XO Communications Services, LLC

New York PSC – Tariff No. 3 - Telephone Effective Date: September 20, 2013

Leaf 67 Revision: 0 Superseding Revision:

ACCESS SERVICE

SECTION 5 - MISCELLANEOUS, (CONT'D.)

5.1 Billing & Collection (Cont'd.)

5.1.1 Recording Service (cont'd.)

C. Obligations of the Customer

The customer shall order recording service under a special order.

The customer shall order recording service at least one month prior to the date when the customer message detail is to be recorded, unless the customer=s request requires that recording service be provided by end office and type of call, then the ordering interval will be determined on an individual case basis.

The customer shall order recording service for switched access by end office and type of call in accordance with the terms and conditions established on an individual case basis special order.

D. Payment Arrangements and Audit Provisions

1. Notice and Scope

- a. Upon forty-five (45) days' prior written notice by the customer to the company (or such shorter period as the parties may mutually agree upon), the customer or its authorized representative shall have the right to commence an audit during normal business hours and at intervals of no more than one audit in any six month period. The audit will be limited to all such records and accounts as may, under recognized accounting practices, contain information bearing upon amounts subject to being billed to the customers end users by the company as part of its provision of billing and collection services and the changes to the customer for other services provided by the company pursuant to this tariff.
- b. The written notice of audit shall identify the date upon which it is to commence, the location, the customer's representatives, the subject matter of the audit, and the materials to be reviewed.