff applies for intrastate local exchange service furnished within the State of New Jersey. This tariff is on file with the New Jersey Board of Public Utilities, and copies may be inspected, during normal business hours, at the Company's principal place of business in Las Vegas, Nevada.

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**Effective: December 7, 2002**

**By: Joseph T. Kopy  
President  
4380 Boulder Highway  
Las Vegas, Nevada 89121**

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**CHECK PAGE**

The Pages listed below, which are inclusive of this tariff, are effective as of the date shown at the bottom of the respective Page(s). Original and revised Pages as named below comprise all changes from the original tariff and are currently in effect as of the date indicated below.

<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>
1	Original	34	Original	66	Second Revised
2	Seventh Revised*	35	Original	67	Second Revised
3	Original	36	Original	68	Second Revised
4	Original	37	Original	69	Third Revised
5	Original	37.1	Original	70	Third Revised
6	Original	38	Original	71	Second Revised
7	Original	39	Original	72	Original
8	Original	40	Original	73	Original
9	Original	41	Original	74	First Revised*
10	Original	42	Original	75	Original
11	Original	43	Original	76	Original
12	Original	44	Original	77	Original
13	Original	45	Original	78	Original
14	Original	46	Original	79	Original
15	Original	47	Original	80	Original
16	Original	48	Original	81	Original
17	Original	49	Original	82	Original
18	Original	50	Original	83	Original
19	Original	51	Original	84	Original
20	Original	52	Original	85	Original
21	Original	53	Original	86	Original
22	Original	54	Original	87	Original
23	Original	55	Original	88	Original
24	Original	56	Original	89	Original
25	Original	57	Original	90	Original
26	Original	58	Second Revised	91	Original
27	Original	59	Third Revised		
28	Original	60	Second Revised		
29	Original	61	Fifth Revised		
30	Original	62	Third Revised		
31	Original	63	Second Revised		
32	Original	64	Second Revised		
33	Original	65	Second Revised		

\*Indicates new or revised page.

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**SYMBOLS**

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

- (C) Change in Regulations
- (D) Discontinued Rates or Regulations
- (E) Correction of an Error
- (I) Rate Increase
- (N) New Rate or Regulation
- (R) Rate Reduction
- (T) Change in Text Only

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**TARIFF FORMAT**

- A. Page Numbering** - Page numbers appear in the upper right corner of the Page. Pages are numbered sequentially. However, new pages are occasionally added to the tariff. When a new page is added between existing pages with whole numbers, a decimal is added. For example, a new page added between pages 34 and 35 would be page 34.1.
- B. Page Revision Numbering** - Revision numbers also appear in the upper right corner of the page. These numbers are used to determine the most current page version on file with the Commission. For example, 4th Revised Page 34 cancels the 3rd Revised Page 34. Consult the check Page for the page currently in effect.
- C. Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

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

- D. Check Page** - When a tariff is filed with the Commission, an updated check Page accompanies the tariff filing. The check Page lists the tariff pages, with a cross reference to the current revision number. When new Pages are added, the check Page is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this Page if these are the only changes made. The tariff user should refer to the latest check Page to find out if a particular page is the most current on file with the Commission.

**APPLICATION OF TARIFF**

This tariff sets forth the service offerings, rates and terms and conditions of service applicable to the furnishing of local exchange telecommunications services by NOS Communications, Inc. ("NOS" or "Company") to Customers within the State of New Jersey.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**

**1.1 Definitions**

**Authorized User** – A person, firm or corporation which is authorized by the Customer or joint user to be connected to the Service of the Customer or joint user, respectively.

**Automatic Numbering Identification** – A type of signaling provided by a local exchange telephone company, which automatically identifies the local exchange line from which a call originates.

**Business Day** – The period of time from 10:00 a.m. to 4:00 p.m., Monday through Friday, as measured by local time at the location from which the Call is originated.

**Busy Hour** – The two consecutive half hours during which the greatest volume of traffic is handled in the central office.

**Call** – A completed connection between the Calling and Called parties.

**Calling Station** – The telephone number from which a Call originates.

**Called Station** – The telephone number called.

**Carrier** – An entity, other than the Company, that provides telecommunications service.

**Commission** – New Jersey Board of Public Utilities.

**Company** – NOS Communications, Inc., unless specifically stated otherwise.

**Customer** – A person, association, firm, corporation, partnership, governmental agency or other entity, including affiliates or divisions of the Customer, in whose name the telephone number of the Calling Station is registered with the underlying local exchange company. The Customer is responsible for payment of charges to the Company and compliance with all terms and conditions of this tariff.

**Disconnect** – To render inoperable or to disable circuitry thereby preventing outgoing and incoming telecommunications service.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS (Cont'd)**

**1.1 Definitions (Cont'd)**

**Exchange** – The geographical area that has been established to administer and furnish communications in that area.

**Exchange Service** – Service that involves furnishing central office facilities to provide users with the ability to make calls within the local service calling area on a measured or unlimited use bases.

**Foreign Exchange Service** – Service that involves furnishing central office line facilities to provide users with the ability to make calls within the local calling area on a measured or unlimited use bases.

**Incomplete** – Any Call where voice transmission between the Calling and Called station is not established.

**Interruption** – The inability to complete calls due to equipment malfunctions or human errors. Interruptions shall not include, and no allowance shall be given for service difficulties such as slow dialtone, circuits, busy or other network and/or switching capacity shortages. Nor shall interruptions include the failure of service or facilities provided within this Tariff by the Company shall not apply where service is interrupted by the negligence or willful act of the Customer, or where the Company, pursuant to the terms of this Tariff, terminates service because of non-payment of bills, unlawful or improper use of the Company's facilities or service, or any other reason covered by this Tariff or by applicable law.

**Holiday** – For the purposes of this tariff recognized holidays are New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

**LATA** – 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. 82-01102; or any other geographic area designated as a LATA in the National Exchange Carrier Association, Inc. Tariff F.C.C. No. 4.

**Measured Charge** – A charge assessed on a per-minute basis in calculating a portion of the charges due for a completed interexchange or local call.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS (Cont'd)**

**1.1 Definitions (Cont'd)**

**Message** – A completed telephone call by a Customer or User.

**Message Toll Service** – A service involving facilities for telecommunications between local calling service areas.

**Non-Business Day** – The period of time from 4:01 p.m. to 8:510 a.m., Monday through Friday, and all Saturday and Sunday, as measured by local time at the location from which the Call is originated.

**Normal Business Hours** – The hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

**Premises** – The space occupied by an individual Customer in a building, in adjoining buildings occupied entirely by that Customer, or on contiguous property occupied by the Customer separated only by a public thoroughfare, a railroad right of way, or a natural barrier.

**Rate** – Money, charge, fee or other recurring assessment billed to Customers for services or equipment.

**Recurring Charges** – The monthly charges to the Customer for services, facilities and equipment, which continue for the agreed upon duration of the service.

**Service** – The Company's intrastate regulated telecommunications service.

**Service Commencement Date** – The first day following the date on which the Company notifies the Customer that the requested services 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 the tariffs of the Company, in which case the Service Commencement date is the date of the Customer's acceptance. The Company and Customer may actually agree on a substitute Service Commencement Date.

**Service Order** – The written 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 herein and pursuant to the tariffs of the Company, but the duration of the service is calculated from the Service Commencement Date.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS** (Cont'd)

**1.1 Definitions** (Cont'd)

**Shared** – A facility of equipment system that can be used simultaneously by several customers.

**State** – State of New Jersey, unless otherwise noted.

**Telecommunications** – The transmission of voice communications or subject to the transmission capabilities of the Service, the transmission of data, signaling, metering, or other similar communications.

**Terminal Equipment** – Telephone instruments, including pay telephone equipment, the common equipment of large and small key and PBX systems and other devices and apparatus, and associated wiring, which are intended to be connected electrically, acoustically, or inductively to the telecommunication system.

**User or End User** – Customer or any authorized person or entity that utilizes the Company's services.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS (Cont'd)**

**1.2 Abbreviations**

**BLV** – Busy Line Verification  
**CPE** – Customer Premises Device  
**FCC** – Federal Communications Commission  
**ILEC** – Incumbent Local Exchange Carrier  
**IXC** – Interexchange Carrier  
**PBX** – Private Branch Exchange  
**PIC** – Primary Interexchange Carrier  
**PICC** – Primary Interexchange Carrier Charge  
**POP** – Point of Presence  
**PSAP** – Public Safety Answering Point  
**V&H** – Vertical and Horizontal Coordinates

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**SECTION 2 - RULES AND REGULATIONS**

**2.1 Undertaking of the Company**

- 2.1.1 The Company provides facilities-based and resold local exchange telecommunications service to Customers for the direct transmission of voice, data and other types of telecommunications.
- 2.1.2 The Company is responsible for the services provided under this tariff and for unregulated services provided pursuant to contract, and it assumes no responsibility for any service (whether regulated or not) provided by any other Carrier to the End User or to any carrier that purchases access to the Company network.
- 2.1.3 The Company installs, operates and maintains the communications services provided herein in accordance with the terms and conditions set forth in this tariff. When authorized by the Customer, the Company may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities to allow connection of a Customer's location to the Company's network. The Customer shall be responsible for all charges due for such service arrangements.
- 2.1.4 The Company's services are provided on a monthly basis, unless otherwise stated in this tariff. Services are available twenty-four (24) hours per day, seven (7) days per week.
- 2.1.5 The Company's customer service representatives for billing and service inquiries may be reached, toll-free, at 800-772-4667. Customers wishing to communicate with the Company in writing may send correspondence to: 4380 Boulder Highway, Las Vegas, Nevada 89121.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.2 Limitations of Service**

- 2.2.1 Service is offered subject to the availability of facilities and provisions of this tariff.
- 2.2.2 Service is furnished to the User for any lawful purpose. Service shall not be used for any unlawful purpose, nor used in such a manner as to interfere unreasonably with the use of service by any other Users.
- 2.2.3 The use of the Company's services without payment for service or attempting to avoid payment for service by fraudulent means or devices, false or invalid numbers, or false calling or credit cards is prohibited.
- 2.2.4 The Company's services may be denied for nonpayment of charges. Additionally, the Company's services may be denied for noncompliance with any of the Commission's regulations, or for other violations of the terms and conditions set forth in this tariff.
- 2.2.5 The use of the Company's services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another is prohibited.
- 2.2.6 Service temporarily may be refused or limited because of system capacity limitations.
- 2.2.7 Service is subject to transmission limitations caused by natural (including atmospheric, geographic or topographic) or artificial conditions adversely affecting transmission.
- 2.2.8 Service to any or all Customers may be temporarily interrupted or curtailed due to equipment modifications, upgrades, relocations, repairs and similar activities necessary for proper or improved operations.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.3 Limitations of Liability**

- 2.3.1 Because the Company has no control of communications content transmitted over its system, and because of the possibility of errors incident to the provision and use of its service, service furnished by the Company is subject to the terms, conditions and limitations herein specified.
- 2.3.2 The Company is not liable to Users for interruptions in service except as set forth in Section 2.5 of this tariff.
- 2.3.3 The liability of the Company for errors in billing that result in overpayment by the Customer shall be limited, unless otherwise ordered by the Commission, to a credit equal to the dollar amount erroneously billed or, in the event that payment has been made and service has been discontinued, to a refund of the amount erroneously billed.
- 2.3.4 The Company shall not be liable for and the User shall indemnify and hold the Company harmless against any claims for loss or damages involving:
- 2.3.4.A Any act or omission of: (i) the User; or (ii) any other entity furnishing service, equipment or facilities for use in conjunction with services or facilities provided by the Company;
- 2.3.4.B Interruptions or delays in transmission, or errors or defects in transmission, or failure to transmit when caused by or as a result of acts of God, fire, flood or other catastrophes, war, riots, national emergencies, government or military authorities, strikes, lock-outs, work stoppages or other labor difficulties, or causes beyond the Company's control;
- 2.3.4.C Any unlawful or unauthorized use of the Company's facilities and services;
- 2.3.4.D Libel, slander or infringement of copyright or trademark arising directly or indirectly from content transmitted over facilities provided by the Company;
- 2.3.4.E Infringement of patents arising from combining apparatus and systems of the User with facilities provided by the Company;

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.3 Limitations of Liability (Cont'd)**

2.3.4 (Cont'd)

- 2.3.4.F Claims arising out of any act or omission of the User in connection with service provided by the Company;
- 2.3.4.G Breach in the privacy or security of communications transmitted over the Company's facilities;
- 2.3.4.H Changes in any of the facilities, operations or procedures of the Company that: (1) render any equipment, facilities or services provided or utilized by the User obsolete; (2) require modification or alteration of such equipment, facilities or services; or (3) otherwise affect use or performance of such equipment, facilities or services except where reasonable notice is required by the Company and is not provided to the Customer;
- 2.3.4.I Defacement of or damage to the Customer's Premises or personal property resulting from the furnishing of services or equipment on such Premises or the installation or removal thereof;
- 2.3.4.J Any wrongful act of a Company employee where such act is not authorized by the Company and is not within the scope of the employee's responsibilities for the Company;
- 2.3.4.K Any non-completed calls due to network busy conditions; and
- 2.3.4.L Any calls not actually attempted to be completed during any period that service is unavailable.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.3 Limitations of Liability (Cont'd)**

