

Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 1
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

Switched Access Service, which is available to customers for their use in furnishing their services to end users, provides a two-point communications path between a customer's premises or a collocated interconnection location and an end user's premises. It provides for the use of common terminating, switching and trunking facilities. Switched Access Service provides for the ability to originate calls from an end user's premises to a customer's premises, or a collocated interconnection location, and to terminate calls from a customer's premises, or a collocated interconnection location and to an end user's premises in the LATA where it is provided. Unless otherwise specified herein, Switched Access Service must be ordered separately for each LATA in which the Customer desires to originate or terminate calls.

The Company provides Feature D originating and terminating equal access. Local transport arrangements for dedicated service are to be arranged by the customer with the Company or the provider of choice.

Switched Access Service is provided in four service categories of standard and optional features called Feature Groups (Feature Group A Service, Feature Group B, and Feature Group C Service will not be provided by the Company). The service categories are differentiated by their technical characteristics and the manner in which an end user accesses them when originating calls.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 2
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

FGD Access, which is available to all customers, provides trunk side access to Company end office switches with an associated uniform 10XXX and 101XXXX access codes for the customer's use in originating and terminating communications.

3.1.1 Access Service Order

An Access Service Order is used by the Company to provide a customer Access Service. A Customer may order Switched Access Service either by: (1) submitting an Access Service Order as described below or (2) routing traffic to the Company, or accepting traffic from the Company, through the tandem of another local exchange carrier to which the Customer is connected (the "tandem provider"). Where the Customer orders Switched Access service via option (2), the Company may use information provided to the Company by the tandem provider or information obtained from other sources to bill the Customer for the services provided. When placing an order for Access Service, the customer shall provide, at a minimum, the following information.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 3
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order (Cont'd)

- A. For Feature Group D Switched Access Service, the customer shall specify the number of busy hour minutes of capacity (BHMC) from the customer's premises to the end office by Feature Group and by traffic type. This information is used to determine the number of transmission paths. The customer shall also specify the Local Transport and Local Switching options. Customers may, at their option, order FGD by specifying the number of trunks and the end office when direct routing to the end office is desired or the access tandem switch when routing is desired via an access tandem switch and the Local Transport and Local Switching options desired. When ordering by trunk quantities rather than BHMC quantities to an access tandem, the customer must also provide the Company an estimate of the amount of traffic it will generate to and/or from each end office subtending the access tandem to assist the Company in its own efforts to project further facility requirements.

In addition, for Feature Group D with the SS7 signaling option, the customer shall specify the switching point codes and trunk circuit identification codes for trunks with the SS7 signaling option, and the STP point codes, signaling link codes and link type for each Common Channel Signaling Access (CCSA) connection ordered.

When a customer orders FGD in trunks, the customer is responsible to assure that sufficient access facilities have been ordered to handle its traffic.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 4
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order (Cont'd)

- B. For 800 Data Base Access Service, the customer shall order the service in accordance with the preceding provisions set forth for Feature Group D. If the customer desires any of the optional features available with 800 Data Base Service, the customer shall so specify on the order for service.
- C. When a customer orders collocation in an end office and/or access tandem with Company provided Switched Access Service(s), the customer must specify the collocated fiber optic facilities or microwave interconnection location involved. The customer must also specify the particular end office or access tandem location involved, which must be the end office in which the Switched Access Service(s) originate or terminate, or an Access Tandem in which such service(s) are switched.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 5
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order (Cont'd)

D. Third-Party Tandem Connect Service Orders

A Customer may order Third-Party Tandem Connect service (as defined in Section 3.1.2) either by (1) submitting an ASR or (2) routing Switched Access Service traffic to the Company, or accepting such traffic from the Company, through the switch of another entity to which the Customer is connected (the “third-party tandem provider”). Where the Customer orders Third-Party Tandem Connect service via option (2), the Company may use information provided to the Company by the third-party tandem provider or information obtained from other sources to bill the Customer for the services provided.

When placing an order for either Local Connect Service or Third-Party Tandem Connect Service (in those cases where such service is ordered via an ASR), as described in Section 3.1.1, the Customer shall provide all standard ASR ordering information as specified in industry guidelines. The Customer will also be required to provide this information to order additional service for an existing service type. For new Customers ordering Third-Party Tandem Connect Service by means of an ASR, the Customer will only be required to complete an ASR for installation of new service.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 6
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order (Cont'd)

3.1.1.1 Access Order Service Date Intervals

Access Service is provided with one of the following Service Date Intervals:

- Standard Interval
- Negotiated Interval
- Advance Order Interval

A. Standard Interval

Standard Interval: Except for Third-Party Tandem Connect Service ordered under Section 3.1.1, the Standard Interval for Switched and Special Access Service will be 10 business days from the date the ASR is submitted to the Company. This interval only applies to standard service offerings for a Customer which is On-Net and at locations where there are pre-existing facilities to the Customer premises. Access Services provided under the Standard Interval will be installed during Company business hours. For Third-Party Tandem Connect Service ordered under Section 3.1.1, the Standard Interval will be the same day as the service is ordered.

A schedule of Standard Intervals applicable for Switched Access Services and is as follows:

<u>Feature Group D</u>	<u>Standard Interval</u>
1 to 4 Trunks	28 Days
5 to 8 Trunks	30 Days

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 7
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order

3.1.1.1 Access Order Service Date Intervals (Cont'd)

B. Negotiated Interval

The Company will negotiate a service date interval with the customer when:

1. There is no Standard Interval for the service, or;
2. The quantity of Access Services orders exceeds the quantities specified in the Standard Intervals, or;
3. The customer requests a service date beyond the applicable Standard Interval service date except as set forth in C. following.

The Company will offer a service date based on the type and quantity of Access Services the customer has requested. The Negotiated Interval may not exceed by more than six months the Standard Interval service date, or, when there is no Standard Interval, the Company offered service date. All services for which rates are applied on an individual case basis are provided with a Negotiated Interval.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 8
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order

3.1.1.1 Access Order Service Date Intervals

B. Negotiated Interval (Cont'd)

Common Channel Signaling Access (CCSA) links will be provided on a Negotiated Interval. New or existing FGD trunks ordered with the SS7 signaling option will be provided on a Negotiated Interval.

The addition and/or deletion of an 800 Access Service six-digit customer identification NXX is provided with a Negotiated Interval. The addition of an 800 Access Service ten-digit customer identification record to the 800 Access Service data base or the deletion of an 800 Access Service ten-digit customer identification record from the 800 Access Service data base is provided with a Negotiated Interval.

	<u>Maximum Interval</u>
Initial establishment of service where customer is:	
- Not yet provided with any FGB or FGD service in the LATA	6 months
- Provided FGB or FGD service in the LATA	90 Days

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Level 3 Communications, LLC
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Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 9
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order

3.1.1.1 Access Order Service Date Intervals (Cont'd)

C. Advance Order Interval

When placing an Access Order, a customer may request an Advance Order Interval for a service date of 12 to 24 months from the Application Date for the following services:

- A minimum of 24 voice grade equivalent Switched Access Service lines or trunks or 720 BHMCs

- Orders for less than the minimum quantities will be accommodated under Standard or Negotiated Interval provisions.

- Advance Order Interval Access Orders are subject to all ordering conditions of Standard and Negotiated Interval Access Orders except for the following:

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 10
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order

3.1.1.1 Access Order Service Date Intervals

C. Advance Order Interval (Cont'd.)

1. Advance Payment

A nonrefundable Advance Payment will be calculated as follows:

Advance Payment (Nonrefundable)	The minimum monthly charge for the minimum period plus the applicable Nonrecurring Charges for the services ordered.
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This Advance Payment is due 10 working days from the date the Company confirms acceptance of the order, or on the Application Date, whichever date is the later date. If the Advance Payment is not received by such payment date, the order will be cancelled.

