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FILE

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April 1, 2008

**VIA OVERNIGHT DELIVERY**

Renee J. Jenkins  
Director of Administration  
Public Utilities Commission of Ohio  
180 E. Broad St.  
Columbus, OH 43215-3793

Re: McGraw Communications, Inc.  
Case No.: 02-3035-~~CT~~-ACE

08-411-TP-ATA  
90-6101-TP-TRF PUCO

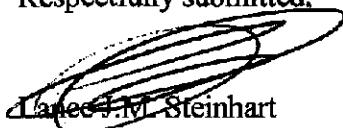
RECEIVED-DOCKETING DIV  
2008 APR -2 AM 8:49

Dear Ms. Jenkins:

Pursuant to the Matter of the Review of Chapter 4901:1-6, Ohio Administrative Code, Case No. 06-1345-TP-ORD dated September 19, 2007, enclosed please find for filing an original and seven (7) copies of McGraw Communications, Inc.'s Detariffing and Related Actions Application Form, with all required attachments.

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self-addressed, postage prepaid envelope. If you have any questions, or if I may provide you with additional information, please do not hesitate to contact me.

Respectfully submitted,

  
Lance J.M. Steinhart  
Attorney for  
McGraw Communications, Inc.

Enclosures

cc: Sadia Mendez (w/enc)

This is to certify that the images appearing are an  
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**The Public Utilities Commission of Ohio**  
**TELECOMMUNICATIONS APPLICATION FORM for**  
**DETARIFFING AND RELATED ACTIONS**

Per the Commission's 09/19/07 "Implementation Order" in Case No. 06-1345-TP-ORD  
(Effective: 10/01/2007 through 04/01/2008)

In the Matter of the Application of McGraw Communications, Inc. )  
to Detariff Certain Tier 2 Services and make other changes )  
related to the Implementation of Case No. 06-1345-TP-ORD )

TRF Docket No. 90-

Case No. \_ - \_ - **TP - ATA**

NOTE: Unless you have reserved a Case No. leave the "Case No." fields BLANK.

**08-411-TP-ATA**

Name of Registrant(s) McGraw Communications, Inc.

DBA(s) of Registrant(s)

Address of Registrant(s) 228 East 45th Street, 12th Floor, New York, New York 10017

Company Web Address www.mcgrawcom.net

Regulatory Contact Person(s) Francis X. Ahearn, CEO

Phone (212) 849-2223 Fax (212) 849-2283

Regulatory Contact Person's Email Address fahearn@mcgrawcom.net

Contact Person for Annual Report Francis X. Ahearn, CEO

Phone (212) 849-2223

Address (if different from above)

Consumer Contact Information Francis Ahearn, CEO

Phone (888) 543-2000

Address (if different from above)

**Part I - Tariffs**

Please indicate the Carrier Type and the reason for submitting this form by checking the boxes below.

NOTE: All cases are ATA process cases, tariffs are effective the day they are filed, and remain in effect unless the Commission acts to suspend.

Carrier Type	<input type="checkbox"/> ILEC	<input checked="" type="checkbox"/> CLEC	<input checked="" type="checkbox"/> CTS
Business Tier 2 Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Residential & Business Toll Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Changes required by Rule (Describe in detail in Exhibit C)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Part II - Exhibits**

Note that the following exhibits are required for all filings using this form.

Included	Identified As:	Description of Required Exhibit:
<input checked="" type="checkbox"/>	Exhibit A	The existing affected tariff pages.
<input checked="" type="checkbox"/>	Exhibit B	The proposed revised tariff pages.
<input checked="" type="checkbox"/>	Exhibit C	Matrix or narrative summarizing all changes proposed in the application, and/or other information intended to assist Staff in the review of the Application.
<input checked="" type="checkbox"/>	Exhibit D	Explanation of how the Applicant intends to comply with Rule 4901:1-6-05(G)(3) regarding disclosure of rates, terms, and conditions for detariffed services, including: <ul style="list-style-type: none"> <li>citation to the appropriate Web Page if any, in accordance with rule 4901:1-6-05(G)(4), and/or</li> <li>copy of other materials and publications to be used to comply with 4901:1-6-05(G)(3).</li> </ul>
<input checked="" type="checkbox"/>	Exhibit E	One-time customer notice of detariffing and related changes consistent with rule 4901:1-06-16(B) , including where customers may find the information regarding such services as required by rule 4901:1-6-05(G)(3).
<input checked="" type="checkbox"/>	Exhibit F	Affidavit that the Customer Notice described in Exhibit C has been sent to Customers.

**Part III. – Attestation**

**Registrant hereby attests to its compliance with pertinent entries and orders issued by the Commission.**

**AFFIDAVIT**

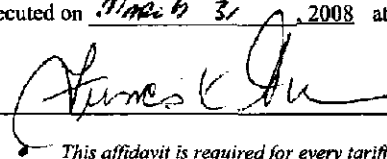
***Compliance with Commission Rules and Service Standards***

I am an officer/agent of the applicant corporation, McGraw Communications, Inc., and am authorized to make this statement on its behalf.

I attest that these tariffs comply with all applicable rules, including the Minimum Telephone Service Standards (MTSS) Pursuant to Chapter 4901:1-5 OAC for the state of Ohio. I understand that tariff notification filings do not imply Commission approval and that the Commission's rules, including the Minimum Telephone Service Standards, as modified and clarified from time to time, supersede any contradictory provisions in our tariff. We will fully comply with the rules of the state of Ohio and understand that noncompliance can result in various penalties, including the suspension of our certificate to operate within the state of Ohio.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 31, 2008 at New York, New York



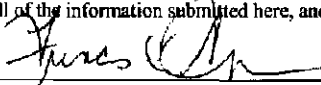
Francis X. Ahearn, CEO

March 31, 2008

*This affidavit is required for every tariff-affecting filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.*

**VERIFICATION**

I, Francis X. Ahearn, verify that I have utilized the Telecommunications Application Form for Detariffing and Related Actions provided by the Commission and that all of the information submitted here, and all additional information submitted in connection with this case, is true and correct to the best of my knowledge.



\*Francis X. Ahearn, CEO

March 31, 2008

*\*Verification is required for every filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.*

***Send your completed Application Form, including all required attachments as well as the required number of copies, to:***

**Public Utilities Commission of Ohio  
Attention: Docketing Division  
180 East Broad Street, Columbus, OH 43215-3793**

***Or***

***Make such filing electronically as directed in Case No 06-900-AU-WVR***

OH DETARIFFING

## **LIST OF EXHIBITS**

- Exhibit A The existing affected tariff pages.
- Exhibit B The proposed revised tariff pages.
- Exhibit C Matrix or narrative summarizing all changes proposed in the application, and/or other information intended to assist Staff in the review of the Application.
- Exhibit D Explanation of how the Applicant intends to comply with Rule 4901:1-6-05(G)(3) regarding disclosure of rates, terms, and conditions for detariffed services, including:
- Exhibit E One-time customer notice of detariffing and related changes consistent with rule 4901:1-06-16(B) , including where customers may find the information regarding such services as required by rule 4901:1-6-05(G)(3).
- Exhibit F Affidavit that the Customer Notice described in Exhibit C has been sent to Customers.

**Exhibit A**

Existing Affected Tariff Pages

REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES  
APPLYING TO END-USER  
COMMUNICATIONS SERVICES WITHIN  
THE STATE OF OHIO

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Chief Executive Officer  
McGraw Communications, Inc.  
228 East 45th Street  
New York, NY 10017

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**EXPLANATION OF SYMBOLS, REFERENCE  
MARKS, AND ABBREVIATIONS OF TECHNICAL  
TERMS USED IN THIS TARIFF**

The following symbols shall be used in this tariff for the purpose indicated below:

C	To signify changed regulation.
D	To signify discontinued rate or regulation.
I	To signify increased rate.
M	To signify a move in the location of text.
N	To signify new rate or regulation.
R	To signify reduced rate.
S	To signify reissued matter.
T	To signify a change in text but no change in rate or regulation.

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**APPLICATION OF TARIFF**

This tariff sets forth the service offerings, rates, terms and conditions applicable to the furnishing of intrastate end-user communications services by McGraw Communications, LLC, to Customers within the State of Ohio.

McGraw Communications, LLC's registered agent in the State of Ohio is HIQ Corporate Services, Inc., 505 South High Street, Courthouse Square, Columbus, Ohio 43215.

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**DEFINITIONS**

Certain terms used generally throughout this tariff are defined below.

Account Codes: Permits Centrex Stations and attendants to dial an account code number of up to eight digits. For use when placing calls over facilities arranged for Automatic Message Accounting (AMA) recording. The account or project number must be input prior to dialing the called number.

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

Automatic Number Identification (ANI): Allows the automatic transmission of a caller's billing account telephone number to a local exchange company, interexchange carrier or a third party subscriber. The primary purpose of ANI is to allow for billing of toll calls.

Bit: The smallest unit of information in the binary system of notation.

Call Back/Camp On: Permits a station line encountering an all-trunk-busy condition the option of being notified when a trunk becomes idle.

Call Forwarding:

Call Forwarding Station: Allows calls directed to a station line to be routed to a user defined line inside or outside the customer's telephone system.

Call Forwarding System: Permits calls attempting to terminate to a busy station line to be re-directed to a predetermined line inside or outside the customer's telephone system.

Call Forwarding Remote: This optional feature allows a user to activate/deactivate the Call Forwarding - All Calls feature or change the forwarded to telephone number from a remote location.

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**DEFINITIONS (CONT'D)****Call Forwarding (cont'd)**

**Call Forwarding Busy:** Allows incoming calls to a busy station to be routed to a preselected station line or attendant within the same system or outside the system. Intercom calls can be arranged to be forwarded to a number different from DID calls.

**Call Forwarding Don't Answer:** Allows incoming calls to be automatically routed to a preselected station line or attendant in the same system or outside the system, when the called station is not answered after a preset number of rings. Intercom calls can be arranged to be forwarded to a number different from DID calls.

**Call Forwarding Variable Limited:** When this feature is activated by a station line user or the attendant, incoming calls to the activated station line or attendant position will be automatically routed to any other selected station line, within the same Centrex system, or to the attendant position. The attendant may also activate this feature for a station line user.

**Call Forwarding Variable Unlimited:** The same as Call Forwarding Variable Limited except that incoming calls may be automatically routed to a telephone number outside the Centrex system or to station lines within the same Centrex system. The attendant may not activate this feature to a telephone number outside the Centrex system for a station line use. Calls forwarded outside the Centrex system are subject to the appropriate charges for local and toll messages.

**Call Hold:** Allows the user to hold one call for any length of time provided that neither party goes on-hook.

**Call Park:** Allows a station line to park a call against its own line number. The parked call can be retrieved from any station line by dialing a feature code and the line number against which the call is parked.

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**DEFINITIONS (CONT'D)**

Call Pickup: Allows a station line to answer incoming calls to another station line within a defined call pickup group. Call pickup is provided on individual station lines within a customer group.

Call Transfer: Allows a station line user to transfer any established call to another station line inside or outside the customer group without the assistance of the attendant.

Call Waiting: Permits a line in the talking state to be alerted by a tone when another call is attempting to complete to the line. Audible ringing is returned to the originating line. The Service also provides a hold feature that is activated by a switchhook flash.

Communications Services: The Company's intrastate toll and local exchange switched telephone services offered for both intraLATA and interLATA use.

Company: McGraw Communications, LLC ("McGraw"), the issuer of this tariff.

Customer or Subscriber: The person, firm or corporation which orders service and is responsible for the payment of charges and compliance with the Company's regulations.

Dial Pulse (or "DP"): The pulse type employed by rotary dial station sets.

Direct Inward Dial (or "DID"): A service attribute that routes incoming calls directly to stations, bypassing a central answering point.

Direct Outward Dial (or "DOD"): A service attribute that allows individual station users to access and dial outside numbers directly.

Do Not Disturb: Permits the attendant to cut off a single station line and selected groups of station lines from receiving incoming and station-to-station calls.

Dual Tone Multi-Frequency (or "DTMF"): The pulse type employed by tone dial station sets.

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**DEFINITIONS (CONT'D)**

Duplex Service: Service which provides for simultaneous transmission in both directions.

Fiber Optic Cable: A thin filament of glass with a protective outer coating through which a light beam carrying communications signals may be transmitted by means of multiple internal reflections to a receiver, which translates the message.

Hunting: Routes a call to an idle station line in a prearranged group when the called station line is busy.

In-Only: A service attribute that restricts outward dial access and routes incoming calls to a designated answer point.

Joint User: A person, firm or corporation which is designated by the Customer as a user of services furnished to the Customer by McGraw and to whom a portion of the charges for the service will be billed under a joint user arrangement as specified herein.

Kbps: Kilobits per second, denotes thousands of bits per second.

Last Number Redial: Enables a station line user to redial the last called number by use of an access code rather than dialing the entire number.

LATA: A Local Access and Transport Area established pursuant to the Modification of Final Judgment entered by the United States District Court for the District of Columbia in Civil Action No. 82-0192; or any other geographic area designated as a LATA in the National Exchange Carrier Association, Inc. Tariff F.C.C. No. 4.

