RCN Telecom Services of New York, LP d/b/a Astound Broadband d/b/a Astound Business Solutions PSC No. 2 - Telephone Initial Effective Date: June 26, 2022

Leaf No. 1 Revision No. 0

Superseding Revision No.

#### REGULATIONS AND SCHEDULE OF CHARGES

#### APPLYING TO SPECIALIZED COMMON CARRIER SERVICES

This tariff contains the description, regulations, and rates applicable to the furnishing of Alternative Operator Services provided by RCN Telecom Services of New York, LP d/b/a Astound Broadband d/b/a Astound Business Solutions within the State of New York. This tariff is on file with the New York Public Service Commission ("Commission"). Copies may be inspected during normal business hours at the Company's principal place of business.

This Tariff supersedes: Tariff PSC No. 2 previously filed by RCN Telecom Services of New York, LP

Issued By: Joseph O. Kahl, Vice President Corporate Regulatory & Govt. Affairs

RCN Telecom Services of New York, LP d/b/a Astound Broadband d/b/a Astound Business Solutions PSC No. 2 - Telephone Initial Effective Date: June 26, 2022

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## **CONCURRING CARRIERS**

None

#### **CONNECTING CARRIERS**

None

#### **OTHER PARTICIPATING CARRIERS**

None

#### **EXPLANATION OF SYMBOLS**

The following are the only symbols used for the purposes indicated below:

D - Deleted or Discontinued Rate or Regulation

C - Changed Rate or Regulation N - New Rate or Regulation

T - Change in Text or Regulation but no Change in Rate or Charge

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#### **TARIFF FORMAT**

- A. <u>Sheet Numbering</u> Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a letter is added. For example, a new sheet added between sheets 10 and 11 would be 10 A.
- B. <u>Sheet Revision Numbers</u> Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the New York P.S.C. For example, the 2nd revised Sheet 10 cancels the 1st Revised Sheet 10. Because of various suspension periods, deferrals, etc. the New York P.S.C. follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect.

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#### TARIFF FORMAT (Cont'd)

- C. <u>Paragraph Numbering Sequence</u> There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
  - 2. 2.1. 2.1.1. 2.1.1.A. 2.1.1.A.1. 2.1.1.A.1.(a). 2.1.1.A.1.(a).I. 2.1.1.A.1.(a).I.(i).
- B. <u>Check Sheets</u> When a tariff filing is made with the New York PSC, an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on the check sheet if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the New York PSC.

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#### SECTION 1. <u>TECHNICAL TERMS AND ABBREVIATIONS</u>

Access Line: An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects a subscriber's location to RCN's location or switching center.

Authorization Code: A numerical code, one or more of which may be assigned to a Customer to enable identification of individual users or groups of users on an account and to allocate costs of service accordingly. Authorization Codes are the sole property of the Company, and no Customer shall have any property or other right or interest in the use of any particular Authorization Code.

Automatic Numbering Identification (ANI): A type of signaling provided by a local exchange telephone company which automatically identifies the local exchange line from which a call originates.

Bill to Third Party: The term "Bill to Third Party" denotes a billing arrangement by which a call may be charged to an authorized station as determined by the Company other than the station originating the call or the station where the call is terminated.

Billed Party: The person or entity responsible for payment of the Company's service. The Billed Party is the Customer associated with the Authorization Code used to place the call, with the following exceptions:

- (a) In the case of a calling card or credit card call, the Billed Party is the party assigned the Authorization Code for the calling card or credit card used by the Users: and
- (b) In the case of a collect or third party call, the Billed Party is the person responsible for the local telephone service at the telephone number that agrees to accept charges for the call.

Called Station: The terminating point of a call.

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## Superseding Revision No.

#### SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS (cont'd)

Calling Card: A card issued by the Company containing such account numbers assigned to its Customer which enables the charges for calls made to be properly billed on a pre-arranged basis.

Calling Station: The originating point of a call.

COCOT: A Customer Owned, Coin Operated Telephone station.

Collect Call: The term "Collect Call" denotes a billing arrangement by which the charge for a call may be reversed provided the charge is accepted at the called station.

Company: RCN Telecom Services of New York, LP. d/b/a Astound Broadband d/b/a Astound Business Solutions, hereinafter referred to as the Company or RCN or Astound.

Customer Dialed Calling Card Station: Customer Dialed Calling Card Station is that service where the person originating the call dials "0" plus the called number and charges the call to a Credit / Charge Card authorized by the Company.