- 2.3.5 The User shall reimburse the Company for all costs, expenses and fees, including reasonable attorney's fees, incurred by the Company in its defense against claims set forth in Section 2.3.4.
- 2.3.6 The Company assumes no responsibility for the availability or performance of any facilities under the control of other entities that are used to provide service to the User, even if the Company has acted as the User's agent in arranging for such facilities or services.
- 2.3.7 With the exception of billing disputes, any claim against the Company shall be deemed waived unless presented to the Company within thirty (30) days after the date of the occurrence that gave rise to the claim.
- 2.3.8 With respect to the services provided pursuant to this tariff, the Company makes no representations or warranties, express or implied, either in fact or by operation of law, statutory or otherwise, including, but not limited to, warranties of title or implied warranties of merchantability or fitness for a particular purpose, except those expressly set forth in this tariff. The Company does not authorize anyone to make a warranty or representation of any kind on its behalf and the User should not rely on any such statement.
- 2.3.9 Any liability of the Company for loss or damages arising out of mistakes, omissions, interruptions, delays, errors or defects in the service, the transmission of the service, or failures or defects in facilities furnished by the Company, occurring in the course of furnishing service, in no event shall exceed an amount equivalent to the proportionate fixed monthly charge assessed on the Customer for the time period in which the service giving rise to the claim occurred.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.4 Responsibilities of the Customer**

- 2.4.1 Customers may be required to enter into a written service order 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 the tariffs of the Company. Customer also may be required to execute any other documents or provide information pertaining to past accounts for similar services as may be reasonably requested by the Company.
- 2.4.2 The Customer is responsible for placing any necessary orders, complying with tariff regulations and assuring that Users comply with tariff regulations. The Customer shall ensure compliance with any applicable laws, regulations, orders or other requirements of any governmental entity relating to services provided by the Company to the Customer or made available by the Customer to another User. The Customer also is responsible for the payment of charges for all Calls originated at the Customer's numbers which are not collect, third party, calling card, or credit card calls.
- 2.4.3 At the expiration of the initial term specified in each Service Order, or any extension thereof, service shall continue on a month to month basis at the then current rates unless terminated by either party. Any termination shall not relieve Customer of its obligation to pay any charges incurred under the service order and the tariffs of the Company prior to termination. The rights and obligations which by their nature extend beyond the termination of the service shall survive such termination.
- 2.4.4 The Customer is responsible for charges incurred for special construction and/or special facilities which the Customer requests and which are ordered by the Company on the Customer's behalf.
- 2.4.5 If required for the provisioning of the Company's services, the Customer must provide the Company, free of charge, with any necessary equipment space, supporting structure, conduit and electrical power.
- 2.4.6 The Customer is responsible for arranging access to its Premises at times mutually agreeable to the Company and the Customer when required for Company personnel to install, repair, maintain, program, inspect or remove equipment associated with the provision of the Company's services.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.4 Responsibilities of the Customer (Cont'd)**

- 2.4.7 The Customer must pay the Company for replacement or repair of damage to the Company's equipment or facilities caused by negligent or improper use on the part of the Customer, Users, or others.
- 2.4.8 The Customer must indemnify the Company for the theft of any Company equipment or facilities installed at the Customer's Premises.
- 2.4.9 The Customer agrees to release, indemnify and hold harmless the Company against any and all loss, claims, demands, suits or other action or any liability whatsoever, 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, or for any loss of or damage to any property, whether owned by the Customer or others. The Customer shall reimburse the Company for all costs, expenses and fees, including reasonable attorneys' fees, incurred by the Company in its defense against such actions.

**2.5 Allowances for Interruptions in Service**

2.5.1 General

- 2.5.1.A A service is interrupted when it becomes unusable to the User, *e.g.*, the User is unable to transmit or receive communications due to the failure of a component furnished by the Company under this tariff.
- 2.5.1.B An interruption period begins when the User reports a service, facility or circuit to be inoperative and releases it for testing and repair. An interruption period ends when the service, facility or circuit is operative.
- 2.5.1.C If the User reports a service, facility or circuit to be inoperative but declines to release it for testing and repair, the service, facility or circuit is considered to be impaired but not interrupted. No credit allowances will be made for a service facility or circuit considered by the Company to be impaired.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.5 Allowances for Interruptions in Service (Cont'd)**

2.5.1 General (Cont'd)

2.5.1.D The Company will normally clear all trouble of an emergency nature at all hours, consistent with the needs of Customers and the personal safety of Company personnel.

2.5.1.E The Company normally will clear all other trouble calls not requiring unusual repair, such as cable failures, within 24 hours of the report received by the utility, excluding Sundays and holidays unless the Customer agrees to another arrangement.

2.5.2 Application of Credits for Interrupted Services

2.5.2.A At the Customer's request, a credit allowance will be given for a continuous interruption of service for a period of twenty-four (24) hours or more after being found or reported.

2.5.2.B Any such interruption will be measured from the time it is reported to or detected by the Company, whichever occurs first.

2.5.2.C In the event the User is affected by such interruption for a period of less than twenty-four (24) hours, no adjustment will be made. No adjustments will be earned by accumulating non-continuous periods of interruption.

2.5.3 Limitations on Allowances

2.5.3.A No credit allowance will be made for any interruption of service:

2.5.3.A.1 due to the negligence of, or noncompliance with the provisions of this tariff by, any person or entity other than the Company, including but not limited to the Customer or other entities or carriers connected to the service of the Company;

**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.5 Allowances for Interruptions in Service (Cont'd)**

**2.5.3 Limitations on Allowances (Cont'd)**

2.5.3.A No credit allowance will be made for any interruption of service: (Cont'd)

2.5.3.A.2 due to the failure of power, equipment, systems or services not provided by the Company;

2.5.3.A.3 due to circumstances or causes beyond the control of the Company;

2.5.3.A.4 during any period in which the Company is not given full and free access to the Customer's or Company's facilities and equipment for the purpose of investigating and correcting the interruption;

2.5.3.A.5 during any period in which the User continues to use the service on an impaired basis;

2.5.3.A.6 during any period in which the Customer has released service to the Company for maintenance purposes or for implementation of a Customer order for a change in service arrangements;

2.5.3.A.7 that occurs or continues due to the Customer's failure to authorize replacement of any element of special construction; and

2.5.3.A.8 that was not reported to the Company within thirty (30) days of the date that service was affected.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.6 Termination of Service**

- 2.6.1 A Customer may terminate service, with or without cause, by giving the Company written notice, except where cause must be provided pursuant to the Customer's contract or Service Order. If a Customer orders services requiring special equipment and/or facilities dedicated to the Customer's use and then cancels the order before the service begins, a charge will be made to the Customer for the non-recoverable portions of expenditures or liabilities incurred expressly on behalf of the Customer by the Company.
- 2.6.2 Upon five (5) business days written notice to the Customer, the Company may discontinue service or cancel an application for service without incurring any liability for any of the following reasons:
- 2.6.2.A Failure of the Customer to pay a non-disputed delinquent account;
  - 2.6.2.B Failure of the Customer to make satisfactory arrangements to pay arrearages or meet the requirements of a payment agreement;
  - 2.6.2.C Failure of the Customer to permit the Company to have reasonable access to its equipment, facilities, service connections or other property;
  - 2.6.2.D Failure of the Customer to provide the Company with adequate assurances that an unauthorized use or practice will cease;
  - 2.6.2.E Customer violation of any regulation governing the service under this tariff, or a violation of any law, rule, or regulation of any government authority having jurisdiction over the service;
  - 2.6.2.F Company is prohibited from furnishing services by order of a court or other government authority having jurisdiction;
  - 2.6.2.G Customer fraud or material misrepresentation of identity for purpose of obtaining telephone service; or
  - 2.6.2.H Failure of the Customer to adhere to contractual obligations with the Company.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.6 Termination of Service (Cont'd)**

- 2.6.3 The Company may terminate service *without notice* to the Customer for any of the following occurrences:
- 2.6.3.A Customer's maintenance or operation of its equipment in such a manner as to adversely affect the Company's equipment or service to others;
  - 2.6.3.B Customer non-compliance with any provision of this tariff which results in threatening the safety of a person or the integrity of the service delivery system of the Company;
  - 2.6.3.C The existence of a condition on the Customer's premises determined by the Company to be hazardous;
  - 2.6.3.D Customer tampering with the Company's equipment or service;
  - 2.6.3.E Customer's unauthorized or illegal use of the Company's service or equipment.
- 2.6.4 The Customer is responsible for all charges incurred to the Calling Station regardless of which party terminates the service. The Customer shall reimburse the Company for all costs, expenses and fees (including reasonable attorneys' fees) incurred by the Company in collecting such charges.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.7 Payment of Charges**

- 2.7.1 The Customer is responsible for payment of all charges for service furnished by the Company to the Customer and Users, regardless of whether those services are used by the Customer itself or are resold to or shared with other persons.
- 2.7.2 Recurring monthly charges may be invoiced one month in advance. Invoicing cycles are approximately thirty (30) days in length, and payment is due upon receipt. Payment will be considered timely if paid within twenty (20) days of the billing date. After twenty (20) days, payment will be considered late.
- 2.7.3 The Company reserves the right to assess late payment charges for Customers whose account(s) carries principal owing from the prior billing period. Any charges not paid in full by the due date indicated on the billing statement may be subject to a late fee of 1.5% per month.
- 2.7.4 Customers must notify the Company either verbally or in writing of any disputed charges within thirty (30) days of the billing date, otherwise all charges on the invoice will be deemed accepted. All charges remain due and payable at the due date, although a Customer is not required to pay any disputed charges during the time period in which the Company conducts its investigation into the matter.
- 2.7.5 In the event of a dispute concerning a bill, Customers must pay a sum equal to the amount of the undisputed portion of the bill and proceed with the complaint procedures set forth in this tariff.

**2.8 Deposits**

The Company will not require deposits from Customers.

**2.9 Advance Payments**

The Company will not require advance payments from Customers.

**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.10 Contested Charges**

All bills are presumed accurate, and shall be binding on the Customer unless objection is received by the Company within thirty (30) days of the billing date, either verbally or in writing. In the event that a billing dispute between the Customer and the Company for service furnished to the Customer cannot be settled with mutual satisfaction, the Customer may take the following course of action:

2.10.1 First, the Customer may request, and the Company will provide, an in-depth review of the disputed amount. (The undisputed portion and subsequent bills must be paid on a timely basis or the service may be subject to disconnection.)

2.10.2 Second, if there is still a disagreement about the disputed amount after investigation and review by the Company, the Customer may file an appropriate complaint with the New Jersey Board of Public Utilities. The address of the Commission is:

New Jersey Board of Public Utilities  
Two Gateway Center  
Newark, NJ 07102

**2.11 Taxes**

The Customer is responsible for the payment of Federal excise taxes, state and local sales and use taxes, fees and other exactions imposed on the Company or its services by governmental jurisdictions, other than taxes imposed generally on corporation. All such taxes, fees and charges shall be billed separately as separate items and are not included in the quoted rates for local exchange service.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.12 Transfers and Assignments**

Neither the Company nor the Customer may assign or transfer its rights or duties in connection with the Services and facilities provided by the Company without the written consent of the other party, except that the Company may assign its rights and duties (a) to any subsidiary, parent company or affiliate of the Company, (b) pursuant to any sale or transfer of substantially all the assets of the Company, or (c) pursuant to any financing, merger or reorganization of the Company.

**2.13 Temporary Promotional Programs**

The Company may establish temporary promotional programs under which it may waive or reduce non-recurring or recurring charges, to introduce present or potential Customers to a Service not previously received by the Customers. The specific terms of each promotional program shall be filed with the Commission within 30 days of its effective date.

**2.14 Application of Rates**

2.14.1 Introduction

The regulations set forth in this Section govern the application of rates for services contained in Section 4 of the tariffs of the Company.

2.14.2 Rates 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:

- a. Unless otherwise specified, calls are timed in one minute increments. All calls which are fractions of a measurement increment are rounded-up to the next whole unit.
- b. Timing on completed calls begins when the call is answered by the called party. Answering is determined by hardware answer supervision in all cases where this signaling is provided by the terminating local carrier and any intermediate carrier(s).

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.14 Application of Rates (Cont'd)**

2.14.2 Rates Based on Duration of Use (Cont'd)

- c. 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.

