## **XO Communications Services, LLC**

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

Leaf 81 Revision: 0 Superseding Revision:

#### **ACCESS SERVICE**

### **SECTION 7 - CUSTOMER SPECIFIC CONTRACTS**

### 7.1 General

The Company may provide any of the services offered under this tariff, or combinations of services, to Customers on a contractual basis. The terms and conditions of each contract offering are subject to the agreement of both the Customer and Company. Such contract offerings will be made available to similarly situated Customers in substantially similar circumstances. Rates in other sections of this tariff do not apply to Customers who agree to contract arrangements, with respect to services within the scope of the contract.

Services provided under contract are not eligible for any promotional offerings which may be offered by the Company from time to time.

# 7.2 Individual Case Basis (ICB) Arrangements

Rates for ICB Arrangements will be developed on a case-by-case basis in response to a bona fide request from a Customer or prospective Customer to develop a competitive bid for a service offered under this tariff. Rates quoted in response to such competitive requests may be different than those specified herein. ICB rates will be offered to the Customer in writing and on a non-discriminatory basis. A summary of each ICB contract pricing arrangement offered pursuant to this paragraph will be filed as an Addendum to this tariff within 30 days after ICB implementation. The following information will be included in the summary:

- 1) LATA and type of switch
- 2) Location of the Point of Connection
- 3) Service Description
- 4) Rates and charges
- 5) Number of voice grade equivalent channels
- 6) Length of the agreement