

AMERICOM TECHNOLOGIES, INC.  
D/B/A NETWORK UTILIZATION SERVICES

P.S.C. MO Tariff No. 1  
Original Sheet 1

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INTEREXCHANGE TELECOMMUNICATIONS TARIFF

NOV 20 1995

OF

AMERICOM TECHNOLOGIES, INC.  
d/b/a NETWORK UTILIZATION SERVICES

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Public Service Commission

This tariff contains the descriptions, regulations and rates applicable to the provision of interexchange telecommunications, by Americom Technologies, Inc. d/b/a Network Utilization Services within the State of Missouri. This tariff is on file with the Public Service Commission of Missouri and copies may be inspected, during normal business hours, at the Company's principal place of business.

Americom Technologies, Inc. d/b/a Network Utilization Services operates as a competitive telecommunications company within the State of Missouri as defined by Case No. TO-88-142.

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Effective Date: ~~November 22, 1995~~

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**TARIFF FORMAT**

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

**B. Sheet Revision Numbers** - Revision numbers also appear in the upper right corner of each page. 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. Because of various suspension periods, deferrals, etc. the PSCM follows in its tariff approval process, the most current sheet number on file with the Commission is not always the tariff page 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)

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**SYMBOLS**

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

- C - Changed regulation.
- D - Delete or discontinue.
- I - Increase in a rate.
- M - Moved from another tariff location.
- N - New.
- R - Reduction in a rate.
- T - Change in text but no change in rate or regulation.

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STATEMENT OF COMPETITIVE CARRIER STATUS

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Americom Technologies, Inc. operates as a competitive carrier in the state of Missouri. The following statutes and rules have been waived for the company:

Commission Rules

- 4 CSR 240-10.020 - depreciation of fund income
- 4 CSR 240-30.010(2)(C) - posting of exchange rates at central operating offices
- 4 CSR 240-30.040(1) - uniform system of accounts
- 4 CSR 240-30.040(2) - uniform system of accounts
- 4 CSR 240-30.040(3) - uniform system of accounts
- 4 CSR 240-30.040(5) - uniform system of accounts
- 4 CSR 240-30.040(6) - uniform system of accounts
- 4 CSR 240-32.030(1)(B)(C) - exchange boundary maps
- 4 CSR 240-32.030(2) - in-state record keeping
- 4 CSR 240-32.050(3) - local office record keeping
- 4 CSR 240-32.050(4) - telephone directories
- 4 CSR 240-32.050(5) - call intercept
- 4 CSR 240-32.050(6) - telephone number changes
- 4 CSR 250-32.070(4) - coin telephones
- 4 CSR 240-33.030 - information regarding lowest price available
- 4 CSR 240-33.040(5) - financing fees

Statutes

- Section 392.240(1) - Rates - reasonable average return on investment
- Section 392.270 - property valuation
- Section 393.280 - depreciation rates
- Section 392.290 - issuance of securities
- Section 392.310 - issuance of stock and bonds
- Section 392.320 - Stock dividends
- Section 392.330 - issuance of securities, debt and notes
- Section 392.340 - reorganization

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SECTION 1 - DEFINITIONS

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**Authorized User** - A person, firm, corporation or other entity who is authorized by the Subscriber to be connected to the service of the Subscriber under the terms and regulations of this tariff.

**Carrier** - Used throughout this tariff to refer to Americom Technologies, Inc. d/b/a Network Utilization Services unless otherwise clearly indicated by the context.

**Company** - Used throughout this tariff to refer to Americom Technologies, Inc. d/b/a Network Utilization Services unless otherwise clearly indicated by the context.

**Customer** - Any person, firm, partnership, corporation, or other entity which uses telecommunications services under the provisions and regulations of this tariff and is responsible for payment of charges. The Customer is also a Subscriber when the Customer orders services on behalf of him/herself.

**End User** - Any person, firm, corporation, partnership or other entity which uses the services of the Carrier 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.

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SECTION 1 - DEFINITIONS, con't.

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**Network Utilization Services** - Refers to Americom Technologies, Inc. d/b/a Network Utilization Services.

**PSC MO** - Public Service Commission of Missouri

**Serving Wire Center** - A specified geographic point from which the vertical and horizontal coordinate is used in calculation of airline mileage.