Mbps: Megabits, denotes millions of bits per second.

Multi-Frequency or ("MF"): An inter-machine pulse-type used for signaling between telephone switches, or between telephone switches and PBX/key systems.

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**DEFINITIONS (CONT'D)**

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

Service Commencement Date: The first day following the date on which the Company notifies the Customer that the requested service or facility is available for use, unless extended by the Customer's refusal to accept service which does not conform to standards set forth in the Service Order or this tariff, in which case the Service Commencement Date is the date of the Customer's acceptance. The Company and Customer may mutually agree on a substitute Service Commencement Date.

Service Order: The written request for Network Services executed by the Customer and the Company in the format devised by the Company. The signing of a Service 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 service is calculated from the Service Commencement Date.

Shared: A facility or equipment system or subsystem that can be used simultaneously by several Customers.

Speed Calling: Permits a station line user to dial selected numbers by using fewer digits than normally required. This is accomplished through the assignment of abbreviated codes to frequently called numbers. The speed calling list is customer-changeable.

System: Allows shared use of speed calling list. A control station will add, change or delete telephone numbers from the list for the group.

Station: Allows a station line user to add, change or delete telephone numbers from a speed calling list. The list is dedicated to the individual station line user.

Three-Way Calling: Allows a station line user to add a third party to an existing conversation.

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**DEFINITIONS (CONT'D)**

Two Way: A service attribute that includes outward dial capabilities for outbound calls and can also be used to carry inbound calls to a central point for further processing.

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

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**REGULATIONS**

2.1 **Undertaking of the Company**

2.1.1 **Scope**

The Company undertakes to furnish communications service pursuant to the terms of this tariff in connection with one-way and/or two-way information transmission between points within the State of Ohio. See attached Appendix A.

Customers and users may use services and facilities provided under this tariff to obtain access to services offered by other service providers. The Company is responsible under this tariff only for the services and facilities provided hereunder, and it assumes no responsibility for any service provided by any other entity that purchases access to the Company network in order to originate or terminate its own services, or to communicate with its own customers.

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**REGULATIONS (CONT'D.)**

2.1 Undertaking of the Company (Cont'd)

2.1.2 Shortage of Equipment or Facilities

2.1.2.1 The Company reserves the right to limit or to allocate the use of existing facilities, or of additional facilities offered by the Company, when necessary because of lack of facilities, or due to some other cause beyond the Company's control.

2.1.2.2 The furnishing of service under this tariff is subject to the availability on a continuing basis of all the necessary facilities and is limited to the capacity of the Company's facilities as well as facilities the Company may obtain from other carriers to furnish service from time to time as required at the sole discretion of the Company.

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**REGULATIONS (CONT'D)**

2.1 Undertaking of the Company (Cont'd)

2.1.3 Terms and Conditions

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

2.1.3.2 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. Customer will also be required to execute any other documents as may be reasonably requested by the Company.

2.1.3.3 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 unless terminated by either party upon 30 days written notice. Any termination shall not relieve 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.

2.1.3.4 [Reserved for Future Use]

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**REGULATIONS (CONT'D)**

2.1 Undertaking of the Company (Cont'd)

2.1.3 Terms and Conditions (Cont'd)

2.1.3.5 Service may be terminated upon written notice to the Customer if:

- A. the Customer is using the service in violation of this tariff; or
- B. the Customer is using the service in violation of the law.

2.1.3.6 This tariff shall be interpreted and governed by the laws of the State of Ohio without regard for its choice of laws provision.

2.1.3.7 Another Telephone Company must not interfere with the right of any person or entity to obtain service directly from the Company. No person or entity shall be required to make any payment, incur any penalty, monetary or otherwise, or purchase any services in order to have the right to obtain service directly from the Company.

2.1.3.8 To the extent that either the Company or any Other Telephone Company exercises control over available cable pairs, conduit, duct space, raceways, or other facilities needed by the other to reach a person or entity, the party exercising such control shall make them available to the other on terms equivalent to those under which the Company makes similar facilities under its control available to its customers. At the reasonable request of either party, the Company and the Other Telephone Company shall join the attempt to obtain from the owner of the property access for the other party to serve a person or entity.

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**REGULATIONS (CONT'D)****2.1 Undertaking of the Company (Cont'd)****2.1.4 Liability of the Company**

2.1.4.1 The liability of the Company for damages arising out of the furnishing of its Services, including but not limited to mistakes, omissions, interruptions, delays, or errors, or other defects, representations, or use of these services or arising out of the failure to furnish the service, whether caused by acts or omission, shall be limited to the extension of allowances for interruption as set forth in 2.6. The extension of such allowances for interruption shall be the sole remedy of the Customer and the sole liability of the Company. The Company will not be liable for any direct, indirect, incidental, special, consequential, exemplary or punitive damages to Customer as a result of any Company service, equipment or facilities, the acts or omissions or negligence, except for willful neglect or willful default of the Company's employees or agents.

2.1.4.2 The Company shall not be liable for any delay or failure of performance or equipment due to causes beyond its control, including but not limited to: acts of God, fire, flood, explosion or other catastrophes; any law, order, regulation, direction, action, or request of the United States Government, or of any other government, including state and local governments having or claiming jurisdiction over the Company, or of any department, agency, commission, bureau, corporation, or other instrumentality of any one or more of these federal, state, or local governments, or of any civil or military authority; national emergencies; insurrections; riots; wars; unavailability of rights-of-way or materials; or strikes, lock-outs, work stoppages, or other labor difficulties.

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**REGULATIONS (CONT'D)**

2.1 Undertaking of the Company (Cont'd)

2.1.4 Liability of the Company (Cont'd)

2.1.4.3 The Company shall not be liable for any act or omission of any entity furnishing to the Company or to the Company's Customers facilities or equipment used for or with the services the Company offers except where contracted by the Company.

2.1.4.4 The Company shall not be liable for any damages or losses due to the fault or negligence of the Customer or due to the failure or malfunction of Customer-provided equipment or facilities.

2.1.4.5 The Company does not guarantee nor make any warranty with respect to installations it provides for use in an explosive atmosphere. The Customer indemnifies and holds the Company harmless from any and all loss, claims, demands, suits, or other action, or any liability whatsoever, whether suffered, made, instituted, or asserted by any other party or person(s), and for any loss, damage, or destruction of any property, whether owned by the Customer or others, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal presence, condition, location, or use of any installation so provided. The Company reserves the right to require each Customer to sign an agreement acknowledging acceptance of the provisions of this section 2.1.4.5 as a condition precedent to such installations.

2.1.4.6 The Company is not liable for any defacement of or damage to Customer premises resulting from the furnishing of services or equipment on such premises or the installation or removal thereof, unless such defacement or damage is caused by negligence or willful misconduct of the Company's agents or employees.

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**REGULATIONS (CONT'D)**

2.1 Undertaking of the Company (Cont'd)

2.1.4 Liability of the Company (Cont'd)

2.1.4.7 The Company shall not be liable for any claim, loss or damage arising from Customer's use of services, involving claims for libel, slander, invasion of privacy, or infringement of copyright arising from the Customer's own communications.

2.1.4.8 The entire liability for any claim, loss, damage or expense from any cause whatsoever shall in no event exceed sums actually paid Company by Customer for the specific services giving rise to the claim. No action or proceeding against the Company shall be commenced more than one year after the service is rendered.

2.1.4.9 THE COMPANY MAKES NO WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE, EXCEPT THOSE EXPRESSLY SET FORTH HEREIN.

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**REGULATIONS (CONT'D)****2.1 Undertaking of the Company (Cont'd)****2.1.5 Notification of Service-Affecting Activities**

The Company will provide the Customer reasonable notification of service-affecting activities that may occur in normal operation of its business. Such activities may include, but are not limited to, equipment or facilities additions, removals or rearrangements and routine preventative maintenance. Generally, such activities are not specific to an individual Customer but affect many Customers' services. No specific advance notification period is applicable to all service activities. The Company will work cooperatively with the Customer to determine the reasonable notification requirements. With some emergency or unplanned service-affecting conditions, such as an outage resulting from equipment damage, notification to the Customer may not be possible.

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**REGULATIONS (CONT'D)**

**2.1 Undertaking of the Company (Cont'd)**

**2.1.6 Provision of Equipment and Facilities**

- 2.1.6.1 The Company shall use reasonable efforts to make available services to a Customer on or before a particular date, subject to the provisions of and compliance by the Customer with, the regulations contained in this tariff. The Company does not guarantee availability by any such date and shall not be liable for any delays in commencing service to any Customer except as provided by contract.
- 2.1.6.2 The Company shall use reasonable efforts to maintain only the facilities and equipment that it furnishes to the Customer. The Customer may not, nor may Customer permit others to, rearrange, disconnect, remove, attempt to repair, or otherwise interfere with any of the facilities or equipment installed by the Company, except upon the written consent of the Company.
- 2.1.6.3 The Company may substitute, change or rearrange any equipment or facility at any time and from time to time, but shall not thereby alter the technical parameters of the service provided the Customer.
- 2.1.6.4 Equipment the Company provides or installs at the Customer Premises for use in connection with the services the Company offers shall not be used for any purpose other than that for which the Company provided it.
- 2.1.6.5 The Customer shall be responsible for the payment of service charges as set forth herein for visits by the Company's agents or employees to the Premises of the Customer when the service difficulty or trouble report results from the use of equipment or facilities provided by any party other than the Company, including but not limited to the Customer.

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**REGULATIONS (CONT'D)**

2.1 Undertaking of the Company (Cont'd)

2.1.6 Provision of Equipment and Facilities (Cont'd)

2.1.6.6 The Company shall not be responsible for the installation, operation, or maintenance of any Customer provided communications equipment. Where such equipment is connected to the facilities furnished pursuant to this tariff, the responsibility of the Company shall be limited to the furnishing of facilities offered under this tariff and to the maintenance and operation of such facilities. Subject to this responsibility, the Company shall not be responsible for:

- A. the transmission of signals by Customer provided equipment or for the quality of, or defects in, such transmission; or
- B. the reception of signals by Customer-provided equipment.

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**REGULATIONS (CONT'D)**

2.1 Undertaking of the Company (Cont'd)

2.1.7 Non-routine Installation

At the Customer's request, installation and/or maintenance may be performed outside the Company's regular business hours or in hazardous locations. In such cases, charges based on cost of the actual labor, material, or other costs incurred by or charged to the Company will apply. If installation is started during regular business hours but, at the Customer's request, extends beyond regular business hours into time periods including, but not limited to, weekends, holidays, and/or night hours, additional charges may apply.

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**REGULATIONS (CONT'D)****2.1 Undertaking of the Company (Cont'd)****2.1.8 Special Construction**

Subject to the agreement of the Company and to all of the regulations contained in this tariff, special construction of facilities may be undertaken on a reasonable efforts basis at the request of the Customer. Special construction is that construction undertaken:

- 2.1.8.1 where facilities are not presently available, and there is no other requirement for the facilities so constructed;
- 2.1.8.2 of a type other than that which the Company would normally utilize in the furnishing of its services;
- 2.1.8.3 over a route other than that which the Company would normally utilize in the furnishing of its services;
- 2.1.8.4 in a quantity greater than that which the Company would normally construct;
- 2.1.8.5 on an expedited basis;
- 2.1.8.6 on a temporary basis until permanent facilities are available;
- 2.1.8.7 involving abnormal costs; or
- 2.1.8.8 in advance of its normal construction.

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**REGULATIONS (CONT'D)**

2.1 Undertaking of the Company (Cont'd)

2.1.9 Ownership of Facilities

Title to all facilities provided in accordance with this tariff remains in the Company, its agents or contractors.

2.1.10 Data Transfer Service

The Company intends to provide customers the capability of transferring data at a rate of 9,600 bps on or before June 12, 1997; and at a rate of 14,400 bps on or before December 31, 1998. Service shall be provided at rates to be determined.

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**REGULATIONS (CONT'D)**

**2.2 Prohibited Uses**

- 2.2.1 The services the Company offers shall not be used for any unlawful purpose or for any use as to which the Customer has not obtained all required governmental approvals, authorizations, licenses, consents and permits.
- 2.2.2 The Company may require applicants for service who intend to use the Company's offerings for resale and/or for shared use to file a letter with the Company confirming that their use of the Company's offerings complies with relevant laws and PSC regulations, policies, orders, and decisions.
- 2.2.3 The Company may require a Customer to immediately shut down its transmission of signals if said transmission is causing interference to others.
- 2.2.4 A Customer, joint user, or authorized user may not assign, or transfer in any manner, the service or any rights associated with the service without the written consent of the Company. The Company will permit a Customer to transfer its existing service to another entity if the existing Customer has paid all charges owed to the Company for regulated communications services. Such a transfer will be treated as a disconnection of existing service and installation of new service, and non-recurring installation charges as stated in this tariff will apply.

