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PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS AT LAW

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FACSIMILE: (573) 636-3306

May 26, 2000

**FILED**

MAY 26 2000

Missouri Public  
Service Commission

The Honorable Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102-0360

Re: Public Communications Services, Inc.

TA - 2000-787

Dear Judge Roberts:

Enclosed for filing in the above-referenced matter, please find the original and eight copies of an Application to provide competitive intrastate telecommunications services in Missouri and the original and five copies of a Tariff set out as Exhibit II.

If you have any questions, please advise. Thank you very much for your attention to this matter.

Sincerely,

NEWMAN, COMLEY & RUTH, P.C.

By:

*Cathleen A. Martin*

Cathleen A. Martin

[martinc@ncrpc.com](mailto:martinc@ncrpc.com)

CAM/slw

Enclosures

cc: Monique Byrnes  
Office of Public Counsel

2000001083

FILED

BEFORE THE

PUBLIC SERVICE COMMISSION OF MISSOURI MAY 26 2000

Missouri Public  
Service Commission

In the Matter of the Application of )  
**Public Communications Services, Inc.** )  
for a Certificate of Authority )  
To Provide Competitive Intrastate )  
Telecommunications Services in )  
Missouri )

Case No. TA-2000-787

### APPLICATION

COMES NOW Public Communications Services, Inc. ("PCS") and requests a Certificate of Service Authority to provide competitive intrastate interexchange telecommunications services between and among locations within the State of Missouri, pursuant to Section 392.440, RSMo 1994<sup>1</sup>. PCS provides the following information:

1. PCS is a corporation organized under the laws of California. Its principal office is located at:

Public Communications Services, Inc.  
11859 Wilshire Boulevard, Suite 600  
Los Angeles, Ca 90025  
Telephone: (310) 473-6222  
Facsimile: (310) 473-3484  
Toll Free: (800) 266-2274

Contact: Joe Pekarovic, Vice President of Sales

A copy of PCS's Articles of Incorporation and Certificate of Authority to transact business in Missouri are attached hereto as Exhibit I and incorporated herein by reference.

---

<sup>1</sup>All statutory references are to Revised Statutes of Missouri 1994, unless otherwise noted.

2. PCS proposes to offer operator assisted long distance voice telecommunications services over resold transmission facilities to aggregator locations and to confinement institutions.

3. PCS's statutory representation in the State of Missouri is:

National Registered Agents, Inc.  
300-B East High Street  
Jefferson City, MO 65101

4. PCS has no plans to install or construct transmission facilities in Missouri. The Company will provide resold long distance telecommunication services. The Company plans to provide service twenty-four (24) hours a day, seven (7) days a week, originating from equal access end offices and terminating throughout the State of Missouri.

Customers of the Company's operator assisted services will be billed on their local exchange carrier bill. Calls are billed monthly by PCS at the rates specified in its tariff. Bills include a toll-free number for inquiries or complaints. The Company has contracted with Integratel to act as its billing clearinghouse.

5. The Company's target market are companies who in their normal course of business are responsible for providing access and directing telephone calls for large numbers of end users. Most significant are the companies of establishments (subscribers) who place outbound calls for their guests, patients, students or other transient patrons. PCS's operator assisted services permit callers to place calls using optional billing methods (i.e. collect, third party, or to a calling/credit card). In addition, this service offers operator assistance for person-to-person calling or for operator dialing assistance. Each Customer is charged individually for each call placed through PCS. Customers are billed based on their use of the PCS's service. Rates for these services are based on call duration and product type.

6. For the provision of inmate services, PCS proposes to provide long distance services on a collect-only basis to inmates of prisons, jails and other confinement institutions. The company installs sophisticated premises equipment within the facility which permits inmates to make outgoing, collect-only calls without the assistance of a live operator.

The Company's system and services allow inmates to remain in contact with family, friends and other associates while still providing facility administrators with the necessary control over inmate communications. Call blocking and screening features provide the correctional facility with the maximum degree of control over telecommunications services and help to minimize fraud. These features are customized for each institution and, at the option of the administration, may include the following restrictions:

- Restricted or no access to live operators;
- Blocking of calls to emergency numbers;
- Blocking of calls to toll free numbers or special billing numbers, such as 1-800, 900, 976, 700, 950-xxxx, 1010xxxx, 10xxx;
- Blocking of calls to specific telephone numbers as deemed necessary by the institution to protect the safety and welfare of the institution and general public;
- Blocking of calls to alternative carriers;
- blocking of calls to numbers for which there is reason to believe call charges cannot be accepted or will not be paid;
- Limitations on call duration (inmates are notified of these limitations in advance); and
- Pre-set hours of availability whereby the institution can enforce telephone curfews (without manual intervention) and the hours during which the system will process calls from a given telephone instrument.

PCS's call processing system provides automated voice prompts to the caller and the called party which give clear instructions on how to place and accept the call. The called party must accept the call with an affirmative response. If such a response is not received, the call is terminated automatically.

7. PCS possesses the managerial and technical expertise to provide resale interexchange telecommunications services.

8. PCS possesses sufficient financial resources to successfully provide resale interexchange telecommunications services in Missouri.

9. PCS's tariff, which contains the rules and regulations applicable to its Customers, a description of the services offered, and a list of rates associated with such services, is being filed simultaneously with this Application. The tariff has a forty-five (45) day effective date.

10. PCS requests classification as a competitive telecommunications company operating within the State of Missouri. PCS further requests classification of services described in PCS's tariff as competitive services.

11. Applicant will not unjustly discriminate among its Customers, which discrimination is prohibited pursuant to Section 392.200.

12. Applicant, pursuant to Section 386.570, will comply with all applicable Commission rules except those which are specifically waived by the Commission pursuant to a request filed by the Applicant.

