

Matrix Telecom, LLC
d/b/a Excel Telecommunications
P.S.C No. 3 - Telephone
Effective: November 5, 2018

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LOCAL EXCHANGE SERVICES

REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES APPLYING

TO LOCAL EXCHANGE SERVICES FURNISHED BY

MATRIX TELECOM, LLC D/B/A EXCEL TELECOMMUNICATIONS

WITHIN THE STATE OF NEW YORK. THIS TARIFF SUPERSEDES AND REPLACES IN

ITS ENTIRETY MATRIX TELECOM, INC. D/B/A EXCEL TELECOMMUNICATIONS'S

P.S.C. TARIFF NO. 9.

ALL OF THE SERVICES AND/OR PRODUCT OFFERINGS IN THIS TARIFF ARE AVAILABLE ONLY TO EXISTING EXCEL TELECOMMUNICATIONS CUSTOMERS OF RECORD EFFECTIVE APRIL 24, 2015.

Issued By:
Charles Griffin, Chief Executive Officer, 433 East Las Colinas Blvd., Suite 500, Irving, Texas 75039

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Contacting the Public Service Commission

In the case of a dispute between the Customer and the Company which cannot be resolved with mutual satisfaction, the Customer may file a complaint by contacting the New York State Department of Public Service by phone, online or by mail.

1. By Phone:

Helpline (for complaints/inquiries):
1-800-342-3377 for Continental United States or,
1-800-662-1220 for Hearing/Speech Impaired: TDD or,
518-472-8502 for fax

2. Online:

<http://www.dps.ny.gov/complaints.html> or,

3. By Mail:

NYS Department of Public Service
Office of Consumer Services
3 Empire State Plaza
Albany, NY 12223-1350

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EXPLANATION OF SYMBOLS

- (C) Indicates a Change in Regulations
- (D) Indicates a Discontinued Rate or Regulation
- (E) Indicates a Correction of an Error Made During a Revision
- (I) Indicates a Rate Increase
- (M) Indicates a Move of Text but no Change in Text, Rate or Regulation
- (N) Indicates a New Rate or Regulation
- (R) Indicates a Rate Reduction
- (T) Indicates a Change in Text but no Change in Rate or Regulation

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SECTION 1 - DEFINITIONS

The definitions specified herein apply to the intrastate local exchange services and facilities furnished by Matrix Telecom, LLC d/b/a Excel Telecommunications (hereinafter also referred to as “the Company”) in the State of New York.

ACCESS LINE - A central office line which provides access to the telephone network for local and long distance telephone services.

AIR LINE MEASUREMENT - The shortest distance between two points.

ANCILLARY DEVICES - All terminal equipment except telephone instruments, PBX-PABX systems, key systems and data services.

ANSWERING EQUIPMENT - Equipment that will automatically answer incoming calls and make an announcement. It may also be equipped to record messages.

APPLICANT - Any person, partnership, cooperative corporation, corporation, or any combination thereof requesting affirmative service or action from the Company.

AUTHORIZED USER - A person, firm or corporation (other than the customer) who has been authorized by the Company to communicate over a private line or channel according to the terms of the tariff and (1) on whose premises a station of the private line service is located or (2) who receives from or sends to the customer over such private line or channel communications relating solely to the business of the customer.

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SECTION 1 - DEFINITIONS - (Continued)

BUILDING - A structure under one roof, or two or more structures under separate roofs but connected by passageways, in which the wires or cables of the Company can be safely run provided the plant facility requirements are not appreciably greater than would normally be required if all structures were under one roof. In those cases where there are several structures under separate roofs but connected by passageways and the plant facility requirements for furnishing telephone service are appreciably greater than would normally be required if all the structures were under one roof, the term "Same Building" applies individually to each of the separate structures.

BUSINESS SERVICE - Telecommunications service furnished to customers where the primary or obvious use is of a business, professional or occupational nature.

CALL - An attempted communication, whether completed or not.

CALLING AREA- See Local Service Area.

CANCELLATION CHARGES - A charge applicable under certain conditions when application for service and/or facilities is canceled in whole or in part prior to the completion of the work involved or before contract period is completed.

CENTRAL OFFICE - A switching unit in a telecommunications system which provides service to the general public, having the necessary equipment and operating arrangements for the terminating and interconnecting of exchange lines and trunks or trunks only. There may be more than one central office in a building or exchange.

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SECTION 1 - DEFINITIONS - (Continued)

COMPANY – Matrix Telecom, LLC d/b/a Excel Telecommunications

CUSTOMER TROUBLE REPORT - Any oral or written report from a customer or user of telecommunications service received by the Company relating to a physical defect or to difficulty or dissatisfaction with the service provided by the Company's facilities.

DELINQUENT BILLS - Outstanding account balances which are not paid by the due date.

DEMARCATION POINT - The point of interconnection between the Company's communications facilities and the terminal equipment, protective apparatus or wiring at a subscriber's premises. The Demarcation Point is located on the customer's side of the Company's protector or equivalent, where a protector is not used, and consists of a modular jack or equivalent.

DIRECT CONNECTION - Connection of terminal equipment to the Company's exchange facilities by means other than acoustic and/or inductive coupling.

DIRECTORY - A book, or other tangible medium, which alphabetically lists each telephone customer with his/her address and telephone number.

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DIRECTORY ASSISTANCE SERVICE - A service provided to assist customers in obtaining telephone numbers which are or are not listed in a directory.

DIRECTORY ASSISTANCE CALL COMPLETION- A service provided that gives customers the option of having their local or intraLATA calls automatically completed when they request a telephone listing from the Directory Assistance (DA) operator.

DIRECTORY LISTING - The publication of a Company directory and/or directory assistance records, of information relative to a customer's telephone number, by which telephone users are able to ascertain the call number of a desired station.

DISCONNECT NOTICE - The written notice sent to a customer following billing, notifying the customer that service will be disconnected if charges are not satisfied by the date specified on the notice.

DISCONNECTION OF SERVICE - An arrangement made at the request of a customer or initiated by the Company for violation of tariff regulations by the customer, for a permanent interruption of telephone service. A "final" bill would be rendered showing moneys owed to the Company as of the date the service was disconnected.

ENTRANCE FACILITIES - Facilities extending from the point entrance on private property to the premises on which service is furnished.

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SECTION 1 - DEFINITIONS - (Continued)

EXCHANGE - A unit established by the Company for the administration of telecommunications service in a specified area for which a separate local rate schedule is provided. The area usually embraces a city, town, or village and its environs. It consists of one or more central offices, together with associated plant facilities used in furnishing telecommunications services in that area.

EXCHANGE AREA - The area within which the Company furnishes complete telephone service from one specific exchange at the exchange rates applicable within that area.

EXCHANGE LINE - Any circuit connecting an exchange access line with a central office.

EXCHANGE SERVICE - Exchange service is a general term describing as a whole, the facilities for local intercommunications, together with the capability to send and receive a specified or an unlimited number of local messages at charges in accordance with the provisions of this Tariff.

- (a) **Flat Rate Service:** A classification of exchange service furnished a customer under tariff provisions, for which a stipulated charge is made, regardless of the amount of use.
- (b) **Individual Line Service:** A classification of exchange service which provides that only one exchange access line shall be served by the circuit connected.

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SECTION 1 - DEFINITIONS - (Continued)

EXCHANGE SERVICE AREA - The area within which the Company furnishes complete local telephone service at the applicable exchange rates for that area.

EXTENDED AREA SERVICE - A type of telephone service furnished under tariff provisions whereby customers of a given exchange may complete calls to and/or may receive calls from one or more exchanges without the application of long distance message telecommunications charges.

FACILITIES - All the plant and equipment of the Company and all instrumentalities owned, licensed, used, controlled, furnished, or supplied for or by the Company, including any construction work in progress allowed by the Commission

FAMILY - A group of two or more persons related by blood, marriage or adoption and residing together. A primary family consists of the head of a household and all (one or more) other persons in the household related to the head of household. A secondary family comprises two or more persons such as guests, lodgers, or resident employees and their relatives, living in a household or quasi-household (other than the negligible number or such groups among inmates or institutions) and related to each other.

FLAT-RATE SERVICE - A classification of exchange service furnished a customer under tariff provisions for which a stipulated charge is made regardless of the amount of use.

FOREIGN EXCHANGE SERVICE - Exchange Service furnished under tariff provisions by means of a circuit connecting a customer's premises with a central office of an exchange other than that which regularly serves the exchange area in which the customer is located.

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SECTION 1 - DEFINITIONS - (Continued)

GENERAL EXCHANGE SERVICES - Services furnished by the Company connected to or associated with primary Local Exchange Service.

HARM - Electrical hazards to Company personnel, damage to Company equipment, malfunctions of Company billing equipment, and degradation of service to persons other than the user as well as the calling or called party.

HOUSEHOLD - A Household comprises all persons who occupy a dwelling unit, that is, a house, an apartment or other group of rooms or a room that constitutes separate living quarters. A Household includes the related persons (the head of the household and others in the dwelling unit who are related to the head of household) and also the lodgers and employees, if any, who regularly live in the house. A person living alone or a group of unrelated persons sharing the same dwelling unit as partners is counted as a Household.

ILEC - Incumbent Local Exchange Carrier.

INDIVIDUAL LINE SERVICE - A classification of exchange service furnished under tariff provisions which provides that only one exchange access line shall be served by the circuit connected.

INITIAL NONRECURRING CHARGE - A nonrecurring charge made for the furnishing of telephone services, which may apply in addition to service connection charges.

INITIAL SERVICE PERIOD - The minimum period of time for which service is provided.

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SECTION 1 - DEFINITIONS - (Continued)

INSTALLATION CHARGE - A nonrecurring charge associated with optional service features and may sometimes be called an "initial" charge and may apply in addition to Service Connection Charges.

INTERCEPT SERVICE - A service arrangement provided by the Company whereby calls placed to a disconnected or discontinued telephone number are intercepted and the calling party is informed by an operator or by a recording that the called telephone number has been disconnected, discontinued, changed to another number, or that calls are received by another telephone.

INTERFACE

- (a) The junction or point of interconnection between two systems or equipment's having different characteristics which may differ with respect to voltage, frequency speed of operation, type of signal and/or type of information coding including the connection of other than Company-provided facilities to exchange facilities provided by the Company.
- (b) The point of interconnection between Company equipment and communications facilities on the premises of the Customer. Also referred to as Demarcation Point.

INTERFACE EQUIPMENT - Equipment provided by the Company at the interface location to accomplish the direct connection of facilities provided by the Company with facilities provided by other than the Company.

INTRALATA - Long Distance Message Telecommunications Service where service point locations are within the same Local Access and Transport Area (LATA).

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SECTION 1 - DEFINITIONS - (Continued)

LOCAL ACCESS AND TRANSPORT AREA (LATA) - Denotes a geographic area established for the administration of telecommunications service. It encompasses designated local operating telephone company exchanges which are grouped to serve common, social, economic and miscellaneous purposes.

LOCAL CALLING AREA - See Local Service Area.

LOCAL CHANNEL - Applies to that portion of a channel which connects a station to the interexchange channel or to a channel connecting two or more exchange access lines within an exchange area.

LOCAL EXCHANGE SERVICE - Provides for telephone communication within the local service area in accordance with the provisions of this Tariff, including the use of exchange facilities required to establish connection between exchange access lines.

LOCAL MESSAGE - A communication between two access lines within the local service area of the calling telephone.

LOCAL MESSAGE CHARGE - The charge that applies for a completed message that is made when the calling access line and the called access line are both within the same local calling area where a local message charge is applicable.

LOCAL SERVICE - The intercommunication (by means of facilities connected with an applicable central office or offices and under the provisions of the Company and its tariff) between access lines located in the same exchange or in different exchanges between which no long distance (toll) rates or charges apply.

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SECTION 1 - DEFINITIONS - (Continued)

LOCAL SERVICE AREA (LOCAL CALLING AREA) - The area within which telephone service is furnished to customers under a specific schedule of exchange rates (flat or measured) and without toll charges. A local service area may include one or more exchange areas under extended area service arrangement.

LOCAL SERVICE CHARGE - The charge for furnishing facilities to enable a customer to send or receive telecommunications within the local service area. This local service calling area may include one or more exchange areas.

MAINTENANCE SERVICE CHARGE - A charge made by the Company when a service difficulty or trouble report results from customer-provided equipment or facilities.

MESSAGE - A communication between two exchange access lines. Messages may be classified as local or toll.

MILEAGE - The measurement (airline, route, etc.) upon which a charge for the use of part or all of a circuit furnished by the Company is based.

MINIMUM CONTRACT PERIOD - The minimum length of time for which a customer is obligated to pay for service, facilities and equipment, whether or not retained by the customer for such minimum length of time.

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SECTION 1 - DEFINITIONS - (Continued)

NETWORK CONTROL SIGNALING - The transmission of signals used in telecommunications systems which perform functions such as supervision (control, status, and charging signals), address signaling (e.g., dialing), calling and called number identification and audible tone signals (call progress signals indicating reorder or busy conditions, alerting coin denominations, coin collect and coin return tones) to control the operation of switching machines in a telecommunications system.

NETWORK CONTROL SIGNALING UNIT - The terminal equipment furnished, installed and maintained by the Company for the provisions of network control signaling.

NETWORK INTERFACE - See Interface.

NON-LISTED TELEPHONE NUMBER - A telephone number associated with an exchange line which, at the request of the customer, is not listed in a telephone directory but may be obtained from the Directory Assistance Operator.

NON-PUBLISHED TELEPHONE NUMBER - A telephone number associated with an exchange access line which, at the request of the customer, is not listed in a telephone directory and is not made available to the general public by the Company.

NONRECURRING CHARGE - A one-time charge associated with certain installations, changes or transfers of services, either in lieu of or in addition to recurring monthly charges.

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SECTION 1 - DEFINITIONS - (Continued)

ONE-PARTY SERVICE - Any exchange access line designed for the provision of exchange service to one premises.

OTHER COMMON CARRIER (OCC) - Denotes Specialized Common Carriers, Domestic and International Record Carriers and Domestic Satellite Carriers engaged in providing services authorized by the Federal Communications Commission.

OTHER COMMON CARRIER TERMINAL LOCATION - A discrete operational and equipment location of an OCC from which the OCC furnishes and administers common carrier communications services to its customers.

PERMANENT DISCONNECT - A discontinuance of service in which the facilities used in the service are immediately made available for use of another service.

PERSON - Includes individuals, partnerships, corporations, governmental bodies, associations and any other such entity.

PREMISES - Building or buildings on contiguous property (except railroad rights-of-way, etc.) not separated by a public highway.

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SECTION 1 - DEFINITIONS - (Continued)

PREMISES WIRING - All wire within a customer's premises, including connectors, jacks and miscellaneous materials associated with the wire's installation. Premises inside wire is located on the customer's side of the Company's premises protector. By definition, Customer Premises Inside Wire excludes riser, buried and aerial cable.

PREASSIGNED NUMBER - A telephone number preassigned before service is actually established.

PRESUBSCRIPTION - Presubscription is the process by which end user customers may select and designate to the Company an Interexchange Carrier (IXC) to access, without an access code, for interLATA/interstate or interLATA/intrastate calls. This IXC is referred to as the end user's predesignated IXC.

PREWIRING - Any inside wiring done at the location of a residence or business prior to the initial installation of telephone service.

PRIMARY TERMINATION - Applied to channels which extend beyond the continuous property of a customer or the confines of a single building housing the premises of more than one customer. Also, denotes the first termination of such a channel at a station or PBX on the continuous property of a customer. When more than one customer's premises is located within the same building, the first termination of such a channel at that building constitutes a "Primary Termination." For purpose of this definition, the location of a "Primary Termination" for channel services associated with "Switching System Services" is considered to be at the "Switching System Services" serving central office. When the "Switching System Services" serving central office is not in the same exchange as the main location, the "Mileage Service Area" center for the main location will be used in lieu of the "Switching System Services" serving central office.

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SECTION 1 - DEFINITIONS - (Continued)

PUBLISHED TELEPHONE NUMBER - A number which appears in a current telephone directory or is scheduled to appear in a forthcoming telephone directory, and which also appears in the information records for general public information.

RATE CENTER - A specified geographical location within an exchange area from which mileage measurements are determined for the application of rates between exchange areas.

REFERENCE LISTING - The listing of a generally accepted name of a firm or corporation followed by a reference to another listing.