2.14.3 Rates Based Upon Distance

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

- a. 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 telephone number). Where there is no telephone number associated with an access line on the Company's network (such as a dedicated access line), the Company will apply the Rate Center of the Customer's main billing telephone number.
- b. The airline distance between any two Rate Centers is determined as follows:
  - 1) Obtain the "V" (vertical) and "H" (horizontal) coordinates for each Rate Center from the above-referenced NECA tariff.
  - 2) Compute the difference between the "V" coordinates of the two rate centers; and the difference between the two "H" coordinates.
  - 3) Square each difference obtained in step (2) above.
  - 4) Add the square of the "V" difference and the square of the difference obtained in step (3) above.
  - 5) Divide the sum of the squares by 10. Round to the next higher whole number if any fraction is obtained.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.15 Timing of Calls**

- 2.15.1 The Customer's monthly usage charges for the Company service are based upon the total number of minutes the Customer uses and the service options to which the Customer subscribes. Chargeable time begins at the time the called party answers (*i.e.* when two-way communications is possible), and ends when either party hangs up.
- 2.15.2 No charges apply if a Call is not completed.
- 2.15.3 For billing purposes, all Calls are rounded up to the nearest minute and billed in increments of one minute. The minimum Call duration is one (1) minute for a connected Call.
- 2.15.4 Where applicable, charges will be rounded up to the nearest penny.
- 2.15.5 Usage begins when the called party picks up the receiver (*i.e.* when two-way communication is possible). A Call is terminated when the calling or called party hangs up. The Company utilizes software answer supervision, which permits up to sixty (60) seconds of ringing before the Call becomes billed usage. Where answer supervision is not available, any Call for which the duration exceeds sixty (60) seconds shall be presumed to have been answered and becomes billed usage.
- 2.15.6 The Company will not knowingly charge for Incomplete or unanswered Calls. Upon the Customer's request and proper verification, the Company shall promptly adjust or credit the Customer's account for charges or payments for any Incomplete or unanswered Call inadvertently billed due to the unavailability of Feature Group D or due to another carrier's failure to provide answer supervision. Upon the Customer's request and proper verification, the Company also shall promptly adjust or credit the Customer's account for charges or payments for Calls placed to a wrong number.

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.16 Start of Billing**

For billing purposes, the start of service is the day following acceptance by the Customer of the Company's service or equipment, or another date mutually agreed-upon by the Customer and the Company. The end of service date is the last day of the minimum notification of cancellation or any portion of the last day, after receipt by the Company of notification of cancellation, or another date mutually agreed-upon by the Customer and the Company.

**2.17 Minimum Call Completion Rate**

The Customer may expect a Call completion rate of at least ninety-percent (90%) of dialed, local interoffice calls attempted during peak use periods or the busy hour.

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**SECTION 3 - DESCRIPTION OF SERVICE**

**3.1 General Service Information**

The Company offers local exchange telecommunications services to Customers throughout the State of New Jersey. The following Company Services for business and residential Customer and for carriers certificated by the Commission are covered in this Section:

Local Exchange Services	Busy Line Verification and Interrupt Service
--Standard Access Line	Call Blocking Features
--Local Residential Line	Calling Card Services
--Local Business Line	Touch Dial Calling
--Extended and Expanded Area Calling Services	Directory Assistance/Directory Assistance Call Completion
--Private Branch Exchange	Directory Listings
--Direct Inward Dialing Service	Local Number Portability
--Centrex Services	Personalized Telephone Number
--Hunting Service	Custom Calling Features
--Foreign Exchange Service	Maintenance and Installation Charges
Local Calling Plans	Maintenance Visit
Channel Services	Installation/Non-Routine Installation
Operator Services	Order Change
Message Telecommunications Services/Toll Services	Reconnection
911 Emergency Services	Promotional Service Offerings
Miscellaneous Local Features	Local Exchange Service Offerings

**3.1.1 Customer Calling Plans**

3.1.1.A NOS Local Customers in service after September 30, 2002 shall receive services pursuant to Rate Plan A as set forth in Section 4, *infra*.

3.1.1.B NOS Local Customers in service on or before September 30, 2002, whose services are not part of an unexpired term plan or usage rate guarantee shall receive services pursuant to Rate Plan B in Section 4, *infra*.

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**SECTION 3 - DESCRIPTION OF SERVICES** (Cont'd)

**3.2 Local Exchange Services**

**3.2.1 Standard Access Line**

The Standard Residential or Business Line provides a Customer with a single, analog, voice-grade telephonic communications channel which can be used to place or receive one call at a time. Standard Lines are provided for the connection of Customer-provided wiring and single station sets or facsimile machines. A multi-line subscriber is a Business customer with more than one Line provided by Company. Standard Access Lines enable the customer to:

- (a) place or receive calls to any station in the local calling area, as defined herein;
- (b) access enhanced 911 Emergency Service where available;
- (c) access the interexchange carrier selected by the Customer for interLATA, intraLATA, interstate or international calling;
- (d) access Operator Services;
- (e) access Directory Assistance;
- (f) place or receive calls to 800 numbers;
- (g) access Telecommunications Relay Service.

The Company's service will automatically block originating calls to other telephone companies' caller-paid information services (e.g., 900, 976) at no charge. Calls to those numbers and other numbers used for caller-paid information services will be unblocked on a per directory number basis only. Subsequent blocking of 900-type numbers will incur a charge listed in Section 4.

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**SECTION 3 - DESCRIPTION OF SERVICES** (Cont'd)

**3.2 Local Exchange Services** (Cont'd)

3.2.2 Local Calling Services

3.2.2.A Local Residential Line Service

Local Residential Line Service provides Residential Customers with the ability to originate calls from a Company-provided access line to all other stations on the public switched telephone network bearing the designation of any central office exchanges, areas, and zones included in the Customer's local calling area. Service is provided on a flat or measured use basis and may be provided in conjunction with other services and products included in this Section.

3.2.2.B Local Business Line Service

Local Business Line Service provides a Business Customer with the ability to originate calls from Company-provided access lines to all other stations on the public switched telephone network bearing the designation of any central office exchanges, areas, and zones included in the Customer's local calling area. Service is provided on a flat or measured use basis and may be provided in conjunction with other services and products included in this Section.

3.2.2.C Extended and Expanded Area Calling Services

Extended and Expanded Area Calling Service allows the Customer to make calls to specific NXX codes within designated exchanges outside the Customer's Local Calling area without paying intraLATA toll rates. The Customer is billed per call according to the duration of the call. Company will mirror all existing extended and expanded calling areas the ILEC currently has in place for facilities-based or resold services.

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**SECTION 3 - DESCRIPTION OF SERVICES** (Cont'd)**3.2 Local Exchange Services** (Cont'd)**3.2.2 Local Calling Services** (Cont'd)**3.2.2.D Private Branch Exchange (PBX)**

The Company's PBX Service uses PBX trunks to connect a customer PBX system or other similar equipment to the Company Central Office. Company treats these trunks similar to individual exchange lines and supports multi-line hunting over a group of trunks. This service may also be subject to an optional measured time rate treatment for calls to all Verizon New Jersey exchange areas within the same LATA which would otherwise be subject to the third mileage step (16-20) under the DDD residence rate schedule.

**3.2.2.E Direct Inward Dialing Service**

Direct Inward Dialing ("DID") Service is an optional feature provided in conjunction with Company-provided PBX Trunks. DID Service permits incoming calls from the exchange network to reach a specific station line without the assistance of an attendant through the use of a seven digit number. DID service transmits the dialed digits for all incoming calls allowing the Customer's PBX to route incoming calls directly to individual stations corresponding to each individual DID number. DID is furnished upon the condition that the customer contract for adequate facilities, e.g., dial tone lines, circuit packs or equivalent, etc, to permit the use of the service without injurious effect on general telephone service. Certain conditions, such as transmission limitations, may require the provision of additional switching equipment on the customer's premises in order to furnish DID service. The Company offers DID services to Customers in minimum blocks of twenty (20) telephone numbers.

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**SECTION 3 - DESCRIPTION OF SERVICES** (Cont'd)

**3.2 Local Exchange Services** (Cont'd)

3.2.2 Local Calling Services (Cont'd)

3.2.2.F Centrex Services

Centrex Service provides the Customer with multiple individual voice-grade telephone communications channels, each of which can be used to place or receive one call at a time. Centrex Station Lines are provided for connection of Centrex-compatible Customer-provided station sets to the public switched telecommunications network. Each Centrex Station Line may be provided in combination with other Company-provided services including PBX and ISDN.

3.2.2.F.1 Centrex 2100

Centrex 2100 is a central office message rate service that is available to customers who are served by compatible electronic type switching equipment where adequate facilities are available. Centrex 2100 includes facilities necessary for intercommunications between the Centrex 2100 service lines within the customer's system and station access to the exchange network.

3.2.2.G Hunting Service

Hunting Services are optional arrangement available to Customers with two or more line services at the same location, same system. Where facilities permit, lines are arranged so that incoming calls to a busy line overflow to another line in the hunting arrangement. The Company may also offer a hunting service that is activated by the end user.

3.2.2.H Foreign Exchange Service

Foreign Exchange (FX) Service provides for the connection of a Customer's location to a central office serving an exchange area, within the Customer's LATA, other than the exchange area in which the Customer is located.



**SECTION 3 - DESCRIPTION OF SERVICES** (Cont'd)

**3.2 Local Exchange Services** (Cont'd)

3.2.3 Local Calling Plans

3.2.3.A Local Package – Standard Plan

The Local Package – Standard Option provides the flexibility and freedom of unlimited local calling, unlimited local directory assistance, and a choice of up to three calling features.

3.2.3.B Local Package – Premium Option

The Local Package – Premium Option is an optional residential service package, with two options, which provides customers with a combination of offerings for one flat monthly rate. The Premium Option provides the flexibility and freedom of unlimited local calling and a choice of four or more custom calling services.

3.2.3.C NOS Major Deal Plan

NOS Major Deal Plan is a package of value added services combined into one product offered at a reduced monthly rate to Residential end users.

3.2.3.D NOS Econ Business 200

Furnished on individual exchange access line, private branch exchange trunks and Centrex service. Plan provides for 200 or less message units subscribed for on a monthly basis. This service is grandfathered as of the effective date of this tariff and no longer available as a service offering.

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**SECTION 3 - DESCRIPTION OF SERVICES** (Cont'd)

**3.2 Local Exchange Services** (Cont'd)

3.2.3 Local Calling Plans (Cont'd)

3.2.3.E Sound Bargain Plus

Sound Bargain Plus is an optional residential intraLATA service plan that, for a flat monthly rate for each residence exchange access line enrolled in the plan, allows end users to receive: (1) exchange access line; (2) local calling; (3) intraLATA Direct Distance Dialed (DDD) unassisted toll calling; and (4) selection of eligible optional exchange services.

3.2.3.F Worksmart Package

Package that allows the end user to save up to 20% off the individual monthly price of certain calling features.

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**SECTION 3 - DESCRIPTION OF SERVICES** (Cont'd)

**3.2 Local Exchange Services** (Cont'd)

3.2.3 Local Calling Plans (Cont'd)

3.2.3.G Loyalty Rewards Program I

The Loyalty Rewards Program I provides Customers with basic local service and custom calling features for a flat fee. Loyalty Rewards Program I Customers receive unlimited local calling and all local vertical features such as Caller ID, Call Waiting and Call Forwarding. The Program or accompanying fee does not include or apply to local usage, intraLATA toll charges, Remote Call Forwarding, Off Premises Extensions, WIRE-PRO, PBX, ISDN, Foreign Exchange Number and federal and local fees, taxes or surcharges, including local number portability.

3.2.3.H Loyalty Rewards Program II

The Loyalty Rewards Program II provides Customers with basic local service and custom calling features for a flat fee. Loyalty Rewards Program II Customers receive metered local calling and all local vertical features such as Caller ID, Call Waiting and Call Forwarding. The Program and accompanying fee do not include or apply to local usage, intraLATA charges, Remote Call Forwarding, Off Premises Extensions, WIRE-PRO, PBX, ISDN, Foreign Exchange Number and federal and local fees, taxes or surcharges, including local number portability. Customers must have at least \$200.00 in long distance services from the most recent invoice to qualify for the Loyalty Rewards Program II service offering.

3.2.3.I Loyalty Rewards Program III

The Loyalty Rewards Program III provides Customers with basic local service and custom calling features for a flat fee. Loyalty Rewards Program III Customers receive metered local calling and all local vertical features such as Caller ID, Call Waiting and Call Forwarding. The Program and accompanying fee does not include or apply to local usage, intraLATA charges, Remote Call Forwarding, Off Premises Extensions, WIRE-PRO, PBX, ISDN, Foreign Exchange Number and federal and local fees, taxes or surcharges, including local number portability.

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.3 ISDN Services**

National Integrated Services Digital Network (ISDN) Direct is a telecommunications service that provides an integrated voice/data communications capability for the transmission of circuit switched voice and data and packet switched data signals on an incoming and outgoing basis utilizing Integrated Services Digital network architecture.

**3.3.1 ISDN Primary Rate Interface (PRI)**

Service provides the Business Customer with a direct digital connection, via switched access, to one or more public and/or private services. The service arranges the 64 Kbps channels of a DS1 into 23 B (Bearer) channels and 1 D (Delta) channel or 24 B channels under control of a D channel residing on a separate PRI facility. The B channels carry voice and data traffic at speeds up to 64 Kbps. The D channel carries the out-of-band signaling required to control its associated B channels.

