

RCN Telecom Services of New York, LP
d/b/a Astound Broadband d/b/a Astound Business Solutions
PSC No. 3 - Telephone
Initial Effective Date: July 1, 2022

Section No. 11
Leaf No. 1
Revision No. 0
Superseding Revision No.

INBOUND METROPOLITAN MASS CALLING SERVICE

11.1 General

- 11.1.1 Inbound Metropolitan Mass Calling Service consists of service and associated facilities whereby telephone users may, by calling a particular central office designation and number, obtain a Subscriber provided announcement or information service. This service is offered in LATA 132 only.
- 11.1.2 A "Subscriber" to the Inbound Metropolitan Mass Calling Service is an Information Provider who leases dedicated facilities or trunking facilities and is responsible for provision of recorded announcements as described below.
- 11.1.3 Inbound Metropolitan Mass Calling Service channels are configured for inbound calling only. Subscribers must make other arrangements for any outgoing calls.
- 11.1.4 Access to the Inbound Metropolitan Mass Calling Service by a Subscriber is furnished at the rates and charges specified in Section 12.6 below.
- 11.1.5 The Company will offer Inbound Metropolitan Mass Calling Service as a trunk-side service and will provide trunk-side service (with an Automatic Number Identification (ANI) option where technically feasible) to Subscribers.
- 11.1.6 Programs with these telephone numbers may be provided by other carriers under different terms and conditions.
- 11.1.7 The Company does not offer billing and collection services to Subscribers. Pricing, billing, and collection of charges for information programs are the sole responsibility and risk of the Subscriber. In order for the Subscriber to render invoices, the Company will provide sufficient information to the Subscriber. Company provision of this information will be in accordance with applicable federal and state rules regarding exchange of end-user name, address and call record information.

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11.2 Regulations

- 11.2.1 The service is provided where the volume of calls to the announcement number requires the use of a dedicated channel network.
- 11.2.2 Connection to and transport on the Mass Announcement Network by the Subscriber is furnished subject to the availability of facilities and the requirements of local exchange and toll service.
- 11.2.3 The Company will furnish, install and maintain all the facilities required for connection to the Mass Announcement Network. The Subscriber has the option of (a) connecting to the Mass Announcement Network at the Company's switching office, or (b) purchasing dedicated transport service from the Company, under the terms and conditions set forth in the Company's switched access tariff P.S.C. No. 4, which shall be in addition to the charges set forth in this Tariff.
- 11.2.4 Inbound Metropolitan Mass Calling Service will be offered as a service on exchange trunking facilities via trunk-side functionalities with an ANI option.
- 11.2.5 The Subscriber will provide compatible announcement equipment, space, electrical outlets and commercial power required on the premises of the Subscriber.
- 11.2.6 The service will not be furnished where the circumstances are such that the proposed use of the service or facilities would tend to injuriously affect the efficiency of the Company's plant, property or service.
- 11.2.7 The Company may withdraw service on any channel forthwith where the circumstances are such that the use of the service or facilities would tend to injuriously affect the efficiency of the Company's plant, property or service.
- 11.2.8 The Company will withdraw the award of a channel from any information provider who does not commence operation of the channel within two months from the date of notification of award of the channel by the Company, provided that network facilities are available on that date. If for any reason the Company cannot provide connection to Mass Announcement Service network facilities within two months from the date of award of a channel, operation of the channel shall commence the day following the day network facilities are available. The Company shall not be liable for lack of available Mass Announcement Service network facilities.

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11.2 Regulations (cont'd.)

- 11.2.9 Since the Subscriber has exclusive control over the content, quality and characteristics of speech or sounds used in the messages recorded, the Company assumes no liability for the content of, quality of, or defects in the recording of such messages.
- 11.2.10 The Company will provide to the general public, upon request, the name, address and telephone numbers of the information providers.
- 11.2.11 Because end-users may arrange for blocking of calls to the Mass Announcement Service prefix by the telephone company providing their local exchange service, the Company shall have no liability due to the inability of any telephone caller to access a Subscriber's information service.
- 11.2.12 The Company shall not be liable for calls that cannot be completed as a result of repair or maintenance difficulties on Company facilities or facilities of other carriers and equipment nor on equipment owned by the Subscriber.
- 11.2.13 The Company shall not be liable for any indirect, consequential, special or punitive damages attributable or related to the Inbound Metropolitan Mass Calling Service. In any event, the total aggregate liability of the Company to any Subscriber and/or end-user hereunder shall be limited to the amount paid by the Subscriber and/or end-user for the service giving rise to the claim.

