



May 25, 2010
Via Overnight Delivery

A. 2010 - 2181492

Mr. James J. McNulty, Commission Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

**RE: Responses to Application Deficiencies, Replacement Local Exchange Tariff Pages and Initial Interexchange Tariff – Tariff Telephone Pa. P.U.C. No. 3
Application of tw telecom data services llc for Approval to Operate as a Competitive Local Exchange Carrier and Interexchange Toll Reseller, InterLATA and/or IntraLATA**

Dear Mr. McNulty:

Enclosed for filing are the original and three (3) copies of of **tw telecom data services llc's** responses to Staff's May 7, 2010 list of application and tariff deficiencies. Regarding the Company's application: Item 9, a copy of a new Proposed Services document is attached; Item 11, Service Area, the Company does not wish to revise the service area as the exchanges listed are where the Company will be initially offering service. Also enclosed are the original and three copies of replacement pages for the Company's local exchange, Tariff Telephone Pa. P.U.C. No. 2 which reflect Staff's requested changes and the Company's interexchange tariff, Tariff Telephone Pa. P.U.C. No. 3.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it in the self-addressed, stamped envelope enclosed for this purpose.

Any questions you may have regarding this filing may be directed to my attention at (407) 740-3002 or via e-mail to cwrightman@tminc.com. Thank you for your assistance.

Sincerely,

Connie Wightman
Consultant

CW/bc

Enclosures

cc: Tammy Chatfield, tw telecom
cc: Service List
file: tw telecom - PA-- Local
tms: PA11000a

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RESPONSES TO ENCLOSURE 1 APPLICATION DEFICIENCIES

tw telecom data services llc

1. **Application Item 9, Application's Proposed Operations:** Resolve the conflict in the requested IXC authority (ies) between Item 9 indicating Interexchange Toll Reseller (IXC-R) and the attachment labeled Proposed Services which requests both IXC-R and Interexchange Toll Facilities-based Carrier (IXC-FB) authorities.

Response 1: See attached Proposed Services document

2. **Application Item 11, Service Area:** Although your response to this item indicates authority is desired "in those territories served by Verizon", the accompanying Certificate of Service and proposed CLEC local tariff are limited to Verizon Pennsylvania Inc. If the Applicant desires CLEC authority in the service territory of Verizon North Inc. under the instant Application, appropriate amendments must be filed. Otherwise, the Application shall be processed for CLEC authority solely in the service territory of Verizon Pennsylvania Inc.

Response 2: Company does not wish to revise service area. Please see cover letter.

3. **Application Item 13, Proposed Tariffs:**

Tariff No. 2 – CLEC Local

To obtain Provisional Authority, proposed rates must be specified for all proposed services. Please submit replacement sheets to cure the following:

Responses:

- a. Page 85, 5.1.1 D. Provide the methodology used to determine the rates and the actual rates applied under the circumstances described in the following statement: "If the Customer's actual usage exceeds 200,000 minutes of local usage per month, the Company may, upon 30 days written notice, re-calculate and adjust the monthly recurring rates to be charged to the Customer."

Response: See attached Original Page 85.

- b. Page 85, 5.1.1 E. and Page 87, 5.2.2 Provide the methodology to determine the rates and the actual rates applies under the circumstances described in the following statement: "Where service is provided on an OFF-Net basis, additional charges may apply."

Response: See attached Original Page 85 and Original Page 87.

- c. Page 85, 5.2.1 Reference is made to a "private line tariff" which is not on file with the Commission. Provide a citation to the referenced tariff or provide the rates within the instant tariff.

Response: See attached Original Page 86.

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RESPONSES TO ENCLOSURE 1 APPLICATION DEFICIENCIES

tw telecom data services llc

3. Application Item 13, Proposed Tariffs:

Tariff No. 2 – CLEC Local, (Continued)

- d. Page 120, 6.1.2 Provide clarification and/or the rates applied for the circumstances described in the following statement: “The Company will bill the End User for ISP calls at rates designated by the ISP.” The Application and proposed CLEC tariff must contain sufficient information to ensure that the customers subscribed to **tw telecom data services llc** have access to accurate and complete rate schedules prior to incurring any charges. Additionally, either replace the term “End User” with “Customer” or add the term “End User” to the Definitions section.

Response: See attached Original Page 120, deleted service, Original Pages 121 through 137 renumbered services. See also revised Table of Contents, Original Page 5.

- e. Toll services require separate authority (ies) and have different tariffing options. Therefore, Section 7 must be deleted from the CLEC local tariff.

Response: Deleted Section 7, Original Pages 138 – 140 and renumbered “Section 8 - Special Arrangements” section and page numbers. See also revised Check Sheet and Table of Contents, Original Page 3 and Original Page 6.