13. Correspondence or communications pertaining to this application should be addressed to:

Cathleen Martin  
Attorney at Law  
Newman, Comley & Ruth PC  
601 Monroe Street, Suite 301  
Jefferson City 65102  
Telephone: (573) 634-2266  
Facsimile: (573) 636-3306

AND

Monique Byrnes  
Technologies Management, Inc.  
210 N. Park Avenue  
Winter Park, Florida 32789  
(407) 740-8575  
(407) 740-0613

14. Applicant also respectfully requests, pursuant to Section 392.420, RSMo (Cum. Supp. 1994), that the Commission suspend, waive or modify the application of the following rules and statutory provisions as they relate to the regulation of the applicant

- |                        |  |
|------------------------|--|
| 4 CSR 240-10.020       | - Depreciation fund income                               |
| 4 CSR 240-30.010(2)(C) | - Posting of exchange rates at central operating offices |
| 4 CSR 240-30.040       | - Uniform system of accounts                             |
| 4 CSR 240-32.030(4)(C) | - Exchange area maps                                     |
| 4 CSR 240-32.050(3)    |  |
| through (6)            | - Information concerning local service tariffs, maps     |
|                        | directories, and telephone numbers                       |
| 4 CSR 240-33.030       | - Minimum charge rules                                   |
|                        |  |
| Section 392.210.2      | - System of Accounts                                     |
| Section 392.240(1)     | - Rates--reasonable average return on investment         |
| Section 392.270        | - Property valuation                                     |
| Section 392.280        | - Depreciation rates                                     |
| Section 392.290        | - Issuance of securities                                 |
| Section 392.300.2      | - Stock ownership and sale                               |
| Section 392.310        | - Issuance of stocks and bonds                           |
| Section 392.320        | - Stock dividends  |
| Section 392.330        | - Issuance of securities, debt and notes                 |
| Section 392.340        | - Reorganization   |

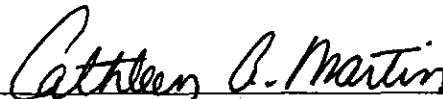
The above-referenced rules and statutory provisions have been waived with regard to other interexchange carriers in prior cases. These rules or statutory provisions are principally designed to apply to noncompetitive telecommunications carriers. It would be inconsistent with the goal and purpose of Section 392.530 to apply them to a competitive telecommunications carrier such as the Applicant.

15. Approval of this application will serve the public interest by offering consumers throughout the State of Missouri a meaningful quality service option. Approval of this application will also benefit consumers by creating greater competition in the interexchange marketplace which will inspire innovation and development of services that meet customer needs cost effectively.

WHEREFORE, Applicant Public Communications Services, Inc. respectfully requests the Commission to grant it a Certificate of Authority to provide competitive intrastate interexchange telecommunications service within the State of Missouri; an order classifying it as a competitive telecommunications company providing competitive service; an order suspending, waiving, or modifying the above-referenced rules and statutory provisions as they relate to the regulation of the Applicant in the State of Missouri; and for such further orders as the Commission deems appropriate.

Dated: May 26, 2000

Respectfully submitted,  
ATTORNEY FOR APPLICANT  
Public Communications Services, Inc.



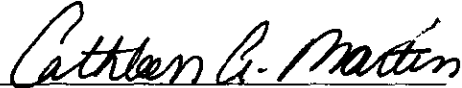
Cathleen A. Martin Mo. Bar No. 45682  
Attorney at Law  
Newman, Comley & Ruth PC  
601 Monroe Street, Suite 301  
P.O. Box 537  
Jefferson City 65102-0537

Telephone: (573) 634-2266  
Facsimile: (573) 636-3306

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered or mailed, postage prepaid, this 26<sup>th</sup> day of May 2000, to:

Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, Missouri 65102



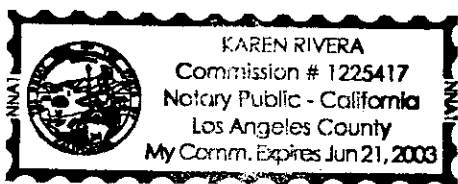
Cathleen A. Martin Mo. Bar No. 45682  
Attorney at Law  
Newman, Comley & Ruth PC  
601 Monroe Street, Suite 301  
P.O. Box 537  
Jefferson City 65102

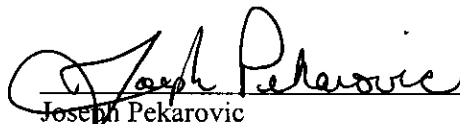
Telephone: (573) 634-2266  
Facsimile: (573) 636-3306



VERIFICATION

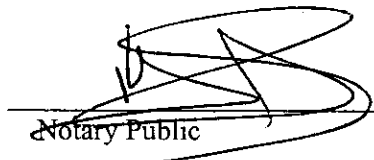
I, Joseph Pekarovic, first being duly sworn upon oath depose and say I am Vice President of Sales for Public Communications Services, Inc., a California corporation; that I have read the above and foregoing petition by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except as to those matters stated upon information and belief, and as to those, I believe same to be true.



  
Joseph Pekarovic  
Vice President of Sales  
Public Communications Services, Inc.

Subscribed and sworn to before me

this 3 day of May, 2000

  
Notary Public

APPLICATION OF  
Public Communications Services, Inc.

**EXHIBIT I**

Articles of Incorporation and  
Certificate of Authority to Transact Business in Missouri

# State of California

## SECRETARY OF STATE

### CERTIFICATE OF STATUS DOMESTIC CORPORATION

I, **BILL JONES**, Secretary of State of the State of California, hereby certify:

That on the 27th day of January, 19 97,

PUBLIC COMMUNICATIONS SERVICES, INC.

became incorporated under the laws of the State of California by filing its Articles of Incorporation in this office; and

That no record exists in this office of a certificate of dissolution of said corporation nor of a court order declaring dissolution thereof, nor of a merger or consolidation which terminated its existence; and

That said corporation's corporate powers, rights and privileges are not suspended on the records of this office; and

That according to the records of this office, the said corporation is authorized to exercise all its corporate powers, rights and privileges and is in good legal standing in the State of California; and

That no information is available in this office on the financial condition, business activity or practices of this corporation.

IN WITNESS WHEREOF, I execute this  
certificate and affix the Great Seal of  
the State of California this day of

September 3, 1998



*Bill Jones*

Secretary of State

1999932

ENDORSED  
FILED

In the office of the Secretary of State  
of the State of California

JAN 27 1997

ARTICLES OF INCORPORATION

OF

PUBLIC COMMUNICATION SERVICES, INC.