Customer Dialed 1+: Customer Dialed 1+ denotes that situation where the customer dials "1" and continues to dial the called station.

Customer Dialed 0+: Customer Dialed 0+ denotes that situation where the customer dials the appropriate operator code (0, 00, or 10336+0) and continues to dial the called station.

Holidays: New Year's Day, Independence Day, Thanksgiving Day, and Christmas Day. Additional days may be included on a promotional basis.

Measured Charge: A charge assessed on a per minute basis in calculating a portion of the charges due for a completed Operator Assisted Call.

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#### SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS (cont'd)

Message Telecommunications Service: Message Telecommunications Service (MTS) is that of furnishing facilities or telecommunications between stations in accordance with the regulations and price schedules specified in this tariff.

Operator Dialed Calling Card Station: Operator Dialed Calling Card Station denotes calls that are completed when the customer dials the appropriate RCN operator code (0, 00, or 10336+0) and requests that the operator complete the call by dialing the called telephone number and the calling card number to be used for billing purposes.

Operator Dialed Surcharge: Operator Dialed Surcharge applies a surcharge to Operator Station and Person-to-Person rated calls when the customer has the capability of dialing all the digits necessary to complete a call, but elects to dial only the appropriate operator code (0, 00, or 10336+0) and requires prompting by the operator system to dial the called station or requests the operator to dial the called station. The surcharge applies in addition to any applicable service charges. The surcharge does not apply to: calls where a customer cannot otherwise dial the call, due to defective equipment or trouble on the RCN network; calls in which a Company operator places a call for a calling party who identifies himself / herself as being unable to dial the call because of his / her handicap; and calling card calls.

Operator Dialed 0-: Operator Dialed 0- denotes that situation where the customer dials only the appropriate operator code (0, 00, or 10336+0) and then requests the operator to dial the called station.

Operator Station: Operator Station denotes calls that are completed with the assistance of a Company operator, except as specified for the Dial Station, Customer Dialed Calling Card Station, Operator Dialed Calling Card Station, Person-to-Person, and Real Time Rated classes of service. Operator Station prices apply to calls which are billed to a different telephone number (e.g., collect, bill to a third number) or a calling card.

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#### SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS (cont'd)

Person-to-Person: The term "Person-to-Person" denotes that service where the person originating the call specifies to the Company operator a particular person to be reached, a particular mobile station to be reached through a miscellaneous common carrier attendant, or a particular station, department, or office to be reached through a Centrex or PBX attendant. When, after the station, miscellaneous common carrier mobile radio system, Centrex, or PBX called has been reached and while the connection remains established, the person originating the call requests or agrees to talk to any person other than the person specified, or to any other person or mobile station to be reached through a miscellaneous common carrier attendant, or to any other station, department or office to be reached through a Centrex or PBX attendant, the classification of the call remains Person-to-Person. When the person originating the call wishes arrangements made in advance with a particular party or station for the establishment of a connection at a specified time (appointment call) the call is classified as Person-to-Person.

Real Time Rated - Real Time Rated calls are those that originate and are paid for at public or semi-public telephones and calls for which the Company furnishes time and / or charge information.

Room Charge Calls - Calls for which charges are collected by the subscriber, normally a hotel or motel, from the guest or occupant of the room from which the call originated. Calls of this type require that Company communicate the call detail and charges back to the originating subscriber location following completion of the call.

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#### SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS (cont'd)

Subscriber: The person or legal entity which enters into arrangements for Company's operator assisted telecommunications services and is responsible for compliance with applicable tariff regulations.

Subscriber Surcharge: A surcharge imposed by the Subscriber, to be paid by the User, for the use of Subscriber's telephone instruments and other facilities in obtaining access to Company's services.

Third Party Calls - Calls for which charges are billed to a third party telephone number which is neither the originating nor the terminating telephone number.

Universal Range: Limitation of a Customer's ability to place calls to selected Area Codes through the placement of restrictions on a Customer's 1+ and calling card access to the network. Such limitation may be imposed only by specific request of Customers on their own lines or cards.

User: A Customer, or any person or entity which makes use of services provided to a Customer under this tariff.

Verified Account Code: A numerical code, one or more of which are available to a Customer to enable identification of individual users or groups of users on an account and to allocate costs of service accordingly. Account Codes are verified against a predefined list of codes maintained by the Company.

