

WAR TELEPHONE LLC, d/b/a OTELCO

OF

56 Campus Drive
New Gloucester, Maine 04260

RATES, RULES AND REGULATIONS FOR FURNISHING

TELECOMMUNICATIONS SERVICES

Filed with THE PUBLIC SERVICE COMMISSION

Of

WEST VIRGINIA

Issued: June 19, 2020

Effective: July 1, 2020

Issued by authority of an Order of the Public Service Commission of West Virginia in Case No. 20-0455-T-T-NC dated July 1, 2020 or as otherwise provided herein.

War Telephone LLC, d/b/a OTELCO

By 

Title: GC & VP of HR and Regulatory Affairs

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**Public Services Commission
Of
West Virginia**

PSC Schedule No. 6

**War Telephone LLC
D/B/A
OTELCO**

Schedule Of Rates and Charges Applicable To Telephone Service

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DEFINITIONS

Access Line

The circuit which travels from the Central Office to the subscriber's premise terminating at the protector of primary interface jack, which provides direct access to the local exchange and the toll switching network and allows the subscriber to initiate telephone calls by means of both rotary dialing and dual-tone multi-frequency signaling.

Channel

The electrical path provided by the Telephone Company between two or more locations.

Circuit

A channel use for the termination of electrical energy in the furnishing of telephone service.

Community Caller

A Local Calling Plan in which the customer is charged a flat rate per month and a rate per minute for every completed outgoing local call made to a location outside the War exchange

Community Caller Plus

A Local Calling Plan in which the customer is charged a flat rate per month and a rate per minute for every completed outgoing local call made to a location outside the War, Coalwood, Bradshaw and Gary exchanges.

Connecting Company

A corporation, association, partnership, or individual owning or operating one or more exchanges and with which traffic is interchanged.

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DEFINITIONS (cont.)

Continuous Property

Physical property, including any buildings thereon, used in the conduct of one establishment or business, throughout which there is general access without the necessity of crossing land used publicly or privately by others.

Contract

The agreement between a subscriber and the Telephone Company under which services and facilities are furnished in accordance with the provisions of the tariffs applicable.

Customer Owned Premise Equipment (COPE)

Devices, apparatus, and their associated wiring provided by a subscriber for use with facilities furnished by the Company.

Exchange Area

The territory in which telephone service is provided by the Company.

Extension and PBX Station Mileage

The charges made to the additional circuit required to furnish such stations beyond the allowable distance from the main station or PBX switchboard.

Extra Listing

Any directory listing of a name or information in connection with a subscriber's telephone number beyond that to which he is entitled in connection with his regular service.

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DEFINITIONS (cont.)

Individual Line

An exchange line designed for the connection of only one main station.

Local Channel

The portion of a channel which connects a station to an inter-exchange channel; it also applies to a channel connecting two or more stations within an exchange area.

Local Message

A communication between subscriber stations within the same local service area.

Local Service Area

That area throughout which a subscriber obtains telephone service to a local service area at a given rate without the payment of a toll charge.

Premise Wiring (PW)

The wire, cable, jacks, plugs, blocks, connectors, fastening hardware, etc., beyond the customer side of the protector or primary interface jack.

Premises

All of the building or the adjoining portions of a building occupied and used by the subscriber.

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DEFINITIONS (cont.)

Frequent Caller

A Local Calling Plan in which the customer is charged a flat rate per month for all outgoing calls to any exchange within the local calling area. These exchanges include: War, Coalwood, Gary, Welch, Davy, Kimball, Anawalt, Northfork, Maybeury, Bramwell, Bluefield, Matoaka, Bluewell, Jaeger and Bradshaw.

Local Calling Area

The Local Calling Area includes the following telephone exchanges: Anawalt, Bradshaw, Bluefield, Bluewell, Bramwell, Coalwood, Davy, Gary, Jaeger, Kimball, Matoaka, Maybeury, Northfork, War and Welch. Calls within the local calling area are made on a 7-digit dialing basis.

Primary Interface Jack

The telephone service connecting jack beyond the customer side of the protector which is electrically nearest to the protector.

Private Line

A circuit provided to furnish communication only between the two or more telephones directly connected to it. Such instruments do not have access to the exchange network.

Protector

The device on the customer premise which is provided by the Telephone Company for the purpose of protecting the customer, the premise, the COPE and the PW from over-voltage that might appear on the access line. The protector is provided by and remains the property and responsibility of the Company. The protector serves as the demarcation point between Company-provided and Customer-provided facilities. It is the so-called "Network Interface Device" (NID).

Public Telephone

A non-listed, non-subscriber exchange station installed for the convenience of the public at a location chosen or accepted by the Company.

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DEFINITIONS (cont.)

Subscriber

A person or agency subscribing for telephone service. As used in this tariff, a separate subscriber is involved at each location or continuous property where service is furnished. One individual or firm may be considered as two or more separate subscribers even in the same exchange. The privileges, restrictions, and rates established for a subscriber to any class of service are limited to the service at one location; and no group treatment of service at separate locations furnished to one individual or firm is contemplated or to be implied except when definitely provided for in the schedules.

Tariff

The document which lists the communication services offered by the Company and the associated rates and charges.

Thrifty Caller

A Local Calling Plan in which the customer is charged a flat rate per month and a rate per minute for every complete outgoing local call.

Toll Message

A message from a calling station to a station located in a different local service area.

Toll Service

Telephone service between patrons in different local service areas.

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GENERAL RULES AND REGULATIONS

A. APPLICATION

The rules and regulations specified herein apply to the intrastate services and facilities of War Telephone Company, hereinafter referred to as the Company. Failure on the part of the subscribers to observe these rules and regulations, after due notice of such failure, automatically gives the Company the authority to discontinue the furnishing of service.

The company reserves the right to refuse service to any applicant who is found to be indebted to the company or any other telephone company for service previously furnished until satisfactory arrangements have been made for the payment of all such indebtedness. The company may also refuse service to any applicant desiring to establish service for former subscribers of the company or any other telephone company who are indebted for previous service, regardless of the listing request for such service, until satisfactory arrangements have been made for the payment of all such indebtedness. If telephone service is established and it is later determined that either of these conditions exist the company may suspend or disconnect such service until satisfactory arrangements have been made for the payment of the prior indebtedness.

When an application for service and facilities or requests for additions, rearrangements, relocations or modifications of service and equipment are cancelled in whole or part prior to the completion of the work involved, the applicant is required to reimburse the company for all expenses incurred in handling the request before notice of cancellation is received.

Business rates apply whenever the use of the service is primarily or substantially of a business, professional, institutional or otherwise occupational nature or where the listing required is such as to indicate business use. Residential rates apply when the use of the service is of a domestic nature and provided that the service is not used substantially for occupational purposes.

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GENERAL RULES AND REGULATIONS (cont.)

A. APPLICATION (Cont)

Except as specified elsewhere in this tariff, the minimum service period for local service is one month from the date service or additions to service are established and the minimum charge is the authorized rate for one month. The company may require a contract period longer than one month at the same location in connection with special types of arrangements of equipment, or for unusual construction, necessary to meet specific demand for service.

In the event of a conflict between any rate, rule, regulation, or provision contained in these General Rules and Regulations and any rate, rule, regulation, or provision contained in the specified tariffs, the rate, rule, regulation, or provision contained in the specific tariffs shall prevail.

These tariffs cancel and supersede all other tariffs of the Company issued and effective prior to the effective date of these tariffs.

B. EXPLANATION OF SYMBOLS

- (C) Indicates a change in text of regulation.
- (D) Indicates a decrease in rates.
- (I) Indicates an increase in rates.
- (N) Indicates a new rate, treatment, or regulation.
- (O) Indicates omissions.
- (T) Indicates temporary rates and/or surcharges
- (M) Indicates moved text; no change in rate or term or condition.

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GENERAL RULES AND REGULATIONS (cont.)

C. OBLIGATION AND LIABILITY OF COMPANY

1. The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage) for any interruption, delay, error, omission, or defect in any service, facility (including services and facilities involved in emergency calling activity) or transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's control.
2. The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer and Subscriber against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, tradename or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other conduct revealed to, transmitted by, or used by the Company under this tariff; or for any act or omission of the Customer or Subscriber; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use, or removal of equipment or wiring provided by the Company, if not caused by negligence of the Company.
3. The Company shall not be liable for any defacement of or damages to the premises of a Customer or Subscriber, resulting from the furnishing of service, which is not the result of the Company's negligence.
4. Except when a court of competent jurisdiction finds that gross negligence, willful neglect, or willful misconduct on the Company's part has been a contributing factor, the liability of the Company for any claim or loss, expense or damage (including indirect, special or consequential damage) for any interruption, delay, error, omission, or defect in any service, facility (including services and facilities involved in emergency calling activity) or transmission provided under this tariff shall not exceed an amount equivalent to the prorata charge to the Customer or Subscriber for the period of service or facility usage during which such interruption, delay, error, omission, or defect occurs. For the purpose of computing this amount, a month is considered to have thirty (30) days.

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GENERAL RULES AND REGULATIONS (cont.)

D. USE OF SERVICE AND FACILITIES

1. Ownership and Use of Equipment

All access lines furnished by the Company are the property of the Company even though located on the premises of the subscriber. Company agents or employees shall have the right to enter said premises at any reasonable hour to install or maintain equipment, make collections, or remove equipment.

The Company may refuse to install or maintain any service at locations which are hazardous to Company employees. If such service is furnished, the subscriber may be required to install and maintain such service, holding the Company harmless from any claims for damage by reason of the installation and maintenance of this service.

2. Use of Subscriber Service

Subscriber access line service is furnished only for the use of the subscriber, the subscriber's family and associates. The Company may refuse to install or permit such service to remain on premises of public or semipublic character.

3. Tampering with Equipment

The Company may refuse to furnish access line service to any person or business when the installed equipment shows any evidence of tampering for the purpose of obtaining service without payment of charges applicable to the service rendered by the Company.

4. Use of Improper Language or Impersonation of Another

The Company may refuse service to anyone who uses or permits abusive or obscene language over Company facilities or impersonates another individual with fraudulent or malicious intent.

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GENERAL RULES AND REGULATIONS (cont.)

C. USE OF SERVICE AND FACILITIES (cont.)

5. Governmental Objections to Service

The Company may refuse service or discontinue service to anyone upon objection to such service by or on behalf of any governmental authority acting within its jurisdiction.

6. Resale of Local Exchange Service

The Company may refuse to furnish or may terminate existing service to any subscriber when the local service is resold by the subscriber without authorization from the proper regulatory authorities.

7. Availability of Facilities

The Company's obligation to furnish telephone service is dependent upon its ability to secure suitable facilities and to provide such service without unreasonable expense.

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GENERAL RULES AND REGULATIONS (cont.)

E. CONNECTION WITH CUSTOMER-OWNED PREMISE EQUIPMENT AND
PREMISE WIRING

1. General

Customer-Owned Premise Equipment (COPE) and Premise Wiring (PW) used in conjunction with telephone service shall not interfere with any of the service offerings of the Company, endanger Company employees or the public, damage or require the alteration of Company facilities, interfere with the proper functioning of Company facilities, or impair the operation of Company facilities, or impair the operation of the telephone network. Upon notice from the Company that the COPE and/or PW is causing or is likely to cause such hazard or interference, the customer shall make whatever changes are necessary to correct the problem.

The Company shall not be responsible for the installation, operation, or maintenance of any COPE or PW. The customer shall be responsible for the payment of all Company charges customer-initiated visits by the Company to the customer premises where a service difficulty or trouble report results from customer provided equipment or premise wiring facilities. These charges are described in the "Non-Recurring Charges" section of this tariff.

Where COPE and/or PW is connected to Company facilities, the responsibility of the Company shall be limited to the furnishing, operation, and maintenance of such facilities in a manner suitable for telephone service. The Company shall not be responsible for the through transmission of signals generated by the COPE and/or PW or, for the quality of, or defects in, such transmission, or the reception of signal by COPE and/or PW. The Company shall not be responsible to the customer if changes in any of the facilities, operations, or procedures of the Company render any COPE and/or PW obsolete or require modification or alteration of such equipment or otherwise affect its use or performance.

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GENERAL RULES AND REGULATIONS (cont.)

E. CONNECTION WITH CUSTOMER-OWNED PREMISE EQUIPMENT AND
PREMISE WIRING (cont.)

1. General (cont.)

Where COPE and/or PW is used with telephone service in violation of any of these conditions, the Company will take whatever action is necessary to protect the network and will promptly notify the customer of the violation in writing. The customer shall discontinue use of the equipment and/or premise wiring or correct the violation. Written confirmation of the corrective action taken will be supplied to the Company within 10 days following receipt of notice of the violation by the customer.

Failure of the customer to comply with these requirements shall result in suspension of the customer's service until the customer complies with the provisions of this tariff.

The customer shall be responsible for provision and maintenance of all premise wiring associated with his or her telephone service.

Any charges made for service calls where the trouble is found to be in customer provided equipment are considered to be utility service and are subject to all requirements for payment specified in other parts of this tariff.

2. Connection of Terminal Equipment and Premise Wiring

Customer owned terminal equipment which meets the criteria set forth in Part 68 of the FCC Rules and Regulations may be connected to facilities furnished by the Company in accordance with the following provision: Registration number and ringer equivalence must appear on each unit of equipment.

The customer must notify the Company of his intentions to connect terminal equipment. The notification must include the identification number of the equipment and the location where the equipment will be used. All premise wiring shall conform to generally accepted telecommunications industry standards.

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GENERAL RULES AND REGULATIONS (cont.)

F. ESTABLISHMENT AND FURNISHING OF SERVICE

1. Application for Service

Application for service must be made on the Company's standard form, which becomes a contract when accepted in writing by the Company or upon establishment of service. The subscriber is required to pay in advance all charges for the first billing period and connection charge if applicable. The conditions of such contracts are subject to all provisions of this and other applicable tariffs. Requests for additional services may be made verbally if provided in the original contract and no advance payment will be required. A move within the exchange area is not considered to terminate the contract and orders for such may be made verbally.

2. Telephone Numbers

The Company may change any or all numbers whenever it deems it advisable in the conducting of its business to do so.

3. Alterations

The subscriber agrees to notify the Company of any alterations which will necessitate changes in the Company's facilities and the subscriber agrees to pay the Company's actual cost of making such changes.

4. Maintenance and Repairs

The Company shall bear the expense of all repair and maintenance of its facilities except where damage or destruction of facilities is due to the neglect of the subscriber.

