

PSC NY No. 9--COMMUNICATIONS

Verizon New York Inc.

Section 6
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Resale Services

6. Resale and Sharing
6.1 Description

Discounts, rates and charges for service(s) described herein are contained in Section 10.6.

6.1.0 General Restrictions on Availability		(N)
A.	Notwithstanding any other provisions of this Section 6, the availability under this Tariff of services purchased for resale is subject to the limitations set forth in paragraph 2.1.0.	(N) (N)

6.1.1 General	
A.	Resale is the sale to another person of products or services purchased from the Telephone Company. A person purchases for resale within the meaning of this tariff when such person purchases a service for the purpose of reselling it to another (rather than the purpose of using the service itself).
1.	A purchasing agent who orders services for its principal, and who does not itself agree to assume the obligations of a reseller under this tariff, is not purchasing for resale within the meaning of this tariff.
2.	The purchase of services or unbundled network elements for the purpose of provisioning a different service (such as the purchase of the Telephone Company's switched carrier access service for the purpose of provisioning an interexchange carrier's toll service) is not resale within the meaning of this tariff.
3.	A person purchasing a service for shared use by that person and others is purchasing for resale within the meaning of this tariff if such person agrees to assume all the obligations of a reseller under this tariff.
B.	Where a reseller purchases telephone exchange service from the Telephone Company under this tariff, and resells it to an end user customer, such end user will be able to access any and all services that an end user customer of the Telephone Company would normally be able to access on a Telephone exchange service line. Such services, to the extent provided by the Telephone Company, will be deemed to have been sold by the Telephone Company to the reseller as they are utilized by the reseller's end user, and the reseller will be responsible to the Telephone Company for payment for such services.
C.	Resale services are provided by means of wire, fiber optic, radio or any other suitable technology or a combination thereof.

6.1.2 Services Offered for Resale	
A.	The services that are offered for resale under this tariff are any and all features, functions, and capabilities that are separately offered by the Telephone Company to end users under any of the Telephone Company's intrastate tariffs and/or Product Guide, with the exception of the following services which will not be offered by the Telephone Company under this tariff.
1.	Public telephone service is not available for resale under this tariff.

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By Keefe B, Clemons, General Counsel, State Regulatory Affairs – East
6 Bowdoin Square, 9th Floor, Boston, MA 02114

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6.1 Description

6.1.2 Services Offered for Resale	
A.	(Continued)
2.	Promotional offerings are not available for resale under this tariff. Promotional offerings are discounts, waivers, credits, premiums, discounted product trials or other inducements, that would apply to a particular customer for a period of 90 days or less, and that are offered in order to promote the sale of a service.
3.	The schools and libraries discount program is not available for resale under this tariff.
4.	The health care providers support program is not available for resale under this tariff.
5.	As of February 9, 2016, Lifeline Service and the Connection Charge Assistance Plan are not available for resale.
6.	The resale discount, as specified in Section 10.6 of this Tariff, does not apply to Public Telephone Service (PALs and PSALs and associated usage), as described in Section 3 of P.S.C. No. 15--COMMUNICATIONS.
B.	Services which are grandfathered are only available under this tariff for resale to grandfathered customers. A service is grandfathered if the Telephone Company offers it on a retail basis only to existing end user customers, and not to any new end user customers.
C.	Any and all restructuring of resold services, introduction of new rate element(s) or other modifications or alterations of any resold service will be made available for purchase under this tariff to the same extent as existing resold services.
D.	
E.	Blocking — Resellers will be allowed to purchase blocking services to restrict end user access to particular capabilities to the extent such services are available under, and on the same terms and conditions as set forth in, the Telephone Company tariffs applicable to end user customers (e.g., refer to P.S.C. No. 15).

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**6. Resale and Sharing
6.2 Regulations**

6.2.1	Restriction
<p>A.</p> <p>1.</p> <p>a.</p> <p>2.</p>	<p>Class of Customer— This is a restriction contained in the primary tariff and/or Product Guide for a particular resold service (or in the general rules and regulations applicable to that tariff and/or Product Guide) that limits the availability of the service to a particular type of customer, such as a business customer, residential customer, carrier customer, end user customer, lifeline-eligible customer, etc.</p> <p>Where a resold service is subject to a class-of-customer restriction, the reseller may not resell such service to any customer not in the relevant class. However, the reseller may purchase the service for resale to a customer in the relevant class, whether or not the reseller itself is within the class.</p> <p>Notwithstanding Section 6.2.1A1, business services may be resold to residence end users so long as the end user is served by a business exchange line and so long as all other services provided on that line are also under the business class of service and appropriate business rates.</p> <p>Where a reseller resells a service purchased under this tariff to another person, and such other person is itself a reseller rather than an end user, the reseller purchasing from the Telephone Company must require its end users, by tariff or contract, to conform to any applicable class of end user restrictions and all other requirements of resellers under this tariff.</p>
<p>B.</p>	<p>Use of Telephone Company Brands— Unless the reseller has the expressed written authorization of the Telephone Company, the reseller is not allowed to offer resold services to its customers under any of the brand names of the Telephone Company or of its affiliates; and the reseller may not state or imply that there is any partnership or other joint business arrangement with the Telephone Company for the provision of services to the reseller's customers.</p>
<p>C.</p>	<p>Flat Rated Services— A reseller may not aggregate the usage of more than one of its customers on a single resold flat-rated telephone exchange service line.</p>

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Resale Services

6. Resale and Sharing
6.3 Application of Rates and Charges**6.3.1 Discounts to Underlying Services**

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| A. | The Telephone Company will discount the retail price of resold services offered to resellers under this tariff. Percentage discounts are as specified in Section 10.6. |
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6.3.2 Service Establishment

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| A. | Electronic Interfaces and Other Support Systems — An NRC, to be determined by the PSC, shall be assessed to recover the establishment costs for electronic interfaces and other support systems. |
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6.3.3 Other Charges

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| A. | A monthly OSS ongoing cost recovery charge applies to all resold lines. |
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6.3.4 Term and Volume Discounts

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| A. | Term and volume discounts may be offered where appropriate on a customer specific basis pursuant to the terms and conditions for ICB arrangements provided under P.S.C. No. 15. |
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6.3.5 Information Provider Services

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| A. | Telephone Company practices applicable to the imposition of charges for information provider services, where the Telephone Company bills and collects for the relevant information provider, will apply to resellers to the same extent as they apply to the Telephone Company's end user customers. |
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6.3.6 Taxes and Surcharges

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| A. | Certain Surcharges — The Service Provided for Resale Gross Revenue Tax and MTA Tax Surcharges (refer to P.S.C. No. 15) shall apply to purchases of telecommunications services of the Telephone Company which are made by a customer for resale as telecommunications services to its own customers. In order to qualify for the surcharges, a customer must either be included in the list of resellers that the New York State Department of Taxation and Finance publishes (i.e., Publication 41, Treatment of Sales for Resale Under Sec. 186(e) of the Tax Law), or must possess a copy of its Certificate of Public Convenience and Necessity obtained from the PSC. |
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