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#### SECTION 2. **RULES AND REGULATIONS**

#### 2.1 **Application of Tariff**

- This tariff contains the regulations and rates applicable to intrastate operator 2.1.1 assisted resale telecommunications services provided by Company for telecommunications between points within the State of New York. Operator assisted services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff.
  - A. Company may, from time to time, offer various enhanced services and information services within the State of New York. Such services will be provided pursuant to contract and will not be governed by this tariff.
  - В. Company may also, from time to time, offer switching, transmission, and / or operator assistance services to other telecommunications carriers, for resale to such companies' customers. The rates for any such services will be determined pursuant to contract, to the extent authorized by the New York PSC. and Section 4 of this Tariff will not apply thereto.

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#### SECTION 2. RULES AND REGULATIONS (Cont'd)

## 2.1 <u>Application of Tariff</u> (Cont'd)

- 2.1.2 The operator assisted services of Company are not part of a joint undertaking with any other entity providing telecommunications channels, facilities, or services, but do involve the resale of the Message Toll Services (MTS) and Wide Area Telecommunications Services (WATS) of underlying common carriers.
- 2.1.3 The rates and regulations contained in this tariff apply only to the operator assisted services furnished by Company and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carrier for use in accessing the services of Company.
- 2.1.4 Company's services are furnished to presubscribed authorized users of public and semi-public telephones; and to patrons, patients, students, and other authorized users of the terminal telephone or other facilities of privately owned coin operated telephone station providers, hotels, motels, hospitals, airports, colleges, universities, and other subscribers. Company enters into arrangements with such subscribers providing for the availability of Company's services, including the intrastate services offered under the terms and conditions of this tariff.
- 2.1.5 The subscriber is entitled to limit the use of Company's services by users at the subscriber's facilities, and may use other common carriers in addition to or in lieu of Company for operator assisted services, including without limitation offering users the ability to access the carrier of the user's own choice.

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#### SECTION 2. RULES AND REGULATION (Cont'd)

#### 2.2 <u>Use of Services</u>

- 2.2.1 Company's services may be used for any lawful purpose consistent with the transmission and switching parameters of the telecommunications facilities utilized in the provision of services.
- 2.2.2 The use of Company's services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another or in such a way as to unreasonably interfere with use by others is prohibited.
- 2.2.3 The use of Company's services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.
- 2.2.4 Company's services are available for use twenty-four (24) hours per day, seven days per week.
- 2.2.5 Company does not transmit messages pursuant to this tariff, but its services may be used for that purpose.
- 2.2.6 Company's services may be denied for nonpayment of charges or for other violations of this tariff.

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#### SECTION 2. <u>RULES AND REGULATIONS</u> (Cont'd)

## 2.3 <u>Liability of Company</u>

- 2.3.1 Company shall not be liable for loss or damage sustained by reason of any failure in or breakdown of facilities associated with Company's operator assisted services or for any interruption or delay of services, whatever shall be the cause of such failure, breakdown, or interruption and whether negligent or otherwise and for however long it shall last. In no event shall Company's liability for any service exceed the charges applicable under this tariff to such service.
- 2.3.2 Company shall be indemnified and saved harmless by any subscriber, user or by any other entity against claims for libel, slander or the infringement of copyright arising from the material transmitted over its operator assisted services; and against all other claims arising out of any act or omission of a subscriber or of any other entity in connection with the operator assisted services provided by Company.
- 2.3.3 Company is not liable for any act or omission of any entity furnishing facilities or services connected with or provided in conjunction with the operator assisted services of Company.

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#### SECTION 2. RULES AND REGULATIONS (Cont'd)

#### 2.3 Liability of Company (Cont'd)

- Company shall not be liable for any personal injury, or death of any person or persons, or for any loss or damage sustained by reason of acts, mistakes, omissions, errors or defects in providing its operator assisted services, whatever shall be the cause and whether negligent or otherwise.
- 2.3.5 Company shall not be liable for and shall be indemnified and saved harmless by any subscriber, user or other entity from any and all loss, claims, demands, suits, or other action or any liability whatever, whether suffered, made, instituted, or asserted by any subscriber, user or any other entity for any personal injury to, or death of, any person or persons, and for any loss, damage, defacement or destruction of the premises of any subscriber, user or any other entity or any other property whether owned or controlled by the subscriber, user or others, caused or claimed to have been caused, directly or indirectly, by any act or omission of the subscriber, user or others or by any installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of facilities or equipment provided by Company which is not the direct result of Company's negligence. No agents or employees of any other entity shall be deemed to be the agents or employees of Company.
- Company shall not be liable for any failure of performance due to causes beyond its control, including, without being limited to, acts of God, fires, floods or other catastrophes, national emergencies, insurrections, riots or wars, strikes, lockouts, work stoppage or other labor difficulties, acts or omissions of other carriers, or any law, order, regulation or other action of any governing authority or agency thereof.