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Level 3 Communications, LLC
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Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 11
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order

3.1.1.1 Access Order Service Date Intervals

C. Advance Order Interval

1. Advance Payment (Cont'd)

When the Access Services are connected on the service date, the Advance Payment will be applied, as a credit, to the customer's billed service charges. When there has been a decrease in the number of services originally ordered, as set forth in (2) following, only the portion of the Advance Payment for services actually installed will be credited.

2. Cancellation or Partial Cancellation of an Advance Order Interval Access Order

When the customer cancels an Access Order, the order will be withdrawn. The Advance Payment will not be credited or refunded.

Any decrease in the number of ordered Access Services will be treated as a partial cancellation, and the portion of the Advance Payment for the services cancelled will not be credited or refunded.

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Level 3 Communications, LLC
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Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 12
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order (Cont'd)

3.1.1.2 Access Order Modifications

The customer may request a modification of its Access Order at any time prior to notification by the Company that service is available for the customer's use or prior to the service date, whichever is later.

Any increase in the number of Switched Access Service lines, trunks or busy hour minutes of capacity or CCSA signaling connections will be treated as a new Access Order (for the increased amount only).

A. Service Date Change Charge

Access Order service dates for the installation of new services or rearrangements of existing services may be changed, but the new service date may not exceed the original service date by more than 30 calendar days. When, for any reason, the customer indicates that service cannot be accepted for a period not to exceed 30 calendar days, and the Company accordingly delays the start of service, a Service Date Change Charge will apply. If the customer requested service date is more than 30 calendar days after the original service date, the order will be cancelled by the Company and reissued with the appropriate cancellation charges applied.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 13
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order

3.1.1.2 Access Order Modifications

A. Service Date Change Charge (Cont'd.)

A Service Date Change Charge will apply, on a per order per occurrence basis, for each service date changed. The applicable charge is as set forth in Section 4.1.1(C).

B. Partial Cancellation Charge

Any decrease in the number of ordered Switched Access Service lines, trunks or busy hour minutes of capacity ordered with a Standard or Negotiated Interval Access Order will be treated as a partial cancellation and the charges as set forth in Section 5.1.1 following will apply. Partial cancellation charges do not apply to Advance Order Interval Access Orders.

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Level 3 Communications, LLC
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Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 14
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order

3.1.1.2 Access Order Modifications (Cont'd)

C. Design Change Charge

The customer may request a design change to the service ordered. A design change is any change to an Access Order which requires engineering review. Design changes do not include a change of customer premises, end user premises, end office switch, Feature Group type except for changes to Feature Group D. Changes of this nature will require the issuance of a new order and the cancellation of the original order with appropriate cancellation charges applied.

The Design Change Charge will apply on a per order per occurrence basis, for each order requiring a design change. The applicable charge is set forth in Section 5.1.1C following. If a change of service date is required, the Service Date Change Charge will also apply.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 15
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order

3.1.1.2 Access Order Modifications (Cont'd)

D. Expedited Order Charge

When placing an Access Order for service(s) for which Standard Intervals exist, a customer may request a service date that is prior to the Standard Interval service date. A customer may also request an earlier service date on a pending Standard, Negotiated or Advance Order Interval Access Order. If the Company agrees to provide service on an expedited basis, an Expedited Order Charge will apply.

If the Company receives a request for an expedited service date at the time a Standard Interval Access Order is placed, the Expedited Order Charge is calculated by summing all the nonrecurring charges associated with the order and then dividing this total by the number of days in the Standard Interval. The charge is then applied on a per day of improvement basis, per order, but in no event shall the charge exceed fifty percent of the total nonrecurring charges associated with the Access Order.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 16
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order (Cont'd)

3.1.1.3 Cancellation of an Access Order

- A. Unless otherwise specified herein, a customer may cancel an Access Order for the installation of service at any time prior to notification by the Company that services available for the customer's use or prior to the service date, whichever is later. The cancellation date is the date the Company receives written or verbal notice from the customer that the order is to be cancelled. The verbal notice must be followed by written confirmation within 10 days. If a customer's or a end user is unable to accept Access Service within 30 calendar days after the original service date, the customer has the choice of the following options:

The Access Order shall be cancelled and charges set forth in B. following will apply, or
Billing for the service will commence.

If no cancellation request is received within the specified 30 calendar days, billing for the service will commence. In any event, the cancellation date or the date billing is to commence, as applicable, shall be the 31st day beyond the original service date of the Access Order.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 17
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order

3.1.1.3 Cancellation of an Access Order (Cont'd)

- B. When a customer cancels a Standard or Negotiated Interval Access Order for the installation of service, a Cancellation Charge will apply as follows:
1. When the customer cancels an Access Order, a charge equal to the estimated provisioning costs incurred at a particular date for the service ordered by the Company shall apply.
 2. If the Company misses a service date for a Standard or Negotiated Interval Access Order by more than 30 days, due to circumstances such as acts of God, governmental requirements, work stoppages and civil commotions, the customer may cancel the Access Order without incurring cancellation charges.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 18
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order (Cont'd)

3.1.1.4 Minimum Period

- A. The minimum period for which Third-Party Tandem Connect Service is provided and for which charges are applicable, is one month.
- B. The following changes will be treated as a discontinuance of the existing service and an installation of a new service. All associated nonrecurring charges will apply for the new service.

The changes listed below are those which will be treated as a discontinuance and installation of service and for which a new minimum period will be established.

- 1. A move to a different building.
- 2. A change in type of service.
- 3. A change in Switched Access Service Interface Group.
- 4. Change in Switched Access Service traffic type.
- 5. A change in STP Access link.
- 6. A change in STP Port.
- 7. Change in Company-provided Switched Access Service to a Collocated Interconnection arrangement or vice versa.
- 8. Change to an existing Feature Group D Service to include the provision of 64 kbps Clear Channel Capability.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 19
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.1 Access Service Order (Cont'd)

3.1.1.5 Minimum Period Charges

When Access Service is disconnected prior to the expiration of the minimum period, charges are applicable for the balance of the minimum period.

The Minimum Period Charge for monthly billed services will be determined as follows:

- A. For Switched Access Service, the charge for a month or fraction thereof is equal to the applicable minimum monthly charge for the capacity.

All applicable nonrecurring charges for the service will be billed in addition to the Minimum Period Charge.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: July 31, 2021

Section 3
Leaf 20
Revision 1
Superseding Revision: 0

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES (Cont'd)

3.1.2 Rate Categories

As established in the 8YY Access Charge Reform (FCC 20-143), existing tandem switching charges and transport charges for originating 8YY traffic are eliminated and a single joint tandem switched access service rate element for 8YY originating access service is established as 8YY Joint Tandem Switched Transport.

(N)
|
(N)

There are three rate categories which apply to Switched Access Service:

- Carrier Common Line
- Local Transport
- End Office

A. Carrier Common Line

The Carrier Common Line rate category provides for the use of Company common lines by customers for access to end users to furnish customer intrastate communications. Carrier Common Line is provided where the customer obtains Company provided Switched Access Service. Carrier Common Line Access Service will not apply where the Company provides Toll Free Inter-Exchange Delivery Service.

1. Limitations

- a. A telephone number is not provided with Carrier Common Line.

NY2021-07

Issued by: Stacy Hartman

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 21
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

A. Carrier Common Line

1. Limitations (Cont'd)

- b. Detail billing is not provided for Carrier Common Line.
- c. Directory listings are not included in the rates and charges for Carrier Common Line.
- d. Intercept arrangements are not included in the rates and charges for Carrier Common Line.
- e. All trunk side connections provided in the same combined access group will be limited to the same features and operating characteristics.

