

Level 3 Communications, LLC  
P.S.C. NO 8 - TELEPHONE  
Competitive Local Exchange Carrier Service  
Effective Date: October 16, 2019

Section 6  
Leaf 1  
Revision 0  
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## **6. SPECIAL SERVICES AND PROGRAMS**

### **6.1 Special Equipment for the Hearing or Speech Impaired Customer**

- 6.1.1 The Company will provide, upon request, specialized telecommunications equipment for a customer certified as hearing or speech impaired.
- 6.1.2 A customer can be certified as hearing or speech impaired by a licensed physician, otolaryngologist, speech-language pathologist, audiologist or an authorized representative of a social agency that conducts programs for persons with hearing or speech impairments in cooperation with an official agency of the State of New York.
- 6.1.3 The Company will make every reasonable effort to locate and obtain equipment for a certified customer.
- 6.1.4 The customer may purchase equipment at a price not to exceed the actual purchase price (including any applicable shipping costs) the Company pays. The Company will also advise the customer who requests this equipment of the applicable terms for purchase.

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Issued by: Chantel Mosby

Director – Tariffs, CenturyLink  
100 CenturyTel Drive, Monroe, LA 71203

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## **6. SPECIAL SERVICES AND PROGRAMS**

### **6.2 Discounted Service for the Hearing or Speech Impaired Customer**

#### **6.2.1 General**

A handicapped person who has been certified to the Company as having a hearing or speech impairment which requires that he or she communicate over telephone facilities by means other than voice, and who either use non-voice equipment or make calls through an interpreter, will receive, upon application to the Company, a fifty percent (50%) discount on local measured rate service.

#### **6.2.2 Certification**

Acceptable certifications are:

- A. Those made by a licensed physician, otolaryngologist, speech-language pathologist or audiologist or an authorized representative of a social agency that conducts programs for persons with hearing or speech impairment in cooperation with an official agency of the State of New York, or
- B. A pre-existing certification establishing the impairment of hearing or speech such as those which qualify the handicapped person for social security benefits on the basis of total hearing impairment or for the use of facilities of an agency for a person with hearing or speech impairment.

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Director – Tariffs, CenturyLink  
100 CenturyTel Drive, Monroe, LA 71203

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### **6.2 Discounted Service for the Hearing or Speech Impaired Customer (Cont'd)**

#### **6.2.3 Qualification**

A customer qualifying for the discount is one whose impairment is such that competent authority would certify him or her as being unable to use a telephone for voice communication. See Section 8, "Handicapped Person," for a listing of the necessary qualifications.

#### **6.2.4 Billing**

The reduction in charges is applied only at one location, designated by the impaired person.

### **6.3 Universal Emergency Telephone Number Service**

#### **6.3.1 General**

Universal Emergency Telephone Number Service (911 Service) is an arrangement of Company central office and trunking facilities whereby any telephone user who dials the number 911 will reach the emergency report center for the telephone from which the number is dialed or will be routed to an operator if all lines to an emergency report center are busy. If no emergency report center customer exists for a central office entity, a telephone user who dials the number 911 will be routed to an operator. The telephone user who dials the 911 number will not be charged for the call.

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Director – Tariffs, CenturyLink  
100 CenturyTel Drive, Monroe, LA 71203

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### **6.3 Universal Emergency Telephone Number Service**

#### **6.3.2 Regulations**

- A. This service is furnished to municipalities and other governmental agencies only for the purpose of voice reporting of emergencies by the public. For this service, the municipality or government agency(s) designated by the customer as responsible for the control and staffing of the emergency report center is referred to as the AAgency@.
- B. When 911 service replaces an existing emergency number, intercept service shall be the responsibility of the Agency. However, if the Agency is unable to provide this service, the operator will intercept and forward requests for emergency aid for a period of at least one year
- C. 911 service is furnished for incoming calls only.

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Director – Tariffs, CenturyLink  
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### **6.3 Universal Emergency Telephone Number Service**

#### **6.3.3 Conditions of Furnishing Service**

This service is offered solely as an aid in handling assistance calls in connection with fire, police, medical, and other emergencies. The Company is not responsible, in the absence of gross negligence or willful misconduct, for any losses, claims, demands, suits, or any liability, whether suffered, made, instituted, or asserted by the customer or by any other party or person, for any personal injury to or death of any person or persons, and for any loss, damage, or destruction of any property, whether owned by the customer or others, caused or claimed to have been caused by the installation, operation, failure to operate, maintenance, removal, presence, condition, location, or use of such facilities. By dialing 911, the customer agrees to release, indemnify, defend, and hold harmless the Company from any and all loss or claims, whatsoever, whether suffered, made, instituted, or asserted by the destruction of any property, whether owned by the customer or others. Notwithstanding any provision to the contrary, in no event shall the Company be liable for any special, incidental, consequential, exemplary, or punitive damages of any nature whatsoever.