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SECTION 2 - REGULATIONS

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2.1 Undertaking of the Company

Network Utilization Services's services and facilities are furnished for communications originating within the United States under terms of this tariff. The Company's services and facilities are available twenty-four (24) hours per day, seven (7) days per week.

Network Utilization Services arranges for installation, operation, and maintenance of the communications services provided in this tariff for Customers in accordance with the terms and conditions set forth under this tariff.

2.2 Limitations

- 2.2.1 Service is offered subject to the availability of the necessary facilities and equipment, and is subject to the provisions of this tariff.
- 2.2.2 Network Utilization Services 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 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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2.2 Limitations, (cont'd.)

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2.2.4 The Company reserves the right to discontinue service, limit service, or to impose requirements on Customers or Subscribers as required to meet changing regulatory or statutory rules and standards, or when such rules and standards have an adverse material affect on the business or economic feasibility of providing service, as determined by Network Utilization Services in its reasonable judgment.

2.3 Assignment or Transfer

Customers 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.

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.

2.4 Use

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

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2.5 Liabilities of the Company

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- (A) The liability of the Company for any claim or loss, expense or damage (including indirect, special, or consequential damage) for any interruption, delay, error, omission, or defect in any service, facility or transmission provided under this tariff shall not exceed an amount equivalent to the proportionate charges to the Customer for the period of service or the facility provided during which such interruption, delay, error, omission, or defect occurs.
- (B) The Company shall not be liable for any claim or loss, expense, or damage (including indirect, special, or consequential damage), for any interruption, delay, error, omission, or other 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 any act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.
- (C) The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer and Subscriber against any claim or loss, expense, or damage, (i) for defamation, invasion of privacy, infringement of copyright or patent, unauthorized use of any trademark, trade name, 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 from the material data, information, or content revealed to, transmitted, processed, handled, or used by Company under this tariff, or (ii) for

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2.5 Liabilities of the Company, (cont'd.)

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- (C) (cont'd)  
connecting, combining, or adapting Company's facilities with Customer's or Subscriber's apparatus or systems, or (iii) for any act or omission of the Customer or Subscriber, or (iv) for any personal injury or death of any person, or for any loss of or damage to Subscriber's or Customer's premises or any other property, whether owned by Customer, Subscriber or others, caused directly or indirectly by the installation, maintenance, location, condition, operation, failure or removal of equipment or wiring provided by the Company if not directly caused by negligence of the Company.
- (D) The Company will provide credit on charges disputed by Customer in writing that are verified as incorrect by Company. If objection in writing is not received by Company within a reasonable period of time after bill is rendered (as determined by current law and regulatory policy), the account shall be deemed correct and binding upon the Customer.

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2.6 Taxes, Surcharges and Utility Fees

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All state and local taxes, including but not limited to gross receipts taxes, sales taxes, and municipal utilities taxes, or associated surcharges, are listed as separate line items and are not included in the rates listed in this tariff.

2.7 Payment for Service

2.7.1 The Customer is responsible for payment of all charges for services and equipment furnished to the Customer or to an Authorized User of the Customer by Network Utilization Services. All charges due by the Customer are payable to the Company or to the Company's authorized billing agent. Any objections to billed charges must be reported to the Company or its billing agent within two months after receipt of bill. Adjustments to Customer's bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate.

2.7.2 Customer bills for telephone service are due upon receipt, unless otherwise specified by this tariff or by contract. Unless otherwise prohibited, a one-time late payment charge of five percent (5%) may be applied to amounts unpaid for 31 days.

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2.7 Payment for Service, cont'd.

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2.7.3 In the event that the Company incurs fees or expenses, including attorney's fees, collecting, or attempting to collect, any charges owned to the Company, the Company may charge the Customer all such fees and expenses reasonably incurred.

2.7.4 The Company reserves the right to assess a return-check charge of \$15.00 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 Network Utilization Services by a bank for insufficient funds.

2.7.5 The Customer shall be responsible for all calls placed by or through Customer's equipment by any person, including all charges placed against Travel Card numbers. Customers are responsible for the security and usage of all Travel Card numbers. The Customer is responsible for all calls placed via their authorization code as a result of the Customer's intentional or negligent disclosure of the authorization code. Customers may be required to accept a Travel Card number change if the Customer claims that unauthorized calls were made using his/her assigned number.