**3.3.2 Individual Line Business ISDN Basic Rate Interface (BRI)**

Service is an optional service arrangement which can be used in conjunction with a customer's Individual Line Business service. It uses the ISDN architecture to provide the customer with the capabilities of simultaneous access, transmission and switching of voice, data and imaging services via channelized transport. Service provides two bearer B-channels at 64 Kbps per second and a data D-channel at 16 Kbps per second. The bearer B-channels are designed for PCM voice, video conferencing, group 4 facsimile machines, etc. The data D-channel is for bringing in information about incoming calls and taking out information about outgoing calls.

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.4 Channel Services**

**3.4.1 General Description**

Channel Service consists of two-point or multi-point communications service offerings usually dedicated solely to the use of a particular Customer. Channels are electrical path utilized for transmitting signals, voice, or data communications. Channels are derived in such a manner as the Company may elect and are suitable for the purposes for which they are furnished. While it is contemplated that the Customer may provide the terminal apparatus and wiring (exclusive of the equipment necessary to derive and terminate the channel which is provided by the Company), at the request of the Customer and provided that request is reasonable, termination equipment will be provided by the Company subject to the rates and regulations set forth herein.

Facilities, consisting of channels, termination and arrangements are classified by Series and further classified within each Series by Type. The various Series and Types are described in terms of characteristics and use.

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**SECTION 3 - DESCRIPTION OF SERVICES** (Cont'd)

**3.4 Channel Services** (Cont'd)

3.4.2 Signaling Arrangements and Sub-Voice Arrangements

Special signaling and sub-voice service are divided into two basic service offerings – same exchange and interexchange. Same exchange service is divided into two basic rate elements – local channel and inter-office channel. Interexchange service is divided into two basic rate elements – interexchange mileage and local channel. Customers must have at least one local channel for each station location (premises) to connect customer provided equipment. Signaling arrangement for use with PBX (or other similar equipment) off-premises main and extension lines are capable of operating over facilities (loops) with resistance up to 1300 ohms. Charge is per arrangement.

3.4.2.A Type 1005

Transmission up to 75/150 Baud. Furnished for remote operations of radio-telegraph, teletypewriter, teletypesetter, data, supervisory control and miscellaneous signaling purposes

3.4.2.B Type 1011

Transmission of up to 30 Baud. Furnished for remote metering, supervisory control and miscellaneous signaling purposes. For two-point service, intra or interexchange.

3.4.2.C Type 2001

Furnished for private line, supervisory control, remote operation of mobile radio-telephone systems (4-wire); for two-point or multi-point service, intra or interexchange.

3.4.2.D Type 2002

Furnished for private line, supervisory control, remote operation of mobile radio-telephone systems (4-wire); for two-point or multi-point service, intra or interexchange.

**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.4 Channel Services (Cont'd)**

3.4.2 Signaling Arrangements and Sub-Voice Arrangements (Cont'd)

3.4.2.E Type 2005

Furnished for connection to exchange access service from a Foreign Central Office District office.

3.4.2.F Type 2014

Furnished for P.B.X. off-premises extension station line use, also furnished for Centrex-CU non-adjacent COD applications, off-premises extensions; intra or interexchange.

3.4.2.G Type A Signaling Arrangements

Type A arrangements are for use station ports capable of operation over looks with resistance in the range of 0-199.

3.4.2.H Type B Signaling Arrangement

Type B Type A arrangements are for use station ports capable of operation over looks with resistance in the range of 200-899.

3.4.2.I Type C Signaling Arrangement

Furnished for use with PBX or similar station ports capable of operation over lops with resistance in the range of 900 ohms or more.

**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.5 Operator Services**

Local calls may be completed or billed with the live or mechanical assistance by the Company's operator center. Calls may be billed collect to the called party, to an authorized 3rd party number, to the originating line, or to a valid authorized calling card. Local calls may be placed on a station to station basis or to a specified party (see Person to Person), or designated alternate. Usage charges for local operator assisted calls are those usage charges that would normally apply to the calling party's service.

Provides for live or automated operator treatment when Customer dials "0". Services include, but are not limited to, bill to originating telephone number, calling card, collect or to a third party:

- 3.5.1 Collect Calls - Calls where the called person agrees to pay for the call. Company offers two types of collect calls.
- 3.5.2 Person-to-Person - Calls completed with the assistance of a Company operator to a particular person, station, department or PBX extension specified by the calling party.
- 3.5.3 Station-to-Station - Operator assisted calls other than Person-to-Person billed to either the Business Customer's phone number, or the end user's calling card. Calls may be dialed with or without assistance of a Company operator.
- 3.5.4 Third Party Billed Cards - Calls where the customer requests that the phone call be charged to a third party's phone number. If the originating caller is calling from a payphone, the third party number is called. The third party has to answer the phone and accept the charges before the operator completes the call.



**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.6 Message Telecommunications Service/Toll Services**

Message Telecommunications Service or Toll Service is a communications service which is available for use by Customers twenty-four (24) hours a day. MTS enables a User of an exchange access line to place calls to any station on the public switched telephone network bearing an NPS-NXX designation associated with points outside the Customer's Local Calling Area, but within the boundaries of home LATA. This service may also be subject to an optional measured time rate treatment for calls to all Verizon New Jersey exchange areas within the same LATA which would otherwise be subject to the third mileage step (16-20) under the DDD residence rate schedule.

3.6.1 Select Call Service

This service provides customers with an interstate toll option plan.

3.6.2 Restriction – Operator Screening

A service that provides for the operator to deny the toll call whenever 0 is dialed by the end user.

**3.7 911 Emergency Services**

Emergency Telephone Services allow Customers to reach appropriate emergency services, including: police, fire, and hospital medical services. Enhanced 1011 Service has the ability to selectively route an emergency Call to the primary 1011 provider so that it reaches the correct emergency service located closest to the Caller. In addition, Enhanced 1011 Service enables the Customer's address and telephone information to be displayed to the person handling the 1011 call.

**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.8 Miscellaneous Local Features**

3.8.1 Busy Line Verification and Interrupt Service

Busy Line Verification and Interrupt Service, furnished to the extent facilities permit, provides the customer with the following options:

3.8.1.A Busy Line Verification: Upon request of the calling party, the Company will determine if the line is clear or in use and report to the calling party.

3.8.1.B Busy Line Verification and Interrupt: The operator will interrupt the call on the called line only if the calling party indicates an emergency and requests interruption.

3.8.2 Call Blocking Features

A calling party may block their telephone number, associated main listed name and voiceback of calling identification information to users or subscribers to customer calling features utilizing SS7 technology. Blocking will also prevent call completion through the use of Return Call service. Customers have three blocking options: (1) Per Call Blocking, (2) Per Line Blocking, or (3) Class Call Blocking. These features allow the end-user to automatically block incoming calls from up to six Customer pre-selected telephone numbers (including numbers from which a Customer has just received a call. The list of numbers can be changed at any time. Callers whose numbers have been blocked will hear a recorded message and no usage charges will apply. The calling party's number will not be delivered or announced to the call recipient under any circumstances.

3.8.3 Calling Card Services

The Company's Calling Card Services are offered to Customers of its local exchange and long distance services. The Company's Calling Card Services are accessed by dialing a toll-free number and entering the Calling Card Number (area code, phone number, and PIN).

**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.8 Miscellaneous Local Features (Cont'd)**

3.8.4 Touch Dial Calling Service

Touch dial calling service provides for the origination of telephone calls through the use of pushbuttons transmitting alternating currents in lieu of rotary dial or push buttons transmitting direct current. The service is furnished for use with individual and two-party central office lines, and with residential exchange service lines. It may be furnished to either one or both subscribers on a two party line. Touch dial calling service requires special central office equipment and will be provided only from central offices where facilities are available.

3.8.5 Directory Assistance

Provides for identification of telephone directory numbers, via an operator or automated platform. Customers are provided with a maximum of 2 listings per each call to Directory Assistance.

3.8.6 Directory Assistance Call Completion

Directory Assistance Call Completion Service provides the Customer with the ability to use a directory assistance operator to provide listing information and to automatically dial the number requested.

**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.8 Miscellaneous Local Features (Cont'd)**

**3.8.7 Directory Listings**

For each Customer of Company-provided Exchange 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. Directory listings are provided in connection with each Customer service as specified herein. The Company reserves the right to limit the length of any listing in the directory by the use of abbreviations when, in its judgment, the clearness of the listing or the identification of the Customer is not impaired thereby. When more than one line is required to properly list the Customer, no additional charge is made. The following types of listings will be made available: (1) primary; (2) additional; (3) non-published; (4) non-listed; (5) alternate call; and (6) reference.

**3.8.8 Local Number Portability**

Local Number Portability is a service that enable the End User to retain use of the existing local exchange Carrier's number after choosing the Company as its local exchange carrier, provided that the Customer's location remains within the existing rate center after the switch. Where applicable, the Company will assess on End User Customers a monthly fee or fees to recover the Company's costs of porting the Customer's number/s from its existing Carrier to the Company.

**3.8.9 Personalized Telephone Number**

Personalized Telephone Number is an optional feature by which a new Customer may request a specific or unique telephone number and fax number for use with the Company provided Exchange Services. This service provides for the assignment of a Customer requested telephone number other than the next available number from the assignment control list. Personalized Telephone Number is furnished subject to the availability of facilities and the requirements of Exchange Service as defined by the Company. The Company reserves all rights to the Personalized Telephone Numbers assigned to Customer's and may, therefore, change them if required.

**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.8 Miscellaneous Local Features (Cont'd)**

3.8.10 Expanded Variety Package (EVP):

EVP is a custom calling type service offered to Touch-tone residence and business customers with individual exchange access lines service from a generically capable central office where all facilities are available. This service is grandfathered as of the effective date of this tariff and no longer available for purchase.

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.9 Custom Calling Features**

- 3.9.1 Anonymous Call Rejection: Allows a called party to block the display of their number and name on outgoing Calls on a per-Call basis for a fee.
- 3.9.2 Automatic Busy Redial: Permits the Customer to redial automatically the last number dialed. If the called line is busy, a 30-minute queuing process begins. The customer is then given an indication that the network will attempt to set up the call when the called line is idle.
- 3.9.3 Automatic Call Return/\*69: Enables a Customer to automatically return the last incoming Call. To return the call, the Customer dials a feature Code and the number is dialed automatically. If the called line is busy, a 30-minute queuing process begins. The Customer is then given an indication that the network will attempt to set up the Call when the called line is idle.
- 3.9.4 Busy Number Re-dial: This feature automatically redials another parties phone number after the Customer's first attempt to connect to that number resulted in a busy signal. The line is checked every 45 seconds for up to 30 minutes and alerts the Customer with a distinctive ringing pattern when the busy number and the Customer's line are free. The Customer can continue to make and receive other calls while the feature is activated.
- 3.9.5 Call Answering Business: This service provides a call answering feature whereby a live assistant answers the call when the called party is unavailable.
- 3.9.6 Call Gate: Blocks unauthorized outgoing calls.
- 3.9.7 Caller ID: Allows the number of the calling party to be passed from the telephone company to your telephone between the first and second ring signaling an incoming telephone call.
- 3.9.8 Caller ID Intercept: An optional enhancement feature to Caller ID With Name. Provides Customers with Caller ID With Name with informed choices about accepting or rejecting unidentified calls by requiring identification of calling parties to verbally identify themselves as a condition of call connection.
- 3.9.9 Caller ID with Name: This feature provides the originating telephone number and also the name associated with the line. The information is displayed on a Customer provided display device attached to the Customer's telephone line.

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.9 Custom Calling Features (Cont'd)**

- 3.9.10 Call Forwarding: Permits the Customer to forward calls to any telephone number or station in the Customer Group that their station is allowed to call, including voicemail and attendant. This feature may also include the ability to activate from a remote location.
- 3.9.11 Call Forwarding Busy: Permits the forwarding of incoming calls when the End User's line is busy. The forwarded number is fixed by the end-user's service order.
- 3.9.12 Call Forwarding No Answer: Permits the forwarding of incoming calls when the End-User's line remains unanswered after end user designated number of rings. The number of rings and the forwarded number are fixed by the Customer service order.
- 3.9.13 Call Forwarding Variable: Permits the end-user to automatically forward (transfer) all incoming calls to an end-user designated telephone number, and permits the end-user to restore incoming calls to non Call Forwarding operation. The Customer is charged for the call between the original terminating number and the number to which it is remotely call forwarded. The Customer must subscribe to adequate facilities to permit the use of the service without impairment, disruption or deterioration of the quality of other telephone services.
- 3.9.14 Call Trace: Allows a called party to initiate an automatic trace of the last call received. Call Trace is available on a usage base only. After receiving the call which is to be traced, the customer dials a code and the traced telephone number is automatically sent to the Company. The customer using Call Trace is required to contact the Company for further action and will not receive the traced telephone number. The results of a trace will be furnished only to legally constituted authorities upon proper request by them.