5. Unusual Installation Costs

Where special conditions or special requirements of the subscriber involve unusual construction or installation costs, the subscriber may be required to pay a reasonably proportionate share of such cost. Title to all facilities constructed wholly or partly at cost to the subscriber is vested in the Company.

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GENERAL RULES AND REGULATIONS (cont.)

G. TELEPHONE DIRECTORIES

1. Distribution

The Company will furnish to its subscribers, without charge, only such directories as it deems necessary for the efficient use of the service. Other directories will be furnished at the discretion of the Company at a reasonable charge.

H. ESTABLISHMENT AND MAINTENANCE OF CREDIT

1. Establishment of Credit

The Company shall not be required to furnish service to anyone who owes for service previously rendered or whose credit is doubtful in the opinion of the Company. The subscriber may be required to establish and maintain his credit in one of the following ways: by furnishing acceptable references, providing a suitable guarantee in writing, or by cash deposit.

2. Deposits

The amount of deposit required for the establishment of credit for residential service shall not exceed 1/12 of the estimated annual charge to the customer. For business service such deposit shall not exceed 1.5 times the estimated monthly billed amount.

Deposits will be refunded after payment has been received in a satisfactory manner for twelve consecutive months.

3. Deposit Not to Affect Regular Collection Practices

The subscriber shall be required to comply with the normal collection of bills even though cash deposit has been made. The Company may discontinue service for nonpayment of past due bills without regard to the fact that the subscriber has made a deposit or guarantee with the Company to secure payment of such bills.

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GENERAL RULES AND REGULATIONS (cont.)

H. ESTABLISHMENT AND MAINTENANCE OF CREDIT (continued)

4. Interest to be Paid on Deposits

Simple interest at the per annum rate required by the Public Service Commission is paid on the deposit and will appear as a credit on the monthly bill once the deposit refund is due, except that no interest is paid on deposits held less than six (6) months.

5. Discontinuance of Services for Failure to Establish Credit

Service may be discontinued for failure to establish credit, as authorized above, within seven days after the Company has served or mailed notice requiring the subscriber to do so. Where service has been discontinued for failure to establish credit, the regular non-recurring charges will be made and collected by the Company

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GENERAL RULES AND REGULATIONS (cont.)

I. MINIMUM CONTRACT PERIODS AND TERMINATION OF SERVICE

1. Minimum Contract Periods

Except as hereinafter provided, the initial (or minimum) contract period for all services and facilities is one month at the same location.

The length of contract period for directory listings, where the listing actually appears in the directory, is the directory period. The directory period is from the day on which the directory is first distributed to the day the succeeding directory is first distributed to subscribers

The Company may require a contract period longer than one month at the same location in connection with special (non-standard) types or arrangements of equipment or for unusual construction necessary to meet special demands and involving extra cost.

2. Termination of Service - Subscriber's Request

Service may be terminated prior to the expiration of the initial contract period upon notice being given to the Company, and upon payment of all termination charges, in addition to all charges due for service that has been furnished.

In the case of service for which the initial contract period is one month, the charges due for the balance of the initial month period will not be refunded if service is terminated prior to completion of the initial month of service.

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GENERAL RULES AND REGULATIONS (cont.)

- I. MINIMUM CONTRACT PERIODS AND TERMINATION OF SERVICE (Cont.)
2. Termination of Service - Subscriber's Request (Cont.)

In the case of directory listings where the listing has appeared in the directory, the charges due to the end of the directory period, except that in the following cases charges will be continued only to the date of the termination of the extra listing with a minimum charge of one month.

- (1) The contract for access line service is terminated.
- (2) The listed party becomes a subscriber to some class of exchange service.
- (3) The listed party moves to a new location.

For special equipment, the charges will be based on the individual circumstances in each case as agreed upon at the time of installation.

Contracts for periods longer than one month covering services whose installation required line extensions may be terminated upon payment of all charges that would accrue to the end of the contract period, or the contract will be transferred to a new applicant who is to occupy the same premises and will subscribe to the service effective on the day following termination by the original subscriber.

Service may be terminated after the expiration of the initial contract period, upon the Company being notified, and upon payment of all charges due to the date of termination of the service.

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GENERAL RULES AND REGULATIONS (cont.)

I. MINIMUM CONTRACT PERIODS AND TERMINATION OF SERVICE (cont.)

3. Termination of Service by the Company

In the event of failure by the subscriber to pay any regular bills within 20 days of the due date or to promptly settle special toll bills, the Company may render to the customer a written disconnect notice ten days prior to disconnection. Prior to such disconnection, the Company shall make at least two attempts to contact the subscriber by phone within 24 hours of the disconnection. The Company also reserves the right to terminate a subscriber's service for violation of the rules and regulations of this tariff.

The Company shall not be required to restore or establish service at any location where the defaulting customer resides or conducts business until suitable arrangements for the payment of all proper amounts are made.

The regular non-recurring connection charges will be made for reconnecting service which has been discontinued. Service may be reestablished only on the basis of a new application.

J. PAYMENT FOR SERVICE AND FACILITIES

The subscriber shall pay monthly in advance or on demand all charges for services and facilities and shall pay on demand all charges for long distance services and measured local usage. Failure to receive a bill does not relieve the subscriber of the responsibility for payment in accordance with these provisions.

Retroactive billing adjustments will not be made for a period exceeding one year.

Bills for service are rendered monthly and are due and payable when rendered unless otherwise specified on the bill. Payment may be made by mail or at the business office of the Company. If objection in writing is not received by the company within thirty days after the bill is rendered the account shall be deemed correct and binding upon the subscriber. Non-payment of charges for service may result in the interruption or discontinuance of any or all of the service furnished the subscriber.

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GENERAL RULES AND REGULATIONS (cont'd)

J. PAYMENT FOR SERVICE AND FACILITIES cont'd

The Telephone Company may bill for non telecommunications services. The non-telecommunications services that may appear on customer bills are listed below.

Each billed service will be assigned to a billing classification. Billing classifications are: Basic, Non-basic and Toll.

Basic includes: Local Exchange Service, access to 911, Directory Assistance, "0" Operator and blocking of 900/976 or like services, access to long distance, Telecommunications Relay Service, collect calls and billed to 3rd number calls.

Non-Basic includes: All services not included in other classifications, including non-telecommunications services such as; inside wiring maintenance, installation and repair, directory advertising, additional directory listings, sales and leasing of deregulated customer premises equipment, voice mail and internet services.

Toll includes: All long distance, non local charges and all the related fees, surcharges, taxes, etc.

Customers who make only a partial payment will have their payment applied in the following order: Basic, Non-Basic, Toll and 900/976 pay-per-call. First, partial payments will be applied to charges in arrears and then to current charges. When service has not been paid in full and suspension of services is appropriate, the services will be suspended in reverse of the partial payment order.

When a customer subscribes to package services, (i.e., bundled services) and does not pay all charges owed, the package will be removed, the features offered under the package blocked, and the customer's basic service changed to the local calling plan option that closest resembles what they had under the package. The unpaid balance will be added to the non-basic billing classification balance. In order to unblock vertical features, the customer must pay the balance of charges owed.

A Late Payment Charge of 1.25 % will apply to each customer's bill when the previous month's bill has an unpaid balance. The late charge is applied to the total unpaid amount carried forward and is included in the total amount due on the current bill.

A return check charge will be at the maximum allowed by law for each dishonored check received.

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GENERAL RULES AND REGULATIONS (cont.)

K. SPECIAL SERVICES AND FACILITIES

Special services and facilities not ordinarily used in the furnishing of telephone service and not otherwise provided for by the tariff schedules of the Company may be furnished or leased pursuant to special contract for such special service or facility for such period as may be agreed upon, provided such special service or facility or the use made thereof is not unlawful and does not interfere with the telephone service furnished by the Company. Special services are provided for each individual application as a custom-engineered system to satisfy and provide for the needs of that customer. Applicable charges will be determined by the revenue requirements of the utility for each individual system. In the event any such special service or facility or the use made thereof interferes with the furnishing of the telephone service by the Company, the Company may terminate such contract and cease to furnish such special service or facility after thirty days written notice to the subscriber.

Issued by authority of an order of the PSC of West Virginia in Case No. 20-0455-T-T-NC, dated July 1, 2020, effective July 1, 2020.

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LOCAL EXCHANGE SERVICES AND RATES

RATES

<u>Thrifty Caller</u>	<u>Monthly Flat Rate</u>
Residence One Party Access	\$ 7.00
Business One Party Access	\$13.00
<u>Community Caller</u>	
Residence One Party Access	\$16.00
Business One Party Access	\$31.00
<u>Community Caller Plus</u>	
Residence One Party Access	\$26.00
Business One Party Access	N/A
<u>Frequent Caller</u>	
Residence One Party Access	\$35.00
Business One Party Access	\$50.00

Calls within the War Exchange

	<u>1st Minute</u>	<u>Each Additional Minute</u>
Day*	\$0.06	\$0.05
Evening**	\$0.03	\$0.02
Nights/Weekends***	\$0.02	\$0.01

Calls to other exchanges in the local calling area

	<u>Each minute</u>
Day*	\$0.150
Evening**	\$0.075
Nights/Weekends***	\$0.075

- * Day rates effective from 8 A.M to 5 P.M, Monday through Friday
- ** Evening rates effective from 5 P.M to 11 P.M., Sunday through Friday
- *** Night/Weekend rates effective from 11:00 P.M. to 8 A.M Monday through Friday.
All day Saturday and Sunday from 8 A.M to 5 P.M and 11 P.M. to 8 A.M.

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LOCAL EXCHANGE SERVICES AND RATES (cont.)

Business Rates Apply:

At any location where activities are of a business, trade, or professional nature.

At any location where the listing of service at that location indicates a business, trade, or profession.

Where only one primary station is provided at a location which is both a residence and a business.

At schools, hospitals, libraries, and other similar institutions.

Residence Rates Apply:

In private residence and church where business listings are not provided and telephone service is not used for the conduct of business.

In the place of residence of a clergyman, physician, or other medical practitioner provided the subscriber does not maintain an office in the residence.

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TELECOMMUNICATIONS RELAY SERVICE

In accordance with an Order of the Public Service Commission, a monthly surcharge will be assessed the following lines to support this service: each residence line, each business line, each PBX trunk, each semi-public telephone line and Centrex (one charge for every eight Centrex lines or equivalent).

	Per
	<u>Month</u>
TRS Surcharge	\$.05

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TEL-ASSISTANCE / LIFELINE

The Company, as part of its obligations as an Eligible Telecommunications Carrier, offers two (2) low-income Assistance programs. These programs, TEL-ASSISTANCE and LIFELINE, are offered under the terms and conditions provided below:

1. TEL-ASSISTANCE

a. General

TEL-ASSISTANCE is a retail service offering available to qualifying low-income subscribers, as provided for below. TEL-ASSISTANCE enables eligible subscribers to pay reduced charges for the following package of services: voice-grade access to the public switched network; local usage; dual-tone multi-frequency signaling; single-party service; access to emergency services; access to operator services; access to inter-exchange service; access to directory Assistance; and toll limitation.

b. Regulations

Unless other eligibility requirements are established by the Commission, TEL-ASSISTANCE is available to all subscriber who participate in one of the following programs: Emergency Assistance, Medicaid; School Clothing Allowance (SCA); Supplemental Nutrition Assistance Program (SNAP); Supplemental Security Income; Federal Public Housing Assistance; Low-Income Home Energy Assistance Program (LIHEAP); National School Free Lunch Program; WV Works (TANF); WV Children's Health Insurance Program (WV CHIP); or any other income related state or federal program.

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TEL-ASSISTANCE / LIFELINE (cont.)

1. TEL- ASSISTANCE (cont.)

b. Regulations (cont.)

In order to be eligible for TEL-ASSISTANCE service, a customer shall be subject to initial and continuing verification by the Department of Health and Human Resources.

1. A subscriber may elect at the time of subscription or later to TEL-ASSISTANCE to receive toll limitation as part of TEL-ASSISTANCE. "Toll limitation" is a service that allows a subscriber to elect not to allow the completion of outgoing toll calls from the subscriber's residence.
2. TEL-ASSISTANCE will not be disconnected for non-payment of toll charges, unless the Company first obtains a waiver from the Commission by demonstrating to the Commission that the Company would otherwise incur substantial costs, that the Company offers toll limitation without charge, and that telephone subscribership among low-income subscribers in the Company's service area is greater than or equal to the national subscribership rate for low-income consumers. For purposes of this paragraph, a "low-income consumer" is one with an income below the poverty level for a family of four residing in West Virginia. The Company shall follow all applicable notice provisions as established, from time to time, by the Commission, as part of using a waiver, if granted. The Company may apply for waivers as necessary.

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TEL-ASSISTANCE / LIFELINE (cont.)

- b. Regulations (cont.)
 - 4. The Company may not collect a service deposit in order to initiate TEL-ASSISTANCE if the qualifying low-income subscriber voluntarily elects toll limitation from the Company.
- c. Customers taking TEL-ASSISTANCE service will be charged a flat rate of \$7.50 per month or the lowest price eligible service available to the customer at the time of his or her application. In addition, TEL-ASSISTANCE includes a state usage allowance of up to \$2.00 per month.
- d. To be eligible for TEL-ASSISTANCE, qualifying customers must subscribe to the lowest priced, basic local exchange service offering that is made available at the subscriber's domicile.
- e. Partial payments that are received from TEL-ASSISTANCE customers shall first be applied to local service charges and then to any outstanding toll charges.

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TEL-ASSISTANCE / LIFELINE (cont.)

2. LIFELINE

a. General

A federal discount for local telephone service is available to low income residential customers. To qualify for Lifeline Service a customer must have household income at or below 135% of the Federal Poverty Guidelines* or be a recipient of benefits from any one of the following programs:

Medicaid
Supplemental Security Income (SSI)
Supplemental Nutrition Assistance Program (SNAP)
Federal Public Housing Assistance*
Veterans and Survivors Pension Benefit

b. Eligibility

Qualifying subscribers need to do one of the following to obtain an application for Lifeline Support:

1. Visit CheckLifeline.org from a computer or mobile device.
2. Download the Lifeline application from the Company's website at www.otelco.com.
3. Request an application be mailed to them.

Existing Lifeline subscribers must comply with the federal annual recertification process done by USAC 90 days before a subscriber's anniversary date in National Lifeline Accountability Database (NLAD).