2. Undertaking of the Telephone Company

Where the customer is provided with Switched Access Service under this tariff, the Company will provide the use of Company common lines by a customer for access to end users at rates and charges as set forth in Section 5.1.2 following.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 22
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

A. Carrier Common Line (Cont'd)

3. Obligations of the Customer

- a. All Switched Access Service provided to the customer will be subject to Carrier Common Line charges, excluding the Common Channel Signaling Access exemption.

4. Common Channel Signaling Access Exemption

The Common Channel Signaling Access Signal Transfer Point (STP) Link Termination and STP Port, as set forth in Section 4 following, are not subject to a Carrier Common Line charge.

5. Rate Regulations

- a. The Carrier Common Line charges will be billed per access minute to each Switched Access Service customer.
- b. When the customer reports interstate and intrastate use of Switched Access Service, the Carrier Common Line charges will be billed only to intrastate interLATA and/or intraLATA Switched Access Service access minutes based on the data reported by the customer set forth in Section 2.3.3 preceding when the Company provides common line service with other Switched Access Services.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 23
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

A. Carrier Common Line (Cont'd)

6. Determination of Charges

- a. Carrier Common Line charges will be billed to each Switched Access Service provided further under this tariff, in accordance with the rates as set forth in Section 5 following.
- b. Carrier Common Line Access per minute charge(s) apply to:
 - (1) all terminating access minutes of use.
 - (2) less those terminating access minutes of use associated with Mobile Telephone Switching Offices (MTSOs).
 - (3) All originating access minutes of use associated with calls placed to 700, 800 and 900 numbers, less those originating access minutes of use associated with calls placed to 700, 800 and 900 numbers for which the Customer furnishes for each month a report of either the number of calls or minutes or a report of the percent of calls or minutes that terminate in a Switched Access Service that is assessed Carrier Common Line charges.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 24
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

A. Carrier Common Line

6. Determination of Charges

- b. Carrier Common Line Access per minute charge(s) apply to:
(3) (Cont'd)**

When the Customer makes this report available to the Company in advance of billing, these minutes of use will be charged on the current bill as originating minutes of use as set forth in this tariff. If a billing dispute arises concerning the Customer provided report, the Company will request the Customer to provide the data the Customer used to develop the report. The Company will not request such data more than once a year. The Customer shall supply the data within 30 days of the Telephone Company request.

When this report is not available to the Company until after billing, it shall be used by the Company to calculate and post a credit to the Customer's account. The credit shall be posted to the Customer's account within 30 days of receipt of the report. The credit shall be calculated by multiplying the number of access minutes of use, for which a credit is determined to be applicable, times the difference between the terminating and originating Carrier Common Line charges in effect when the calls were completed.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 25
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

A. Carrier Common Line

6. Determination of Charges

b. Carrier Common Line Access per minute charge(s) apply to: (Cont'd)

- (4) The originating Access, per minute charge(s) apply to:
- all originating access minutes of use,
 - all originating access minutes of use where the off-hook supervisory signaling is forwarded by the customer's equipment when the called party answers,
 - less all originating access minutes of use associated with calls placed to 700, 800 and 900 numbers,
 - less those originating access minutes of use associated with Mobile Telephone Switching Offices (MTSOs),
 - plus all originating access minutes of use associated with calls placed to 700, 800 and 900 numbers for which the Customer furnishes for each month a report of either the number of calls or minutes or a report of the percent of calls or minutes that terminate in a Switched Access Service that is assessed Carrier Common Line charges, and for which a corresponding reduction in the number of terminating access minutes of use has been made as set forth in C. preceding.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 26
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

A. Carrier Common Line (Cont'd.)

7. Supervision

Where a Company switch serves the end user, the Company shall provide the necessary on-hook and off-hook supervision.

B. Local Transport

The Local Transport rate category provides for transmission facilities between the Customer's premises or collocated interconnection location and the Company's end office switch (Eligible Services) where the customer's traffic is switched to originate or terminate its communications.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 27
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

B. Local Transport (Cont'd)

Except as stated in the following paragraph, Local Transport service is provided in conjunction with New York Telephone Company and/or Rochester Telephone Corp. Charges for Local Transport service are computed in accordance with Section 2.6.5 preceding (Ordering, Rating, and Billing of Access Services Where More Than One Exchange Telephone Company Is Involved). For purposes of determining Local Transport mileage, distance will be measured from the wire center that normally serves the customer's premises to the end office switch (Eligible Services).

The Company provides dedicated (direct-trunked) transport, but Customers have the option of providing their own dedicated (direct-trunked) transport facilities for connection to the Company's end office switch (Eligible Services), or of ordering such facilities from another carrier

The Local Transport rate structure is as follows:

- Local Transport
- Tandem Switching
- Direct Trunked Transport

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 28
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

B. Local Transport (Cont'd)

1. Direct Trunked Transport Transmission Groups

Three Direct Trunked Transport Transmission Groups are provided for terminating the Local Transport at the customer's premises. Each Group provides a specified premises Interface. Where transmission facilities permit, the individual transmission path between the customer's premises and the first point of switching may at the option of the customer be provided with optional features. Rates and charges for Direct Trunked Transport are as set forth in Section 5.1.3.A following.

- a. DS0 provides two-wire and/or four-wire voice frequency transmission at the point of termination at the customer's premises. The interface is capable of transmission of voice and associated telephone signals within the frequency bandwidth of approximately 300 to 3000 Hz.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 29
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories (Cont'd.)

C. End Office

The End Office rate category provides the local end office switching and end user termination functions necessary to complete the transmission of Switched Access communications to and from the end users served by the Company's end office. Rates and charges for the End Office rate category are as set forth in Section 5.1.4 following.

The Shared End Office Trunk Port provides for the termination of Tandem Switched Transport to an end office. Access minutes for all Switched Access Service subject to the Shared End Office Trunk Port will be multiplied by the per minute rate set forth in the rate schedule.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 30
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories (Cont'd.)

D. Switched Access Service

1. General

Switched Access Service, which is available to Customers for their use in furnishing their services to End Users, provides a communications path between a Customer's Premises and a service obtained by an End User from the Company or (if the Switched Access Service is provided by more than one local exchange carrier as provided in Section 42.6.8 of this Tariff) from another carrier whose network subtends the Company's facilities. It provides for the use of common terminating, switching and transport facilities. Switched Access Service provides the ability to originate calls from an End User's service to a Customer's Premises, and to terminate calls from a Customer's Premises to an End User's service.

Rates and charges are set forth in Section 5. The application of rates for Switched Access Service is described in Section 5.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 31
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service (Cont'd)

2. Provision and Description of Switched Access Service Agreements

Switched Access Service is provided in the following service type:

a. Feature Group D (FGD) Access

FGD Access, which is available to all customers, is provisioned at the DSI level and provides trunk-side access to Company switches with an associated uniform 101-XXXX Access Code for Customer's use in originating and terminating communications. FGD service will be provided with SS7 signaling. (Multi-Frequency In-Band signaling may also be available, for a separate charge established under Section 11 of this Tariff.) End Users of Customer's service may also originate calls to certain FGD Access Customers without dialing the 101-XXXX Access Code if End User is presubscribed, as described herein.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 32
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements
 - a. Feature Group D (FGD) Access (Cont'd)

The Access Code for FGD switching is a uniform Access Code of the form 10XXX. A single Access Code will be the assigned number of all FGD access provided to the Customer by the Company. No Access Code is required for calls to a customer over FGD Switched Access Service if the End User's telephone exchange service is arranged for Presubscription to that Customer, as set forth herein.