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**REGULATIONS (CONT'D)**

**2.3 Obligations of the Customer**

**2.3.1 General**

The Customer shall be responsible for:

- 2.3.1.1 the payment of all applicable charges pursuant to this tariff;
- 2.3.1.2 damage to or loss of the Company's facilities or equipment caused by the acts or omissions of the Customer; or the noncompliance by the Customer, with these regulations; or by fire or theft or other casualty on the Customer Premises, unless caused by the negligence or willful misconduct of the employees or agents of the Company;
- 2.3.1.3 providing at no charge, as specified from time to time by the Company, any needed personnel, equipment space and power to operate Company facilities and equipment installed on the premises of the Customer Premises, and the level of heating and air conditioning necessary to maintain the proper operating environment on such premises;
- 2.3.1.4 any and all costs associated with the obtaining and maintaining the rights-of-way described herein, including the costs of altering the structure to permit installation of the Company-provided facilities, shall be borne entirely by, or may be charged by the Company subject to, the Customer's prior approval. The Company may require the Customer to demonstrate its compliance with this section prior to accepting an order for service.

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**REGULATIONS (CONT'D)**

**2.3 Obligations of the Customer (Cont'd)**

**2.3.1 General (Cont'd)**

2.3.1.5 providing a safe place to work and complying with all laws and regulations regarding the working conditions on the premises at which Company employees and agents shall be installing or maintaining the Company's facilities and equipment. The Customer may be required to install and maintain Company facilities and equipment within a hazardous area if, in the Company's opinion, injury or damage to the Company employees or property might result from installation or maintenance by the Company. The Customer shall be responsible for identifying, monitoring, removing and disposing of any hazardous material (e.g. friable asbestos) prior to any construction or installation work;

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**REGULATIONS (CONT'D)**

**2.3 Obligations of the Customer (Cont'd)**

**2.3.1 General (Cont'd)**

- 2.3.1.6 complying with all laws and regulations applicable to, and obtaining all consents, approvals, licenses and permits as may be reasonably required with respect to, the location of Company facilities and equipment in any Customer premises or the rights-of-way for which Customer is responsible under Section 2.3.1.4; and granting or obtaining permission for Company agents or employees to enter the premises of the Customer at any reasonable time for the purpose of installing, inspecting, maintaining, repairing, or upon termination of service as stated herein, removing the facilities or equipment of the Company;
- 2.3.1.7 not creating or allowing to be placed any liens or other encumbrances on the Company's equipment or facilities;
- 2.3.1.8 making Company facilities and equipment available periodically for maintenance purposes at a time agreeable to both the Company and the Customer. No allowance will be made for the period during which service is interrupted for such purposes; and
- 2.3.1.9 from time to time, the Company may offer special promotions involving certain customers or classes of customers and providing rate discounts or other incentives to customers meeting specified term and volume requirements. Such arrangements may provide for additional charges if contract commitments are not maintained. All such charges will be specifically set forth in individual contracts between the Company and the customer.

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**REGULATIONS (CONT'D)**

**2.3 Obligations of the Customer (Cont'd)**

**2.3.2 Claims**

With respect to any service or facility provided by the Company, Customer shall indemnify, defend and hold harmless the Company from and against all claims, actions, damages, liabilities, costs and expenses, including reasonable attorney's fees for:

- 2.3.2.1 any loss, destruction or damage to property of the Company or any third party, or the death or injury to persons, including, but not limited to, employees or invitees of either party, to the extent caused by or resulting from the negligent or intentional act or omission of the Customer, its employees, agents, representatives or invitees; or
- 2.3.2.2 any claim, loss, damage, expense or liability for infringement of any copyright, patent, trade secret, or any proprietary or intellectual property right of any third party, arising from any act or omission by the Customer, including, without limitation, use of the Company's services and facilities in a manner not contemplated by the agreement between Customer and Company.

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**REGULATIONS (CONT'D)****2.4 Customer Equipment and Channels****2.4.1 General**

A User may transmit or receive information or signals via the facilities of the Company. The Company's services are designed primarily for the transmission of voice-grade telephonic signals, except as otherwise stated in this tariff. A User may transmit any form of signal that is compatible with the Company's equipment, but the Company does not guarantee that its services will be suitable for purposes other than voice-grade telephonic communication except as specifically stated in this tariff.

**2.4.2 Station Equipment**

2.4.2.1 Terminal equipment on the User's Premises and the electric power consumed by such equipment shall be provided by and maintained at the expense of the User. The User is responsible for the provision of wiring or cable to connect its terminal equipment to the Company Point of Connection.

2.4.2.2 The Customer is responsible for ensuring that Customer-provided equipment connected to Company equipment and facilities is compatible with such equipment and facilities. The magnitude and character of the voltages and currents impressed on Company-provided equipment and wiring by the connection, operation, or maintenance of such equipment and wiring shall be such as not to cause damage to the Company-provided equipment and wiring or injury to the Company's employees or to other persons. Any additional protective equipment required to prevent such damage or injury shall be provided by the Company at the Customer's expense.

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**REGULATIONS (CONT'D)**

**2.4 Customer Equipment and Channels (Cont'd)**

**2.4.3 Interconnection of Facilities**

- 2.4.3.1 Any special interface equipment necessary to achieve compatibility between the facilities and equipment of the Company used for furnishing Communications Services and the channels, facilities, or equipment of others shall be provided at the Customer's expense subject to the Customer's approval.
- 2.4.3.2 Communications 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.
- 2.4.3.3 Facilities furnished under this tariff may be connected to customer provided terminal equipment in accordance with the provisions of this tariff. All such terminal equipment shall be registered by the Federal Communications Commission pursuant to Part 68 of Title 47, Code of Federal Regulations; and all User-provided wiring shall be installed and maintained in compliance with those regulations.
- 2.4.3.4 Users may interconnect communications facilities that are used in whole or in part for interstate communications to services provided under this tariff only to the extent that the user is an "end user" as defined in Section 69.2(m), Title 47, Code of Federal Regulations (1992 edition).

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**REGULATIONS (CONT'D)**

**2.4 Customer Equipment and Channels (Cont'd)**

**2.4.4 Inspections**

- 2.4.4.1 Upon suitable 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 Section 2.4.2.2 for the installation, operation, and maintenance of Customer-provided facilities, equipment, and wiring in the connection of Customer-provided facilities and equipment to Company-owned facilities and equipment.
- 2.4.4.2 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 this corrective action and notify the Company of the action taken. If the Customer fails to do this, the Company may take whatever additional action is deemed necessary, including the suspension of service, to protect its facilities, equipment and personnel from harm.

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**REGULATIONS (CONT'D)**

**2.5 Payment Arrangements**

**2.5.1 Payment for Service**

The Customer is responsible for the payment of all charges for facilities and services furnished by the Company to the Customer and to all Users authorized by the Customer, regardless of whether those services are used by the Customer itself or are resold to or shared with other persons.

**2.5.2 Billing and Collection of Charges**

2.5.2.1 Non-recurring charges are due and payable from the Customer within 15 days after the invoice date.

2.5.2.2 The Company shall present invoices for Recurring Charges monthly to the Customer, in advance of the month in which service is provided, and Recurring Charges shall be due and payable within 15 days after the invoice date. Usage charges will be billed after the month in which the charges are incurred. Charges will be due and payable within 15 days after the invoice date.

2.5.2.3 When service does not begin on the first day of the month, or end on the last day of the month, the charge for the fraction of the month in which service was furnished will be calculated on a pro rata basis. For this purpose, every month is considered to have 30 days.

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**REGULATIONS (CONT'D)**

**2.5 Payment Arrangements (Cont'd)**

**2.5.2 Billing and Collection of Charges (Cont'd)**

2.5.2.4 Billing of the Customer by the Company will begin on the Service Commencement Date, which is the first day following the date on which the Company notifies the Customer that the service or facility is available for use, except that the Service Commencement Date may be postponed by mutual agreement of the parties, or if the service or facility does not conform to standards set forth in this tariff or the Service Order. Billing accrues through and includes the day that the service, circuit, arrangement or component is discontinued.

2.5.2.5 If any portion of the payment is received by the Company after the date due, or if any portion of the payment is received by the Company in funds which are not immediately available upon receipt, then a late payment penalty shall be due to the Company. The late payment penalty shall be the portion of the payment not received by the date due, multiplied by a late factor of 1.5% per month.

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**REGULATIONS (CONT'D)****2.5 Payment Arrangements (Cont'd)****2.5.3 Advance Payments**

To safeguard its interests, the Company may require a Customer to make an advance payment before services and facilities are furnished where special construction is involved. The advance payment will not exceed an amount equal to the unrecurrent charges for the service or facility. In addition, where special construction is involved, the advance payment may also include an amount equal to the estimated non-recurring charges for the special construction and recurring charges (if any) for a period to be set between the Company and the Customer. The advance payment will be credited to the Customer's initial bill. An advance payment may be required in addition to a deposit.

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**REGULATIONS (CONT'D)**

**2.5 Payment Arrangements (Cont'd)**

**2.5.4 Deposits**

2.5.4.1 To safeguard its interests, the Company may require a Customer to make a deposit to be held as a guarantee for the payment of charges. A deposit does not relieve the Customer of the responsibility for the prompt payment of bills on presentation. The deposit will not exceed an amount equal to:

- A. two month's charges for a service or facility which has a minimum payment period of one month; or
- B. The charges that would apply for the minimum payment period for a service or facility which has a minimum payment period of more than one month; except that the deposit may include an additional amount in the event that the termination charge is applicable.

2.5.4.2 A deposit may be required in addition to an advance payment.

2.5.4.3 When a service or facility is discontinued, the amount of a deposit, if any, will be applied to the Customer's account and any credit balance remaining will be refunded. Before the service or facility is discontinued, the Company will refund the deposit or credit it to the Customer's account.

2.5.4.4 Deposits held will accrue interest at a rate specified by the Public Utilities Commission of Ohio.

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**REGULATIONS (CONT'D)**

**2.5 Payment Arrangements (Cont'd)**

**2.5.5 Discontinuance of Service**

- 2.5.5.1 Upon nonpayment of any amounts owing to the Company, the Company may, by giving ten days' prior written notice to the Customer, discontinue or suspend service without incurring any liability.
- 2.5.5.2 Upon violation of any of the other material terms or conditions for furnishing service the Company may, by giving 30 days' prior notice in writing to the Customer, discontinue or suspend service without incurring any liability if such violation continues during that period.
- 2.5.5.3 Upon condemnation of any material portion of the facilities used by the Company to provide service to a Customer or if a casualty renders all or any material portion of such facilities inoperable beyond feasible repair, the Company, by notice to the Customer, may discontinue or suspend service without incurring any liability.

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**REGULATIONS (CONT'D)**

**2.5 Payment Arrangements (Cont'd)**

**2.5.5 Discontinuance of Service (Cont'd)**

2.5.5.4 Upon the Customer's insolvency, assignment for the benefit of creditors, filing for bankruptcy or reorganization, or failing to discharge an involuntary petition within the time permitted by law, the Company may immediately discontinue or suspend service without incurring any liability.

2.5.5.5 Upon any governmental prohibition or required alteration of the services to be provided or any violation of an applicable law or regulation, the Company may immediately discontinue service without incurring any liability.

2.5.5.6 Upon the Company's discontinuance of service to the Customer under Section 2.5.5.1 or 2.5.5.2, the Company, in addition to all other remedies that may be available to the Company at law or in equity or under any other provision of this tariff, may declare all future monthly and other charges which would have been payable by the Customer during the remainder of the term for which such services would have otherwise been provided to the Customer to be immediately due and payable (discounted to present value at six percent).

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**REGULATIONS (CONT'D)****2.5 Payment Arrangements (Cont'd)****2.5.6 Cancellation of Application for Service****2.5.6.1 Applications for service are noncancellable unless the Company otherwise agreed.**

Where the Company permits Customer to cancel an application for service prior to the start of service or prior to any special construction, no charges will be imposed except for those specified below.

**2.5.6.2 Where, prior to cancellation by the Customer, the Company incurs any expenses in installing the service or in preparing to install the service that it otherwise would not have incurred, a charge equal to the costs the Company incurred, less net salvage, shall apply, but in no case shall this charge exceed the sum of the charge for the minimum period of services ordered, including installation charges, and all charges others levy against the Company that would have been chargeable to the Customer had service begun (all discounted to present value at six percent).**

**2.5.6.3 Where the Company incurs any expense in connection with special construction, or where special arrangements of facilities or equipment have begun, before the Company receives a cancellation notice, a charge equal to the costs incurred, less net salvage, applies. In such cases, the charge will be based on such elements as the cost of the equipment, facilities, and material, the cost of installation, engineering, labor, and supervision, general and administrative expense, other disbursements, depreciation, maintenance, taxes, provision for return on investment, and any other costs associated with the special construction or arrangements.**

**2.5.6.4 The special charges described in 2.5.6.1 through 2.5.6.3 will be calculated and applied on a case-by-case basis.**

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**REGULATIONS (CONT'D)****2.5 Payment Arrangements (Cont'd)****2.5.7 Changes in Service Requested**

If the Customer makes or requests material changes in circuit engineering, equipment specifications, service parameters, premises locations, or otherwise materially modifies any provision of the application for service, the Customer's installation fee shall be adjusted accordingly.