RESIDENCE EXCHANGE ACCESS LINE - An exchange access line used to provide exchange telephone service to a residence customer.

RESIDENTIAL SERVICE - Telecommunications service furnished to customers when the actual or obvious use is for domestic purposes.

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SECTION 1 - DEFINITIONS - (Continued)

ROTARY LINE SERVICE - A central office service arrangement whereby a called busy line in a specified line group will automatically advance until an idle line or trunk is found.

SERVICE CALL - A visit to a customer's premises in connection with a service difficulty. See also Maintenance Service Charge.

SERVICE CHARGES - A nonrecurring charge applying to the provisions of telephone service.

SUBSCRIBER - Any person, firm, partnership, corporation, municipality, cooperative organization or governmental agency furnished communication service by the Company under the provisions and regulations of this tariff and responsible for the payment of charges and compliance with the rules and regulations of the Company.

SUPPLEMENTAL CONTRACT - A contract for service, equipment or facilities in addition to that provided for under the original contract.

SUSPENSION OF SERVICE - An arrangement made at the request of the customer or initiated by the Company, for temporarily interrupting service.

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SECTION 1 - DEFINITIONS - (Continued)

TARIFF - The schedule of the Company containing all rates, and charges stated separately by type or kind of service and the customer class, and the rules and regulations of the Company stated separately by type or kind of service and the customer class as filed with the Commission.

TELECOMMUNICATIONS SERVICES - The various services offered by the Company as specified in this tariff.

TELEPHONE NUMBER - A numerical designation assigned to a customer for convenience in operation and identification. The telephone numbers include the number prefix of a central office, which is termed "Central Office Designation".

TELEPHONE OR TELECOMMUNICATIONS NETWORK - The local telephone exchange and long distance message telecommunications facilities, or network; both interstate and intrastate.

TEMPORARY DISCONNECTION - See Suspension of Service.

TEMPORARY SERVICE - The provision of service definitely known to be required for a short period of time (generally less than twelve consecutive months) such as service furnished to building contractors, service to a convention, and service for seasonal business including resorts.

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SECTION 1 - DEFINITIONS - (Continued)

TERMINATION AGREEMENT - An agreement between the Company and the customer to provide or furnish certain lines or equipment representing a comparatively high investment or in lieu of a contribution to construction for temporary service whereby the customer agrees to compensate the Company in case the service is discontinued prior to the date specified in the agreement.

TERMINATION CHARGE - A charge made to liquidate a customer's obligation for termination of service prior to the expiration of the initial contract period.

TERMINATION OF SERVICE - The discontinuance of service or facilities provided by the Company, either at the request of the customer or by the Company, under its regulations concerning cancellation for cause.

TONE DIALING SERVICE - A classification of exchange service whereby calls are originated through the use of tone dial instruments in lieu of a rotary dial instrument.

TRUNK - A telephone communication path connecting a central office and customer premises equipment, used in the establishment of end-to-end service.

UNBUNDLED NETWORK ELEMENT - Physical and functional elements of the network that can be combined into a complete set in order to provide end-to-end circuits.

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SECTION 2 - RULES AND REGULATIONS

2.1 APPLICATION OF TARIFF

The rules and regulations contained in this Section apply to the services and facilities provided by the Company in the State of New York. When services and facilities are provided in part by the Company and in part by other connecting companies, the regulations of the Company apply to the portion of the services or facilities furnished by the Company. Failure on the part of the customer to observe these rules and regulations after due notice of such failure, automatically gives the Company the right to discontinue service to that customer.

2.1.1 In the event of a conflict between any rate, rule, regulation or provision contained in this tariff and any rate, rule, regulation or provision contained in the tariffs of Companies in which the Company concurs, the rate, rule, regulation or provision contained in this tariff shall prevail.

2.1.2 Should there be any conflict between this tariff and the Rules and Regulations of the Commission, the Commission's rules shall apply unless otherwise established by the courts.

2.2 AVAILABILITY OF FACILITIES

2.2.1 General

The Company's obligation to furnish, or continue to furnish, telecommunications service is dependent upon its ability to obtain, retain, and maintain, without unreasonable expense, suitable rights-of-way and facilities, and to provide for the installation of those facilities required to furnish and maintain that service.

Local Exchange Service is provided in the Local Service Areas as specified below:

2.2.2 Local Calling Scopes and Availability

The Company concurs with Incumbent Local Exchange Carrier(s') tariff offered by Verizon in the State of New York. Exchange Areas for all Customers whose premises are located in the Verizon territory will be the same as Verizon's service areas except where noted by service or rate element.

The exchanges which comprise the Excel service areas are specified respectively in Sections 2.2.2.A, 2.2.2.B and 2.2.2.C following.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.2 AVAILABILITY OF FACILITIES - (Continued)

2.2.2 Local Calling Scopes and Availability (Continued)

The Company concurs with Incumbent Local Exchange Carrier(s') tariff offered by Verizon in the State of New York. Exchange Areas for all Customers whose premises are located in the Verizon territory will be the same as Verizon's service areas except where noted by service or rate element.

The exchanges which comprise the Excel service areas are specified respectively in Sections 2.2.2.A, 2.2.2.B and 2.2.2.C following.

A. Zone 1 A (Manhattan)

Broad Street	Varick Street
Convent Avenue	West 18 th Street
East 30 th Street	West 36 th Street
East 37 th Street	West 42 nd Street
East 56 th Street	West 50 th Street
East 79 th Street	West 73 rd Street
East 97 th Street	West 176 th Street
Manhattan Avenue	West Street
Second Avenue	World Trade Center
Thayer Street	

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.2 AVAILABILITY OF FACILITIES - (Continued)

2.2.2 Local Calling Scopes and Availability (Continued)

B. Zone 1B (Major City) (Continued)

Mt. Vernon	Spring Valley	14 th Avenue
North Staten Island	State/Albany	115 th Avenue
North Jamaica	State/ Syracuse	14 th Street
New City	Syosset	71 st Street
New Dorp	Tarrytown	77 th Street
New Rochelle	Tiebout Avenue	
Newtown	Tratman Avenue	
Niagra Falls - 76 Street	Troy Avenue	
Niagra Falls - Portage	Troy 4 th Street	
Pearl River	Tuckahoe	
Plainview	West Seneca French	
Port Washington	West Staten Island	
Portchester	Wantagh	
Richmond Hill	Washington/Albany	
Rockaway Avenue	Westbury	
Ronkonkoma	White Plains	
Rye	Whitestone	
South Salina/Syracuse	Williamsburg	
South Staten Island	Williamsville	
Scarsdale	Yonkers	

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.2 AVAILABILITY OF FACILITIES - (Continued)

2.2.2 Local Calling Scopes and Availability (Continued)

C. Zone 2

Akron - NY	Belmont - NY
Albany - Karner - NY	Berne - NY
Albion - NY	Big Flats - NY
Alden - NY	Binghamton - 64
Alexandria Bay - NY	Henry - NY
Altamont - NY	Binghamton - Robert - NY
Amber - NY	Black River - NY
Amenia	Bliss - NY
Amsterdam - Pearl - NY	Bolivar - NY
Angelica - NY	Bolton Landing - NY
Angola	Boston - NY
Angola - NY	Brainardsville - NY
Antwerp - NY	Brewster - NY
Arcade - NY	Bridgeport - NY
Argyle - NY	Buffalo - South Park - NY
Arkport - NY	Bryon - NY
Attica - NY	Cairo - NY
Auburn - South St - NY	Callicoon - NY
Averill Park - NY	Cambridge - NY
Avoca - NY	Camden - NY
Baldwinsville - NY	Cameron - NY
Ballston - NY	Camillus -Gifford- NY
Barker - NY	Camillus - Ike- Dixon - NY
Barneveld - NY	Campbell - NY
Batavia	Canaseraga - NY
Batavia - Jackson - NY	Canastota - NY
Bath - NY	Canisteo - NY
Beacon	Canton - Maine - NY
Bedford Village - NY	Carmel - Dykeman Road - NY
Belfast - NY	Carthage - NY
	Castleton - NY

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.2 AVAILABILITY OF FACILITIES - (Continued)

2.2.2 Local Calling Scopes and Availability (Continued)

C. Zone 2 (Continued)

Caton - NY	Copenhagen
Catskill - NY	Coming
Cattaraugus - NY	Cornwall
Center Brunswick - NY	Cortland
Central Bridge - NY	Groto Ave
Chappaqua - NY	CRQTQN on Hudson
Chateaugay - NY	Cuba
Cherry Creek - NY	Cutchogue
Cherry Valley - NY	Dannemora
Chittennango - NY	Davenport
Cicero - NY	Delann
Clarence Center - NY	Delmar
Clarence - NY	Derby
Clarksville - NY	Dolgeville
Claverack - NY	Dover Plains
Clay - NY	Dunkirk
Clayton - NY	East Aurora
Cleveland - NY	East Glenville
Clifton Park - NY	East Greenbush
Clinton Comers - NY	East Hampton
Clinton - NY	Eden
Clintondale - NY	Edmeston
Clyde - NY	Elba
Cobleskill - NY	Elizabethtown
Cold Springs - Putnam - NY	Ellenburg Depot
Colton - NY	Ellenville
Commack - NY	Ellicottville
Congers - NY	Elmira
Constantia - NY	Endicott
Cooperstown - NY	Esperance
	Evans Mills - NY

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.2 AVAILABILITY OF FACILITIES - (Continued)

2.2.2 Local Calling Scopes and Availability (Continued)

C. Zone 2 (Continued)

Fabius - NY	Hamburg
Fallsburge - NY	Hamilton
Fayette - NY	Hampton Bays
Fayetteville - NY	Harrisville
Fishkill - NY	Hartford
Fleischmanns - NY	Hartwick
Forestville - NY	Herkimer
Fort Ann - NY	Hevelton
Fort Covington - NY	High Falls
Franklinville - NY	Highland Falls
Freehold - NY	Highland
Friendship - NY	Hobart
Galway - NY	Holland
Garrison - NY	Holley
Gasport - NY	Homer
Geneva - Castle St - NY	Hoosick Falls
Getzville - NY	Homell
Glens Falls - NY	Horseheads
Gowanda - NY	Hudson Falls
Grahmsville - NY	Hudson
Grand Gorge - NY	Hunter
Grand Island - NY	Huntington Station
Granville - NY	Hyde Park
Greenfield Center - NY	Ilion
Greenport - Suffolk - NY	Ithaca
Greenville - NY	Ithaca
Greenwitch - NY	Java
Greenwood Lake - NY	Jeffersonville
Groton - NY	Johnson City
Hague - NY	Jonesville

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.2 AVAILABILITY OF FACILITIES - (Continued)

2.2.2 Local Calling Scopes and Availability (Continued)

C. Zone 2 (Continued)

Jordan - NY	Madrid - NY
Katonah - NY	Mahopac - NY
Kattskill Bay - NY	Maine - NY
Keene Valley - NY	Malone - NY
Kendall - NY	Maplehurst - NY
Kerhonkson - NY	Mariaville - NY
Kingston - NY	Marion - NY
Lafarqevile - NY	Marlboro Massena - NY
Lafayette - NY	Mastic - NY
Lake George - NY	McDougall - NY
Lake Huntington - NY	McGraw - NY
Lake Katrine - NY	McLean - NY
Lake Placid -	Mechanicville - NY
NY Lancaster - NY	Medina - NY
Lansing - NY	Mexico - NY
Latham - NY	Middleport - NY
Lewiston - NY	Middletown - NY
Lexington - NY	Milford - NY
Liberty - NY	Millbrook - NY
Limestone - NY	Milton - NY
Lindley - NY	Mineville - NY
Little Falls - NY	Mino - NY
Little Valley - NY	Moira - NY
Livingston Manor - NY	Montauk - NY
Lockport - Walnut - NY	Monticello - NY
Lyndonville - NY	Moravia - NY
Lyon Mountain - NY	Morristown - NY
Lyons - NY	Mount Kisco - NY
Macedon - NY	New Paltz - NY
Machias - NY	

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.2 AVAILABILITY OF FACILITIES - (Continued)

2.2.2 Local Calling Scopes and Availability (Continued)

C. Zone 2 (Continued)

Newark-NY	Oyster Bay – NY
Newburgh-Liberty - NY	Palenville – NY
Newburgh - NY	Palmyra - NY
Newburgh-Union - NY	Parish - NY
Newfane-NY	Patchogue - NY
Newfield – NY	Patterson - NY
Niagara Falls - NY	Pawling - NY
Nichols - NY	Peekskill - NY
Norfolk – NY	Penn Yan - NY
North Clove – NY	Pem - NY
North Collons – NY	Philadelphia - NY
North Greenbush – NY	Philmont - NY
North Rose – NY	Phoenicia - NY
North Syracuse – NY	Pittstown - NY
Norwood – NY	Plattsburgh - NY
Nyack - NY	Pleasant Valley - NY
Oak Hill - NY	Pomona - NY
Oakfield - NY	Poplar Ridge - NY
Ogdensburg - NY	Port Henry - NY
Olen - NY	Port Jefferson Station - NY
Oneida - Lenox - NY	Portville - NY
Oneonta - Elm - NY	Potsdam - NY
Ontario - NY	Poughkeepsie - NY
Orangeburg - NY	Poughkeepsie - NY
Orchard Park - NY	Prattsville - NY
Ossining - NY	Purdys - NY
Oswego - Third Street – NY	Putnam - NY
Otego - NY	Putnam Valley - NY
Owasco - NY	Ransomville - NY
Owego – NY	Red Creek - NY

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2.2 AVAILABILITY OF FACILITIES - (Continued)

2.2.2 Local Calling Scopes and Availability (Continued)

C. Zone 2 (Continued)

Richfield Springs - NY	Skaneateles - NY
Richmondville - NY	Sloatsburg - NY
Riverhead - Grigging Ave - NY	Sodus - NY
Riverhead - NY	South Bethlehem - NY
Rochester - Genesee - NY	South Dayton - NY
Rome - 13 7 Washington - NY	South Salem - NY
Rosendale - NY	South Schenectady - NY
Roslyn	Springville - NY
Round Lake - NY	St Regis Falls - NY
Roxbury - NY	Stamford - NY
Rushford - NY	Stanfordville - NY
Sackets Harbor - NY	Star Lake - NY
Sag Harbor - NY	Suffern - NY
Salamanca - NY	Sylvan Beach - NY
Salem - NY	Syracuse - NY
Saranac - NY	Tannersville - NY
Saranac Lake - NY	Theresa - NY
Saratoga - NY	Ticonderoga- NY
Saugerties - NY	Tonawanda - NY
Savona - NY	Troy - NY
Schenectady - NY	Tully - NY
Schenevus - NY	Tupper Lake - NY
Schroon Lake- NY	Tuxedo - NY
Schuylerville - NY	Union Springs - NY
Senaca Falls - Cayuga - NY	Utica - NY
Setauket - NY	Vally Falls - NY
Sharon Springs - NY	Varysburg - NY
Shokan - NY	Voorheesville - NY
Shoreham	Waddington - NY
Silver Creek	

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2.2 AVAILABILITY OF FACILITIES - (Continued)

2.2.2 Local Calling Scopes and Availability (Continued)

C. Zone 2 (Continued)

Wanakah - NY
Wappingers Falls - NY
Warrensburg - NY
Waterloo - NY
Waterport - NY
Watertown - NY
Watkins Glen - NY
Waverly - NY
Weedsport - NY
Wellsville - NY
West Hampton Beach - NY
West Haverstraw - NY
West Seneca - NY
Westerlo - NY
White Lake - NY
Whitehall - NY
Whitesboro - NY
Williamson - NY
Willowvale - NY
Willsboro - NY
Wilson - NY
Windham - NY
Wingdale - NY
Wolcott - NY
Woodstock - NY
Worcester - NY
Worldcom Tech - NY
Yaphank - NY
Yorktown - NY
Youngstown - NY

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2.2 AVAILABILITY OF FACILITIES - (Continued)

2.2.3 Maps

The Company concurs with Verizon's local exchange maps reflecting base rate areas, exchange area, and zone area boundaries which are part of their local exchange tariff.

2.3 CUSTOMER SERVICE AND PROTECTION

This part of the Rules and Regulations Section of the tariff provides information to telephone consumers about: resolving disputes with the Company, applying for service, the classification of business and residential rates, deposits, billing, refusal of service, disconnection of service and cancellation of service. The Company relies on principles established by the Commission.