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#### SECTION 2. RULES AND REGULATIONS (Cont'd)

## 2.4 <u>Responsibilities of the Subscriber</u>

- 2.4.1 The subscriber is responsible for placing any necessary orders; for complying with tariff regulations; for the placement of any stickers or tent cards provided by Company or as required by law; and for assuring that users comply with tariff regulations. The subscriber shall ensure compliance with any applicable laws, regulations, orders or other requirements (as they exist from time to time) of any governmental entity relating to services provided or made available by the subscriber to end users. The subscriber is also responsible for payment of charges for calls originated at the subscriber's numbers which are not collect, third party, calling card, or credit card calls.
- 2.4.2 The subscriber is responsible for charges incurred for special construction and / or special facilities which the subscriber requests and which are ordered by Company on the subscriber's behalf.
- 2.4.3 If required for the provision of Company's services, the subscriber must provide any equipment space, supporting structure, conduit and electrical power without charge to Company.
- 2.4.4 The subscriber is responsible for arranging access to its premises at times mutually agreeable to Company and the subscriber when required for Company personnel to install, repair, maintain, program, inspect or remove equipment with the provision of Company's services.

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#### SECTION 2. RULES AND REGULATIONS (Cont'd)

- 2.4 Responsibilities of the Subscriber (Cont'd)
  - 2.4.5 The subscriber shall ensure that the equipment and / or system is properly interfaced with Company facilities or services, that the signals emitted into Company network are of the proper mode, bandwidth, power, and signal level for the intended use of the subscriber and in compliance with the criteria set forth in this tariff, and that the signals do not damage equipment, injure personnel, or degrade service to other subscribers. If the Federal Communications Commission or some other appropriate certifying body certifies terminal equipment as being technically acceptable for direct electrical connection with interstate communications service, Company will permit such equipment to be connected with its channels without the use of protective interface devices.

If the subscriber fails to maintain the equipment and / or the system properly, with resulting imminent harm to Company equipment, personnel, or the quality of service to other subscribers, Company may, upon written notice require the use of protective equipment at the subscriber's expense. If this fails to produce satisfactory quality and safety, Company may, upon written notice, terminate the subscriber's service.

- 2.4.6 The subscriber must pay Company for replacement or repair of damage to the equipment or facilities of Company caused by the negligence or willful act of the subscriber, users, or others, by improper use of the services, or by use of equipment provided by the subscriber, users, or others.
- 2.4.7 The subscriber must pay for the loss or theft of any Company equipment installed at subscriber's premises.

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#### SECTION 2. RULES AND REGULATIONS (Cont'd)

## 2.5 Responsibilities of the User

- 2.5.1 The user is responsible for payment of the charges set forth in this tariff unless the responsibility for such payment has been accepted by the called party, a third party, or a subscriber.
- 2.5.2 The user is responsible for compliance with the applicable regulations set forth in this tariff.
- 2.5.3 The user is responsible for establishing its identity as often as necessary during the course of a call.
- 2.5.4 The user is responsible for identifying the station, party, or person with whom communications is desired and / or made at the called number.

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#### SECTION 2. RULES AND REGULATIONS (Cont'd)

## 2.6 <u>Cancellation or Interruption of Services</u>

- 2.6.1 Without incurring liability, Company may discontinue services to a subscriber or may withhold the provision of ordered or contracted services, subject to the procedures set forth in 2.6.2
  - A. For nonpayment of any sum due Company for more than thirty (30) days after issuance of the bill for the amount due, or
  - B. For violation of any of the provisions of this tariff, or
  - C. For violation of any law, rule, regulation or policy of any governing authority having jurisdiction over Company's services, or
  - D. By reason of any order or decision of a court, public service commission or federal regulatory body or other governing authority prohibiting Company from furnishing its services.

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#### SECTION 2. RULES AND REGULATION (Cont'd)

- 2.6 Cancellation or Interruption of Services (Cont'd)
  - 2.6.2 Procedures for discontinuance of existing service:
    - Company may discontinue service without notice for any of the A. following reasons:
      - If a subscriber or user causes or permits any signals or 1. voltages to be transmitted over Company's network in such a manner as to cause a hazard or to interfere with Company's service to others.
      - 2. If a subscriber or user uses Company's services in a manner to violate the law.
    - B. In all other circumstances, Company will provide the subscriber with written notice stating the reason for discontinuance, and will allow the subscriber not less than ten (10) days to remove the cause for discontinuance. In cases of non-payment of charges due, the subscriber will be allowed at least five (5) days, excluding Sundays and holidays, to make full payment of all undisputed charges, and in no event will service be discontinued on the day preceding any day on which Company is not prepared to accept payment of the amount due and to reconnect service.