Where no Access Code is required, the number dialed by the Customer's End User shall be a seven or ten-digit number for calls in the North American Numbering Plan (NANP), except for 00- dialed calls which are routed to the predesignated Customer. For international calls outside the NANP, a seven to twelve-digit number maybe dialed. The form of the numbers dialed by the Customer's End User is NXX-XXXX, 0 or 1 + NXX-XXXX, NPA + NXX-XXXX, 0 or 1 + NPA = NXX-XXXX, and when the local Switching Center is equipped for International Direct Distance Dialing (IDDD), O+ CC + NN or 011 + CC + NN.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 33
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

- 2. Provision and Description of Switched Access Service Agreements**
 - a. Feature Group D (FGD) Access (Cont'd)**

When the 10XXX Access Code is used, FGD switching also provides for dialing the digit 0 for access to the Customer's operator, 911 for access to the Company's emergency service, or the end-of-dialing digit (#) for cut-through access to the Customer's Premises.

In addition, End Users may originate calls by dialing the 950-XXXX Access Code specific to a particular Interexchange Carrier, provided that the Interexchange Carrier has subscribed to the Company's Feature Group D with 950 Access Common Switching Optional Feature. If the End User is presubscribed to that Interexchange Carrier, no Access Code is necessary.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 34
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements (Cont'd)

b. Rate Categories

The following serving arrangements may apply to Switched Access Service, depending on which the Customer uses:

- Local Connect
- Tandem Connect
- Third-Party Tandem Connect

(1) Local Connect Switched Access Service

Local Connect Switched Access Service is service in which the End User is served by the Company, and the Customer connects with the Company at a point of interconnection located within the same local access and transport area in which the End User obtains its service from the Company. Unless the Customer chooses to provide its own facilities for connection, the Company will provide a connection (subject to the availability of facilities, as specified in Application of Tariff and Special Construction, above) between the Customer's Premises and the relevant Company switch in the same local access and transport area. This transmission path will be dedicated to the use of a single Customer. Customer may specify a DS3 or DS1 connection. Higher or lower data rates may be available on a Special Construction basis.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 35
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(1) Local Connect Switched Access Service. (Cont'd)

Local Connect Switched Access Service is comprised of: (i) charges for Entrance Facilities/Direct Trunked Transport and DS1 Switch Ports (at the customer side of the end office switch); (ii) if applicable, a charge for multiplexing traffic from one data rate to another; (iii) a per-minute local switching charge; (iv) a per-minute carrier common line charge; and (v) where applicable, a toll-free database query charge (for outbound toll-free calls where Level 3 provides the query function). These charges are set out in Section 3 of this Tariff.

- Rates Applicable To Local Connect Service

Entrance Facility/Direct Trunked Transport

To obtain Local Connect Service, the Customer must obtain a connection from its Premises in a local access and transport area to the Company local switch to which the Customer seeks to connect. To obtain that connection the Customer must purchase a combination of Entrance Facilities, Direct Trunked Transport, and DS1 switch ports, as well as multiplexing, if applicable.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 36
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(1) Local Connect Switched Access Service

- Rates Applicable To Local Connect Service (Cont'd)

(a) Multiplexing

The Company's network normally requires traffic delivered to its switches at the DS1 level. If a Customer chooses to obtain mutliplexing/demultiplexing services to convert DS3 to DS1 level signaling, the Customer may obtain that service from the Company at the rates stated in the Rate Schedule. These rates apply per minute of traffic multiplexed or demultiplied. If multiplexing between other data rates is required, the Company may provide such services on a Special Construction basis.

For each DS1 port on the relevant Company local swtich, the per-minute port charge specified in the Rate Schedule of this Tariff shall apply to each originating and terminating minute of use.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 37
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(1) Local Connect Switched Access Service

- Rates Applicable To Local Connect Service (Cont'd)

(b) Per-Minute End Office Rates

For each originating minute of use a Customer receives from a Company switch, the per-minute-of-use local switching charge stated in the Rate Schedule shall apply. For each terminating minute of use a Customer send to a Company switch, the per-minute-of-use local switching charge stated in the Rate Schedule shall apply. For each originating and each terminating minute of use, the per-minute-of-use port charges as specified there shall also apply as stated in the Rate Schedule.

(c) Database Query Rates

To the extent that End Users originate toll free calls that are routed via Local Connect Service, the Company shall impose the charges stated in the Rate Schedule.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 38
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories (Cont'd)

(2) Tandem Connect Switched Access Service

Tandem Connect Switched Access Service is service in which either (a) the End User is served by a third party whose network subtends the Company's network; and/or (b) the Customer physically connects with the Company at a point of interconnection located in a local access and transport area other than the one in which the End User obtains its service. Unless the Customer chooses to provide its own facilities for connection, the Company will provide a connection (subject to the availability of facilities between the Customer's Premises and a Company point of interconnection within the state of New York. In determining the rate for an arrangement, the Company will treat the distance component of any transport provided as capped at 10 miles. This transmission path will be dedicated to the use of a single Customer. Customer may specify a DS3 or DS1 connection. Higher or lower data rates may be available on a Special Construction basis.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 39
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(2) Tandem Connect Switched Access Service (Cont'd)

Access to Tandem Connect Switched Access Service is provided in the local access and transport areas in which the Company has tandem equipment. A connection from a Customer's network to any Company tandem location will provide connectivity to all Company end offices nationwide and all third-party End Offices that subtend any Company tandem, nationwide. The Company will provide Customers a list of its Tandem locations upon request, including a list of the Company and third-party End Offices that subtend each tandem.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 40
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(2) Tandem Connect Switched Access Service (Cont'd)

Tandem Connect Switched Access Service is comprised of: (i) charges for Entrance Facilities/Direct Trunked Transport and DS1 Switch Ports (at the customer side of the tandem switch); (ii) if applicable, a charge for multiplexing traffic from one data rate to another; (iii) a per-minute tandem switching charge; and (iv) a per-minute tandem switched transport charge (capped at 10 miles of transport between the tandem switch and the end office switch); These charges are set out in Section 5 of this Tariff. These charges are in addition to any applicable end office charges from the Company, as set out in Section 3.1.2, or the third-party network whose end office subtends the Company's tandem, as the case may be. If a third party that subtends the Company's network serves the End User, then billing by the Company and the third party shall be as specified in 2.6.8 above.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 41
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(2) Tandem Connect Switched Access Service (Cont'd)

Where a Customer obtains Tandem Connect Switched Access Service, calls to and from Company NPA-NXXs located in the same local access and transport area in which the Customer connects to the Company's network shall be rated as Local Connect Switched Access Service, irrespective of whether such service is separately ordered for such NPA-NXXs.

When a customer has established a connection to the Company's network in order to obtain Tandem Connect Switched Access Service, the customer may use the same connection facilities to deliver to the Company any switched access traffic (interstate or intrastate) bound for the Company from the customer. The rates applicable to the termination of all such traffic shall be determined by the traffic terms that apply to such traffic.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 42
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(2) Tandem Connect Switched Access Service (Cont'd)

Third-Party Tandem Connect Switched Access Service is provided in conjunction with a third-party provider of tandem switching in cases where the Company's Switch serving the End User subtends such third-party tandem switch. Third Party Connect Switched Access Service consists of circuits from the point of interconnection with Customer's third-party tandem provider to the Company's End Office Switch. This Third Party Tandem Connect rate category is comprised of a Minutes of Use (MOU) based End-Office switching and tandem switched transport charges. Charges are computed in accordance with Section 2.6.8 preceding (Ordering, Rating, and Billing of Access Services Where More Than One Local Exchange Carrier is Involved). Subject to and as specified there, with Third Party Tandem Connect Switched Access Service, Customer will pay Company for End Office switching and port charges, and carrier common line charges, as set forth in Section 5 and, typically, an appropriate portion of transport mileage as set out in Section 5.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 43
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(2) Tandem Connect Switched Access Service (Cont'd)

Third-Party Tandem Connect Switched Access Service is available only with respect to (a) Company End Office switches that subtend a third party's tandem switch, and (b) on an incidental and transitional basis, Company End Offices that subtend a Company tandem, but where physical connections exist that permit the delivery of incidental traffic to the Company's End Office switch via the third party tandem switch.