2.3.1 Resolution of Disputes

Any customer or applicant for service who wishes to dispute any action or determination of the Company under the Company's customer service rules shall be given an opportunity for a supervisory review by the Company.

2.3.2 Application for Service

Application for service, or requests from customers for additional service or changes in the grade or class of service, become contracts when received by the Company and are subject to the minimum contract term of one month unless specified otherwise. The Company reserves the right to require application for service to be made in writing on forms supplied by it.

Any general change in rates, rules or regulations modifies the terms of the contract to the extent of such change without further notice. However, if rates are increased, the customer may cancel his contract upon reasonable written notice and upon payment for all service and any contractual liability.

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2.3 CUSTOMER SERVICE AND PROTECTION - (Continued)

2.3.3 Refusal of Service

The Company may refuse service to a customer or applicant whose service has been discontinued for non-payment of bills for any telecommunications service. The customer or applicant will be required to pay all bills due the Company for telecommunications service or make other arrangements satisfactory to the Company to re-establish credit before service is restored or service started.

If service is established and it is subsequently determined that the customer or applicant is indebted to the Company for service previously furnished, the Company may suspend or terminate such service until satisfactory arrangements have been made for the payment of prior indebtedness.

2.3.4 Application of Business Or Residence Rates

A. Business rates apply at the following locations:

1. in offices, stores, factories, and all other places of a strictly business nature;
2. in boarding houses (except as noted below), offices of hotels, halls and offices of apartment buildings, quarters occupied by clubs, or lodges, public, private or parochial schools, colleges, hospitals, libraries, churches, and other similar institutions, except in churches and lodges as specified below;
3. at residence locations when the customer has no regular business telephone, and the use of the service either by himself, members of his household or his guests, or parties calling him can be considered as more of a business than a residential nature. This fact might be indicated by some form of Customer advertising, or when such business use is not typically characteristic of residential telephone usage;
4. at residential locations where the service is located in a shop, office or other place of business;

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2.3 CUSTOMER SERVICE AND PROTECTION - (Continued)

2.3.4 Application of Business Or Residence Rates (Continued)

A. Business rates apply at the following locations: (Continued)

5. in college fraternity houses where the members lodge within the house; and/or
6. at any location where the location and expected usage of telephone service at that location are indicative of a business, trade or profession.

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2.3 CUSTOMER SERVICE AND PROTECTION - (Continued)

2.3.4 Application of Business or Residence Rates - (Continued)

B. Residence rates apply at the following locations:

1. in a private residence where business listings are not provided;
2. in private apartments of hotels, rooming houses or boarding houses where service is confined to the customer's use and which are not advertised as a place of business;
3. in the place of residence of a clergyman, physician, nurse or other medical practitioner, provided the office is located in their residence and is not a part of an office building. In any such cases, the listing may indicate the customer's profession, but only in connection with an individual name. If listings of firms or partnerships, etc., or additional listings of persons not residing in the same household are desired, business rates apply;
4. in a private stable or garage when strictly a part of a domestic establishment;
5. in churches where the service is not accessible for public use as in a clergyman's study; and/or
6. in fire department dormitories or sleeping quarters where the telephone number is not published, and the telephone is not available for use by the general public.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.3 CUSTOMER SERVICE AND PROTECTION - (Continued)

2.3.5 Deposits

A. Requirements for Permanent Residential Applicants

1. The Company may require a residential applicant for service to establish satisfactory credit, but establishment of credit shall not relieve the customer from complying with rules for prompt payment of bills. Credit history shall be applied equally for a reasonable period of time to a spouse or former spouse who shared the service. Credit history maintained by one must be applied equally to the other without modification and without additional qualifications not required of the other.
2. Subject to the following condition, a residential applicant may not be required to pay a deposit:
 - a if the residential applicant has been a customer of any telephone company within the last two years and is not delinquent in payment of any such telephone service account and during the last twelve (12) consecutive months of service did not have more than one occasion in which a bill for such service was paid after becoming delinquent and never had service disconnected for nonpayment;
3. The Company may require an initial deposit from residential customers if:
 - a the customer has on more than one occasion during the last twelve(12) consecutive months of service been delinquent in paying a bill for telephone service; or
 - b the customer's service was disconnected for nonpayment.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.3 CUSTOMER SERVICE AND PROTECTION - (Continued)

2.3.5 Deposits - (Continued)

B. Requirements for Business Service Customers

If the credit of a business applicant for service has not been satisfactorily established to the Company, the applicant may be required to make a deposit.

C. Establishment and Reestablishment of Credit

An applicant who had previously been a customer of the Company and whose service had been discontinued for nonpayment of bills shall be required, before service is rendered, to pay all amounts due the Company, or execute a deferred payment agreement, if offered, to reestablish credit.

The Company may conduct a credit investigation of each customer or applicant prior to accepting a service order, or customer deposit. A customer whose service has been discontinued by the Company for non-payment of bills for any telecommunications service will be required to pay all bills due the Company for telecommunications services or make other arrangements satisfactory to the Company and to re-establish credit before service is restored or any service started.

D. Amount of Deposit for Permanent Residential and Business Service

1. Initial Deposit - The initial deposit is an amount equivalent to one-twelfth (1/12) of the estimated annual billings including the charges of interexchange carriers where the Company provides billing for the interexchange carrier. The initial deposit for business service is an amount equivalent to one-sixth (1/6) of the estimated annual billings including the charges of interexchange carriers where the Company provides billing for the interexchange carrier.
2. Additional Deposit Requirements - The Company reserves the right to request additional deposit if needed.
3. In determining the amount of any deposit permitted in this tariff, no revenue from estimated telephone directory advertising will be used.

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2.3 CUSTOMER SERVICE AND PROTECTION - (Continued)

2.3.5 Deposits - (Continued)

E. Refund of Deposit

1. If service is not connected or after disconnection of service, the Company shall promptly and automatically refund the customer's deposit on the balance, if any, in excess of the unpaid bills for service furnished. A transfer of service from one premises to another within the service area of the Company shall not be deemed a disconnection within the meaning of these rules, and no additional deposit may be demanded unless in accordance with these rules.
2. When the customer has paid bills for service for twelve (12) consecutive residential billings or for twenty-four (24) consecutive business billings without having service disconnected for nonpayment and without having more than two occasions on which a bill was delinquent, and when the customer is not delinquent in the payment of current bills, the Company may refund the deposit, including interest, to the customer in the form of cash or credit to a customer's bill or void the guarantee.. If the customer does not meet these refund criteria, the deposit may be retained.

F. Deposit Not to Affect Regular Collection Practices

The fact that a deposit has been made shall in no way relieve the applicant or subscriber from complying with the Company's regulations as to advance payments and the prompt payment of bills on presentation, nor constitute a waiver or modification of the regular practices of the Company providing for the discontinuance of service for nonpayment of any sum due the Company for services rendered. The Company may discontinue service to any subscriber failing to pay current bills without regard to the fact that such subscriber has made a deposit with the Company (to secure the payment of such bills).

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2.3 CUSTOMER SERVICE AND PROTECTION - (Continued)

2.3.6 Billing and Payment For Service

A. General

The customer is responsible for payment of all charges for services furnished, including charges for service originated or accepted at the customer's access line.

Monthly rates for any service provided under this Tariff will apply for each month, or partial month. When a Customer cancels service or when service is discontinued by the Company during a billing cycle, new charges will not be assessed for billing periods subsequent to the discontinuance of service.

B. Disputed Bills

In the event of a dispute between a customer and the Company over any bill for utility service, the Company shall make an appropriate investigation and report the results to the customer.

1. The customer shall pay all charges for monthly service in advance. Payment is due on or before the due date which is not less than fifteen (15) days after issuance of the bill. The postmark, if any, on the envelope of the bill, or the issuance date on the bill, if there is no postmark on the envelope, shall constitute proof of the date of issuance. If the bill is not paid by the due date, the Company will notify the customer in writing that the account is delinquent. The Company may discontinue service not less than ten (10) days after written notice has been sent to the customer.
2. A one-time penalty not to exceed 4.0% may be made on delinquent commercial or industrial bills; however, no such penalty shall apply to residential bills under this section. Residential customers are assessed a late payment charge as set forth in Section 2.3.10.
3. Any applicant or one for whom an application is made, owing the Company for service furnished under a former contract, shall pay or make satisfactory arrangements for paying any bill outstanding and unpaid before any additional service will be furnished.

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2.3 CUSTOMER SERVICE AND PROTECTION - (Continued)

2.3.6 Billing and Payment For Service - (Continued)

C. Adjustments of Charges for Service Interruptions

In the event a customer's service is interrupted other than by the negligence or willful act of the customer and remains out of order for twenty-four (24) hours or longer after access to the premises is made available and after the customer reports to the Company that the service is out of order, the Company may make an appropriate adjustment to the customer's bill.

D. Alternative Payment Processing

Excel allows Customers to make payment for services rendered through alternative payment processing options, including but not limited to, credit card payments and automated clearing house ("ACH") transactions. Customers may make payment using alternative payment processing through EXCEL's Customer Care Center, the Company's internet website or other methods approved by Excel. The acceptance of alternative payment processing options for the satisfaction of the Customer's debts to Carrier shall not constitute a waiver by Carrier of its right to payment by legal tender.

Customers may elect to enroll in Excel's Recurring Payment Plan, whereby the Customer's payment is automatically processed by EXCEL each month through the Customer's selected alternative payment processing option.

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2.3 CUSTOMER SERVICE AND PROTECTION (Continued)

2.3.7 Discontinuance of Service

A. Discontinuance with Notice

Proper notice consists of a separate mailing or hand delivery at least ten (10) days prior to the stated date of disconnection. Telephone service may be disconnected after proper notice for any of the following reasons:

1. failure to pay a delinquent account for telephone service;
2. violations of the Company's rules pertaining to the use of service in a manner which interferes with the service of others or relating to the operation of nonstandard provided equipment, if a reasonable attempt has been made to notify the customer, and the customer has been afforded a reasonable opportunity to remedy the situation;
3. failure to comply with the Company's deposit arrangements in accordance with Section 2.3.5, preceding; and/or
4. a returned check from the customer.

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2.3 CUSTOMER SERVICE AND PROTECTION - (Continued)

2.3.7 Discontinuance of Service - (Continued)

B. Discontinuance without Notice

Telephone service may be disconnected without notice under either of the following conditions:

1. a known dangerous condition exists; and/or
2. service is connected without authority by a person who has not applied for service or who has reconnected service without authority.

C. Collection costs

The customer is responsible for all collection costs, including attorney's fees, incurred by the Company as a result of any breach of contract by the customer.

D. Disputes

In the event of a dispute between a customer and the Company, the Company shall not disconnect service pending completion of a supervisory review of the dispute as provided in Section 2.3.1, above.

2.3.8 Cancellation of Application For Basic Service

When the customer cancels an application for service prior to the start of installation of service, or prior to the start of special construction, no charge applies.

When installation of service has been started prior to the cancellation, a cancellation charge equal to the minimum service charge shall apply.

Where special construction has been started prior to the cancellation, a charge equal to the cost incurred in the special construction, less net salvage, applies. Installation or special construction for a customer is considered to have started when the Company incurs any expense in connection with the installation which would not otherwise have been incurred.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.3 CUSTOMER SERVICE AND PROTECTION - (Continued)

2.3.9 Returned Check Charge

In addition to any late payment charges specified in this tariff, the customer will be assessed a charge of \$20.00 for each check, bank draft, or electronic funds transfer submitted by the customer to the Company which a financial institution refuses to honor.

2.3.10 Late Payment Charge

If any portion of a Customer's payment is not received by the Company two business days prior to the next billing cycle, or if any portion of the payment is received by the Company in funds which are not immediately available upon presentment, a late payment charge shall be due to the Company. The late payment charge shall be the portion of the payment not received two business days prior to the next billing cycle, multiplied by 1.5%.

Late payment charges do not apply to the disputed portion of unpaid balances, if resolved in favor of the Customer. Any disputed portion of unpaid balances, if resolved in favor of the Company, may be subject to the late payment charge as of the original due date noted on the Customer's bill. Undisputed amounts of the same bill may be subject to the late payment charge if they remain unpaid by the due date noted on the Customer's bill.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.3 CUSTOMER SERVICE AND PROTECTION - (Continued)

2.3.11 Restoration of Service

If a Customer's service is restored after having been suspended and/or disconnected in accordance with this tariff but a Company service order to terminate such service has not been completed when such service is restored, the Customer may be required to pay a restoration of service charge.

When a Customer's service has been disconnected in accordance with this tariff and the service has been terminated through the completion of a Company service order, service will be re-established only upon the basis of an application for new service.

Service initiated after the discontinuance for non-payment will be subject to the standard non-recurring charges for new service as defined in Sections 3 and 4 of this tariff. Service that has been re-established may require the assignment of a new telephone number.

If any Company service has been suspended, restricted, or discontinued for nonpayment, service will be re-established upon receipt of all charges due, which includes charges for services and facilities during the period of restriction or suspension and which may include a service restoration fee. If the Customer has a history of payments returned for insufficient funds, the Company may require payment by cash, money order or certified check. If such payments are made by personal check, restoration of service will be effected upon bank clearance of the check.

If service is established and it is subsequently determined that the Customer is indebted to the Company for service previously furnished, the Company may restrict, suspend or terminate such service until satisfactory arrangements have been made for the payment of the prior indebtedness.

As Customer who has service restricted, suspended, or disconnected may be subject to all standard non-recurring charges defined in Sections 3 and 4 of this tariff during the restoration of service.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.4 USE OF SERVICE AND FACILITIES

2.4.1 Use of Service

- A. General - The customer is responsible for payment of all charges incurred, regardless of whether such charges are associated with his usage, or that of any of his authorized users.
- B. Transmitting Messages - The Company does not transmit messages but offers the use of its facilities for communications between its customers.
- C. Use of Lines of Other Companies - When suitable arrangements can be made, lines of other telephone companies may be used in establishing connections to points not reached by the Company's lines. In establishing connections with the lines of other companies, the Company is not responsible or liable for any action of the connecting company.
- D. Unauthorized Attachments or Connections - No unauthorized equipment, accessory, apparatus, circuit or device shall be attached to or connected with Company facilities. In case any such unauthorized attachment or connection is made, the Company shall have the right to remove or disconnect the same, to suspend service during the continuance of said attachment or connection or to disconnect service. The customer shall be held responsible for the cost of correcting any impairment of service caused by the use of such attachments or connections and shall be billed for each service call made to his premises because of the use of such attachments or connections.

Except as otherwise provided in this Tariff, nothing herein shall be construed to permit the use of a device to interconnect any Company-owned line or channel with any other communications line or channel of the Company or of any other person.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.4 USE OF SERVICE AND FACILITIES - (Continued)

2.4.2 Obligations of Customers

- A. Alterations - The customer agrees to notify the Company promptly in writing whenever alterations or new construction on premises owned or leased by him will necessitate changes in the Company's facilities, and the customer agrees to pay the Company's current costs for such changes.
- B. Use of Commercial Power - Unless specifically provided otherwise in this tariff, when commercial power is used for the operation of customer provided premises equipment, the customer provides the necessary power wiring, power outlets and commercial power and assumes all responsibility for the safe condition of the power wiring, power outlets and commercial power.
- C. Reimbursement to the Company for Damages - The customer shall reimburse the Company for damages to Company facilities utilized to provide services under this tariff caused by the negligence or willful act of the customer, or resulting from the customer's improper use of the Company facilities or equipment provided by other than the Company. Such damages will be the actual cost of the materials and the actual hours required for repair of the damage multiplied by the appropriate labor rate.