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#### SECTION 2. RULES AND REGULATIONS (Cont'd)

- 2.6 <u>Cancellation or Interruption of Services</u> (Cont'd)
  - 2.6.3 Without incurring liability, Company may interrupt the provision of services at any time in order to perform tests and inspections to assure compliance with tariff regulations and the proper installation and operation of subscriber and Company's equipment and facilities and may continue such interruption until any items of non-compliance or improper equipment operation so identified are rectified.
  - 2.6.4 Service may be discontinued by Company, without notice to the subscriber, by blocking traffic to certain countries, cities, or NXX exchanges, or by blocking calls using certain customer authorization codes, when Company deems it necessary to take such action to prevent unlawful use of its service. Company will restore service as soon as it can be provided without undue risk, and will, upon request by the customer affected, assign a new authorization code to replace the one that has been deactivated.

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#### SECTION 2. RULES AND REGULATIONS (Cont'd)

## 2.7 <u>Billing Arrangements</u>

Initial Effective Date: June 26, 2022

#### 2.7.1 Collect, Calling Card, and Third Party Calls

Charges for calls of this type will be included on the user's or called or third party's regular home or business telephone bill pursuant to billing and collection agreements established by Company or its intermediary with the applicable telephone Company.

#### 2.7.2 Credit Card Calls

Charges for credit card calls will be included on the user's regular monthly statement from the card-issuing company.

#### 2.7.3 Room Charge Calls

When requested by the user, and authorized by the subscriber, the charges may be provided for inclusion on the hotel or motel bill of the user. In such cases, Company will provide a record of the call detail and charges to the hotel or motel for such billing purposes.

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## SECTION 2. RULES AND REGULATIONS (Cont'd)

## 2.8 <u>Validation of Credit</u>

Company reserves the right to validate the credit worthiness of users through available credit card, calling card, called number, third party telephone number and room number verification procedures. Where a requested billing method cannot be validated, the user may be required to provide an acceptable alternate billing method or Company may refuse to place the call.

#### 2.9 Contested Charges

All bills are presumed accurate, and shall be absolutely binding on the Customer unless objection is received by the Company within thirty (30) days after such bills are rendered. In the case of a billing dispute between the customer and the Company for service furnished to the Customer, which cannot be settled with mutual satisfaction, the Customer can take the following course of action within thirty (30) days of the billing date:

- 2.9.1 First, the customer may request, and the Company will provide, an in-depth review of the disputed amount. (The undisputed portion and subsequent bills must be paid on a timely basis or the service may be subject to disconnect).
- 2.9.2 Second, if there is still a disagreement about the disputed amount after the investigation and review by a manager of the Company, the customer may file an appropriate complaint with the New York Public Service Commission. The address of the New York Public Service Commission is:

New York Public Service Commission Agency Building 3 Three Empire State Plaza Albany, New York 12223 (518) 474-6530

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Leaf No. 24 Revision No. 0 Superseding Revision No.

#### SECTION 2. RULES AND REGULATIONS (Cont'd)

#### 2.10 <u>Billing Entity Conditions</u>

When billing functions on behalf of Company are performed by local exchange telephone companies, credit card companies or others, the payment conditions and regulations of such companies apply, including any applicable interest and / or late payment charge conditions.

#### 2.11 Deposits

Company does not require a deposit from the subscriber.

#### 2.12 Taxes

The Customer is responsible for the payment of Federal excise taxes, state and local sales and use taxes, franchise fees and similar taxes and fees imposed by governmental jurisdictions, all of which shall be separately designated on the Company's invoices. All taxes, surcharges and franchise fees will be imposed at the statutory rate.

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Leaf No. 25

#### SECTION 3. DESCRIPTION OF SERVICE

#### 3.1 Classes of Service

Service is offered on a Customer Dialed Calling Card Station, Operator Dialed Calling Card Station, Operator Station, Person-to-Person and Real Time Rated basis. Charges for messages within these classes of service are based upon the day-of-week and the time-of-day that each initial period or additional minute begins as shown in Section 3.2.