If subscribers fail to recertify, company is required to remove Lifeline benefit from their account within 5 days of the recertification deadline. The customer will be billed for discounts received for the time that they were proved to be ineligible for the service.

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TEL-ASSISTANCE / LIFELINE (cont.)

c. Limitations

1. Lifeline Service is limited to one discount per household. Household is defined as any individual or group of individuals living together at the same address as one economic unit.
2. Eligible applicants may request toll blocking at no charge.

d. Discount

The following Federal monthly credit will apply for Lifeline Assistance. This discount may be applied to TEL-ASSISTANCE service as well as any other local service offered by the Company.

- | | | |
|----|--|--------|
| 1. | Voice only benefit | \$7.25 |
| 2. | Voice and Broadband
(speed 20mbps/3 mbps/minimum usage 1024 gbps) | \$9.25 |
| 3. | Voice and Broadband
(speed below minimum requirement) | \$7.25 |
| 4. | Broadband only (meets speed minimum requirement) | \$9.25 |

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NON-EMERGENCY SERVICE PROVIDED AFTER BUSINESS HOURS

Normal business hours during which service can be requested without charge are 9:00 a.m. to 5:00 p.m. Monday through Friday except on holidays. Holidays observed are the following:

January 1	New Year's Day
Last Monday in May	Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
Fourth Thursday and Friday in November	Thanksgiving Holidays
December 25	Christmas Day

Trouble calls made during non-business hours, consisting of an immediate threat to life, limb, or property or affecting service for a significant number of customers, will be treated as an emergency. These calls will be cleared as soon as the trouble is found and no charge will be administered.

For calls received during non-business hours that are not classified as an emergency or as affecting a significant number of customers, the trouble will be cleared when the business office reopens during normal business hours unless the person reporting the trouble requests that repairs be made sooner than that. Whenever a subscriber requests that work be performed outside the company's regular working hours, so that the company incurs costs that otherwise would not have been incurred, the subscriber may be required to pay the amount of additional costs incurred by the company as a result of the subscriber's special requirement.

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CUSTOM CALLING AND CLASS SERVICES

<u>Custom Calling Features</u>	<u>Residence Monthly</u>	<u>Business Monthly</u>
Call Forwarding	\$1.75	\$3.00
Call Waiting	\$2.50	\$4.50
Speed Calling (8 numbers)	\$1.50	\$2.25
Speed Calling (30 numbers)	\$2.50	\$3.00
Three-way Calling	\$3.25	\$3.75

<u>CLASS Features</u>	<u>Residence</u>	<u>Business</u>
Automatic Call Return – Per Unit	\$0.75	\$0.75
Automatic Call Return – Per Month	\$3.50	\$4.50
Automatic Busy Redial – Per Unit	\$0.75	\$0.75
Automatic Busy Redial – Per Month	\$3.50	\$4.50
Call Trace* - Per Unit	\$3.50	\$3.50
Call Forwarding Busy	\$3.50	\$4.50
Call Forwarding Don't Answer	\$3.50	\$4.50
Selective Call Acceptance	\$3.50	\$4.50
Selective Call Rejection	\$3.50	\$4.50
Selective Call Forward	\$3.50	\$4.50
Anonymous Call Rejection	\$2.00	\$3.00
Caller ID – number only	\$6.50	\$7.50
Call Waiting on Caller ID - number only	\$7.00	\$8.00
Caller ID – Name & Number	\$7.50	\$8.50
Call Waiting on Caller ID with Name	\$8.00	\$9.00
Priority Ringing	\$3.50	\$4.50

* One time set up charge of \$5.00 will be applied.

<u>Feature Packages</u>	<u>Residence</u>	<u>Business</u>
Call Waiting with Call Forwarding	\$3.75	\$5.75
Call Waiting with Speed Calling 8	\$3.55	\$5.55
Call Waiting with Speed Calling 30	\$4.30	\$6.30
All Custom Calling features including Speed Calling 8	\$7.40	\$10.40
All Custom Calling features including Speed Calling 30	\$8.00	\$11.00
Caller ID with Name, Automatic Call Return and Automatic Busy Redial or Caller ID with Name, Automatic Busy Redial and Anonymous Call Rejection	\$10.99	\$13.99

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CUSTOM CALLING AND CLASS SERVICES (cont'd)

Definitions/Regulations

Anonymous Call Rejection: Allows the called party the ability to reject calls if the calling number is marked private. The customer only receives calls for which the identity of the calling party is available. Calls with the calling number marked private are routed directly to an announcement. A typical announcement states, "You have attempted to reach a party who is not accepting calls marked private."

Automatic Call Return: Allows a customer to automatically return the last incoming call whether it is answered or not. Upon activation of the feature the customer receives an automated voice response message stating the number of the last party who called, and is given the option of returning the call if the called line is found to be busy, a 30-minute queuing process begins. The network periodically tests the busy/idle status of both parties until both lines are found idle, or the customer cancels the request, or the queuing process expires. If both lines are found to be idle, the called party is alerted with a distinctive ring signifying that the call may now be completed.

Automatic Busy Redial: Enables the customer to automatically redial the last outgoing telephone number dialed. When the recalled number is busy the Company's equipment will make repeated attempts to establish the call for thirty (30) minute period beginning with the customer's activation of the feature.

Call Forwarding: Enables a telephone subscriber to forward all incoming calls to another directory number over the local or toll network. Subscriber is responsible for all usage charges associated with forwarding calls to another directory number.

Call Forwarding Busy: Provides for the automatic routing of incoming calls to a pre selected station line when the called station is busy.

Call Forwarding Don't Answer: Provides for the automatic routing of incoming calls to a pre selected station line when the called station does not answer, within a predetermined number of rings.

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CUSTOM CALLING AND CLASS SERVICES (cont'd)

Definitions/Regulations (cont'd)

Call Trace: Allows a customer to trace the most recent incoming call by dialing a code immediately after terminating the call. The Company's central office equipment records and stores the incoming call message detail (date, time and originating telephone number of the call) provided that the call was completed over a suitably equipped facility and the customer has not received another call after the call to be traced was terminated. The results of the trace are not provided to the customer directly. For further action to be taken, the customer is required to contact the appropriate law enforcement agency.

Call Waiting: Enables a telephone subscriber to place a call on hold and answer an incoming call.

Cancel Call Waiting: Enables a call waiting subscriber to inhibit the call waiting features for the duration of a call.

Call Waiting on Caller ID: Allows a subscriber to receive Caller ID information for a new incoming call while off-hook on an existing call. This feature displays the name associated in the Company's records with the line from which the call originates, excluding names associated with non-published and non-listed service. The information is displayed on customer provided equipment attached to customer telephone line.

Caller ID: Allows the customer to receive the calling party's directory number on incoming calls. The calling number will be delivered to the called party's customer premise equipment (cpe). The directory number is transmitted during the silent interval between the first and second ring of the dialed party's line. A Caller ID display device or equivalent (an unregulated service, not included in this filing) is required to display the calling party's telephone number.

Caller ID with Name: Provides Caller ID customers the name in addition to the number in telephone company records associated with the line from which the incoming call originates. The name and the number are displayed on the customer provided premise equipment attached to the customers telephone line. Caller ID is required.

Caller ID Blocking – Per Call: Permits the customer to block the display of their directory number on a terminating subscriber's display equipment. To block the delivery of their number, the customer dials an activation code prior to placing a call. The feature is automatically deactivated when the customer hangs up.

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CUSTOM CALLING AND CLASS SERVICES (cont'd)

Caller ID Blocking – Per Line: Blocks the display of the customer's directory number on all calls made from a particular line on the terminating subscriber's display equipment. Also prevents the customer's calls from being identified or returned via use of Automatic Call Return. The block feature does not prevent the delivery of billing number information through the use of Automatic Line Identification (ALI) technology such as Feature Group D switched access service. It also has no effect on information transmitted to Enhanced (E911) emergency system operators.

Priority Ringing: Provides the customer with a distinctive ring or call waiting tone (if the customer has subscribed to Call Waiting), when the customer is called from a maximum of six (6) pre-selected telephone numbers. The customer can construct or modify a telephone number screening list by dialing a unique code. Company equipment will screen incoming calls against the customer's list and provide a distinctive ringing pattern for telephone numbers on the customer's list.

Selective Call Acceptance: Enables the customer to designate a maximum of six (6) telephone numbers from which calls will be accepted. The customer can construct or modify a telephone number screening list by dialing a unique code. Company equipment will screen incoming calls against the customer's list and complete calls from numbers on the customers list. Calls from all other numbers will be routed to recorded announcement.

Selective Call Forward: Enables the customer to forward incoming calls from a maximum of six (6) specified telephone numbers to another telephone number. The customer can construct or modify a telephone number screening list by dialing an activation code. Company equipment will screen incoming calls against the customer's list and forward only calls from the telephone numbers included on the list. Calls forwarded by this feature, are subject to all applicable local and long distance charges. These calls are also subject to all applicable local and long distance charges. These calls are also subject to transmission limitations.

Selective Call Rejection: allows a customer to block incoming calls from a maximum of 12 telephone numbers. The customer also can block incoming calls placed from the last calling number even if the number is unknown to the customer. Blocked calls are routed to recorded announcement which specifies that the called party is not accepting calls.

Speed Calling (8 numbers): Enables a telephone subscriber to complete calls by dialing one digit.

Speed Calling (30 numbers): Enables a telephone subscriber to complete call by dialing two digits.

Three-way Calling: Enables a telephone subscriber to make an outgoing call while maintaining a previously established connection. When the second connection is established, the subscriber can either consult with the third party or bridge the two connections. The two-bridged connections will be disconnected when the subscriber terminates his/her connection.

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PUBLIC TELEPHONE SERVICE

A Public Telephone is an exchange station equipped with a coin collecting device installed at an outside location chosen or accepted by the Company as suitable and necessary for furnishing service to the general public.

Pursuant to FCC Deregulation this service is no longer under the jurisdiction of this tariff.

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CUSTOMER OWNED PAYPHONE SERVICE

Customer owned payphones may be connected to access lines. The rate shall be equivalent to the one-party Thrifty Caller business access line rate.

Customer owned payphone service must comply with the requirements set forth in the West Virginia Rules and Regulations for the Government of Telephone Utilities.

The access line customer of record is responsible for compliance with tariff conditions, installation, and maintenance of instruments.

The access line customer of record is responsible for payment of all billings. The Local Exchange Company may require as a condition of connection a security deposit to ensure payment.

Directory listings for subscribers to access line service are provided under the regulations governing the furnishing of listings to business access line customers.

Optional Calling Plans are not provided in association with service for customer owned payphones.

Inward Call Screening, which is included with service for customer owned payphones, is an arrangement which identifies and disallows collect and third number calls to the service for customer owned payphones.

SPECIAL BILLING NUMBERS

A special billing numbering plan may be furnished to subscribers in order to associate originating long distance calls with specific stations, departments, projects, etc.

Rate \$2.50 per month.

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FOREIGN EXCHANGE SERVICE

General

Foreign exchange (FX) service is exchange service furnished to a subscriber from a central office of an exchange other than the one that normally serves the area in which the subscriber is located.

For the purpose of this tariff the term "Serving Exchange" shall mean the exchange from which FX service is furnished. The term, "Local Exchange" shall mean the exchange normally serving the area in which the subscriber's premises is located. The term, "Inter-exchange Channel" designates that portion of the FX service circuit which is provided between the toll rate centers of the serving and local exchanges.

FX service does not come with the Company's general undertaking nor does the Company obligate itself to furnish such service generally; but will do so, at its option, where facilities of such a character are available as will permit satisfactory telephone transmission and where the service is warranted by the circumstances involved.

Where the FX is operated by or where all or a portion of the inter-exchange channel is furnished by another telephone company, FX service will be provided only when satisfactory arrangements can be negotiated with such company to furnish its portion of the necessary facilities.

FX calling for subscribers located in the local exchange will be limited to the calling area of the serving exchange.

Inter-exchange mileage is the route distance between the toll rate centers of the two exchanges involved for that portion of the inter-exchange channel facilities furnished by this Telephone Company. For the portion of the inter-exchange channel facilities furnished by another telephone company, between toll rate centers of the two exchanges involved, the inter-exchange channel facility mileage charges of such company will apply.

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FOREIGN EXCHANGE SERVICE (cont.)

General (cont.)

When a party located in this company's exchange service area desires FX service he shall apply for the service with this company, which will obtain from the company furnishing the serving exchange service its charges and conditions for providing its part of the requested service, and on submission to applicant and his acceptance by executed contract of the over-all charges including those of this company both for installation and monthly flat rate cost and conditions of service. This applicant becomes an FX subscriber of this company which will perform all billing to and collecting from said subscriber for the entire service rendered.

When a party located in another company's exchange service area desires FX service to an exchange belonging to this company his application should be made to the other company which should handle all necessary arrangements for service and on establishment of same, do all subscriber billing and collecting. This company has no responsibility to the subscriber with respect to such matters.

Rates

The basic rate for FX service is the established monthly service rate for the class of service provided in the serving exchange.

The local loop provided for by this company will be provided for under the "Circuit Rental" section of the tariff.

The service and installation charges of the serving exchange are applicable.

Where all or a portion of the inter-exchange channel facilities are furnished by this telephone company a mileage charge per quarter mile (or fraction thereof) per month will apply for each circuit measured in route miles between the terminal points of this company's inter-channel facilities as approved for this service in the Bell telephone Company tariff. This company concurs in such rates and charges.

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FOREIGN EXCHANGE SERVICE (cont.)

Rates (cont.)

Where all or a portion of the inter-exchange channel facilities are furnished by another telephone company, charges shall apply to such inter-exchange channel facilities as specified in the regulations of such participating company for the portion of the channel provided.

For the provision of flat rate inter-exchange FX service with a connecting company an interconnection charge per circuit per month will apply. In addition, the other applicable charges of this tariff will then apply from the point of connection to the applicant's location within the area served by this company and the applicable charges of the connecting company will apply.

Interconnection Charge \$50.00 per Circuit per Month

Where special equipment is required for satisfactory transmission and/or signaling on the FX circuit such equipment will be provided at a monthly rate based on the cost involved.

The rates in this section are applicable regardless of the routing method used.

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CIRCUIT RENTAL

1. Local loop rental for private line, alarm, data or control channel service. Data services include 2.4, 9.6, 19.2, 56 Kilobit services.

The following rates apply when necessary facilities are available. When facilities are not available the customer may be required to pay an additional charge or to contract for service beyond the initial period, or both.