Nothing in the foregoing provision shall be interpreted to hold one customer liable for another customer's actions. The Company will, upon reimbursement for damages, cooperate with the customer in prosecuting a claim against the person causing such damage and the customer shall be subrogated to the right of recovery by the Company for the damages to the extent of such payment.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.4 USE OF SERVICE AND FACILITIES - (Continued)

2.4.3 Rights of the Company

- A. Work Performed on an Overtime Basis - The charges specified in this Tariff do not contemplate work being performed by Company employees at a time when overtime wages apply due to the request of the customer. If the customer requests that overtime labor be performed, an additional charge, based on the additional costs involved, applies.
- B. Work Interruption - The charges specified in this Tariff do not contemplate work once begun being interrupted by the customer. If the customer interrupts work once begun, an additional charge, based on the additional costs involved, applies.
- C. Ownership - Any facilities on the customer's premises furnished by the Company shall be and remain the property of the Company, whose agents and employees have the right to enter said premises at any reasonable hour for the purpose of installing, terminating, inspecting, maintaining or repairing service.
- D. Impairment of Telephone Service - When the general telephone service to the public is impaired by a customer's use of telephone service, or service directly incident thereto, the Company shall have the right to require the customer to contract with the Company for such additional facilities as may be necessary in the Company's judgment to remove the cause of said impairment, or if the customer refuses this requirement or will not remedy the situation, to discontinue service completely.
- E. Abandonment of Telephone Service - The Company may discontinue service which has been abandoned.
- F. Abuse of Telephone Service
 - 1. in such a way that interferes with the service of other telephone users;
 - 2. for any purpose other than as a means of communication;

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.4 USE OF SERVICE AND FACILITIES - (Continued)

2.4.3 Rights of the Company - (Continued)

G. Abuse of Telephone Service - (Continued)

3. to communicate profane or obscene language;
4. for a call or calls, anonymous or otherwise, if made in a manner which reasonably could be expected to frighten, abuse, torment or harass another;
5. in any fraudulent or unlawful manner;
6. in manner which violates any of the Company's lawful regulations; or
7. to obtain a customer's listed name, address or telephone number from Directory Assistance for any purpose other than to facilitate the making of a telephone call.

H. Telephone Numbers - The Company reserves the right to change the telephone number or numbers assigned to a customer or the central office designation associated with such telephone number or numbers, or both, as reasonably appropriate in the conduct of its business. The customer has no property right in any number or central office designation assigned by the Company.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.4 USE OF SERVICE AND FACILITIES - (Continued)

2.4.4 Liability of the Company

- A. Given the customer's exclusive control of his communications over Company-provided facilities, and of the other uses for which Company facilities may be furnished, and because errors incident to the service and the use of facilities are unavoidable, the services and facilities furnished by the Company are subject to the terms, conditions and limitations specified herein.
- B. The Company's failure to provide or maintain facilities under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, acts of God and other circumstances beyond the Company's control, subject to the interruption allowance provisions by this tariff.
- C. The Company shall not be liable for any act or omission of any other carrier or customer providing a portion of a service, nor shall the Company for its own act or omission hold liable any other carrier or customer providing a portion of a service.
- D. Defacement of Premises - No liability shall attach to the Company by reason of any defacement or damage to the customer's premises resulting from the existence of the Company's facilities on such premises, or by the installation or removal thereof, when such defacement or damage is not the result of the sole negligence of the Company or its employees.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.4 USE OF SERVICE AND FACILITIES - (Continued)

2.4.4 Liability of the Company - (Continued)

- E. Interruptions of Service - In the event a customer's service is interrupted by other than the negligence or willful act of the customer, and it remains out of order for twenty-four (24) hours or longer after access to the premises is made available and after being reported to be out of order, appropriate adjustments or refunds may be made to the customer. The amount of adjustment or refund may be determined on the basis of the known period of interruption, generally beginning from the time the service interruption is first reported. Any refund to the customer shall be the pro rata part of the month's flat rate charges for the period of days and that portion of the service facilities rendered useless or inoperative. The refund may be accomplished by a credit on a subsequent bill for telephone service. No allowance for interruption of service will be made for any period in which such service interruption is caused by malfunction or failure of customer-owned equipment.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.4 USE OF SERVICE AND FACILITIES - (Continued)

2.4.4 Liability of the Company - (Continued)

- F. Indemnification - The Company's liability, if any, for its gross negligence or willful misconduct is not limited by this Tariff. With respect to any other claim or suit, by a customer or by any others, the customer indemnifies and holds harmless the Company against claims, losses or suits for injury to or death of any person, or damage to any property which arises from:
1. the use, placement or presence of the Company's facilities on the customer's premises; or
 2. the use of customer-provided premises equipment, voltages or currents transmitted over the Company's facilities caused by customer-provided premises equipment.

Further, the customer indemnifies and holds harmless the Company against claims for libel, slander, or the infringement of copyright arising directly or indirectly from the material transmitted over the Company's facilities or the use thereof by the customer; against claims for infringement of patents arising from, combining with, or using in connection with, facilities furnished by the Company and apparatus, equipment, and systems provided by the customer; and against all other claims arising out of any act or omission of the customer in connection with the services or facilities provided by the Company.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.4 USE OF SERVICE AND FACILITIES - (Continued)

2.4.4 Liability of the Company - (Continued)

- G. Liability - The Company's liability, if any, for its gross negligence or willful misconduct is not limited by this tariff. With respect to any other claim or suit, by a customer or any others, for damages arising out of mistakes, omissions, interruptions, delays or errors, or defects in transmission occurring during provision of telephone service, the Company's liability, if any, shall not exceed an amount equivalent to the proportionate charge to the customer for the period of service during which such mistake, omission, interruption, delay, error, or defect in transmission or service occurs and continues. This liability shall be in addition to any amounts that may otherwise be due to the customer under this tariff as an allowance for interruptions. However, any such mistakes, omissions, interruptions, delays, errors, or defects in transmission or service which are caused or contributed to by the negligence or willful act of the customer or authorized user, or joint user, or which arise from the use of customer-provided premises equipment shall not result in the imposition of any liability whatsoever upon the Company.

IN NO EVENT SHALL THE COMPANY BE LIABLE FOR SPECIAL, INDIRECT, CONSEQUENTIAL OR INCIDENTAL DAMAGES, INCLUDING BUT NOT LIMITED TO LOST PROFITS AND LOST SAVINGS, ARISING OUT OF, RESULTING FROM, OR IN ANY WAY RELATED TO, THE SERVICES AND FACILITIES FURNISHED BY THE COMPANY, EVEN IF THE COMPANY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

NEITHER EXCEL NOR ITS SUBCONTRACTORS SHALL BE LIABLE FOR INDIRECT, CONSEQUENTIAL, EXEMPLARY OR PUNITIVE DAMAGES, REGARDLESS OF THE FORM OF ACTION, WHETHER IN CONTRACT, TORT OR OTHERWISE, AND EVEN IF SUCH PARTY HAS BEEN ADVISED

OF THE POSSIBILITY OF SUCH DAMAGES. This limitation does not apply to any damages for bodily injury (including death) and, if work has not been performed in a workmanlike manner, damage to real property and tangible personal property.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.5 UNDERTAKING OF THE COMPANY

2.5.1 General

The Company undertakes to provide the services offered in this tariff on the terms and conditions and at the rates and charges specified.

Local Exchange Service consists of furnishing one-way or two-way telecommunications to or from a demarcation point on the Customer's premises and another demarcation point within a Local Service Area.

Service is provided on the basis of a minimum period of at least one month, 24-hours per day. For the purpose of computing adjustments or prorating charges in this tariff, a month is considered to have 30 days.

Service will be provided where facilities, billing capability and the resale of total local service or underlying network elements are available, or a combination thereof.

The Company's obligation to furnish service, features and/or facilities is also dependent upon its ability to provide, secure and retain, without unreasonable expense to the Company

(a) suitable facilities and rights for the construction and maintenance of the necessary circuits and equipment, (b) suitable space for its plant and facilities in the building where service is or is to be provided, (c) facilities for interconnection from alternate suppliers.

In the event of a dispute, the non-prevailing party may be liable for reasonable court costs and attorney's fees.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.5 UNDERTAKING OF THE COMPANY - (Continued)

2.5.2 Terms and Conditions

Customers may be required to enter into written service orders which shall contain or reference a specific description of the service ordered, the rates to be charged, the duration of the services, and the terms and conditions in this tariff. The Customer may also be required to execute any other documents as may be reasonably requested by the Company. The Company reserves the right, at its discretion, to change the terms and conditions specified in this tariff, including, but not limited to, the rates for services. Any changes to the terms and conditions will be applicable to services provided after the effective date of the change.

At the expiration of the initial term specified in each service order, or in any extension thereof, service shall continue on a month to month basis at the then current rates. Any termination shall not relieve the Customer of its obligation to pay any charges incurred under the service order and this tariff prior to termination. The rights and obligations, which by their nature extend beyond the termination of the term of the service order shall survive such termination.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.5 UNDERTAKING OF THE COMPANY - (Continued)

2.5.3 Interconnection of Facilities

Any special interface equipment necessary to achieve compatibility between the facilities and equipment of the Company used for furnishing Local Exchange Services and the channels, facilities or equipment of others shall be provided at the Customer's expense.

Local Exchange Services may be connected to the services or facilities of other communications carriers only when authorized by and in accordance with the terms and conditions of the tariffs of the other communications carriers which are applicable to such connections.

2.5.4 Inspections

Upon reasonable notification to the Customer, and at a reasonable time, the Company may make such tests and inspections as may be necessary to determine that the Customer is complying with the requirements set forth in the section for the installation, operation and maintenance of Customer-provided facilities, equipment and wiring in the connection of Customer-provided facilities and equipment to Company-provided facilities and equipment.

If the protective requirements for Customer-provided equipment are not being complied with, the Company may take such action as it deems necessary to protect its facilities, equipment and personnel. The Company will notify the Customer promptly if there is any need for further corrective action. Within ten days of receiving this notice, the Customer must take corrective action and notify the Company of the action taken. If the Customer fails to do this, the Company may take whatever additional action deemed necessary, including the suspension of or disconnection of service, to protect its facilities, equipment and personnel from harm.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.5 UNDERTAKING OF THE COMPANY - (Continued)

2.5.5 Assignment or Transfer of Service

The Customer may not assign or transfer its rights or duties in connection with the services and equipment or facilities provided by the Company without the written consent of the Company. The Company may assign its rights and duties (a) to any subsidiary, parent company or affiliate of the Company, (b) pursuant to any sale or transfer of substantially all the assets of the Company, or (c) pursuant to any financing, merger or reorganization of the Company.

2.5.6 Notices and Communications

All notices or other communications required to be given pursuant to this tariff will be in writing. Notices and other communications of either party, and all bills mailed by the Company, shall be presumed to have been delivered to the other party on the third business day following placement of the notice, communication, or bill with the U.S. Mail or a private delivery service, prepaid and properly addressed, or when actually received or refused by the addressee, whichever occurs first.

The Company or the Customer shall advise the other party of any changes to the addresses designated for notices, other communications or billing.

2.5.7 Provisions of Certain Local Taxes and Fees

Any assessments, franchise fees, privilege, license, occupation, excise, or other similar taxes, whether in a lump sum or at a flat rate, or based on receipts, or based on poles, wire or other utility property units, imposed upon the Company by any governmental authority shall be added pro rata, insofar as practical, to the rates and charges stated in the Company's standard schedules, in amounts which in the aggregate for the Company's Customers of any political entity shall be equal to the amount of any such tax upon the Company. Company shall, so long as any such tax or fee is in effect, add to the bills of the Customers in such political entity pro rata on the basis of the revenue or as otherwise required and/or allowed by law derived by Company from each such Customer, an amount sufficient to recover any such tax or fee.

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2.5 UNDERTAKING OF THE COMPANY - (Continued)

2.5.8 Special Arrangements

- A. Contract Service Arrangements - When economically practicable, Customer specific contract service arrangements may be furnished in lieu of existing tariff offerings.
 - 1. Rates, Charges, Terms and additional regulations, if applicable, for the contract service arrangements will be developed on an individual case basis, and will include all relevant costs, plus an appropriate level of contribution.
 - 2. Unless otherwise specified, the regulations for contract service arrangements are in addition to the applicable regulations and rates specified in other sections of this Tariff.
- B. Promotional Offerings - The Company may offer special promotions of new or existing services or products. These promotions will be offered on a non-discriminatory basis with each subscriber in the classification of service and area for which the promotion is offered having an equal opportunity for participation, subject to availability of products, services and facilities. Promotions may include, but are not limited to, reductions in recurring rates and/or waiver of non-recurring charges.

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2.5 UNDERTAKING OF THE COMPANY - (Continued)

2.5.8 Special Arrangements - (Continued)

- C. Special Construction - If the provision of service to a Customer would require the construction of additional facilities, replacement facilities or special facilities designed to meet the Customer's particular needs, the Company, at its option, may seek to obtain the facilities from another carrier, or may construct the facilities. The Customer may be required to pay all of the Company's actual expenses incurred in obtaining or constructing the facilities, including but not limited to, any unusual maintenance costs or removal costs. Construction charges may be payable, at the Company's option, prior to acceptance of the Customer's application for service or when billing is rendered. The Customer may be required to enter into a written agreement to pay the construction charges if they are not paid prior to initiation of service.

Any facilities constructed by the Company by the use of construction charges, however financed, shall be and remain the property of the Company, unless otherwise agreed to by the Company pursuant to a written agreement. The Customer does not obtain any rights of ownership in facilities provided by the Company.

The charges and regulations applicable to special construction apply in connection with all classes of service, facilities or equipment furnished by the Company and are in addition to the installation charges, service connection and move charges and monthly service charges otherwise applicable to the provision of service to the Customer pursuant to other sections of this tariff.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.6 EMERGENCY SERVICES (ENHANCED 911)

This service allows Customers to reach the appropriate emergency services including police, fire and medical services. Enhanced 911 has the ability to selectively route an emergency call to the primary E911 provider so that it reaches the correct emergency service located closest to the caller. In addition, the Customer's address and telephone information will be provided to the primary E911 provider for display at the Public Service Answering Point (PSAP). These services will be provided free of charge to all Customers.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.7 EMERGENCY/CRISIS/DISASTER RESTORATION AND PROVISIONING – TELECOMMUNICATIONS SERVICE PRIORITY

2.7.1 General

- A. 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.), and 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.

- B. The TSP program has two components, restoration and provisioning.
1. 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.
 2. 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 Company provisioning time frame. As a matter of general practice, existing TSP services will be restored before provisioning new TSP services.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.7 EMERGENCY/CRISIS/DISASTER RESTORATION AND PROVISIONING – TELECOMMUNICATIONS SERVICE PRIORITY - (Continued)

2.7.2 TSP Request Process - Restoration

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

- A. 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
- B. 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.
- C. Complete the TSP Request for Service Users form (SF 315) available on the National Communications System (NCS) website (<http://tsp.ncs.gov/>).
- D. 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.
- E. Submit the SF 315 to the OPT.
- F. Upon receipt of the TSP Authorization Code from the OPT, notify the Company, and include the TSP Authorization Code in any service order to the Company requesting restoration of NS/EP services.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.7 EMERGENCY/CRISIS/DISASTER RESTORATION AND PROVISIONING – TELECOMMUNICATIONS SERVICE PRIORITY - (Continued)

2.7.3 TSP Request Process - Provisioning

To request a TSP provisioning priority assignment, a prospective TSP user must follow the same steps listed in 2.22.2 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 in 2.22(a) 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 the Company 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.

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2.7 EMERGENCY/CRISIS/DISASTER RESTORATION AND PROVISIONING – TELECOMMUNICATIONS SERVICE PRIORITY - (Continued)

2.7.4 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).
- 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 the Company any authorized costs associated with priority services.
- F. Report to the Company 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.

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2.7 EMERGENCY/CRISIS/DISASTER RESTORATION AND PROVISIONING – TELECOMMUNICATIONS SERVICE PRIORITY - (Continued)

2.7.5 Responsibilities of the Company

The Company 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).
- 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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2.7 EMERGENCY/CRISIS/DISASTER RESTORATION AND PROVISIONING— TELECOMMUNICATIONS SERVICE PRIORITY - (Continued)

2.7.6 Preemption

When spare facilities are not available, it may be necessary for the Company to preempt the facilities required to provision or restore a TSP service. When preemption is necessary, non-TSP services may be preempted based on the Company's best judgment. If no suitable spare or non-TSP services are available, the Company 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, the Company will make every reasonable effort to notify the preempted customer of the action to be taken.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.8 Critical Facilities Administration Service¹

(N)

2.8.1 Description

Customers that subscribe to the Critical Facilities Administration (“CFA”) Service will be provided with information about the physical path of their Qualified Circuits by a Company Representative, upon the written request of the Customer and subject to applicable Company security and confidentiality safeguards and procedures. All Subscribing Circuits must be enrolled in the Federal Telecommunications Service Priority (“TSP”) Program.

2.8.2 Definitions

- A. **CFA Subscriber** - Company Customer subscribing to the CFA Service for at least one (1) Subscribing Circuit.
- B. **Federal TSP Program** - The Federal program as described in Section 2.7 of this Tariff.
- C. **Qualified Circuit** - A circuit which is (1) provided by the Company using Company facilities, and (2) is enrolled in the Federal TSP Program, but only for so long as that circuit meets both conditions (1) and (2).
- D. **Subscribing Circuit** - A Qualified Circuit that is subscribed to the CFA Service, as specified below.