- 3.1.1 Customer Dialed Calling Card Station Customer Dialed Calling Card Station calls are completed as follows and may be billed to an RCN calling card or to a calling card other than a RCN calling card.
  - A. Customer Dialed and Operator Assisted The digit zero and the called telephone number (0 + number) are dialed to complete the call. In such cases, operator assistance is limited to recording the calling card number for billing purposes.
  - B. Customer Dialed and Operator Must Assist The Customer dials the Company operator or the desired telephone number and the local exchange operator services equipment capability precludes the Customer from completing the call without the assistance of a Company operator and the call is billed to the Customer's calling card.

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#### SECTION 3. DESCRIPTION OF SERVICE (Cont'd)

#### 3.1 Classes of Service (Cont'd)

- 3.1.2 Operator Dialed Calling Card Station Operator Dialed Calling Card Station prices apply when the Customer dials the appropriate operator code (e.g., 0, 00, 10336+0) and requests that the operator complete the call by dialing the called telephone number and the calling card number to be used for billing purposes.
- 3.1.3 Operator Station Operator Station prices apply when calls are completed with the assistance of a Company operator, except as specified for the Customer Dialed Calling Card Station, Operator Dialed Calling Card Station, Person-to-Person, and Real Time Rated classes of service. Operator Station prices apply to calls which are billed to a different telephone number (e.g., collect, bill to a third number).
- 3.1.4 Person-to-Person Person-to-Person prices apply when the person originating the call specifies the particular party to be reached by the Company operator, except Person-to-Person calls rated on a real time basis. The specified party may be a person, or a station, department, extension or office through a PBX attendant.
- 3.1.5 Real Time Rated (Operator Station / Person-to-Person) Real Time Rated prices apply to the following calls: calls originated and paid for at public or semi-public telephones and calls for which the Company furnishes time and / or charges.

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#### SECTION 3. DESCRIPTION OF SERVICE (Cont'd)

3.2 Time-of-Day and Day-of-Week

The price schedules shown in 4.1 following apply as follows:

Day - From 8:00 A.M. to 5:00 P.M., Monday - Friday.

Evening - From 5:00 P.M. to 11:00 P.M., Monday - Friday and Sunday.

Night/Weekend - From 11:00 P.M. to 8:00 A.M., every day; from 8:00 A.M. to 11:00 P.M. on Saturday and from 8:00 A.M. to 5:00 P.M. Sunday.

#### 3.3 Timing of Calls

Billing for calls placed over the Company's network is based in part on the duration of the call. Timing of each call begins as specified below, and ends when the called party hangs up.

- 3.3.1 Collect Calls Timing begins when the called party accepts the responsibility for payment.
- 3.3.2 Person-to-Person Calls (other than Collect) Timing begins when the designated party comes on the line, or when the caller agrees to speak with a substitute party.
- 3.3.3 All Other Calls Timing begins when the called station is answered, as determined by standard industry methods generally in use for ascertaining answer, including hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection.

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#### SECTION 3. <u>DESCRIPTION OF SERVICE</u> (Cont'd)

## 3.4 <u>Calculation of Distance</u>

Usage charges for all mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call. Company uses the rate centers, associated vertical and horizontal coordinates, and method of computing mileage set forth in AT&T Tariff F.C.C. No. 10.

## 3.5 <u>Service Offerings</u>

Company's operator assisted services consist of the provision of collect, approved telephone company calling card, credit card, room charge, billed to a third number (third party) and person-to-person call services provided to users pursuant to arrangements established by Company's subscribers. The applicable rates for these services are set forth in Section 4 of this tariff.

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#### SECTION 3. <u>DESCRIPTION OF SERVICE</u> (Cont'd)

#### 3.6 Responsibilities of the Company

- 3.6.1 Company will comply with the provisions of 16 N.Y.C.R.R. Part 649.2, as follows: A provider of intrastate operator assisted services must:
  - A. Identify itself at the time the end-user accesses its services;
  - B. Upon request, quote all rates and charges for its services to the end user accessing its system;
  - C. Arrange to have posted in plain view at each telephone location which automatically accesses the operator service provider's network and where its services are made available either to the public or transient end-users:
    - (1) The operator service provider's name and address;
    - (2) Bill and service dispute calling information including the operator service provider's dispute resolution phone number;
    - (3) Clear and specific instructions informing the end-user how to access a local exchange telephone company operator as an alternative available to the end-user; and

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#### SECTION 3. DESCRIPTION OF SERVICE (Cont'd)

#### 3.6 Responsibilities of the Company (Cont'd)

(4) notice concerning any and all amounts to be billed by the operator services provider on behalf of any host location or third party which will appear on the operator service provider's bill for services rendered.