The Company is not responsible for any infringement or invasion of the right of privacy of any person or persons, caused, or claimed to have been caused, directly or indirectly, by the installation, operation, failure to operate, maintenance, removal, presence, condition, occasion or use of the 911 service features and the equipment associated therewith, including, but not limited to, the identification of the telephone number, address or name associated with the telephone used by the party or parties accessing the 911 service.

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Director – Tariffs, CenturyLink  
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### 6.4 Enhanced Universal Emergency Telephone Number Service

#### 6.4.1 General

Enhanced Universal Emergency Telephone Number Service (E911 Service) is a Call Delivery Network whereby any telephone user who dials the number 911 will reach a designated Public Safety Answering Point (PSAP). E911 Service is offered in the Company's serving area subject to the availability of stored program control central office facilities, Enhanced 911 software, and ANI equipment. The telephone user who dials the 911 number will not be charged for the call.

#### 6.4.2 Regulations

- A. This tariff does not provide for the inspection or constant monitoring of facilities to discover errors, defects, or malfunctions in the service, nor does the company undertake such responsibility. The Agency shall make such operational tests as in their judgment are required to determine whether the system is functioning properly for its use. The Agency shall promptly notify the Company in the event the system is not functioning properly.
- B. E911 information, consisting of the names, addresses, and telephone numbers of all telephone customers is confidential. The Company will release such information to the Agency periodically for the update of their systems.

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Director – Tariffs, CenturyLink  
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### **6.4 Enhanced Universal Emergency Telephone Number Service**

#### **6.4.2 Regulations (Cont'd)**

- C. The E911 calling party, by dialing 911, waives the privacy afforded by non-listed and non-published service to the extent that the telephone number (AANI@) and address (AALI@) associated with the originating station location are furnished to the PSAP, on a call by call basis, after an E911 call has been received.
- D. Service boundaries of the Company and political subdivision boundaries may not coincide. In the event that the Agency does not subscribe to Selective Routing, it must make arrangements to handle all 911 calls that originate from telephones served by Central offices in the local service areas (i.e., exchange) whether or not the calling telephone is situated on property within the geographical boundaries of the Agency's public safety jurisdiction.

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Director – Tariffs, CenturyLink  
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### **6.5 New York Relay Service**

#### **6.5.1 General**

The Company will provide access to a telephone relay center for Relay Service. The service permits telephone communications between hearing and/or speech impaired individuals who must use a Telecommunications Device for the Deaf (TDD) or a Teletypewriter (TTY) and individuals with normal hearing and speech. The Relay Service can be reached by dialing an 800 number. Specific 800 numbers have been designated for both impaired and non-impaired customers to use.

#### **6.5.2 Regulations**

- A. Only intrastate calls can be completed using the New York Relay Service under the terms and conditions of this tariff.
- B. Charges for calls placed through the Relay Service will be billed as if direct distance dialed (DDD) from the point of origination to the point of termination. The actual routing of the call does not affect billing.
- C. Calls through the Relay Service may be billed to a third number only if that number is within the State of New York. Calls may also be billed to calling cards issued by the Company or other carriers who may choose to participate in this service.

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Director – Tariffs, CenturyLink  
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### **6.5 New York Relay Service**

#### **6.5.2 Regulations (Cont'd)**

- D. The following calls may not be placed through the Relay Service:
1. calls to informational recordings and group bridging service;
  2. calls to time or weather recorded messages;
  3. station sent paid calls from coin telephones; and
  4. operator-handled conference service and other teleconference calls.

#### **6.5.3 Liability**

The Company contracts with an outside provider for the provision of this service. The outside provider has complete control over the provision of the service except for the facilities provided directly by the Company. In addition to other provisions of this Tariff dealing with liability, in the absence of gross negligence or willful misconduct on the part of the Company, the Company shall not be liable for and the customer, by using the service, agrees to release, defend, and hold harmless for all damages, whether direct, incidental or consequential, whether suffered, made, instituted, or asserted by the customer, or by any other person, for any loss or destruction of any property whatsoever, whether covered by the customer or others, or for any personal injury or death of, any person. Notwithstanding any provision to the contrary, in no event shall the Company be liable for any special, incidental, consequential, exemplary, or punitive damages of any nature whatsoever.

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Director – Tariffs, CenturyLink  
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## **6. SPECIAL SERVICES AND PROGRAMS**

### **6.6 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.

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.