¹ Issued in compliance with Orders of the Public Service Commission dated July 28, 2004 and October 26, 2004 in Case 03-C-0922.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.8 Critical Facilities Administration Service, (Cont'd.)¹

(N)

2.8.3 Eligibility and Subscription

- A. Only Qualified Circuits will be eligible for subscription to CFA Service.
- B. In order to subscribe a circuit to the CFA Service, a Company Customer must submit a written application to the Company and identify in the application one or more Qualified Circuits that the Customer seeks to subscribe to the Service. Once an application to subscribe a Qualified Circuit is approved, that Circuit will be referred to as a "Subscribing Circuit."
- C. Upon subscribing to the CFA Service, the CFA Subscriber must execute a nondisclosure agreement supplied by the Company, under which the Subscriber agrees to treat as confidential data, all information about Subscribing Circuits provided by the Company pursuant to the Service. No data regarding the physical path of a Qualified Circuit will be provided to Customers under this Service until the confidentiality agreement has been executed.

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SECTION 2 - RULES AND REGULATIONS - (Continued)

2.8 Critical Facilities Administration Service, (Cont'd.)¹

(N)

2.8.4 Delivery of Path Information and Availability

- A. After execution of the required confidentiality agreement and submitting a written request for physical path information for one or more Subscribing Circuits, the CFA Subscriber will be provided with hardcopy documentation containing a description of the physical path of the Subscribing Circuits, including street level detail of said path, where available ("Path Documentation"). The Company will negotiate an acceptable timeframe with the CFA Subscriber for delivery of the Path Documentation, subject to availability of suitable facilities, resources and personnel.
- B. In the event of a major outage, provision of CFA Service as to any area directly or indirectly impacted by the outage may be suspended at the sole discretion of the Company. In such circumstances, Path Documentation, reflecting the restoration, if applicable, will be provided in response to a written request within ninety (90) days after the restoration of service. This interval is subject to change if information from a third party is required. The Company will negotiate an acceptable timeframe with the CFA Subscriber for delivery of the Path Documentation, subject to the availability of suitable facilities, resources and personnel.
- C. The Path Documentation provided to CFA Subscribers represents the data available at the time of the Customer's written request. Since the data is subject to changes or rearrangements, updates will be provided only upon subsequent written request of the Customer. Any additional requests or updates are also subject to rates specified below.

2.8.5 Rates

Service Order Charge per Circuit: Individual Case Basis (ICB)

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SECTION 3 - CONSUMER LOCAL SERVICE DESCRIPTIONS

Matrix Telecom, LLC d/b/a Excel Telecommunications (the Company and/or Excel) is a telecommunications provider incorporated under the laws of the State of Texas. Matrix Telecom, LLC d/b/a Excel Telecommunications provides telecommunications services in the areas certified to it within the State of New York.

Matrix Telecom, LLC d/b/a Excel Telecommunications' authority to serve this area is granted by the New York Public Service Commission.

All rules, regulations and rates of the Company apply to its certified area unless otherwise specifically noted in this tariff.

Excel Local Exchange Services may be offered in conjunction with an associated long distance service offering provided by Excel.

3.1 NONRECURRING CHARGES

3.1.1 Service Connection Charges

These charges are nonrecurring and apply to various Customer requests for connecting, moving or changing service. They are in addition to any other scheduled rates and charges that would normally apply under this tariff. The charges in this section for the connection, move, or change of service contemplate work being performed by Company employees involved at a time when overtime wages do not apply. No distinction is made between a "New Installation and Connection" and an "Outside Move". All changes in location of Customer's equipment or service from one premises to another, are treated as new service connections with service charges applying.

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SECTION 3 - CONSUMER LOCAL SERVICE DESCRIPTIONS - (Continued)

3.1 NONRECURRING CHARGES - (Continued)

3.1.1 Service Connection Charges - (Continued)

A. Local Service – New Order Charge(s):

This charge is for receiving, recording and processing information necessary to execute a Customer's request for new service. One Local Service Charge, per line, is applicable for all new orders requested at the same time of the initial order for the same Customer. If service is established at a new location and the Customer later moves back to the old location or a separate location, this service charge will apply in connection with the reestablishment of service, accordingly.

B. Local Service Activation Charge(s):

This charge is applicable where existing local service or telephone numbers are activated or migrated to EXCEL's service when facilities or construction is not required.

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SECTION 3 - CONSUMER LOCAL SERVICE DESCRIPTIONS - (Continued)

3.1 NONRECURRING CHARGES - (Continued)

3.1.1 Service Connection Charges - (Continued)

C. Local Service – Change Order Charge(s):

Following are examples of Change Order Charges applicable to EXCEL's MyLineSM Local Service offering(s):

- Feature Service Change Charge(s) - When a Customer adds, deletes, or changes a feature or features within a local package, the Company cannot apply more than one Feature Service Charge per order per line.
- Record Order Charge(s) - One Record Order Charge, per line, is applicable for all changes and/or additions ordered and provided at the same time for the same Customer. When multiple Record Orders are required for Company reasons, only one Record Order Charge applies. Charges are applicable to, but not limited to, the following:
 - Change of a directory listing name or address
 - Change of a telephone number except in the case of harassing calls
 - Change of billing address

D. Local Service -- Move Service Order Charge(s)

This charge is for moving the customer's telephone service and features to another location within the customer's current local service area and central office.

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SECTION 3 - CONSUMER LOCAL SERVICE DESCRIPTIONS - (Continued)

3.1 NONRECURRING CHARGES - (Continued)

3.1.2 Miscellaneous Charges

A. Line Installation Charge(s):

To add a new primary line to customer's residence if facilities construction is required. No distinction is made between a "New Installation or Connection" and an "Outside Move." If the Customer requests that their service is established, maintained, moved or changed at hours of the day or days of the week (other than normal work hours or days), or on holidays, or interrupts work once begun, or when overtime wages apply, a charge based on the additional costs will apply in addition to any other applicable charges.

B. Additional Line Installation Charge(s):

To add an additional new line to customer's residence if another telephone line is provided by the Company at the same residence and initiated at the same time. No distinction is made between a "New Installation or Connection" and an "Outside Move." If the Customer requests that their service is established, maintained, moved or changed at hours of the day or days of the week (other than normal work hours or days), or on holidays, or interrupts work once begun, or when overtime wages apply, a charge based on the additional costs will apply in addition to any other applicable charges.

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SECTION 3 - CONSUMER LOCAL SERVICE DESCRIPTIONS - (Continued)

3.1 NONRECURRING CHARGES - (Continued)

3.1.2 Miscellaneous Charges - (Continued)

C. Restoration of Service Charge:

If service is disconnected for nonpayment, service will be reestablished only upon receipt of payment of all charges due, which include charges for service and facilities during the period of disconnection and which may include a service restoration fee. If the Customer has a history of payments returned for insufficient funds, the Company may require payment by cash, money order, personal check or certified check. If payment is made by personal check, restoration will be effected upon clearance of the check. When a Customer's service has been disconnected in accordance with this Tariff and the service has been terminated through the completion of the Company's service order, service will be reestablished only upon a basis of an application for new service. During the period of disconnection, Customer's telephone number will not be reassigned. Once service has been terminated, the telephone number may be reassigned to another Customer.

D. Special Construction Charge(s):

To perform any customer required special construction or change of existing telephone equipment at the customer premises.

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SECTION 3 - CONSUMER LOCAL SERVICE DESCRIPTIONS - (Continued)

3.2 LOCAL EXCHANGE SERVICES

3.2.1 Excel Classic MyLineSM Local Service Offerings

Customers subscribing to the Company's Local Service must purchase a local package consisting of an access line (dial tone), Touch Tone and a pre-determined number of Custom Features. Customers who order an additional line(s), are exceptions to the local package purchase requirement. The EXCEL Classic MyLineSM Local Service Packages described below in sections B, C and D are only available to existing customers of the Excel Classic MyLineSM Local Service Packages (formerly known as EXCEL MyLineSM Local Service Packages) as of February 27, 2004. EXCEL Local Service offers are furnished in Local Calling Area 1 as follows:

- A. EXCEL MyLineSM StandAlone Local Service: Single line service with no features.
- B. EXCEL Classic MyLineSM Basic Local Service Package: Single line service with Touch Tone, with the following custom features included: Call Waiting, Call Return and Three-Way Calling.
- C. EXCEL Classic MyLineSM Value Local Service Package: Single line service with Touch Tone, with the following custom features included: Call Waiting, Call Return, Three-Way Calling, Caller ID-Name and Number and Call Waiting ID.
- D. EXCEL Classic MyLineSM Complete Local Service Package: Single line service with Touch Tone, with the following custom features included: Call Waiting, Call Return, Three-Way Calling, Caller ID-Name and Number, Call Forwarding, Call Waiting ID, Auto Redial, Speed Dialing 8 and Anonymous Call Rejection.
- E. Additional Lines:

Additional lines include Touch-Tone and may be purchased with or without a package provided that the customer's primary line continues to be served by the Company as the primary Local Exchange Carrier.

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3.2 LOCAL EXCHANGE SERVICES - (Continued)

3.2.2 Touch Tone Calling Service

- A. This service provides for the origination of calls by means of instruments equipped for tone-type address signaling and special central office facilities. The service is furnished subject to the availability of central office facilities.
- B. All dial-type lines that terminate in an instrument equipped for tone-type address signaling shall be equipped for this service except for dial-type lines served from a central office where the special facilities for Touch Tone calling service are not available.
- C. Other facilities, miscellaneous and supplemental equipment, requested by Customers and not detrimental to this service or other services of the Company will be furnished under the regulations and at the rates specified in the applicable sections of this tariff.

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3.2 LOCAL EXCHANGE SERVICES - (Continued)

3.2.3 Transfer of Calls Service

Transfer of Calls Service is a service used when a Customer disconnects service or changes their telephone number. Calls to the intercepted telephone number are referred to a recorded message if requested by the Customer. The announcement states that the called number has been disconnected or changed. If the number is available, it is given to the caller. The number may not be available because, for example, it is non-published or the Customer left the area without providing a forwarding telephone number. This service is available where resources permit, and is provided for a period of thirty (30) days.

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3.2 LOCAL EXCHANGE SERVICES (Continued)

3.2.4 EXCEL MyLineSM Basic Package

EXCEL MyLineSM Basic Package provides residential Customers in New York with local and long distance calling for a flat rate. As of November 29, 2009, the EXCEL MyLineSM Basic Package is only available to existing customers of the EXCEL (MyLineSM Basic Package. In order to subscribe to EXCEL MyLineSM Basic Package, the Customer must select EXCEL as the primary service provider for local exchange, intraLATA interexchange and interLATA interexchange telecommunications services. Furthermore, the Customer must select one of the following two long distance service plans: EXCEL MyLineSM \$.05 Plan or EXCEL MyLineSM \$.03 Plan as described in Excel's intrastate interexchange tariff. Rates and charges for the EXCEL MyLineSM Basic Package may vary based on the Customer's selected long distance calling plan. The availability of EXCEL MyLineSM Basic Package to the Customer may be restricted based upon both EXCEL's access to services through the incumbent local exchange carrier and the Customer's creditworthiness as determined by information contained in a credit bureau report received from a credit reporting agency.

EXCEL MyLineSM Basic Package is a bundled service package which includes single line residential service and the following three Call Management Features: Call Return as described in Section 3.3.6, Call Waiting as described in Section 3.3.8 and Three-Way Calling as described in Section 3.3.11. The Customer will also receive 100 minutes of domestic long distance usage subject to the Customer's selected long distance plan, and any additional long distance usage beyond the included minutes will be billed according to the same selected long distance plan. The included long distance usage does not accumulate on a month-to-month basis, and no credit will be given to Customers who do not use the included minutes. The Customer will also be eligible for EXCEL's Friends-R- Free Discount Program as described in the Company's intrastate interexchange tariff.

EXCEL MyLineSM Basic Package does not include equipment associated with the Caller ID feature. EXCEL does not prorate the monthly charges for the MyLineSM Basic Package. If the Customer's service is discontinued prior to the conclusion of a billing period, the Customer will remain responsible for the monthly charges for the entire billing period. Rates and charges associated with EXCEL MyLineSM Basic Package are set forth in Section 1.4 of the Rate Schedule following.

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3.2 LOCAL EXCHANGE SERVICES (Continued)

3.2.5 EXCEL MyLineSM Value Package

EXCEL MyLineSM Value Package provides residential Customers in New York with local and long distance calling for a flat rate. As of November 29, 2009, the EXCEL MyLineSM Value Package is only available to existing customers of the EXCEL MyLineSM Value Package. In order to subscribe to EXCEL MyLineSM Value Package, the Customer must select EXCEL as the primary service provider for local exchange, intraLATA interexchange and interLATA interexchange telecommunications services. Furthermore, the Customer must select one of the following two long distance service plans: EXCEL MyLineSM \$.05 Plan or EXCEL MyLineSM \$.03 Plan as described in Excel's intrastate interexchange tariff. Rates and charges for the EXCEL MyLineSM Value Package may vary based on the Customer's selected long distance calling plan. The availability of EXCEL MyLineSM Value Package to the Customer may be restricted based upon both EXCEL's access to services through the incumbent local exchange carrier and the Customer's creditworthiness as determined by information contained in a credit bureau report received from a credit reporting agency.

EXCEL MyLineSM Value Package is a bundled service package which includes single line residential service and the following eight Call Management Features: Caller ID as described in Section 3.3.13 Call Waiting as described in Section 3.3.8, Three-Way Calling as described in Section 3.3.11, Call Waiting ID as described in Section 3.3.9, Call Return as described in Section 3.3.6, Speed Dialing 8 as described in Section 3.3.10, Call Forwarding as described in Section 3.3.3, and Auto Redial as described in Section 3.3.2. The Customer will also receive 200 minutes of domestic long distance usage subject to the Customer's selected long distance plan, and any additional long distance usage beyond the included minutes will be billed according to the same selected long distance plan. The included long distance usage does not accumulate on a month-to-month basis, and no credit will be given to Customers who do not use the included minutes. The Customer will also be eligible for EXCEL's Friends-R-Free Discount Program as described in the Company's intrastate interexchange tariff.

In addition to the features described herein, EXCEL MyLineSM Value Package includes subscription to an unregulated service, EXCEL's Voice Mail. EXCEL MyLineSM Value Package does not include equipment associated with the Caller ID feature. EXCEL does not prorate the monthly charges for the MyLineSM Value Package. If the Customer's service is discontinued prior to the conclusion of a billing period, the Customer will remain responsible for the monthly charges for the entire billing period. Rates and charges associated with EXCEL MyLineSM Value Package are set forth in Section 1.4 of the Rate Schedule following.

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SECTION 3 - CONSUMER LOCAL SERVICE DESCRIPTIONS (Continued)

3.2 LOCAL EXCHANGE SERVICES (Continued)

3.2.6 EXCEL MyLineSM Complete Package

EXCEL MyLineSM Complete Package provides residential Customers in New York with local and long distance calling for a flat rate. As of November 29, 2009, the EXCEL MyLineSM Complete Package is only available to existing customers of the EXCEL MyLineSM Complete Package. In order to subscribe to EXCEL MyLineSM Complete Package, the Customer must select EXCEL as the primary service provider for local exchange, intraLATA interexchange and interLATA interexchange telecommunications services. Furthermore, the Customer must select the EXCEL MyLineSM \$.05 Plan as described in Excel's intrastate interexchange tariff. The availability of EXCEL MyLineSM Complete Package to the Customer may be restricted based upon both EXCEL's access to services through the incumbent local exchange carrier and the Customer's creditworthiness as determined by information contained in a credit bureau report received from a credit reporting agency.

EXCEL MyLineSM Complete Package is a bundled service package which includes single line residential service and the following eight Call Management Features: Caller ID as described in Section 3.3.13, Call Waiting as described in Section 3.3.8, Three-Way Calling as described in Section 3.3.11, Call Waiting ID as described in Section 3.3.9, Call Return as described in Section 3.3.6, Speed Dialing 8 as described in Section 3.3.10, Call Forwarding as described in Section 3.3.3, and Auto Redial as described in Section 3.3.2. The Customer will also receive unlimited domestic long distance usage. The unlimited domestic long distance usage is for residential voice use only and applies to non-operator assisted, direct-dialed domestic calls. Use for home office, small business, large commercial business, or other commercial use is prohibited and may result in termination of the service.