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.9 Custom Calling Features (Cont'd)**

- 3.9.15 Call Transfer: Allows the User to transfer a Call to another station within the Customer Group or to an outside telephone number.
- 3.9.16 Call Waiting: Permits the end-user engaged in a call to receive a tone signal indicating a second call is waiting; and, by operation of the switch hook, to place the first call on hold and answer the waiting call. The Customer may alternate between the two calls by operation of the switch hook, but a three-way conference call cannot be established. Feature may be used in conjunction with Caller ID (Caller ID Intercept).
- 3.9.17 Cancel Call Waiting: Allows the User, on a per-Call basis, to cancel the Call Waiting function by dialing \*70 before making a call.
- 3.9.18 Class Caller ID/Unidentified Caller Block: A service that block calls from callers who have prevented their name and telephone number from being displayed on a Caller ID display device. A recording instructs callers how to unblock their call.
- 3.9.19 Delayed Call Forwarding: Standard Call Forwarding with a delaying action feature.
- 3.9.20 Distinctive Ringing: This feature allows a Customer to have up to three separate telephone numbers which consist of the main telephone number and two additional telephone numbers, associated with one exchange access line. Each telephone number will have a distinctive ring on incoming calls to allow the Customer to identify the incoming call line. If the Customer also subscribes to Call Waiting, a Call Waiting tone is provided for each additional telephone number. All telephone lines must be served by the same Central Office.
- 3.9.21 Last Number Redial/\*69: Allows the Customer to return a call to the last incoming call whether the Customer answered the call or not.
- 3.9.22 Make Busy: Enables an end user to make busy one or more incoming lines through the operation of a button at the end user's location.
- 3.9.23 Make Busy - Trunk: Enables an end user to make busy one or more incoming lines, as well as the entire trunk, through the operation of a button at the end user's location.

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.9 Custom Calling Features (Cont'd)**

- 3.9.24 Missed Call Dialing: Allows the Customer to return a call to the last incoming call whether the Customer answered the call or not. Upon activation, Miss Call Dialing will re-dial the number automatically and continue to check the number every 45 seconds for up to 30 minutes if the number is busy. The Customer is alerted with a distinctive ringing pattern when the busy number is free. When the Customer answers the ring, the call is then completed. The calling party's number will not be delivered or announced to the call recipient under any circumstances.
- 3.9.25 Multi-line Variety Package – Call Forwarding: A service package that includes: call forwarding busy, call forwarding no answer and remote access.
- 3.9.26 Priority Call: This service provides one distinctive audible signal to the called customer when a call from one of up to six pre-specified telephone numbers. The calling list can only be created from and for telephone numbers located in appropriately equipped offices.
- 3.9.27 Remote Call Forwarding: An automatic reverse charge exchange service which provides for a Customer to arrange that Customers in the same or a different exchange may call him/her without paying the toll charge between a specified exchange and the Customer's location or asking the operator to assist with or complete the call.
- 3.9.28 Remote Call Forwarding – Additional Lines: An end user who chooses to have a remote call forwarded line may choose to have additional paths, enabling the end user to receive multiple calls simultaneously to the same remote call forwarding number.
- 3.9.29 Remote Line Service: An automatic reverse charge exchange service which provides for a customer to arrange that customers in the same or a different exchange may call him/her without paying the toll charge between the specific exchange and the customer's location or asking the operator to assist with or complete the call.
- 3.9.30 Repeat Dialing: Automatically redials the last outgoing telephone number dialed by the Customer.

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.9 Custom Calling Features (Cont'd)**

- 3.9.31 Select Forward: This service allows a customer to select a maximum of up six telephone numbers for forwarding. This list can only be created from and for telephone numbers located in appropriately equipped offices.
- 3.9.32 Sounddialing: A feature that allows for the end user to program speed dial and then activate it by a verbal command.
- 3.9.33 Speed Calling (8 or 30): Permits the Customer to place calls to other telephone numbers by dialing a one- or two-digit code rather than complete telephone numbers. The feature is available as an eight code list or a thirty code list. Either code list may include local and/or toll telephone numbers. To establish or change a telephone number in a code list, the Customer dials an activating code, receives a second dial tone and dials either a one- or two-digit code (for the eight code and thirty code lists, respectively) plus the telephone number. Speed calling thirty is also available with an additional line.
- 3.9.34 Three Way Calling: Permits the end-user to add a third party to an established connection. When the third party answers, a two-way conversation can be held before adding the original party for a three-way conference. The end-user initiating the conference controls the call and may disconnect the third party to reestablish the original connection or establish a connection to a different third party. The feature may be used on both outgoing and incoming calls.

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**SECTION 3 - DESCRIPTION OF SERVICES** (Cont'd)

**3.9 Custom Calling Features** (Cont'd)

- 3.9.35 Ultra Forward: Ultra Forward Service combines Call Forwarding with remote access capability. In addition to the current Call Forwarding feature access method, Ultra Forward Service provides customers access from any Touch-Tone or tone-signaling-capable telephone. The customer will dial a Remote Access Directory Number (RADN) and then be guided by voice prompts to enter required information, including a Personal Identification Number (PIN). Calls forwarded by this feature may be subject to local or long distance message charges as appropriate.
- 3.9.36 Voice Dialing: Enables customers to place calls by voice commands. This service allows a customer to store up to 50 names/destinations in a personal directory.
- 3.9.37 Voice Mail: Provides an audio mailbox to record, store, retrieve, review, save and handle audio messages for Customers. The service will greet incoming customers with a personal or standard greeting, and provide audio prompts and personal security codes for Customers and Users of Service.

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.10 Maintenance and Installation Charges**

3.10.1 Maintenance Visit Charges

Maintenance Visit Charges apply when the Company dispatches personnel to a Customer's premises to perform work necessary for resolving troubles reported by the Customer and the trouble is found to be caused by the Customer's facilities. The time period for which the Maintenance Visit Charges is applied will commence when Company personnel are dispatched at the Customer premises and end when work is completed. The rates for Maintenance of Service vary by time per Customer request.

3.10.2 Telephone Maintenance Plan

Provides the Customer with protection and full coverage at no additional charge in the event of damage to the Customer's inside wiring or customer premises equipment.

3.10.3 Service/Installation Ordering Charge

This charge applies to receiving, recording and processing Customer requests for work to be done in connection with the same service at the same time at one or more locations of that service. It has three possible application: (1) connection new or additional exchange access lines; (2) move or change existing service and equipment or add new or additional service and equipment other than exchange access; (3) record type only change.

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Las Vegas, Nevada 89121**

**SECTION 3 - DESCRIPTION OF SERVICES** (Cont'd)

**3.10 Maintenance and Installation Charges** (Cont'd)

3.10.4 Non-Routine Installation

At the Customer's request, installation and/or maintenance may be performed outside the Company's regular business hours or in unusual locations. In such cases, charges based on cost of the actual labor, material, or other costs incurred by or charged to the Company will apply. If installation is started during regular business hours but, at the Customer's request, extends beyond regular business hours into time periods including, but not limited to weekends, holidays, and/or night hours, additional charges may apply.

3.10.5 Central Office Exchange Access Line Charge

This covers work associated with the line extending from the serving central office up to and including the Rate demarcation Point on the customer's premises. Major work functions are central office cross-connect work, work done with distribution facilities outside of the central office, and connection of drop wire to the protector at the Customer's premises.

3.10.6 Element Service Charges

Element Service Charges for work activities performed in connection with Channel Service are charged fro at business rates except for orders for residence foreign central office district and foreign exchange services.

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.11 Miscellaneous Services Charges**

3.11.1 Order Change

An order change is a change in the Customer's service requested subsequent to installation.

3.11.2 Reconnection

Reconnection charges occur where service to an existing Customer has been disconnected for proper cause, and the Customer desires to resume service with the Company. If service has been discontinued for proper cause and where a Customer desires reconnection, the Customer will be charged a fee to defray the cost of providing service.

3.11.3 Missed Appointment Charge

When the Company and the Customer have agreed to an installation date and time, and the Customer is not available at the premises to allow for installation of service at the appointed time, a Missed Appointment Charge will apply. Customers may not cancel or change installation dates or times on less than 48 hours notice to the Company unless otherwise agreed to by the Company.

3.11.4 IntraLATA Toll Presubscription

IntraLATA Toll Presubscription is a procedure whereby a Customer designates to the Company the Carrier that the Customer wishes to use as its primary interexchange carrier ("PIC") for intraLATA toll calls. Such calls are automatically designated to the intraLATA PIC, without the need to use carrier access codes or additional dialing to direct the Call to the designated Carrier. IntraLATA Toll Presubscription does not prevent a Customer who has presubscribed to an IntraLATA toll Carrier from using carrier access codes or additional dialing to direct Calls to an alternative intraLATA toll Carrier on a per Call basis. All new Customer' initial requests for intraLATA toll service presubscription will be provided free of charge.

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.11 Miscellaneous Services Charges (Cont'd)**

3.11.5 Bad Check Charge

If payment for Service is made by a check, draft, or similar instrument (collectively "Check") that is returned to the Company unpaid by a bank or other financial institution for any reason, the Company may bill the Customer a returned check charge. In addition, the Customer may be required to replace the returned Check with a payment in cash or equivalent to cash, such as cashier's check, certified check or money order.

3.11.6 Late Payment Fee

A late payment fee of 1.5% will be applied to service charges not paid by the due date of the bill. The late payment fee will not be applied to previous late payment charges that have been assessed but remain unpaid, but will apply to the accumulated amount for which the Customer is in arrears.

**3.12 Promotional Service Offerings**

From time to time, the Company may offer services or waive or vary service rates for promotional, market research or other similar business purposes.

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**SECTION 4 - DESCRIPTION OF SERVICE**

**4.1 Local Exchange Service Offerings**

4.1.1 Standard Access Line

	<u>Plan A</u>	<u>Plan B</u>	
Initial Service Order, per line:	\$15.80	\$19.75	(I)
Monthly recurring charge, per line:	\$11.18	\$13.97	(I)

4.1.2 Local Residential Service

<i>Flat Rate Service</i> , per line, per month	\$10.05	\$12.57	(I)
Additional Line, per month	\$10.05	\$12.57	
<i>Message Rate Service</i> per line, per month:	\$7.58	\$9.49	
Per Message:	\$0.84	\$0.20	
Low Usage	\$6.82	\$8.53	
Personal Unlimited (Grandfathered)	\$64.23	\$80.28	
Additional Line – Message Svc.	\$8.09	\$10.11	(I)

4.1.3 Local Business Line Service

<i>Measured Rate Service:</i>			
Monthly recurring charge, per line:	\$16.16	\$20.19	(I)

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**SECTION 4 – RATES AND CHARGES (Cont'd)**

<b>4.1</b>	<b><u>Local Exchange Service Offerings</u></b> (Cont'd)	<b><u>Plan A</u></b>	<b><u>Plan B</u></b>	
4.1.4	<u>Private Branch Exchange (PBX)</u>			
	PBX and Centrex Station Lines, per month	\$77.50	\$96.88	(I)
	Additional Trunks, per month	\$16.68	\$20.85	
	Assured Additional Trunk, per month	\$10.22	\$12.78	
	Assured Measured Trunk	\$16.68	\$20.85	
	Hotel Guest – Message Trunk	\$16.92	\$21.14	
	Hotel Management – Message Trunk	\$10.46	\$13.08	
	Hotel/Motel Measured Trunk	\$9.92	\$12.40	
	TT Central office trunks w/customer equipment	\$6.47	\$8.09	
	Measured Time Rate	\$10.46	\$13.08	
	PBX Business Dial Tone Trunk Line	\$9.92	\$12.40	(I)
4.1.5	<u>Direct Inward Dial Service</u>			
	Trunk	\$48.98	\$61.12	(I)
	Trunk Connection, non-recurring	\$230.79	\$288.49	
	Per first twenty numbers:	\$29.61	\$37.02	
	Additional numbers (blocks of 20):	\$29.61	\$37.02	(I)
4.1.6	<u>Centrex Services</u>			
	Centrex Caller ID Deluxe w/o Feature	\$8.86	\$11.07	(I)
	Centrex Caller ID Deluxe w/ Feature	\$8.51	\$10.64	
	Centrex*69	\$1.90	\$2.35	
	Centrex w/ 5 class features	\$5.92	\$7.40	
	Centrex Unrestricted	\$30.36	\$37.95	
	Centrex Restricted	\$35.53	\$44.42	
	Centrex 2100 Line	\$37.02	\$46.28	
	Common Equipment Centrex 2100	\$63.25	\$79.07	(I)

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 Las Vegas, Nevada 89121**

**SECTION 4 – RATES AND CHARGES (Cont'd)**

<b>4.1</b>	<b><u>Local Exchange Service Offerings</u></b> (Cont'd)	<b><u>Plan A</u></b>	<b><u>Plan B</u></b>	
4.1.7	<u>Hunting Service</u>			
	End User Activated/ Break Co. Line Hunt Arr-Cntl Ky	\$10.95	\$13.67	(I)
4.1.8	<u>Foreign Exchange Branch Service</u>			
	Per monthly charge	\$20.97	\$26.20	(I)
4.1.9	<u>Local Calling Plans</u>			
4.1.9.A	Local Package – Standard Option			
	Per monthly charge	\$27.76	\$34.72	(I)
4.1.9.B	Local Package – Premium Option			
	Per monthly charge	\$34.09	\$42.61	
4.1.9.C	NOS Major Deal Plan			
	Per monthly charge	\$25.29	\$31.61	
4.1.9.D	NOS Econo Business 200			
		\$384.67	\$480.84	
4.1.9.E	Sound Bargain Plus			
	Per monthly charge	\$69.51	\$83.41	(I)

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**SECTION 4 – RATES AND CHARGES (Cont'd)**

<b>4.1</b>	<b><u>Local Exchange Service Offerings</u></b> (Cont'd)	<b><u>Plan A</u></b>	<b><u>Plan B</u></b>	
4.1.9.F	Worksmart Package			
	Per monthly charge	\$20.08	\$25.10	(I)
4.1.9.G	Block of Time Plan			
	Option 1 - Per monthly charge	\$8.35	\$10.44	
4.1.9.H	Loyalty Rewards Program I	\$12.65	\$25.30	
4.1.9.I	Loyalty Rewards Program II	\$12.65	\$25.30	
4.1.9.J	Loyalty Rewards Program III	\$37.95	\$50.60	(I)

**4.1.9.K Residential Unlimited Calling Program**

This service is for use by residential customers who select 011 Communications or International Plus service. Customers who subscribe to this voice service must select and designate NOS Communications, Inc. as its Local Exchange Carrier (LEC), and NOS Communications, Inc. d.b.a. 011 Communications or International Plus as its Interexchange Carrier (IXC) for interstate, International and intrastate calling, and as its intraLATA toll provider for intraLATA toll calling. Concurrent with enrollment in this plan, customers must also enroll in any companion unlimited traffic plans for all domestic traffic.

