

AT&T Communications of New York, Inc.  
P.S.C. No. 29 -- Telephone  
Business Services Tariff  
Effective Date: December 1, 2014

Section 2  
Leaf No. 1  
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## SECTION 2 - GENERAL REGULATIONS

### 2.1 UNDERTAKING OF THE COMPANY

#### 2.1.1. General

Casual Calling/Initial Subscription Services are furnished for the transmission of voice communications but may also be used for data, facsimile, signaling, metering, or other similar communications, subject to the transmission capabilities of the service.

Casual Calling/Initial Subscription Services are available twenty-four hours a day, seven days per week.

The Company does not transmit messages. However, Casual Calling/Initial Subscription Services may be used for that purpose.

#### 2.1.2 Transmission Medium

The Company selects and/or arranges for the channels and/or service components used to provide Casual Calling/Initial Subscription Services. Any suitable technology or combination of technologies may be used. The Company may modify or change the channels and/or service components used to furnish Casual Calling/Initial Subscription Services at any time subject to the regulations in 2.3 of this tariff.

#### 2.1.3 Provision of Customer Equipment

Customer equipment may be used with Casual Calling/Initial Subscription Services. The Company does not provide Customer equipment.

#### 2.1.4 Through Transmission of Signals

The Company is responsible for the provision of Casual Calling/Initial Subscription Services from station to station. It is not responsible for the quality of transmission or signaling on the Customer's side of the interface at a Customer's premises.

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## SECTION 2 - GENERAL REGULATIONS

### 2.1 UNDERTAKING OF THE COMPANY (continued)

#### 2.1.5 Availability of Casual Calling/Initial Subscription Services

##### A. Availability

1. Service will be provided where facilities and billing capability are available.
2. Service is furnished subject to the availability of the service components required. The Company will determine which of those components shall be used and make modifications to those components at its option. Service components shall include, but not be limited to, the existence of access and/or billing arrangements on an originating and/or terminating basis. In the absence of access arrangements between the Company and the access provider at a particular Station, a Customer may be unable to place calls from or to the affected Station.

##### B. Restoration of Service

The use and restoration of Casual Calling/Initial Subscription Services will be in accordance with Part 64, Subpart D, of the Federal Communications Commission's Rules and Regulations.

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## SECTION 2 - GENERAL REGULATIONS

### 2.2 USE

#### 2.2.1 General

Casual Calling/Initial Subscription Services may be used for any lawful purpose consistent with the transmission and switching parameters of the telecommunications network. Casual Calling/Initial Subscription Services are furnished for use by the Customer but may be used by others when so authorized by the Customer.

#### 2.2.2 Abuse

The abuse of Casual Calling/Initial Subscription Services is prohibited. The following activities constitute abuse:

- A. Using Casual Calling/Initial Subscription Services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another, or
- B. Using Casual Calling/Initial Subscription Services in such a way that it interferes unreasonably with the use of other Company services.

#### 2.2.3 Fraudulent Use

The fraudulent use of, or the intended or attempted fraudulent use of, Casual Calling/Initial Subscription Services is prohibited. The following activities constitute fraudulent use:

- A. Using Casual Calling/Initial Subscription Services to transmit a message, locate a person, or otherwise give or obtain information, without payment for the service,
- B. Using or attempting to use Casual Calling/Initial Subscription Services with the intent to avoid the payment, either in whole or in part, of the tariffed charges for the service by:
  - 1. Rearranging, tampering with, or making connections not authorized by this tariff to any service components used to furnish Casual Calling/Initial Subscription Services, or,
  - 2. Using fraudulent means or devices, tricks, schemes, false or invalid numbers, false credit devices, or electronic devices.