*Bill Jones*  
BILL JONES, Secretary of State

1.

The name of this corporation is Public Communication Services, Inc.

2.

The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business, or the practice of a profession permitted to be incorporated by the California Corporation Code.

3.

The name and address in the State of California of this Corporation's initial agent for service of process is: Daniel R. Barbakow, 11661 San Vicente Boulevard, Suite 1010, Los Angeles, California 90049.

4.

This corporation is authorized to issue only one class of shares of stock; the total number of shares which this corporation is authorized to issue is 10,000.

Dated: January 22, 1997

*Daniel R. Barbakow*  
DANIEL R. BARBAKOW

I hereby declare that I am the person who executed the foregoing Articles of Incorporation which execution is my act and deed.

*Daniel R. Barbakow*  
DANIEL R. BARBAKOW

No. F00481776

# STATE OF MISSOURI



**Rebecca McDowell Cook**  
**Secretary of State**

## CORPORATION DIVISION - CERTIFICATE OF AUTHORITY

WHEREAS,  
PUBLIC COMMUNICATIONS SERVICES, INC.

using in Missouri the name  
PUBLIC COMMUNICATIONS SERVICES, INC.

has complied with the General and Business Corporation Law which governs Foreign Corporations; by filing in the office of the Secretary of State of Missouri authenticated evidence of its incorporation and good standing under the Laws of the State of CALIFORNIA.

NOW, THEREFORE, I, REBECCA McDOWELL COOK, Secretary of State of the State of Missouri, do hereby certify that said corporation is from this date duly authorized to transact business in this State, and is entitled to all rights and privileges granted to Foreign Corporations under the General and Business Corporation Law of Missouri.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 28th day of MARCH, 2000.

*Rebecca McDowell Cook*  
Secretary of State

\$155.00





## State of Missouri

Rebecca McDowell Cook, Secretary of State

Corporations Division  
P.O. Box 778, Jefferson City, MO 65102James C. Kirkpatrick State Information Center  
600 W. Main Street, Rm 322, Jefferson City, MO 65101FILED  
AND CERTIFICATE OF  
AUTHORITY ISSUEDApplication for Certificate of Authority  
For a Foreign For-Profit Corporation

(Submit in duplicate with filing fee of \$155.00)

MAR 28 2000

1. The corporation's name is Public Communications Services, Inc.  
and it is organized and existing under the laws of California
2. The name it will use in Missouri is Public Communications Services, Inc.
3. The date of its incorporation was January 27, 1997, and the period of its duration is Perpetual  
month/day/year
4. The address of its principal place of business 11859 Wilshire Blvd, Ste 600, Los Angeles, CA 90025  
Address City/State/Zip
5. The name and address of its registered agent and office in the State of Missouri is  
National Registered Agents, Inc., 300-B East High St., Jefferson City, MO 65101  
Name Address City/State/Zip
6. The specific purpose(s) of its business in Missouri are:  
Long distance telecommunications services.
7. The name of its officers and directors and their business addresses are as follows:  
(Officers) Name Address City/State/Zip  
President Joseph Fryzer, 11859 Wilshire Blvd, Ste 600, Los Angeles, CA 90025  
Vice President Paul Jennings, 11859 Wilshire Blvd, Ste 600, Los Angeles, CA 90025  
Secretary Paul Jennings, 11859 Wilshire Blvd, Ste 600, Los Angeles, CA 90025  
Treasurer Paul Jennings, 11859 Wilshire Blvd, Ste 600, Los Angeles, CA 90025  
(Board of Directors)  
Chairperson: \_\_\_\_\_  
Director Joseph Fryzer  
Director Paul Jennings  
Director \_\_\_\_\_
8. The effective date of this document is the date it is filed by the Secretary of State of Missouri, unless you indicate a future date, as follows:  
(Date may not be more than 90 days after the filing date in this office)

In affirmation thereof, the facts stated above are true.

Joseph Fryzer, President

(Printed Name)

(Title)

March 24, 2000

(Date)

Note: You must submit current original certificate of good standing or certificate of existence with this application. This may be obtained from your Secretary of State or other authority that issues corporate charters.

APPLICATION OF  
Public Communications Services, Inc.

**EXHIBIT II**

Tariff

Title Sheet

MISSOURI INTEREXCHANGE TELECOMMUNICATIONS TARIFF  
OF  
**Public Communications Services, Inc.**

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for interexchange telecommunications services provided by Public Communications Services, Inc. ("PCS") within the State of Missouri. PCS operates as a competitive telecommunications company within the State of Missouri.

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ISSUED: May 26, 2000

EFFECTIVE: July 10, 2000

BY: Joseph Pekarovic, Vice President - Sales  
Public Communications Services, Inc.  
11859 Wilshire Boulevard, Suite 600  
Los Angeles, California 90025

mon0000



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**SYMBOLS**

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

- C** Changed regulation
- D** Delete or discontinue
- I** Change Resulting in an increase to a Customer's bill
- M** Moved from another tariff location
- N** New
- R** Change resulting in a reduction to a Customer's bill
- T** Change in text or regulation

---

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**TARIFF FORMAT**

**A. Sheet Numbering** - Sheet numbers appear in the upper right corner of the sheet. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.

**B. Sheet Revision Numbers** - Revision numbers also appear in the upper right corner of each sheet. These numbers are used to determine the most current sheet version on file with the PSCM. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. The most current sheet number, approved by the Commission, is the tariff sheet in effect.

**C. Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

- 2.
- 2.1.
- 2.1.1.
- 2.1.1.A.
- 2.1.1.A.1.
- 2.1.1.A.1.(a).
- 2.1.1.A.1.(a).I.
- 2.1.1.A.1.(a).I.(i).
- 2.1.1.A.1.(a).I.(i).(1).