Tariff No. 3 – IXC Tariff

Pursuant to 66 Pa. C.S. § 3018(a), all interexchange services provided by IXC are not deemed competitive. Section 3018(b)(2) gives the IXC the option to (1) file and maintain tariffs with the Commission, (2) file and maintain price lists with the Commission, or (3) detariff, making the IXC subject to Pa state contract law. Accordingly, the IXC applicants can withdraw their proposed tariffs filed with the Commission. Please indicate the desired option (tariffs, price lists, or detariffed) within the cover letter accompanying the above corrections as as noted above within Item 9.

Notes:

Tariffs for IXC-R can express rate ranges as per the Commission’s Opinion and Order entered June 3, 1966, at Docket Number M-00960799. However, tariffs for IXC-Fb require specific rate detail.

If amending the Application to include both IXC-R and IXC-FB authorities AND opting to maintain IXC tariff(s), the Applicant need not to provide separate IXC-R and IXC-Fb tariffs when the rates are the same for all services provided under both IXC authorities.

Response: See attached IXC Pa. P.U.C. No. 3 tariff.

**tw telecom data services llc
Proposed Services Attachment**

Proposed Services

tw telecom intends to provide an integrated private line and local exchange service, including various ancillary services such as custom calling features, long distance and Internet access. Initially, **tw telecom** will provide services via (1) commercial wholesale agreements with authorized Competitive Local Exchange Carriers ("CLEC") to gain access to the Public Switched Telephone Network ("PSTN") and third-party 911 networks to provide connectivity to the Public Service Answering Points ("PSAP"), (2) leased facilities from long haul and local carriers, or (3) a combination thereof. Toll services will be provided via **tw telecom's** underlying long distance carrier. **tw telecom** only plans to provide telecommunications services to business and enterprise customers. **tw telecom** will comply with all applicable Commission rules, regulations and standards, and will provide safe, reliable and high quality telecommunications services in Pennsylvania. Applicant will offer services using traditional and Internet protocols to provide voice and data services that interact seamlessly with the traditional public switched network. Applicant will continuously monitor and maintain a high level of control over its network on a 24-hours-a-day, 7-days-a-week basis.

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COMPETITIVE LOCAL EXCHANGE CARRIER

CHECK SHEET, (CONT'D.)

PAGE	REVISION		PAGE	REVISION		PAGE	REVISION
93	Original	*	125	Original	*		
94	Original	*	126	Original	*		
95	Original	*	127	Original	*		
96	Original	*	128	Original	*		
97	Original	*	129	Original	*		
98	Original	*	130	Original	*		
100	Original	*	131	Original	*		
101	Original	*	132	Original	*		
102	Original	*	133	Original	*		
103	Original	*	134	Original	*		
104	Original	*	135	Original	*		
105	Original	*	136	Original	*		
106	Original	*	137	Original	*		
107	Original	*	138	Original	*		
108	Original	*	139	Original	*		
109	Original	*	140	Original	*		
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* - Indicates pages included with this filing.

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COMPETITIVE LOCAL EXCHANGE CARRIER

TABLE OF CONTENTS, (CONT'D.)

	<u>Page</u>
SECTION 3 - APPLICATION OF RATES	75
3.1 Introduction	75
3.2 Usage Based on Charges	75
3.3 Rates Based Upon Distance	76
3.4 Maintenance Visit Charges	77
3.5 Restoration of Service	77
3.6 Move and Change of Service	78
3.7 Records Order Change	78
SECTION 4 - SERVICE AREAS	79
4.1 Scope of Service	79
4.2 Calling Areas	79
4.3 Exchange Service Areas	79
SECTION 5 - NETWORK SERVICES	85
5.1 Service Offerings - General	85
5.2 Converged Voice Service	86
SECTION 6 - SUPPLEMENTAL SERVICES	90
6.1 Business Line and Terminal Features	90
6.2 Service and Promotional Trials	100
6.3 Busy Verification, Interrupt and Customer Originated Trace Services	101
6.4 Directory Assistance Service	102
6.5 Local Operator Service	104
6.6 Voice Mail Service	105
6.7 Blocking Service	108
6.8 Listings	110
6.9 Non-Published Service	117
6.10 Non-Listed Service	118
6.11 Information Service Provider NXX Access	120
6.12 Recorded Announcement Service	120
6.13 Hunting	121
6.14 Emergency Reroute Service	123
6.15 Automatic Reroute Service	124
6.16 Individual Telephone Numbers	125
6.17 Digital Trunk and PRI Features	126
6.18 N11 Dialing Service	132
6.19 Toll Prescription	134

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Senior Vice President Regulatory
10475 Park Meadows Drive
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COMPETITIVE LOCAL EXCHANGE CARRIER

TABLE OF CONTENTS, (CONT'D.)