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## SECTION 2 - GENERAL REGULATIONS

### 2.3 RESPONSIBILITIES OF THE COMPANY

#### 2.3.1 Liability

- A. The Company's liability, if any, for its willful misconduct is not limited by this tariff. With respect to any other claim or suit, by a Customer or by any others, for damages associated with the installation, provision, termination, maintenance, repair or restoration of Casual Calling/Initial Subscription Services, and subject to the provisions of B. through H. following, the Company's liability, if any, shall not exceed an amount equal to the initial period charge provided for under this tariff for the Casual Calling/Initial Subscription Services call for the period during which the call was affected.
- B. The Company is not liable for damages associated with service, channels, or equipment which it does not furnish.
- C. The Company is not liable for damages to a premises resulting from the furnishing of Casual Calling/Initial Subscription Services, including the installation and removal of equipment and associated wiring, unless the damage is caused by the Company's negligence.
- D. The Company shall be indemnified, defended, and held harmless by the Customer and User against all claims, losses, or damages arising from the use of Casual Calling/Initial Subscription Services furnished pursuant to this tariff, involving:
  1. Claims for libel, slander, invasion of privacy, or infringement of copyright arising from any communication;
  2. Claims for patent infringement arising from combining or using Casual Calling/Initial Subscription Services furnished by the Company in connection with facilities or equipment furnished by others; or
  3. All other claims arising out of any act or omission of others relating to Casual Calling/Initial Subscription Services provided pursuant to this tariff.

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## SECTION 2 - GENERAL REGULATIONS

### 2.3 RESPONSIBILITIES OF THE COMPANY (continued)

#### 2.3.1 Liability (continued)

- E. The Company does not guarantee or make any warranty with respect to Casual Calling/Initial Subscription Services when used in an explosive atmosphere. The Company shall be indemnified, defended, and held harmless by the Customer and User against all claims, losses or damages by any person relating to Casual Calling/Initial Subscription Services provided pursuant to this tariff when used in an explosive atmosphere.
- F. No license under patents (other than the limited license to use) is granted by the Company or shall be implied or arise by estoppel, with respect to any service offered under this tariff. The Company will defend the Customer and User against claims of patent infringement arising solely from the use by the Customer or User of Casual Calling/Initial Subscription Services offered under this tariff and will indemnify such Customer or User for any damages awarded based solely on such claims.
- G. The Company's failure to provide or maintain service under this tariff shall be excused by Labor difficulties, governmental orders, civil commotions, natural catastrophe, and other circumstances beyond the Company's reasonable control.
- H. The Company shall not be liable for errors in transmitting, translating, receiving or delivering messages by telephone, Text Telephone (TT) or any other instrumentality over the facilities of the Company, connecting utilities or through a Telecommunications Relay Service (TRS) center.

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## SECTION 2 - GENERAL REGULATIONS

### 2.4 RESPONSIBILITIES OF THE CUSTOMER

#### 2.4.1 General

The Customer's general responsibilities are described in this section. When Customer equipment or a Customer-provided communications system is connected to Casual Calling/Initial Subscription Services, the Customer assumes additional responsibilities that are described in the Connections section of this tariff (see Section 2.7 of this tariff).

#### A. Payment of Bills and Compliance with Regulations

The Customer is responsible for placing any necessary orders and complying with tariff regulations for Casual Calling/Initial Subscription Services and for assuring that its Users comply with tariff regulations. The Customer is also responsible for the payment of bills for Casual Calling/Initial Subscription Services. This includes payment for Casual Calling/Initial Subscription Services calls or services originated or received at the Customer's number(s).

#### B. Establishing Identity

1. The calling party is responsible for establishing its identity as often as necessary during the course of a call.
2. The calling party assumes full responsibility for identifying the station, party, or person with whom connection is made at the called number or numbers.

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## SECTION 2 - GENERAL REGULATIONS

### 2.5 PAYMENTS AND CHARGES

#### 2.5.1 General

The applicable rates and charges are contained in the service sections of this tariff.

#### 2.5.2 Flexible Pricing

- A. Casual Calling/Initial Subscription Services rates may be reduced selectively and in varying amounts, so long as rates cover their relevant incremental costs. Casual Calling/Initial Subscription Services rates may be increased selectively in varying amounts not to exceed 50 percent per year.
- B. The Company reserves the right to change the rates as described in A. above at any time upon one day's notice to the New York State Public Service Commission by providing a revised Price List. The rates for Casual Calling/Initial Subscription Services are as shown on individual Price Lists.
- C. A change affecting the maximum level will be made in accordance with the applicable New York State Public Service Commission Rules and Regulations.
- D. Appropriate notification of changes in the rates for Casual Calling/Initial Subscription Services will be made to the Customer.