A monthly recurring charge will apply to this service as outlined below. This charge is identical to and shall not be in addition to the monthly recurring charge as outlined in any tariffs or service guides as applicable to companion Federal Service or to companion State Residential Unlimited Calling Program Services.

Monthly charge:	\$69.56	\$69.56	(I)
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The following is included in the monthly recurring charge: Unlimited domestic state-to-state (Interstate) long distance, unlimited in-state (Intrastate) long distance, and unlimited local toll calls, directly dialed from home; Basic line charges and features, and voicemail.

The following are not included in the monthly recurring charge: toll-free calling, international calling, calling card calls, cellular telephone platform calls, remote call forwarding, off premise extensions, WIRE-PRO, PBX, ISDN, Foreign Exchange Numbers, Local Number Portability, non-recurring charges, operator assistance, directory assistance, directory listing options, taxes, surcharges, per use charges and custom calling features. Customers will be charged at the rates contained within the Mobile Progressive Calling plan for international calls, or at the appropriate basic rate for all services not included within the monthly recurring charge.

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**SECTION 4 – RATES AND CHARGES (Cont'd)**

**4.2 \*ISDN Services**

Business Single Line ISDN PRI, per month	\$379.50	\$474.38	(I)
Business Single Line ISDN BRI, per month	\$16.01	\$20.00	
ISDN BRI Remote Access Package	\$88.55	\$110.69	
D Packet Intell BRI Channel-4	\$13.29	\$16.61	
CKT Switched Data-Voice	\$5.70	\$7.12	(I)

**4.3 Channel Services**

**Plan A**

**Plan B**

Same Exch-2005	\$8.83	\$10.60	(I)
Same Exch-1011	\$14.62	\$18.28	
Same Exch-2011	\$25.99	\$32.49	
Different Exch-2014	\$59.94	\$74.93	
Different Exch-1011	\$14.62	\$18.28	
Type 2005	\$17.91	\$22.40	
Type 2001 channels	\$17.91	\$22.40	
RG Chg Add Auto Sm Exch Key	\$1.94	\$2.42	
Mileage Interexchange – 1011	\$30.21	\$37.76	
Type C Signaling Arrangement	\$0.19	\$0.24	
Type B Signaling Arrangement	\$0.39	\$0.48	(I)

**4.4 Operator Services**

Per Call	\$2.53	\$3.17	(I)
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**SECTION 4 – RATES AND CHARGES (Cont'd)**

**4.5 Message Telecommunications Service/Toll Services**

	<b><u>Plan A</u></b>	<b><u>Plan B</u></b>	
Additional Message Service – Residence	\$8.09	\$10.11	(I)
Select Call Service	\$5.06	\$6.33	
Service Charge – Toll Free Number	\$18.98	\$23.72	
Operator Toll Restriction	\$13.29	\$16.61	(I)

**4.6 911 Emergency Services**

Customers may be assessed a recurring monthly line item fee to compensate the County 911 Public Safety Board for the provision of 911 services. This fee may vary, depending on the vicinity in which the Customer is located. Where applicable, the Company will remit this fee to the appropriate 911 authority.

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**SECTION 4 – RATES AND CHARGES (Cont'd)**

**4.7 Miscellaneous Local Feature Charges**

4.7.1 <u>Busy Verification and Service Interrupt</u>	<b><u>Plan A</u></b>	<b><u>Plan B</u></b>	
BLV, Per Call	\$2.53	\$3.17	(I)
Emergency Interrupt, Per Call	\$2.53	\$3.17*	(I)
<i>*Requires BLV</i>			
4.7.2 <u>Call Blocking Features</u>			
Per Call Blocking	\$1.90	\$2.35	(I)
Class Blocking	\$1.90	\$2.35	
Selective Call Rejection	\$3.83	\$4.80	(I)
4.7.3 <u>Calling Card Services</u>			
Call surcharge	\$2.53	\$3.17	(I)
Per minute charge	\$0.32	\$0.40	(I)
4.7.4 <u>Touch Dial Calling Service</u>			
Per month,	\$2.54	\$3.18	(I)
4.7.5 <u>Directory Assistance</u>			
Per each additional Call (2 listings)	\$1.27	\$1.58	(I)
4.7.6 <u>Directory Assistance Call Completion</u>			
Per Call Completion:	\$0.64	\$0.95	(I)

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**SECTION 4 – RATES AND CHARGES (Cont'd)**

**4.7 Miscellaneous Local Feature Charges (Cont'd)**

<u>4.7.7 Directory Listings</u>	<u>Plan A</u>	<u>Plan B</u>	
Primary Listing, per month	\$2.01	\$2.52	(I)
Per Additional Business Listing, per month	\$1.33	\$1.66	
Non-listed, per month	\$1.08	\$1.34	
Non-Published, per month	\$1.84	\$2.29	
Line of Information, per month	\$1.97	\$2.46	(I)
<u>4.7.8 Local Number Portability</u>			
Per month charges, Per line:	\$2.62	\$3.28	(I)
Per PBX trunk:	\$62.84	\$78.56	(I)
<u>4.7.9 Personalized Telephone Number</u>			
Nonrecurring Charge	\$31.63	\$39.53	(I)
Monthly Charge	\$6.33	\$7.91	(I)
<u>4.7.10 Expanded Variety Package</u>			
(Grandfathered Service)	\$12.78	\$15.96	(I)

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**SECTION 4 – RATES AND CHARGES (Cont'd)**

**4.8 Custom Calling Features**

	<u>Plan A</u>	<u>Plan B</u>	
4.8.1.A Nonrecurring Charge	\$10.76	\$13.45	(I)
4.8.1.B Recurring Charges:			
Anonymous Call Rejection	\$6.33	\$7.91	(I)
Automatic Busy Redial	\$7.59	\$7.59	
Automatic Call Return/*69			
<i>Per Activation</i>	\$0.95	\$1.19	
Busy Number Redial	\$5.06	\$6.33	
Call Answering Business	\$6.96	\$8.70	
Call Gate	\$6.33	\$7.91	
Caller ID	\$6.67	\$8.34	
Caller ID Intercept	\$5.92	\$7.40	
Caller ID w/Name	\$11.58	\$14.49	
Call Forwarding	\$3.40	\$4.25	
Call Forwarding Busy	\$2.53	\$3.17	
Call Forwarding No Answer	\$2.53	\$3.17	
Call Forwarding Variable	\$8.86	\$11.07	
Call Return	\$3.80	\$4.74	
Call Trace	\$1.27	\$1.58	
Call Transfer	\$7.59	\$9.49	
Call Waiting	\$5.81	\$7.26	
Cancel Call Waiting	\$5.06	\$6.33	
Class Call Block (Business)	\$16.45	\$20.56	
Class Call Block (Residential)	\$7.59	\$9.49	
Delayed Call Forwarding	\$2.53	\$3.17	
Distinctive Ringing	\$8.23	\$10.29	
Last Number Redial/*69/Repeat Dialing	\$5.06	\$6.33	
Make Busy	\$11.98	\$14.98	
Make Busy – Trunk	\$4.80	\$6.00	
Missed Call Dialing	\$5.06	\$6.33	
Multi-line Variety Pkg – Call Forwarding	\$0.65	\$0.81	(I)

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**SECTION 4 – RATES AND CHARGES (Cont'd)**

<b>4.8</b>	<b><u>Custom Calling Features</u> (Cont'd)</b>	<b><u>Plan A</u></b>	<b><u>Plan B</u></b>	
	4.8.1.B <u>Recurring Charges:</u> (Cont'd)			
	Priority Call	\$2.61	\$3.27	(I)
	Remote Call Forwarding-800 Svc - Interstate	\$18.55	\$23.19	
	Remote Call Forwarding – Addl. Line	\$18.55	\$23.19	
	Remote Line Service	\$20.88	\$26.10	
	Repeat Dialing	\$2.02	\$2.53	
	Residential Voice Mail	\$10.12	\$12.65	
	Select Forward	\$7.59	\$9.49	
	Sounddialing	\$34.64	\$43.31	
	Speed Calling(8)	\$3.40	\$4.25	
	Speed Calling (30)	\$3.26	\$4.06	
	Speed Calling (30) w/Addl. Line	\$1.45	\$1.83	
	Three Way Calling	\$2.62	\$3.28	
	Three Way Call Transfer	\$5.06	\$6.33	
	Ultra Forward	\$8.86	\$11.07	
	Voice Dialing	\$8.86	\$11.07	
	Voice Mail (Business)	\$15.18	\$18.98	
	Voice Mail (Home)	\$5.70	\$7.12	
	Voice Mailbox & Guest	\$1.49	\$1.85	(I)

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**SECTION 4 – RATES AND CHARGES (Cont'd)**

**4.9 Maintenance and Installation Charges**

	<u>Plan A</u>	<u>Plan B</u>	
4.9.1 <u>Maintenance Visit Charge</u>			
Recurring charge, per hour	\$24.27	\$30.34	(I)
4.9.2 <u>Telephone Maintenance Plan</u>			
Monthly charge, per line	\$5.84	\$7.32	(I)
Plan I	\$4.44	\$5.56	
Plan II	\$1.33	\$1.66	
Plan III	\$3.36	\$4.19	(I)
4.9.3 <u>Inside Wire Insurance</u>			
Monthly charge, per line	\$3.17	\$3.96	(I)
4.9.4 <u>Inside Wire Maintenance</u>			
Monthly charge, per line	\$4.37	\$5.46	(I)
4.9.5 <u>Installation</u>			
Connect new or addl' exchange access lines	\$35.74	\$74.07	(I)
Move, change or add service/equipment	\$20.24	\$25.54	
Record type change only	\$13.29	\$20.43	(I)
4.9.6 <u>Non-routine Installation</u>			
Per installation	ICB		
4.9.7 <u>Central Office Exchange Access Line Charge</u>			
Connect new/ addl' lines	\$17.84	\$27.47	(I)
Change existing line	\$6.33	\$7.67	(I)

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**SECTION 4 – RATES AND CHARGES (Cont'd)**

<b>4.9</b>	<b><u>Maintenance and Installation Charges</u></b> (Cont'd)	<b><u>Plan A</u></b>	<b><u>Plan B</u></b>	
4.9.8	<u>Hunting Group Add/Change Order</u>	\$18.98 per group	\$18.98 per group	(I)
4.9.9	<u>Suspend for Non-payment Restoral Order:</u>	\$12.65 per line	\$12.65 per line	(I)
4.9.10	<u>Feature Add/Change Order:</u>	\$12.65 per order	\$12.65 per order	(I)
4.9.11	<u>Remote Call Forwarding Add/Change Order:</u>	\$12.65 per path	\$12.65 per path	(I)
4.9.12	<u>Listed/Unlisted Designation Add/Change Order:</u>	\$6.33 per order	\$6.33 per order	(I)
4.9.13	<u>Inside Wire or other Installation Orders:</u>	ICB	ICB	
<b>4.10</b>	<b><u>Miscellaneous Service Charges</u></b>	<b><u>Plan A</u></b>	<b><u>Plan B</u></b>	
4.10.1	<u>Order Change</u>			
	Per change	\$25.54	\$31.87	(I)
4.10.2	<u>Reconnection</u>			
	Non-recurring charge, per line	\$10.86	\$13.56	(I)
4.10.3	<u>IntraLATA Toll Presubscription</u>			
	Per change: (after initial selection)	\$6.33	\$6.33	(I)
4.10.4	<u>Telephone Number Change</u>			
	Per change:	\$25.54	\$31.87	(I)
4.10.5	<u>Bad Check Charge</u>			
	Per returned check:	\$31.63	\$31.63	(I)
4.10.6	<u>Missed Appointment Charge</u>			
	Per line:	\$126.50	\$158.13	(I)

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**SECTION 4 – RATES AND CHARGES (Cont'd)**