	<u>Page</u>
SECTION 7 - SPECIAL ARRANGEMENTS	138
7.1 Special Construction	138
7.2 Individual Case Basis (ICB) Arrangements	140
7.3 Negotiated Rates and Competitive Discounts	140
7.4 Special Promotions	141

Issued Date: April 22, 2010

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Senior Vice President Regulatory
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COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 5 - NETWORK SERVICES

5.1 Service Offerings - General

5.1.1 Description

- A. The Company undertakes to provide Non-Residential Customers with the following types of network services:

Converged Voice Service

- B. All services offered in this tariff are subject to Nonrecurring and Monthly Recurring Charges.
- C. These services provide a Customer with the ability to connect its terminal equipment, inside wiring, or transmission facilities to the Company's switched network for the origination and reception of telephonic communications, and includes optional features designed to facilitate the use or expand the functionality of communications services. Services may be provided by the use of the Company's own facilities, by resale of services provided by other telephone companies, or by a combination of these methods.
- D. Service is intended for end user applications with local usage not to exceed 200,000 minutes per month. Terms and conditions, rates and charges for applications exceeding 200,000 minutes of local usage per month will be determined on an individual case basis.
- E. To the extent facilities are available, services offered under this tariff are provided by the Company on an On-Net basis. Unless otherwise noted, prices for services offered under this tariff reflect the On-Net price for such services. Where service is provided on an Off-Net basis, additional charges equal to the Company's actual Off-Net cost plus 15% may apply. Off-Net charges will be quoted to the Customer in advance on the Service Order. If during a contract period the Company brings a Customer's service onto the Company network, pricing for the original configuration shall continue to apply for the duration of the contract period.

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Rochelle Jones
Senior Vice President Regulatory
10475 Park Meadows Drive
Littleton, CO 80124

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COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 5 - NETWORK SERVICES**5.2 Converged Voice Service****5.2.1 Description**

tw telecom Converged Voice Service is a flexible bandwidth bundled service consisting of local exchange service with selected features, a Long Distance and/or Toll Free usage allowance and the option of adding Internet Access and/or Virtual Private Network (VPN) service as specified in the Competitive Access Provider tariff, Pa. PUC Telephone Tariff No. 1.

All Converged Voice services include a fully managed integrated access device placed at the Customer premise and can be configured with varying bandwidth capacities:

For services provided via a TDM interface, a Customer may purchase bandwidths of service from 1.5 Mbps up to 6 Mbps in increments of 1.5 Mbps. Bandwidths beyond 6 Mbps will require an ICB.

For services provided via an Ethernet interface, a Customer may purchase bandwidths of service from 2 Mbps to 50 Mbps in increments of 2 Mbps up to 10 Mbps and increments of 5 Mbps up to 50 Mbps. Bandwidths beyond 50 Mbps will require an ICB.

The Customer receives a long distance allowance which may be used for 1+ and/or toll free services, based on the total Converged bandwidth purchased as follows:

Up to and including 2 Mbps – 2,500 Minutes of Use
More than 2 Mbps up to and including 4 Mbps – 5,000 Minutes of Use
More than 4 Mbps – 7,500 Minutes of Use

The Customer must purchase a minimum of 4 and a maximum of 50 voice channels, which may be a combination of business lines, digital trunks, and/or PRI channels. The remaining available bandwidth, including excess bandwidth available when all voice services are not in use, will be dynamically allocated to Internet access and/or VPN services depending on the bundle purchased. Some combinations of voice services may be unavailable due to equipment limitations.

For the Customer who selects line based channels, the Select Feature Package defined in Section 6.1 is available at no additional charge. The Customer is also eligible to purchase the Premium Feature Package as defined in Section 6.1.

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Rochelle Jones
Senior Vice President Regulatory
10475 Park Meadows Drive
Littleton, CO 80124

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SECTION 5 - NETWORK SERVICES

5.2 Converged Voice Service, (Cont'd.)

5.2.1 Description, (Cont'd.)

Three distinct bundles are available:

A. Voice + Internet

Customer designates the number of voice channels to be configured as described above. The remaining available bandwidth, including excess bandwidth available when all voice services are not in use, will be dynamically allocated for Internet access service.

B. Voice + VPN

Customer designates the number of voice channels to be configured as described above. The remaining available bandwidth, including excess bandwidth available when all voice services are not in use, will be dynamically allocated for VPN access service.

C. Voice + VPN + Internet

Customer designates the number of voice channels to be configured as described above. The remaining available bandwidth, including excess bandwidth available when all voice services are not in use, will be dynamically allocated for VPN and Internet access services. Customer must purchase an additional Secure Internet Access (SIA) component at a designated bandwidth capacity. Dynamic allocation of excess bandwidth is limited to the amount Customer designates to the SIA component.

5.2.2 Rates and Charges

A. Application of Rates

To the extent facilities are available, services offered under this tariff are provided by the Company on an On-Net basis. Unless otherwise noted, prices for services offered under this tariff reflect the On-Net price for such services. Where service is provided on an Off-Net basis, additional charges equal to the Company's actual Off-Net cost plus 15% may apply. Off-Net charges will be quoted to the Customer in advance on the Service Order.