The total mileage is the sum of the direct route mileage from each point to its serving central office, with fractional ¼ miles rated as full ¼ miles, for each two point segment of distance.

Charges per cable pair, route mileage Installation, move or change	\$35.00
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Monthly Rates

Circuit access first ¼ mile (rate applies to all data service other than 56K)	150% of business line Community Caller rate
Data circuit access 56K service	\$131
Each additional ¼ mile (rate applies to all data service other than 56K)	\$1.00
Fixed mileage charge 56K data service	\$131

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DATA ACCESS COUPLERS

Data access arrangements denotes a protective connecting arrangement for use with the network control signaling unit. The protective connecting unit may be located either on the customer's premises and/or at the company's option in the company's central office.

Arrangements for automatic operation of data access couplers are intended for use with customer-provided data transmitting and/or receiving terminal equipment capable of automatic unattended origination answer and disconnect of telephone calls.

Arrangements for automatic operation of data access couplers, for use with unattended sending and receiving and/or customer-provided pulse dialing equipment are intended for use with customer-provided computed installations and require a suitable power source and customer provided commercial power.

Rate for Data Coupler	\$6.10 per month
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FCC INTERSTATE ACCESS CHARGE

The interstate access charge is a FCC mandated surcharge which applies to all subscriber lines. This charge is assessed as a result of the FCC's access reform measures and is used to offset the cost of universal telecommunications service. The rates are set forth in NECA (National Exchange Carrier Association) F.C.C Tariff No. 5, Section 17.1.

911 FUNDING FEE

The 911 funding fee is a fee which is billed monthly to all subscribers to support the provision of 911 emergency services.

911 Funding Fee	\$2.90 per Month or rates set by the McDowell County E911 or other appropriate regulatory agency.
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EQUIPMENT RENTAL

Customers may choose to supply their own premises station equipment of lease said equipment from the Company. The Company will repair or replace all malfunctioning station equipment that the customer leases from the company.

Customers who lease their station equipment from the company are responsible for the return of Company owned telephone equipment in good condition upon the termination or cancellation of service. Alternatively, the customer may choose to remove and reuse the equipment in his new location within the same local exchange area.

Rates

Rotary instrument	\$1.25 per month
Touch tone instrument	\$2.50 per month

CALLED LINE IDENTIFICATION

Request for Called Line Identification must be made through the proper law enforcement agency. Upon authorization for the law enforcement agency the company will attempt to provide the source of the malicious call.

The Company does not guarantee the tracing of any call.

The Company will report its findings only to a proper law enforcement official.

EMPLOYEES SERVICE

Discounts apply on the monthly rates for local exchange telephone service including additional directory listings.

No discount will be allowed on charges for construction charges, and directory assistance services.

The service must be for the use of the employee or his immediate family only and its use by others will not be permitted.

The term "employee" as used in this section includes all employees except those classified as temporary or occasional and those who are paid on a commission basis.

Employees Services Discount : Local Exchange Service – No Charge

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NON-RECURRING CHARGES

<u>Service Connection Charges</u>	<u>Rate</u>
Service Order	\$ 9.00
Premise Visit	\$16.50
Central Office	\$ 5.00
Restoration Charges	\$13.00
New Install – drop wire in place	\$15.00
New Install - drop wire not in place	\$22.00

These charges are intended to cover the expense incurred by the Company in conjunction with the following:

- Establishment of service
- Change in location of a service to other premises
- Transfer of service from one customer to another
- Change of telephone number at customer's request
- Restoration of service disconnected for non-payment or failure to establish credit.

Charges shown in this schedule are based on work being performed during regularly scheduled working hours of the Company's employees. Work performed with overtime labor costs will be performed at direct cost to the customer.

No charges will apply under the following circumstances:

- Service to which no monthly rates apply;
- Public telephones installed at the initiative or option of the Company.

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NON-RECURRING CHARGES (cont.)

Definitions

Service Order

Applicable to work done in receiving, recording, and processing Information necessary to execute a customer's request for the initial establishment of telephone service. It is also applicable for customer's request for additions, moves, or changes to existing service

Premises Visit

Applicable if a Company employee must visit the customer's premises to complete customer-requested work. Not applicable when a Company employee is on the customer's premises for any other business purpose.

Central Office

Applicable for work done in the Central Office or work involving Central Office equipment necessary to provide a network access line or make changes to an existing network access line.

Restoration Charge

Applicable to restore service that has been temporarily suspended for non-payment. Such service will be restored upon payment of the applicable Restoration charge and all other charges due, including, in some instances, a security deposit.

New Install – drop wire in place

Applicable for the establishment of new service where the outside drop wire and protector are in place.

New Install – drop wire not in place

Applicable for the establishment of new service where the outside drop wire and protector are not in place.

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DIRECTORY LISTINGS

Rates

	<u>Monthly Charge</u>
Additional Listings	\$1.25
Non-list	\$2.00
Non-publish	\$2.00

The regulations for directory listings, as provided in this section, apply only to that section of the Directory containing the regular alphabetical list of names of subscribers.

Primary Listing

One listing without charge, termed the Primary Listing, is provided as follows:

1. For each separate subscriber service. When two or more main station lines or PBX trunk lines are consecutively operated, the first number of the group is considered the primary listing.
2. For each semi-public service.
3. Non-listed telephone numbers are listed in the information file, but are not listed in the Company's directory. They will be given out upon request.
4. Non-published numbers are not listed either in the directory or the information file and are not to be given out to anyone unless authorized by court of law.

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DIRECTORY LISTINGS (cont.)

Restrictions

Names in directory listings shall be limited to the following:

1. In connection with residence service:
 - (a) The individual name of the subscriber, or
 - (b) The individual name of a member of the subscriber's family, or
 - (c) The individual name of a permanent member of the subscriber's household, or
 - (d) Dual (joint) listings for customers who share the same surname and reside at the same address.

2. In connection with business service:
 - (a) The individual name of the subscriber, or
 - (b) The name under which the subscriber is actually doing business, or
 - (c) The name under which a business is actually being conducted by someone other than the subscriber and which the subscriber is authorized by such other to use, or
 - (d) The individual names of the officer, partners, or employees of the subscriber, or
 - (e) The names of departments when such listings are deemed necessary from a public reference viewpoint.

The Company may require that the subscriber provide the Company with written permission for the insertion or continuance of listings. The Company may refuse to accept or may delete listings of a business which the subscriber claims to represent. The Company may refuse to accept or may delete a listing which includes the trade name of another.

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DIRECTORY ASSISTANCE

1. GENERAL

The Telephone Company furnished Directory Assistance Service whereby customers may request assistance in determining telephone numbers.

2. REGULATIONS

The rates set forth following apply when customers request Telephone Company assistance in determining telephone numbers of customers who are located in the same local service area and who are located within the State of West Virginia.

A residence customer is allowed two Directory Assistance Service calls at no charge, per billing cycle.

For calls placed through a Telephone Company Operator, An Operator Assisted Local Call charge will be applied in addition to the charge for Directory Assistance Service calls specified in 3 following, except the Operator Assisted Local Call charge will not apply in the following cases:

- A. To reach the called Directory Assistance Service number where direct dialing facilities are not available.
- B. To reach the called Directory Assistance Service number when attempts by the customer to direct dial such a call cannot be completed.
- C. To only record the originating telephone number where no automatic recording equipment is available.

Call Allowances are not transferable between separate accounts of the same customer.

Charges for Directory Assistance Service are not applicable to calls to the Directory Assistance Service attendant from telephones where the customer, and in the case of residence service where the customer or a member of the customer's household, has been affirmed in writing as unable to use a Telephone Company's provided directory because of visual or physical handicap.

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DIRECTORY ASSISTANCE cont'd

3. RATES

Directory Assistance Service Calls*, per call..... \$.75
Directory Assistance Operator Assisted Local Call Charge.....\$.30

*Maximum of two requested telephone numbers per call; no discounts will be allowed on charges for Directory Assistance Service.

4. LIABILITY

The Telephone Company shall not be liable for any errors or omissions, whether arising through negligence or otherwise, in the information furnished; and the customer shall indemnify and save the Company harmless against all claims (including costs and attorney's fees) that may arise from the use of such information.

When a non-published number is requested, the information will not be made available.

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NATIONAL DIRECTORY ASSISTANCE SERVICE

1. GENERAL

National Directory Assistance (NDA) Service provides customers the listings of individuals or businesses located outside the State of West Virginia, but within the United States. Requests for listings that are within the State are provided and billed as specified on Page 46B of this Tariff.

2. REGULATIONS

NDA Services is subject to the availability of facilities.

The rate specified following will apply for all NDA requests, including requests for listings that are non-published, non-listed or not found.

A maximum of two requests for listings will be allowed per call; no discounts will apply on charges for NDA service.

No call allowances apply to NDA service.

Charges for NDA Service are not applicable to calls from telephones where the customer and, in the case of residence service, where the customer or a member of the customer's household has been affirmed as being unable to use a directory because of a visual or physical disability.

If a customer requests both an NDA and a West Virginia listing on the same call, the customer will be charged only the rate for an NDA listing, as specified in 3. following.

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NATIONAL DIRECTORY ASSISTANCE SERVICE (cont'd)

3. Rates

National Directory Assistance Service, per call.....Rate Deregulated

4. LIABILITY

The Company shall not be liable for any errors or omissions, whether arising through negligence or otherwise, in the information furnished, and the customer shall save the Company harmless against all claims that may arise (costs and attorney fees) from the use of such information.

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CONSTRUCTION CHARGES

1. GENERAL

Lines will be extended in accordance with provisions specified in "Line Extensions" of this tariff.

Special charges in the form of installation charges, monthly charges, or both, are applied in addition to the usual service connection charges and monthly rates when, in the opinion of the Company, a sporadic or occasional service or an unusual investment or expense condition exists.

Title to all construction provided wholly or partly at a customer's expense is vested in the Company.

By "cost" is meant the cost of labor and materials including the usual supervisory expenses.

When attachments are made to poles of other companies, in lieu of providing construction for which the customer would be charged under these provisions hereof, the cost of the Company for such attachments is borne by the customer.

The customer is required to pay construction charges made by another company when the other company is required, by the construction, to provide facilities connecting with the facilities of the Company.

Where the applicants are located where it is necessary or desirable to use private right-of-way to furnish service, such applicants may be required to provide or pay the cost of providing such right-of-way in addition to any applicable construction charges.

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CONSTRUCTION CHARGES (cont.)

2. LINE EXTENSIONS

The Company, without charge, will extend its lines one quarter mile per applicant to serve applicants within the exchange area. Any cost in excess of this allowance will be billed to the applicant or group of applicants. Payments for line extensions are not refundable.

Group of Applicants:

Where the Company undertakes construction facilities to serve a group of applicants in the same general area, a plant extension project is established and all applicants in the area are considered as a group. The construction allowances for the individual members of the group are totaled to determine the amount of construction which will be provided at no charge. Charges for construction in excess of the total allowance thus determined are divided among the members of the group and will apply to all applications for service received from the group at the time the project is undertaken.

The Company reserves the right to establish the limits of a project area and to determine when a project will be undertaken in cases where all members of the group do not take service initially.

The estimated construction charge must be paid to the Company prior to the commencement of construction. If the actual cost of construction is less than that originally estimated, the excess will be refunded when construction is complete.

CONSTRUCTION CHARGES (cont.)

4. LINE EXTENSIONS (cont.)

Speculative Land Development:

The Company and the developer will enter into a written agreement covering a period not to exceed five years which will describe the estimated gain in access lines to be served during the contract period and the total cost of extending service to the development advanced by the developer.

Annually, during the contract period, a refund will be given to the developer based on the relationship between the actual gain in access lines served and the original estimate of access line gain. The refund per access line connected shall not exceed the average outside plant investment per access line of the Company as of the calendar year ending immediately prior to the date the contract was entered into. Any amount not refunded at the end of the contract period will be retained by the Company. The total amount refunded will not exceed the amount originally advanced by the developer.

3. SPECIAL TYPES OF CONSTRUCTION

Where a special type of construction is desired by an applicant, or where conditions imposed by the subscriber involve excessive costs, the subscriber or subscribers served by such facilities or the tract developer shall be required to pay the difference between the cost of the special type of construction and the average cost of construction normally used by the Company.

Where, by ordinance or other legal requirement, existing facilities are required to be relocated, the Company may charge the cost of such relocation to the subscribers served by such facilities.

4. TEMPORARY CONSTRUCTION

Where temporary construction is necessary to provide service, the applicant will be required to pay a construction charge equal to the estimated net cost of installing and removing the temporary construction.

If service is maintained for three years, the service will be reclassified as permanent and the construction charge will be refunded less any line extension charges which would have applied at the time the original was completed.

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OPTIONAL SERVICES

Touch Tone Dialing

Touch tone dialing is a service arrangement which allow the subscriber to signal to the central office the number being called using dual-tone multi-frequency tones generated by a touch tone telephone set located at the customer premises.

Call Restriction Service

Call Restriction Service is an arrangement which permits an individual line and PBX Trunk to dial local service area calls but prevents the origination of long distance type calls.

Call Restriction Service is provided only on Local Exchange Service individual lines and PBX Trunks.

Call Restriction Service allows access to the operator to complete credit card, third party billing, and collect calls. The charges for operator completed (0-) or operator serviced (0+) calls is as specified in the Verizon and AT&T Long Distance Services Tariffs, as appropriate.

The acceptance of incoming traffic and billing arrangements are not restricted by this arrangement.

Call Restriction Service allows calling to Directory Assistance, Toll Free Services, and to local Telephone Company Business offices.

Non Recurring Charge	\$5.00
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Recurring Charges	No Recurring Charges
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OPTIONAL SERVICES (cont.)

Pole Rental

Any costs incurred by the Company to lease space on another utility's poles to extend service to a subscriber who is outside of the Company's service area will be passed onto the customer requesting such service. In these instances the subscriber requesting the service will be made aware of the cost for the pole rentals prior to the establishment of the service. The subscriber will have the option of accepting these charges or refusing the service.

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TOLL PRE-SUBSCRIPTION

A. General

Toll pre-subscription is a procedure whereby an End User or a Pay Telephone Service Provider may select and designate a Toll Provider (TP) to access toll calls without dialing an access code. The End User or Pay Telephone Service Provider may designate a TP for intra-LATA toll, a different carrier for inter-LATA toll, or the same carrier for both. This TP is referred to as the End User or Pay Telephone Service Provider preferred toll carrier (PIC).