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2.8 Deposits

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The Company may require a deposit if the Customer is unable to establish a good credit rating, or if the Customer has undisputed charges in two (2) out of the last twelve (12) billing periods which have become delinquent. The deposit shall not exceed estimated charges for two months' service based on the average bill during the preceding twelve months or in the case of new applicants, two months' average monthly bill for all subscribers within a customer class. The deposit shall bear interest at a rate of 9% simple interest per annum, and will be returned upon satisfactory payment of all undisputed charges during the last 12 billing periods, or discontinuance of service.

2.9 Advance Payments

The Company reserves the right to require an advance payment from a Customer instead of, or in addition to, a deposit. The advance payment shall be in amount equal to or less than two months estimated billing.

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2.10 Interconnection with Other Carriers

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

2.11 Refusal or Discontinuance by Company

Network Utilization Services may, upon five (5) days' written notice, refuse or discontinue service for non-compliance with and/or violation of any Federal, State or municipal law, ordinance or regulation pertaining to telephone service. Service may also be discontinued or refused for the following conditions:

- 2.11.1 For neglect or refusal to provide reasonable access to the Company for the purpose of inspection and maintenance of equipment owned by the Company.
- 2.11.2 For non-compliance with and/or violation of the Commission's regulations or the Company's rules and regulations.
- 2.11.3 For non-payment of bills for telephone service 30 past due.

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**2.11 Refusal or Discontinuance by Company, (cont'd.)**

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- 2.11.4 Without notice in the event of Customer use of equipment in such a manner as to adversely affect the Company's equipment or the Company's service to others.
- 2.11.5 Without notice in the event of tampering with the equipment furnished and owned by the Company.
- 2.11.6 Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, the Company may, before restoring service, require the Customer to make, at his or her own expense, all changes in facilities or equipment necessary to eliminate illegal use and to pay an amount reasonably estimated as the loss in revenues resulting from such fraudulent use.
- 2.11.7 When necessary for the Company to comply with any order or request of any governmental authority having jurisdiction.
- 2.11.8 For accounts whose average monthly billing is below \$25, excluding taxes, utility fees and surcharges.
- 2.11.9 If service is restored after discontinuance for non-payment, a \$50.00 re-connect charge may apply.

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2.12 Inspection, Testing and Adjustment

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Upon reasonable notice, the services 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 when the interruption is less than twenty-four consecutive hours.

2.13 Credit Allowance for Interruption of Service

Credit allowances for interruptions of service are limited to the initial call period charges for re-establishing the interrupted call.

2.14 Cancellation of Service

No charge applies when the applicant cancels an application for service prior to the start of installation or special construction.

When an applicant cancels an application for service after the start of installation or special construction, the applicant shall pay a cancellation fee which is the lesser of 1) the costs incurred by the Carrier, or 2) the charge for the minimum period of the service ordered, plus applicable installation charges.

Customers of Network Utilization Services may cancel service by providing thirty (30) days written notice to Network Utilization Services. Customers are responsible for all charges, including fixed fees, which accrue up to the cancellation date.

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2.15 Minimum Service Period

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Unless otherwise stated, the minimum service period for all services is 90 days.

2.16 "800" Numbers

The company will make every effort to reserve "800" vanity numbers on behalf of Customers, but makes no guarantee or warrantee that the requested "800" number(s) will be available or assigned to the Customer requesting the number.

If a Customer accumulates undisputed past-due charges, the Company reserves the right not to honor the Customer's request for a change in 800 service to another carrier (i.e. "porting" of the 800 number), including a request for a Responsible Organization (Resp Org) change, until such charges are paid in full.

2.17 Credit Requirements

The Company reserves the right to deny or cancel service to entities which do not meet the Company's credit requirements or for whom credit information is not available.

2.18 Credit for PIC Change Charges

The Company will credit Customers' accounts an amount equal to the charges incurred for the conversion of line(s) to the Company's service as imposed by the local exchange carrier for Primary Interexchange Carrier (PIC) changes. This credit will be applied against future charges associated with use of the Company's service. The credit amount is limited to \$5.00 per converted line.