**2.5.8 Taxes, Surcharges and Utility Fees**

The Customer is responsible for the payment of all federal state and local taxes, surcharges, utility fees, or other similar fees (*i.e.*, gross receipts tax, sales tax, property tax, municipal utilities tax) that may be levied by a governing body or bodies in conjunction with or as a result of the service furnished under this Tariff. These charges will appear as line item(s) on the Customer's bill and are not included in the rates contained in this Tariff. There shall be added to the Customer's bill for service, an additional charge equal to the pro rata share of any occupation, franchise, business, license, excise, privilege or other similar charge or tax, now or hereafter imposed upon the gross receipts or revenue of the Company by any municipal taxing body or municipal authority whether by statute, ordinance, law or otherwise, and whether presently due or to hereafter become due. The charge applicable to each Customer will appear as a line item(s) on the Customer's regular monthly bill and shall be determined on a basis equal to the tax levied by each municipal taxing body or municipal authority.

**2.5.9 Disputed Bills**

The Customer shall notify the Company in writing of any disputed items on an invoice. Customer has the option to address concerns with the Public Utilities Commission of Ohio:

Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215-3793

Or the Customer may reach the Company through its Consumer Assistance Hotline at: 888-543-2000.

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**REGULATIONS (CONT'D)****2.6 Allowances for Interruptions in Service**

Interruptions in service, which are not due to the negligence of, or noncompliance with the provisions of this tariff by, the Customer or the operation or malfunction of the facilities, power or equipment provided by the Customer, will be credited to the Customer as set forth in 2.6.1 for the part of the service that the interruption affects.

**2.6.1 Credit for Interruptions**

2.6.1.1 A credit allowance will be made when an interruption occurs because of a failure of any component furnished by the Company under this tariff. An interruption period begins when the Customer reports a service, facility or circuit to be interrupted and releases it for testing and repair. An interruption period ends when the service, facility or circuit is operative. If the Customer reports a service, facility or circuit to be inoperative but declines to release it for testing and repair, it is considered to be impaired, but not interrupted.

2.6.1.2 For calculating credit allowances, every month is considered to have 30 days. A credit allowance for fixed recurring fees only is applied on a pro rata basis against the rates specified hereunder and is dependent upon the length of the interruption. Only those facilities on the interrupted portion of the circuit will receive a credit.

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**REGULATIONS (CONT'D)****2.6 Allowances for Interruptions in Service (Cont'd)****2.6.1 Credit for Interruptions (Cont'd)**

2.6.1.3 A credit allowance will be given for interruptions of 30 minutes or more. Credit allowances shall be calculated as follows:

**Interruptions of 24 Hours or Less**

<u>Length of Interruption</u>	<u>Interruption Period To Be Credited</u>
Less than 30 minutes	None
30 minutes up to but not including 3 hours	1/10 Day
3 hours up to but not including 6 hours	1/5 Day
6 hours up to but not including 9 hours	2/5 Day
9 hours up to but not including 12 hours	3/5 Day
12 hours up to but not including 15 hours	4/5 Day
15 hours up to but not including 24 hours	One Day

Two or more interruptions of 15 minutes or more during any one 24-hour period shall be considered as one cumulative interruption.

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**REGULATIONS (CONT'D)**

2.6 Allowances for Interruptions in Service (Cont'd)

2.6.1 Credit for Interruptions (Cont'd)

2.6.1.3 (Cont'd)

Interruptions Over 24 Hours and Less Than 72 Hours. Interruptions over 24 hours and less than 72 hours will be credited 1/5 day as defined on page 43 for each 3-hour period or fraction thereof. No more than one full day's credit will be allowed for any period of 24 hours.

Interruptions Over 72 Hours. Interruptions over 72 hours will be credited 2 days for each full 24-hour period. No more than 30 days credit will be allowed for any one month period.

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**REGULATIONS (CONT'D)**

**2.6 Allowances for Interruptions in Service (Cont'd)**

**2.6.2 Limitations on Allowances**

No credit allowance will be made for:

- 2.6.2.1 interruptions due to the negligence of, or noncompliance with the provisions of this tariff by, the Customer, authorized user, joint user, or other common carrier providing service connected to the service of the Company;
- 2.6.2.2 interruptions due to the negligence of any person other than the Company, including but not limited to the Customer or other common carriers connected to the Company's facilities, except when contracted by the Company;
- 2.6.2.3 interruptions due to the failure or malfunction of non-Company equipment, except when contracted by the Company;
- 2.6.2.4 interruptions of service during any period in which the Company is not given full and free access to its facilities and equipment for the purpose of investigating and correcting interruptions;
- 2.6.2.5 interruptions of service during a period in which the Customer continues to use the service on an impaired basis;
- 2.6.2.6 interruptions of service during any period when the Customer has released service to the Company for maintenance purposes or for implementation of a Customer order for a change in service arrangements; and
- 2.6.2.7 interruption of service due to circumstances or causes beyond the reasonable control of Company.

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**REGULATIONS (CONT'D)**

2.6 Allowances for Interruptions in Service (Cont'd)

2.6.3 [Reserved For Future Use]

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**REGULATIONS (CONT'D)****2.7 Use of Customer's Service by Others****2.7.1 Resale and Sharing**

Any service provided under this tariff may be resold to or shared with other persons at the option of Customer, subject to compliance with any applicable laws or Public Utilities Commission of Ohio regulations governing such resale or sharing. Customer remains solely responsible for all use of services ordered by it or billed to its telephone number(s) pursuant to this tariff, for determining who is authorized to use its services, and for notifying the Company of any unauthorized use. Resold services are available only to carriers which are certified by the PUCO to provide intrastate local exchange services.

**2.7.2 Joint Use Arrangements**

Joint use arrangements will be permitted for all services provided under this tariff. From each joint use arrangement, one member will be designated as the Customer responsible for the manner in which the joint use of the service will be allocated. The Company will accept orders to start, rearrange, relocate, or discontinue service only from the Customer. Without affecting the Customer's ultimate responsibility for payment of all charges for the service, each joint user shall be responsible for the payment of the charges billed to it.

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**REGULATIONS (CONT'D)**

**2.8    Cancellation of Service**

If a Customer cancels a Service Order or terminates services before the completion of the term for any reason whatsoever other than a service interruption (as defined in 2.6.1 above), Customer agrees to pay to Company the following sums which shall become due and owing as of the effective date of the cancellation or termination and be payable within the period set forth in

2.5.2: all costs, fees and expenses reasonably incurred in connection with:

- 2.8.1    all Non-Recurring charges reasonably expended by Company to establish service to Customer, plus
- 2.8.2    any disconnection, early cancellation or termination charges reasonably incurred and paid to third parties by Company on behalf of Customer, plus
- 2.8.3    all Recurring Charges specified in the applicable Service Order Tariff for the balance of the then current term.

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**REGULATIONS (CONT'D)**

**2.9    Transfers and Assignments**

Neither the Company nor the Customer may assign or transfer its rights or duties in connection with the services and facilities provided by the Company without the written consent of the other party, except that 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.

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**REGULATIONS (CONT'D)**

**2.10 Notices and Communications**

- 2.10.1 The Customer shall designate on the Service Order an address to which the Company shall mail or deliver all notices and other communications, except that Customer may also designate a separate address to which the Company's bills for service shall be mailed.
- 2.10.2 The Company shall designate on the Service Order an address to which the Customer shall mail or deliver all notices and other communications, except that Company may designate a separate address on each bill for service to which the Customer shall mail payment on that bill.
- 2.10.3 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.
- 2.10.4 The Company or the Customer shall advise the other party of any changes to the addresses designated for notices, other communications or billing, by following the procedures for giving notice set forth herein.

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**REGULATIONS (CONT'D)**

**2.11 Operator Services Rules**

2.11.1 The Company will enforce the following operator service rules:.

A provider of intrastate operator assisted communications services must:

- 2.11.1.1 identify itself at the time the end-user accesses its services;
- 2.11.1.2 upon request, quote all rates and charges for its services to the end-user accessing its system;
- 2.11.1.3 arrange to have posted in plain view at each telephone location which automatically accesses the operator service provider's network and where its services are made available to the public or transient end-users:
  - A. the operator service provider's name and address;
  - B. bill and service dispute calling information including the operator service provider's dispute resolution phone number;
  - C. clear and specific instructions informing the end-user how to access a local exchange telephone company operator as an alternative available to the end-user; and
  - D. notice concerning any and all amounts to be billed by the operator services provider on behalf of any host location or third party which will appear on the operator service provider's bill for services rendered.

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**REGULATIONS (CONT'D)**

**2.11 Operator Services Rules (Cont'd.)**

**2.11.1.3 (Cont'd.)**

- E. in instances when the provider is unable to complete the call and it requires transfer to another telephone corporation which may affect the rates and charges applicable to the telephone bill, inform the caller of the transfer and its possible effect on the applicable rates and charges, before any charges are incurred; and
- F. in the case of such transfer, the telephone corporation or provider to which the call is transferred shall identify itself and inform the caller of the transfer's effect on the applicable rates and charges, before any charges are incurred.

**2.11.2 The Company will comply with the following provisions:**

Providers of intrastate operator assisted communications services shall not take any action or enter into any arrangement which restricts end-user selection among competing interexchange telephone corporations or end users access to competing providers of intrastate operator assisted communications services, or pay any commissions or other compensation to any entity engaged in such action or arrangement.

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**APPLICATION OF RATES****3.1 Introduction**

The regulations set forth in this section govern the application of rates for services contained in other sections of this tariff.

**3.2 Charges Based on Duration of Use**

Where charges for a service are specified based on the duration of use, such as the duration of a telephone call, the following rules apply:

- 3.2.1 Calls are measured in durational increments identified for each service. All calls which are fractions of a measurement increment are rounded-up to the next whole unit.
- 3.2.2 Timing on completed calls begins when the call is answered by the called party. Answering is determined by hardware answer supervision in all cases where this signaling is provided by the terminating local carrier and any intermediate carrier(s). Timing for operator service person-to-person calls start with completion of the connection to the person called or an acceptable substitute, or to the PBX station called.
- 3.2.3 Timing terminates on all calls when the calling party hangs up or the Company's network receives an off-hook signal from the terminating carrier.
- 3.2.4 Calls originating in one time period and terminating in another will be billed in proportion to the rates in effect during different segments of the call.
- 3.2.5 All times refer to local time.

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**APPLICATION OF RATES (CONT'D)**

**3.3 Rates Based Upon Distance**

Where charges for a service are specified based upon distance, the following rules apply:

- 3.3.1 Distance between two points is measured as airline distance between the Rate Centers of the originating and terminating telephone lines. The Rate Center is a set of geographic coordinates, as referenced in National Exchange Carrier Association, Inc. Tariff FCC No. 4. FCC Access Services Tariff, associated with each NPA-NXX combination (where NPA is the area code and NXX is the first three digits of a seven-digit telephone number). Where there is no telephone number associated with an access line on the Company's network (such as a dedicated 800 or WATS access line), the Company will apply the Rate Center of the Customer's main billing telephone number.

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**APPLICATION OF RATES (CONT'D)****3.3 Rates Based Upon Distance (Cont'd)**

3.3.2 The airline distance between any two Rate Centers is determined as follows:

3.3.2.1 Obtain the "V" (vertical) and "H" (horizontal) coordinates for each Rate Center from the above-referenced NECA tariff.

3.3.2.2 Compute the difference between the "V" coordinates of the two rate centers; and the difference between the two "H" coordinates.

3.3.2.3 Square each difference obtained in step (b) above.

3.3.2.4 Add the square of the "V" difference and the square of the "H" difference obtained in step (c) above.

3.3.2.5 Divide the sum of the squares by 10. Round to the next higher whole number if any fraction is obtained.

3.3.2.6 Obtain the square root of the whole number result obtained above. Round to the next higher whole number if any fraction is obtained. This is the airline mileage.

3.3.2.7 FORMULA =  $\sqrt{\{(V1 - V2)^2 + (H1 - H2)^2\} \text{ over } 10}$

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**SERVICE AREAS****4.1 Exchange Access Service Areas**

Exchange Access Services are provided (pursuant to Section 5.1) in limited geographic areas.  
Exchange Access Services are provided in the following exchanges:

**Exchanges**

Chagrin Falls  
Brecksville  
Cincinnati

**SERVICE AREAS (CONT'D)****4.2 Calling Areas**

McGraw's exchange areas and local calling areas are identical to those defined in the tariffs of the incumbent local exchange company serving each exchange area.

