

XAND CLEC, LLC
NY P.S.C. Tariff No. 1 - Telephone
Initial Effective Date: October 31, 2012

Leaf No. 52
Revision: 0
Superseding Revision:

3. RULES AND REGULATION (CONT'D)

3.15 Suspension/Termination of Service. (Cont'd)

3.15.2. Termination for Cause.

- A. Termination for Non-payment.** The Company may, without incurring any liability, suspend the Services eight (8) days after providing written notice by mail to the Customer of nonpayment of any past due amount. If payment is not received within the eight (8) day period and the Services have been suspended, the Services may be terminated five (5) days later if payment has still not been received.

The Company may terminate the Services, without incurring any liability, for nonpayment thirteen (13) days after providing written notice by mail to the Customer of nonpayment of any past due amount.

- B. Termination for All Other Reasons.** The Company may, without incurring any liability, terminate the Services immediately upon notice to the Customer by reason of the occurrence of any of the acts, omissions or occurrences set forth in Section 3.2.2, subsections (C) through (I).
- C. Termination Charges.** Termination for cause does not relieve the Customer of any obligation to pay charges that would otherwise be due to the Company, including, without limitation, any termination charges.

3.16 Calculation of Rates and Charges.

- 3.16.1. Timing of Calls.** Chargeable time is determined by the duration of the Call. Calls are timed and measured by the Underlying Carrier. Timing for all Calls begins when the Called Station answers the Call (*i.e.*, when two-way communications are established). Answer detection is based on standard industry answer detection methods, including hardware and software answer detection. Chargeable time ends when either the Called Station or the Calling Station disconnects from the Call. There are no billing charges applied for incomplete Calls.

- 3.16.2. Time of Day Sensitive Services.** Different rates may be applicable at different times of the day, as specified in the appropriate rate schedule for the Service.

Issued By: President, 11 Skyline Drive, Hawthorne, NY 10532