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Public Communications Services, Inc.  
11859 Wilshire Boulevard, Suite 600  
Los Angeles, California 90025

mon0000

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**STATEMENT OF COMPETITIVE CARRIER STATUS**

Public Communications Services, Inc. is classified as a competitive telecommunications company in the State of Missouri for which the following statutory and regulatory requirements are waived.

|                                    |  |
|------------------------------------|--|
| 4 CSR 240-10.020                   | - Depreciation fund income   |
| 4 CSR 240-30.010(2)(C)             | - Posting of exchange rates at<br>central operating offices                                |
| 4 CSR 240-30.040                   | - Uniform system of accounts   |
| 4 CSR 240-32.030(4)(C)             | - Exchange area maps   |
| 4 CSR 240-32.050(3)<br>through (6) | - Information concerning local service tariffs,<br>maps, directories and telephone numbers |
| 4 CSR 240-33.030                   | - Minimum charge rule  |
| Section 392.210.2                  | - System of Accounts   |
| Section 392.240(1)                 | - Rates--reasonable average return on investment   |
| Section 392.270                    | - Property valuation   |
| Section 392.280                    | - Depreciation rates   |
| Section 392.290                    | - Issuance of securities   |
| Section 392.300.2                  | - Stock ownership and sale   |
| Section 392.310                    | - Issuance of stocks and bonds   |
| Section 392.320                    | - Stock dividends  |
| Section 392.330                    | - Issuance of securities, debt and notes   |
| Section 392.340                    | - Reorganization   |

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Public Communications Services, Inc.  
11859 Wilshire Boulevard, Suite 600  
Los Angeles, California 90025

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## SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

**Account** - The Customer who has agreed, verbally or by signature, to honor the terms of service established by the Company. An account may have more than one access code billed to the same Customer address.

**Aggregator** - A person, firm, corporation, or other legal entity which contracts with the Company for installation of the Company's services. Aggregators make available the Company's services for use by guests, patrons, visitors or other transient third parties at the Aggregator's location. The Aggregator is also responsible for compliance with the terms and conditions of this tariff.

**Authorization Code** - A pre-defined series of numbers to be dialed by the Customer or End User upon access to the Company's system to notify the caller and validate the caller's authorization to use the services provided. The Customer is responsible for charges incurred through the use of his or her assigned Authorization Code.

**Authorized User** - A person, firm or corporation, or any other entity authorized by the Customer or Subscriber to communicate utilizing the Company's services.

**Calling Card** - A billing arrangement whereby the originating caller may bill the charges for a call to an approved LEC-issued calling card. The terms and conditions of the local exchange carrier apply to payment arrangements.

**Carrier or Company** - Public Communications Services, Inc. , unless otherwise indicated by the context.

**Collect Billing** - A billing arrangement whereby the originating caller may bill the charges for a call to the called party, provided the called party agrees to accept the charges.

**Commercial Credit Card** - A billing arrangement whereby the originating caller may bill the charges for a call to an approved commercial credit card. The terms and conditions of the credit card company apply to payment arrangements.

**Commission** - Refers to the Missouri Public Service Commission.

---

ISSUED: May 26, 2000

EFFECTIVE: July 10, 2000

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, CONT'D.**

**Company's Point of Presence** - Location of the serving central office associated with access to the Company's network.

**Customer** - The person, firm, corporation or other entity which orders, cancels, amends or uses service and is responsible for payment of charges and compliance with the Company's tariff.

**Customer Dialed Calling Card Call** - A service whereby the End User dials all of the digits necessary to route and bill the call to a calling card.

**End User** - Any person, firm, corporation, partnership or other entity which uses the services of the Company under the provisions and regulations of this tariff. The End User is responsible for payment unless the charges for the services utilized are accepted and paid by another Customer.

**Equal Access** - A form of dialed access provided by local exchange companies whereby interexchange calls dialed by the Customer are automatically routed to the Company's network. Presubscribed Customers may also route interexchange calls to the Company's network by dialing an access code supplied by the Company.

**LATA** - Local Access and Transport Area.

**LEC** - Local Exchange Company.

**NECA** - National Exchange Carriers Association.

---

ISSUED: May 26, 2000

EFFECTIVE: July 10, 2000

BY: Joseph Pekarovic, Vice President - Sales  
Public Communications Services, Inc.  
11859 Wilshire Boulevard, Suite 600  
Los Angeles, California 90025

mon0000

---

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, CONT'D.**

**Operator Dialed Surcharge** - A charge applying to calls made when the user dials "00" only or any valid company operator access code and requests that the operator dial the destination number.

**Operator Station Call** - A service whereby the caller places a non-Person to Person call with the assistance of an operator (live or automated).

**PCS**- Refers to Public Communications Services, Inc.

**Person to Person Call** - A service whereby the person originating the call specifies a particular person to be reached, or a particular station, room number, department or office to be reached through a PBX attendant.

**Personal Identification Number (PIN)** - See Authorization Code.

**Subscriber** - The person, firm, corporation, or other legal entity which arranges for services of the Company on behalf of third party Customers or Authorized Users. The Subscriber is responsible for compliance with the terms and conditions of this tariff. A Subscriber is also a Customer under the terms of the tariff.

**Switched Access Origination/Termination** - Where originating or terminating access between the Customer and the interexchange carrier is provided on local exchange company Feature Group circuits. The cost of switched Feature Group access is billed to the interexchange carrier.

**Terminal Equipment** - Devices, apparatus, and associated wiring, such as teleprinters, telephones, or data sets.

**Third Party Billing** - A billing arrangement by which the charges for a call may be billed to a telephone number that is different from the calling number and the called number.

**V & H Coordinates** - Geographic points which define the originating and terminating points of a call in mathematical terms so that the airline mileage of the call may be determined. Call mileage is used for the purpose of rating calls.

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## SECTION 2 - RULES AND REGULATIONS

### 2.1 Undertaking of Public Communications Services, Inc.

PCS's services and facilities are furnished for communications originating at specified points within the State of Missouri under terms of this tariff.

PCS installs, operates, and maintains the communications services provided hereunder in accordance with the terms and conditions set forth under this tariff. PCS may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities, when authorized by the Customer, to allow connection of a Customer's location to the PCS network. The Customer shall be responsible for all charges due for such service arrangement.

The Company's services and facilities are available twenty-four (24) hours per day, seven days (7) per week.