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Rochelle Jones
Senior Vice President Regulatory
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SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.12 Recorded Announcement Service

Recorded Announcement Service consists of facilities whereby telephone users may, by calling a particular central office designation and number, obtain recorded messages. Recorded Announcement Service, including the content of the recorded message, is furnished at the provider's option. Messages may be withdrawn at any time.

Charges Applicable to Calling Parties

6.12.1 Rates and Charges

A. All LATAs

Each Completed Local Recorded Announcement Call - \$0.80

COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.13 Hunting

6.13.1 Series Completion Hunting (Regular and Circular)

This feature allows individual Directory Numbers (DN) to "series complete" to another DN when the original DN is busy. The Customer provides a list of the lines which will have this feature and the order in which they will hunt. Only 10 stations will be allowed in a series completion. The last DN can point to the first DN in the list to provide circular hunting.

A. Regular Series Completion

Any of the numbers in the series can be called. If the called number is busy, the switch will hunt to the next in line. The hunting will always stop at the last number in the group.

B. Circular Series Completion

Any number in the series can be called. If the called number is busy, the switch will hunt to the next in line. The hunting will stop when the number preceding the called number is reached.

6.13.2 Rates and Charges

A. All LATAs

<u>Service</u>	<u>Monthly Recurring Charge</u>	<u>Nonrecurring Charge</u>
Series Completion Hunting - Circular	\$0.00	\$0.00
Series Completion Hunting - Regular	\$0.00	\$0.00

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Rochelle Jones
Senior Vice President Regulatory
10475 Park Meadows Drive
Littleton, CO 80124

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SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.13 Hunting, (Cont'd.)

6.13.3 Multi-Line Hunting

There are three types of Multi-Line Hunting (MLHG) available: Regular, Circular, and Universal Call Distribution (UCD).

- A. Regular: Hunting starts with the dialed DN and ends with last member of the hunt group.
- B. Circular: Hunting starts with the dialed DN and ends with the terminal prior to the called DN.
- C. Universal Call Distribution: When the main MLHG is called, the calls are distributed to the most idle member of the hunt group. If a terminal DN is dialed, circular hunting is used.

1. All LATAs

<u>Service</u>	<u>Monthly Recurring Charge</u>	<u>Nonrecurring Charge</u>
Multi-Line Hunting - Circular	\$0.00	\$0.00
Multi-Line Hunting - Regular	\$0.00	\$0.00
Multi-Line Hunting - Universal Call Distribution	\$0.00	\$0.00

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Rochelle Jones
Senior Vice President Regulatory
10475 Park Meadows Drive
Littleton, CO 80124

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SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.14 Emergency Reroute Service

6.14.1 Description of Service

Emergency Reroute Service allows a Customer to request the temporary forwarding of a telephone number to an alternate location number designated by the Customer. Emergency Reroute Service is for situations where the Customer requires incoming calls to be rerouted immediately, and on a temporary basis. Emergency Reroute Service is available on a limited basis for line and trunk products.

The Customer may forward up to three numbers per request. Request to forward additional numbers will be addressed on an individual case basis. An emergency reroute will remain in place for no more than 30 days from the date initiated.

The Customer is responsible for all measured or message usage or toll charges incurred in the rerouting of calls.

The Company is entitled to rely upon instructions given by telephone from a person representing himself or herself to be an authorized representative of the Customer without further verification so long as the Company has no reason to believe that such person lacks proper authority.

The Company's liability with respect to a claim or suit by a Customer, or any third party, for damages associated with Emergency Reroute Service, including, but not limited to the installation, provision, performance or non-performance of Emergency Reroute Service, shall not exceed an amount equal to the proportionate charge for Emergency Reroute Service, shall not exceed an amount equal to the proportionate charge for Emergency Reroute Service for the period during which the service was affected.

6.14.2 Rates and Charges

	<u>Per Reroute Occurrence/Per Telephone Number</u>
Nonrecurring Charge:	\$250.00

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Senior Vice President Regulatory
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SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.15 Automatic Reroute Service

Automatic Reroute Service automatically reroutes incoming calls associated with a specific trunk group to a predetermined alternate telephone number when the primary location experiences an out-of-service condition such as a result of a power outage or a wire cut that isolates the primary location from the Company. Automatic Reroute Service is available for trunk products.

The Customer may establish call paths in multiples of six (6) call paths. The number of call paths determines how many simultaneous calls will be rerouted. The number of call paths selected may not exceed the number of trunks and/or channels associated with the trunk group and should be sized correctly based on the trunks and/or channels of the terminating location. Features may not work in conjunction with this service, such as Calling Name and Number Delivery.

The Customer is responsible for all measured or message usage or toll charges incurred in the rerouting of calls.

The Company's liability with respect to a claim or suit by a Customer, or any third party, for damages associated with Automatic Reroute Service, including but not limited to the installation, provision performance or non-performance of Automatic Reroute Service, shall not exceed an amount equal to the proportionate charge for Automatic Reroute Service for the period during which the service was affected.