In addition to the features described herein, EXCEL MyLineSM Complete Package includes subscription to an unregulated service, EXCEL's Voice Mail. However, EXCEL MyLineSM Complete Package may be provisioned without the Voice Mail feature upon the request of the Customer. EXCEL MyLineSM Complete Package does not include equipment associated with the Caller ID feature. EXCEL does not prorate the monthly charges for the MyLineSM Complete Package. If the Customer's service is discontinued prior to the conclusion of a billing period, the Customer will remain responsible for the monthly charges for the entire billing period. Rates and charges associated with EXCEL MyLineSM Complete Package are set forth in Section 1.4 of the Rate Schedule following.

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3.2 LOCAL EXCHANGE SERVICES (Continued)

3.2.7 Simple Plan

The Simple Plan provides residential Customers with local calling for a flat rate. In order to subscribe to the Simple Plan, the Customer must select Excel as the primary service provider for local exchange, intraLATA interexchange and interLATA interexchange telecommunications services. In addition, the Customer must select the following long distance plan: Excel Value 3.9 Long Distance Plan. Furthermore, Customers of the Simple Plan must enroll in Excel's Recurring Payment Plan as described in Section 2.3.6.D of this tariff. The availability of the Simple Plan to the Customer may be restricted based upon Excel's access to services through the incumbent local exchange carrier. Rates and charges associated with the Simple Plan are set forth in Section 1.5 of the Rate Schedule following.

Excel does not prorate the final monthly charges for the Simple Plan. If the Customer's service is discontinued prior to the conclusion of a billing period, the Customer will remain responsible for the monthly charges for the entire billing period.

Customers of the Simple Plan may subscribe to Custom Features as described in Section 3.3 and Section 1.2 of the Rate Schedule, excluding the following: Call Forwarding - Busy Line, Call Forwarding - No Answer, Caller ID - Number Only, Caller ID - Name and Number Blocking Per Line, Call Waiting ID - Number Only and Distinctive Ring.

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SECTION 3 - CONSUMER LOCAL SERVICE DESCRIPTIONS (Continued)

3.2 LOCAL EXCHANGE SERVICES (Continued)

3.2.8 Basic Plan

The Basic Plan provides residential Customers with local and long distance calling for a flat rate. In order to subscribe to the Basic Plan, the Customer must select Excel as the primary service provider for local exchange, intraLATA interexchange and interLATA interexchange telecommunications services. In addition, the Customer must select the following long distance plan: Excel Value 3.9 Long Distance Plan. Furthermore, Customers of the Basic Plan must enroll in Excel's Recurring Payment Plan as described in Section 2.3.6.D of this tariff. The availability of the Basic Plan to the Customer may be restricted based upon Excel's access to services through the incumbent local exchange carrier. Rates and charges associated with the Basic Plan are set forth in Section 1.5 of the Rate Schedule following.

The Basic Plan is a bundled service package which includes single-line local service and 30 minutes of domestic long distance usage. The included long distance minutes and the long distance usage beyond the included minutes are subject to the terms of the Excel Value

3.9 Long Distance Plan. Unused long distance minutes do not accumulate on a month-to-month basis, and no credit will be given to Customers who do not use the included minutes.

Excel does not prorate the final monthly charges for the Basic Plan. If the Customer's service is discontinued prior to the conclusion of a billing period, the Customer will remain responsible for the monthly charges for the entire billing period.

Customers of the Basic Plan may subscribe to Custom Features as described in Section 3.3 and Section 1.2 of the Rate Schedule, excluding the following: Call Forwarding - Busy Line, Call Forwarding - No Answer, Caller ID - Number Only, Caller ID - Name and Number Blocking Per Line, Call Waiting ID - Number Only and Distinctive Ring.

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3.2 LOCAL EXCHANGE SERVICES (Continued)

3.2.9 Select Plan

The Select Plan provides residential Customers with local calling, long distance calling and two features for a flat rate. In order to subscribe to the Select Plan, the Customer must select Excel as the primary service provider for local exchange, intraLATA interexchange and interLATA interexchange telecommunications services. In addition, the Customer must select the following long distance plan: Excel Value 3.9 Long Distance Plan. Furthermore, Customers of the Select Plan must enroll in Excel's Recurring Payment Plan as described in Section 2.3.6.D of this tariff. The availability of the Select Plan to the Customer may be restricted based upon Excel's access to services through the incumbent local exchange carrier. Rates and charges associated with the Select Plan are set forth in Section 1.5 of the Rate Schedule following.

The Select Plan is a bundled service package which includes single-line local service, 150 minutes of domestic long distance usage, Caller ID – Name and Number and Call Waiting. The included long distance minutes and the long distance usage beyond the included minutes are subject to the terms of the Excel Value 3.9 Long Distance Plan. Unused long distance minutes do not accumulate on a month-to-month basis, and no credit will be given to Customers who do not use the included minutes.

Excel does not prorate the final monthly charges for the Select Plan. If the Customer's service is discontinued prior to the conclusion of a billing period, the Customer will remain responsible for the monthly charges for the entire billing period.

Customers of the Select Plan may subscribe to additional Custom Features as described in Section 3.3 and Section 1.2 of the Rate Schedule, excluding the following: Call Forwarding

- Busy Line, Call Forwarding - No Answer, Caller ID - Number Only, Caller ID - Name and Number Blocking Per Line, Call Waiting ID - Number Only and Distinctive Ring.

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SECTION 3 - CONSUMER LOCAL SERVICE DESCRIPTIONS (Continued)

3.2 LOCAL EXCHANGE SERVICES (Continued)

3.2.10 Value Plan

The Value Plan provides residential Customers with local calling, long distance calling and two features for a flat rate. In order to subscribe to the Value Plan, the Customer must select Excel as the primary service provider for local exchange, intraLATA interexchange and interLATA interexchange telecommunications services. In addition, the Customer must select the following long distance plan: Excel Value 3.9 Long Distance Plan. Furthermore, Customers of the Value Plan must enroll in Excel's Recurring Payment Plan as described in Section 2.3.6.D of this tariff. The availability of the Value Plan to the Customer may be restricted based upon Excel's access to services through the incumbent local exchange carrier. Rates and charges associated with the Value Plan are set forth in Section 1.5 of the Rate Schedule following.

The Value Plan is a bundled service package which includes single-line local service, 200 minutes of domestic long distance usage, Caller ID – Name and Number and Call Waiting. The included long distance minutes and the long distance usage beyond the included minutes are subject to the terms of the Excel Value 3.9 Long Distance Plan. Unused long distance minutes do not accumulate on a month-to-month basis, and no credit will be given to Customers who do not use the included minutes.

Excel does not prorate the final monthly charges for the Value Plan. If the Customer's service is discontinued prior to the conclusion of a billing period, the Customer will remain responsible for the monthly charges for the entire billing period.

Customers of the Value Plan may subscribe to additional Custom Features as described in Section 3.3 and Section 1.2 of the Rate Schedule, excluding the following: Call Forwarding

- Busy Line, Call Forwarding - No Answer, Caller ID - Number Only, Caller ID - Name and Number Blocking Per Line, Call Waiting ID - Number Only and Distinctive Ring.

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3.2 LOCAL EXCHANGE SERVICES (Continued)

3.2.11 Premium Plan

The Premium Plan provides residential Customers with local calling, long distance calling and features for a flat rate. In order to subscribe to the Premium Plan, the Customer must select Excel as the primary service provider for local exchange, intraLATA interexchange and interLATA interexchange telecommunications services. In addition, the Customer must select the following long distance plan: Excel Value 3.9 Long Distance Plan. Furthermore, Customers of the Premium Plan must enroll in Excel's Recurring Payment Plan as described in Section 2.3.6.D of this tariff. The availability of the Premium Plan to the Customer may be restricted based upon Excel's access to services through the incumbent local exchange carrier. Rates and charges associated with the Premium Plan are set forth in Section 1.5 of the Rate Schedule following and are based on rate groups as established and defined by Verizon.

The Premium Plan is a bundled service package which includes single-line local service, Caller ID – Name and Number, Call Waiting, Call Forwarding, Call Waiting ID, Call Return and Three Way Calling. Customers will also receive unlimited domestic long distance usage. The unlimited domestic long distance usage is for residential voice use only and applies to non-operator assisted, direct-dialed domestic calls. Use for home office, small business, large commercial business, or other commercial use is prohibited and may result in termination of the service.

Excel does not prorate the final monthly charges for the Premium Plan. If the Customer's service is discontinued prior to the conclusion of a billing period, the Customer will remain responsible for the monthly charges for the entire billing period.

Customers of the Premium Plan may subscribe to additional Custom Features as described in Section 3.3 and Section 1.2 of the Rate Schedule, excluding the following: Call Forwarding - Busy Line, Call Forwarding - No Answer, Caller ID - Number Only, Caller ID - Name and Number Blocking Per Line, Call Waiting ID - Number Only and Distinctive Ring.

In addition to the features described herein, the Premium Plan includes subscription to an unregulated service, Excel's Voice Mail. The Premium Plan may be provisioned without the Voice Mail feature upon request of the Customer.

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3.2 LOCAL EXCHANGE SERVICES (Continued)

3.2.12 Unlimited Plan

The Unlimited Plan provides residential Customers with local calling, long distance calling and features for a flat rate. In order to subscribe to the Unlimited Plan, the Customer must select Excel as the primary service provider for local exchange, intraLATA interexchange and interLATA interexchange telecommunications services. In addition, the Customer must select the following long distance plan: Excel Value 3.9 Long Distance Plan. Furthermore, Customers of the Unlimited Plan must enroll in Excel's Recurring Payment Plan as described in Section 2.3.6.D of this tariff. The availability of the Unlimited Plan to the Customer may be restricted based upon Excel's access to services through the incumbent local exchange carrier. Rates and charges associated with the Unlimited Plan are set forth in Section 1.5 of the Rate Schedule following and are based on rate groups as established and defined by Verizon.

The Unlimited Plan is a bundled service package which includes single-line local service, Caller ID – Name and Number, Call Waiting, Call Forwarding, Call Waiting ID, Call Return, Speed Dialing 8 and Three Way Calling. Customers will also receive unlimited domestic long distance usage. The unlimited domestic long distance usage is for residential voice use only and applies to non-operator assisted, direct-dialed domestic calls. Use for home office, small business, large commercial business, or other commercial use is prohibited and may result in termination of the service.

Excel does not prorate the final monthly charges for the Unlimited Plan. If the Customer's service is discontinued prior to the conclusion of a billing period, the Customer will remain responsible for the monthly charges for the entire billing period.

Customers of the Unlimited Plan may subscribe to additional Custom Features as described in Section 3.3 and Section 1.2 of the Rate Schedule, excluding the following: Call Forwarding - Busy Line, Call Forwarding - No Answer, Caller ID - Number Only, Caller ID - Name and Number Blocking Per Line, Call Waiting ID - Number Only and Distinctive Ring.

In addition to the features described herein, the Unlimited Plan includes subscription to an unregulated service, Excel's Voice Mail. The Unlimited Plan may be provisioned without the Voice Mail feature upon request of the Customer.

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3.3 CUSTOM FEATURES

The features in this section are made available on an individual basis or as a part of feature packages. Custom features are offered on a monthly basis where facilities are available.

3.3.1 Anonymous Call Rejection – ACR 77

Allows customers to automatically reject all calls that have been marked anonymous, unavailable or private by the calling party. When ACR is active, the called party receives no alerting (ringing) for a call that has been rejected. The call is routed to a denial announcement and subsequently terminated.

3.3.2 Auto Redial

This feature automatically redials the last outgoing number dialed by the Customer. Activation and deactivation of this feature is completed by the Customer. Auto Redial will attempt to call the number for a maximum of thirty (30) minutes after the feature is activated. Once the call is established, the Customer will hear a special ring when the call can be completed. NOTE: Some telephones are only capable of providing a standard ring. Customers must contact the manufacturer or distributor of their telephone set if they have any questions.

Auto Redial (usage sensitive) is available on a pay-per-use basis and the functionality is the same as Auto Redial. Auto Redial (usage sensitive) will be provisioned with local service unless customer requests the feature to be blocked or it is included in a package.

3.3.3 Call Forwarding

Permits a customer to transfer all incoming calls to another dialable telephone number. The customer pre-selects a second telephone number to which all incoming calls are to be transferred automatically. Calls may be transferred to a long distance message telecommunications point subject to the availability of the necessary facilities in the central office from which the calls are to be transferred. Call Forwarding shall not be used to extend calls on a planned and continuing basis to intentionally avoid the payment in whole or in part, of message toll charges that would regularly be applicable between the access line originating the call and the access line to which the call is transferred. Customers utilizing Call Forwarding service are responsible for the payment of charges for each toll call between his access line and the distant access line to which the call was transferred.

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3.3 CUSTOM FEATURES - (Continued)

3.3.4 Call Forwarding - (Busy Line)

Automatically reroutes an incoming call to a customer predesignated number when the called number is busy.

3.3.5 Call Forwarding - (No Answer)

Automatically reroutes an incoming call to a customer predesignated number when the called number does not answer within the number of rings programmed by the Company.

3.3.6 Call Return

This feature allows the Customer to automatically return the most recent incoming call, even if it is not answered. If the telephone number is busy, Call Return will attempt to call the number for a maximum of thirty (30) minutes after the feature is activated. Once the call is established, the Customer will hear a special ring when the call can be completed. This is accomplished by the Customer activating a code. NOTE: Some telephones are only capable of providing a standard ring. Customers must contact the manufacturer or distributor of their telephone set if they have any questions. The operability of this call back feature is dependent upon whether the caller's originating telephone number can be recognized or not.

Call Return (usage sensitive) is available on a pay per use basis and the functionality is the same as Call Return. Call Return (usage sensitive) will be provisioned with local service unless customer requests the feature to be blocked or it is included in a package.

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3.3 CUSTOM FEATURES - (Continued)

3.3.7 Call Trace - (Customer Originated)

Allows a customer to request an automatic trace of the last incoming call. This provides an easy way to trace obscene, threatening or harassing calls. A Call Trace may be activated at any time during or immediately following the call to be traced. The incoming call detail recorded by the Company showing the results of the trace (i.e., telephone number traced) will not be released to the customer. Such call detail shall be provided only to law enforcement authorities upon request. A trace cannot be successfully completed if the incoming call originates in a telephone central office not equipped for Call Trace Service.

At its option or upon receipt of a proper request from a law enforcement agency, the Company will set up a temporary tracing arrangement using Call Tracing at no charge to the customer when in the judgment of the Company or law enforcement agency, the unwanted call(s) present a serious threat of harm or destruction of property.

3.3.8 Call Waiting

This feature provides a tone signal that alerts the Customer talking on the line when a second call is incoming. A maximum of two calls may be in process at one time. A Customer who subscribes to Call Waiting can also inhibit the reception of the Call Waiting tone for the duration of a single call, preventing interruption of the call by activating the code (*70) to cancel Call Waiting. This functionality is automatically included with the Call Waiting feature at no additional cost to the Customer.

3.3.9 Call Waiting ID (With Name and Number)

Call Waiting ID with Name and Number is an enhanced version of Call Waiting ID. It is designed for use by a Call Waiting subscriber. A customer who is off-hook on an existing call, is able to receive the telephone number of a new incoming call on their customer- provided premise equipment attached to the Customer's subscriber line. Additionally, the name found in the Company's records, applicable to the line originating the call, including the non-published and non-listed service is displayed on customer- provided premise equipment. The Customer must purchase the equipment separately, and it is not available under this tariff.

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3.3 CUSTOM FEATURES - (Continued)

3.3.10 Speed Dialing 8

This feature allows the Customer to reach a list of frequently called numbers by dialing an abbreviated code. The Customer may call up to eight pre-selected numbers by dialing one- digit codes. Programming of these numbers is completed by the Customer.

3.3.11 Three-Way Calling

Enables a customer to add a third party on an existing call without operator assistance, thereby establishing a three-way conversation. The transmission quality may vary depending on the distance and routing necessary and may not necessarily meet normal standards.

Three-Way Calling (usage sensitive) is available on a pay per use basis and the functionality is the same as Three-Way Calling. Three-Way Calling (usage sensitive) will be provisioned with local service unless customer requests the feature to be blocked or it is included in a package.