### 2.2 Limitations

- 2.2.1 Service is offered subject to the availability of the necessary facilities and equipment, or both facilities and equipment, and subject to the provisions of this tariff.
- 2.2.2 PCS reserves the right to discontinue or limit service when necessitated by conditions beyond its control, or when the Customer is using service in violation of provisions of this tariff, or in violation of the law.
- 2.2.3 The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.

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**SECTION 2 - RULES AND REGULATIONS, CONT'D.**

**2.2 Limitations, Cont'd.**

- 2.2.4** All facilities provided under this tariff are directly or indirectly controlled by PCS and the Customer may not transfer or assign the use of service or facilities without the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.
- 2.2.5** Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions of service.
- 2.2.6** PCS reserves the right to discontinue the offering of service or deny an application for service if a change in regulation materially and negatively impacts the financial viability of the service in the best business judgment of the Company.

**2.3 Use**

Services provided under this tariff may be used for any lawful purpose for which the service is technically suited.

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**SECTION 2 - RULES AND REGULATIONS, CONT'D.**

**2.4 Liabilities of the Company**

- 2.4.1** PCS's liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in transmission which occur in the course of furnishing service or facilities, in no event shall exceed an amount equivalent to the proportionate charge to the Customer for the period during which the faults in transmission occur.
- 2.4.2** 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 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 direct control.
- 2.4.3** The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer 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 content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer; 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 directly caused by negligence of the Company.
- 2.4.4** The Company shall not be liable for any defacement of or damages to the premises of a Customer resulting from the furnishing of service which is not the direct result of the Company's negligence.

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**SECTION 2 - RULES AND REGULATIONS, CONT'D.**

**2.5 Deposits**

The Company does not collect deposits from its Customers.

**2.6 Advance Payments**

The Company does not collect advance payments from its Customers.

**2.7 Taxes**

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates for services paid for in arrears. All charges other than taxes or franchise fees will be submitted to the Commission.

**2.8 Miscellaneous Rates and Charges**

The Company may adjust its rates and charges or impose additional rates and charges on its Customers in order to recover amounts it is required by governmental or quasi-governmental authorities to collect from or pay to others in support of statutory or regulatory programs. Examples of such programs include, but are not limited to, the Universal Service Fund, the Primary Interexchange Carrier Charge, and compensation to payphone service providers for the use of their payphones to access the Company's service. The Company will submit these changes to the Missouri Public Service Commission for prior approval.

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**SECTION 2 - RULES AND REGULATIONS, CONT'D.****2.9 Interconnection**

Service furnished by PCS may be connected with the services or facilities of other carriers. Such service or facilities, if used, are provided under the terms, rates and conditions of the other carrier. The Customer is responsible for all charges billed by other carriers for use in connection with PCS's service. Any special interface equipment or facilities necessary to achieve compatibility between carriers is the responsibility of the Customer.

**2.10 Terminal Equipment**

The Company's facilities and service may be used with or terminated in Customer-provided terminal equipment or Customer-provided communications systems, such as a telephone set, PBX or key system. Such terminal equipment shall be furnished and maintained at the expense of the Customer, except as otherwise provided. The Customer is responsible for all costs at his or her premises, including personnel, wiring, electrical power, and the like, incurred in the use of the Company's service. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry as endorsed by the Federal Communications Commission.

**2.11 Installation and Termination**

Service is installed upon mutual agreement between the Customer and the Company. The service agreement does not alter rates specified in this tariff.

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**SECTION 2 - RULES AND REGULATIONS, CONT'D.****2.12 Payment for Service**

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer for transmission of calls via the Company. This includes payment for calls or services originated at the Customer's number(s); the originating location of the call; incurred at the specific request of the Customer. The Customer agrees to pay to the Company any cost(s) incurred as a result of any delegation of authority resulting in the use of his or her communications equipment and/oPCS services which result in the placement of calls via the Company. The Customer agrees to pay the Company or its authorized agent any and all cost(s) incurred as a result of the use of the service arrangement, including calls which the Customer did not individually authorize.

All charges due by the Customer are payable to the Company or any agency duly authorized to receive such payments within 30 days of bill issuance. The billing agency may be the Company, a local exchange telephone company, or other billing service. Terms of payment shall be according to the rules and regulations of the agency and subject to the rules of regulatory agencies having jurisdiction. Any objections to billed charges must be promptly reported to the Company or its billing agent. Adjustments to Customers' bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate.

**2.13 Cancellation by Customer**

Customers may cancel service verbally or in writing at any time. The Company shall hold the Customer responsible for payment of all charges, including fixed fees, which accrue up to the cancellation date. Charges may be avoided by dialing another carrier's access code. In the event the Customer executes a term commitment agreement with the Company, the Customer must cancel service and terminate the agreement in accordance with the agreement terms.

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**SECTION 2 - RULES AND REGULATIONS, CONT'D.**

**2.14 Refusal or Discontinuance by Company**

**2.14.1** PCS may refuse or discontinue service under the following conditions provided that, unless otherwise stated, the Customer shall be given fifteen (15) days notice to comply with any rule or remedy any deficiency:

- A.** For failure of the Customer to pay a bill for service when it is due, provided that suspension or termination of service shall not be made without five (5) days written notice to the Customer, except in cases where a Customer engages in fraud.
- B.** For failure of the Customer to meet the Company's deposit and credit requirements as described in Section 2.5 of this tariff.
- C.** For failure of the Customer to make proper application for service.
- D.** For Customer's violation of any of the Company's rules on file with the Commission, provided five (5) days' written notice is given before termination.
- E.** For failure of the Customer to provide the Company reasonable access to its equipment and property.
- F.** For Customer's breach of the contract for service between the Company and the Customer.
- G.** For a failure of the Customer to furnish such service, equipment, and/or rights-of-way necessary to serve said Customer as shall have been specified by the Company as a condition of obtaining service.

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**SECTION 2 - RULES AND REGULATIONS, CONT'D.**

**2.14 Refusal or Discontinuance by Company, Cont'd.**

**2.14.1** PCS may refuse or discontinue service under the following conditions provided that, unless otherwise stated, the Customer shall be given fifteen (15) days notice to comply with any rule or remedy any deficiency: Cont'd.

- H.** When necessary for the Company to comply with any order or request of any governmental authority having jurisdiction.
- I.** With proper notice when the Available Account Balance of a non-renewable account is depleted to a level insufficient to place a one-minute call to the location of least cost.