6.15.1 Rates and Charges

	Per Trunk Group	
	Nonrecurring <u>Charges</u>	Monthly Recurring <u>Charges</u>
6 Call Paths	\$100.00	\$10.00
12 Call Paths	\$100.00	\$20.00
18 Call Paths	\$100.00	\$30.00
24 Call Paths	\$100.00	\$40.00

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Senior Vice President Regulatory
10475 Park Meadows Drive
Littleton, CO 80124

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SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.16 Individual Telephone Numbers

6.16.1. Description of Service

Customers may purchase individual telephone numbers for use with Inward and Two-Way Trunks. The first telephone number per trunk group is provided at no charge.

The Company will consider requests for large quantities of numbers on an individual case basis.

6.16.2. Rates and Charges

All LATAs

Current Rate

	<u>Monthly Recurring Charge</u>	<u>Nonrecurring Charge</u>
Per Number	\$0.15	\$0.35

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Senior Vice President Regulatory
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SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.17 Digital Trunk and PRI Features

The following features may be used with the Company's stand-alone product and integrated products with Digital Trunk and PRI. Features are available as equipment and facilities permit.

6.17.1 Calling Number Delivery

This feature allows the Customer to receive the calling party's number on its station equipment. The Customer is responsible for providing the CPE required for this feature.

	<u>Monthly Recurring Charges</u>	<u>Nonrecurring Charges</u>
With Digital Trunk Service as part of an integrated product	Not Available	Not Available
With PRI Service as part of an integrated product	\$0.00	\$0.00

6.17.2 Calling Name and Number Delivery

Requires suitably equipped ISDN switching and terminal equipment and allows the network to pass Calling Name information (along with the calling line identification) between multiple groups within a PRI Serving Arrangement.

	<u>Monthly Recurring Charges</u>	<u>Nonrecurring Charges</u>
With Digital Trunk Service as part of an integrated product	Not Available	Not Available
With PRI Service as part of an integrated product	\$50.00	\$0.00

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SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.17 Digital Trunk and PRI Features, (Cont'd.)

6.17.3 Calling Name and Number Transmission

This feature allows the Customer to send the calling name and number to the called party's station equipment. The Customer can restrict transmission through the use of Caller ID Blocking Service as described in Section 6.1.2.F.

Blocked Calling Number information will be delivered to certain qualifying Customers as described in FCC Memorandum Opinion and Order, CC Docket No. 91-281, adopted January 4, 2002. Such Customers must certify to the Company their compliance with the waiver order's eligibility requirements.

	<u>Monthly Recurring Charges</u>	<u>Nonrecurring Charges</u>
With Digital Trunk Service as part of an integrated product	\$0.00	\$0.00
With PRI Service as part of an integrated product	\$0.00	\$0.00

6.17.4 E911 CPN Management

This feature allows a Customer to send its calling number to the E911 dispatcher or PSAP during an emergency call.

	<u>Monthly Recurring Charges</u>	<u>Nonrecurring Charges</u>
With Digital Trunk Service	Not Available	Not Available
With PRI Service as part of an integrated product	ICB	ICB

6.17.5 CARE CPN Management

Using this feature, the Company will transmit the Customer's billing telephone number to the Customer's long distance provider. Requests to transmit individual number or CPN information will be handled on an individual case basis.

	<u>Monthly Recurring Charges</u>	<u>Nonrecurring Charges</u>
With Digital Trunk Service	Not Available	Not Available
With PRI Service as part of an integrated product	ICB	ICB

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SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.17 Digital Trunk and PRI Features, (Cont'd.)

6.17.6 Additional Trunk Groups

This feature allows the Customer to separate a facility into two or more trunk groups.

	<u>Monthly Recurring Charges</u>	<u>Nonrecurring Charges</u>
With Digital Trunk Service as part of an integrated product		
Up to 3 trunk groups	\$0.00	\$0.00
More than 3 trunk groups, per trunk group	\$50.00	\$50.00
With PRI Service as part of an integrated product		
Up to 3 trunk groups	\$0.00	\$0.00
More than 3 trunk groups, per trunk group	\$50.00	\$50.00

6.17.7 Call by Call

This feature allows the Customer to set inbound and outbound call thresholds on two-way PRIs so as to prevent call blockage in either direction

	<u>Monthly Recurring Charges</u>	<u>Nonrecurring Charges</u>
With Digital Trunk Service	Not Available	Not Available
With PRI Service as part of an integrated product	\$0.00	\$0.00

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SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.17 Digital Trunk and PRI Features, (Cont'd.)

6.17.8 Two-B Channel Transfer (TBCT)

This feature, applicable to two-way PRI service, allows the Customer to receive a call on one B channel and transfer it to an external number using a second B channel. Upon transfer, both B channels are released.

	<u>Monthly Recurring Charges</u>	<u>Nonrecurring Charges</u>
With Digital Trunk Service	Not Available	Not Available
With PRI Service as part of an integrated product	ICB	ICB

6.17.9 Call Transfer on Trunks

This feature is available with two-way trunk service. It allows the Customer to receive a call on one trunk and transfer it to an external number using a second trunk. Upon transfer, both trunks release. This service may not be used for more than 20% of the Customer's traffic.