<b>4.10</b>	<b><u>Miscellaneous Service Charges</u></b> (Cont'd)	<b><u>Plan A</u></b>	<b><u>Plan B</u></b>	
4.10.7	<u>Federal Subscriber Line Charge</u>			
	Monthly fee	\$9.11	\$11.39	(I)
4.10.8	<u>Universal Service Fee</u>			
	Monthly fee	\$0.26	\$0.33	(I)
4.10.9	<u>End User Port Cost Recovery</u>			
	Monthly fee	\$3.54	\$4.43	(I)
4.10.10	<u>Service Order</u>			
		\$0.84	\$1.05	(I)
		\$1.58	\$1.97	
		\$4.74	\$5.93	
		\$6.26	\$7.83	
		\$8.23	\$10.29	
		\$10.12	\$12.65	
		\$10.76	\$13.45	
		\$15.80	\$19.75	
		\$18.55	\$23.19	(I)
4.10.11	<u>Special Assembly</u>	\$7.59	\$9.49	(I)
4.10.12	<u>Special Assembly – BOC (BRE)</u>	\$5.06	\$6.33	(I)
4.10.13	<u>Miscellaneous Services</u>	\$7.59	\$9.49	(I)
4.10.14	<u>Exchange Network Services</u>	\$0.77	\$0.96	(I)
4.10.15	<u>Power Failure Transfer</u>			
	(up to four trunks)	\$2.60	\$3.23	(I)

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**SECTION 4 – RATES AND CHARGES (Cont'd)**

**4.11 Equipment**

	<b><u>Plan A</u></b>	<b><u>Plan B</u></b>	
4.11.1 Voice Conn Agrt CPE	\$7.85	\$9.81	(I)
4.11.2 Jack/s	\$7.59	\$9.49	(I)
4.11.3 Jack – 2 Wire Modular Baser	\$7.59	\$9.49	(I)

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**SECTION 5 - LOCAL CALLING AREAS**

**5.1 Service Areas and Rate Groups**

The Company's exchange areas and local calling areas are identical to those defined in the tariffs of the incumbent local exchange company serving each exchange area. To that end, the Company provides service in the exchange areas served by the following local exchange companies and concurs in their filed exchange areas, exchange rate classification criteria and exchange maps:

Verizon

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**SECTION 6 - PROMOTIONAL, SPECIAL SERVICES AND TELECOMPETITIVE SERVICE OFFERINGS**

**6.1 General Description**

From time to time, Company shall tariff rates or select tariffed rates, the purpose of and/or design for which is to retain Company's competitive position by offering rates which are necessitated by competing offers received by or available to existing or potential customers, which, if not matched or bettered, would result in the loss of an existing or potential customer and/or in the reduction of traffic volume of the customer. Company either shall require customer confirmation of the competitive offer in writing or shall confirm the availability of a more favorable competitive rate from published tariffs, marketing materials, or other public sources to establish a customer's right to obtain a Promotional, Special Service and/or Telecompetitive Service offering.

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**SECTION 6 - PROMOTIONAL, SPECIAL SERVICES AND TELECOMPETITIVE SERVICE OFFERINGS (Cont'd)**

**6.2 Customer Loyalty Plan**

Customers who qualify as either a “save” or a “winback” and who meet the eligibility requirements set forth herein will receive a credit on either their 4, 6<sup>th</sup> or 9<sup>th</sup> invoice as selected by Customer upon service initiation and as provided following.

6.2.1 For each three, five or eight invoices (for credit months 4, 6 and 9, respectively) of consecutive uninterrupted service, a credit shall be calculated equal to the lower of either (i) the average of the Customer’s monthly charges excluding fees, taxes, surcharges, assessments, and similar charges (“eligible charges”), for the preceding consecutive eight-month period; or (ii) a credit which equals the eligible charges on the invoice in which the credit is applied.

6.2.2 To be eligible for the 4<sup>th</sup>, 6<sup>th</sup> or 9<sup>th</sup> invoice free bonus, each Customer must:

6.2.2.A have initiated service;

6.2.2.B have no record of nonpayment in any of the preceding consecutive twelve-month period of service;

6.2.2.C have received eight consecutive and uninterrupted invoices over the preceding eight-month period;

6.2.2.D have selected the 9<sup>th</sup> invoice free bonus incentive prior to the first day in the period of service covered by Customer’s ninth invoice; and

6.2.2.E pay all charges rendered in Customer’s ninth invoice in excess of the amount of the applicable credit as calculated preceding.

6.2.3 Beginning July 31, 2006, customers receiving a credit under the “Every Fourth Invoice Free” Customer Loyalty Plan, will have the “Every Fourth Invoice Free” Customer Loyalty Plan removed from their accounts, and will have the “Every Ninth Invoice Free” Customer Loyalty Plan added to their accounts in substitution. For purposes of calculating when a customer will receive a credit under the newly substituted “Every Ninth Invoice Free” Customer Loyalty Plan, the Company will begin the calculation with the customer’s first invoice following the last credit invoice under the “Every Fourth Invoice Free” Customer Loyalty Plan. (C)

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES**

(N)

**7.1 General**

7.1.1 Construction charges, where applicable, are in addition to the established nonrecurring charges and monthly rates for the furnishing of service to the customer.

**7.2 Construction on Public Highways or Other Easements**

7.2.1 The normal method of constructing distribution facilities, i.e., aerial or underground, will be determined by the Company according to the conditions in each case, except as provided for under "Extensions for New Real Estate Additions" in 7.4.1 following.

7.2.2 The ownership of poles used in the provision of telephone service is vested either in the Company or in some other company with which the Company has a joint use agreement.

7.2.3 Normally, no charges apply for extending telephone plant along public roads, highways, rights-of-way or easements, except for Conditions Involving Special Consideration as described in 7.6.1 following.

**7.3 Construction on Private Property**

7.3.1 Service Entrance Facilities

7.3.1.A General

Charge Treatment for Construction Required for Changes to Existing Service Entrance Facilities

7.3.1.A.1 Change in Aerial Service Connection

Where it is necessary to remove or relocate the pole at which an aerial service connection terminates, the service connection will be re-established by the Company by the most practicable method, i.e., aerial or underground or a combination of both. Charges based on cost may apply for the work to be done except in those cases where the reason for the change is beyond the control of the customer and the service connection is re-established by the most practicable method. In this event, the service connection is normally re-established at no charge to the customer.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.3 Construction on Private Property** (Cont'd)

7.3.1 Service Entrance Facilities (Cont'd)

7.3.1.A General (Cont'd)

7.3.1.A.2 Change in Underground Service Connection

Where it is necessary to remove or relocate the manhole at which an underground service connection terminates, the service connection will be re-established by the Company by the most practicable method, *i.e.*, aerial or underground or a combination of both. Charges based on cost may apply for the work to be done except in those cases where the reason for the change is beyond the control of the customer and the service connection is re-established by the most practicable method. In this event, the service connection is normally re-established at no charge to the customer.

7.3.1.A.3 Change from Aerial to Underground or Underground to Aerial Construction at the Customer's Request

The charge treatment is based on cost plus in all cases the charge applicable to a new service connection of the facilities.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.3 Construction on Private Property** (Cont'd)

7.3.2 Construction Required For Service To An Additional Termination Point (ATP)

7.3.2.A General

7.3.2.A.1 A customer's main telephone billing number must terminate at the customer's RDP. A customer's RDP and ATP must be located on the same property. Only supplemental services, billed to the main billing number or billed separately to the same customer at the same address, may be terminated at an ATP.

7.3.2.A.2 A customer may request multiple ATPs on the same or different floors in a single or multi-tenant building or in the same or different buildings on a single or multi-tenant campus.

7.3.2.A.3 If a customer desires to have services terminated at an ATP, it is the customer's responsibility to inform the Company that the service is to be terminated at the ATP. If the customer fails to fulfill this responsibility, the requested installations of the network services will be terminated at the customer's RDP.

7.3.2.A.4 Eighty-five (85) percent of the cable capacity used to establish an ATP will be available for assignment of network facilities.

7.3.2.A.5 The minimum size cable installed to provide service to an ATP will have a capacity of 100 pairs.

7.3.2.A.6 A subsequent customer, other than the customer charged for the construction of the ATP at a location where an ATP exists, choosing to have network services assigned to the ATP, will be charged an ICB charge.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.3 Construction on Private Property** (Cont'd)

7.3.2 Construction Required For Service To An Additional Termination Point (ATP) (Cont'd)

7.3.2.B Charge Treatment For Construction Required For Service To An ATP.

7.3.2.B.1 Construction of an ATP will be on an ICB basis (See 7.5).

7.3.2.B.2 Charges based on cost apply to the construction of an ATP and are developed on the individual circumstances in each case.

7.3.2.B.3 The cost of an ATP includes Company-provided maintenance, up to and including the NI.

7.3.2.B.4 Reinforcement of ATP facilities will be at the customer's expense.

7.3.2.B.5 Charges for changes in aerial or underground service connections to an ATP are in accordance with 7.3.1, preceding.

7.3.3 RESERVED FOR FUTURE USE

7.3.4 RESERVED FOR FUTURE USE

(N)

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.3 Construction on Private Property** (Cont'd)

**7.3.5 Maintenance And Repair**

Circuits on private property, up to and including the RDP, are maintained and replaced at the expense of the Company except that:

- Where repairs or replacements are made necessary by damages caused by the customer, his/her employees or representatives, or by water freezing in improperly drained conduit, or by any other circumstances over which the customer has control, he/she will be required to bear the expense of the repairs or replacement, or if he/she desires, service will be established by means of the normal method of construction at the normal construction charge treatment. In the latter event, the charge applicable to a new service connection of the facilities also applies.
- Where wire is buried in a trench provided by the customer, and the customer renders access to the circuits unusually expensive, e.g., lays a concrete walk or driveway over the circuits or places expensive shrubbery over them, he/she will be required to bear the unusual expense incurred in opening and closing the trench in connection with maintenance of the circuits, or if he/she desires, the Company will establish service by means of the normal method of construction at the normal construction charge treatment. In the latter event, the charge applicable to a new service connection of facilities also applies.
- In connection with wire buried by the Company, where repairs or replacements are made necessary under circumstances similar to those in the preceding paragraph, such repairs or replacements will be made by the most practicable method, i.e., buried or aerial, as the case may be. If the most practicable method is aerial and the customer desires underground, he/she must open and close the trench. Except where the customer opens and closes the trench, the charge applicable to a new service connection of the facilities also applies.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.4 Service Entrance Facilities**

7.4.1 Extensions for New Real Estate Additions

7.4.1.A Description/Regulations

7.4.1.A.1 Applicant, as used herein, means the subdivider, developer, builder or owner applying for the construction of a telephone distribution system to serve one or more new customers.

7.4.1.A.2 Extension means the construction or installation of plant and/or facilities by the Company to provide service from existing plant and/or facilities to one or more new customers, and also means the plant and/or facilities themselves. This term includes all plant and/or facilities for transmission and/or distribution, whether located on a public street or right of way, or on private property, including the wire, cable, pipe, conduit or other means of conveying a service from existing plant and/or facilities to each unit or structure to be served. The extension ends at the point where the service connects to the RDP.

7.4.1.A.3 The Company is not required to construct, own, operate or maintain an extension on any property unless the Company is legally authorized to do so, for example through an easement or right-of-way. The applicant shall ensure that the Company is provided with such legal authority, at no cost to the Company and with no requirement for condemnation of the property.

7.4.1.A.4 In constructing and operating an extension, the Company shall use equipment and practices that meet all applicable requirements which are consistent with industry best practices and standards and the Company's minimum system design standards, unless requested otherwise by the applicant.

7.4.1.A.5 Connections from the existing telephone distribution system to the underground system installed within the applicant's subdivision are made by an extension of existing facilities in the normal method of construction along the established route which will serve the subdivision. Where the electric utility involved provides such an extension by means of overhead facilities, the Company's facilities may also be provided by means of overhead construction.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.4 Service Entrance Facilities** (Cont'd)

7.4.1 Extensions for New Real Estate Additions (Cont'd)

7.4.1.A Description/Regulations (Cont'd)

7.4.1.A.6 The Company, customers, applicants, developers, builders, municipal bodies and other persons shall cooperate fully in order to facilitate construction of an extension at the lowest reasonable cost consistent with system reliability and safety. This includes sharing trenches where practicable, and coordinating scheduling and other aspects of construction to minimize delay`s and to avoid difficult conditions such as frozen or unstable soils.

7.4.1.A.7 If an applicant requests an extension that will serve both a designated growth area and an area not designated for growth, the Company will pay for, or financially contribute to, the portion of the extension that is necessary to serve a designated growth area, except as provided for herein. The Company will not pay for or contribute financially to the portion of the extension that will serve an area not designated for growth unless the area was determined to be exempt under N.J.A.C. 14:38.2.