> In instances when the provider is unable to complete the call and it requires transfer to another telephone corporation which may affect the rates and charges applicable to the telephone bill, inform the caller of the transfer and its possible effect on the applicable rates and charges, before any charges are incurred; and

> In the case of such a transfer, the telephone corporation or provider to which the call is transferred shall identify itself and inform the caller of the transfer's effect on the applicable rates and charges, before any charges are incurred.

Company will comply with the provisions of 16 N.Y.C.R.R. Part 649.4, as 3.6.2 follows:

Effective September 1, 1990, providers of intrastate operator assisted communications services shall not take any action or enter into any arrangement which restricts end-user selection among competing interexchange telephone corporations or end user access to competing providers of intrastate operator assisted communications services, or pay any commissions or other compensation to any entity engaged in such action or arrangement.

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#### SECTION 3. DESCRIPTION OF SERVICE (Cont'd)

3.6 Responsibilities of the Company (Cont'd)

#### 3.6.3 <u>Emergency Services</u>

- A. Company shall not offer emergency operator services (i.e. emergency services dialed as "911" or "0") to any reseller of telephone service via COCOTs or credit card activated telephone located in New York State.
- B. Company shall advise all of its New York State telephone vendor clients that all calls dialed by their users as "911" or "0" with no additional digits following, must be routed into the local network with no delay for "911" and allowing no more than nominally 4 seconds (3 to 5 seconds acceptable) of delay after the caller dials "0".
- A. In the event an emergency call bypasses the above restrictions and is routed to Company, it shall have procedures in place with which to handle such calls expeditiously.

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#### SECTION 4. RATES

This section sets forth the rates and charges applicable to Company's Metered Use Service offering.

The total charge for each completed operator assisted call consists of two charge elements (except as otherwise provided herein): fixed operator service charge, which will be dependent on the type of billing selected (i.e., calling card, charge third party or other) and / or the completion restriction selected (i.e., station-to-station or person-to-person); and a measured usage charge dependent on the duration and distance of the call. The usage charge element is specified as a rate per minute which applies to each minute of call duration, with a minimum charge for each call of one minute, and with fractional minutes of use thereafter counted as one full minute. Calls originating in one time period and terminating in another will be billed according to the rates applicable to the time recorded in each period.

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SECTION 4.

## RATES (cont'd)

## Intrastate Rates: Real Time Rated - Operator Station/Person

## <u>DAY</u>

RATE	INITIAL	EACH ADD'L
<u>STEP</u>	<u>MINUTE</u>	<u>MINUTE</u>
1	\$.2700	\$.1700
2	\$.2900	\$.1800
3	\$.3300	\$.1900
4	\$.3400	\$.2000
5	\$.3500	\$.2100
6	\$.3600	\$.2200

## **EVENING**

RATE	INITIAL	EACH ADD'L
<u>STEP</u>	<u>MINUTE</u>	<u>MINUTE</u>
1	\$.2200	\$.1300
2	\$.2300	\$.1500
3	\$.2600	\$.1600
4	\$.2700	\$.1700
5	\$.2800	\$.1800
6	\$.2900	\$.1900

## NIGHT / WEEKEND

RATE STEP	INITIAL MINUTE	EACH ADD'L MINUTE
1	\$.1700	\$.1100
2	\$.1800	\$.1200
3	\$.2100	\$.1300
4	\$.2100	\$.1400
5	\$.2200	\$.1500
6	\$.2300	\$.1600

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## SECTION 4. <u>RATES (cont'd)</u>

## 4.1.1 <u>Intrastate Rates: Customer Dialed Calling Card Station</u>

## <u>DAY</u>

<b>RATE</b>	INITIAL	EACH ADD'L
<u>STEP</u>	<u>MINUTE</u>	<b>MINUTE</b>
1	\$.1805	\$.1325
2	\$.2185	\$.1425
3	\$.2660	\$.2423
4	\$.2945	\$.2708
5	\$.3135	\$.2898
6	\$.3420	\$.3183

## **EVENING**

INITIAL	EACH ADD'L
<b>MINUTE</b>	<b>MINUTE</b>
\$.1140	\$.0998
\$.1425	\$.1045
\$.1805	\$.1615
\$.2090	\$.1900
\$.2280	\$.2090
\$.2470	\$.2280
	MINUTE \$.1140 \$.1425 \$.1805 \$.2090 \$.2280