#### 2.5.3 Application of Charges

The rates and charges that are in effect in this tariff when Casual Calling/Initial Subscription Services are furnished are the rates and charges used to determine the Customer's bill.

#### 2.5.4 Payment of Charges

Payment for Casual Calling/Initial Subscription Services is due upon presentation of the bill. Casual Calling/Initial Subscription Services may be denied for nonpayment of a bill (see Violation of Regulations, Section 2.9).

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## SECTION 2 - GENERAL REGULATIONS

### 2.5 PAYMENTS AND CHARGES (continued)

#### 2.5.5 Deposits

Deposits held will accrue simple interest at a rate specified by the New York State Public Service Commission. In the event no such rate is set, then simple interest at the rate of up to 6% per annum shall be credited or paid to the customer while the deposit is held by the Company.

#### 2.5.6 Return Check Charge

An administrative charge is applied to the Customer's bill for each occasion that a check, bank draft or electronic funds transfer is returned for the reason of insufficient funds or no account. When a local exchange company provides the billing function on behalf of the Company, the local exchange company's return check charge applies.

	<u>Rates</u>	
	<u>Minimum*</u>	<u>Maximum</u>
Check Return Charge (Business)		\$15.00

In the case of an error by the institution on which the check or draft is written, the charge will be waived by the Company.

See the Price List Section of this Tariff for current charge.



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SECTION 2 - GENERAL REGULATIONS

2.5 PAYMENTS AND CHARGES (continued)

2.5.7 New York Gross Receipts Surcharge\*

A New York Gross Receipts Surcharge to recover the additional expense related to the State Gross Income and Earnings Taxes applies to usage rates and charges for all intrastate Casual Calling/Initial subscription Services calls. AT&T may elect to include surcharges on the Customer's bill.

2.5.8 Metropolitan Commuter Transportation District Tax Surcharge\*

- A. As described in B. following, a surcharge to recover the additional expense related to the Temporary Metropolitan Transportation Business Tax Surcharge (MTA Tax) applies to usage rates and charges for all intrastate Casual Calling/Initial Subscription Services calls. AT&T may elect to include surcharges on the Customer's bill.
- B. The surcharge, as specified in the Price List, is applicable to services furnished from the following counties:

New York City Counties		
Bronx County	Staten Island County	Putnam County
Kings County	Dutchess County	Rockland County
New York County	Nassau County	Suffolk County
Queens County	Orange County	Westchester County

- \* The applicable Gross Revenue Surcharge and MTA tax rates are shown in Statement Type: GRT schedule, which is attached to this tariff. Any changes to these rates will be filed on 15 days' notice to the Commission, or as directed by the Commission. Customers will be notified of any changes by bill message, bill insert or separate mailing no later than the first billing period following the date of the change. Whenever the state levies a new tax on the Company's gross revenues, repeals such a tax, or changes the rate of such a tax, the Commission may approve new surcharge factors, and the Company will file revised surcharges as directed by the Commission. These surcharges are not applicable to services provided for resale to telecommunications companies possessing Certificate of Public Convenience and Necessity from the New York State Public Service Commission, or designated as eligible for a sale-for-resale exclusion form the New York State Department of Taxation and Finance.

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### 2.5 PAYMENTS AND CHARGES (continued)

#### 2.5.9 New York State Universal Service Fund Surcharge

The New York Public Service Commission (NYPSC) issued its Order in Case 09-M0527 allowing the New York State Universal Service Fund assessments to be flowed through to the end user. The New York State Universal Service Fund Surcharge is applied to the customer's total monthly net long distance charges for telecommunications services, in addition to other monthly rates and charges set forth in this tariff. If the Company has collected its annually assessed amount prior to the end of the calendar year, as determined by the Fund Administrator, it will suspend collection of these surcharges for the remainder of that year, subject to any subsequent adjustment necessitated by the NYPSC Order.

