

PSC NO 3
Focal Communications Corporation of New York
Initial Effective Date 06/05/03

Section: 12 Leaf: 1
Revision 0
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SECTION 12: MISCELLANEOUS SERVICES

12.1 Operator Services

Operator Handled Calling Services are provided to Customers and Users of Company-provided Exchange Access Services, to users accessing presubscribed public pay phones or customer provided stations, and to Customers and Users of another local exchange carrier's access lines which the Customer has pre-subscribed to the Company's outbound calling services.

12.1.1 Definitions

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. Charges may be billed to the Customer's commercial credit card and/or LEC calling card, calling station, called station, or a designated third-party station. Calls may be dialed with or without the assistance of a Company operator.

Station-to-Station: Refers to calls other than person-to-person calls billed to either the end user's commercial credit card and/or non-proprietary calling card. Calls may be dialed with or without the assistance of a Company operator. Collect calls to coin telephones and transfers of charges to third-party telephones which are coin telephones will not be accepted.

Operator Dialed Charge: The end user places the call without dialing the destination number, although the capability to do it himself exists. The end user will dial "0" for local calls and "00" for long distance calls and then requests the operator to dial the called station.

Billed to Non-Proprietary Calling Card: Refers to calls that are dialed by the customer in accordance with standard dialing instructions and billed to a non-proprietary calling card issued by another carrier.

PSC NO 3
Focal Communications Corporation of New York
Initial Effective Date 06/05/03

Section: 12 Leaf: 2
Revision 0
Superseding Revision 0

SECTION 12: MISCELLANEOUS SERVICES

12.1 Operator Services (cont'd.)

12.1.2 Regulations

Local exchange, Message Toll, and IntraLATA calls may be placed on an Operator Assisted basis. Usage charges for Operator Assisted calls are the same as those set forth in Sections 8 and 9, preceding. For Operator Assisted calls to Busy Line Verification and Interrupt, or Directory Assistance, the surcharges specified in Section 12.2.3 and Section 12.3.2 will apply in addition to any applicable Operator charges.

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12.1.3 Rates

In addition to the usage charges identified above, the following operator-assisted charges will apply:

	<u>Per Call Charges</u>
Person-to-Person (Customer Dialed)	\$3.50
Station-to-Station (Customer Dialed)	\$1.50
Operator Dialed Charge (applies in addition to other operator charges)	\$0.60
Billed to Non-Proprietary Calling Card (additional surcharge)	\$0.50

PSC NO 3
Focal Communications Corporation of New York
Initial Effective Date 06/05/03

Section: 12 Leaf: 3
Revision 0
Superseding Revision 0

SECTION 12: MISCELLANEOUS SERVICES

12.2 Busy Line Verify and Line Interrupt Service

12.2.1 Description

Upon request of a calling party the Company will verify a busy condition on a called line.

- A) The operator will determine if the line is clear or in use and report to the calling party.
- B) The operator will interrupt the call on the called line only if the calling party indicates an emergency and requests interruption.

12.2.2 Regulations

- A) A charge will apply when:
 - 1) The operator verifies that the line is busy with a call in progress.
 - 2) The operator verifies that the line is available for incoming calls.
 - 3) The operator verifies that the called number is busy with a call in progress and the customer requests interruption. The operator will then interrupt the call, advising the called party the name of the calling party. One charge will apply for both verification and interruption.
- B) No charge will apply:
 - 1) When the calling party advises that the call is to or from an official public emergency agency.
 - 2) Under conditions other than those specified in 12.2.2(A) preceding.
- C) Busy Verification and Interrupt Service is furnished where and to the extent that facilities permit.
- D) The Customer shall indemnify and save the Company harmless against any and all claims that may arise from either party to the interrupted call or any person.

PSC NO 3
Focal Communications Corporation of New York
Initial Effective Date 06/05/03

Section: 12 Leaf: 4
Revision 0
Superseding Revision 0

SECTION 12: MISCELLANEOUS SERVICES

12.2 Busy Line Verify and Line Interrupt Service (cont'd.)

12.2.3 Rates

	<u>Per Request Charges</u>
Busy Line Verify Service (each request)	\$1.00
Busy Line Verify and Busy Line Interrupt Service (each request)	\$2.50

12.3 Directory Assistance

12.3.1 Description

Customers and Users of the Company's calling services (excluding toll free services) may obtain directory assistance in determining telephone numbers within New York City by calling the Directory Assistance operator.

12.3.2 Rates

- A) Directory Assistance charges apply for all requests for which the Company's facilities are used. Each number requested is charged for as shown below. Requests for information other than telephone numbers will be charged the same rate as shown for the applicable request for telephone numbers.

