

LOCAL EXCHANGE TARIFF
NEW YORK METROPOLITAN LOCAL AND TRANSPORT AREA

M. REWARDING CONNECTIONS (Cont'd)

(AS OF SEPTEMBER 1, 2010, THIS PLAN IS PROVIDED TO EXISTING SUBSCRIBERS ONLY. CHANGES AND/OR MOVES ARE NOT PERMITTED.)

(N)

(N)

2. Regulations (Cont'd)

- j. At the end of the year of the customer's commitment period, a billing review will be performed to compare the customer's actual qualifying usage charges for the year under review with the assumed estimate of such charges. If the Minimum commitment has not been achieved, the customer must return to the Company all discounts received during the year under review. Alternatively, the customer may pay the difference between the Minimum Commitment and the actual qualifying usage charges for the year under review to retain the discounts. If the Minimum Commitment has not been achieved, but base period qualifying usage charges have not been achieved, the Company will reduce the discounts for the year under review to reflect the actual qualifying usage charges achieved. If the base period qualifying usage charges have been achieved, the customer shall retain all discounts received during the year under review. If the base period qualifying usage charges have been exceeded, the Company will increase the discounts for the year under review to reflect the actual qualifying usage charges achieved.
- k. (1) The customer may terminate their subscription to the plan upon 60 days written notice to the Company, which notice shall be effective at the end of the first bill period following the end of the 60 day notice period.
- (2) If a customer's termination is effective prior to the end of the first year of the plan, the customer's actual qualifying usage charges during such first year shall be annualized. Based on such annualized qualifying usage charges, the customer's account shall be handled as set forth in Paragraph M.2.j., except that, if the base period usage charges have been exceeded, the Company will not increase the discounts for the year under review to reflect the annualized qualifying usage charges achieved. Instead, the customer shall retain all discounts received during the year under review.
- (3) If a customer's termination is effective at the end of the first year of the plan, the customer's account shall be handled as set forth in Paragraph M.2.j., based on the customer's actual qualifying usage charges during such first year, excepted that, if the base period usage charges have been exceeded, the Company will not increase the discounts for the year under review to reflect the annualized qualifying usage charges achieved. Instead, the customer shall retain all discounts received during the year under review.
- (4) If a customer's termination is effective during the second or subsequent years of the plan, the customer shall retain all discounts received pursuant to Paragraph M.2.j. For completed prior years of the plan. The customer must return to the Company all discounts received during the final partial year of the plan.