

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. 9
Leaf No. 1
Revision No. 0
Superseding Revision No.

SPECIAL ARRANGEMENTS

9.1 Special Construction

9.1.1 Basis for Charges

Where the Company furnished a facility or service for which a rate or charge is not specified in the Company's tariffs, charges will be based on the costs incurred by the Company and may include: (1) nonrecurring type charges; (2) recurring type charges; (3) termination liabilities; or (4) combinations thereof.

9.1.2 Basis for Cost Computation

The costs referred to in 10.1.1 preceding may include one or more of the following items to the extent they are applicable:

- (a) cost installed of the facilities to be provided including estimated costs for the rearrangements of existing facilities. Cost installed includes the cost of:
 - (1) equipment and materials provided or used,
 - (2) engineering, labor and supervision,
 - (3) transportation, and
 - (4) rights of way;
- (b) cost of maintenance;
- (c) depreciation on the estimated cost installed of any facilities provided, based on the anticipated useful service life of the facilities with an appropriate allowance for the estimated net salvage;
- (d) administration, taxes and uncollectible revenue on the basis of reasonable average costs for these items;
- (e) license preparation, processing and related fees;
- (f) tariff preparation, processing and related fees;
- (g) any other identifiable costs related to the facilities provided; or
- (h) an amount for return and contingencies.

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SPECIAL ARRANGEMENTS

9.1 Special Construction (cont'd.)

9.1.3 Termination Liability

To the extent that there is no other requirement for use by the Company, a termination liability may apply for facilities specially constructed at the request of the customer.

9.1.3.1 The termination liability period is the estimated service life of the facilities provided.

9.1.3.2 The amount of the maximum termination liability is equal to the estimated amounts for:

(1) Cost installed of the facilities provided including estimated costs for rearrangements of existing facilities and/or construction of new facilities as appropriate, less net salvage. Cost installed includes the cost of:

- (a) equipment and materials provided or used,
- (b) engineering, labor and supervision.
- (c) transportation, and
- (d) rights of way;

(2) license preparation, processing, and related fees;

(3) tariff preparation, processing, and related fees;

(4) cost of removal and restoration, where appropriate; and

(5) any other identifiable costs related to the specially constructed or rearranged facilities.

9.1.3.3 The applicable termination liability method for calculating the unpaid balance of a term obligation. The amount of such charge is obtained by multiplying the sum of the amounts determined as set forth in Section 10.1.3.2 preceding by a factor related to the unexpired period of liability and the discount rate for return and contingencies. The amount determined in section 10.1.3.2 preceding shall be adjusted to reflect the redetermined estimate net salvage, including any reuse of the facilities provided. The product is adjusted to reflect applicable taxes.

Issued By: Joseph O. Kahl, Vice President Corporate Regulatory & Govt. Affairs
650 College Road East
Princeton, NJ 08540

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9.2 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 for such services in this tariff. 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 in Addendum C 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

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