

TITLE SHEET

**RULES, REGULATIONS, AND
SCHEDULE OF RATES AND CHARGES
APPLICABLE TO END USERS
WITHIN THE STATE OF OHIO
OHIO PUBLIC UTILITIES COMMISSION
TELECOMMUNICATIONS TARIFF**

**FURNISHED BY
ACCESS FIBER GROUP, INC.**

All Telephone companies are subject to the commission's rules for minimum telephone service standards (MTSS) found in chapter 4901:1-5 of the Administrative Code. Customers have certain rights and responsibilities under the Minimum Telephone Service Standards. These safeguards can be found in the Appendix to Ohio Administrative Code 4901:1-5-03, which is entitled "Telephone Customer Rights and Responsibilities". These rights and responsibilities include complaint handling, ordering or changing service, service repair, payment of bills and disconnection and reconnection of service.

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CONCURRING, CONNECTING OR OTHER PARTICIPATING CARRIERS

1. **Concurring Carriers** - None
2. **Connecting Carriers** - None
3. **Other Participating Carriers** - None

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CHECK PAGE

Each page of this Tariff is effective as of the date shown at the bottom of the page. The revised pages listed comprise all changes from the original Tariff that are in effect as of the date shown.

<u>PAGE</u>	<u>REVISION</u>	<u>PAGE</u>	<u>REVISION</u>
C-1	Original		
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SYMBOLS

The following are the only symbols used for the purposes indicated below:

- C - to signify change in regulation
- D - to signify a deletion
- I - to signify a rate increase
- L - to signify material relocated in the tariff
- N - to signify a new rate or regulation
- R - to signify a rate reduction
- T - to signify a change in text, but no change in rate or regulation

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TARIFF FORMAT

- A. Page Numbering - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages are occasionally added to the Tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between pages 14 and 15 would be 14.1.
- B. Page Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the Commission. For example, the 4th Revised Page 14 cancels the 3rd Revised Page 14. Because of various suspension periods, deferrals, etc. the Commission follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect.
- C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2.
 - 2.1
 - 2.1.1
 - 2.1.1.A
 - 2.1.1.A.1
 - 2.1.1.A.1.(a)
 - 2.1.1.A.1.(a). I
 - 2.1.1.A.1.(a).I.(i)
 - 2.1.1.A.1.(a).I.(i).(1).
- D. Check Page - When a filing is made with the Commission, an updated Check Page accompanies the filing. The Check Page lists the pages contained in the Tariff, with a cross reference to the current revision number. When new pages are added, the Check Page is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on the check sheet if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on the same pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the Commission.

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SECTION 1 –TECHNICAL TERMS AND ABBREVIATIONS**1.1 Definition**

For the purposes of this Tariff, the following technical terms and abbreviations will apply.

Access Coordination: Access Coordination provides for the design, ordering, installation coordination, pre-service testing, service turn-up and ongoing maintenance coordination of testing and trouble resolution on all Company-provided local access channels. In the case of Customer-provided local access channels, it provides for the maintenance, ongoing coordination of testing, and trouble resolution from the local access channels.

Access Line: A transmission line used to transmit voice and/or data calls from the Customer's Premises to a telephone company serving wire center or a Company-designated POP or from a telephone company serving wire center or a Company-designated POP to the Customer's Premises.

Advance Payment: Part or all of a payment required before the start of service.

ADSL: ADSL stands for Asymmetric Digital Subscriber Line.

Airline Mileage: The distance in mileage between two Rate Centers whose position is specified by industry standards.

Alternate Access: Alternate Access is a form of Local Access except that the provider of the service is an entity, other than the Local Exchange Carrier, authorized or permitted to provide such service. The charges for Alternate Access may be subject to private agreement rather than published or special Tariff rates if permitted by applicable governmental rules.

Ancillary Charges: Ancillary Charges are charges for supplemental Services or optional features as set forth herein which may consist of both nonrecurring and monthly recurring charges.

Applicant: Any entity or individual who applies for Service under this Tariff.