McGraw provides service in the exchange areas served by the following local exchange companies:

**Ameritech - Ohio - Service Area Exchanges**

Alton	Reynoldsburg	Bedford	Strongsville
Berea	Sugar Grove	Kirtland	Leroy
Montrose	Mentor	Mogadore	North Canton
North Jackson	North Lima	Terrace	South Charleston
Canton	Trinity Carroll	Chagrin Falls	Niles
Uniontown	Victory	Burton	Sedalia
New Albany	Sharon	Rootstown	Brecksville
Chesterland	Walnut	Columbiana	Wickliffe
Columbus	Willoughby	Cleveland	Worthington
Gahanna	Westerville	Gates Mills	West Jefferson
Girard	Rushville	Grove City	North Royalton
Groveport	Salem	Harrisburg	Ravenna
London	Olmsted Falls	Lowellville	Manchester
Mantua	Marlboro	Hillcrest	Hilliard
Independence	Kent		

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**SECTION 4 - DESCRIPTION OF SERVICES (Cont'd)****Ameritech Ohio - Counties in Service Area**

Mahoning	Fairfield	Brown
Trumbull	Franklin	Geauga
Lake	Franklin	Portage
	Madison	Summit
		Cuyahoga

**Cincinnati Bell Service Area Exchanges**

Bethany	Little Miami
Bethel	Newtownsville
Cincinnati	Reily
Clermont	Seven Mile
Hamilton	Shandon
Harrison	Williamsburg

**Cincinnati Bell - Counties In Service Area**

Hamilton  
Clermont  
Warren  
Butler  
Brown

**Verizon North Service Area Exchanges**

Manchester	Peebles	Winchester
Seaman	West Union	Spencerville
Hayesville	Ashland	Loudonville
Perryville	Savannah	Polk
Redhaw	Shade	The Plains
New Marshfield	Amesville	Albany
Athens	Guysville	Minster

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**SECTION 4 - DESCRIPTION OF SERVICES (Cont'd)**

**Verizon North Service Area Exchanges (Cont'd)**

St. Marys	New Bremen	Carrollton
Dellroy	Malvern	Mechanicstown
Harlem Springs	Woodstock	Mechanicsburg
Woodstock	Catawba	Martinsville
Sabina	Wilmington	Blanchester
Port William	New Vienna	Clarksville
New Burlington	North Georgetown	Hanoverton
East Rochester	Winona	Cooperdale
Warsaw	Crestline	New Washington
Galion	Hicksville	Ney
Milan	Berlin Heights	Huron
Kelleys Island	Byesville	Cambridge
Arlington	Rawson	Jenera
Mount Blanchard	Van Buren	McComb
Cadiz	Scio	Bowerston
Freeport	Jewett	Logan
Laurelville	Berlin	Lakeville
Norwalk	Willard	Greenwich
Bellevue	New London	Wakeman
Monroeville	Jackson	Oak Hill
Wellston	Brilliant	Smithfield
Tiltonsville	Knoxville	Amsterdam
Dillonvale-Mt. Pleasant	Bergholz	Richmond
Adena	Chesapeake	Grafton
Wellington	Oberlin	North Eaton
Green Camp	Prospect	Larue
Waldo	Morral	Marion
Brunswick	Chatham	Valley City
Homerville	Seville	Wadsworth
Lodi	Westfield Center	Medina
Spencer	Sharon Center	Letart Falls
Pomeroy	Portland	Coldwater
Mendon	Maria Stein	Fort Recovery
Celina	Tipp City	Laura
Troy	West Milton	Farmersville

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**SECTION 4 - DESCRIPTION OF SERVICES (Cont'd)**

**Verizon North Service Area Exchanges (Cont'd)**

New Lebanon	Phillipsburg	Englewood
Brookville	Trotwood	Liberty
New Concord	Summerfield	Dexter City
Caldwell	Oak Harbor	Port Clinton
Put-In-Bay	Genoa	Elmore
Marblehead	Payne	Antwerp
Asheville	Circleville	Williamsport
Piketon	Waverly	Beaver
Idaho	West Alexandria	Lewisburg
Gratis	Plymouth	Helena
Gibonsburg	Clyde	Portsmouth
Bloomville	Bettsville	Attica
Republic	Willmot	Minerva
Beach City	Paris	Brewster
Mineral City	New Philadelphia	Strasburg
Baltic	Bolivar	Sugarcreek
Plain City	Richwood	Scott
Convoy	Ohio City	Willshire-Wren
McArthur	Wilkesville	Beverly
Lower Salem	Watertown	Lowell
Barlow	West Salem	Burbank
Creston	Congress	West Unity
Edgerton	Edon	Pioneer
Montpelier	Bryan	Evansport
North Baltimore	Haskins-Tontogany	Bowling Green
Pemberville	Grand Rapids	Weston
Wayne-Bradner	Wharton	Harpster
Carey	Nevada	

**Verizon North - Counties In Service Area**

Adams	Allen	Ashland
Athens	Auglaize	Carroll

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SECTION 4 - DESCRIPTION OF SERVICES (Cont'd)

Verizon North – Counties in Service Area (Cont'd)

Champaign	Clark	Clinton
Columbiana	Coshocton	Crawford
Defiance	Erie	Guernsey
Hancock	Harrison	Hocking
Holmes	Huron	Jackson
Jefferson	Lawrence	Lorain
Marion	Medina	Meigs
Mercer	Miami	Montgomery
Muskingum	Noble	Ottawa
Paulding	Pickaway	Pike
Preble	Richland	Sandusky
Scioto	Seneca	Stark
Tuscarawas	Union	Van Wert
Vinton	Washington	Wayne
Williams	Wood	Wyandot

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**EXCHANGE ACCESS SERVICE****5.1 3.1 Local Exchange Services**

Local Exchange Services consist of the services offered pursuant to this tariff, either individually or in combination. Company offers each service independently of the other and via the Company's facilities for the transmission of one-way or two-way communications, unless otherwise noted.

Local Exchange Services provide a Customer with a connection to the Company's network which enables the Customer to:

1. receive calls from other stations on the public switched telephone network;
2. access the Company's Local, IntraLATA, and InterLATA Calling Services as set forth in this tariff;
3. access interstate and international calling services provided by Company or other certified common carriers;
4. access ( at no additional charge) the Company's operators and business office for service related assistance;
5. access 9-1-1 service for emergency calling; and
6. access to operator services and directory assistance.

The Customer cannot use Local Exchange Services to originate calls to other telephone companies' caller-paid information services (e.g. NPA 900, NXX 976, etc). The Company reserves the right to block all calls to those numbers and other numbers used for caller-paid information services, unless expressly requested not to by the Customer in writing.

The following Local Exchange Services are offered in this tariff.

- Message Rate Service
- Business Access Lines
- PBX Service
- DS1 Service
- DS3 Service
- Direct Inward Dial Service
- ISDN PRI Service
- IntraLATA Calling Service
- Foreign Exchange Service
- Service Features
- Centrex Service
- Operator Services
- Directory Listing
- Directory Assistance
- 9-1-1 Telecommunications Service
- Telecommunications Relay Service
- Maintenance Visit Services

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- Promotional Offerings
- Individual Case Basis Arrangements
- Dedicated Leased Lines

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D.)****3.1 Local Exchange Services (Cont'd)**

The following sections set forth the rules and regulations governing the application of rates for Local Exchange Services.

**A. Classes of Service**

The Company will offer business service.

Business rates apply whenever the use of the service is primarily or substantially of a business, professional institution or otherwise occupational nature, or where the listing is such as to indicate business use. Business rates apply, but are not limited to:

1. Offices, stores, factories, boarding houses, offices of hotels and apartment houses, colleges, public, private or parochial schools, hospitals, nursing homes, libraries, public or private institutions, churches, synagogues, mosques and all other establishments of a strictly business nature.
2. Any location where business designation is provided or when a title indicating a trade, occupation or profession is listed.
3. Service terminating solely on the answering service facilities of a telephone answering firm.
4. At residential locations where the Customer has no regular business telephone service and the use of the service by the Customer, members of the household, or guests is of a business nature as may be indicated by advertising through newspapers, handbills, billboards, circulars, business cards, or otherwise.

**B. Service Components**

Service is comprised of four components:

1. Non-Recurring Connection Charge
2. Monthly Network Access Line Rates
3. Monthly Usage Charges
4. Activation Fee

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)****3.1 Local Exchange Services (Cont'd)****3.1.1 Business Access Lines**

The type of service that applies to unassisted business (Customer calling) is Measured (Per Call Rate Service). The term "Per Call Rate Service" denotes service for which charges are made according to a measured amount of usage. Rates include an access line charge and usage charges.

**3.1.2 Measured Rate Service**

Measured rate service is a classification of Local Exchange Service in which local exchange is measured in terms of distance for the purpose of charging for the service.

**3.1.3 PBX Service**

Private Branch Exchange (PBX) Trunk rates apply for local exchange lines connecting in PBX common equipment and in multifunction systems where the lines are used as pooled facilities, dial or button access and used in connection with direct group calling features.

**3.1.3.1 Analog Trunk Service**

This service provides the transmission path in support of PBX service.

**3.2 DS1 Service****3.2.1 DS1 1.544 Mbps Digital Service - General****3.2.1.1 Availability**

- A) Served direct intraexchange channels are not available.

**3.2.1.2 Description**

- A) DS1 service is provided on a two point basis only between the following locations.
- 1) Customer designated premises.
  - 2) A customer designated premises and a Company designated central office.
  - 3) Company designated central offices.

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

**3.2 DS 1 Service**

**3.2.1 DS1 1.544 Mbps Digital Service – General (Cont'd.)**

**3.2.1.2 Description (Cont'd.)**

- B) DS1 service is provided only where facilities are available and is subject to the technical limitations of the digital equipment used by the Company as set forth in the PUB 62411 and TR-NPL-000054.
- C) DS1 service consists of two point digital channels and equipment which provide for simultaneous two-way transmission of serial, bipolar, return to zero, digital signals at a transmission speed of 1.544 Mbps.
- D) DS1 service is designed to provide an average performance of at least 98.75% error-free seconds of transmission measured over a continuous 24 hour period.
- E) DS1 service is furnished on a full-time basis, 24 hours a day, seven days a week.
- F) Central Office (CO) multiplexing may be provided from suitably equipped multiplexing hubs. The customer is responsible for the assignment of individual channels within the multiplexer and for maintaining records of those assignments. Customer provided multiplexing equipment must conform with the electrical requirements for channel units specified in PUB 43801 and CB 119.
  - 1) The 1.544 Mbps channel is provided with a local distribution channel(s) and an interoffice channel, local distribution channels only, or, an interoffice channel between two Company designated central offices.

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### **SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

#### **3.2 DS 1 Service (Cont'd.)**

##### **3.2.1. DS1 1.544 Mbps Digital Service – General (Cont'd.)**

###### **3.2.1.2 Description (Cont'd.)**

F) (cont'd)

- 2) The central office multiplexing capability is provided by a central office multiplexer at designated multiplexing hubs which converts a 1.544 Mbps channel to 24 channels for use with analog data services or to 24 channels for use with digital services.

##### **3.2.2 Service Functions**

Service functions are optional features or arrangements that are available for use with DS1 Digital service.

- A) Central Office Multiplexing DS1 to Digital allows for up to 24 individual digital private lines to be derived from a 1.544 Mbps circuit. This function is offered for the same customer at multiplexing hubs.
- B) Clear Channel Capability (CCC) provides a bipolar with eight zero substitution (B8ZS) encoding technique that allows a customer to transport 1.536 Mbps information rate signals over a 1.544 Mbps circuit with no constraint on the quantity or sequence of ones (mark) and zero (space) bits. This arrangement allows customers to derive 64 Kbps clear channels. This service is provided only on 1.544 Mbps digital service between two customer designated premises and is subject to the availability of facilities. This arrangement requires that customer provided multiplexing equipment to be compatible with the B8ZS line code as specified in TR-NPL-000054 and PUB 62508.

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

**3.2 DS1 Service (Cont'd.)**

**3.2.2 Service Functions (Cont'd.)**

- C) Alternate Serving Wire Center provides 1.544 Mbps Digital service over an alternate route to a suitable equipped serving wire center other than that normally serving the customer's designated premises. This option is not available at all locations and where available the Company will designate the serving wire center to be used.
- 1) The mileage used to determine the monthly rate for distance sensitive local distribution channels required with this option is based on the airline distance directly between the customer's designated premises and the normal serving wire center for that premises as described in Section 5.3.2.A. The mileage used to determine the monthly rate for interoffice channel mileage is based on the normal serving wire center associated with the customer's designated premises as described in Section 5.3.2.B.

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**3.3    Direct Inward Dial (DID) Service**

DID service is an optional feature which can be purchased in conjunction with Company provided analog trunks or DS1s. DID service transmits the dialed digits for all incoming calls allowing the customer's Private Branch Exchange (PBX) to route incoming calls directly to individual stations that correspond to an individual number. Charges for DID capability and DID number blocks apply in addition to charges specified for Analog trunks or DS1s.

**3.4    (Reserved for future use)**

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### **SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

#### **3.5 Local Exchange Services**

##### **3.5.1 ISDN PRI Service**

Integrated Services Digital Network (ISDN) describes the end-to-end digital telecommunications network architecture that provides for the simultaneous access, transmission and switching of voice, data and image services. These functions are provided via channelized transport facilities over a limited number of standard user-network interfaces. The PRI customer premises equipment (CPE) located at the customer premises must be compatible with the network interface.

The PRI arrangement consists of 23 "B" channels and one "D" channel or 24 "B" channels, which are defined as follows:

##### **3.6.2 IntraLATA Calling Service**

A call that is placed within one LATA (Local Access Transport Area) and received within the same LATA.