For surcharge, refer to Statement Type: GRT schedule, which is attached to this tariff.

#### 2.5.10 Intrastate Access Recovery Charges

An Intrastate Access Recovery Charges as specified in the Price List will be assessed to customers who subscribe to Casual Calling/Initial Subscription Services. This fee will be charged to all customers who incur at least \$0.01 of long distance usage or long distance charges on their monthly bill. Billed charges can be in the form of billed usage or a billed monthly fee. This fee does not apply to customers that subscribe to only AT&T Local Services.

The Intrastate Access Recovery Charges is:

	<u>Rate</u>	
	<u>Minimum*</u>	<u>Maximum</u>
Intrastate Access Recovery Charges, per month		\$6.00

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SECTION 2 - GENERAL REGULATIONS

2.5 PAYMENTS AND CHARGES (continued)

2.5.11 Convenience Fee for Payment Made with a Company Representative

A fee will apply for each instance of payment of outstanding charges when authorized by the subscriber by telephone (whether such telephone call was originated by the subscriber or by the Company) and when the method of payment would allow the payment to be immediately credited to the subscriber's account, such as payment via a credit card, an electronic check (eCheck), or any other discretionary type payment that may be accepted by the Company through such telephone contacts. This fee will not apply for payments taken directly by subscribers to authorized Company payment locations, payments mailed in, automatic funds transfers, payments through the Company Internet website and other conventional methods of payments. The subscriber would be informed of any applicable charges prior to processing the subscriber's request.

	<u>Rates</u>	
	<u>Minimum*</u>	<u>Maximum</u>
Per Telephone Request		\$10.00

See the Price List Section of this Tariff for current charge.

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## SECTION 2 - GENERAL REGULATIONS

### 2.6 USE OF ANOTHER MEANS OF COMMUNICATIONS

#### 2.6.1 General

If the Customer elects to use another means of communication during the period of interruption, the Customer must pay the charges for the alternative service used.

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## SECTION 2 - GENERAL REGULATIONS

### 2.7 CONNECTIONS

#### 2.7.1 General

When Customer equipment is connected to Casual Calling/Initial Subscription Services it must comply with Part 68 of the FCC's Rules and Regulations, 47 C.F.R. Part 68 (commonly known as the FCC's Registration Program). When any equipment or system which is not subject to Part 68 of the FCC's Rules and Regulations is connected, the Minimum Protection Criteria specified in this tariff must be met.

The Company is responsible for the quality of transmission from station to station.

#### 2.7.2 Responsibilities of the Customer

When Customer equipment or a Customer-provided communications system is connected to Casual Calling/Initial Subscription Services, the Customer assumes responsibility for the connection as follows:

##### A. Compatibility with Casual Calling/Initial Subscription Services

The Customer is responsible for the compatibility of its equipment or system with Casual Calling/Initial Subscription Services. This responsibility applies at the initial installation and on a continuing basis as long as the connection is made.

##### B. Interference and Hazard

The operating characteristics of the customer equipment or customer-provided communications system connected to Casual Calling/Initial Subscription Services must not interfere with, or impair, any of the services offered by this Company. In addition, they must not endanger the safety of Company employees or the public, damage or interfere with the proper functioning of Company equipment, or otherwise injure the public in its use of Casual Calling/Initial Subscription Services.

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## SECTION 2 - GENERAL REGULATIONS

### 2.7 CONNECTIONS (continued)

#### 2.7.2 Responsibilities of the Customer (continued)

##### C. Changes to Casual Calling/Initial Subscription Services

The Company is not obligated to alter or modify Casual Calling/Initial Subscription Services because of additions or changes to Customer equipment or a Customer-provided communications system.

##### D. Testing and Maintenance

If a trouble condition occurs on an assembly, the Customer must determine whether the fault is in (1) the connected Customer equipment or Customer-provided communication system, or (2) Casual Calling/Initial Subscription Services. The Company will test and maintain only Casual Calling/Initial Subscription Services.