## NIGHT / WEEKEND

RATE	INITIAL	EACH ADD'L
<u>STEP</u>	<b>MINUTE</b>	<b>MINUTE</b>
1	\$.1045	\$.0998
2	\$.1045	\$.0998
3	\$.1425	\$.1330
4	\$.1615	\$.1520
5	\$.1805	\$.1710
6	\$.1995	\$.1900

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## SECTION 4. RATES (cont'd)

## 4.1.1 <u>Intrastate Rates: Operator Station - Billed to Third Party, and Collect Calls</u>

## <u>DAY</u>

RATE	INITIAL	EACH ADD'L
<u>STEP</u>	<b>MINUTE</b>	<b>MINUTE</b>
1	\$.2700	\$.1700
2	\$.2900	\$.1800
3	\$.3300	\$.1900
4	\$.3400	\$.2000
5	\$.3500	\$.2100
6	\$.3600	\$.2200

## **EVENING**

<b>MINUTE</b>
\$.1300
\$.1500
\$.1600
\$.1700
\$.1800
\$.1900

## NIGHT / WEEKEND

RATE	INITIAL	EACH ADD'L
<u>STEP</u>	<b>MINUTE</b>	<b>MINUTE</b>
1	\$.1700	\$.1100
2	\$.1800	\$.1200
3	\$.2100	\$.1300
4	\$.2100	\$.1400
5	\$.2200	\$.1500
6	\$.2300	\$.1600

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## SECTION 4. RATES (cont'd)

## 4.1.1 Intrastate Rates: Person

## <u>DAY</u>

INITIAL	EACH ADD'L
<b>MINUTE</b>	<b>MINUTE</b>
\$.2700	\$.1700
\$.2900	\$.1800
\$.3300	\$.1900
\$.3400	\$.2000
\$.3500	\$.2100
\$.3600	\$.2200
	MINUTE \$.2700 \$.2900 \$.3300 \$.3400 \$.3500

## **EVENING**

RATE	INITIAL	EACH ADD'L
<u>STEP</u>	<b>MINUTE</b>	<b>MINUTE</b>
1	\$.2200	\$.1300
2	\$.2300	\$.1500
3	\$.2600	\$.1600
4	\$.2700	\$.1700
5	\$.2800	\$.1800
6	\$.2900	\$.1900

## NIGHT / WEEKEND

RATE	INITIAL	EACH ADD'L
<u>STEP</u>	<b>MINUTE</b>	<b>MINUTE</b>
1	\$.1700	\$.1100
2	\$.1800	\$.1200
3	\$.2100	\$.1300
4	\$.2100	\$.1400
5	\$.2200	\$.1500
6	\$.2300	\$.1600

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## SECTION 4. RATES (cont'd)

## 4.1.1 <u>Intrastate Rates: Operator Dialed Calling Card Station</u>

## <u>DAY</u>

RATE	INITIAL	EACH ADD'L
<u>STEP</u>	<b>MINUTE</b>	<b>MINUTE</b>
1	\$.1805	\$.1235
2	\$.2185	\$.1425
3	\$.2660	\$.2423
4	\$.2945	\$.2708
5	\$.3135	\$.2898
6	\$.3420	\$.3183

## **EVENING**

RATE	INITIAL	EACH ADD'L
<u>STEP</u>	<b>MINUTE</b>	<b>MINUTE</b>
1	\$.1140	\$.0998
2	\$.1425	\$.1045
3	\$.1805	\$.1615
4	\$.2090	\$.1900
5	\$.2280	\$.2090
6	\$.2470	\$.2280

## NIGHT / WEEKEND

RATE	INITIAL	EACH ADD'L
<u>STEP</u>	<b>MINUTE</b>	<b>MINUTE</b>
1		\$.1045 \$.0998
2	\$.1045	\$.0998
3	\$.1425	\$.1330
4	\$.1615	\$.1520
5	\$.1805	\$.1710
6	\$.1995	\$.1900

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\$0.65

## SECTION 4. <u>RATES (cont'd)</u>

## 4.1.2 <u>Intrastate Rates: Operator Service Charges</u>

- Person (Includes Real Time Rated Calls)	\$4.125
- Operator Station (Includes Real Time Rated Calls) Collect Billed to Third Party	\$1.80* \$1.85*
- Customer Dialed Calling Card Station Customer Dialed and Operator Assisted	\$0.65

<sup>-</sup> Operator Dialed Calling Card Station \$1.65

**Customer Dialed-Operator Must Assist** 

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<sup>\*</sup> An Operator Dialed Surcharge of \$.75 also applies on 0- calls, excluding those charged to Calling Card and to Operator Dialed Calling Card Station calls.