The Company will provide, upon request, an identification of the tandem switch (Company or third party) that each of its End Offices subtends. The Company will also reflect the tandems that each of its End Offices subtends in the Local Exchange Routing Guide or successor industry document.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 44
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(2) Tandem Connect Switched Access Service (Cont'd)

- Rates Applicable To Tandem Connect Service

Entrance Facility/Direct Trunked Transport

To obtain Tandem Connect Service, the Customer must obtain a connection from its Premises to a Company tandem switch. To obtain that connection the Customer must purchase a combination of Entrance Facilities, Direct Trunked Transport, and DS1 switch ports, as well as multiplexing, if applicable, subject to the Rate Schedule. The Company will provide a Customer with a list of its tandem switch locations upon request, including a list of the Company and third-party End Offices that subtend each tandem.

Subject to the Rate Schedule, the Direct Trunked Transport rate shall be applied per DS1-level, DS-3 level, or higher-level connection (for states in which multiple data rate options are available), at the appropriate per-month and per-mile rate(s) specified in the Rate Schedule of this tariff. The Per Mile amounts shall be charged monthly and shall be calculated based on the distance between the Customer's premises and the Company tandem switch to which the Customer seeks to connect, calculated in accordance with Section 2.9.3 of this Tariff.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 45
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(2) Tandem Connect Switched Access Service

- Rates Applicable To Tandem Connect Service (Cont'd)

(a) Multiplexing

The Company's network normally requires traffic delivered to its switches at the DS1 level. If a Customer chooses to obtain mutliplexing/demultiplexing services to convert DS3 to DS1 level signaling, the Customer may obtain that service from the Company at the rates stated in the Rate Schedule. These rates apply per minute of traffic multiplexed or demultiplied. If multiplexing between other data rates is required, the Company may provide such services on a Special Construction basis.

(b) Switch Ports

For each DS1 port on the Company tandem switch, the per-minute port charge specified in the Rate Schedule of this Tariff shall apply to each originating and terminating minute of use.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 46
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(2) Tandem Connect Switched Access Service

- Rates Applicable To Tandem Connect Service (Cont'd)

(c) Per-Minute Tandem Switched Transport Rates

For each minute of use (originating or terminating) a Customer transmits to or receives from a Company tandem switch, the per-minute-of-use (including per-minute-per-mile) rates specified in the Rate Schedule shall apply, except as specified below:

· The charges specified in the Rate Schedule shall not apply to any traffic bound for a Company end office switch located in the same local access and transport area as the company tandem switch to which the Customer is connected.

· For Company or third party end office switches located in a local access and transport area different from the one where the Company tandem switch is located, the "rates per access minute per mile" shall be calculated using mileage calculated in accordance with Section 2.9.3, but with mileage capped at ten (10) miles of transport.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 47
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(2) Tandem Connect Switched Access Service

- Rates Applicable To Tandem Connect Service (Cont'd)

(d) Per-Minute End Office Rates

For each originating minute of use a Customer receives from a Company switch, the per-minute-of-use local switching charge stated in the Rate Schedule shall apply. For each terminating minute of use a Customer send to a Company switch, the per-minute-of-use local switching charge stated in the Rate Schedule shall apply. For each originating and each terminating minute of use, the per-minute-of-use port charges as specified there shall also apply as stated in the Rate Schedule.

(e) Database Query Rates

To the extent that End Users originate toll free calls that are routed via Local Connect Service, the Company shall impose the charges stated in the Rate Schedule.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 48
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(2) Tandem Connect Switched Access Service (Cont'd)

- Rates Applicable To Third-Party Tandem Connect

The rates that apply for Third-Party Tandem Connect service are: (i) a tandem switched transport rate, as set out in the Rate Schedule, determined in accordance with Section 2.6.8 of this tariff; and (ii) all applicable end office rates, as specified in the Rate Schedule (but not including entrance facility, direct trunk transport, or multiplexing charges).

Charges in addition to those noted above may apply in accordance with this tariff for other services and functions provided to the Customer, including, without limitation, non-recurring charges, order processing charges, and special construction charges. In addition, as provided in this tariff, if the Company does not have facilities available to meet a Customer's specific request for service, the Company may provide such services on a special construction basis.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 49
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories (Cont'd)

(3) Entrance Facility/Direct Trunked Transport

Local Connect and Tandem Connect arrangements require the establishment of a connection between the Customer's premises and the relevant Company switch(es). Such connection is established using an Entrance Facility/Direct Trunked Transport arrangement as described in this section.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 50
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(3) Entrance Facility/Direct Trunked Transport (Cont'd)

An Entrance Facility/Direct Trunked Transport element provides the communication path for the sole use of the Customer between a Customer's Premises in a local access and transport area and a Telephone Company switch that is used to provide switched access services to the Customer. As described in Section 5 of this Tariff, the Entrance Facility/Direct Trunked Transport element consists of a fixed monthly charge and a charge per mile per month, with mileage measured from the Customer's Premises to the relevant Telephone Company switch. This arrangement is required whether the Customer's Premises and relevant Telephone Company switch are located in the same or different buildings (although where they are in the same building a zero-mileage rate would apply). Where facilities are available at the time of a Customer order, the Company will provide the Entrance Facility/Direct Trunked Transport at the rates specified in Section 5, following. Where facilities are not available at the time of a Customer order, the Customer may self-provision a connection from its Premises to the applicable Company point of interconnection, or the Company may provide the Entrance Facility on a Special Construction basis.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 51
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories

(3) Entrance Facility/Direct Trunked Transport. (Cont'd)

If a Customer has no Premises or facilities in the local access and transport area where a Company switch is located to which the Customer seeks to connect, the Company will arrange for transport from a mutually agreeable location in the local access and transport area where the Customer has Premises or facilities to the local access and transport area where the relevant Company switch is located. Due to the variability of possible arrangements affected by this provision, the rate(s) applicable to any such arrangement will be developed on an individual basis. In determining the rate for an arrangement, the Company will treat the distance component of any transport provided as capped at 10 miles.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 52
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

b. Rate Categories (Cont'd)

- (4) Multiplexing. The Company's switches use DS1 ports. A Customer may choose to deliver traffic to or receive traffic from the Company at the DS3 level, in which case multiplexing charges will apply as set forth in Section 5, following.
- (5) Switch Port. An Entrance Facility/Direct Trunked Transport arrangement will terminate in one or more DS1 ports on the relevant Company switch. Charges for these ports will apply as set forth in Section 15, following.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 53
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements (Cont'd)

c. Design Layout Report

At the request of the Customer, the Company will provide to the Customer the makeup of the facilities and services provided from the Customer's Premises to the first point of switching. This information will be provided in the form of a Design Layout Report. The Design Layout Report will be provided to the Customer at no charge.

d. Acceptance Testing

At no additional charge, the Company will, at the Customer's request, cooperatively test, at the time of installation, the following parameters: loss, C-notched noise, C-message noise, 3-tons slope, d.c. continuity and operational signaling.

e. Ordering Options and Conditions

Switched Access Service is ordered under the Access Order provisions set forth in Section 3.1.1. Also included in that section are other charges which may be associated with ordering Switched Access Service.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 54
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements (Cont'd)

f. Competitive Pricing Arrangements

At no additional charge, the Company will, at the Customer's request, cooperatively test, at the time of installation, the following parameters: loss, C-notched noise, C-message noise, 3-tons slope, d.c. continuity and operational signaling.

g. Determination of Charges

(1) Except as set forth in (2) below, and 3.1.2 above, the Originating Access, per minute charge(s) apply to:

- (a) all Originating Access minutes of use, associated with calls placed to 700 numbers, Toll Free 8YY and 900 numbers for which the Customer furnishes service
- (b) all Originating Access minutes of use where the off-hook supervisory signaling is forwarded by the customer's equipment when the called party answers.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 55
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

g. Determination of Charges (Cont'd)

(2) Exception: Subject to 3.1.2 above, the following are exempted from the application of the originating access charge elements of Carrier Common Line, End Office Switching, Switched Transport, and Switched Termination.