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3.3 CUSTOM FEATURES - (Continued)

3.3.12 Caller ID - (Number Only)

This feature automatically displays a caller's telephone number, including non-published and non-listed service on a customer provided display unit. The customer must purchase the equipment separately, and it is not available under this tariff.

3.3.13 Caller ID - (Name and Number)

Allows the Customer to identify most callers by letting him/her see the names and phone numbers on special display equipment. The customer must purchase the equipment separately, and it is not available under this tariff

3.3.14 Caller ID - Name and Number Blocking Per Call - (*67)

Any Company calling party may prevent the delivery of Calling Party Number and Calling Party Name to the called party by dialing an access code (*67 on their touch-tone pad or 1367 from a rotary telephone) immediately prior to placing a call. The access code will activate blocking on a per call basis.

3.3.15 Call Waiting ID - Number Only

Call Waiting ID - Number Only allows the Customer to identify the calling party on a waiting call prior to the telephone being answered. Call Waiting ID - Number Only displays the number of the calling party on a Customer's Provided Equipment (CPE) while a call is in progress. Call Waiting ID - Number Only requires a period of time equivalent to two ringing tones in order to produce the telephone number display on the CPE. Call Waiting ID - Number Only displays non-published telephone numbers, unless the Customer who has a non-published listing activates a call identification block.

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3.3 CUSTOM FEATURES (Continued)

3.3.16 Distinctive Ring

Distinctive Ring allows a Customer to establish up to two telephone numbers on the same access line and to distinguish calls to each number by distinctive ringing patterns. The standard ringing pattern applies to the billing telephone number, while the dependent telephone number receives a distinctive ringing pattern for incoming calls. Distinctive Ring is available to single line residential customers where facilities are available.

When a Distinctive Ring Customer also subscribes to Call Waiting, incoming calls to the billing telephone number will activate the standard Call Waiting tone. Calls to dependent telephone number will activate a distinctive Call Waiting tone. When a Distinctive Ring Customer subscribes to any Call Forwarding service, the dependent telephone number may be forwarded to the same number as the billing telephone number or receive no forwarding treatment.

3.3.17 Caller ID Name and Number Blocking Per Line

Prevents the delivery, display and announcement of the Customer's Directory Number and Directory Name on all calls dialed from an exchange service equipped with this option. When active, the Customer's name and telephone number will not appear on the called party's Caller ID equipment or be disclosed in another way.

3.3.18 Call Forwarding - (Busy Line /No Answer)

Provides for the automatic routing of incoming calls to a preselected telephone number when the called telephone number is busy and/or does not answer within a determined number of rings. When Call Forwarding service is provisioned in a central office, the pre-selected forwarded telephone number must be within the same central office control group. No assurance can be given that transmission will be fully satisfactory during Call Forwarding service calls.

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3.4 DIRECTORY LISTINGS

- 3.4.1 General - Customers shall provide the Company with information for all listings. The Company will include the Standard listing in the White Leafs (Alphabetical Section) of the telephone directory and will offer one additional listing to the Customer. The Customer must identify its non-published and non-listed telephone numbers for directory purposes.
- 3.4.2 Directory Listing - Standard - The Customer will receive one Standard listing per telephone number, in the alphabetical section of the directory, at no additional charge.
- 3.4.3 Directory Listing - Additional - The term Additional listing denotes any White Leaf listing, regardless of form, in addition to the Standard listing. A monthly rate applies for one Additional listing. An additional listing may be any of the following:
- A. Names of members of the Customer's family or of persons residing in the Customer's household.
 - B. When the Customer's name or names of other persons residing in the household is spelled in more than one way, additional listings of the alternative spelling are permitted.

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3.4 DIRECTORY LISTINGS - (Continued)

- 3.4.4 Non-Published Directory Listings - Non-published telephone numbers are not listed in either the Company's directories or directory assistance records available to the general public. When a call is placed from a telephone number associated with a non-published listing, the number and name may be disclosed if the called party has equipment to display Calling Number Delivery and/or Calling Name Delivery. Customers may prevent the display of the calling number and name by activating Caller ID blocking.
- 3.4.5 Non-Listed Directory Listings - Non-listed numbers are not listed in the Company's directories but are included in directory assistance records available to the general public.
- 3.4.6 Regulations - Incoming calls will be completed by the Company only when the calling party places the call by dialing the telephone number. The Company will adhere to this practice notwithstanding any claim of emergency the calling party may present. The acceptance by the Company of the Customer's request to refrain from publishing his/her telephone number in the directory does not create any relationship or obligation, direct or indirect, to any other person than the Customer.

The Company's liability, if any, for its gross negligence or willful misconduct or the right of the Customer to seek any legal remedy available for the same is not limited by this tariff. In the absence of gross negligence or willful misconduct with respect to any claim or suit brought by, or other legal remedies available to, the Customer for damages associated with publishing the telephone number of non published service in the directory or disclosing said number to any person, the Company's liability, if any, shall not exceed the monthly charges which the Customer may have made for such unpublished service for the period during which the service was affected. Except as otherwise indicated, the Customer indemnifies and saves the Company harmless against any and all claims for damages caused or claims to have been caused, directly or indirectly, by the publication/non- publication of the non published listed number or the disclosing/non-disclosing of said number to any person.

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3.5 LOCAL OPERATOR SERVICES

3.5.1 Directory Assistance

Allows Customers to obtain help determining listed telephone numbers. A maximum of two (2) requested telephone numbers will be provided for each Directory Assistance call.

3.5.2 Directory Assistance Call Completion Service

Directory Assistance Call Completion (DACC) provides a Customer calling Directory Assistance with the option of having the call to the requested numbers completed. Directory Assistance Call Completion Service is furnished only where facilities are available.

For local calls, charges for DACC are not applicable to Customers with disabilities that qualify for exemptions from Directory Assistance charges. Two types of Directory Assistance Call Completion are offered:

- A. Fully Automated: The Customer receives the requested directory number from an automated voice system. The Customer accepts DACC by depressing "1" from a Touch-Tone telephone when prompted by the DACC announcement.
- B. Semi-Automated: The Customer receives the requested directory number and then requests the operator to provide call completion to the requested number.

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3.5 LOCAL OPERATOR SERVICES - (Continued)

3.5.3 Busy Line Verification

Provides operator assistance in determining if there is a conversation in progress at the called station. The charge only applies if 1) a conversation is detected, or 2) the line is detected to be off-hook but no conversation.

3.5.4 Busy Line Interrupt

Provides for operator interruption of a conversation in progress on a called station. A charge applies for each attempt to interrupt regardless of whether or not the called station releases the call. A Busy Line Verification must be made prior to a Busy Line Interrupt and both service charges will apply.

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3.5 LOCAL OPERATOR SERVICES - (Continued)

3.5.5 Operator Assisted

Operator Assisted station-to-station and person-to-person charges are determined by adding the appropriate Operator Assisted service charge and/or surcharge, including the applicable calling rate.

The service charge categories for station-to-station Operator Assisted Calls are as follows:

- Collect
- Bill to Third Party
- All Other Operator Assisted Calls

A surcharge applies to Operator Assisted station-to-station and person-to-person calls. The surcharge applies in addition to any applicable service charges.

Incoming Collect and Billed to Third party Calls can be blocked at the customer's request.

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3.5 LOCAL OPERATOR SERVICES - (Continued)

3.5.6 Application of Service Charges and Surcharges

<u>TYPE OF CALL</u>	<u>OPERATOR SERVICE CHARGE</u>	<u>OPERATOR DIALED SURCHARGE</u>
- Busy Line Interruption	Yes	No
- Busy Line Verification	Yes	No
- Operator Must Assist (0+)	Yes	No
- Operator Assisted (0+)	Yes	No
- Operator Station-to-Station (Customer dialed 0+) collect, billed to third number, sent paid	Yes	No
- Operator Station-to-Station (operator dialed 0-) collect, billed to third number, sent paid	Yes	Yes
- Person-to-Person (Customer dialed 0+) collect, billed to third number, sent paid	Yes	No
- Person-to-Person (operator dialed 0-) collect, billed to third number, sent paid	Yes	Yes

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LOCAL EXCHANGE SERVICES

SECTION 4 - CONSUMER LOCAL RATES AND CHARGES

4.1 NON-RECURRING CHARGES

The Non-Recurring charges listed below will apply only to existing Excel local customers as of November 29, 2009. The following charges are applicable to customers located in Local Calling Areas 1 and 2 as set forth in Sections 2.2.2.A and 2.2.2.B of this tariff.

4.1.1 Service Connection Charges	<u>Non-Recurring Charge</u>
A. Local Service Connection (New Service) Charge	Min. \$15.00 per line Max. \$50.00 per line
B. Local Service Activation Charge	Min. \$15.00 per line Max. \$50.00 per line
C. Local Service Change Order Charge(s)	
-Feature Service Charge	Min. \$1.00 per line Max. \$10.00 per line
-Record Order Charge	Min. \$1.00 per line Max. \$10.00 per line
D. Local Service Move Order Charge	Min. \$15.00 per line Max. \$60.00 per line
4.1.2 Miscellaneous Charges	<u>Recurring/ Non-Recurring Charges</u>
A. Line Installation Charge and Outside Move	Min. \$20.00 per line Max. \$104.00 per line
B. Additional Line Installation Charge and Outside Move	Min. \$10.00 per line Max. \$33.00 per line
C. Restoration of Service Charge	Min. \$10.00 Max. \$40.00
D. Special Construction	(ICB)

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SECTION 4 - CONSUMER LOCAL RATES AND CHARGES

4.2 NON-RECURRING CHARGES (Continued)

Customers of the Simple Plan, Basic Plan, Select Plan, Value Plan, Premium Plan and Unlimited Plan will be billed at the following per line rates for orders and changes:

4.1.3 Service Connection Charges	<u>Non-Recurring Charge</u>
A. Local Service - New Order Charge(s)	Min. \$15.00 per line Max. \$104.00 per line
B. Local Service - Activation Charge(s)	Min. \$15.00 per line Max. \$50.00 per line
C. Local Service - Change Order Charge(s)	
-Feature Service Charge	Min. \$1.00 per line Max. \$50.00 per line
-Record Order Charge	Min. \$1.00 per line Max. \$50.00 per line
D. Local Service - Move Service Order Charge(s)	Min. \$15.00 per line Max. \$104.00 per line
4.1.4 Miscellaneous Charges	
A. Line Installation Charge and Outside Move	Min. \$20.00 per line Max. \$104.00 per line
B. Additional Line Installation Charge and Outside Move	Min. \$20.00 per line Max. \$104.00 per line
C. Restoration of Service Charge	Min. \$10.00 Max. \$50.00
D. Special Construction Charge	Individual Case Basis

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SECTION 4 - CONSUMER LOCAL RATES AND CHARGES (Continued)

4.2 EXCHANGE SERVICES

4.2.1	Local Exchange Services	Min. / Max. <u>Price Range, Each, Per</u> <u>Month</u>
A.	EXCEL MyLine SM StandAlone Local Service:	\$15.00/\$60.00 per month
B.	EXCEL Classic MyLine SM Basic Local Service Package:	\$15.00/\$60.00 per month
	--Additional Line(s)	\$10.00/\$40.00 each/month
C.	EXCEL Classic MyLine SM Value Local Service Package:	\$20.00/\$80.00 per month
	--Additional Line(s)	\$15.00/\$60.00 each/month
D.	EXCEL Classic MyLine SM Complete Local Service Package:	\$25.00/\$100.00 per month
	--Additional Line(s) ¹	\$20.00/\$80.00 each/month

4.2.2 Touch Tone Calling Service

Prices for Touch Tone Calling Service, as defined in this tariff, are reflected in the Local Services Offers prices in 4.2.1.B, 4.2.1.C and 4.2.1.D preceding. Customers subscribing to Touch Tone Calling Service will be billed at the following rate in addition to all charges associated with the Customer's basic local service plan:

Monthly Rate:	Min. \$0.10 / Max. \$0.50
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¹ The additional line option for the EXCEL Classic MyLineSM Complete Service Package will not be available to new Customers after January 12, 2003.

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SECTION 4 - CONSUMER LOCAL RATES AND CHARGES (Continued)

4.2 EXCHANGE SERVICES

4.2.3 Local Exchange Bundled Services

The EXCEL MyLineSM bundled service packages will be billed at the following rates in addition to all charges associated with the Customer's optional services and/or additional long distance usage, if any:

EXCEL MyLine SM Basic Package	MONTHLY RATE MIN / MAX <u>Zones 1A, IB and 2</u>
-With MyLine SM \$.05 Plan	
Primary Line	\$15.00/\$60.00
Additional Line	\$10.00/\$40.00
-With MyLine SM \$.03 Plan	
Primary Line	\$20.00/\$80.00
Additional Line	\$15.00/\$60.00
EXCEL MyLine SM Value Package	MONTHLY RATE MIN / MAX <u>Zones 1A, IB and 2</u>
-With MyLine SM \$.05 Plan	
Primary Line	\$20.00/\$80.00
Additional Line	\$15.00/\$60.00
-With MyLine SM \$.03 Plan	
Primary Line	\$25.00/\$100.00
Additional Line	\$20.00/\$80.00
EXCEL MyLine SM Complete Package	MONTHLY RATE MIN / MAX <u>Zones 1A, 1B and 2</u>
-With MyLine SM \$.05 Plan	
Primary Line	\$25.00/\$100.00
Additional Line	\$25.00/\$100.00

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SECTION 4 - CONSUMER LOCAL RATES AND CHARGES (Continued)

4.2 EXCHANGE SERVICES

4.2.4 Rates and Charges

Customers of the Simple Plan, Basic Plan, Select Plan, Value Plan, Premium Plan and Unlimited Plan will be billed at the following monthly rates in addition to all charges associated with the Customer's optional services and/or additional long distance usage, if any:

	<u>MIN / MAX</u>
Simple Plan	\$10.00/\$40.00
Basic Plan	\$10.00/\$50.00
Select Plan	\$10.00/\$80.00
Value Plan	\$10.00/\$90.00
Premium Plan	Rate Groups 1a and 1b: \$10.00/\$80.00 Rate Group 2: \$10.00/\$90.00
Unlimited Plan	Rate Group 1a: \$10.00/\$90.00 Rate Group 1b: \$10.00/\$100.00 Rate Group 2: \$10.00/\$110.00

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4.3 CUSTOM FEATURE RATES

4.3.1 The Customer Feature rates listed below will apply only to existing Excel local customers as of November 29, 2009. The following a la carte features are furnished as specified below:

	Per Month or Per Use Charge Min./Max.
Anonymous Call Rejection – (*77)/ACR	\$2.00/\$6.00 per month
Auto Redial - (*66)	\$2.00/\$6.00 per month or \$0.35/\$2.00 per use
Call Forwarding	\$2.00/\$6.00 per month
Call Forwarding - Busy Line	\$2.00/\$6.00 per month
Call Forwarding - No Answer	\$2.00/\$6.00 per month
Caller ID - Number Only	\$3.00/\$10.00 per month
Caller ID - With Name and Number	\$4.00/\$14.00 per month
Caller ID - Name and Number Blocking Per Line*	\$2.00/\$6.00 per month
Call Return (*69)	\$2.00/\$6.00 per month or \$0.35/\$2.00 per use
Call Trace (*57)	\$3.00/\$14.00 per month
Call Waiting - Without ID	\$2.00/\$6.00 per month
Call Waiting ID - Name and Number	\$2.00/\$6.00 per month
Call Waiting ID – Number Only	\$2.00/\$6.00 per month
Distinctive Ring	\$2.00/\$6.00 per month
Speed Dialing 8	\$2.00/\$6.00 per month
Three Way Calling	\$2.00/\$6.00 per month or \$0.35/\$2.00 per use
Touch Tone Service	\$0.10/\$0.50 per month

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SECTION 4 - CONSUMER LOCAL RATES AND CHARGES (Continued)

4.3 CUSTOM FEATURE RATES (Continued)

4.3.2 Customers of the Simple Plan, Basic Plan, Select Plan, Value Plan, Premium Plan and Unlimited Plan will be billed at the following rates for Custom Features:

	Per Month or Per Use Charge Min./Max.
Anonymous Call Rejection - (*77)/ACR	\$2.00/\$8.50 per month
Auto Redial - (*66)	\$2.00/\$9.50 per month or \$0.35/\$1.50 per use
Call Forwarding	\$2.00/\$10.50 per month
Call Forwarding - Busy Line/No Answer	\$2.00/\$7.50 per month
Caller ID - With Name and Number	\$4.00/\$17.00 per month
Call Return (*69)	\$2.00/\$9.50 per month or \$0.35/\$1.50 per use
Call Trace (*57)	\$1.50/\$3.00 per month
Call Waiting - Without ID	\$2.00/\$12.00 per month
Call Waiting ID - Name and Number	\$0.00/\$0.00 per month
Speed Dialing 8	\$2.00/\$10.50 per month
Three Way Calling	\$2.00/\$10.50 per month or \$0.35/\$1.50 per use

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4.4 DIRECTORY LISTINGS

4.4.1 The Directory Listing charges listed below will apply only to existing Excel local customers as of November 29, 2009.

