

Choice One Communications of New York, Inc.
d/b/a EarthLink Business
PSC No. 4 - Telephone
Effective Date: September 10, 2012

Leaf 61
Revision: 0
Superseding Revision:

NETWORK INTERCONNECTION SERVICES TARIFF

SECTION 4 - ISSUANCE, PAYMENT AND CREDITING OF CUSTOMER BILLS (CONT'D.)

4.1 Responsibility of the Telephone Company (Cont'd.)

4.1.7 Billing Dispute (Cont'd.)

- H. If a LEC disputes a bill after three months from the payment date and does not pay the disputed amount or does not pay the billed amount (i.e., the non-disputed amount and disputed amount) and the billing dispute is resolved in favor of the LEC, the LEC will not receive a credit for a disputed amount penalty from the Telephone Company.
 - 1. The LEC will receive a credit for the late payment penalty applied to the disputed amount resolved in the LEC's favor times a late payment penalty factor for the period starting with the date of dispute and ending on the date of resolution. The penalty factor shall be as set forth in Section 4.1.3.
- I. The disputed amount penalty shall be the disputed amount resolved in the LEC's favor times a penalty factor. The penalty factor shall be the lesser of the following amounts.
 - 1. The highest interest rate (in decimal value) which may be levied by law for commercial transactions for the number of days from the first date to and including the last date of the period involved.
 - 2. 0.0005 per day for the number of days from the first date to and including the last date of the period involved.

4.1.8 Billing Adjustments and Verification

- A. Adjustments for the quantities of services established or discontinued in any billing period will be prorated to the number of days or major fraction of days based on a 30 day month.
- B. The Telephone Company will, upon request and if available, furnish such detailed information as may reasonably be required for verification of any bill.
- C. Where credit adjustments apply, credit adjustments will be computed by apportioning the total intrastate usage associated with the honored claim into day, evening and night periods using the Time of Day distribution applicable to the LEC. The usage is then multiplied by the appropriate day, evening and night rates.