Application for Service: The Application for Service is the standard Company order form which includes all pertinent billing, technical, and other descriptive information which will enable the Company to provide a communication Service(s) as required.

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SECTION 1 –TECHNICAL TERMS AND ABBREVIATIONS

Authorized User: A person, firm, corporation or other entity (including Customer) that 1) is authorized by the Customer to be connected to and utilize the Company's Services under the terms and regulations of this Tariff or 2) either is authorized by the Customer to act as the Customer in matters of ordering, changing or canceling Service or is placed in a position by the Customer, either through acts or omissions, to act as Customer in such matters. Such actions by an Authorized User shall be binding on Customer and shall subject Customer to any associated charges.

Billing Record Change: Billing Record Change is a change in Customer's billing address.

Building: A Building is a structure under one roof, or two or more structures where such structures adjoin, connect or are occupied as follows:

- The structures directly adjoin each other, being separated only by a Building wall.
- The structures are connected by a completely enclosed passageway designed for and used primarily as the regular route for foot travel between the structures and is also suitable for the installation and maintenance of interior telephone facilities.
- The major portion of the structure is occupied by the same Customer.

Business Customer: A Business Customer is a Customer who subscribes to the Company's Service(s) and whose primary use of the Service is of a business, professional, institutional, or otherwise occupational nature.

Business Service: A class of service provided to individuals engaged in business, firms, partnerships, corporations, agencies, shops, works, tenants of office buildings, and individuals practicing a profession or operating a business who have no offices other than their residences and where the use of the service is primarily or substantially of a business, professional or occupational nature.

Central Office: Central Office is a switching unit in a telephone system, providing service to the general public, having the necessary equipment and operating arrangements for terminating and interconnecting lines. More than one Central Office may be located in the same Building.

Central Office Building: Central Office Building is a Building containing one or more Central Offices. There may be more than one Central Office Building in an Exchange and one Central Office Building may serve more than one Exchange.

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SECTION 1 –TECHNICAL TERMS AND ABBREVIATIONS

Channel: Channel refers to an electrical path furnished by the Company between two or more points suitable for the purpose furnished and derived in a manner elected by the Company. A single pair of wires may be used to provide more than one Channel. A Channel may be provided in whole or in part by cable, wire, or radio.

Circuit: As generally used herein, a Circuit is a Channel.

CIC: CIC stands for Carrier Identification Code which is a numeric code consisting of three numbers used by end-users or customers to reach the networks of the COMPANYS through equal access arrangements.

CLEC: CLEC stands for Competitive Local Exchange Carrier which is any carrier or reseller offering local exchange telecommunications services other than the incumbent LEC.

CO: CO stands for Central Office.

Commission: Commission refers to the Ohio Public Utilities Commission or any succeeding agency.

Communications Systems: Communications Systems are Dedicated Channels and other facilities; (e.g., private microwave, analog/digital carrier, or cable), furnished by a Customer or an other common carrier for communication between premises. These communications systems are not subject to Part 68 of the Federal Communications Commission's rules and regulations.

Company: Company refers to **Access Fiber Group**, unless otherwise clearly indicated by the context.

Company-Provided: The switching, transmission, and other related telecommunications equipment/facilities provided by the Company or by any combination of the Company, the LEC, or other authorized Third Party Vendors contracted by the Company.

CPE: CPE stands for Customer-Provided Equipment which is terminal equipment connected to the telephone network which is owned by the Customer or leased by the Customer from a supplier.

CPNIP: Customer Premises Network Interface Points.

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SECTION 1 –TECHNICAL TERMS AND ABBREVIATIONS

CSPP: Customer Service Payment Plan.

Customer: A Customer is the person, firm, corporation, governmental unit, including and not limited to, educational entity or other entity which orders Service - either for its own use, as a resale carrier, or as a non-profit manager of a sharing group - and which is responsible for the payment of charges and for compliance with this Tariff.

Customer/End User: The terms "Customer/End User" refer to any person, firm, corporation, partnership or other entity which uses the services of the Company under the provisions and regulations of this Tariff. The Customer/End User is responsible for payment unless the charges for the services utilized are accepted and paid by another Customer or party.