The testing of Casual Calling/Initial Subscription Services will usually be made from a central office. The Company will not dispatch a repair person to a Customer's or User's premises if a trouble condition (or suspected trouble condition) exists on the local exchange service. The Customer is responsible for requesting such dispatch from the provider of the local exchange service. The Customer is also responsible for the payment of such provider's charges, if any, for the dispatch.

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## SECTION 2 - GENERAL REGULATIONS

### 2.7 CONNECTIONS (continued)

#### 2.7.3 Responsibilities of the Company

##### A. General

The Company will furnish and maintain its service components in a manner suitable for Casual Calling/Initial Subscription Services. The Company will make available information as required by Part 68 of the FCC's Rules and Regulations (e.g., the number of ringers that may be connected to a particular line). In addition, the Company will be responsible for the compatibility of its equipment or services with Casual Calling/Initial Subscription Services when such equipment or services are connected to Casual Calling/Initial Subscription Services at a central office.

##### B. Changes in Components, Operations, or Procedures

The Company is not responsible to any party if a change in its Casual Calling/Initial Subscription Services components, operations, or procedures, which is consistent with the Registration Program: (1) affects any facilities, Customer equipment or Customer-provided communications systems provided by others in any way, or (2) requires the Customer-provided equipment to be modified in order to be used with Casual Calling/Initial Subscription Services. However, if such changes can be reasonably expected to materially affect the operating or transmission characteristics of Casual Calling/Initial Subscription Services or render any Customer equipment or Customer-provided communications system incompatible with Casual Calling/Initial Subscription Services, the Company will provide adequate notice, in writing, to allow the Customer an opportunity to maintain uninterrupted service.

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## SECTION 2 - GENERAL REGULATIONS

### 2.7 CONNECTIONS (continued)

#### 2.7.4 Recording of Two-Way Telephone Conversations

Casual Calling/Initial Subscription Services is not represented as adapted to the recording of two-way telephone conversations. However, voice recording equipment which is directly, acoustically or inductively connected with Casual Calling/Initial Subscription Services may be used for the recording of such conversations subject to the following regulations which have been adopted by the FCC:

##### A. Recording Requirements

The voice recording equipment must be arranged so that it can be connected or disconnected (or switched on or off) at the will of the Customer. In addition, one of the following conditions must apply:

- All parties to the telephone conversation must give their prior consent to the recording of the conversation, and the prior consent must be obtained in writing or be part of, and obtained at, the start of the recording, or
- A distinctive recorder tone, repeated at intervals of approximately fifteen seconds, is required to alert all parties when the recording equipment is in use. The distinctive recording tone can be provided as part of (1) the recording equipment, or (2) registered or grandfathered protective circuitry.

A broadcast licensee shall be exempt from the above recording requirements provided at least one of the following requirements is met:

- The licensee informs each party to the call of its intent to broadcast the conversation; or
- Each party to the call is aware of the licensee's intent to broadcast the call; or
- Such awareness of the licensee's intent to broadcast the call may be reasonably imputed to the party.



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## SECTION 2 - GENERAL REGULATIONS

### 2.7 CONNECTIONS (Cont'd)

#### 2.7.4 Recording of Two-Way Telephone Conversations (continued)

##### B. Exceptions

The FCC has established the following exceptions to the foregoing requirements:

1. Recordings made of incoming calls to telephone numbers publicized for emergencies involving health or safety of life and property (e.g., emergency situations involving fire, health care, police, public utilities and emergency road service) and outgoing calls made in immediate response to such calls. Included in this exception are:
  - a. Recordings made at the United States Department of Defense Command Centers of emergency communications transmitted over the Department of Defense's private line system when connected to Casual Calling/Initial Subscription Services.
  - b. Recordings made by the United States Nuclear Regulatory Commission of the Department of Energy with respect to the telephone systems located at its Operations Center.
2. Recordings of calls made for patently unlawful purposes, such as bomb threats, kidnap ransom requests and obscene telephone calls. Outgoing calls made in immediate response to such calls are also excepted. Included in this exception are:
  - a. Recordings made by the United States Secret Service of the Department of the Treasury for recording of two-way telephone conversations which concern the safety and security of the person of the President of the United States, members of his or her immediate family, or the White House and its grounds.
3. Recordings of calls made by Federal, State or local law enforcement authorities, or federal intelligence authorities, acting under color of law.