	<u>Monthly Recurring Charges</u>	<u>Nonrecurring Charges</u>
With Digital Trunk Service, as part of an integrated service	ICB	ICB
With PRI Service	Not Available	Not Available

6.17.10 Blocking Service - See Section 6.7 for details.

6.17.11 Dialed Number Identification Service (DNIS)

ISDN PRI feature that delivers dialed number, including 8xx numbers, to Customer's PBX or other equipment.

	<u>Monthly Recurring Charges</u>	<u>Nonrecurring Charges</u>
With Digital Trunk Service	Not Available	Not Available
With PRI Service Per Trunk	\$5.00	\$0.00

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COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.17 Digital Trunk and PRI Features, (Cont'd.)

6.17.12 Additional Route Index

	<u>Monthly Recurring Charges</u>	<u>Nonrecurring Charges</u>
With Digital Trunk Service, as part of an integrated product		
Up to 3 route indexes per trunk group	\$0.00	\$0.00
More than 3 route indexes per trunk group, per route index	\$50.00	\$50.00
With PRI Service, as part of an integrated product		
Up to 3 route indexes per trunk group	\$0.00	\$0.00
More than 3 route indexes per trunk group, per route index	\$50.00	\$50.00

6.17.13 Redirecting Number on PRI

	<u>Monthly Recurring Charge</u>	<u>Nonrecurring Charges</u>
With Digital Trunk Service, as part of an integrated product		
Up to 3 route indexes per trunk group	\$0.00	\$0.00
More than 3 route indexes per trunk group, per route index	\$50.00	\$0.00
With PRI Service, as part of an integrated product		
Up to 3 route indexes per trunk group	\$0.00	\$0.00
More than 3 route indexes per trunk group, per route index	\$50.00	\$0.00

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Rochelle Jones
Senior Vice President Regulatory
10475 Park Meadows Drive
Littleton, CO 80124

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 COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.17 Digital Trunk and PRI Features, (Cont'd.)

6.17.14 Redirected Dialed Number Identification Service (RDNIS)

Allows the call record of a Customer who has redirected (i.e., forwarded) an incoming call to an alternate location to carry not only the originating calling number information, but also the calling number identification of the telephone number from which the call was forwarded.

Requires ISDN compatible equipment provided by the Customer.

	<u>Monthly Recurring Charge</u>	<u>Nonrecurring Charges</u>
With PRI Service, where technically feasible, per T1	\$50.00	\$0.00

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PA11000a

COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.18 N11 Dialing Service

N11 Dialing Service is a three-digit local dialing arrangement (excluding 411 and 911) available *in specified service areas for the delivery of information and referral services via voice grade facilities as required by state and federal regulators.*

The local calling area for the rate center of the N11 service subscriber will be the same as the Company's local calling area for that rate center. N11 Dialing Service will be provided as equipment and facilities permit. N11 service is limited to use by agencies approved by applicable federal and/or state regulators.

N11 Dialing Service is delivered via regular exchange access lines, e.g., individual business lines, trunks, etc. Service is furnished subject to the availability of the N11 number.

Access to N11 Dialing Service is not available to the following services:

- 1+ Toll Services
- 101XXXX
- Credit Card
- Third-Party Billed
- Collect Calls
- Inmate Service

Operator assisted calls to the N11 subscriber will not be completed.

The N11 subscriber may not directly or indirectly sell or transfer the N11 number to an unaffiliated entity.

Only one seven or 10-digit local number or one 10-digit toll free number may be used as the lead number per basic local calling area.

All requests for N11 Dialing Service must be submitted in writing to the Commission.

COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.18 N11 Dialing Service, (Cont'd.)

The N11 subscriber shall respond promptly to any and all complaints lodged with any regulatory authority against any service provided via the N11 number. If requested by Company, the N11 subscriber shall assist the Company in responding to complaints made to the Company concerning the subscriber's N11 service.

Though the use of these services is free of charge, Customers who subscribe to measured or message-rated service will incur standard local usage charges when accessing N11 Dialing Services.

In no event shall the Company be liable for any losses, damages or claims of any kind arising from the provision of N11 Dialing Service or any Customer's use of such service.

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Rochelle Jones
Senior Vice President Regulatory
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PA11000a

COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)**6.19 Toll Presubscription**

6.19.1 Toll Presubscription is a procedure whereby a Customer designates to the Telephone Company the IntraLATA and InterLATA Toll Providers, i.e., Interexchange Carriers (IXCs) which the customer wishes to be the carriers of choice for toll calls. Such calls are automatically directed to the designated carrier(s) without the need to use carrier access codes or additional dialing to direct the calls to the designated carrier. Toll presubscription does not prevent a customer, who has presubscribed to a toll carrier, from using carrier access codes or additional dialing to direct calls to an alternative toll carrier on a per call basis.