##### **3.6.3 Foreign Exchange Service**

Foreign Central Office provides local telephone service from a central office which is outside (foreign) the subscriber's exchange area.

Foreign CO  
Per ¼ mile  
Originating Terminal Channel  
Terminating Terminal Channel

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

**3.6 Local Exchange Services (Cont'd.)**

**3.6.4 Service Features**

**3.6.4.1 Line Features**

Call Forward Busy - This feature allows an incoming to be routed to another number if the terminating number is busy. The call may be forwarded to any 10-digit number.

Call Forward Don't Answer – Delayed Answer Forwarding. This feature allows an incoming call to be forwarded to another number after a designated number of rings. The call may be forwarded to any 10-digit number.

Call Forward Variable - This feature allows the customer to forward incoming calls to any 10 digit number, defined by time of day, day or week or date. If a long-distance or an international number is elected, appropriate charges will apply.

Call Hold – This feature allows callers to be put on hold.

Call Repeat - This feature allows the originating caller to reach the terminating station once it becomes idle. Both the originating and termination are rung.

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### **SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

#### **3.6 Local Exchange Services (Cont'd.)**

##### **3.6.4 Service Features (Cont'd)**

###### **3.6.4.1 Line Features (Cont'd)**

**Call Return** – This feature allows the customer to dial the last caller even if the customer did not answer the telephone.

**Call Transfer** – This feature allows the customer to transfer a call from their phone handset to another person's phone handset.

**Call Waiting** – This feature allows a customer engaged in a call to be reached by another caller. A short tone informs the customer that another call is waiting to be accepted. The tone is only heard by the called party. The caller hears the regular audible ring. The customer will be able to place the first party on hold and answer the second call by momentarily depressing the switch hook (flashing). By subsequent flashes, the customer can alternate between the two calls. This feature may be disabled when the user dials \*70 for making modem calls.

**Caller Number Delivery** – This feature allows the customer to see the originating number of an incoming call.

**Direct Inward and Outward Dialing** – This is a standard feature of the system. This feature allows the user to make any 3, 7 or 10 digit call and international call, or receive calls from other system users.

**Hunting** – This feature will allow a call coming in on one number to "roll-over" to progressively to another number.

**Touch Tone** – Dual Tone Multi-frequency. When a number button is pushed on a phone it makes a tone, which is used for signaling.

**Speed Dial** – This feature will allow a customer to use abbreviated codes to dial frequently called numbers. Repertories of six and twenty-five will be offered.

**Three Way Calling** – This feature will allow a customer involved in an existing 2-way connection to place the other party on hold and dial a third party for a 3-way connection. When the third party answers, a 2-way conversation can be held before the earlier connection is re-established for the 3-way conference.

### **SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

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**3.6 Local Exchange Services (Cont'd.)**

**3.6.4 Service Features (Cont'd)**

**3.6.4.2 Basic Trunk Feature Requirement**

**Direct Inward Dialing** – This feature is a one-way trunk for incoming calls only.

**Direct Outward Dialing** – This feature is a one-way trunk for out going calls only.

**Two-Way Trunk** – This feature is will allow both incoming and outgoing calls on a first come, first served basis, to the limit of channels associated with this trunk type.

**Hunting** – This feature will allow a call coming in on one number to "roll-over" to progressively to another number.

**Line Basic Package:**

Hunting  
Call Waiting  
Call Hold  
Speed Dial (6)

**Line Deluxe Package: (Includes all of the Line Basic Features)**

Call Forward Variable  
Call Forward Busy  
Call Forward Don't Answer  
Speed Dial (25)  
3-Way Calling  
Call Restriction  
Caller Number Delivery

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)****3.6 Local Exchange Services (Cont'd.)****3.6.5 Centrex Service**

Centrex Service is furnished from compatible electronic type switching equipment located on Telephone Company premises and includes the facilities necessary for intercom communication between Centrex lines within the customer's system, Local Exchange Service, direct in-dialing to Centrex lines, identification and billing of outgoing long distance messages by line number where such billing is done by the Telephone Company, Touch-Tone Calling Service, and intercept to the main listed number.

**3.6.5.1 Features**

The Centrex Custom Service dial switching equipment shall be arranged to provide the following system and line feature capabilities:

**Call Forward Busy** - This feature allows an incoming to be routed to another number if the terminating number is busy. The call may be forwarded to any 10-digit number.

**Call Forward Don't Answer – Delayed Answer Forwarding.** This feature allows an incoming call to be forwarded to another number after a designated number of rings. The call may be forwarded to any 10-digit number.

**Call Forward Variable** - This feature allows the customer to forward incoming calls to any 10 digit number, defined by time of day, day or week or date. If a long-distance or an international number is elected, appropriate charges will apply.

**Call Hold** – This feature allows callers to be put on hold.

**Call Park** – This feature allows the customer to put a customer on hold and pickup another call.

**Call Pickup** – This feature allows the customer to answer another person's ringing phone by punching in one or two numbers on their phone.

**Call Pickup with Barge In** – This feature allows the customer to interrupt a another call while it is in process.

**Call Restriction** – This feature prevents the caller from making certain types of calls, usually either a toll or a long distance call.

**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)****3.6 Local Exchange Services (Cont'd.)**

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3.6.5 Centrex Service (Cont'd)3.6.5.1 Features (Cont'd.)

**Call Transfer** – This feature allows the customer to transfer a call from their phone handset to another person's phone handset.

**Call Waiting** – This feature allows a customer engaged in a call to be reached by another caller. A short tone informs the customer that another call is waiting to be accepted. The tone is only heard by the called party. The caller hears the regular audible ring. The customer will be able to place the first party on hold and answer the second call by momentarily depressing the switch hook (flashing). By subsequent flashes, the customer can alternate between the two calls. This feature may be disabled when the user dials \*70 for making modem calls.

**Caller Number Delivery** – This feature allows the customer to see the originating number of an incoming call.

**Distinctive Ring** – This feature allows the customer to distinguish types of incoming calls such as an outside call or an inside (intercom) call by the tone of the ringing.

**Hunting** – This feature will allow a call coming in on one number to "roll-over" to progressively to another number.

**Intercom Dialing** – This feature allows the customer to dial another person's extension.

**Last Number Redial** – This feature allows the customer to automatically redial the last numbered dialed.

**Speed Dial** – This feature will allow a customer to use abbreviated codes to dial frequently called numbers. A block of twenty-five numbers will be offered.

**Three Way Calling** – This feature will allow a customer involved in an existing 2-way connection to place the other party on hold and dial a third party for a 3-way connection. When the third party answers, a 2-way conversation can be held before the earlier connection is re-established for the 3-way conference.

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

**3.6 Local Exchange Services (Cont'd.)**

**3.6.5 Centrex Service (Cont'd)**

**3.6.5.1 Features (Cont'd)**

Centrex Line Basic Package:

Touch Tone  
Call Hold  
Call Transfer  
3-Way Calling  
Intercom Dialing  
Call Forward Variable  
Call Forward Busy  
Call Forward Don't Answer  
Call Hold  
Call Pick-Up  
Call Restriction  
Call Waiting  
Call Pick-Up with Barge In  
Distinctive Ring  
Hunting  
Speed Dial (30)

Centrex Line Deluxe Package:  
(includes Central Basic plus)

Call Park  
Caller Number Delivery  
Last Number Redial

**3.6.6 Operator Services**

Operator Services are available only from customer locations that presubscribe to one of MCI's direct dial services. This service is not available from transient locations such as hotels and pay telephones. Operator Services enable callers to assign charges for long distance calls to an account that is not associated with the Customer. Callers access the service by dialing "OO" and the telephone number of the called station. Upon receipt of the call, MCI verifies the credit-worthiness of the designated billed party. When a payment method cannot be validated, or is unacceptable, callers will be required to select an alternative means of payment.

**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

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**3.6 Local Exchange Services (Cont'd.)**

**3.6.7 Directory Listing**

Primary and additional Directory Listings are provided in the alphabetical section of the telephone directory in accordance with the regulations and rates specified herein.

3.6.7.1 Directory Listings are provided in connection with each customer service as specified herein.

3.6.7.2 The alphabetical section of the telephone directory consists of a list of names of customers in alphabetical order and is designed solely for the purpose of informing calling parties of the telephone numbers of customers and those entitled to use the customer's service as an aid to the use of telephone service, and special position or arrangement of names is not contemplated.

3.6.7.3 Listings must conform to the Telephone Company's specifications with respect to its directories.

3.6.7.3.1 The Telephone Company reserves the right to limit the length of any listing in the directory by the use of abbreviations when, in its judgment, the clearness of the listing or the identification of the customer is not impaired thereby. Where more than one line is required to properly list the customer, no additional charge is made.

3.6.7.3.2 The Telephone Company may refuse a listing which is known not to constitute a legally authorized or adopted name, or any listing which, in the opinion of the Telephone Company, is likely to mislead or deceive calling persons as to the identity of the listed party, or is contrived name used for advertising purposes or to secure a preferential position in the directory or is more elaborate than is reasonably necessary to identify the listed party. The Telephone Company, upon notification to the customer, will withdraw any listing that is found to be in violation of its rules with respect thereto.

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

**3.5 Local Exchange Services (Cont'd.)**

**3.6.7 Directory Listing (Cont'd)**

**3.6.7.4 (Cont'd)**

3.6.7.4.3 Nonlisted or Nonpublished Telephone Service furnished to a customer with other listed, nonlisted or nonpublished service in the same directory area.

3.6.7.4.4. Nonlisted or Nonpublished Telephone Service associated with Mobile Telephone Service, Pay Telephone Lines and Network Controlled Lines.

3.6.7.4.5. Nonlisted or Nonpublished Telephone Service associated with dependent telephone numbers of a Distinctive Ring Custom Calling Service.

**3.6.8 Remote Call Forwarding**

This service allows customers who are away from the customer premises to route incoming calls to a distant location.

**3.6.9 Directory Assistance**

**3.6.9.1 Description**

The Company provides directory assistance service to aid Customers in determining telephone numbers.

No more than two telephone numbers may be requested for each call to directory assistance service.

A call to directory assistance is considered completed whether or not the numbers requested are available from directory assistance records, or the information requested is normally provided by directory assistance.

**3.6.9.2 Call Allowance**

In order to accommodate and provide compensation for situations such as directory inaccessibility, numbers not found in the directory, etc., an allowance consisting of a number of calls (which may be either directly dialed or operator dialed) to directory assistance service is provided as follows.

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

**3.6 Local Exchange Services (Cont'd.)**

**3.6.9 Directory Assistance (Cont'd)**

**3.6.9.2 Call Allowance (Cont'd.)**

Ten (10) calls for each business main telephone exchange service line and business PBX trunk line per billing period.

If a Customer has two or more main telephone exchange service line or PBX trunk lines terminating at the same premises, connected to the same facility location, in the same billing period and billed to the same number, the total allowance is applied to the total usage for the lines or trunks involved.

**3.6.9.3 Exemptions**

Directly dialed calls to directory assistance are exempt from directory assistance rates and regulations when placed from the following locations.

(1) A single line registered business main telephone exchange line of a handicapped user. A business main telephone exchange line may be registered for exemption with the Company in those instances where one of the users of the line is considered to be legally blind, or visually or physically handicapped as defined by the Federal Register, Volume 35, No. 126.

(2) Handicapped users on multi-line systems will obtain personal exceptions and may reach directory assistance without a charge through the use of an exempt Calling Card.

All directory assistance calls originated from Exchange lines of the Commonwealth and its political subdivisions are exempt.

Calls to directory assistance service requesting Nondirectory Listed or nonpublished service telephone numbers are exempt.

Where a user's handicap prevents the dialing of a telephone in a conventional manner or permits only the dialing of "0", those calls placed from the registered line and not directly dialed will also be exempt.

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

**3.6 Local Exchange Services (Cont'd.)**

**3.6.9 Directory Assistance (Cont'd)**

**3.6.9.4 Universal Emergency Telephone Number Service**

3.6.9.4.1 This tariff does not provide for the inspection or constant monitoring of facilities to discover errors, defects or malfunctions in the service, nor does the Company undertake such responsibility.

3.6.9.4.2 The initial 911/E911 information will come from the Customer record on the service order. Company does not accept responsibility for the accuracy of the customer provided information.

3.6.9.4.1 911/E911 information consisting of the names, addresses and telephone numbers of all telephone Customers is held confidential. The Company will authorize the release of such information via the 911/E911 System only after a 911/E911 call has been received, on a call-by-call basis, only for the purpose of responding to an emergency call in progress.

3.6.9.4.2 A call to 911/E911, waives the privacy afforded by non-listed and non-published service to the extent that the telephone number, name, and address associated with the originating station location are furnished to a Public Safety Answering Point. The Customer of record accepts the responsibility for the release of the information caused by the use of their exchange service to place such calls.

3.6.9.4.3 After the establishment of service, it is the Public Safety Agency's responsibility to continue to verify the accuracy of and to advise the Company of any changes as they occur in street names, establishment of new streets, changes in address numbers used on existing streets, closing and abandonment of streets, changes in police, fire, ambulance or other appropriate agencies' jurisdiction over any address, annexations and other changes in municipal and county boundaries, incorporation of new cities or any other similar matter that may affect the routing of 911 calls to the proper Public Safety Answering Point. The Company does not accept the responsibility for the accuracy of this information.