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## SECTION 2 - GENERAL REGULATIONS

### 2.7 CONNECTIONS (continued)

#### 2.7.5 Minimum Protection Criteria

##### A. General

Minimum Protection Criteria have been specified so that Company personnel, equipment, and services will be protected from the harmful effects of signal power overload, hazardous voltages and longitudinal imbalance. Minimum Protection Criteria applies to the direct electrical, acoustic, or inductive connections of Customer equipment, test equipment and Customer-provided communications systems to the network.

##### B. All Connections

Customer equipment, test equipment and Customer-provided communications systems connected to Casual Calling/Initial Subscription Services on a direct electrical basis or an acoustic or inductive basis, must comply with the following:

1. To protect other Company services, it is necessary that the signal which is applied at the station meets the following limits:

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SECTION 2 - GENERAL REGULATIONS

2.7 CONNECTIONS (continued)

2.7.5 Minimum Protection Criteria (continued)

B. All Connections (continued)

1. (continued)

a. Metallic Voltage

(1) 4 kHz to 270 kHz

<u>Center Frequency (f) of 8 kHz Band</u>	<u>Maximum Voltage in All 8 kHz Bands</u>	<u>Terminating Impedance</u>
8 kHz to 12 kHz	- (6.4+12.6 log f) dBV*	300 ohms
12 kHz to 90 kHz	(23 - 40 log f) dBV	135 ohms
90 kHz to 266 kHz	- 55 dBV	135 ohms

\* dBV = 20 log<sub>10</sub> voltage in volts

- (2) The root-mean-square (RMS) value of the metallic voltage components in the frequency range of 270 kHz to 6 MHz shall, averaged over 2 microseconds, not exceed -15 dBV. This limitation applies with a metallic termination having an impedance of 135 ohms.

b. Longitudinal Voltage

(1) 4 kHz to 270 kHz

<u>Center Frequency (f) of 8 kHz Band</u>	<u>Maximum Voltage in All 8 kHz Bands</u>	<u>Terminating Impedance</u>
8 kHz to 12 kHz	- (18.4+20 log f) dBV*	500 ohms
12 kHz to 90 kHz	(3 - 40 log f) dBV	90 ohms
90 kHz to 266 kHz	- 62 dBV	90 ohms

\* dBV = 20 log<sub>10</sub> voltage in volts

- (2) The root-mean-square (RMS) value of the longitudinal voltage components in the frequency range of 270 kHz to 6 MHz shall, averaged over 2 microseconds, not exceed -30 dBV. This limitation applies with a longitudinal termination having an impedance of 90 ohms.

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## SECTION 2 - GENERAL REGULATIONS

### 2.7 CONNECTIONS (continued)

#### 2.7.5 Minimum Protection Criteria (continued)

##### B. All Connections (continued)

2. To prevent the interruption or disconnection of a Casual Calling/Initial Subscription Services calls, it is necessary that the signal power applied at the station be limited. Specifically, the signal at the station shall at no time have energy concentrated solely in the 2450 to 2750 Hz band. If there is signal power at the station in the 2450 to 2750 Hz band, it must not exceed the power present at the same time in the 800 to 2450 Hz band.

##### C. Direct Electrical Connections

In addition to the regulations in B. preceding, Customer equipment, test equipment and Customer-provided communications systems which are connected to Casual Calling/Initial Subscription Services on a direct electrical basis must comply with the following:

1. To prevent excessive noise and crosstalk, it is necessary that the power of the signal presented at the AT&T central office not exceed 12dB below one milliwatt when measured over any three second interval. To ensure that this limit is not exceeded, the power of the signal which may be applied by the Customer equipment, test equipment, or Customer-provided communications system to the station will be specified for each Customer location. In no case shall the power exceed one milliwatt.