Customer Association: A Customer Association is a pre-existing group of Customers (i) having a cognizable commonality of interest apart from their desire to purchase Services from the Company and (ii) engaging in activities as a group apart from the purchasing of Services from the Company.

Customer Commitment Date: The date in which the Company receives a firm commitment from a Customer for the provision of one of the Company's Data Service offerings.

Customer Premises/Customer's Premises: Location(s) designated by a Customer where Service is originated/terminated whether for its own communications needs or for the use of its Resellers. In the case of non-profit sharing groups, this term includes space at each sharer's place or places of business, as well as space at Customer's place of business.

Dark Fiber Service: Dark Fiber Service is service provided by the Company for the maintenance of optical fiber transmission capacity between customer locations in which the light for the fiber is provided by the Customer rather than the Company.

Dedicated Access: Where Customer's Premises has a non-switched connection to the POP selected by the Company for origination and or termination of calls. When the Dedicated Access is used for Switched Services, the Dedicated Access is referred to as a Dedicated Access line. When Dedicated Access is used to provide Data Services, the Dedicated Access is referred to as local loop.

Defects or Defective Service: A shortcoming or an imperfection in Data Service(s) as a result of mistakes, accidents, errors, omissions, interruption or delay in Service.

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SECTION 1 –TECHNICAL TERMS AND ABBREVIATIONS

Deposit: Refers to a cash or equivalent of cash security held as a guarantee for payment of the charges.

DID: Direct Inward Dial.

Disconnect: To render inoperable or to disable circuitry thus preventing outgoing and incoming toll communications service.

Diversity: Diversity is Customer-designated routing which indicates a Customer designated departure from the Company's primary route.

Employees: The term Employees refers to the active and retired employees of the Company and all subsidiaries, affiliates, and any other groups designated by the Company.

End User: The person or legal entity which uses the Service provided by the Company (also referenced as Customer/End User).

Equal Access: Enables the Customer to place long distance calls without the need to first dial a special code.

Exchange Access Line: An Exchange Access Line includes the serving Central Office line equipment and all Company plant facilities up to and including the Company provided network interface.

ICB: Individual Case Basis. A Service provided involving a nonstandard arrangement. The nature of such Service requirements makes it difficult or impossible to establish general Tariff provisions for such circumstances.

IDSL: IDSL stands for ISDN Digital Subscriber Line.

Initial and Additional Period: The Initial Period denotes the interval of time allowed at the rate specified for a connection between given service points. The Additional Period denotes the interval of time used for measuring and charging time in excess of the Initial Period.

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SECTION 1 –TECHNICAL TERMS AND ABBREVIATIONS

Installation: Installation means the connection of a Circuit, Dedicated Access line, or Port, for new, changed or additional Service.

Interface: An Interface is the point at the premises of the Customer, authorized user, joint user, or patron of a sharer of Service at which provision is made for connection of other than Company provided facilities to facilities provided by the Company.

IXC: Interexchange Carrier.

Joint User: A corporation, association, partnership, or individual that is permitted to use a Customer's Service by mutual agreement between the Customer and the Joint User in accordance with the terms and conditions of this Tariff.

LATA: Local Access Transport Area. A geographically defined regulatory boundary established by the Modification of Final Judgment in Civil Action No. 82-0192; or any other area designated as LATA in the NECA Tariff FCC No. 4.

LEC: LEC stands for Local Exchange Company.

Monthly Recurring Charge ("MRC"): The monthly charges to the Customer for services, facilities and equipment, which continue for the agreed upon duration of the service.

Message, Local: A Local Message is a message between telephones where the called telephone is within the unlimited, message unit, or primary calling area of the calling telephone.

Minimum Service Period: The Minimum Service Period is a stated length of time that a Customer is required to retain Service at a specific location.

Move: A Move is the relocation of equipment and wiring associated with a Customer's Service.

Non-recurring Charge ("NRC"): The initial charge, usually assessed on a one-time basis, to initiate and establish service. NRC may also apply to a service enhancement or change.

