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Issued by: Julie Y. Patterson, Secretary
TIME WARNER CABLE INFORMATION SERVICES (MISSOURI), LLC
290 Harbor Drive
Stamford, CT 06902

5. **LOCAL MARKET TRIAL.** This Tariff, filed with the Missouri Public Service Commission, contains the descriptions applicable to the proposed furnishing of services and facilities for packaged local and interexchange digital phone services (“Digital Phone Services”) within the State of Missouri by Time Warner Cable Information Systems (Missouri), LLC (herein, the “Company”).

5.1 **General.**

- 5.1.1 **Purpose.** A market trial is intended to enable the Company to test its ability to provide Digital Phone Services by the Company which may eventually be made available as an optional feature to residential customers subscribing to the Company’s high-speed cable modem data service and/or CPST or Digital Cable video television service. As a part of a market trial, the Company may need to test the capabilities of systems required by a proposed service, including, but not limited to, systems needed to establish, provision, operate, bill and/or collect for service, whether such systems are provided solely by the Company or in combination with systems provided by other carriers or vendors. A market trial is not an offer to provide service to the general public. This market trial will end on September 9, 2004.
- 5.1.2 **Eligibility.** A maximum of 500 targeted participants may subscribe to services offered as part of a local market trial.
- 5.1.3 **Availability.** Services subject to a local market trial are only available in exchanges where the Company has appropriate facilities in place.
- 5.1.4 **Services.** Residential services offered as part of a local market trial will include, but not be limited to, exchange services, interexchange access, nonrecurring charges, custom features (*e.g.*, custom calling, call control options, Caller ID, etc.), directory listings, operator services (*e.g.*, directory assistance, station collect, etc.) and E911.

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- 5.1.5 **Rates.** Residential services offered as part of a local market trial will be competitively priced with comparable services offered by the incumbent local exchange company.

These rates may or may not reflect what the Company will actually be charging customers at the close of the market trial.

Various charges (*e.g.*, service order charges, installation charges, etc.) may be waived during the course of a market trial.

- 5.1.6 **Payments.** Billing and collection will be in accordance with all applicable Commission rules for services rendered as part of the local market trial.

- 5.1.7 **Liability of the Company.** The Company's liability, if any, for its willful misconduct is not limited by this Tariff. With respect to any other claim or suit, by a customer or by others, for damages associated with the installation, provision, termination, maintenance, repair or restoration of a service, the Company's liability, if any, shall not exceed an amount equal to the proportionate charge for the service for the period during which the service was affected.

The Company is not liable for any act or omission of any other communications provider which furnishes a portion of a service.

The Company shall be indemnified, defended and held harmless against any claims, actions, damages, losses, liabilities, costs and expenses, including reasonable attorneys' fees, arising from the use of services offered under this Tariff.

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