7.4.1.A.8 The Company is eligible to apply for cost recovery under a Targeted Revitalization Incentive Program (TRIP) charge in accordance with N.J.A.C. 14:3-10.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.4 Service Entrance Facilities** (Cont'd)

7.4.1 Extensions for New Real Estate Additions (Cont'd)

7.4.1.A Description/Regulations (Cont'd)

7.4.1.A.9 The applicant shall furnish the items listed below without charge and in sufficient time in the judgment of the Company for it to meet service requirements:

- Rights-of-way and easements suitable to and without cost to or condemnation by the Company;
- The preliminary or tentative subdivision map which has been submitted to and approved by the appropriate authorities, showing the full layout of the subdivision to be developed in order to facilitate planning for the cables;
- The final subdivision map of the section of the subdivision which has received final approval of the appropriate authorities and which the applicant proposes to develop in the immediate future. The map shall be furnished in both paper and electronic (CADD) format;
- A written estimate of the date on which telephone service will initially be required and the time schedule for the full development of the section; and
- Documentation, which includes detailed plans of the development to enable the Company to determine if the development is in an "area designated for growth" as defined in N.J.A.C. 14:3-8.2 and depicted on a copy of the most current State Plan Policy map prepared by the State Planning Commission, or is in an area not designated for growth but has been determined to be exempt and eligible for the same treatment as an area designated for growth.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.4 Service Entrance Facilities** (Cont'd)

7.4.1 Extensions for New Real Estate Additions (Cont'd)

7.4.1.A Description/Regulations (Cont'd)

7.4.1.A.10 An extension to non-residential development shall be made underground if the development does not have service and the extension is located in an area where local government or the Company requires the extension to be underground. It is the property owners' responsibility to provide a suitable path or two (2) four-inch conduits and associated structures in accordance with the Company's layout design and specifications from the public road into the building(s).

The applicant or the Company may request a special exemption from the Board of Public Utilities if this requirement will result in a hardship, inequity, or will be discriminatory to other affected parties.

7.4.1.A.11 An extension serving a residential development of three or more units shall be underground if the development does not have service and the extension will be placed along streets that are not already served by overhead facilities. It is the property owners' responsibility to provide a suitable path or two (2) four-inch conduits and associated structures in accordance with the Company's layout design and specifications from the public road into the building(s).

The applicant or the Company may request a special exemption from Board of Public Utilities if this requirement will result in a hardship, inequity, or will be discriminatory to other affected parties.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.4 Service Entrance Facilities** (Cont'd)

7.4.1 Extensions for New Real Estate Additions (Cont'd)

7.4.1.A Description/Regulations (Cont'd)

7.4.1.A.12 The Company will start construction only after all of the following conditions have been executed and met:

- a. advanced construction payment and assigned contract of work,
- b. the rights-of-way or easements specified preceding are cleared of trees, tree stumps and other obstructions above or below grade at no charge to the Company to a width sufficient in its judgment to permit the use of machinery and equipment, and graded to within six inches of final grade by the applicant. Such clearance and grading must be maintained by the applicant during construction by the Company, and
- c. in a buried *environment*, furnish a trench meeting the standards and requirements of the Company. Should the applicant want to perform this work prior to the Company's scheduled construction start date, it must (i) obtain approval from the Company, and (ii) provide two (2) four-inch conduits and associated structures in accordance with the Company's layout design and specifications for the Company's use. The applicant will maintain the trench until all utilities have been installed, after which time the applicant is required to backfill the trench.

7.4.1.A.13 Where practicable, as determined by the Company and the electric utility involved, electric and telephone facilities may be placed in the same trench. Where joint use of a trench is practical, the Company will not commence work on an underground system unless and until the applicant has satisfied all conditions precedent to the obligation of the electric utility as well as the Company to commence work on their respective underground systems.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.4 Service Entrance Facilities** (Cont'd)

7.4.1 Extensions for New Real Estate Additions (Cont'd)

7.4.1.A Description/Regulations (Cont'd)

7.4.1.A.14 The charges specified in 7.4.1.B. following are based on the premise that each applicant shall agree to cooperate with the Company in an effort to keep the cost of construction and installation of the underground telephone communication system as low as possible. This includes the scheduling of construction to preclude the necessity for trenching in frozen soils, or in land fill operations before soils have become stabilized.

Should unusual circumstances arise which would unreasonably delay underground service, temporary wires may be installed in whatever manner is most practical under the circumstances, provided, however, that such temporary wires shall be replaced as soon as practicable with a permanent underground service.

Upon approval by the Board of Public Utilities, excess costs, if any, due to temporary installations will be charged to the applicant.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.4 Service Entrance Facilities** (Cont'd)

7.4.1 Extensions for New Real Estate Additions (Cont'd)

7.4.1.B Charge Treatment

7.4.1.B.1 Schedule of Charges

- a. The costs of an extension are the actual costs incurred to construct and install the extension, including materials and labor employed in the design, purchase, constructions, and/or installation of the extension, including overhead directly attributable to the work, as well as overrides or loading factors such as those for back-up personnel for mapping, records, clerical, supervision or general office functions.
- b. The estimated cost of each extension is prepared in the Contract of Work and determined on an individual case basis using the most recent costs. Where pavement cutting and restoration, rock removal, blasting, difficult digging conditions or special back fill is required, charges based on the costs involved may apply.
- c. The charges herein are in addition to the charges shown elsewhere in this Tariff for the furnishing of the Company's services.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.4 Service Entrance Facilities** (Cont'd)

7.4.1 Extensions for New Real Estate Additions (Cont'd)

7.4.1.B Charge Treatment (Cont'd)

7.4.1.B.2 Advance Construction Payments

An applicant will be required to pay deposits contained in the Contract of Work in the form of advance construction payments based on estimated costs. Such deposits will be held without payment of interest. In addition, in all cases, the applicant will be responsible for actual costs in excess of the advance construction payments. In the event that actual costs are less than any advance construction payments, the difference will be refunded to the applicant upon completion of the extension.

Where an applicant plans construction of a development in phases, the applicant shall indicate which phases are to be treated as separate development for the purposes of determining the amount of deposit and calculating any applicable refund formula. The deposit required for each phase of the extension shall be the cost of the extension required to serve that phase of the development.

There are two types of advance construction payments that may be required of an applicant:

- a. Type 1 Deposits – are for extensions in “areas designed for growth” as defined in N.J.A.C. 14:3-8.2, or has been determined to be exempt and eligible for the same treatment as areas designed for growth. Type 1 Deposits may be required by the Company and are subject to a 10-year refund formula. Any portion of a Type 1 Deposit remaining unrefunded 10 years from the date the Company is first ready to render service from the extension involved will be retained by the Company. In no event shall the Company refund more than the total Type 1 Deposit amount to the applicant. The following portions of Type 1 Deposits are not refundable:

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.4 Service Entrance Facilities** (Cont'd)

7.4.1 Extensions for New Real Estate Additions (Cont'd)

7.4.1.B Charge Treatment (Cont'd)

7.4.1.B.2 Advance Construction Payments (Cont'd)

- For any extension, the cost of extra service or of extra work required to provide standard service. If an applicant requests service that costs more than that which is standard, or if an extension presents an unusual situation in which providing standard service is substantially more expensive than usual, the Company may charge the applicant or the customer the extra expense.
- For any extension, the cost of the portion of the extension from the boundary of the property on which the new customers to be served are located (that is from the subdivision gate, or for an individual lot, from the curb of the lot) to the point where the service connects to the building.
- For an underground extension, the additional cost for underground service over and above the amount it would cost to serve those customers' overhead.
- b. Type 2 Deposits – are for extensions in areas not designated for growth and not exempt under N.J.A.C. 14:3-8.2. Type 2 Deposits are required from the applicant for the estimated cost and no portion of the deposit is subject to a refund; provided, however, in the event that actual costs are less than any advance construction payments, the difference will be refunded to the applicant upon completion of the extension as set herein.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES (Cont'd)**

(N)

**7.5 Individual Case Basis (ICB)**

7.5.1 Description

The term “Individual Case Basis” denotes a condition in which the regulations, if applicable, and rates and charges for an offering under the provisions of this tariff are developed based on the circumstances in each case.

Rates and charges for ICB's will reflect the costs incurred by the Company and may include, but are not limited to, monthly rates, nonrecurring charges, or combinations thereof.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.5 Individual Case Basis (ICB)** (Cont'd)

**7.5.2 Rate Treatment**

The monthly rates and nonrecurring charges for providing facilities through ICB's shall be determined by considering the following items to the extent they are applicable, as determined by the Company in a given situation:

- Cost of maintenance (to include projected inflation).
- Cost of operation (to include projected inflation).
- Depreciation on the estimated cost installed on any facilities provided based on the anticipated useful service life of the facilities with an appropriate allowance for the estimated net salvage.
- Administration, taxes and uncollectable revenue on the basis of reasonable average cost for these items.
- A reasonable sum for return and contingencies computed on the estimated cost installed of any facilities provided.
- The administrative cost of preparing the ICB will be included in the rates and charges to the customer.
  - Estimated cost installed, referred to preceding, includes cost of equipment and materials specifically provided or used during the calculation of ICB together with the estimated cost of installation, including the cost of engineering, labor, supervision, transportation, rights-of-way and other items which are chargeable to the Company's capital accounts.
  - A minimum 10% mark-up over costs will apply to all ICB cases.
  - Specific regulations, if applicable, and rates and charges for a particular service may be found in the tariff section pertaining to that service.

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**SECTION 7 - CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES** (Cont'd)

(N)

**7.6 Other Construction Or Conditions**

**7.6.1 Conditions Involving Special Consideration**

The regulations and charge treatment specified in this section contemplate construction under normal conditions. Special charge treatment may apply under such conditions as:

- Where the construction is of a known temporary nature.
- Where the construction is for foreign exchange service.
- Where the normal method of construction for distribution facilities is aerial and the customer desires underground construction, or vice versa.
- Where the establishment, expansion, or move of telephone equipment necessitates a substantial expenditure or investment in general distribution or house cable on the part of the Company and where such facilities would be of little or no use for serving other customers.
- Where unusual construction expenses are incurred as a result of the nature of the terrain to be traversed.

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**TABLE OF CONTENTS**

	<b>Page</b>
TITLE PAGE .....	1
CHECK PAGE .....	2
SYMBOLS .....	6
TARIFF FORMAT .....	7
APPLICATION OF TARIFF .....	8
SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS .....	9
1.1 Definitions .....	9
1.2 Abbreviations.....	13
SECTION 2 - RULES AND REGULATIONS.....	14
2.1 Undertaking of the Company.....	14
2.2 Limitations of Service.....	15
2.3 Limitations of Liability.....	16
2.4 Responsibilities of the Customer .....	19
2.5 Allowances for Interruptions in Service .....	20
2.6 Termination of Service .....	23
2.7 Payment of Charges.....	25
2.8 Deposits .....	25
2.9 Advance Payments.....	25
2.10 Contested Charges .....	26
2.11 Taxes.....	26
2.12 Transfers and Assignments.....	27
2.13 Temporary Promotional Programs.....	27
2.14 Application of Rates .....	27
2.15 Timing of Calls .....	29
2.16 Start of Billing .....	30
2.17 Minimum Call Completion Rate.....	30
SECTION 3 - DESCRIPTION OF SERVICE .....	31
3.1 General Service Information.....	31

---

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4380 Boulder Highway  
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**TABLE OF CONTENTS**  
(continued)

	<b>Page</b>
3.2 Local Exchange Services .....	32
3.3 ISDN Services.....	38
3.4 Channel Services.....	39
3.5 Operator Services.....	42
3.6 Message Telecommunications Service/Toll Services.....	43
3.7 911 Emergency Services.....	43
3.8 Miscellaneous Local Features.....	44
3.9 Custom Calling Features.....	48
3.10 Maintenance and Installation Charges .....	54
3.11 Miscellaneous Services Charges.....	56
3.12 Promotional Service Offerings .....	57
<b>SECTION 4 - DESCRIPTION OF SERVICE .....</b>	<b>58</b>
4.1 Local Exchange Service Offerings .....	58
4.2 *ISDN Services.....	62
4.3 Channel Services Plan A Plan B.....	62
4.4 Operator Services.....	62
4.5 Message Telecommunications Service/Toll Services.....	63
4.6 911 Emergency Services.....	63
4.7 Miscellaneous Local Feature Charges .....	64
4.8 Custom Calling Features.....	66
4.9 Maintenance and Installation Charges .....	68
4.10 Miscellaneous Service Charges Plan A Plan B.....	69
4.11 Equipment.....	71
<b>SECTION 5 - LOCAL CALLING AREAS .....</b>	<b>72</b>
5.1 Service Areas and Rate Groups .....	72

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**President**  
**4380 Boulder Highway**  
**Las Vegas, Nevada 89121**

---

**TABLE OF CONTENTS**

	<b>Page</b>	
SECTION 6 -	PROMOTIONAL, SPECIAL SERVICES AND TELECOMPETITIVE SERVICE OFFERINGS.....	73
6.1	General Description .....	73
6.2	Customer Loyalty Plan .....	74
SECTION 7 -	CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES.....	75
7.1	General.....	75
7.2	Construction on Public Highways or Other Easements.....	75
7.3	Construction on Private Property.....	75
7.4	Service Entrance Facilities.....	80
7.5	Individual Case Basis (ICB) .....	89
7.6	Other Construction or Conditions.....	91

(N)  
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