**2.14.2** PCS may refuse or discontinue service without notice to the Customer for any of the following reasons:

- A.** In the event of tampering with the Company's equipment.
- B.** In the event of a condition determined to be hazardous to the Customer, to other Customers of the Company, to the Company's equipment, the public, or to employees of the Company.
- C.** In the event of a Customer's use of equipment in such a manner as to adversely affect the Company's equipment or the Company's service to others.
- D.** In the event of fraudulent use of the service.

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**SECTION 2 - RULES AND REGULATIONS, CONT'D.****2.15 Interruption of Service**

Credit allowances for interruptions of service which are not due to the Company's testing or adjusting, to the negligence of the Customer, or to the failure of channels, equipment or communications systems provided by the Customer, are subject to the general liability provisions set forth in Section 2.4 herein. It shall be the obligation of the Customer to notify Company immediately of any interruption in service for which a credit allowance is desired by Customer. Before giving such notice, Customer shall ascertain that the trouble is not within his or her control, or is not in wiring or equipment, if any, furnished by Customer and connected to Company's terminal. Interruptions caused by Customer-provided or Company-provided automatic dialing equipment are not deemed an interruption of service as defined herein since the Customer has the option of using the long distance network via local exchange company access.

**2.16 Inspection, Testing and Adjustment**

Upon reasonable notice, the facilities provided by the Company shall be made available to the Company for tests and adjustments as may be deemed necessary by the Company for maintenance. No interruption allowance will be granted for the time during which such tests and adjustments are made.

**2.17 Tests, Pilots, Promotional Campaigns and Contests**

See Section 5 of this Tariff.

**2.18 Cost of Collection and Repair**

The Customer is responsible for any and all costs incurred in the collection of monies due the Company, including legal and accounting expenses. Customer is also responsible for recovery costs of Company-provided equipment and any expenses required for repair or replacement of damaged equipment.

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**SECTION 2 - RULES AND REGULATIONS, CONT'D.**

**2.19 Late Payment Charge**

A late fee of 1.5% per month will be charged on any past due balance. The late payment fee is not applicable to residential accounts. Payment required is within thirty (30) days subsequent to the invoice date and is considered past due after the thirty day period.

**2.20 Return Check Charge**

The Company reserves the right to assess a return check charge of \$20.00 whenever a check or draft presented for payment of service is not accepted by the institution on which it is written. This charge applies each time a check is returned to the Company by a bank for insufficient funds.

**2.21 [Reserved for future use]**

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**SECTION 2 - RULES AND REGULATIONS, CONT'D.**

**2.22 Operator Services for Casual Callers and Traffic Aggregators**

Company services are available to Customers for a fee as described in the Rates section of this tariff. The following rules apply to operator assisted calls:

**2.22.1 Incomplete Calls**

The Company will not bill for incomplete calls where answer supervision is available. The Company will not bill for incomplete calls and will remove any charges for incomplete calls upon (i) Subscriber notification or (ii) Company's knowledge.

**2.22.2 Carrier Identification**

The caller and billed party, if different from the caller, will be advised that the Company is the operator service provider at the initial contact.

**2.22.3 Rate Information**

Rate quotes will be given upon request, at no charge, including all rate components and any additional charges.

**2.22.4 Tariffed Rates**

Only tariffed rates approved by this Commission for the Company shall appear on any local exchange telephone company (LEC) billings.

**2.22.5 LEC Billing**

The Company shall be listed on the LEC billing if the LEC has multi-company billing ability.

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**SECTION 2 - RULES AND REGULATIONS, CONT'D.**

**2.22 Operator Services for Casual Callers and Traffic Aggregators, Cont'd.**

**2.22.6 Calling Card/Travel Card Verification**

The Company will employ reasonable calling card verification procedures, acceptable to the telephone companies issuing the calling card. In order to control fraud, PCS may refuse to accept calling cards which it determines to be invalid or cards which it is unable to verify.

**2.22.7 Emergency Calls**

The Company will route all 0- or 00- emergency calls in the quickest possible manner to the appropriate local emergency service provider, at no charge.

**2.22.8 Transfer of Calls**

Upon request, the Company will transfer calls to another authorized interexchange carriers or to the LEC, if billing can list the caller's actual origination point.

**2.22.9 Non-Blocking of other carriers**

The Company will refuse operator services to traffic aggregators that block access to other companies.

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**SECTION 2 - RULES AND REGULATIONS, CONT'D.**

**2.22 Operator Services for Casual Callers and Traffic Aggregators, Cont'd.**

**2.22.10 Notice**

The Company will assure that traffic aggregators will post and display information including: (1) that Company is the operator service provider; (2) detailed complaint procedures; and (3) instructions informing the caller on procedures to reach the LEC operator and other authorized interexchange companies.

**2.23 Other Rules**

The Company may temporarily suspend service without notice to the Customer, by blocking traffic to certain cities or NXX exchanges, or by blocking calls using certain Personal Identification Numbers when the Company deems it necessary to take such action to prevent unlawful use of its service. The Company will restore service as soon as service can be provided without undue risk.

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### SECTION 3 -DESCRIPTION OF SERVICE

#### 3.1 General

PCS provides operator assisted services and operator assisted calling services for communications originating and terminating within the State of Missouri. The Company's services are available twenty-four hours per day, seven days a week. Unless otherwise specified in this Price List, intrastate service is offered in conjunction with interstate service.

In addition, the Company offers automated operator assisted collect-only calling services for use by inmates of prisons, jails or other Confinement Institutions. Inmate access to the Company's services may be restricted by the administration of the Institution served.

Customers are charged individually for each call placed through the Company's network. Charges may vary by service offering, mileage band, class of call, time of day, day of week and/or call duration. Customers are billed based on their use of the Company's services and network for communications originating and terminating within the State of Missouri under terms of this tariff.

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**SECTION 3 - DESCRIPTION OF SERVICE, CONT'D.****3.2 Calculation of Distance**

Usage charges for all mileage sensitive products are based on the airline distance between serving wire centers associated with the originating and terminating points of the call.