(a) all Originating Access minutes of use associated with calls placed to 700 numbers, Toll Free 8YY and 900 numbers where such traffic utilizes the Toll-Free Inter-Exchange Delivery Service in Section 3.1.3(C).

(b) all Originating Access minutes of use originating from a wireless carrier's Mobile Telephone Switching Offices (MTSOs), including any MTSO owned by the Company.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 56
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

g. Determination of Charges (Cont'd)

- (3) There are three types of rates and charges that apply to Switched Access Service. These are Monthly Recurring Charges, Usage Rates and Non-Recurring Charges.

Monthly Recurring Charges: Monthly Recurring Charges are flat rates for facilities that apply each month or fraction thereof that a specific rate element is provided.

Usage Rates: Usage Rates are rates that are applied on a per access minute or per query basis. Usage rates are accumulated over a monthly period.

Non-Recurring Charges: Non-Recurring Charges are one-time charges that apply for a specific work activity (i.e., installation of new service or change to an existing service).

Installation of Service: Non-Recurring Charges apply to each Switched Access Service installed. The charge is applied per line or trunk.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 57
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements (Cont'd)

h. Application of Rates

(1) Third-Party Tandem Connect

The rates that apply for Third-Party Tandem Connect service are: (i) a tandem switched transport rate; and (ii) all applicable end office rates, (but not including entrance facility, direct trunk transport, or multiplexing charges).

(2) Billing of Access Minutes

When recording originating calls over FGD with SS7 signaling, usage measurement begins with the transmission of the initial address message by the switch for direct Trunk groups associated with Local Connect Switched Access Service and with the receipt of an exit message by the switch for tandem Trunk groups associated with Tandem Connect Switched Access Service or Third-Party Tandem Connect Switched Access Service. The measurement of originating FGD usage ends when the entry switch receives or sends a release message, whichever occurs first.

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P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 58
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

2. Provision and Description of Switched Access Service Agreements

h. Application of Rates

(2) Billing of Access Minutes (Cont'd)

For terminating calls over FGD with SS7 signaling, the measurement of access minutes begins when the terminating recording switch receives the initial address message from the Customer's network. The Company switch receives the initial address message and sends the indication to the Customer in the form of an answer message. The measurement of termination FGD call usage ends when the entry switch receives or sends a release message, whichever occurs first.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 59
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service (Cont'd)

3. Other Rate Categories

a. Toll Free Data Base Access Service

- (1) Toll Free Data Base Access Service is a service offering utilizing originating trunk side Switched Access Service to deliver Toll Free calls to the Company's Interexchange Carrier Customers. The service provides for the forwarding of end user dialed Toll-Free calls to a Company Service Switching Point which will initiate a query to the data base to perform the Customer identification and delivery function. The call is forwarded to the appropriate Interexchange Carrier Customer based on the dialed Toll-Free number. Records exchange, rating, and billing for Toll Free Data Base Access Service is subject to the provisions of the Multiple Exchange Carrier Access Billing Guidelines (MECAB).

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 60
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

3. Other Rate Categories

a. Toll Free Data Base Access Service (Cont'd)

(2) Customer Identification Charge

The Toll-Free Data Base Access Service Customer Identification Charge applies for the identification of the appropriate Interexchange Carrier Customer. The charge is assessed to the Customer on a per query basis and may include an area of service which may range from a single NPA/NXX to an area consisting of all LATAs and NPAs in the State of New York. The per query Customer Identification Charge is set forth in Rate Schedule of this tariff.

(3) Customer Delivery Charge

The Toll-Free Data Base Access Service Delivery Charge applies for the delivery of the dialed Toll-Free ten-digit number. The charge is assessed to the Interexchange Carrier Customer on a per query basis and may include an area of service which may range from a single NPA/NXX to an area consisting of all LATAs and NPAs in the State of New York. The per query Customer Delivery Charge is set forth in the Rate Schedule of this tariff.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 61
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

3. Other Rate Categories (Cont'd)

b. Reciprocal Compensation Arrangement

(1) General

Reciprocal Compensation Arrangements are available to Other Network Providers (ONPs) in the Rochester 974 LATA who are also certified providers of local exchange service and order Feature Group D access. Under a Reciprocal Compensation Arrangement, the Company compensates the ONP for Company local exchange and intraLATA toll traffic terminating on the ONP's network and the ONP compensates the Company for ONP local exchange and intraLATA toll traffic terminating on the Company's network. Any traffic generated for the primary purpose of increasing volumes from one network to another will not be counted for compensation. Reciprocal Compensation Arrangements do not apply to traffic which originates or terminates on a cellular carrier's network or a carrier's network outside the Rochester Telephone Corp. serving area.

The Carrier Common Line element shall not apply to Reciprocal Compensation Arrangements.

The Local Switching element shall apply to Reciprocal Compensation Arrangements.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 62
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

3. Other Rate Categories

b. Reciprocal Compensation Arrangement

(1) General (Cont'd)

The Local Transport element may apply to Reciprocal Compensation Arrangements. When traffic is in balance as defined below, the Local Transport element will not apply. In addition, the Local Transport element does not apply to traffic delivered over direct trunks to an end office where the ONP has ordered expanded Interconnection Service at a Company end office switch or the Company has obtained similar interconnection at an ONP location.

(2) Measurement of Access Minutes and Determination of Balance

The Company and the Other Network Provider will measure, on a monthly basis, the originating and terminating local usage exchanged between the two networks. Network traffic will be considered in balance when the difference between the Company's originating minutes which terminate on the ONP's network and the ONP's minutes which terminate on the Company's network is less than or equal to 10% of the smaller of the two values. Any traffic generated for the primary purpose of increasing volumes from one network to another will not be counted for determination of balance.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 63
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

3. Other Rate Categories

b. Reciprocal Compensation Arrangement

(2) Measurement of Access Minutes and Determination of Balance (Cont'd)

All traffic subject to a Reciprocal Compensation Arrangement will be considered terminating for usage measurement purposes, (e.g., Company traffic is terminating to the ONP and ONP traffic is terminating to the Company). Usage measurement will begin when the Company entry switch receives the answer supervision from the Company's end user's end office or from the ONP's point of termination, whichever occurs later. Usage measurement will end when the Company entry switch receives disconnect supervision from the Company's end user's office or from the ONP's point of termination, whichever occurs first.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 64
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

3. Other Rate Categories (Cont'd)

c. Toll Free Inter-Exchange Delivery Service

Toll Free Inter-Exchange Delivery Service is an access service in which the Company transports Toll Free traffic originated by a third party who is not an end user or other user of the Company's local exchange or exchange access service through its wire center to an Interexchange Carrier Customer. It provides for the use of the Tandem Switching, Tandem Termination, and Tandem Transport facilities of the Company. In a Toll-Free Inter-Exchange Delivery Service call, the Company will not charge Carrier Common Line, Local End Office Switching, or End Office Port charges. The rates for Toll Free Inter-Exchange Delivery Service set forth in the Rate Schedule of this tariff are usage sensitive. Records exchange, rating, and billing for Toll Free Inter-Exchange Delivery Service is subject to the provisions of the Multiple Exchange Carrier Access Billing Guidelines (MECAB).