	Min / Max Monthly Recurring <u>Charge</u>	Min / Max Non-Recurring <u>Charge</u>
Directory Listing - Standard	N/A	N/A
Directory Listing - Additional	\$0.60/\$3.00	\$5.00/\$20.00
Directory Listing - Non-Published	\$1.00/\$3.00	N/A
Directory Listing - Non-Listed	\$0.60/\$3.00	N/A

4.4.2 Customers of the Simple Plan, Basic Plan, Select Plan, Value Plan, Premium Plan and Unlimited Plan will be billed at the following rates for Directory Listings:

	Min./Max.	Min./Max
Directory Listing - Standard	N/A	N/A
Directory Listing - Additional	\$0.60/\$5.00	\$5.00/\$20.00
Directory Listing - Non-Published	\$1.00/\$5.00	N/A
Directory Listing - Non-Listed	\$0.60/\$3.00	N/A

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SECTION 4 - CONSUMER LOCAL RATES AND CHARGES (Continued)

4.5 LOCAL OPERATOR SERVICES

4.5.1 The Operator Services charges listed below will apply only to existing Excel local customers as of November 29, 2009.

A. Local Directory Assistance Service Charge, up to 2 listings per call

Min. \$0.20 - Per Call
Max. \$2.00 - Per Call

B. Directory Assistance Call Completion

Min. \$0.20 - Per Call
Max. \$4.00 - Per Call

C. Busy Line Verification/Interrupt Service

Charges Min. \$0.50 - Per Verification
Max. \$2.00 - Per Verification

Min. \$0.75 - Per Interrupt Max. \$3.00 - Per Interrupt

D. Operator Assisted Calling Service Charges

	Per Call Charge	
	<u>Min</u>	<u>Max</u>
-Sent Paid	\$1.00	\$3.00
-Station Collect	\$1.00	\$3.00
-Station Collect/Directory Assistance	\$1.00	\$3.00
-Billed to Third Number	\$1.00	\$3.00
-Billed to Third Number/Directory Assistance	\$1.00	\$3.00
-Person-to-Person	\$2.00	\$5.00
-Person-to-Person/Directory Assistance	\$2.00	\$5.00

E. Operator Service Per Minute

Rate: Min. \$0.05 per minute
Max. \$2.00 per minute

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SECTION 4 - CONSUMER LOCAL RATES AND CHARGES (Continued)

4.5 LOCAL OPERATOR SERVICES (Continued)

4.5.2 Customers of the Simple Plan, Basic Plan, Select Plan, Value Plan, Premium Plan and Unlimited Plan will be billed at the following rates for Local Operator Services:

A. Local Directory Assistance Service Charge, up to 2 listings per

call Min. \$0.20 - Per Call
Max. \$3.00 - Per Call

B. Busy Line Verification/Interrupt Service

Charges Min. \$0.50 - Per Verification
Max. \$5.50 - Per Verification

Min. \$0.75 - Per
Interrupt Max. \$5.50 -
Per Interrupt

C. Operator Assisted Calling Service Charges

Per Call Charge

	<u>Min</u>	<u>Max</u>
-Sent Paid	\$1.00	\$3.00
-Station Collect	\$1.00	\$3.00
-Station Collect/Directory Assistance	\$1.00	\$3.00
-Billed to Third Number	\$1.00	\$3.00
-Billed to Third Number/Directory Assistance	\$1.00	\$3.00
-Person-to-Person	\$2.00	\$5.00
-Person-to-Person/Directory Assistance	\$2.00	\$5.00

D. Operator Service Per Minute

Rate Min. \$0.05 per minute
Max. \$2.00 per minute

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SECTION 5 - CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

5.1 SPECIAL CHARGES

5.1.1 Applications

Special charges may be applied in addition to the usual service connection charges and monthly rates. Special charges apply primarily when unusual investment or expense will be incurred by the Company. Special charges will apply when:

- A. conditions require or the Customer request the provision of special equipment or unusual or nonstandard methods of plant construction, installation or maintenance or a move of equipment or necessary facilities;
- B. the Customer's location requires the use of costly private right-of-way; and
- C. the proposed service is of a temporary nature, and the plant to be placed would not be useful to the Company in the general conduct of its business after that service was discontinued.

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SECTION 5 - CHARGES APPLICABLE UNDER SPECIAL CONDITIONS - (Continued)

5.1 SPECIAL CHARGES - (Continued)

5.1.2 Customer Requirements

- A. Temporary Construction - The Customer shall be charged the estimated cost of construction and removal of the plant which would not be of value to the Company, less the estimated net recovery value of the material used. The Company may require the Customer to pay the cost of construction plus the cost of removal, less salvage, for temporary construction performed in advance of permanent construction or to provide temporary service.
- B. The Company shall retain title (if applicable) to all plant constructed, as specified within this tariff, provided wholly or partially at a Customer's expense.
- C. When attachments are made to poles of other companies, instead of providing construction for which the Customer would be charged under the provisions of this section, the Customer shall pay the other company's cost for such attachments.
- D. The Customer is required to pay the construction charges made by another telephone company providing facilities to connect with the facilities of the Company]

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SECTION 5 - CHARGES APPLICABLE UNDER SPECIAL CONDITIONS - (Continued)

5.2 LINE EXTENSIONS

5.2.1 Conditions for Line Extension Charges

Construction Charges for line extensions are applied to Customer's with abnormally long extension requirements to prevent unreasonable burdening of the general body of existing Customers or service subscribers.

5.2.2 Rules for Line Extension Charges

- A. All costs will be computed on a current basis, and material cost will be computed on the basis of the extension of the minimum sized cable used by the Company or its designated facilities provider to the Customer.
- B. The Company will determine the type of cable plant extension required on the basis of current and projected conditions and estimate the cost accordingly.
- C. The construction charge for line extensions is apportioned equally among all Customers of a group.
- D. Customers may be required to make advance payments to cover all or a portion of the excess construction charges for exchange service or special service arrangements when in the Company's judgment there is evidence of credit risk. A cash deposit may also be required as specified in Rules and Regulations, Section 2.3.5, on Deposits.
- E. Payments for line construction are not refundable, and no credit will be allowed for future installations on line extensions constructed under the above regulations.

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SECTION 5 - CHARGES APPLICABLE UNDER SPECIAL CONDITIONS - (Continued)

5.2 LINE EXTENSIONS - (Continued)

5.2.3 Poles on Private Property

The Company or its designated facilities provider will provide the poles on private property which are used in serving an individual Customer at no cost to the Customer except in cases where the Customer is required to pay for constructing the line extension. Poles requested by the Customer, in excess of those deemed necessary by the Company, will be charged to the Customer at the installed cost.

5.2.4 Provisions of Private Rights-of-Way

The Company's obligation to provide service through line extension depends entirely on its ability to secure, retain and maintain suitable rights-of-ways without incurring unreasonable expense. When conditions require, Customers shall provide, without expense to the Company, private rights-of-way as needed. Any and all private rights-of-way permit requirements and any and all associated costs will be the responsibility of the Customer and must be furnished before a plant extension project begins.

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SECTION 5 - CHARGES APPLICABLE UNDER SPECIAL CONDITIONS - (Continued)

5.3 SPECIAL CONSTRUCTION

5.3.1 Construction on Private Property

- A. The Company or its designated facilities provider will furnish an average amount of entrance and distribution facilities, provided the facilities are of the standard type normally furnished for the particular location or kind of service.
- B. If additional entrance or distribution facilities are required, or if conditions require special equipment, maintenance or methods of construction, if the installation is for a temporary purpose, or if for any other reason, the construction costs are excessive as compared with the revenue to be derived from the project, the Customer may be required to pay for costs over and above the costs applicable for a normal installation.
- C. The Customer will provide the Company upon request and without charge written permission for the placement of Company facilities (or the facilities of a Company- designated service provider) on their property.
- D. The Customer is responsible for providing satisfactory entrance to the building and space for mounting any necessary network protection equipment.

5.3.2 Temporary Service

Where plant construction is required to provide any temporary service or facility, or where it is necessary to place temporary construction in advance of permanent construction in order to meet the Customer's requirements, the Company may require the Customer to pay the nonrecoverable costs of the temporary construction or to contract for service beyond the initial period, or both.

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SECTION 5 - CHARGES APPLICABLE UNDER SPECIAL CONDITIONS - (Continued)

5.3 SPECIAL CONSTRUCTION - (Continued)

5.3.3 Service Provided to Movable Premises

- A. When telephone service is provided to movable premises by means of aerial plant, the Customer shall provide a clearance pole if the Company considers it necessary. The clearance pole must comply with the Company's specifications. The Customer shall place, own and maintain the pole. However, if the Customer elects and the Company agrees, the Company or its designated service provider will place, own and maintain the pole and bill the Customer the cost of placing the pole.
- B. Where plant construction is required to provide any service or facility to a movable premises, and it is necessary to place temporary construction in advance of permanent construction in order to meet the Customer's requirements, the Company may require the Customer to pay the nonrecoverable costs of the temporary construction or to contract for service beyond the initial period, or both.

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SECTION 5 - CHARGES APPLICABLE UNDER SPECIAL CONDITIONS - (Continued)

5.3 SPECIAL CONSTRUCTION - (Continued)

5.3.4 Service to Residential and Commercial Developments

The construction charges, allowances and provisions previously specified in this Section contemplate the extension of facilities into areas of normal growth and development. Where facilities are to be extended into new areas of residential or commercial real estate development which, in the Company's opinion, are of a promotional or speculative nature, the Company may require an advance deposit equal to all or a portion of the costs of such construction, depending on the circumstances in each case. This advance deposit will be payable prior to the start of construction.

- A. The Company and the developer may enter into a contractual agreement that provides for the periodic refund of portions of the deposit as Customers in the development receive telephone service, and other terms of the contract are met. The contract will specify the estimated number of telephone customers expected to receive service within the area and the time required to complete the project (not to exceed five years). The contract will provide that the construction charge be recomputed to reflect regular tariff allowances, design changes made by the developer, damage to telephone facilities by persons other than Company employees or agents or unusual construction requirements. Periodic refunds to the developer will be adjusted accordingly.
- B. The Customer for telephone service to a development is required to provide the Company, at his own expense, the necessary easements for installation and maintenance of telephone facilities, clear the ground where facilities are to be installed according to Company specifications and request installation of telephone facilities at an appropriate time during construction of the project to avoid unnecessary costs to the Company.

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SECTION 5 - CHARGES APPLICABLE UNDER SPECIAL CONDITIONS - (Continued)

5.3 SPECIAL CONSTRUCTION - (Continued)

5.3.5 Underground Service Connections

When a Customer requests that underground service connections be installed instead of aerial facilities which would ordinarily be used, or when aerial facilities are used to provide service, and the Customer subsequently requests that facilities be placed underground, the following regulations apply:

- A. the Customer shall pay the cost on constructing and maintaining underground conduits which will be built according to Company specifications or according to the specifications of the Company's designated service provider;
- B. any ducts required in the underground conduit by the Company to furnish service shall be reserved for its exclusive use;
- C. if a Customer requests that cable be installed in a trench, the trench shall be constructed and back filled under the Company's supervision at the Customer's expense;
- D. the Company or its designated service provider will maintain and replace cable installed in conduit where the Company has inspected and approved the conduit. The Company or its designated service provider will repair or replace cable in conduit or trench necessitated by damage caused by the Customer or his representatives, only at the Customer's expense; and
- E. the Company or its designated service provider may replace existing aerial facilities with underground facilities in connection with planned projects or during its normal operations. If a Customer requests the removal and replacement of existing aerial facilities with underground facilities prior to the time of normal replacement, the Customer will be responsible for the expense incurred by the Company in making the replacement.

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SECTION 5 - CHARGES APPLICABLE UNDER SPECIAL CONDITIONS - (Continued)

5.4 SPECIAL SERVICE ARRANGEMENTS

5.4.1 General

- A. If a Customer's requirements cannot be met by regular service arrangements, the Company will provide, where practical, special service arrangements at charges equal to the estimated cost of furnishing such facilities. These special service arrangements will be provided if the provision of such arrangements is not detrimental to any other services furnished under the Company's tariffs.
- B. If any type of qualifying special assembly device is subscribed to by more than three (3) customers, the Company may file the offering as a general service offering in the appropriate tariff section.

5.4.2 Rates and Charges

- A. Rates for special service arrangements are equivalent to the estimated costs of furnishing the special service arrangements.
- B. Estimated costs, which consist of an estimate of the total cost to the Company of providing the special service arrangement, may include the following:
 - 1. cost of maintenance;
 - 2. cost of operation;
 - 3. depreciation on the estimated installed cost of any facilities used to provide the special service arrangement based on anticipated useful service life less estimated net salvage value;
 - 4. general administration expenses, including taxes on the basis of average charges for these items;
 - 5. any other item of expense associated with the particular special service arrangement; and
 - 6. an amount, computed on the estimated installed cost of the facilities used to provide the special service arrangement, for return on investment.

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SECTION 5 - CHARGES APPLICABLE UNDER SPECIAL CONDITIONS - (Continued)

5.4 SPECIAL SERVICE ARRANGEMENTS - (Continued)

5.4.2 Rates and Charges - (Continued)

- C. The estimated installed cost described above will include the costs of equipment and materials provided or used, plus estimated labor costs, including the cost of installation, engineering, supervision, transportation, rights-of-way, in addition to other items chargeable to the capital accounts.
- D. Special service arrangement rates are subject to revision depending on changing costs.
- E. If and when a special service arrangement becomes a tariffed offering, the tariffed rate or rates will apply from the date of tariff approval.
- F. The following rate treatments may be used in connection with charges for special service arrangements:
 - 1. monthly rental or termination agreement with or without an installation charge; and
 - 2. installation charge only.

5.5 OTHER REGULATIONS

Line extensions and special service arrangements are further subject to the regulations specified in the tariffs of this Company, or in the tariffs of the Company's designated service provider, as they now exist, and any revisions, additions or supplements which may be made in the future.

Issued By:
Charles Griffin, Chief Executive Officer, 433 East Las Colinas Blvd., Suite 500, Irving, Texas 75039

Matrix Telecom, LLC
d/b/a Excel Telecommunications
P.S.C No. 3 - Telephone
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LOCAL EXCHANGE SERVICES

SECTION 6 - LOCAL MARKET TRIALS

- 6.1 Purpose - A market trial is intended to enable the Company to test its ability to provide services that may eventually be made available to the general public. As a part of a market trial, the Company may need to test the capabilities of the systems required by a proposed service, including, but not limited to, systems needed to establish, provision, operate, bill and/or collect for a service, whether such systems are provided solely by the company or in combination with systems provided by other carriers or vendors. A market trial is not an offer to provide service to the general public.
- 6.2 Eligibility - The Company may limit customers who are eligible to receive a service that is offered as part of a market trial, including but not limited to, limitations on the number of customers or the classes of customers who may subscribe to the service during the market trial. Additionally, the Company may limit the market trial to customers who are employees of the Company.
- 6.3 Availability - The Company, at its option, may choose to offer a market trial service on a statewide basis or may limit the availability of a market trial service to a smaller geographic area. The area in which a market trial service is available may include all or part of an exchange and need not conform to existing exchange area boundaries.
- 6.4 Duration - A market trial may be conducted for any period of time defined by the Company, not to exceed 12 months.
- 6.5 Notice - The Company will notify the Commission in writing of any local market trial services being offered in New York.
- 6.6 Applicability of Other Tariff Provisions - If the terms and conditions of the market trial conflict with other provisions of this tariff, the market trial terms and conditions shall govern the market trial service offering. In all other instances, a market trial shall be subject to the other terms and conditions for service as contained in this tariff.

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