Each carrier will have one or more access codes assigned to it for various types of service. When an end user or Pay Telephone Service Provider selects a carrier as its preferred toll carrier for a telephone line, only one access code of that carrier may be incorporated into the switching system of the Telephone Company permitting access to that carrier from that telephone line by the end user or Pay Telephone Service Provider without dialing an access code. Should the same end user or Pay Telephone Service Provider wish to use other code-dependent services of the same carrier, it will be necessary for the end user or Pay Telephone Service Provider to dial the necessary access code(s) to reach that carrier's other service(s).

A TP must use Feature Group D (FGD) Switched Access Service to qualify as a toll provider. All TP's must submit a Letter of Intent (LOI) to the Telephone Company at least forty-five days prior to the date on which the carrier proposes to begin participating in toll pre-subscription.

Selection of a TP by an End User or Pay Telephone Service Provider is subject to the terms and conditions in Section B, following.

TOLL PRE-SUBSCRIPTION (cont.)

B. Pre-subscription Change Application

(1) Initial Free Pre-subscription Choice for New Users

New End Users or Pay Telephone Service Providers will be asked to select a primary TP when they place an order for Telephone Company Exchange Service. If a customer cannot decide upon a toll carrier at the time, the customer will have thirty calendar days following completion of the service request to make a PIC choice without charge. In the interim, the customer will be assigned a “No-PIC” and will have to dial an access code to make toll calls. The free selection period available to new End Users or Pay Telephone Service Providers is the period within thirty days of installation of the new service.

Initial free selection available to new End Users or Pay Telephone Service Providers are:

- Designating a TP as their primary carrier, thereby requiring no access code to access that TP’s service. Other carriers are accessed by dialing 101-XXXX or other required codes.
- Choosing no carrier as a primary carrier, thus requiring 101-XXXX code dialing to access all TP’s. This choice can be made by directly contacting the Telephone Company.

Following an existing End User’s or Pay Telephone Service Provider’s free selections, any change is subject to a nonrecurring charge, as set forth in Section F, following.

TOLL PRE-SUBSCRIPTION (cont.)

2. Charge for Toll Pre-subscription

After expiration of the initial free pre-subscription choice period for new customers, as specified in Section B the End User or Pay Telephone Service Provider will be assessed a toll pre-subscription charge as specified in Section F, following.

3. Cancellation of Toll Pre-subscription by a TP

If a TP elects to discontinue Feature Group D service after implementation of the toll pre-subscription option, the TP is obligated to contact, in writing, all End Users or Pay Telephone Service Providers who have selected the canceling TP as their preferred toll provider. The TP must inform the End Users or Pay Telephone Service Providers that it is canceling its Feature Group D service, request that the End User select a new TP and state that the canceling TP will pay the PIC change charge, as provided in Section F, following. The TP must provide written notification to War Telephone Company, that this activity has taken place.

C. End User/Pay Telephone Service Provider Change Discrepancy

- 1) When a discrepancy is determined regarding an end user's designation of a preferred toll carrier, the following applies depending upon the situation described:

A signed letter of authorization takes precedence over any other order other than subsequent, direct customer contact with the Telephone Company.

When two or more orders are received for an End User line generated by telemarketing, the date field on the mechanized record used to transmit PIC change information will be used as the PIC authorization date. The order with the latest application date determines customer choice.

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TOLL PRE-SUBSCRIPTION (cont.)

End User/Pay Telephone Service Provider Change Discrepancy (cont.)

2) Verification of Orders for Telemarketing

No TP shall submit to the Telephone Company a PIC change order generated by outbound telemarketing unless, and until, the order has first been confirmed in accordance with the following procedures:

- The TP has obtained the customer's written authorization to submit the order that explains what occurs when a PIC is changed and confirms:
- the customer's billing name and address and each telephone number to be covered by the PIC change order;
- the decision to change the PIC to the TP; and
- the customer's understanding of the PIC change fee; or

The TP has obtained the customer's electronic authorization, placed from the telephone number(s) on which the PIC is to be changed, to submit the order that confirms the information described in (a) preceding, to confirm the authorization; or

An appropriately qualified and independent third party operating in a location physically separate from the outbound telemarketing representative has obtained the customer's oral authorization to submit the PIC change order that confirms and includes appropriate verification data (e.g., the customer's date of birth or social security number).

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TOLL PRE-SUBSCRIPTION (cont.)

End User/Pay Telephone Service Provider Change Discrepancy (cont.)

D. PIC Switchback Options

1. Customer denies requesting change of TP:

When the Telephone Company is contacted by an end user who denies requesting a PIC change, the end user will be credited the charge assessed for the disputed change in carrier, and will be switched back to the previous TP at no charge. The TP is in no way relieved of the FCC requirements for:

- i. Verifying all PIC orders obtained by outbound telemarketing prior to submitting those orders, or
- ii. Instituting steps to obtain verification of orders submitted to War Telephone Company

In addition, the end user has the option of initiating a complaint to the FCC or the Public Service Commission concerning unauthorized changes in carrier. The complaint may be issued in writing to the Public Service Commission of West Virginia, 201 Brooks Street, P.O. Box 812, Charleston, WV 25323, or by calling toll free 1-800-344-5113.

2. Customer requests switchback to previous TP PIC:

When the Telephone Company is notified via a call from the customer, where the end user is not denying the authenticity of the most recent change to the current PIC, the Telephone Company will change the customer's TP to the previous PIC. The customer will be billed the PIC charge as specified in Section F, following.

TOLL PRE-SUBSCRIPTION (cont.)

End User/Pay Telephone Service Provider Change Discrepancy (cont.)

E. PIC Freeze Option

A PIC Freeze option is available to customers who wish to “freeze” their PIC in an effort to prevent unwanted PIC changes. The customer must notify the Telephone Company and sign a PIC Freeze Authorization Form that notes the carrier that the freeze applies to. The customer may “lift” the freeze by using a three-way call between the carrier, the customer, and the Telephone Company. If the customer changes the PIC, a new form will need to be completed for a freeze to be applied to the new PIC. The freeze will be completed and maintained without charge to the customer.

F. Rates and Charges

Charge for TP Carrier Change	\$5.00 per change, per line
Charge for Switchback Carrier Change	\$5.00 per change, per line

G. Toll Rates

Toll calls are subject to the rates and regulations of the interexchange carrier selected by the customer.

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BUNDLED SERVICE OFFERINGS

A. GENERAL

Bundled services are an optional service package which provides customers with a combination of offerings for one flat monthly rate. Bundled Services consist of regulated local exchange services combined with communications services that are regulated under other tariffs of the Company filed with the Commission and/or services not regulated by the Commission. Examples of other communications services that may be included in a bundle with regulated local services include, but are not limited to, long distance telecommunications and high speed internet access.

B. REGULATIONS

1. Rates listed below do not include taxes and surcharges.
2. Clearly Unlimited, Clearly Complete and Second Line Plus are available to residential customers only. Residential Bundles are available to residential customers only.
3. Business Complete, Business Unlimited and Business Additional are available to business customers only.
4. If the main line subscribes to a bundle and has an additional line(s) on the same or adjacent premises, the additional line(s) must have Second Line Plus or Business Additional. Second Line Plus or Business Additional cannot be purchased solely.
5. Bundles may include product or services provided by a third party.
6. All rules, regulations and limitations as specified elsewhere in this tariff for the respective services/features requested in these Bundles shall apply.
7. Subscription to all services in the applicable bundle must be maintained in order for the subscriber to be eligible for Bundles Services rates.

C. RATES AND DESCRIPTION

1.	<u>Residential Bundles</u>	<u>Rates</u>
	Clearly Unlimited	\$39.95
	Local Service	
	Unlimited Long Distance U.S. & Canada*	
	Choice of 3 Calling Features	
	Clearly Complete	\$65.45
	Local Service	
	Unlimited Long Distance U.S. & Canada*	
	Choice of 3 Calling Features	
	Broadband Internet*	

*Not regulated under this Tariff.

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C. RATES AND DESCRIPTION (cont'd)

Second Line Plus	\$39.95
Local Service	
Unlimited Long Distance U.S. & Canada*	
Total Unlimited	\$39.95
Local Service	
Unlimited Long Distance U.S. & Canada *	
Voice Mail*	
Choice of up to 10 Calling Features	
Total Community	\$51.45
Local Community Service	
Broadband Internet up to 3MB*	
Up to 6 Email Addresses*	
Voice Mail*	
Choice of up to 5 Calling Features	
Total Package	\$65.45
Local Service	
Unlimited Long Distance U.S. & Canada *	
Broadband Internet up to 3MB*	
Up to 6 Email Addresses*	
Voice Mail*	
Choice of up to 10 Calling Features	
Total Package XT	\$74.45
Local Service	
Unlimited Long Distance U.S. & Canada *	
Broadband Internet up to 6MB*	
Up to 8 Email Addresses*	
Voice Mail*	
Choice of up to 10 Calling Features	
Total Package XT9	\$78.45
Local Service	
Unlimited Long Distance U.S. & Canada *	
Broadband Internet up to 9MB*	
Up to 8 Email Addresses*	
Voice Mail*	
Choice of up to 10 Calling Features	

*Not regulated under this Tariff.

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C. RATES AND DESCRIPTION (cont'd)

Total Package XT12	\$83.45
Local Service	
Unlimited Long Distance U.S. & Canada *	
Broadband Internet up to 12MB*	
Up to 8 Email Addresses*	
Voice Mail*	
Choice of up to 10 Calling Features	

2.

<u>Business Bundles</u>	<u>Rates</u>
Business Unlimited	\$74.95
Local Service	
Unlimited Long Distance U.S. & Canada*	
Choice of 3 Calling Features	
Business Complete	\$104.95
Local Service	
Unlimited Long Distance U.S. & Canada*	
Choice of 3 Calling Features	
Broadband Internet*	
Business Additional	\$69.95
Local Service	
Unlimited Long Distance U.S. & Canada*	
Choice of 2 Calling Features	

*Not regulated under this Tariff.

D. PROMOTIONS AND RATE CHANGES

The Company may opt, at its discretion, to run discount sales promotions or to bundle any services as a single offering without further approval by the West Virginia Public Service Commission of the rate sheet containing bundled offerings.

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CUSTOM CALLING AND CLASS SERVICES
FOR BUNDLED SERVICE OFFERINGS ONLY

A. GENERAL

Optional Bundled Services are located on pages 66, 67, and 67.1 of the tariff. All rules, regulations and limitations as specified elsewhere in this tariff for the respective services/features requested in a Clearly bundle shall apply.

B. REGULATIONS

1. Rates listed below do not include taxes and surcharges.
2. The features and rates listed below are only available to customers who subscribe to a Bundled Service offering.
3. Bundles provide a flat rate for services/features as listed in the specific plans. Customers subscribing to one of the Bundles are entitled to unlimited use of up to the number included in the Bundle of the features listed below.
4. Service charges as specified in the tariff apply if a customer requests changes, deletions or additions of features of an existing Bundle.

C. RATES

<u>Custom Calling Features</u>	<u>Residence Monthly</u>	<u>Business Monthly</u>
Call Forwarding	\$3.50	\$4.50
Call Waiting	\$3.50	\$4.50
Speed Calling (8 numbers)	\$3.50	\$4.50
Speed Calling (30 numbers)	\$3.50	\$4.50
Three-way Calling	\$3.50	\$4.50

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CUSTOM CALLING AND CLASS SERVICES
FOR BUNDLED SERVICE OFFERINGS ONLY

C. RATES (cont'd)

<u>CLASS Features</u>	<u>Residence Monthly</u>	<u>Business Monthly</u>
Automatic Call Return – Per Unit	N/A	N/A
Automatic Call Return – Per Month	\$3.50	\$4.50
Automatic Busy Redial – Per Unit	N/A	N/A
Automatic Busy Redial – Per Month	\$3.50	\$4.50
Call Trace* - Per Unit	N/A	N/A
Call Forwarding Busy	\$3.50	\$4.50
Call Forwarding Don't Answer	\$3.50	\$4.50
Selective Call Acceptance	\$3.50	\$4.50
Selective Call Rejection	\$3.50	\$4.50
Selective Call Forward	\$3.50	\$4.50
Anonymous Call Rejection	\$3.50	\$4.50
Caller ID – number only	\$3.50	\$4.50
Call Waiting on Caller ID - number only	\$3.50	\$4.50
Caller ID – Name & Number	\$3.50	\$4.50
Call Waiting on Caller ID with Name	\$3.50	\$4.50
Priority Ringing	\$3.50	\$4.50

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911 EMERGENCY TELEPHONE SERVICE

GENERAL

- A. 9-1-1 is the three-digit telephone number designated throughout the United States as the emergency telephone number to be used by the public to obtain law enforcement, medical, fire, rescue, and other emergency services.
- B. Basic 911 (B911) Service includes lines and equipment necessary for the answering, transferring, and dispatching of public emergency telephone calls by persons within the serving area who dial 911. This service automatically routes 911 calls to a Public Safety Answering Point (PSAP), but provides no information about the location or telephone number of the caller.
- C. Enhanced Universal Emergency Number Service, also referred to as Enhanced 911 Service or E911 is a telephone exchange communication service similar to Basic 911 Service whereby a Public Safety Answering Point (PSAP) designated by the customer may receive telephone calls dialed to the telephone number 911. E911 service includes lines and equipment necessary for the answering, transferring, and dispatching of public emergency telephone calls by persons within the serving area who dialed 911. Enhanced 911 is different from Basic 911 primarily in the provisioning of Automatic Location Identification (ALI) which provides the customer's name, primary service address (street name and number), and telephone number associated with the calling party's telephone number as is forwarded to the Enhanced 911 display unit on a per call basis.

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911 EMERGENCY TELEPHONE SERVICE

GENERAL (cont'd)

- D. The 911 customer may be a municipality or other state or local governmental unit or an authorized agent of one or more municipalities or other state or local governmental units to whom authority has been lawfully delegated. The customer must be legally authorized to subscribe to the service and have public safety responsibility by law to respond to telephone calls from the public for emergency police, fire and other emergency services within the telephone central office areas arranged for 911 calling.
- E. These service arrangements will provide a 911 Emergency System that will provide use of the exchange network at no charge to the caller on a per call basis. Calls from a pay telephone shall not require a coin to be deposited for payment of any charge. The ability to transfer calls from a Public Safety Answering Point (PSAP) to the proper Emergency Response Agency (ERA) will also be provided.
- F. Rates and charges for 911 service are specified in Rates and Charges section following, Page 78.
- G. Publishing, reproducing, re-selling, disclosing, tampering with, modifying, allowing access to, or using for any reason other than emergency response purposes associated with the public safety, any of the 911 database information is prohibited.
- H. Directory rules and regulations regarding 911 Service are covered in this tariff at Section G preceding, Rules and Regulations.