3.6.9.4.4 The Company shall not be liable for any infringement upon, or invasion of any right of privacy or any person or persons caused, or claimed to be caused, directly or indirectly by the use of 911/E911 Service.

**3.6.10 Telecommunications Relay Service (TRS)**

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Telecommunications Relay Services provide telecommunications services to the deaf, hard-of-hearing or speech-impaired persons who use a Text Telephone ("TT") or similar devices to communicate freely with the hearing population not using TT and vice versa. A Customer will be able to access the state provider to complete such calls. The Company will impose a surcharge to all Customers at a level determined by the Department.

3.6.11 Maintenance Visit Service

The Maintenance Visit Charge applies for time spent on a Customer's premises by Company employee during which it is determined that a service difficulty or trouble reported results from Customer-provided terminal equipment and/or communications systems connected to Company facilities or in detariffed CPE provided by the Company.

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

**3.6 Local Exchange Services (Cont'd.)**

**3.6.12 Promotional Offerings**

The Company may offer existing services on a promotional basis, subject to Department approval, that provides special rates, terms, or conditions of service. Promotional offerings are limited to a maximum of six months at which time the promotional offering must be either withdrawn or made available on a permanent basis. All promotions, regardless of whether services are given away for free, are subject to Department approval.

**3.6.13 Individual Case Basis (ICB) Arrangements**

For special situations, rates for specialized services will be determined on an Individual Case Basis and specified by contract between the Company and the Customer pursuant to Department rules for such arrangements.

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)****3.6 Local Exchange Services (Cont'd.)****3.6.14 Dedicated Leased Line Service****3.6.14.1 Description**

MCI's Dedicated Leased Line service is a high-speed digital communications service using a physical fiber optic connection between two locations within Ohio. Dedicated Leased Lines are non-switchable connections that can provide a constant and committed availability of capacity (for a single Customer) on a transmission path only between fixed, customer-specified locations. Dedicated Leased Line transmission speeds range from the DS-0 level up to and including OC-n speeds. Dedicated Leased Line circuits at DS-0, Fractional DS-1, DS-1 and DS-3 levels may be available between any two POP locations within the Commonwealth of Ohio. Provision of Dedicated Leased Line circuits are subject to facilities and capacity availability.

Dedicated Leased Line circuits with speeds at or below DS-1 are priced at a fixed and variable monthly recurring charge based on line speed, Central Office Connection and the V&H miles between the nearest available POP to the Customer or End-User locations (as determined by the NPA/NXX of the locations). Broadband Dedicated Leased Lines are priced at a fixed and variable monthly recurring charge based on line speed, Central Office Connection and the V&H miles between the nearest available POP to each fixed Customer or End-User location. For Dedicated Leased Line circuits at speeds at or below DS-1, the provision of Local Access Circuits may be coordinated directly by Customer or may be coordinated by MCI on Customer's behalf. For Broadband Dedicated circuits, MCI shall be solely responsible for all local access coordination functions and all costs for the interconnection of each Customer premise with the MCI network at the nearest available POP.

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)****3.6 Local Exchange Services (Cont'd.)****3.6.14 Dedicated Leased Line Service (Cont'd.)****3.6.14.1 Description (Cont'd.)**

MCI shall invoice the Customer on a monthly basis at the Customer's designated site in Ohio, in accordance with the following schedule: (i) one (1) month in advance for all recurring MRC charges due under this Agreement, in addition to the retroactive billing for the first billing invoice of a service; and (ii) in the month preceding the applicable usage (i.e. month of contract execution) for all NRC charges. Failure of MCI to timely invoice the Customer for any amounts due hereunder shall not be deemed a waiver by MCI of its rights to payment for such charges.

**3.6.14.2 Rates and Charges**

Rates set forth herein for MCI services requiring dedicated access do not include access and access-related charges (including, without limitation, installation charges, inside wiring charges assessed by the local exchange carrier ("LEC"), construction charges assessed by the LEC and distance and termination charges assessed by the LEC). Therefore access and access related charges are additional charges.

OC-n pricing will be on an ICB (Individual Case Basis). Pricing will be based on a 200-mile minimum circuit, and therefore circuits with V&H mileage between the two customer sites of less than 200 miles, will be priced at 200 miles.

**3.6.14.3 Broadband Facility Minimum Service Term**

Customer acknowledges that the Rates and Charges described in this tariff Section are based on the commitment of the Customer to utilize the Broadband Circuits or Facility for a specified minimum period of time. Therefore, notwithstanding anything in this tariff to the contrary and in addition to other charges set forth in the tariff, the Customer will be billed and required to pay to MCI all rates, fees and charges which accrue for each Broadband Circuit and for all associated local access during the entire Circuit Minimum Service Term (as defined below) applicable to each such Broadband Circuit plus all NRC charges applicable to such circuit that were previously waived, regardless of whether or not Customer utilizes all or any part of such Broadband Circuit

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

**3.6 Local Exchange Services (Cont'd.)**

**3.6.14 Dedicated Leased Line Service (Cont'd.)**

during all or any part of the Circuit Minimum Service Term applicable to such Circuit.

The "Circuit Minimum Service Term" for each Circuit, is defined as follows:

For DS-0, Fractional DS-0 and DS-1 Leased Line Circuits:

No "Circuit Minimum Service Term" shall apply.

For DS-3 and OC-n Broadband service the "Circuit Minimum Service Term" shall be as follows:

The Circuit Minimum Service Term shall be a minimum period of one (1) year, beginning from the date of service order fulfillment.

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**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)****3.6 Local Exchange Services (Cont'd.)****3.6.15 Termination of Service**

Upon termination of the Customer's agreement or upon termination of a broadband circuit, which has not met the "Circuit Minimum Service Term", all monthly recurring charges and non-recurring charges shall retroactively be collected.

Credit Allowances shall not apply in the event that MCI's Dedicated Leased Line Service is unavailable due to any of the following:

1. Interruptions on Dedicated Leased Line circuits that are not "Accepted Circuits" where an Accepted Circuit is one that MCI and the Customer have tested and mutually agree is working as ordered.
2. Interruptions caused by the negligence, act, error, or omission of the Customer or others authorized by the Customer to use the Customer's service.
3. Interruptions due to failure of power at the customer premise or failure or poor performance of customer premise equipment.
4. Interruptions during any period in which MCI or its agents are not afforded access to the premises where the access lines associated with the Customer's service originate or terminate.
5. Interruptions during any period when the Customer or user has released service to MCI for maintenance or rearrangement purpose, or for the installation of the Customer's service order.
6. An interruption during any period when the Customer elects not to release the service(s) for testing and/or repair and continues to use it on an impaired basis.
7. Interruptions resulting from a failure of an underlying local exchange carrier where the local access circuit was not provided by MCI.
8. Interruptions resulting from the Customer's use of services in an unauthorized or unlawful manner.
9. Interruptions resulting from a MCI disconnect for non-payment or an interruption of service resulting from incorrect orders from the Customer.
10. Interruptions during any period when the Customer has made the circuit available to MCI for installation, maintenance or grooming.

**SECTION 3 - DESCRIPTION OF SERVICES (CONT'D)**

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**3.6 Local Exchange Services (Cont'd.)**

**3.6.15 Termination of Service (Cont'd.)**

11. *Force Majeure* events, beyond the reasonable control of MCI, including but not limited to: acts of God, fire, flood, explosion, storm, labor strikes, lockouts, insurrections, riots, wars (declared or undeclared), acts of government authority, or of any civil or military authority, national emergencies, cable or fiber cuts resulting from the actions of third parties beyond the reasonable control of MCI.

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**SECTION 4 - DESCRIPTION OF RATES AND CHARGES****4.1 Local Exchange Voice Service**

Each exchange or zone is assigned three rate classes for the application of exchange service rates. The Customer will be charged applicable recurring, nonrecurring, and usage charges as specified below.

**4.1.1 Non-Recurring Service Installation Charges****4.1.1.1 Conversion Charge**

This charge is applied to existing Local Exchange Company lines converted to the Company's Service.

Per Line: \$ 5.00

**4.1.1.2 New Line Installation Charge**

This charge is applied to initial new line installations on each order for service. A separate charge will be applied to each new line installed as part of the same order for service.

Initial Installation, per line (establishing service or moving to another premises):

Non-recurring charge: \$ 93.02

Initial Installation, per line (other charges)

Non-recurring charge: \$ 93.02

**4.1.2 Local Access and Usage Charges**

Local Calling Areas are defined in Section 3.1. Per Minute Local Usage Charges are rounded to the next higher three-tenths minute and are subject to a minimum billing of one-tenth minute per call.

The rates shown herein entitle the Customer to local messages to all telephones bearing the designation of any central office of the exchanges or zones included as specified in the associated local service area or extended calling area.

Charges for monthly usage options apply in addition to the charges for dial tone lines.

4.1.2.1 Dial tone lines are available with either basic message rate service, basic measured rate service, or an unlimited monthly usage option, except as otherwise specified in this tariff.

**SECTION 4 - DESCRIPTION OF RATES AND CHARGES (CONT'D)**

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**Local Exchange Voice Service (Cont'd)****4.1.2 Local Access and Usage Charges (Cont'd)**

Basic message rate and measured rate services provide for charging on a per-call basis on calls to the local service area with no usage allowance concluded in the monthly rates. Charges per call are as specified in tariff following:

**Individual Line**

Dial tone line \$13.00

**Usage Charges**

Customers can purchase basic local service for a fee consistent with the rates below.

**Local Home Region Usage**

Zone 1	1st Minute	.027
Zone 1	Additional Minute	.017
Zone 2	1st Minute	.027
Zone 2	Additional Minute	.017

**4.2 Directory Assistance**

Directory Assistance charges apply for all requests for which the Company's facilities are used. Each number requested is charged for as shown below. Requests for information other than telephone numbers will be charged the same rate as shown for the applicable request for telephone numbers. The Customer is provided the Directory Assistance call allowance set forth in Section 3.1.4.2 above.

Directly dialed directory assistance calls for listings within a Customer's LATA in excess of the call allowance-each	\$0.34
---	--------

Directly dialed directory assistance calls for Ohio listings Outside a Customer's LATA in excess of the call allowance- each	\$0.95
--	--------

Calls to directory assistance via a local or MTS operator, in excess of the call allowance-each	\$0.48
---	--------

**4.3 [RESERVED FOR FUTURE USE]****SECTION 4 - DESCRIPTION OF RATES AND CHARGES (CONT'D)**

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**4.4 PBX Interconnect Service****4.4.1 Automatic Identified Outward Dialing (AIOD)**

	<u>Monthly Charges</u>	<u>Non-Recurring Charges</u>
Per PBX trunk line equipped	\$89.77	\$93.02
Service Establishment-One time Charge per PBX trunk group Equipped for AIOD	\$ 5.00	\$ 5.00

When AIOD is furnished on a system equipped for DID, the DID numbers may be used for this purpose. If AIOD is provided without DID, or if AIOD is provided different dial numbers than DID, rates for number assignments as specified in the DID Tariff are applicable.

**4.4.2 Direct Inward Dialing Service (DID)**

	<u>Monthly Charges</u>	<u>Non-Recurring Charges</u>
Per trunk equipped	\$89.77	\$93.02
Per 100 Number Group (or Fraction thereof)		\$1.06

**4.5 Maintenance Visit Service**

Service will be provisioned via available services from the incumbent local exchange carrier (Ameritech, Cincinnati Bell or Verizon). Rates will mirror the Verizon tariff.

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Effective:

Issued By: Francis X. Ahearn  
Chief Executive Officer  
McGraw Communications, Inc.  
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New York, NY 10017

**SECTION 4 - DESCRIPTION OF RATES AND CHARGES (CONT'D)****4.6 Telecommunications Relay Service (TRS)**

Enables deaf, hard-of hearing, or speech-impaired persons who use a Text Telephone (TT) or similar devices to communicate freely with the hearing population not using TT and visa versa. A Customer will be able to access the state provider to complete such calls. MCI will impose a surcharge to all Customers served by this Company. This surcharge applies regardless of whether or not the access line uses the Ohio TRS.

The following surcharge rate applies to all bills:

	<u>Monthly Rate</u>
Per business access line	\$0.12

**4.7 Individual Case Basis**

MCI may furnish a facility and/or service at a rate or charge different from those specified in the Company's tariff. Charges will be determined on an Individual Case Basis. Specialized rates or charges will be made available to similarly situated subscribers on a nondiscriminatory basis and will be provided subject to any applicable Department rules.

**4.8 PBX Service**

	<u>Monthly</u>	<u>Non-Recurring</u>
Message PBX Trunk, first	\$11.31	\$83.25
Message PBX Trunk, additional	\$11.31	\$83.25

**4.9 DS1 Service**

	<u>NRC</u>	<u>MRC</u>
<b>DS1 – PBX Service</b>	\$300.00	\$357.00
<b>DS1 – Transport Service</b>	\$1000.00	
Per link		\$105.40
Per mile		60.00

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**SECTION 4 - DESCRIPTION OF RATES AND CHARGES (CONT'D)****4.10 DS3 Service**

Service will be provisioned via available services from the incumbent local exchange carrier (Ameritech, Cincinnati Bell or Verizon). Rates will mirror the Verizon tariff.

