

TC Systems, Inc.  
P.S.C. No. 7 -- Telephone  
Access Services  
Effective Date: March 28, 2016

Section 9  
Leaf No. 16  
Revision: 2  
Superseding Revision: 1

## 9. AT&T DEDICATED ETHERNET

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### 9.5 General Provisions (continued)

#### 9.5.4 Special Construction

##### A. No License Granted

No license under patents (other than the limited license to use) is granted by the Company or shall be implied or arise by estoppel, with respect to any plant constructed or utilized under this Tariff.

##### B. Cancellation of Orders

Information regarding availability of suitable facilities for a service may not be known until after the order is placed with the Company or the underlying service provider, or after initial Special Construction charges have been identified and paid. The Customer may be notified that additional Special Construction charges apply to the order. No facilities construction will begin until the Customer has agreed in writing to pay the Special Construction charges initially identified. If Customer does not agree to pay the Special Construction charges, either upon the initial notification or upon being notified of any subsequent changes in the Special Construction charges, the order for the service giving rise to such Special Construction charges will be considered cancelled (and, where such service has been ordered for the express purpose of being connected to another Company Service, Customer may also cancel its order for such other Company Service). In such a case, the Company will not charge Customer a cancellation charge or early termination charge, unless the underlying service provider charges the Company a cancellation charge. If Customer does agree to pay the Special Construction charges and thereafter cancels the order for the service (other than as a result of being notified of subsequent changes to the Special Construction charges), a cancellation charge will apply, which shall include (in addition to any amounts otherwise payable on account of such cancellation) all non-recoverable costs incurred by the Company for the Special Construction.

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Issued by: Linda Guay, Director