POP: Point-of-Presence. A physical place at which the local telephone company terminates subscriber Circuits for long distance dial-up or leased-line communications or a Company-designated location where a facility is maintained for the purpose of providing access to the Company's Service.

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SECTION 1 –TECHNICAL TERMS AND ABBREVIATIONS

Port: The physical or electrical interface through which access to the communications network is obtained.

Premise: A building or buildings on contiguous property.

Recurring Charges: The monthly charges to the Customer for services, facilities and equipment which continue for the agreed upon duration of the service.

Registered Equipment: Registered Equipment is equipment that complies with and has been approved within the registration provisions of Part 68 of the FCC's Rules and Regulations.

Reseller: A Customer that resells the Company's Service(s) with the Company's authorization.

Residence or Residential: A class of service furnished to a Customer at a place of dwelling where the actual or obvious use is for domestic purposes.

Service: Service consists of any Local Exchange Service provided by the Company pursuant to this Tariff.

Service Commitment Period: The Service Commitment Period is the period selected by the Customer, agreed to by the Company, and stated on the relevant Application for Service during which the Company will provide and Customer will accept and pay for the Service described therein.

Service Order: The written request for services executed by the Customer and the Company in the format devised by the Company. The signing of an Order by the Customer and acceptance by the Company initiates the respective obligations of the parties as set forth therein and pursuant to this tariff, but the duration of the services is calculated from the Service Commitment Period.

State: State refers to the State of Ohio.

Switched Access: The Customer gains entry to the Company's services by a transmission line that is switched through the local exchange carrier to reach the Company's point of presence.

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SECTION 1 –TECHNICAL TERMS AND ABBREVIATIONS

T-1 Digital Service: T-1 Digital Service, also called T-1, is a digital link between two points. This link typically transmits at speeds of 1.544 megabits per second. In most cases, this service allows twenty-four access paths between any two points.

Telecommunications: The transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

Terminal Equipment: Devices, apparatus, and their associated wiring provided by a Customer which do not constitute a Multi-Line Terminating System and which, when connected to the communications path of the telephone system are so connected either electrically, acoustically, or inductively are referred to as Terminal Equipment.

Transmission Speed: For the purposes of this Tariff, Transmission Speed denotes the line speed in Bits or Baud per seconds (bps).

Underlying Carrier: Underlying Carrier refers to any Local Exchange Carrier certified by the Commission that provides Local Exchange Services resold by the Company pursuant to this Tariff.

User or End User: A Customer, Joint User, or any other person authorized by a Customer to use service provided under this tariff.

V&H: Vertical and Horizontal geographic coordinates.

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SECTION 2 – UNDERTAKING OF THE COMPANY

2.1 Undertaking of the Company

This tariff contains the regulations and rates applicable to intrastate interexchange telecommunications services provided by the Company for telecommunications between points within the State of Ohio. Services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff in compliance with limitations set forth in the Commission's rules. The Company's services are provided on a statewide basis and are not intended to be limited geographically. The Company offers service to all those who desire to purchase service from the Company consistent with all of the provisions of this tariff. Customers interested in the Company's services shall file a service application with the Company which fully identifies the Customer, the services requested and other information requested by the company. The Company may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the Customer, to allow connection of a Customer's location to a service provided by the Company. The Customer shall be responsible for all charges due for such service arrangement.

- 2.1.1 The services provided by the Company are not part of a joint undertaking with any other entity providing telecommunications channels, facilities, or services, but may involve the resale of the Message Toll Services (MTS) and Wide Area Telecommunications Services (WATS) of underlying common carriers subject to the jurisdiction of this Commission.
- 2.1.2 The rates and regulations contained in this tariff apply only to the services furnished by the Company and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carriers for use in accessing the services of the Company.
- 2.1.3. The Company reserves the right to limit the length of communications, to discontinue furnishing services, or limit the use of services necessitated by conditions beyond its control, including, without limitation: lack of satellite or other transmission medium capacity; the revision, alteration or repricing of the Underlying Carrier's tariffed offerings; or when the use of service becomes or is in violation of the law or the provisions of this tariff.

