

Choice One Communications of New York Inc.
d/b/a EarthLink Business
PSC No. 3 - Telephone
Effective Date: September 9, 2012

Leaf: 69
Revision: 0
Superseding Revision:

SWITCHED ACCESS SERVICES TARIFF

SECTION 4 - DEDICATED SERVICES DESCRIPTIONS AND TECHNICAL STANDARDS,
(CONT'D.)

4.3 Contract Rates - Special Pricing Arrangements-ICB

4.3.1 In lieu of the rates otherwise set forth in this tariff, rates and charges, including minimum usage, installation, special construction and recurring charges for Carrier's services may be established at negotiated rates on an ICB, taking into account the nature of the facilities and services, the costs of construction and operation, the volume of traffic, the length of service commitment by the Customer, and use of facilities by other Customers. Such arrangements shall be considered Special Pricing Arrangements, the terms of which will be set forth in individual Customer contracts. However, unless otherwise specified, the terms, conditions, obligation and regulation set forth in this tariff shall be incorporated into, and become a part of, said contract, and shall be binding on Carrier and Customer. Specialized rates or charges will be made available to similarly situated Customers on a non-discriminatory basis.

4.3.2 In addition to any rate or charge established by the Carrier, the Customer will also be responsible for any recurring or non-recurring charges imposed by local exchange telephone companies incurred by or on behalf of the Customer in establishing and maintaining service. Such charges may be billed by the Carrier or directly by the local exchange company, at the Carrier's option.