##### D. Acoustic or Inductive Connections

In addition to the regulations in B. preceding, Customer equipment and Customer-provided communications systems which are connected to Casual Calling/Initial Subscription Services on an acoustic or inductive basis must comply with the following:

1. To prevent excessive noise and crosstalk, it is necessary that the power of the signal which is applied by the equipment to the station located on the Customer's or User's premises be limited so that the signal power does not exceed 9dB below one milliwatt when averaged over any three-second interval. However, to permit each Customer, independent of distance from the serving office, to supply signal power at the serving office approximating 12dB below one milliwatt when averaged over any three-second interval, the Company, at the Customer's request, will specify, for each Customer location, the signal power at the station, which shall in no case exceed one milliwatt.

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## SECTION 2 - GENERAL REGULATIONS

### 2.7 CONNECTIONS (continued)

#### 2.7.6 Connection to a Customer-Provided Communications System or to Service(s) Provided by Others

Any system or service connected to Casual Calling/Initial Subscription Services offerings must be operated and maintained so it will work satisfactorily with Casual Calling/Initial Subscription Services. Connections to Casual Calling/Initial Subscription Services will be made in accordance with the following:

##### A. Answer Supervision

Answer supervision must be provided when a Casual Calling/Initial Subscription Service offering is connected to switching equipment or a Customer-provided communications system which is not subject to Part 68 of the FCC Rules and Regulations, 47 C.F.R. Part 68. In such cases, the equipment or system must provide answer supervision so that the measure of chargeable time begins upon the delivery of the Casual Calling/Initial Subscription Service call to the switching equipment or to the equipment connected to the communications system and ends upon termination of the call by the calling party.

##### B. Minimum Protection Criteria

The connection at the station used for Casual Calling/Initial Subscription Services must be made so that it continually complies with the specified Minimum Protection Criteria, Section 2.7.5 of this tariff.

##### C. Customer-Provided Communications System Failures

When a Customer-provided communications system fails and the connection to Casual Calling/Initial Subscription Services is not through switching equipment, the Customer-provided communications system must be arranged to promptly return the Casual Calling/Initial Subscription Services to an idle (on-hook) state. In addition, the Customer must notify the Company when the Customer-provided communications system fails.

##### D. Use of Satellite Facilities

If a Customer-provided communications system uses satellite facilities (directly or indirectly), and is connected to Casual Calling/Initial Subscription Services, there may be two or more satellite links involved in the combined connection. In such cases, the Company will not be responsible for any deterioration in transmission. It will continue to furnish Casual Calling/Initial Subscription Services using the service components that it considers to be appropriate.

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## SECTION 2 - GENERAL REGULATIONS

### 2.8 RATE DETERMINATION

The rate for a Casual Calling/Initial Subscription Services call is determined by factors such as:

- The distance between the rate centers of the originating (calling) station and the terminating (called) station; and, under certain conditions the distance between the V&H coordinates of an AT&T central office and the rate center of the called station.
- The time of day and the day of week
- The duration of the call.

The specific factors which apply to a given Casual Calling/Initial Subscription Services call and their application are listed in the rate section applicable to that type of call. The regulations pertaining to those factors are as follows:

#### 2.8.1 Time of Day and Day of Week

The rate charged for a Casual Calling/Initial Subscription Services call is determined in part by the day of the week and time of day at the originating (calling) station or at the AT&T central office associated with the originating (calling) station using special access. Different rates may be applicable to a call at different times of the day and on certain days of the week as specified in the appropriate rate section for that call.

#### 2.8.2 Determining the Chargeable Time of a Call

The chargeable time for a Casual Calling/Initial Subscription Services call is determined by the duration of the call. Chargeable time includes the initial period plus the additional time involved, if any, and is determined as follows:

- A. On all calls, chargeable time begins when connection is established between the calling station and the called station.
- B. Chargeable time ends when the calling station hangs up. If the called station hangs up but the calling station does not, chargeable time ends when the connection is released either by automatic timing equipment in the telecommunications network or by the Company operator.
- C. Initial minute rates for all calls are one minute or any fraction thereof.
- D. All additional minute rates are for each additional minute or any fraction thereof that the connection continues beyond the initial minute.