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911 EMERGENCY TELEPHONE SERVICE

DEFINITIONS

Additional 911 Exchange Line

Additional terminating lines at a PSAP that may be ordered by the customer.

Alternate PSAP

A feature provided to allow 911 calls to be routed to a designated alternate location if the 911 exchange lines to the primary PSAP (see definition of PSAP following) are out of service for any reason.

Alternate Routing

A feature that will route a 911 call to a location other than the primary PSAP should some temporary condition prevent the primary PSAP from answering the call.

Automatic Location Identification (ALI)

A feature by which the name and address associated with the calling party's telephone number (identified by ANI as defined below) is forwarded to the PSAP for display. Telephones associated with a calling party's telephone number but which are physically located elsewhere (off-premises extensions, secondary locations, etc.) can also be identified with the same address associated with the calling party's telephone number at the primary location if the customer enters this same information into the remarks section of the ALI record. No ALI data is provided when a call is sent to Default Routing (DR).

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911 EMERGENCY TELEPHONE SERVICE

DEFINITIONS (cont'd)

ALI Database

A database of ALI records containing access line subscribers' names, addresses, telephone numbers, and ESNs to be used for 911 purposes. This database, once provided to the customer, may include additional information about that location. Company's Customer names may be omitted as a local option. Customer may use Company customer information for the purpose of creating Customer's ALI Database.

Automatic Number Identification (ANI)

A feature by which the calling party's ANI telephone number is forwarded to the PSAP and displayed on the PSAP monitor.

Called Party Hold

Enables the PSAP attendant to hold a 911 connection even if the calling party hangs up.

Caller

An individual who places a 911 call in order to obtain emergency assistance. May also be referred to as an end user.

Default Routing (DR)

A feature activated when an incoming 911 call cannot be selectively routed due to an ANI failure, garbled digits, or other causes. Such incoming calls are routed from the 911 Control Office to a default PSAP. Each incoming 911 facility group to the Control Office is assigned to a designated default PSAP. This is a standard feature of 911 Service. All party line services will be default routed. No ANI/ALI data is provided when a call is sent to Default Routing.

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911 EMERGENCY TELEPHONE SERVICE

DEFINITIONS (cont'd)

Display and Transfer Unit

A selector console and associated common equipment for displaying ANI numbers at the PSAP attendant position and used by the attendant to activate Fixed and/or Selective Transfer functions.

Diverse Routing

Diverse routing provided for the processing of 911 calls over alternate paths to reduce service interruptions due to possible interface in facilities. This feature is available only where adequate facilities exist.

Emergency Response Agency

For the purpose of this Tariff, an Emergency Response Agency (ERA) is a functional division of an agency authorized to respond to requests from the public to meet emergencies related to safety and/or health. The agency is prepared to provide its service (s) in response to a 911 call received at, or transferred from, a PSAP.

Emergency Ringback

Allows the PSAP attendant to ring back the caller's line. This feature may only be available if the call is routed to the PSAP via dedicated facilities. This feature may not be available with arrangements using tandem switching. Where the caller's line is other than one party service, operating this feature may also ring any additional parties on that line.

End Office

The Central Office(s) in the 911 System from which 911 calls are originated.

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911 EMERGENCY TELEPHONE SERVICE

DEFINITIONS (cont'd)

Fixed Transfer

A feature which enables a PSAP attendant to transfer incoming 911 calls to secondary PSAP's by use of a single button on the Display and Transfer Unit.

Forced Disconnect

Enables the PSAP attendant to release a connection on a 911 call, even if the calling party remains off-hook.

Host Provider

The telephone company that serves exchanges within the customer's serving area and provides 911 service to the customer and, where applicable, acts as the coordinator of other regulated telephone companies which serve as secondary providers within the customer's serving area.

Manual Transfer

A feature that enables the PSAP attendant to transfer an incoming call by accessing a dial tone line and dialing either a seven-digit or ten-digit telephone number. Manual transfer is associated with the 911 trunk unit and is a standard feature of 911 service.

Master Street Address Guide (MSAG)

A perpetual database defining the geographic area of a 911 service, such as by an alphabetical listing of the street names, high-low house number ranges, community names, PSAP identification codes, and Emergency Service Number (ESNs). The E911 Customer is responsible for the construction and maintenance of the MSAG.

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911 EMERGENCY TELEPHONE SERVICE

DEFINITIONS (cont'd)

Public Safety Answering Point (PSAP)

An answering location for 911 calls originating in a given area. The PSAP responds first; the Emergency Response Agencies (ERAs) receive calls on a transfer basis only. PSAPs are public service agencies such as police, fire, or emergency medical or a common bureau serving a group of such entities.

Secondary Provider

A regulated telephone company that participates in offering 911 service under an agreement with the host provider.

Selective Routing

A service that routes calls to the correct PSAP based on the caller's ANI. This service is available when an E911 system is served by more than one PSAP or when a central office is split by a political boundary and one of the political areas does not subscribe to 911 services or when a central office's political subdivisions are served by different 911 systems.

Selective Transfer

A feature providing persons at the PSAP the ability to transfer an incoming call to another agency by depressing a single button labeled with the type of agency, e.g., "Fire," on the Display and Transfer Unit. For a given 911 caller. The unique combination of police, fire, and ambulance or any other appropriate agencies responsible for providing emergency service in the 911 service area is defined by an "Emergency Service Number" (ESN).

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911 EMERGENCY TELEPHONE SERVICE

DEFINITIONS (cont'd)

Serving Central Office

The Central Office from which a PSAP, either primary or secondary, is served.

Universal Emergency Number Service

A telephone exchange communication service for receiving telephone calls placed by persons in need of assistance who dialed the number 911. Such calls are answered at PSAPs established and operated by the customer. The lines and equipment associated with the service arrangement for the answering, transferring, and dispatching of public emergency telephone calls are included.

Universal Emergency Number Service Customer

A municipality, county, or other state or local government unit or an authorized agent of one or more municipalities, counties, or other state or local governmental units to whom authority has been lawfully delegated within a defined geographic area to respond to public emergency telephone calls at the minimum for police and fire service.

911 Service Area

The geographic area in which the customer will respond to all 911 calls and dispatch appropriate emergency assistance.

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911 EMERGENCY TELEPHONE SERVICE

RULES AND REGULATIONS

- A. When requested by local government authorities, and subject to the availability of facilities, the Company will provide a universal number “911” for use with the Public Safety Answering Points (PSAPs) engaged in assisting local governments in the protection and safety of the general public. Use of the 911 number will provide each caller telephone access to a local PSAP.
- B. At the request of any county, municipality or political subdivision (customer) subscribing to 911 Service, the Company will spread the applicable non-recurring charges for the initial provisioning or subsequent addition of 911 Service in equal installments, where possible, over a period not to exceed 18 months.
- C. The Company shall bill its subscribers the Enhanced 911 monthly fee, as specified in the applicable Enhanced 911 ordinance. Billing of the monthly E911 subscriber fee can occur prior to actual provisioning of 911 Service to those subscribers.
- D. 911 Service is provided by the Company where facilities and operating conditions permit, subject to the General Rules and Regulations Section of this Tariff and other applicable areas of this Tariff.
- E. 911 Service is classified as Business Exchange Service and is arranged for one-way incoming service to the appropriate PSAP with the potential for extending 911 calls to the appropriate Emergency Response Agency.

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911 EMERGENCY TELEPHONE SERVICE

RULES AND REGULATIONS (cont'd)

- F. This offering is limited to the use of central office number 911 as the universal emergency number and only one 911 service will be provided within any central office, although there may be a means to selectively route certain users in order to comply with county boundaries and/or emergency districts. The Company shall not be required to provide 911 Service to less than an entire central office (switching entity). Selective routing is described in Rates and Charges, item F., following.
- G. The 911 emergency number is not intended to replace the telephone service of the various public safety agencies which may participate in the use of this number.
- H. The service is furnished to municipalities and other government agencies only for the purpose of voice reporting emergencies by the public.
- I. The Company's entire liability to any person for interruption or failure of 911 Service shall be limited by the terms set forth in the following conditions, the General Regulations section of this tariff, and in all applicable sections of any other tariff in which an element of 911 Service may reside.

The Company shall not be liable to any person who dials the digits "911" or for whom such digits are dialed, or to the family of such person, for any loss or damages arising out of errors, mistakes, omissions, interruptions, defects, failures, or malfunctions of 911 Service, including any and all equipment, including but not limited to transmission equipment and data processing equipment, associated therewith, unless the Company has been notified and has had reasonable time to repair the defects, failures, or malfunctions that caused the loss or damage. In no event shall the Company's liability to any person on account of 911 Service exceed an amount equivalent to the charges made for the service affected for the period following such notice until service is restored.

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911 EMERGENCY TELEPHONE SERVICE

RULES AND REGULATIONS (cont'd)

I. (cont'd)

The customer agrees to release, indemnify and hold harmless the Company for any infringement or invasion of the right of privacy of any person or persons, caused or claimed to have been caused, directly or indirectly, by the installation, operations, failure to operate, maintenance, removal, presence, condition, occasion or use therewith, or by any services furnished by the Company in connection with 911 Service, including, but not limited to, the identification of the telephone number, address or name associated with the telephone used by the party or parties accessing 911 Service hereunder.

The Company shall incur no liability whatsoever to any person arising from its provision of, or failure to provide, 911 Service to any Shared Tenant Service or end user.

The Company's liability, if any, for its gross negligence or willful misconduct is not limited by this tariff.

Any mistakes, omissions, interruptions, delays, errors or defects in transmission or service caused or contributed to by the negligence or willful act of any person other than the Company, or arising from the use of customer provided facilities or equipment shall relieve the Company from all liability whatsoever.

Where a 911 call is placed by the calling party via interconnection with carrier other than the Company, the Company cannot guarantee the completion of said 911 call, the quality of the call, or any features that may otherwise be provided with 911 service; however, the Company will work with all carriers interconnecting to any 911 system involving Company facilities to the extent necessary to provide the call completion rate stated in M.4 following, to provide acceptable transmission quality and to provide all 911 features to which the customer subscribes.

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911 EMERGENCY TELEPHONE SERVICE

RULES AND REGULATIONS (cont'd)

I. (Continued)

The Company accepts no responsibility for obtaining end user record information from private telecommunications systems, such as PBXs, unless provided to the Company by a customer. At the rates set forth herein, the Company will integrate any records provided to it by the customer in a Company-standard format for inclusion in a 911 database. However, by doing so, the Company makes no representation or warranty regarding the accuracy of the data provided to it by a customer and shall not be liable or responsible for any indirect, incidental, or consequential damages associated with the provision of this data by the customer, which may be asserted by any person, business, government agency, or other entity against the Company.

The Company shall not be liable or responsible for any indirect, incidental, or consequential damages associated with the provision of 911 Service when there is a failure of or interruption in 911 Service due to the attachment of any equipment by a customer to Company facilities. The customer may, with the prior written consent of the Company, which consent shall not be reasonably withheld, attach features, devices, or equipment or other vendors to the equipment or network facilities provided by the Company. Said attachments, devices, or equipment must meet all applicable federal and state registration and/or certification standards. The Company reserves the right to refuse attachments if the Company determines that said attachments will degrade the 911 system ordered by the customer, adversely affect Company facilities, or otherwise cause harm to its telephone operations.

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911 EMERGENCY TELEPHONE SERVICE

RULES AND REGULATIONS (cont'd)

I. (Continued)

The Company shall not be liable for any civil damages caused by an act or omission of the Company in the good faith releases of information not in the public record, including non-published or non-listed end user information to emergency service providers responding to calls placed to a 911 service or host providers using such information to provide a 911 service.

J. Temporary suspension of service is not provided for any part of the 911 Service.

K. The rates charged for 911 Service do not contemplate the constant monitoring or inspection to discover errors, defects and malfunctions in the service; nor does the Company undertake such responsibility. The customer shall make such operational tests as, in the judgment of the customer, are required to determine whether the service is functioning properly for its use. The customer shall promptly notify the Company in the event the service is not functioning properly.

Notwithstanding the forgoing, the Company will engage in preventative maintenance and other service quality assurance activities regarding 911 facilities at a level as great as that generally used in dealing with the balance of the Company's network and switching facilities.

L. If a central office serves telephones located both within and outside the 911 customer's public safety jurisdiction, it is the obligation of the customer to make arrangements to handle all 911 calls that originate from telephones served by these central offices. The Telephone Company, as feasible, shall offer selective routing in central offices such as described in the sentence immediately preceding.

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911 EMERGENCY TELEPHONE SERVICE

RULES AND REGULATIONS (cont'd)

- M. Application for 911 Service must be executed in writing by the customer. The 911 customer must furnish the Company, in writing, with its agreement to the following terms and conditions:
1. That at least one PSAP will be provided and staffed on a 24 hour, seven days per week basis.
 2. That the 911 customer accepts responsibility for dispatching, or having others dispatch police, fire, ambulance or other emergency services as required, to the extent as such services are reasonably available.
 3. That the 911 customer will develop an appropriate method of responding to calls for non-participating agencies which may be directed to the 911 PSAP by calling parties.
 4. That the 911 customer will subscribe to a sufficient number of interoffice and 911 access lines to provide a P.01 transmission grade of service to adequately handle incoming calls, as determined by the Customer in consultation with the Company; but in all cases subject to a minimum of two (2) lines required from serving central offices to the 911 PSAP.
 5. That the 911 customer will subscribe to additional local exchange service at the PSAP location for administrative purposes, for the placing of outgoing calls. Such lines may, at the customer's option, be used to receive calls made to 911 when all 911 trunks are in use, i.e., administrative/outgoing lines may be used for "911 overflow."