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 65
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.1 ACCESS SERVICES

3.1.2 Rate Categories

D. Switched Access Service

3. Other Rate Categories (Cont'd)

d. Pay Telephone Compensation

When a Toll-Free number is dialed from a payphone and carried over the Company's facilities to an Interexchange Carrier Customer, the Interexchange Carrier Customer, or a successive carrier, may be responsible for compensating the Pay Telephone Service Provider ("PSP") in accordance with the rules prescribed by the Federal Communications Commission ("FCC"). If the Interexchange Carrier Customer is not capable of reporting and/or remitting Pay Telephone Compensation as prescribed by the FCC, it may contract with the Company to provide that service for an additional fee. Unless the Interexchange Carrier requests such service, no Pay Telephone Compensation charge will be assessed by the Company to the Interexchange Carrier.

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NY2019-013

Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 66
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.1 Presubscription

- A. Presubscription is an arrangement whereby an end user may select and designate to the Company an interexchange carrier (INTERCONNECTION) to access, without an access code, for intrastate interLATA calls. This INTERCONNECTION is referred to as the end user's Primary Interexchange Carrier (PIC). The end user may select the Company as its PIC or may select any other INTERCONNECTION that orders originating Feature Group D Switched Access Service at the end office that serves the end user. After the end user's initial selection of a predesignated INTERCONNECTION, for any additional change in selection, a non-recurring charge, as set forth in Section 5.2.1, applies.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 67
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.1 Presubscription (Cont'd)

- B. New end users who are served by end offices equipped with Feature Group D, will be asked to presubscribe to an INTERCONNECTION at the time they place an order with the Company for Exchange Access Service. They may select either of the following options. There will be no additional charge for this initial selection

-Designate an INTERCONNECTION as a PIC and dial 10XXX or 101XXXX to reach other ICs.

-Designate that they do not want to be presubscribed to any INTERCONNECTION and choose to dial 10XXX or 101XXXX for all calls to all ICs.

Subsequent to the installation of Exchange Access Service, and after the end user's initial selection of a PIC, for any additional change in selection, a nonrecurring charge as set forth in Section 5.2.1, applies. This charge is billed to the end user which is the subscriber to the Exchange Access Service and applies only for selection of an INTERCONNECTION which provides only intrastate service.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 68
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES (Cont'd)

3.2.2 Critical Facilities Administration Service

Critical Facilities Administration Service permits a Level 3 End User Customer that purchases at least one Subscribed Circuit to obtain information, upon written request, about the physical path of the Subscribed Circuit(s). A "Subscribed Circuit" is a Qualified Circuit that is subscribed to Critical Facilities Administration Service in accordance with this Section 8.8. A "Qualified Circuit" is a circuit, provided by Level 3 to an End User Customer using Level 3 facilities, that is enrolled by the End User Customer in the federal Telecommunications Service Priority (TSP) program. Critical Facilities Administration Service is only available for Qualified Circuits, and a circuit ceases to be a Qualified Circuit when either it is no longer provided by Level 3 using Level 3 facilities or is no longer enrolled in the federal TSP program. In no event is Level 3 obligated to provide information relative to any circuit other than Subscribed Circuit(s) purchased by the End User Customer.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 69
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.2 Critical Facilities Administration Service (Cont'd)

- 3.2.2.1 The End User Customer must apply in writing through its Level 3 representative for Critical Facilities Administration Service subscription approval, and the application must identify the Qualified Circuit(s) that the End User Customer seeks to subscribe to Critical Facilities Administration Service. In order to qualify for Critical Facilities Administration Service, an End User Customer must demonstrate to Level 3 in writing that each Qualified Circuit sought to be subscribed has been properly registered under the federal TSP program. Upon approval by Level 3, the End User Customer must execute a confidentiality agreement, supplied by Level 3, agreeing to treat as confidential all information provided pursuant to a Critical Facilities Administration Service request for data. No information will be provided until a confidentiality agreement is executed.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 70
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.2 Critical Facilities Administration Service (Cont'd)

3.2.2.2 Upon Level 3's approval of the End User Customer's subscription to Critical Facilities Administration Service and execution of the confidentiality agreement, the End User Customer will be provided, upon specific written request, with physical path information for Subscribed Circuit(s) in the form of documentation containing a description in sufficient detail, where and to the extent available, to be able to ascertain with a reasonable degree of accuracy the actual physical path of the requested Subscribed Circuit(s) ("Path Information"). Path Information obtained from a third party will contain as accurate a description of the relevant portion of the physical path of the Subscribed Circuit(s) as is provided by the third party to Level 3. Path Information will be provided within fifteen (15) business days of a written request, or within a time period as mutually agreed between the parties. This time period is subject to change if information from a third party is required. The Path Information provided represents that available at the time of the request and is subject to change. Level 3 will make reasonable efforts to notify the End User Customer when changes are made to the physical path of Subscribed Circuit(s), but any updates to Path Information will be provided under this Critical Facilities Administration Service only upon subsequent written request of the End User Customer.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 71
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.2 Critical Facilities Administration Service (Cont'd)

3.2.2.3 Critical Facilities Administration Service may be suspended at the sole discretion of Level 3 in the event of a major outage that directly or indirectly affects Subscribed Circuit(s). In such event, Level 3 will provide, upon written request, Path Information within ninety (90) days after the restoration of service, or such other time as mutually agreed between the parties.

3.2.2.4 Rates

Each Critical Facilities Administration Service request for information will be subject to a charge in an amount to be determined on an individual case basis depending upon the number of Subscribed Circuits in the request, whether information from a third party is required, and in what form the information is provided. In addition, any costs associated with obtaining Path Information from a third party will be passed on to the End User Customer.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 72
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.3 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority

Level 3 will arrange a Service for Telecommunications Service Priority (TSP) provisioning and/or restoration priority upon receipt of certification in conformance with Part 64, Subpart D, Appendix A, of the FCC's Rules and Regulations and in accordance with the following terms and conditions.

3.2.3.1 General

The Telecommunications Service Priority (TSP) Program is a federal program used to identify and prioritize telecommunications services that support national security or emergency preparedness (NS/EP) missions.

NS/EP services are defined as those telecommunications services which are used to maintain a state of readiness or respond to and manage any event or crisis which causes or could cause injury or harm to the population, damage or loss to property, or degrades or threatens the NS/EP posture of the United States.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 73
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.3 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority

3.2.3.1 General (Cont'd)

TSP restoration and/or provisioning shall be provided in accordance with Part 64, Appendix A of the Federal Communications Commission's Rules and Regulations (47 C.F.R.), the "Service Vendor Handbook For The Telecommunications Service Priority (TSP) Program" and the "Service User Manual for the Telecommunications Service Priority (TSP) System" (NCS Manual 3-1-1) (Service User Manual) issued and updated as necessary by the Office of Priority Telecommunications (OPT) of the National Communications System. Any changes to or reissuance of these regulations or manuals supersede tariff language contained herein.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 74
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.3 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority

3.2.3.1 General (Cont'd)

TSP restoration and/or provisioning shall be provided in accordance with Part 64, Appendix A of the Federal Communications Commission's Rules and Regulations (47 C.F.R.), the "Service Vendor Handbook For The Telecommunications Service Priority (TSP) Program" and the "Service User Manual for the Telecommunications Service Priority (TSP) System" (NCS Manual 3-1-1) (Service User Manual) issued and updated as necessary by the Office of Priority Telecommunications (OPT) of the National Communications System. Any changes to or reissuance of these regulations or manuals supersede tariff language contained herein.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 75
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.3 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority (Cont'd)

3.2.3.2 The TSP program has two components, restoration and provisioning.

A restoration priority is applied to new or existing telecommunications services to ensure restoration before any other services during a service outage. TSP restoration priorities must be requested and assigned before a service outage occurs.

