

TVC Albany, Inc. dba FirstLight Fiber
P.S.C. Tariff No. 3 – Access
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Revision 0
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INTRASTATE ACCESS SERVICE

16. Special Construction (cont'd)

16.2 Regulation (cont'd)

16.2.5 Liabilities and Charges for Special Construction (cont'd)

D. Types of Liabilities and Charges (cont'd)

2. Maximum Termination Liability and Termination Charge (cont'd)

A Termination Charge may apply when all services using specially constructed facilities which have a Maximum Termination Liability are discontinued prior to the expiration of the liability period. The charge reflects the unamortized portion of the non-recoverable costs at the time of termination, adjusted for net salvage and possible reuse.

Administrative costs associated with the specific case of special construction and any cost for restoring a location to its original condition are also included. A Termination Charge may never exceed the Maximum Termination Liability.

3. Annual Underutilization Liability and Underutilization Charges

Prior to the start of special construction, the Company and the Customer will agree on (1) the quantity of facilities to be provided, and (2) the length of the planning period during which the Customer expects to place the facilities in service. The planning period is hereinafter referred to as the Initial Liability Period (ILP).

Underutilization occurs only if, at the expiration date of the ILP and annually thereafter, less than 70 percent of the specially constructed facilities (C) are in service.

ISSUED BY: Jill Sandford, Vice President and General Counsel
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