

**Choice One Communications of New York Inc.**  
**d/b/a EarthLink Business**  
PSC No. 1 - Telephone  
Effective Date: September 8, 2012

Leaf: 221  
Revision: 0  
Superseding Revision:

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## LOCAL EXCHANGE SERVICES

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### SECTION 14 - GRANDFATHERED SERVICE, (Cont'd.)

#### 14.3 Freeway Service, (Cont'd.)

##### 14.3.2 Conditions

- A. For auditing purposes, the Company will assume that a customer's telephone number is being used for data transmission if the average daily calling volume of that telephone number exceeds 480 minutes (8 hours) over any single work week (Monday through Friday) or any single weekend (Saturday through Sunday).
- B. Usage charges will apply on all calls placed over a telephone number during the month in which it was initially determined that said number was a data transmission number based on the criteria set forth in paragraph C. Usage charges will be applied to the calling volume for succeeding months until it can be determined that the customer's telephone number is not a data transmission line.
- C. Freeway can be reinstated on a telephone number previously identified as a data transmission number if the client can satisfactorily prove that said number will no longer be used to transmit data.
- D. Calls placed to end users previously but not currently presubscribed to the Company's service. The Company will, as required by this tariff, bill the customer for usage charges for calls placed to other end users that do not currently subscribe to the Company's service. This condition shall apply to calls terminating to end users who previously used the Company's service but had subsequently subscribed to another telecommunications service provider. Therefore, the determination of whether or not usage charges will apply on specific calls is beyond the control of the Company. Given such situations, the Company cannot guarantee that, during any specific period of time, usage charges will not apply to calls placed by the customer to specific parties.

##### 14.3.3 Rates and Charges

	<u>Monthly Recurring Charge</u>	
	<u>Min.</u>	<u>Max</u>
Xchange Line, per line	\$0.45	\$2.00
Voice Path T-1, per T-1	\$3.00	\$6.00

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Issued By: Vice President - Tax, Atlanta, Georgia 30309