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11.3 Obligations of the Subscriber

- 11.3.1 The Subscriber is responsible for the preparation, recording and duration of all announcement, and shall be solely responsible for the content of the announcements and the quality of speech or sounds of the recording and all necessary premises equipment. If the total charge per call has the potential to exceed \$3.50, the subscriber must provide at the beginning of each call an announcement stating the price charged by the subscriber and informing the telephone user that he or she has the option to disconnect within 20 seconds at no charge. There is no charge to the telephone user who disconnects within 20 seconds.

Each Inbound Metropolitan Mass Calling Service advertisement, publication or other communication shall designate the current price rate as well as any planned price rate change. In audio advertisements, the price must be disclosed immediately following every mention of the Inbound Metropolitan Mass Calling Service telephone number or word equivalent. A clearly discernible audio announcement of this information is required for all video displays in addition to the visual printed message. The audio announcements for advertisements broadcast during time spots considered to be within hours that contain programming directed to children under twelve (12) years of age must be presented in language that can be understood by children and must advise children to obtain parental consent before calling. In print advertisements, each letter or numeral of the cost disclosure must be no less than one-half the size of each letter or numeral of the Inbound Metropolitan Mass Calling Service telephone number or word equivalent to which the disclosure is adjacent.

- 11.3.2 The Subscriber indemnifies and saves the Company harmless against all claims and any fines, damages or other penalties associated therewith, arising from the material transmitted over facilities furnished hereunder, including claims for libel, slander, infringement of copyright, or any other claims, and against all claims and any fines, damages or other penalties associated therewith, arising out of any act or omission of the Subscriber or of the calling party in connection with facilities provided by the Company.

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11.3 Obligations of the Subscriber (cont'd)

- 11.3.3 The Subscriber is responsible for providing the program and all necessary premises equipment in connection with its program.
- 11.3.4 It is the Subscriber's responsibility to obtain premises equipment that will interconnect with the Company at the agreed upon signal level and other requirements.
- 11.3.5 It is the Subscribers responsibility, where ANI is requested, to obtain premises equipment that accepts ANI as provided by the Company.
- 11.3.6 The Subscriber is responsible for complying with all applicable laws and regulations concerning offering, advertising, and billing for information programs. The Company may disconnect any Service upon receiving an order from the New York Public Service Commission, the Federal Communications Commission, or other competent authority determining that a Subscriber's service is being offered in contravention of applicable laws or regulations.

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11.4 Number Assignment Procedures

- 11.4.1 Each Service will be assigned a telephone number in the "970-" or "976-" prefix in each Numbering Plan Area ("NPA") in the Downstate LATA (212, 347, 516, 631, 646, 718, 914 and 917). In addition, Mass Announcement Service will be provided for Subscriber telephone numbers assigned in the "540-" or "550-" prefix when ported to the Company from another carrier.
- 11.4.2 Telephone numbers for Mass Announcement Service will be assigned on a first-come, first-served basis, except as provided in 12.4.3 through 12.4.5 following.
- 11.4.3 Any Subscriber who was assigned or delegated a particular telephone number within the "970-" or "976-" prefix by another telephone company or by another Information Provider and was actually using that number before March 24, 2004, will be assigned the same telephone number for service under this tariff, provided that the Company receives a request for such assignment within five (5) business days after the effective date of this tariff section.
- 11.4.4 Any other requests for assignment of a particular telephone number received by the Company within five (5) business days after the effective date of this tariff section will be deemed to have been received simultaneously, and the requested numbers will be assigned by random selection from among all timely requests.
- 11.4.5 If there are more requests for numbers than channels available, the Company will establish a waiting list.

11.5 Trunk Side Access with ANI

- 11.5.1 Trunk side access with ANI will be offered where technically feasible. ANI provides the automatic transmission of a seven or ten digit number and information digits to the Customer's premises for calls originating in the LATA, to identify the billing telephone number of the calling party.

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11.6 Rates and Charges

- 11.6.1 The usage charges below are shown in terms of full minutes and shall be billed in six (6) second increments, rounded upward to the nearest six (6) second increment, with a minimum initial increment of eighteen (18) seconds. Each invoice will include usage detail. The Minutes Commitment shall be determined separately for each channel used by a Subscriber based on the aggregate usage in each month.

Minutes Commitment	Rate Per Minute
250,000 or less	\$0.0325
250,001-500,000	\$0.03
500,001-1,000,000	\$0.0275
1,000,000 or greater	\$0.025

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