**4.11 Direct Inward Dial (DID) Service**

<b>DID Numbers</b>	<u><b>MRC</b></u>
Block of 100 Numbers	\$1.06

**4.12 ISDN PRI**

<b>ISDN PRI</b>	<u><b>NRC</b></u>	<u><b>MRC</b></u>
Message In PRI	\$860.00	\$585.00
Caller ID	\$52.00	\$130.00

**4.13 Foreign Exchange**

Service will be provisioned via available services from the incumbent local exchange carrier (Ameritech, Cincinnati Bell or Verizon). Rates will mirror the their tariffs.

**4.14 Service Features**

<b>A La Carte Features</b>	<u><b>MRC</b></u>
Call Forward	\$5.09
Call Forward Busy Line	\$2.75
Call Forward Don't Answer	\$2.75
Call Forward Busy Line/Don't Answer	\$4.00
Three Way Calling	\$5.09
Speed Call 30	\$6.21
Call Waiting	\$5.40

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**SECTION 4 - DESCRIPTION OF RATES AND CHARGES (CONT'D)****4.15 Centrex Service**

Service will be provisioned via available services from the incumbent local exchange carrier (Ameritech, Cincinnati Bell or Verizon). Rates will mirror their tariffs.

**4.16 Operator Services**

Local exchange, IntraLATA, and InterLATA [intrastate] calls may be placed on an Operator Assisted basis at usage charges for Operator Assisted calls as set forth in this Tariff.

In addition to the usage charges identified, the following operator-assisted charges will apply:

	<u>Charges For Initial 3 Minutes</u>	<u>Charges For Additional 3 Minutes</u>
Calling Card Customer Dialed	\$ 0.75	\$0.05
Operator Station-to-Station	\$ 1.75	\$0.05
Mechanized Station-to-Station - All types	\$ 1.40	\$0.05
Person-to-Person - All types	\$ 3.50	\$0.05
Collect	\$ 1.75	\$0.05
Bill to Third Number	\$ 1.75	\$0.05

**Other Charges:**

911 Surcharge, Business Line	\$1.50, per line
911 Surcharge, per trunk	\$8.00, per trunk
\$0.50, per line	

**4.17 Directory Listing**

	<u>Monthly</u>
Business, each	\$1.81
Nonlisted Telephone Service	\$1.90
Nonpublished Telephone Service	\$1.19

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**SECTION 4 - DESCRIPTION OF RATES AND CHARGES (CONT'D)****4.18 Move, Add, Change and Disconnect Charges**

	<u>Non-Recurring</u>
Move or Add, per Line or Analog Trunk	\$25.00
Move or Add, per DS1	\$25.00
Telephone Number Change, per Line, Trunk or DS1	\$25.00
Temporary Suspension Charge, per Line, Trunk or DS1	\$25.00
Restoration of Service, per Line, Trunk or DS1	\$25.00
Billing Name Change, per account	\$25.00
Customer initiated Order Change	\$31.50
Change in Class or Grade of Service Charge	\$37.20

**4.19 Analog Trunk**

Service will be provisioned via available services from the incumbent local exchange carrier (Ameritech, Cincinnati Bell or Verizon). Rates will mirror the Ameritech, Cincinnati Bell or Verizon tariff.

**4.20 Dedicated Leased Line Services**

Service will be provisioned via available services from the incumbent local exchange carrier (Ameritech, Cincinnati Bell or Verizon). Rates will mirror the Ameritech, Cincinnati Bell or Verizon tariff.

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New York, NY 10017

**Exhibit B**

**Proposed Revised Tariff Pages**

**TITLE SHEET**

**OHIO TELECOMMUNICATIONS TARIFF**

**Tariff schedule applicable to Telecommunications Services furnished by McGraw Communications, Inc. ("McGraw"), with principal offices at 228 East 45th Street, 12th Floor, New York, New York 10017. This tariff applies for services furnished within the State of Ohio and is on file with the Ohio Public Utilities Commission. Copies may be inspected, during normal business hours, at the company's principal place of business.**

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**ISSUE DATE: April 2, 2008**

**EFFECTIVE DATE: April 2, 208**

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New York, New York 10017**

**Issued Under the Authority of the Public Utilities Commission of Ohio in Case No. \_\_\_\_-TP-ATA**

**CHECK SHEET**

The Sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

<b><u>SHEET</u></b>	<b><u>REVISION</u></b>
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original

\* New or Revised Sheet

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**ISSUE DATE: April 2, 2008****EFFECTIVE DATE: April 2, 208**

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**228 East 45th Street, 12th Floor**  
**New York, New York 10017**

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**ISSUE DATE: April 2, 2008**

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**TARIFF FORMAT**

A. Sheet Numbering: Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between pages 11 and 12 would be page 11.1.

B. Sheet Revision Numbers: Revision numbers also appear in the upper right corner of each sheet where applicable. These numbers are used to indicate the most current page version on file with the Commission. For example, 4th Revised Sheet 13 cancels 3rd Revised Sheet 13. Consult the Check Sheet for the sheets currently 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 Sheets: When a tariff filing is made with the Commission, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the sheets contained in the tariff, with a cross reference to the current Revision Number. When new sheets are added, the Check Sheet 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 this sheet if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest Check Sheet to find out if a particular sheet is the most current on Commission file.

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**ISSUE DATE: April 2, 2008****EFFECTIVE DATE: April 2, 208**

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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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**SECTION 1 - GENERAL****1.1 Undertaking of the Company**

This tariff contains the regulations applicable to intrastate interexchange telecommunications services provided by the Company for telecommunications between points within the State of Ohio. All terms and conditions herein will comply with Ohio Minimum Telephone Service Standards. 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 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.

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.

**1.2 Responsibilities and Rights of the Customer**

Customers have certain rights and responsibilities under the Minimum Telephone Service Standards (Ohio Adm.Code 4901:1-5)(MTSS). These safeguards can be found in the Appendix to Ohio Adm.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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**ISSUE DATE: April 2, 2008****EFFECTIVE DATE: April 2, 2008**

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**SECTION 1 – GENERAL (CONT'D.)****1.3 Late Charge**

A late fee of 1.5% monthly or the amount otherwise authorized by law, whichever is lower, will be charged on the undisputed portion of any past due balances. Late payment fees should not include interest on previously charged late payment fees. The late payment charge will not be applied to previous late payment charges that have been assessed but not yet paid for, but will apply to the accumulated services for which the customer is in arrears. Late payment charges will be applied without discrimination.

**1.4 Returned Check Charge**

A fee of \$25.00 will be charged whenever a check or draft presented for payment for service is not accepted by the institution on which it is written. The Company may waive the returned check charge under appropriate circumstances.

**1.5 Customer Complaints and/or Billing Disputes**

Customer inquiries or complaints regarding service or accounting may be made in writing or by telephone at any time to the Company at the below. There is no time limit for submitting disputes.

228 East 45th Street, 12th Floor  
New York, New York 10017  
(888) 543-2000

If you have a complaint that is not resolved after you have called McGraw Communications, Inc. or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at [www.puco.ohio.gov](http://www.puco.ohio.gov).

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**ISSUE DATE: April 2, 2008****EFFECTIVE DATE: April 2, 208**

**Francis X. Ahearn, CEO**  
**228 East 45th Street, 12th Floor**  
**New York, New York 10017**

**Issued Under the Authority of the Public Utilities Commission of Ohio in Case No. \_\_\_\_-TP-ATA**

**SECTION 1 – GENERAL (CONT'D.)**

Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at [www.pickocc.org](http://www.pickocc.org)

The Company will not collect attorney fees or court costs from Customers.

**1.6 Service Offerings**

A complete description of the services, rates, terms and conditions that are offered by the Company can be found on the Company's website at [www.mcgrawcom.net](http://www.mcgrawcom.net).

**1.7. Deposits**

The Company does not require deposits to commence service.

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ISSUE DATE: April 2, 2008

EFFECTIVE DATE: April 2, 2008

Francis X. Ahearn, CEO  
228 East 45th Street, 12th Floor  
New York, New York 10017

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## Exhibit C

Matrix or narrative summarizing all changes proposed in the application, and/or other information intended to assist Staff in the review of the Application

Pursuant to Chapter 4901:1-6, Ohio Administrative Code, Case No. 06-1345-TP-ORD, McGraw Communications, Inc.'s existing Public Utilities Commission of Ohio Tariff No. 1 is being replaced in its entirety which includes all non-residential Tier 2 services as well as regulated toll services as follows with Public Utilities Commission of Ohio Tariff No. 2:

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### Exhibit C (cont'd)

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## **Exhibit D**

Explanation of how the Applicant intends to comply with Rule 4901:1-6-05(G)(3) regarding disclosure of rates, terms, and conditions for detariffed services

Web Address, and Company physical address where Customers may obtain copies of the materials and publications in Compliance with Rules 4901:1-6-05(G)(3).

Rates, terms and conditions for McGraw Communications, Inc. can be located on the Company's website [www.mcgrawcom.net](http://www.mcgrawcom.net). Copies may also be obtained at the Company's main office at 228 East 45<sup>th</sup> Street, 12<sup>th</sup> Floor, New York, New York 10017.

## **Exhibit E**

One-time customer notice of detariffing and related changes consistent with rule 4901:1-06-16(B), including where customers may find the information regarding such services as required by rule 4901:1-6-05(G)(3).

Applicant provided the attached Customer Notice for non-residential subscribers, consistent with the Commission's updated Customer Notice Template.

The Customer Notice has also been sent on March 27, 2008 to the Commission-provided electronic mailbox at: [Telecomm-Rule16@puc.state.oh.us](mailto:Telecomm-Rule16@puc.state.oh.us)



March 12, 2008

To All McGraw Communications, Inc. Customers in Ohio:

Beginning on April 1, 2008, the prices, service descriptions, and the terms and conditions for certain telecommunication services that you are provided by McGraw Communications, Inc. (McGraw) will no longer be on file at the Public Utilities Commission of Ohio (PUCO).

General description of services affected: Switched LD service, Toll Free service, ISDN PRI service, Internet service, MPLS service, etc.

This modification does not automatically result in a change in the prices, terms, or conditions of those services to which you currently subscribe. McGraw must still provide a customer notice at least fifteen days in advance of rate increases, changes in terms and conditions and discontinuance of existing services. Additionally, you will be able to view McGraw's future service offerings online at [www.mcgrawcom.net](http://www.mcgrawcom.net), or you can request a copy of this information by contacting Customer Service at 888-543-2000.

Since these services will no longer be on file with the Commission, this means that the agreement reached between you and McGraw, instead of the document on file at the PUCO, will now control new services or changes in service. That written agreement will still be subject to consumer protections required and enforced by the PUCO.

For any new services or changes in service, it will be important that you carefully review and confirm the price, terms and conditions.

If you have any questions about this matter, please call McGraw at our toll free number: 888-543-2000, or visit us at [www.mcgrawcom.net](http://www.mcgrawcom.net).

Sincerely,  
McGraw Communications, Inc.

Get on with your business.

228 East 45th Street  
New York, NY 10017

888 543 2000  
[www.mcgrawcom.net](http://www.mcgrawcom.net)  
Fax 212 843 6557

## **Exhibit F**

Affidavit that the Customer Notice described in Exhibit E has been sent to Customers

CUSTOMER NOTICE AFFIDAVIT

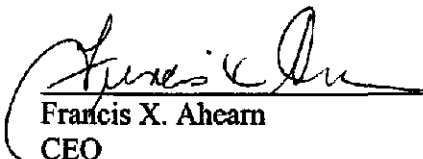
STATE OF NEW YORK

COUNTY OF NEW YORK

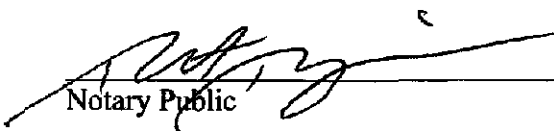
AFFIDAVIT

I, Francis X. Ahearn, CEO, am an authorized agent of the applicant, McGraw Communications, Inc., and am authorized to make this statement on its behalf. I attest that the Customer Notice(s) accompanying this Affidavit were sent to affected customers through direct mail on March 12, 2008, (15 days prior to the Detariffing and Related Actions Application Form filing date), in accordance with Rule 4901:1-6-16, Ohio Administrative Code. I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 31, 2008, New York, New York.

  
Francis X. Ahearn  
CEO

Subscribed and sworn before me this March 31, 2008  
(Date)

  
Notary Public

My Commission Expires: Sept 26, 2009

NOTARY  
No.  
Qualified in Suffolk County  
Commission Expires Sept. 26, 2009

ROBERT D. ZENIE  
NOTARY PUBLIC, State of New York  
No. 01ZE6134125  
Qualified in Suffolk County  
Commission Expires Sept. 26, 2009

OH DETARIFFING

