

Verizon New York Inc.

PSC NY No. 5--COMMUNICATIONS

Section 4

2nd Revised Page 30Superseding 1st Revised Page 30ADVANCED DATA SERVICES

DESCRIPTION OF ADVANCED DATA SERVICES (Continued)

4.3 ASYNCHRONOUS TRANSFER MODE CELL RELAY SERVICE (ATM CRS) (Cont'd)

4.3.9 Application of Rates and Charges (Cont'd)

- C. Special Facilities Routing – The Customer may request that the facilities used to provide ATM CRS be specially routed. Additional charges will apply based on cost.
- D. Acceptance Testing – At no additional charge, the Company will, at the Customer's request, cooperatively test, at the time of installation. Acceptance tests will include tests for the parameters applicable to the service as specified in the order for service.
- E. Moves – When the Customer requests a move or relocation of the UNI, 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.

4.3.10 Extended Service Plan (ESP)

The ATM CRS UNI Port With Access Line Connection, UNI Port Only, and UNI IMA Port With Access Line Connection rate elements are available under an ESP.

ESPs are comprised of term commitments of one, two, three and five years at the applicable rates set forth in Section 5 of this Tariff regardless of when they subscribe to an ESP arrangement. (C)

4.3.11 Termination Liability

- A. 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:

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

- B. Early termination charges will apply only to those rate elements under a term commitment. If any 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.

Issued: March 1, 2005

Effective: March 15, 2005

Sandra Dilorio Thorn, General Counsel
1095 Avenue of the Americas, New York, N.Y. 10036