### **6.7 Reserved for Future Use**

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Director – Tariffs, CenturyLink  
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## **6. SPECIAL SERVICES AND PROGRAMS**

### **6.8 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.

#### **6.8.1 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.

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 the these regulations or manuals supersede tariff language contained herein.

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Director – Tariffs, CenturyLink  
100 CenturyTel Drive, Monroe, LA 71203

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## **6. SPECIAL SERVICES AND PROGRAMS**

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

#### **6.8.2 The TSP program has two components, restoration and provisioning.**

- A. 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.
- B. 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.
- C. TSP Request Process – Restoration

To request a TSP restoration priority assignment, a prospective TSP user must: Determine that the user's telecommunications service supports an NS-EP function under one of the following four TSP categories:

1. National Security Leadership
2. National Security Posture and U.S. Population Attack Warning
3. Public Health, Safety, and Maintenance of Law and Order
4. Public Welfare and Maintenance of National Economic Posture

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Director – Tariffs, CenturyLink  
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## **6. SPECIAL SERVICES AND PROGRAMS**

### **6.8 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority**

#### **6.8.2 The TSP program has two components, restoration and provisioning**

##### **C. TSP Request Process – Restoration (Cont'd)**

5. 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.
6. Complete the TSP Request for Service Users form (SF 315) available on the National Communications System (NCS) website (<http://tsp.ncs.gov/>).
7. 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.
8. Submit the SF 315 to the OPT.
9. 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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Director – Tariffs, CenturyLink  
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### **6.8 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority**

#### **6.8.3 TSP Request Process – Provisioning**

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

- A. Certify that its telecommunications service is an Emergency service. Emergency services are those that support one of the NS/EP functions listed above and are so critical that they must be provisioned at the earliest possible time, without regard to cost to the user.
- B. Verify that Level 3 cannot meet the service due date without a TSP assignment.
- C. 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.

#### **6.8.4 Responsibilities of the End-User**

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

- A. Identify telecommunications services requiring priority.
- B. 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).

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Director – Tariffs, CenturyLink  
100 CenturyTel Drive, Monroe, LA 71203

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### **6.8 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority**

#### **6.8.4 Responsibilities of the End-User (Cont'd)**

- C. Accept TSP services by the service due dates.
- D. 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.
- E. Pay Level 3 any authorized costs associated with priority services.
- F. Report to Level 3 any failed or unusable services with priority levels.
- G. Designate a 24-hour point of contact for each TSP request and apprise the OPT.
- H. Cooperate with the OPT during reconciliation (comparison of NS/EP service information and resolution of any identified discrepancies) and revalidation.

#### **6.8.5 Responsibilities of Level 3**

Level 3 will perform the following:

- A. Provide TSP service only after receipt of a TSP authorization code.
- B. Revoke TSP services at the direction of the end-user or OPT.
- C. Ensure that TSP Program priorities supersede any other telecommunications priority that may be provided (other than control services and order wires).

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Director – Tariffs, CenturyLink  
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### **6.8 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority**

#### **6.8.5 Responsibilities of Level 3 (Cont'd)**

- D. Designate a 24-hour point of contact to receive reports of TSP service outages from TSP service users.
- E. Designate a 24-hour point of contact to coordinate TSP processes with the OPT.
- F. Confirm completion of TSP service order activity to the OPT.
- G. Participate in reconciliation of TSP information at the request of the OPT.
- H. Ensure that all subcontractors complete reconciliation of TSP information with the service vendor.
- I. Ensure that other carriers supplying underlying facilities are provided information necessary to implement priority treatment of facilities that support NS/EP services.
- J. 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.
- K. Disclose content of the NS/EP TSP database only as may be required by law.
- L. Comply with regulations and procedures supplemental to and consistent with guidelines issued by the OPT.

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Director – Tariffs, CenturyLink  
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### **6.8 Emergency/Crisis/Disaster Restoration and Provisioning – Telecommunications Service Priority (Cont'd)**

#### **6.8.6 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.

#### **6.8.7 Telecommunications Service Priority Rates and Charges**

- A. A nonrecurring charge of \$235.00 per circuit applies to orders for TSP restoration and/or provisioning priority for new or existing circuits.
- B. A monthly recurring charge of \$9.00 per circuit applies to orders for TSP restoration and/or provisioning priority for new or existing circuits.
- C. 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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Director – Tariffs, CenturyLink  
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## **6. SPECIAL SERVICES AND PROGRAMS**

### **6.9 Service and Promotional Trials**

#### **6.9.1 General**

The Company may establish temporary promotional programs wherein it may waive or reduce nonrecurring or recurring charges, to introduce a present or potential customer to a service not previously subscribed to by the customer.

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Director – Tariffs, CenturyLink  
100 CenturyTel Drive, Monroe, LA 71203