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

An IXC must use Feature Group D (FGD) Switched Access Service to qualify as a presubscription toll provider unless prior arrangements have been made with or by the Telephone Company. IXCs must submit an Access Service Request (ASR) to the Telephone Company.

Selection of toll presubscription provider by an end user is subject to the terms and conditions following.

6.19.2. At the option of the IXCs, the nonrecurring charge for a change in toll presubscription, as provided herein, may be billed to the IXCs, instead of the end user. This may involve charges resulting from end-user initial free choice Preferred Interexchange Carrier (PIC), as specified in 6.19.3.A following.

COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.19 Toll Presubscription, (Cont'd.)

6.19.3. Presubscription Charge Application

1. End user choices for toll presubscription:
 - Designating an intraLATA and interLATA IXC(s) as primary carrier(s) thereby requiring no access code to access those IXCs' service. End users are not required to choose the same IXC for intraLATA and interLATA toll presubscription. Other nonpresubscribed IXCs are accessed by dialing 10XXX, 101XXXX, or other required codes.
 - Choosing no carrier as a primary carrier thus requiring 10XXX or 101XXXX code dialing to access all IXCs.
2. If a new customer cannot decide upon presubscription IXCs, the Telephone Company may extend a 30-day period following completion of the initial service request to make a choice without charge. In the interim, the customer will be assigned as a 'No-PIC' and must dial an access code to make toll calls.
3. If an IXC elects to discontinue Feature Group, the IXC is obligated to contact, in writing, all end users who have selected the canceling IXC as their preferred toll provider. The IXC must inform the end users that it is canceling its Feature Group D Service, request that the end user select a new IXC, and state that the canceling IXC will pay the PIC change charge as provided herein. The IXC must provide written notification to the Telephone Company that this activity has taken place.

Following the IXC's discontinuance of service, the Telephone Company will bill the canceling IXC the change charge for each end user that is currently designated to the IXC at the time of discontinuance.

4. An unauthorized PIC change is a change in the presubscribed IXC that the end user denies authorizing. PIC disputes for end users are resolved through an investigative process.

If an unauthorized change in toll presubscription occurs, the IXC making the unauthorized change will be assessed a charge for unauthorized change in presubscription as provided at the end of this section. In addition, the IXC will be assessed the applicable charge for returning the end user to the preferred IXC.

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Senior Vice President Regulatory
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PA11000a

COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.19 Toll Presubscription, (Cont'd.)

6.19.4. End User Charge Discrepancy

A. When a discrepancy is determined regarding an end user's designation of a presubscription IXC, the following applies depending upon the situation described:

- A signed letter of authorization takes precedence over any 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/time determines customer choice.
- If an end user denies requesting a change in toll presubscription as submitted by an IXC, and the IXC is unable to produce a letter of authorization, signed by the end user, the IXC will be assessed all applicable change charges. The nonrecurring change charges are provided herein. The IXC will also be assessed the presubscription change charge as specified herein, which was previously billed to the end user.

B. Verification of Orders for Telemarketing

Neither the IXC or the Telephone Company shall submit a PIC change order generated by outbound telemarketing unless and until the order has first been confirmed in accordance with the F.C.C.'s current anti-slamming practices and procedures.

619.5. PIC Switchback Option-Business/Residence

PIC Switchback is an option under which no investigation activities are performed by the Telephone Company when an end user denies requesting a change in primary toll carrier submitted by the IXCs. The IXC participating in PIC Switchback will be billed the PIC Switchback Charge, and the presubscription change charge, as specified herein, to switch the end user to the end user's previous carrier.

COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 6 - SUPPLEMENTAL SERVICES, (CONT'D.)

6.19 Toll Presubscription, (Cont'd.)

6.19.5. PIC Switchback Option-Business/Residence, (Cont'd.)

When the Telephone Company is contacted by an end user who denies requesting a change in primary toll carrier, the end user will be credited the charge assessed for the disputed change in carrier, and will be switched back to the previous IXC at no charge. If this service is made available by the Telephone Company, IXCs may subscribe to or cancel PIC Switchback Service on 30 days notice to the Telephone Company by submitting a written request. A letter of authorization from the IXC will not be requested or accepted at a later date in the event of dispute of the charges assessed under the PIC Switchback option.

This option in no way relieves an IXC of the F.C.C. requirements for verifying all PIC orders obtained by outbound telemarketing prior to submitting those orders, or instituting steps to obtain verification of orders submitted to the Telephone Company.

In addition, the end user has the option of initiating a complaint to the F.C.C. or the Pennsylvania Public Utility Commission's Bureau of Consumer Services concerning unauthorized changes in toll presubscription.