	Rate
Per Number Requested	\$0.55

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- B) A credit will be given for calls to Directory Assistance when:

- 1) the Customer experiences poor transmission or is cut-off during the call,
- 2) the Customer is given an incorrect telephone number, or
- 3) the Customer inadvertently misdials an incorrect Directory Assistance NPA.

To receive a credit, the customer must notify the Company operator or Business Office of the problem experienced.

PSC NO 3
Focal Communications Corporation of New York
Initial Effective Date 06/05/03

Section: 12 Leaf: 5
Revision 0
Superseding Revision 0

SECTION 12: MISCELLANEOUS SERVICES

12.4 Reserved For Future Use

PSC NO 3
Focal Communications Corporation of New York
Initial Effective Date 06/05/03

Section: 12 Leaf: 6
Revision 0
Superseding Revision 0

SECTION 12: MISCELLANEOUS SERVICES

12.5 Service and Maintenance Charges

12.5.1 Order Change Charge

An Order Change Charge will apply when the Company performs some alteration to a customer's existing telephone service including moves, adds, changes and disconnects, or for establishing new service.

Non-recurring charge: \$150.00 per change

12.5.2 Expedited Order Charge

An Expedited Order Charge will apply when a customer requests a service date that is earlier than the standard interval service date for the service ordered. The request for an earlier service date may be received from the customer prior to the issuance of an order, or after the order has been issued but prior to the service date. Focal's acceptance of an expedited order is not a guarantee, implied or otherwise, that the service will be installed on or before the customer's requested date. If Focal accepts an expedite order and does not meet the customer's requested date, the expedite order fee will not be refunded.

Non-recurring charge: \$500.00 per request

12.5.3 DID Number Translation Charge

The DID Number Translation Charge covers customer-initiated translation work that takes place within the Company's switching platforms or network in order to properly route calls to customer specifications.

Non-recurring charge: \$100.00 Monthly Recurring Charge: \$100.00

12.5.4 Labor Charges

The following charges shall apply for labor performed by the Company per Customer request. Labor hours are billed in half-hour increments.

Normal business hours: \$150.00 first ½ hr, \$50.00 each additional ½ hr
(Monday through Friday, 8:00 a.m. to 6:00 p.m., except holidays*)

Off-hour business hours: \$300.00 first ½ hr, \$75.00 each additional ½ hr
(Monday through Friday, 6:00 p.m. to 8:00 a.m., except holidays*)

Saturdays, Sundays, & Holidays*: \$500.00 first ½ hr, \$125.00 each additional ½ hr

*Holidays include New Year's Day (Jan. 1), Memorial Day (the last Monday in May), Independence Day (July 4) Labor Day (the first Monday in Sept.), Thanksgiving Day (the fourth Thursday in Nov.) and Christmas Day (Dec. 25).

T

PSC NO 3
Focal Communications Corporation of New York
Initial Effective Date 06/05/03

Section: 12 Leaf: 7
Revision 0
Superseding Revision 0

SECTION 12: MISCELLANEOUS SERVICES

12.5 Service and Maintenance Charges (cont'd) T

12.5.5 Service Trip Charge T

If an on-premise visit by the Company is required for trouble or service difficulties not resultant from the Company's provided equipment, a Service Trip Charge may assessed to the subscriber for the visit by the Company and reasonable hourly charges by the technician.

Non-Recurring Charge

Per Visit \$50.00

12.6 Restoration of Service

A restoration charge applies to the re-establishment of service and facilities suspended because of nonpayment of bills and is payable at the time that the re-establishment of the service and facilities suspended is arranged for. The restoration charge does not apply when, after disconnection of service, service is later re-established. The following rates apply per occasion:

Non-Recurring Charge

Per Occasion \$50.00

12.7 Reserved for Future Use T

12.8 Emergency Telephone Number Service (9-1-1)

The Company has provided primary and secondary trunking (for redundancy) to route 9-1-1 traffic from the Company's switch to the regional Bell Operating Company (RBOC) Central Offices that route 9-1-1 calls to the Public Safety Answering Points (PSAP).

12.8.1 Liability

A) The Company's entire liability to the customer or any person for interruption or failure of 9-1-1 service shall be limited by the terms set forth in this section, and in other tariffs of the Company. This 9-1-1 service is offered solely to assist the customer in providing 9-1-1 emergency service in conjunction with applicable fire, police and other public safety agencies. By providing this service to the customer, the does not create any relationship or obligation, direct or indirect, to any third party other than the customer.