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2.8 RATE DETERMINATION (continued)

2.8.3 Determining the Applicable Rate in Effect

- A. When a Casual Calling/Initial Subscription call is established in one rate period and ends in another rate period, the rate in effect at the calling station applies to the portion of the call occurring within that rate period. When a unit of time is split between two rate periods, the rate applicable to that unit of time is based on the rate period in which it began.
- B. Chargeable time for a rate period (e.g., 8:00 AM – 5:00 PM) begins with the first stated hour (e.g., 8:00 AM) and continues to, but does not include, the second stated hour (e.g., 5:00 PM).
- C. Prices are quoted in terms of Initial and additional period for Day (Rate Period 1), Evening (rate Period 2) and Night/Weekend (Rate Period 3) time periods in the Price list.

Rate Period Table

	MON	TUES	WED	THUR	FRI	SAT	SUN
8:00 AM to # 5:00 PM	DAY RATE PERIOD (RATE PERIOD 1)						
5:00 PM to #11:00 PM	EVENING RATE PERIOD (RATE PERIOD 2)						EVE
11:00 PM to # 8:00 AM	NIGHT & WEEKEND RATE PERIOD (RATE PERIOD 3)						

# to, but not including

2.8.4 Use of Casual Calling/Initial Subscription Services for Resale or Shared Use

When Casual Calling/Initial Subscription Services are resold or shared, the Customer may advise its User that a portion of the Customer's service is provided by this Company. However, the Customer shall not represent that this Company jointly participates in the provision of the Customer's services.

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## SECTION 2 - GENERAL REGULATIONS

### 2.9 VIOLATION OF REGULATIONS

#### 2.9.1 General

The Company may take immediate action to protect its services or interests when certain regulations contained in this tariff are violated. The specific regulations involved and the action(s) which will be taken by this Company are as specified in 2.9.2 and 2.9.3 following.

#### 2.9.2 Interference, Impairment or Improper Use

The Company may temporarily restrict service immediately when the Customer:

- circumvents the Company's ability to charge for its services as specified in Section 2.2.3.B. (Fraudulent Use) preceding, or
- causes directly or indirectly an immediate harm to the Casual Calling/Initial Subscription Services network or other Company services as specified in Section 2.7.5 (Minimum Protection Criteria).

In such cases, the Company will make a reasonable effort to give the Customer prior notice before restricting service.

When a violation results in a denial for additional service and/or restriction of service, the denial and/or restriction will be removed when the Customer is in compliance with the regulation and so advises the Company.

#### 2.9.3 Nonpayment of Charges

The Company may deny and/or restrict Casual Calling/Initial Subscription Services for nonpayment of charges due as specified in section 2.5.4 (Payment of Charges) preceding. A written notice will be sent to the Customer at least five days in advance of the restriction and/or denial of Casual Calling/Initial Subscription Services. Upon payment of charges the restriction and/or denial of Casual Calling/Initial Subscription Services will be removed.



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## SECTION 2 - GENERAL REGULATIONS

### 2.11 DEFINITIONS

#### Call

A completed connection established between a calling station and one or more called stations.

#### Called Station

The station (e.g., telephone number) called, or the terminating point of a call.

#### Calling Station

The station from which a call is originated.

#### Company

AT&T Communications of New York, Inc.

#### Customer

The person or legal entity which orders service directly or through an agent.

#### Premises

A building or buildings on continuous property (except railroad rights-of-way, etc.) not separated by a public thoroughfare.

#### Protective Circuitry

Discrete electrical circuitry that is within the scope of the Registration Program and is designed to protect Casual Calling/Initial Subscription Services from harm.

#### Rate Center

A specified geographical location used for determining mileage measurements.

#### Station

Any location from which Casual Calling/Initial Subscription Services calls can be placed and/or received.