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911 EMERGENCY TELEPHONE SERVICE

RULES AND REGULATIONS (cont'd)

- N. Diverse routing is supplied to the extent made possible as determined by the Company, through availability of Company facilities. Provision of diversity at the Public Safety Answering Point and additions to existing facilities to obtain such diversity, where feasible within the 911 network and as determined by the Company, will be based upon costs incurred by the Company and supplied upon customer request.
- O. Emergency Service Number (ESN)-When the Selective Routing feature is provided due to multiple PSAPs, the customer is responsible for identifying primary and secondary PSAP locations, as well as the unique combinations of police, fire, ambulance or any other appropriate agencies responsible for providing emergency service in the 911 service area. An Emergency Service Number (ESN) will be provided by the Company for each unique combination defined by the customer. The customer will associate these ESNs with street address ranges or other mutually agreed upon routing criteria in the 911 serving area. The ESNs will be carried in the central office facilities to permit routing of 911 calls to the primary and secondary PSAPs responsible for the handling of calls from each telephone on the 911 serving area.
- P. The customer will comply with West Virginia Code Section 24-6-1, et seq., and all other applicable statutes and regulations.
- Q. Resolution of Conflicts—In the event that a conflict arises between the Company and the customer, the Public Service Commission of West Virginia (WVPSC), upon application by the Company or the customer, shall resolve such conflict.

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911 EMERGENCY TELEPHONE SERVICE

RULES AND REGULATIONS (cont'd)

- R. The E911 Customer shall have the sole and exclusive ownership of, control over and responsibility for the ALI Database used in the operation of its E911 system. The E911 Customer's responsibility in this regard includes, but is not limited to, the verification and validation of all subscriber address information provided to the E911 Customer by the Company.
- S. The E911 Customer shall have the sole and exclusive responsibility to secure, operate, and maintain all equipment and software required on its side of the network point of demarcation in the construction and operation of its network up to the point of demarcation at the E911 Customer's location.

RULES AND REGULATIONS GOVERNING THE PROVISION OF END USER DATA TO E911 CUSTOMERS

- A. Company will provide the E911 Customer with all subscriber name and address information, including, where available and as requested by the Customer, instructions regarding how to drive to the subscriber's service location, in the Company's billing database, to the extent not otherwise prohibited by the privacy-related laws, regulations or tariff provisions, for the use of the E911 Customer in assembling, operating, and updating its ALI Database.
- B. The E911 Customer shall use non-listed or non-published telephone number information provided by the Company solely for the purpose of inclusion in E911 Customer ALI Database and in the discharge of E911 Customer's E911 responsibilities and such telephone numbers shall not be disclosed by E911 Customer, its employees, agents, and/or independent contractors for any other purpose.

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911 EMERGENCY TELEPHONE SERVICE

RULES AND REGULATIONS GOVERNING THE PROVISION OF END USER DATA
TO E911 CUSTOMERS (cont'd)

- C. Subscriber name and address information provided to the E911 Customer by the Company may not be relied upon in the E911 Customer's independent validation and verification, or in the assembly, operation and updating of the MSAG component of E911 Customer's ALI Database.
- D. The Company's obligation to provide name and address data from its billing database to the E911 customer is limited in scope to providing such information as it has available, without any representation or warranty as to the suitability of such data as it has available, for use in the assembly, operation or updating of E911 Customer's ALI Database.
 - 1. Company will endeavor to maintain accurate information in its billing database and to provide accurate information to E911 Customer, but shall bear no responsibility to the E911 Customer for validating and verifying the accuracy of that information for the E911 Customer's use in its ALI Database.
- E. In order to assist E911 Customer in maintaining an up-to-date ALI Database, the Company will provide E911 Customer with daily information regarding new subscribers and other changes in subscriber information which may be necessary in E911 Customer's ALI Database. The parties hereto will negotiate a methodology for the necessary data transfers required in the ALI Database updating process.
 - 1. The E911 Customer recognizes that although updates will be made daily as available, the updates will be generated from Company's completed service orders. Company agrees to give the highest priority to providing the new service information to the E911 Customer.

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911 EMERGENCY TELEPHONE SERVICE

RULES AND REGULATIONS GOVERNING THE PROVISION OF END USER DATA
TO E911 CUSTOMERS (cont'd)

- F. To the extent that E911 Customer's process of validating and verifying address information provided by the Company reveals errors or discrepancies in addresses, E911 Customer shall, at no charge, notify Company in a timely manner of the correct address information. E911 Customer shall not be responsible for the accuracy of address information it provides to Company as a result of E911 Customer's validation and verification process.
- G. The information in the ALI Database is and shall remain the property of E911 Customer. The E911 customer retains all rights, responsibilities (except as otherwise provided herein) and privileges associated with the ALI Database, and Company will take all reasonable and customary measures to protect the rights of the E911 Customer to its data.
- H. The E911 Customer shall not publish, reproduce, resell, disclose, allow access to or use for any reason other than emergency response purposes associated with the public safety, any of the subscriber information provided by the Company.

RATES AND CHARGES

- A. The tariff provisions in F. following are applicable only to those local exchange end users served by the 911 Service who reside in the Company's serving area.
- B. In such instance wherein the Company has been requested to bill Enhanced 911 fees prorate to local exchange end users, failure to pay the prorate charge affiliated with the payment of the Enhanced 911 fee shall not allow the Company to cut off service to local exchange end users.

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911 EMERGENCY TELEPHONE SERVICE

RATES AND CHARGES (cont'd)

- C. The Enhanced 911 fee billed by the Company pursuant to F.4 following in this Tariff will be listed individually on the bill.
- D. The ultimate responsibility for paying the sums due under the contract provisions in F.4 following is the customer.
- E. When an order for 911 Service or requests for additions, rearrangements, relocations, or modifications of service are cancelled in whole or in part prior to completion of the work involved, the customer is required to reimburse the Company for all expenses incurred in handling the request before notice of cancellation is received. Such charges, however, are not to exceed all charges which would apply if the work involved complying with the request had been completed.
- F. At the request of the Customer subscribing to 911 Service, the Company will spread the payment of the non-recurring and recurring charges for the initial provisioning or subsequent addition of 911 Service as follows:
 - 1. Installation and other non-recurring charges shall be covered under separate contract between the government and Company. This payment schedule shall not exceed 18 months from the date subscriber billing is commenced.
 - 2. In addition, at the request of such Customer, the Company will bill these Enhanced 911 fees prorata to the local exchange end users served by the 911 Service on an individual access line basis.

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911 EMERGENCY TELEPHONE SERVICE

RATES AND CHARGES (cont'd)

F. (cont'd)

3. Charges for applicable local and/or toll messages transferred over exchange facilities from a PSAP are billed as covered in other sections of this Tariff based on rates applicable from the Central Office serving the PSAP initiating the transfer to the point of termination of the transfer.
4. The following monthly Rates and Charges are applicable to the Customer subscribing to the 911 Service:

B911- (Basic 911 Service)

B911 Service provides for routing all 911 calls originated by stations with given central office prefix codes to a single PSAP which is prepared to receive those calls via a 911 Service line.

A 911 Service line consists of a central office termination and a local (loop) facility.

911 lines are furnished at rates and charges applicable for business measured rate individual lines or Private Branch Exchange (PBX) trunks, as appropriate, as specified in this Company's Local Exchange Tariff, Local Exchange Services and Rates section.

A 911 call may be directed to a PSAP via dedicated facilities from the caller's central office to the PSAP or by tandem switching using the exchange telephone network from the caller's central office to the central office serving the PSAP.

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911 EMERGENCY TELEPHONE SERVICE

RATES AND CHARGES (cont'd)

F.4. (cont'd)

Basic 911 Feature Package

Features in the Basic 911 Feature Package include:

1. Forced Disconnect—Enables the PSAP attendant to release a connection on a 911 call even if the calling party remains off-hook.
2. Called Party Hold—Enables the PSAP attendant to hold a 911 connection even if the calling party hangs up.
3. Emergency Ringback—Allows a PSAP attendant to ring back the caller's line.

Enhanced 911-ANI Service

ANI Spill provides for the telephone number of the calling party to be forwarded to the PSAP.

ANI Provisioning refers to furnishing the capability in the telephone network to generate and transmit the caller's ANI to a PSAP upon completion of a 911 call.

Trunk Enabling refers to the central office engineering and equipment installation necessary to activate the local loop.

ANI Spill does not guarantee the capability of forwarding the number of a multiparty line end user. For calls placed to a PSAP from off premises stations and stations behind business systems, ANI Spill will display the identity of the primary telephone service billing number.

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911 EMERGENCY TELEPHONE SERVICE

RATES AND CHARGES (cont'd)

F.4. (cont'd)

The PSAP's premises equipment used in conjunction with ANI Service must be reviewed by the Company to determine the compatibility of the unit with the E911 Service requested. Any additional costs associated with the bringing of incompatible equipment into compliance with the 911 system will be the responsibility of the customer.

Selective Routing Service routes calls to the correct PSAP based on the caller's ANI. This service is provided when an E911 system is served by more than one PSAP or when a central office is split by a political boundary and one of the political areas does not subscribe to 911 services or when a central office's political subdivisions are served by different 911 systems. The Customer is responsible for the following:

1. Providing end user street address validation and PSAP routing information for each central office.
2. Verifying the accuracy of the routing information provided.
3. Advising the Company of any changes in the routing information on a timely basis.

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911 EMERGENCY TELEPHONE SERVICE

RATES AND CHARGES (Continued)

F.4. (Continued)

Subscriber Billing

Subscriber Billing Service refers to the billing of the Customer's end users by the Company, on behalf of the Customer, the Enhanced 911 fee as such fee as specified in the Customer's Enhanced 911 ordinance.

The Company shall retain three percent (3%) of the fees collected. For the purposes of this tariff, 3% of the "fees collected" shall mean the fees billed by the Company, less the fees uncollectible which shall be calculated at the Company's current rate of uncollectible revenues for intrastate service.

In the event a customer refuses to pay the monthly 911 surcharge and they have returned a completed "Refusal to Pay Fee" form, War Telephone Company will discontinue billing the 911 fee. A statement will appear on customer's bill indicating that the customer has refused to pay the 911 surcharge. Following such action, War Telephone Company will forward a copy of the refusal to pay form to the affected county. If the customer notifies War Telephone Company at some point in the future, in writing, that they are willing to pay the 911 monthly surcharge, billing will resume. This tariff change nullifies the contract language regarding the treatment of individuals refusing to pay the monthly 911 fee as outlined in War Telephone Company's Enhanced 911 Billing Contract with respective counties.

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911 EMERGENCY TELEPHONE SERVICE

RATES AND CHARGES (cont'd)

F.4. (cont'd)

War Telephone Company will provide the County, upon request, a printout of every customer name and telephone number refusing to pay the E911 fee.

Where War Telephone Company is not the lead provider for the E911 database, the following charges apply:

E911 trunk rate element recovers the cost of all required E911 voice and data trunks between War Telephone Company's End Offices. War Telephone Company served PSAPs and the E911 Statewide provider's selective routers. This rate is based on provisioning to the Statewide E911 Provider a minimum of 232 DSO channel equivalents.

E911 Database Administration Rate recovers the cost of daily E911 database record error correction and maintenance on all customer access lines served by War Telephone Company of West Virginia. This pricing is applicable only to a Statewide E911 provider.

Rates/Charges for Enhanced 911 Database Provider

Trunking Rate Element per 1000 access lines	\$25.00	E911T (S&E)
Database Administration per 1000 access lines	\$62.00	E911D (S&E)

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911 EMERGENCY TELEPHONE SERVICE

RATES AND CHARGES (cont'd)

Rates/Charges for Enhanced 911 Service

	<u>Monthly Rate</u>	<u>Nonrecurring Charge</u>	<u>Billing Code</u>
Per 1000 Access Lines	\$110.00	\$2700.00*	E911 (A&N)
Less than 100 Access Lines	\$11.00	\$270.00	E911 (N)

*For customers with less than 1,000 access lines, the nonrecurring charge will be \$270.00 per 100 access lines.

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INTRASTATE ACCESS RATES

APPLICABILITY

Applicable to Switched Access Service and Special Access Service furnished or made available by the Company between its points and points reached over facilities of connecting companies.

1. Intrastate Access Services

War Telephone LLC concurs in the National Exchange Carrier Association, Inc. (NECA) Tariff F.C.C. No. 5 effective on July 1, 1997. In compliance with the FCC USF/ICC Reform Order FCC No. 161 released November 18, 2011, the company concurs in the John Staurulakis, Inc. (JSI) Tariff F.C.C. No. 1 for Switched Access Services of Terminating End Office, Terminating Tandem-Switched Transport, and Originating and Terminating Dedicated Transport. Please see below for a schedule of specific rates for Switched Access Services.

2. Rate Schedule

Switched Access Service

Carrier Common Line		
Terminating	Per Minute	\$0.000000
Originating	Per Minute	\$0.007600
Tandem Switched Transport		
Tandem Switched Facility - Originating	Per Minute/Per Mile	\$0.000443
Tandem Switched Facility - Terminating	Per Minute/Per Mile	\$0.000087
Tandem Switched Termination- Originating	Per Minute/Termination	\$0.000443
Tandem Switched Termination- Terminating	Per Minute/Termination	\$0.000456
Transport Interconnect Charge Originating	Per Minute	\$0.015055
Transport Interconnect Charge Terminating	Per Minute	\$0.000000
End Office		
Local Switching - Originating	Per Minute	\$0.040400
Local Switching - Terminating	Per Minute	\$0.000000
Information Surcharge - Originating	Per 100 Minutes	\$0.019800
Information Surcharge - Terminating	Per 100 Minutes	\$0.000000

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3. Identification and Rating of VoIP-PSTN Traffic

The following provision applies to the treatment of Relevant VoIP-PSTN Traffic pursuant to the Federal Communications Commission's Part 41 Interconnection Rules and in compliance with the Federal Communications Commission's Report and Order and Further Notice of Proposed Rulemaking in CC Docket Nos. 96-45 and 01-92; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135 and 10-90; and WT Docket No. 10-208, adopted October 27, 2011 and released November 18, 2011 (FCC 11-161). In the absence of an interconnection agreement between the Telephone Company and the customer specifying the treatment of Relevant VoIP-PSTN Traffic, the Telephone Company will bill the customer the applicable interstate switched access rates and charges (including Interstate Transport structure) specified in the JSI Tariff F.C.C. No. 1, on all jurisdictionally Intrastate voice traffic identified as Relevant VoIP-PSTN Traffic under the terms of this Tariff.

Applicable rates and charges are located in Section 17 of JSI Tariff F.C.C. No. 1.