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SECTION 2 – UNDERTAKING OF THE COMPANY**2.2 Deposit**

The Company may require deposits to establish service for a Customer. All deposits will be handled in accordance with Commission Rule 4901:1-5. The deposits may not exceed two hundred per cent (200%) of the established monthly bill based upon the customer's service account billing history for the same recurring regulated charges for the class of service seeking to be established with AFG.

2.3 Taxes**2.3.1 General**

All federal, state and local taxes, assessments, surcharges, or fees, including sales taxes, use taxes, gross receipts taxes, and municipal utilities taxes, are billed as separate line items and are not included in the rates quoted herein.

2.3.2 Tax Exemption Certificate

In order to be granted tax exempt status, a Customer claiming tax exempt status must provide the Company with copies of all tax exemption certificates and documents required by the Company at the time Service is ordered. New Customers are required to provide the requested documentation at the time Service is ordered.

2.4 Late Charge

A late fee of 1.5% monthly or the amount otherwise authorized by law, whichever is lower, will be charged on any past due balances.

2.5 Return Check Charge

If payment for Service is made by a check, draft, or similar instrument (collectively "Check") that is returned to the Company unpaid by a bank or another financial institution for any reason, the Company will bill the Customer a returned check charge. In addition, the Customer may be required to replace the returned Check with a payment in cash or equivalent to cash, such as a cashier's check, certified check or money order.

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SECTION 2 – UNDERTAKING OF THE COMPANY**2.6 Customer Complaints and/or Billing Disputes**

Customer inquiries or complaints regarding service or accounting may be made in writing or by telephone or by fax to the Company at:

201 Summit Parkway
Birmingham, Alabama 35203
(205) 271-2477 or (205) 271-8420 or TOLL FREE (866) 561-7699
(205) 940-9067 fax

Any objection to the billed charges should be reported promptly to the Company. The Customer should notify the company of any disputed items on an invoice within thirty (30) days. In the event of a dispute between the Customer and the utility respecting any bill, the utility may require the Customer to pay the undisputed portion of the bill to avoid discontinuance of service for non-payment. The utility shall make such investigation as may be appropriate to the particular case and report the result thereof to the customer. In the event the dispute is not reconciled, either party may make application to the Commission for review and disposition of the matter.

Where over-billing of a subscriber occurs, due either to Company or subscriber error, no liability exists which will require the Company to pay any interest, dividend or other compensation on the amount over-billed.

2.7 Promotional Offerings

The Company may, from time to time, make promotional offerings to enhance the marketing of its services. These offerings may be limited to certain dates, times and locations. The company will notify the Commission of such offerings as required by Commission rules and regulations.

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SECTION 3 – RESERVED FOR FUTURE USE

3.1 RESERVED FOR FUTURE USE

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SECTION 4 – RESERVED FOR FUTURE USE

4.1 RESERVED FOR FUTURE USE

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SECTION 5 – MISCELLANEOUS SERVICE/CHARGES**5.1 Special Service Arrangements**

Customer-specific service arrangements, which may include engineering, installation, construction facilities, assembly, and/or other special Services, may be furnished in addition to existing Tariff offerings. Rates, terms, and conditions plus any additional regulations, if applicable, for the special service arrangements will be developed upon Customer's request. Unless otherwise specified, the regulations for the special service arrangements are in addition to the applicable regulations specified in other sections of this Tariff.

5.2 Miscellaneous Services

The Customer may request changes in circuit engineering, equipment, service parameters, premise locations or other change requests. These changes are subject to the following fees:

5.2.1	<u>Order Change</u>	
	Per Order Change:	\$50.00
5.2.2	<u>Reconnect Charge</u>	
	Per account reconnection:	\$50.00
5.2.3	<u>Bad Check Charge</u>	
	Per returned and/or bad check:	\$30.00

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SECTION 6 – RESERVED FOR FUTURE USE

6.1 RESERVED FOR FUTURE USE

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SECTION 7 – RESERVED FOR FUTURE USE

7.1 Reserved For Future Use

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