6.19.6 Rates and Charges

	<u>Per Line Nonrecurring Charge</u>
Each Carrier Change (per line), assessed to Customer or IXC	\$5.00
Unauthorized Business Change (per line), assessed to IXC	\$35.65

COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 7 - SPECIAL ARRANGEMENTS**7.1 Special Construction****7.1.1 Basis for Charges**

Where the Company furnishes a facility or service for which a rate or charge is not specified in the Company's tariffs, charges will be based on the costs incurred by the Company (including return) and may include:

- A. nonrecurring charges;
- B. recurring charges; and
- C. termination liabilities; or
- D. combinations of A., B., and C.

7.1.2 Basis for Cost Computation

The costs referred to in 7.1.1 preceding may include one or more of the following items to the extent they are applicable:

- A. Costs to install the facilities to be provided including estimated costs for the rearrangements of existing facilities. These costs include:
 - 1. equipment and materials provided or used;
 - 2. engineering, labor, and supervision;
 - 3. transportation; and
 - 4. rights of way and/or any required easements.
- B. Cost of maintenance.
- C. Depreciation on the estimated cost installed of any facilities provided, based on the anticipated useful service life of the facilities with an appropriate allowance for the estimated net salvage.
- D. Administration, taxes, and uncollectible revenue on the basis of reasonable average cost for these items.
- E. License preparation, processing, and related fees.
- F. Tariff preparation, processing and related fees.
- G. Any other identifiable costs related to the facilities provided; or
- H. An amount for return and contingencies.

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Senior Vice President Regulatory
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PA11000a

COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 7 - SPECIAL ARRANGEMENTS, (CONT'D.)**7.1 Special Construction, (Cont'd.)****7.1.3 Termination Liability**

To the extent that there is no other requirement for use by the Company, a termination liability may apply for facilities specially constructed at the request of a Customer.

- A. The period on which the termination liability is based is the estimated service life of the facilities provided.
- B. The amount of the maximum termination liability is equal to the estimated amounts (including return) for:
 - 1. Costs to install the facilities to be provided including estimated costs for the rearrangements of existing facilities. These costs include:
 - a. equipment and materials provided or used;
 - b. engineering, labor, and supervision;
 - c. transportation; and
 - d. rights of way and/or any required easements;
 - 2. license preparation, processing, and related fees;
 - 3. tariff preparation, processing and related fees;
 - 4. cost of removal and restoration, where appropriate; and
 - 5. any other identifiable costs related to the specially constructed or rearranged facilities.
- C. The termination liability method for calculating the unpaid balance of a term obligation is obtained by multiplying the sum of the amounts determined as set forth in Section B preceding by a factor related to the unexpired period of liability and the discount rate for return and contingencies. The amount determined in Section B preceding shall be adjusted to reflect the redetermined estimated net salvage, including any reuse of the facilities provided. This amount shall be adjusted to reflect applicable taxes.

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PA11000a

COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 7 - SPECIAL ARRANGEMENTS, (CONT'D.)**7.2 Individual Case Basis (ICB) Arrangements**

Arrangements will be developed on a case-by-case basis in response to a bona fide special request from a Customer or prospective Customer to develop a competitive bid for a service not generally available under this tariff. ICB rates will be offered to the Customer in writing and on a non-discriminatory basis. Contracts resulting from a special request will be submitted for approval and filed with the Commission, if the rules and regulations of the Commission do require such filings and approval.

Upon notice to the Customer, the Company may change rates offered pursuant to special arrangement or individual case basis pricing if the provision of service at such rate(s) becomes economically infeasible.

7.3 Negotiated Rates and Competitive Discounts

Customized service packages at Negotiated Rates or Competitive Discounts may be furnished on a case-by-case basis in response to request by Customers of the Company for proposals or for competitive bids. All rates will be offered to the Customer in writing and on a non-discriminatory basis. Contracts resulting from a special request will be submitted for approval and filed with the Commission, if the rules and regulations of the Commission require such filings and approval. Service offered under this Tariff provision will be provided to Customers pursuant to contract.

Competitive Discounts are available to Customer purchasing services with a contract period of 24 months or greater. Competitive Discounts shall not exceed 30%.

Unless otherwise specified, the regulations for such arrangements are in addition to the applicable regulations and prices in other sections of this Tariff. Specialized rates or charges will be made available to similarly-situated Customers on a nondiscriminatory basis. The Company will consider the following factors when establishing special pricing arrangements: (1) the LATA in which the Customer is located; (2) the horizontal and vertical distance from the central office to the Customer's premises; (3) the availability and location of the network facilities; (4) the type of service; (5) the price of the service; (6) the number of lines (circuits) being used; and (7) the length of the contract terms.

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Rochelle Jones
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COMPETITIVE LOCAL EXCHANGE CARRIER

SECTION 7 - SPECIAL ARRANGEMENTS, (CONT'D.)

7.4 Special Promotions

The Company may from time to time engage in special promotional trial service offerings of limited duration (not to exceed ninety days on a per Customer basis for non-optional, recurring charges) designed to attract new Customers or to increase Customer awareness of a particular tariff offering. Requests for promotional offerings will be presented to the Commission for its review in accordance with rules and regulations established by the Commission.

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