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INTRASTATE ACCESS RATES (Cont'd)

2. Identification and Rating of VoIP-PSTN Traffic (Cont'd)

(A) Scope

- (1) “Relevant VoIP-PSTN Traffic” is defined as terminating traffic received by the Telephone Company end user from the customer that originates and/or terminates in Internet protocol (“IP”) format. This section governs the identification of VoIP-PSTN Traffic to be compensated at interstate access rates as required by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011) (“FCC Order”), and Second Order on Reconsideration adopted April 24, 2012 and released April 25, 2012. Subsection (2) below establishes the method for the billing of Intrastate VoIP-PSTN Traffic terminated by a customer that is a local exchange carrier.
- (2) **Billing of Originating Traffic.** For the period from December 29, 2011 through July 12, 2012 and for the period beginning on or after July 1, 2014, Intrastate originating non-local traffic using switched access as specified in (1) above will be included in the application of PVU factors and the rating of Relevant VoIP-PSTN traffic at the interstate rate as defined in this subsection. During the period of July 13, 2012 through June 30, 2014 all Intrastate originating non-local traffic using switched access services will be subject to Intrastate Access Rates.

(B) Rating of VoIP-PSTN Traffic

The Relevant VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Telephone Company’s applicable tariffed interstate switched access rates as specified in the applicable provisions of the JSI Tariff F.C.C. No. 1.

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INTRASTATE ACCESS RATES (Cont'd)

2. Identification and Rating of VoIP-PSTN Traffic (Cont'd)

(C) Calculation and Application of Percent-VoIP-Usage Factor

The Telephone Company will determine the number of Relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection (B), above, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU received by the Telephone Company end user and the customer. The PVU will be derived and applied as follows:

- (1) The customer will calculate and furnish to the Telephone Company a factor (the "PVU") representing the percentage of the total intrastate access MOU that the customer delivers to the Telephone Company in the State, that is sent to the Telephone Company and that originated in IP format. The customer's PVU shall be based on information such as the number of the customer's retail VoIP subscriptions in the State (e.g., as reported on F.C.C. Form 477), traffic studies, actual call details, or other relevant and verifiable information which will be provided to the Telephone Company upon request.
- (2) The customer shall not modify its reported PIU factor to account for Relevant VoIP-PSTN Traffic.
- (3) The customer shall retain the call detail, work papers, and information used to develop the PVU factor(s) for a minimum of one year.
- (4) The Telephone Company will apply the PVU factor to the total terminating intrastate access MOU received from the customer to determine the number of Relevant VoIP-PSTN Traffic MOUs.
- (5) If the customer does not furnish the Telephone Company with a PVU pursuant to the preceding paragraph 1, the Telephone Company will utilize a PVU equal to zero.

(D) Initial PVU Factor

If the PVU factor is not available and/or cannot be implemented in the Telephone Company's billing systems by December 29, 2011, once the factor is available and can be implemented, the Telephone Company will adjust the customer's bills to reflect the PVU retroactively to December 29, 2011. This retroactive adjustment will be made to December 29, 2011, provided that the customer provides the factor to the Telephone Company no later than April 15, 2012; otherwise, it will set the initial PVU equal to zero, as specified in subsection (C)(5), above.

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INTRASTATE ACCESS RATES (Cont'd)

2. Identification and Rating of VoIP-PSTN Traffic (Cont'd)

(D) Initial PVU Factor (Cont'd)

The Telephone Company may choose to provide credits based on the reported PVU factor on a Quarterly basis until such time as a billing system modification can be implemented.

(E) PVU Factor Updates

The customer may update the PVU factor quarterly using the method set forth in subsection (C)(1), above. If the customer chooses to submit such updates, it shall forward to the Telephone Company, no later than 15 days after the first day of January, April, July and/or October of each year, a revised PVU factor based on data for the prior three months, ending the last day of December, March, June and September, respectively. The revised PVU factor will apply prospectively and serve as the basis for billing until superseded by a new PVU factor. No prorating or back billing will be done based on an updated PVU factor.

(F) PVU Factor Verification

(a) Not more than four times in any year, the Telephone Company may request from the customer an overview of the process used to determine the PVU factor, the call detail records, description of the method for determining how the end user originates and terminates calls in IP format, and other information used to determine the customer's PVU factor furnished to the Company in order to validate the PVU factor supplied. The customer shall comply, and shall reasonably supply the requested data and information within 15 days of the Telephone Company's request.

(b) The Telephone Company may dispute the Customer's PVU factor based upon:

(i) A review of the requested data and information provided by the customer;

(ii) The Telephone Company's reasonable review of other market information, F.C.C. reports on VoIP lines, such as F.C.C. Form 477 or state level results based on the F.C.C. Local Competition Report or other relevant data;

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INTRASTATE ACCESS RATES (Cont'd)

2. Identification and Rating of VoIP-PSTN Traffic (Cont'd)

(F) PVU Factor Verification (Cont'd)

(iii) A change in the reported PVU factor by more than five percentage points from the preceding quarter.

(c) If after review of the data and information, the customer and the Telephone Company establish a revised PVU factor, the Telephone Company will begin using the revised PVU factor with the next bill period.

(d) If the dispute is unresolved, the Telephone Company may initiate an audit. The Telephone Company shall limit audits of the customer's PVU factor to no more than twice per year. The customer may request that the audit be conducted by an independent auditor. In such cases the associated auditing expenses will be paid by the customer.

(i) In the event that the customer fails to provide adequate records to enable the Telephone Company or an independent auditor to conduct an audit verifying the customer's PVU factor, the Telephone Company will bill the usage for all contested periods using the most recent undisputed PVU factor reported by the customer. This PVU factor will remain in effect until the audit can be completed.

(ii) During the audit, the most recent undisputed PVU factors from the previous reporting period will be used by the Telephone Company.

(iv) The Telephone Company will adjust the customer's PVU factor based on the results of the audit and implement the revised PVU factor in the next billing period or quarterly report date, whichever is first. The revised PVU factor will apply for the next two quarters before new factors can be submitted by the customer.

(v) If the audit supports the customer's PVU factors, the usage for the contested periods will be adjusted to reflect the customer's audited PVU factors

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ABBREVIATED DIALING – 511 SERVICE

A. GENERAL

1. 511 Service is a three-digit dialing arrangement available in specified areas within the Company's territory for delivery of general information via voice grade facilities. Pursuant to the FCC Order 00-56, the 511 code is assigned to travel information service. In addition, the subscriber must comply with any orders adopted by the FCC.
2. The Local Calling Area (LCA) of 511 Service Subscriber will be the basic Local Service Area as defined in this Tariff, as facilities permit.
3. Only one 511 number will be assigned to a 511 subscriber or their affiliates, per LCA. If LCAs are merged, and a 511 number exists in both areas, the 511 subscriber who established 511 first in time will be entitled to retain the 511 number in the merged local calling area.
4. An "affiliate" of a 511 subscriber is an entity that directly or indirectly through one or more intermediaries controls, is controlled by or is under common control with the 511 subscriber. The term "control" (including the terms "controlling", "controlled by" and "under common control with") means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of an entity, whether through ownership of voting securities, by contractor otherwise.
5. 511 Service is provided in the Telephone Company's territory only. To provide access to a 511 number to end users in any other Telephone Company territory within the LCA, the 511 subscriber must make appropriate arrangements with the Telephone Company serving that territory.
6. This service is furnished subject to the availability of 511 numbers.
7. Calls to a disconnected 511 number will be routed to intercept of the announcement facilities for a maximum of 60 days, from the date of disconnection. The announcement provided may refer the caller to another telephone number.
8. Directory listings may be provided for 511 Service at the rates specified on page 49 of this Tariff. The phrase "Charges Will Apply," if applicable, will be included in the 511 Service listing at no additional charge.

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ABBREVIATED DIALING – 511 SERVICE (cont.)

A. GENERAL (cont.)

9. 511 Service is not available from the following classes of service:
 - a. Public Telephones
 - b. Hotel/Motel/Hospital Service
 - c. 1+, 0+, 0- (Credit Card, Third-Party Billing, Collect Calls)
 - d. Inmate Service
 - e. 10XXX or 101XXXX
 - f. Cellular-Type 2A
10. Operator assisted calls to a 511 subscriber will not be completed.
11. 511 Service will not provide calling number information in real time to the 511 subscriber. If the 511 subscriber needs this type of information, the 511 subscriber must subscribe to a compatible Calling Number Identification Service, as available.
12. The 511 subscriber is prohibited from selling or transferring their 511 number to any entity either directly or indirectly.
13. The 511 subscriber becomes an affiliate of or is acquired by another 511 subscriber through merger, acquisition or otherwise then the affiliated subscribers must surrender all, but one 511 number within 90 days of the merger or acquisition.
14. 511 Service will be provided within a maximum of 30 days after the customer's request for service has been processed in order to allow the Telephone Company sufficient time for provisioning.
15. The 511 subscriber must comply with any or all rules pertaining to 511 Service, adopted by the FCC in Rule Making Proceeding (CC Docket 92-105).
16. 511 Service will be provided only to those customers approved by the West Virginia Public Service Commission.
17. The Tariff will remain effective until or unless modified or removed by the Telephone Company or the West Virginia Public Service Commission.
18. 511 can be delivered via regular exchange access lines (by individual business lines, PBX, trunks, etc.).

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ABBREVIATED DIALING – 511 SERVICE (cont.)

A. GENERAL (cont.)

19. Limitations and use of this service as stated in this and other Telephone Company tariffs apply.

B. REGULATIONS

1. The 511 subscriber has 90 days from the date of number assignment to establish service or decide to discontinue service. The Non-Recurring Charge will not be refunded to the subscriber if the service has already been provisioned.
2. Use of 511 Service is subject to possible recall by the NANP (North American Numbering Plan) Administrator for national use. The 511 subscriber must prior to the provisioning of service, sign a written acknowledgment of this condition and an agreement to return the 511 code within six months of receiving a written notice of such a recall from the Telephone Company and abide by any subsequent rules as identified by the FCC in CC Docket 92-105, regarding the use and return of 511 codes.

If the recall is effected by the NANP administrator, the Telephone Company will work with the 511 subscriber affected to transfer their service arrangements if technically and economically feasible, to another abbreviated dialing arrangement and if not feasible, to a seven-digit dialing arrangement within the six month notice period. The 511 subscriber will be required to migrate to any standard access arrangement available for information services subsequently agreed to by the industry and approved by the FCC. The 511 subscriber will be charged the appropriate Tariff rates for the newly established service arrangements.

3. The 511 Service is provided where facilities permit. Only one seven (7) or ten (10) digit toll free numbers may be used as the lead number per basic local calling area. All central offices within a basic local calling area must point to the same 7 or 10 digit local number or one 10 digit toll free number.
4. The 511 subscriber should work with cellular companies to ascertain whether the Type 1 cellular customers will be able to reach 511.
5. The 511 subscriber should work separately with CLECs to ascertain that its end users will be able to reach travel information services provided by 511.

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ABBREVIATED DIALING – 511 SERVICE (cont.)

B. REGULATIONS (cont.)

6. 511 Service will be provided under the following conditions:
 - a. For network sizing and protection, the 511 subscriber must provide an estimate of annual call volumes, the expected busy hour and holding time for each call to a 511 number.
 - b. The 511 subscriber is responsible for obtaining all necessary permits and licenses and all other rights from all persons whose work, statements or performance are used in connection with the service.
 - c. The 511 subscriber is liable for and shall indemnify and protect the Telephone Company against all suits, actions, claims, demands and judgments and of all costs, expenses and counsel fees incurred on account thereof resulting directly or indirectly from the service in connection therewith.
 - d. The Telephone Company has full authorization to discontinue 511 Service to a subscriber if they fail to comply with regulation and conditions set forth herein, upon five days notice to the subscriber.
 - e. The 511 subscriber shall subscribe to adequate exchange facilities to transport the calls to the 511 subscriber's premises.
 - f. The 511 subscriber shall respond promptly to any and all complaints made to the Telephone Company or by a Regulatory Authority concerning the subscriber's 511 Service or type of service.
 - g. A written notice will be sent to any 511 subscriber when their service interferes (unreasonably) with or impairs other service rendered to the Public by the Telephone Company or by other subscribers of 511 Service. If after notification, the subscriber makes no modification in the method of operation or service arrangements that are deemed service protective by the Telephone Company or if the subscriber is unwilling to accept the modifications or if the subscriber continues to cause service impairment, the Telephone Company reserves the right at any time, without further notice to institute protective measures up to and including termination of service. In an emergency, as defined by the Telephone Company, the Telephone Company reserves the right at any time without notice, to institute protective measures up to and including termination of service.

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ABBREVIATED DIALING – 511 SERVICE (cont.)

B. REGULATIONS (cont.)

7. If a pre-recorded announcement is provided by the 511 subscriber, the following conditions apply:
 - a. The 511 subscriber will provide announcements and the Telephone Company will deliver the call.
 - b. 511 subscriber sponsorship of any particular announcement of recorded program service shall not preclude another 511 subscriber from sponsoring the same or similar announcement or recorded program service.
 - c. The provision of access to the 511 Network by the Telephone Company for the transmission of announcement or recorded program services is subject to availability of such facilities and the requirements of the Local Exchange Network.
 - d. The 511 subscriber assumes full financial responsibility for all costs involved in providing announcement or recorded program services including, but not limited to the recording, advertising and promotional expenses and the facilities required to connect the announcement equipment located on the subscriber's premises.
8. The Telephone Company may take all legal and practical steps to disassociate itself from 511 subscribers providing services whose business and/or public conduct (whether demonstrated or proposed) is of a type that generates unacceptable levels of complaints by end users.
9. In no event shall the Telephone Company be liable for any losses or damages of any kind resulting from the unavailability of its equipment or facilities or for any act, omission or failure of performance by the Telephone Company, or its employees, or agents in connection with this Tariff. The Telephone Company shall neither be responsible for calls that cannot be completed as a result of repair or maintenance, nor on equipment owned or leased by the subscriber.

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ABBREVIATED DIALING – 511 SERVICE (cont.)

C. RATES

1. Application of Rates
 - a. Service Order Establishment shall apply for each 511 number per local calling area.
 - b. 511 subscribers will pay normal tariffed charges for the local access arrangements used for transporting and termination of messages at the 511 subscriber's designated premises.
 - c. Applicable Service Order Charges as specified on page 47 of this Tariff apply, in addition to the following rates.
 - d. A Central Office activation charge will apply per Central Office switch translation to the lead number.
 - e. A change charge will apply to change the point-to-number translation at the subscriber's request.
2. Charges applicable to the 511 subscriber

	<u>Nonrecurring Charge</u>
Establishment of 511 Service, Per 511 Service Number, Per Local Calling Area (LCA)	\$100.00
Central Office Activation	\$112.00
Translation Change of Point-to-Number	\$ 19.00

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