The serving wire centers of a call are determined by the area codes and exchanges of the origination and destination points.

The distance between the Wire Center of the Customer's equipment and that of the destination point is calculated by using the "V" and "H" coordinates found in BellCore's V&H Tape and NECA FCC Tariff No. 4.

- Step 1 Obtain the "V" and "H" coordinates for the Wire Centers serving the Customer and the destination point.
- Step 2 Obtain the difference between the "V" coordinates of each of the Wire Centers. Obtain the Difference between the "H" coordinates.
- Step 3 Square the differences obtained in Step 2.
- Step 4 Add the squares of the "V" difference and "H" difference obtained in Step 3.
- Step 5 Divide the sum of the square obtained in Step 4 by ten (10). Round to the next higher whole number if any fraction results from the division.
- Step 6 Obtain the square root of the whole number obtained in Step 5. Round to the next higher whole number if any fraction is obtained. This is the distance between the Wire Centers.

Formula:

$$\sqrt{\frac{(V_1 - V_2)^2 + (H_1 - H_2)^2}{10}}$$

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**SECTION 3 - DESCRIPTION OF SERVICE, CONT'D.**

**3.3 Timing of Calls**

Billing for calls placed over the network is based in part on the duration of the call.

- 3.3.1** Timing for all calls begins when the called party answers the call (i.e. when two way communications are established.) Answer detection is based on standard industry answer detection methods, including hardware and software answer detection.
- 3.3.2** Chargeable time for all calls ends when one of the parties disconnects from the call.
- 3.3.3** Minimum call duration and additional increments for billing are specified in the description of each service.
- 3.3.4** There is no billing applied for incomplete calls.

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**SECTION 3 - DESCRIPTION OF SERVICE, CONT'D.****3.4 Rate Periods**

Unless otherwise specified in this tariff, the following rate periods apply to all services subject to time of day discounts:

|                            | MON                       | TUES | WED | THUR | FRI | SAT | SUN |
|----------------------------|---------------------------|------|-----|------|-----|-----|-----|
| 8:00 AM<br>TO<br>5:00 PM*  | DAYTIME RATE PERIOD       |      |     |      |     | EVE |     |
| 5:00 PM<br>TO<br>11:00 PM* | EVENING RATE PERIOD       |      |     |      |     |     |     |
| 11:00 PM<br>TO<br>8:00 AM* | NIGHT/WEEKEND RATE PERIOD |      |     |      |     |     |     |

\* Up to, but not including.

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**SECTION 3 - DESCRIPTION OF SERVICE, CONT'D.****3.5 Miscellaneous Rates and Charges****3.5.1 Public Telephone Surcharge**

In order to recover the Company's expenses to comply with the FCC's pay telephone compensation plan effective on October 7, 1997 (FCC 97-371), an undiscountable per call charge is applicable to all interstate, intrastate and international calls that originate from any domestic pay telephone used to access the Company's services. This surcharge, which is in addition to standard tariffed usage charges and any applicable service charges and surcharges associated with the Company's service, applies for the use of the instrument used to access The Company service and is unrelated to the Company service accessed from the pay telephone.

Pay telephones include coin-operated and coinless phones owned by local telephone companies, independent companies and other interexchange carriers. The Public Pay Telephone Surcharge applies to the initial completed call and any reoriginated call (i.e., using the "#" symbol).

Whenever possible, the Public Pay Telephone Surcharge will appear on the same invoice containing the usage charges for the surcharged call. In cases where proper pay telephone coding digits are not transmitted to the Company prior to completion of a call, the Public Pay Telephone Surcharge may be billed on a subsequent invoice after the Company has obtained information from a carrier that the originating station is an eligible pay telephone.

The Public Pay Telephone Surcharge does not apply to calls placed from pay telephones at which the Customer pays for service by inserting coins during the progress of the call.

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**SECTION 3 - DESCRIPTION OF SERVICE, CONT'D.****3.6 Operator Assisted Calling**

PCS's Operator Assisted Calling is available for use by transient end users from Aggregator locations. Calls are billed in one minute increments, with additional per call charges reflecting the level of operator assistance and billing method. Operator service charges are not discounted for time of day.

The Company offers many operator service rate plans depending upon the needs of a particular Aggregator location. The types of calls handled are as follows:

- 3.6.1** Customer Dialed Calling/Credit Card Call - This charge applies in addition to long distance usage charges for station to station calls billed to an authorized Calling Card or Commercial Credit Card. The Customer must dial the destination telephone number where the capability exists for the Customer to do so. A separate rate applies in the event operator assistance is requested for entering the Customer's card number for billing purposes.
- 3.6.2** Operator Dialed Calling/Credit Card Call - This charge applies in addition to long distance usage charges for station to station calls billed to an authorized telephone Calling Card or Commercial Credit Card and the operator dials the destination telephone number at the request of the Customer.
- 3.6.3** Operator Station - These charges apply in addition to long distance usage charges for non-Person-to-Person calls placed using the assistance of a Company operator and billed Collect, to a Third Party, by deposit of coins in Pay Telephones, or via some method other than a Calling Card or Commercial Credit Card.
- 3.6.4** Person-to-Person - This charge applies in addition to long distance usage charges for calls placed with the assistance of a Company operator to a particular party at the destination number. This charge applies regardless of billing method, including but not limited to billing to a Calling Card, Commercial Credit Card, Collect, by deposit of coins in Pay Telephones, or to a Third Party. Charges do not apply unless the specified party or an acceptable substitute is available.

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**SECTION 3 - DESCRIPTION OF SERVICE, CONT'D.****3.7 Institutional Operator Services**

Institutional operator assisted service allows Inmates to place Collect Calls through an automated call processing system. The call processing system prompts the Inmate and the called party such that the call is completed without live operator assistance. Calls are placed on a collect-only basis to the called party.

A number of special blocking and screening capabilities are available with institutional operator services provided by PCS. These capabilities allow Institutions to control Inmate access to telecommunications services, reduce fraudulent use of the Company's services, and eliminate harassing calls to persons outside the Institution.

