

ADVANCED DATA SERVICES

DESCRIPTION OF ADVANCED DATA SERVICES (Continued)

4.2 TRANSPARENT LAN SERVICES (Continued)

4.2.4 Application of Rates and Charges

- A. TLS is offered on a month-to-month plan (for a minimum period of nine months). TLS Standard Access Lines, Protected Access Lines*, Premier Access Lines and EMS Real Time Access Lines are offered under a three or five year Term Plan at the rates and charges specified in Section 5.4.2 of this Tariff. (T)

B. Moves, Changes, and Upgrades

When the Customer requests a move or relocation of a TLS Standard Access Line, Protected Access Line, Premier Access Lines or EMS Real Time Access Lines to a different address and/or different building, the move or relocation will be treated as a termination of the existing service and the establishment of a new service for the application of all charges.

When the Customer requests an upgrade in service speed, or change in service type, at an existing address, the upgrade in service speed/change in service type will be treated as a termination of the existing service and the establishment of a new service for the application of all charges.

C. Termination Liability

In the event the service is terminated by the Customer prior to completion of the current term commitment period, the Customer shall be liable for an early termination charge, except as noted below. The amount of the early termination charge will be 25% of the monthly recurring charge(s) (MRC) for the remainder of the term. For example:

$$25\% \times \text{MRC} \times \# \text{ of Lines/Channels/Paths} \times \text{Remainder of Term} = \text{Termination Charge}$$

Early termination charges will apply only to those rate elements under a term commitment period. If tariff rates for the service are increased during the term period, exclusive of any increase due to local, state or federal fees, taxes or surcharges, the Customer may terminate the service without incurring an early termination charge.

* As of February 18, 2011 Protected Access Line Service will not be provided to new subscribers. Existing subscribers may continue to keep this feature; however, changes and/or moves will not be permitted.

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