A provisioning priority is obtained to facilitate priority installation of new telecommunications services during a service outage. Provisioning on a priority basis becomes necessary when an end-user has an urgent requirement for a new NS/EP service that must be installed immediately or by a specific due date that can be met only by a shorter than standard or expedited Level 3 provisioning time frame. As a matter of general practice, existing TSP services will be restored before provisioning new TSP services.

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Level 3 Communications, LLC
P.S.C. NO 10 - TELEPHONE
Competitive Access Service
Effective Date: October 17, 2019

Section 3
Leaf 76
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.3 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority (Cont'd)

3.2.3.3 The rates and charges applicable to TSP restoration and/or provisioning services are set forth in Section 3.2.3.9.

3.2.3.4 TSP Request Process – Restoration

To request a TSP restoration priority assignment, a prospective TSP user must:

3.2.3.4.1 Determine that the user's telecommunications service supports an NS-EP function under one of the following four TSP categories:

- i. National Security Leadership
- ii. National Security Posture and U.S. Population Attack Warning
- iii. Public Health, Safety, and Maintenance of Law and Order
- iv. Public Welfare and Maintenance of National Economic Posture

3.2.3.4.2 Identify the priority level to be requested for the telecommunications service. The priority level is determined by the end-user's TSP category and service profile. The service profile defines the user's level of support to the portion of the telecommunications service that the user owns and operates, such as customer premises equipment or wiring. The five levels of priority and seven element groups that define the service profile are contained in the Service User Manual.

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Section 3
Leaf 77
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.3 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority (Cont'd)

3.2.3.4 TSP Request Process – Restoration (Cont'd)

3.2.3.4.3 Complete the TSP Request for Service Users form (SF 315) available on the National Communications System (NCS) website (<http://tsp.ncs.gov/>).

3.2.3.4.4 For non-federal users, have their TSP requests approved by a federal agency sponsor. Non-federal users should contact the OPT, at the NCS website (<http://tsp.ncs.gov/>), for information on identifying a sponsor for TSP requests.

3.2.3.4.5 Submit the SF 315 to the OPT.

3.2.3.4.6 Upon receipt of the TSP Authorization Code from the OPT, notify Level 3 and include the TSP Authorization Code in any service order to Level 3 requesting restoration of NS/EP services.

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Section 3
Leaf 78
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.3 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority (Cont'd)

3.2.3.5 TSP Request Process – Provisioning

To request a TSP provisioning priority assignment, a prospective TSP user must follow the same steps listed in 3.4.2 above for restoration priority assignment except for the following differences. The user should:

- 3.2.3.5.1 Certify that its telecommunications service is an Emergency service. Emergency services are those that support one of the NS/EP functions listed in 3.4.2.1 above and are so critical that they must be provisioned at the earliest possible time, without regard to cost to the user.
- 3.2.3.5.2 Verify that Level 3 cannot meet the service due date without a TSP assignment.
- 3.2.3.5.3 Obtain approval from the end-user's invocation official to request a provisioning priority. Invocation officials are designated individuals with the authority to request TSP provisioning for a telecommunications service and include the head or director of a federal agency, commander of a unified/specified military command, chief of a military service, commander of a major military command, or state governor.

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Section 3
Leaf 79
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.3 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority (Cont'd)

3.2.3.6 Responsibilities of the End-User

End-users or entities acting on their behalf must perform the following:

- 3.2.3.6.1 Identify telecommunications services requiring priority.
- 3.2.3.6.2 Request, justify, and revalidate all priority level assignments. Revalidation must be completed every 2 years and must be done before expiration of the end-user's TSP Authorization Code(s).
- 3.2.3.6.3 Accept TSP services by the service due dates.
- 3.2.3.6.4 Have Customer Premises Equipment (CPE) and Customer Premises Wiring (CPW) available by the requested service due date and ensure (through contractual means or otherwise) priority treatment for CPE and CPW necessary for end-to-end service continuity.
- 3.2.3.6.5 Pay Level 3 any authorized costs associated with priority services.

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Section 3
Leaf 80
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.3 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority (Cont'd)

3.2.3.6 Responsibilities of the End-User (Cont'd)

- 3.2.3.6.6 Report to Level 3 any failed or unusable services with priority levels.
- 3.2.3.6.7 Designate a 24-hour point of contact for each TSP request and apprise the OPT.
- 3.2.3.6.8 Cooperate with the OPT during reconciliation (comparison of NS/EP service information and resolution of any identified discrepancies) and revalidation.

3.2.3.7 Responsibilities of Level 3

- 3.2.3.7.1 Provide TSP service only after receipt of a TSP authorization code.
- 3.2.3.7.2 Revoke TSP services at the direction of the end-user or OPT.
- 3.2.3.7.3 Ensure that TSP Program priorities supersede any other telecommunications priority that may be provided (other than control services and order wires).
- 3.2.3.7.4 Designate a 24-hour point of contact to receive reports of TSP service outages from TSP service users.

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Section 3
Leaf 81
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.3 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority

3.2.3.7 Responsibilities of Level 3 (Cont'd)

- 3.2.3.7.5 Designate a 24-hour point of contact to coordinate TSP processes with the OPT.
- 3.2.3.7.6 Confirm completion of TSP service order activity to the OPT.
- 3.2.3.7.7 Participate in reconciliation of TSP information at the request of the OPT.
- 3.2.3.7.8 Ensure that all subcontractors complete reconciliation of TSP information with the service vendor.
- 3.2.3.7.9 Ensure that other carriers supplying underlying facilities are provided information necessary to implement priority treatment of facilities that support NS/EP services.
- 3.2.3.7.10 Assist in ensuring that priority level assignments of NS/EP services are accurately identified "end-to-end" by providing to subcontractors and interconnecting carriers the restoration priority level assigned to a service.
- 3.2.3.7.11 Disclose content of the NS/EP TSP database only as may be required by law.
- 3.2.3.7.12 Comply with regulations and procedures supplemental to and consistent with guidelines issued by the OPT.

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Section 3
Leaf 82
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.3 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority (Cont'd)

3.2.3.8 Preemption

When spare facilities are not available, it may be necessary for Level 3 to preempt the facilities required to provision or restore a TSP service. When preemption is necessary, non-TSP services may be preempted based on Level 3's best judgment. If no suitable spare or non-TSP services are available, Level 3 may preempt an existing TSP service to restore a TSP service with a higher restoration priority assignment. When preemption is necessary, prior consent of the service user whose service will be preempted is not required; however, Level 3 will make every reasonable effort to notify the preempted customer of the action to be taken.

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Section 3
Leaf 83
Revision 0
Superseding Revision:

3. SERVICE AND RATE DESCRIPTIONS

3.2 MISCELLANEOUS SERVICES

3.2.3 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority (Cont'd)

3.2.3.9 Telecommunications Service Priority Rates and Charges

- 3.2.3.9.1 A nonrecurring charge of \$235.00 per circuit applies to orders for TSP restoration and/or provisioning priority for new or existing circuits.
- 3.2.3.9.2 A monthly recurring charge of \$9.00 per circuit applies to orders for TSP restoration and/or provisioning priority for new or existing circuits.
- 3.2.3.9.3 Any additional actual costs incurred by Level 3 associated with the actual provision of TSP priority restoration and/or provisioning during an emergency or similar situation (e.g., maintenance and/or installation costs such as overtime incurred installing a priority circuit), including any charges of a third party, will apply to orders for TSP restoration and/or provisioning priority for new or existing circuits. Such charges will be determined on an individual case basis.

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