For services provided to Inmates of Institutions, the following special conditions apply:

- a. Calls to "900", "976" or other pay-per-call services are blocked by PCS.
- b. At the request of the Institution, PCS may block inmate access to toll-free numbers (e.g., 800, 888) and dialing sequences used to access other carriers or operator service providers (e.g., 950-XXXX, 10XXXX).
- c. At the request of the Institution, PCS may block Inmate access to "911", "411", or local operators reached through "0-" dialing.
- d. At the request of the Institution, PCS may block Inmate access to specific telephone numbers.
- e. Availability of PCS's services may be restricted by the Institution to certain hours and/or days of the week.

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**SECTION 3 - DESCRIPTION OF SERVICE, CONT'D.**

**3.7 Institutional Operator Services, Cont'd.**

- f. At the request of the Institution, no notices or signage concerning the Company's services will be posted with its instruments. Information concerning PCS's services is provided to the administration of each Institution where the Company's services are offered. Inmates may obtain information regarding rates and charges by requesting such information from the Institution's administration.
- g. At the request of the Institution, PCS may impose time limits on local and long distance calls placed using its services.
- h. At the request of the Institution, equipment may be provided which permits monitoring of inmate calls by legally authorized government officials.

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**SECTION 4 - RATES**

**4.1 Miscellaneous Rates and Charges**

**4.1.1 Public Telephone Surcharge**

Rate per Call: \$0.30

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SECTION 4 - RATES, CONT'D.

## 4.2 Operator Assisted Calling

## A. IntraLATA

## Usage Rates

| Miles | Day            |               | Evening        |               | Night/Weekend  |               |
|-------|----------------|---------------|----------------|---------------|----------------|---------------|
|       | Initial Minute | Add'l. Minute | Initial Minute | Add'l. Minute | Initial Minute | Add'l. Minute |
| All   | \$0.4000       | \$0.4000      | \$0.4000       | \$0.4000      | \$0.4000       | \$0.4000      |

## Per Call Service Charges

|                    | <u>Automated</u> | <u>Operator Assisted</u> |
|--------------------|------------------|--------------------------|
| Calling Card       |                  |                          |
| LEC Card           | \$1.75           | \$3.95                   |
| Credit Card        | \$1.75           | \$3.95                   |
| Collect            | \$2.95           | \$4.50                   |
| Third Party Billed | \$2.95           | \$4.50                   |
| Person-to-Person   | \$6.75           | \$6.75                   |

ISSUED: May 26, 2000

EFFECTIVE: July 10, 2000

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SECTION 4 - RATES, CONT'D.

## 4.2 Operator Assisted Calling, Cont'd.

## B. InterLATA

## Usage Rates

| Miles | Day            |               | Evening        |               | Night/Weekend  |               |
|-------|----------------|---------------|----------------|---------------|----------------|---------------|
|       | Initial Minute | Add'l. Minute | Initial Minute | Add'l. Minute | Initial Minute | Add'l. Minute |
| All   | \$0.5000       | \$0.5000      | \$0.5000       | \$0.5000      | \$0.5000       | \$0.5000      |

## Per Call Service Charges

|                    | <u>Automated</u> | <u>Operator Assisted</u> |
|--------------------|------------------|--------------------------|
| Calling Card       |                  |                          |
| LEC Card           | \$1.75           | \$3.95                   |
| Credit Card        | \$1.75           | \$3.95                   |
| Collect            | \$2.95           | \$4.50                   |
| Third Party Billed | \$2.95           | \$4.50                   |
| Person-to-Person   | \$6.75           | \$6.75                   |

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**SECTION 4 - RATES, CONT'D.****4.3 Institutional Operator Assisted Calling****4.3.1 Local Rates and Charges**

The following rates and charges apply to local calls placed by inmates of confinement institutions. Service is billed in one minute increments following an initial one minute increment.

**Usage Charges:**

| MILEAGE | DAY     |           | EVENING |           | NIGHT   |           |
|---------|---------|-----------|---------|-----------|---------|-----------|
|         | 1st Min | Add'l Min | 1st Min | Add'l Min | 1st Min | Add'l Min |
| ALL     | \$0.065 | \$0.065   | \$0.065 | \$0.065   | \$0.065 | \$0.065   |

**Per Call Surcharge:** \$0.40

**4.3.2 IntraLATA Rates and Charges**

The following rates and charges apply to intraLATA calls placed by inmates of confinement institutions. Service is billed in one minute increments following an initial one minute increment.

**Usage Charges:**

| MILEAGE | DAY     |           | EVENING |           | NIGHT   |           |
|---------|---------|-----------|---------|-----------|---------|-----------|
|         | 1st Min | Add'l Min | 1st Min | Add'l Min | 1st Min | Add'l Min |
| ALL     | \$0.195 | \$0.195   | \$0.195 | \$0.195   | \$0.195 | \$0.195   |

**Per Call Surcharge:** \$0.40

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**SECTION 4 - RATES, CONT'D.****4.3 Institutional Operator Assisted Calling, Cont'd.****4.3.3 InterLATA/ Intrastate Rates and Charges**

The following rates and charges apply to InterLATA/Intrastate calls placed by inmates of confinement institutions. Service is billed in one minute increments following an initial one minute increment.

**Usage Charges:**

| MILEAGE | DAY      |           | EVENING  |           | NIGHT    |           |
|---------|----------|-----------|----------|-----------|----------|-----------|
|         | 1st Min  | Add'l Min | 1st Min  | Add'l Min | 1st Min  | Add'l Min |
| ALL     | \$ 0.195 | \$ 0.195  | \$ 0.195 | \$ 0.195  | \$ 0.195 | \$ 0.195  |

**Per Call Surcharge:** \$0.65

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**SECTION 5 - PROMOTIONS**

**5.1 General**

From time to time, Company may, upon Commission approval offer specific rate incentives during specified promotional periods. Company will provide written notice to the Commission at least seven days prior to the commencement of a promotional program specifying the terms of the promotion, the specific service offered, the location, and the beginning and ending dates of the promotional period.

**5.2 Demonstration of Service**

From time to time the Company may demonstrate service for potential Customers by providing free use of its network on a limited basis for a period of time, not to exceed one (1) month. Demonstration of service and the type and duration of service provided will be at the Company's discretion.

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