PSC NO 3
Focal Communications Corporation of New York
Initial Effective Date 06/05/03

Section: 12 Leaf: 8
Revision 0
Superseding Revision 0

SECTION 12: MISCELLANEOUS SERVICES

12.8 Emergency Telephone Number Service (9-1-1)

12.8.1 Liability (cont'd)

- B) The Company shall not be liable for civil damages, whether in contract, tort or otherwise, to any person, corporation, or other entity for any loss or damage caused by any Company act or omission in the design, development, installation, maintenance, or provision of 9-1-1 service other than an act or omission constituting gross negligence or wanton or willful misconduct. However, in no event shall the Company's liability to any person, corporation, or other entity for any loss or damage exceed an amount equal to the pro-rated allowance of the tariff rate for the service and facilities provided to the customer for the time such interruption to service or facilities continues, after notice by the customer to the Company. No allowances shall be made if the interruption is due to the negligence of willful act of the customer.
- C) The customer shall indemnify and hold harmless the Company from any damages, or other injuries which may be asserted by any person, business, governmental agency, or other entity against the Company or customer or any of their employees, directors, officers or agents except for Company acts of gross negligence or willful or wanton misconduct in connection with developing, adopting, implementing, maintaining, or operating the 9-1-1 system or for releasing subscriber information in connection with the provision of the 9-1-1 service.
- D) The Company accepts no responsibility for obtaining subscriber record information from private telecommunications systems.
- E) The Company shall not be liable for any civil damages caused by an act or omission of the Company in the good faith release of information not in the public record, including non-published subscriber information to emergency service providers responding to calls placed to a 9-1-1 service or host providers using such information to provide a 9-1-1 service.

PSC NO 3
Focal Communications Corporation of New York
Initial Effective Date 06/05/03

Section: 12 Leaf: 9
Revision 0
Superseding Revision 0

SECTION 12: MISCELLANEOUS SERVICES

12.9 (Caller Name and Number Delivery (Caller ID Blocking))

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12.9.1 Per-Call Blocking

Per-Call Blocking is available to all customers in the Focal Communications Corporation of New York territory. This blocking option allows the calling party to block the passage of their telephone number and name on outgoing calls on a per-call basis. To activate Per-Call Blocking, the customer dials a special code prior to placing each call. There is no charge for using Per-Call Blocking, and it is provided on an unlimited basis. Per-Calling Blocking does not prevent the delivery of telephone numbers to 911 emergency service providers.

12.9.2 Per-Line Blocking

Per-Line Blocking is available to all customers in the Focal Communications Corporation of New York serving territory. Per-Line Blocking must be added to a customer's line by placing a service order with the Company. This blocking option automatically prevents the display of the calling number and name on *all* outgoing calls placed from that line, unless the blocking feature is deactivated. Per-Line Blocking is offered free of charge for the first instance, and on a nonrecurring basis thereafter.

A Per-Line Blocking customer can deactivate blocking by dialing a special code. Blocking will be deactivated for that outgoing call only. As facilities permit, a line-blocking customer will be provided with a separate code to deactivate blocking, which is different from the per-call blocking code. Where this separate code is not available, the code for per-call blocking and the code to deactivate line blocking will be the same.

The Per-Line Blocking option can only be added or removed from a customer's line by placing a service order with the Company. When this service is cancelled, the line is automatically converted to the Per-Call Blocking capability. Per-Line Blocking does not prevent the delivery of telephone numbers to 911 emergency service providers.

PSC NO 3
Focal Communications Corporation of New York
Initial Effective Date 06/05/03

Section: 12 Leaf: 10
Revision 0
Superseding Revision 0

SECTION 12: MISCELLANEOUS SERVICES

12.9 Caller Name and Number Delivery (Caller ID) Blocking (cont'd)

Per-Call Blocking customers and Per-Line Blocking customers cannot complete calls to Calling Name and Number Delivery subscribers who have activated the Anonymous Call Rejection (ACR) feature. If a blocking customer calls a Calling Name and Number Delivery subscriber who has activated ACR, the caller will hear an announcement that the called party is not accepting blocked calls. To complete a call to a Calling Name and Number Delivery subscriber who has activated ACR: (1) place the call by unblocking the telephone number; or (2) place the call through an operator. Option (2) will involve an operator surcharge in addition to the cost of the call.

12.9.3 Rates

Calling Name and Number Delivery Blocking	<u>Nonrecurring Charge</u> (per order, per line)
Per Call	\$0.00
Per Line	\$15.00*

- Initial Per-Line Blocking is provided free of charge upon customer request. The nonrecurring charge applies for subsequent requests for Per-Line Blocking for the same customer at the same address