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SECTION 3 - SERVICE AND RATE DESCRIPTION

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3.1 General

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Rates may vary by product type, time of day, day of week, call mileage, access method, terminating area, or call duration. Calls are billed individually and on a monthly basis. Usage is billed in arrears.

Interstate services are offered in conjunction with intrastate and services.

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SECTION 3 - SERVICE AND RATE DESCRIPTION, (CONT'D) NOV 20 1995

3.2 Service Availability

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Service is available from originating points throughout the continental United States.

3.3 Per-minute Charges - Applicable Rate Periods

Unless otherwise specified, applicable rate periods (Day, Evening, Night/Weekend) are indicated in the chart below:

	MON	TUES	WED	THUR	FRI	SAT	SUN
8:00 AM TO 5:00 PM*	DAYTIME RATE PERIOD					EVE	
5:00 PM TO 11:00 PM	EVENING RATE PERIOD (Non-Day)						
11:00 PM* TO 8:00 AM	NIGHT/WEEKEND RATE PERIOD (Non-Day)						

\* to, but not including

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SECTION 3 - SERVICE AND RATE DESCRIPTION, (CONT'D) NOV 20 1995

3.4 Determination of Mileage

Usage charges for mileage sensitive products, if any, 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.

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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 AT&T Tariff FCC No. 10 on file at the FCC.

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 - SERVICE AND RATE DESCRIPTION, (CONT'D.) NOV 20 1995

3.5 Product Descriptions and Rates

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A fixed monthly service fee applies to each customer account.  
This fee may be waived or discounted based on term commitments  
as outlined below:

Monthly service fee - no term commitment:	\$5.00
Monthly service fee - 6 month term commitment:	\$1.95
Monthly service - 1 year or more term commitment:	\$0.00

Customers who agree to a one year term commitment to use the Company's service are offered rates one Rate Tier higher than the Rate Tier for which they would normally qualify (i.e. the next lower level of rates). This term commitment offering cannot be used in conjunction with the promotional offering described in Section 4.1, 4.2 and 4.3 of this tariff.

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3.5 Product Descriptions and Rates, cont'd.

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3.5.1 MegaPlan Flat Rate Service

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This service provides customers with direct dial "1+" long distance calling. Calls originate via switched access facilities using normal business or residential lines. Rates vary by monthly call volume. Calls are billed in six (6) second increments with a minimum call duration of eighteen (18) seconds.

Rate Tier	Monthly Volume	DAY Rate Per Minute	NON-DAY Rate Per Minute
I	\$25 - \$500	\$0.2760	\$0.2463
II	\$500.01 - \$750	\$0.2640	\$0.2244
III	\$750.01 - \$1,000	\$0.2520	\$0.2142
IV	\$1,000.01 - \$1,500	\$0.2400	\$0.2040
V	\$1,500.01 - \$2,000	\$0.2280	\$0.1938
VI	\$2,000.01 - \$2,500	\$0.2160	\$0.1836
VI	\$2,500.01 +	\$0.2040	\$0.1734

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SECTION 3 - SERVICE AND RATE DESCRIPTION, (CONT'D.)

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3.5 Product Descriptions and Rates, (cont'd.)

3.5.2 MegaPlan Dedicated Service

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This service provides customers with direct dial "1+" and in-bound 800 long distance calling. Direct dial calls originate via dedicated access facilities. 800 calls terminate via dedicated access facilities to the Customer. The Customer is responsible for all charges associated with the dedicated access lines. Rates vary by monthly call volume. Calls are billed in six (6) second increments with a minimum call duration of eighteen (18) seconds.

Rate Tier	Monthly Volume	DAY Rate per Minute	NON-DAY Rate Per Minute
I	\$2,500.01 - \$5,000	\$0.1573	\$0.1287
II	\$5,000.01 - \$10,000	\$0.1502	\$0.1229
III	\$10,000.01 - \$15,000	\$0.1430	\$0.1170
IV	\$15,000 +	\$0.1359	\$0.1112

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SECTION 3 - SERVICE AND RATE DESCRIPTION, (CONT'D.)

3.5 Product Descriptions and Rates, (cont'd.)

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3.5.3 Travel Card

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Travel Card permits customer to use Network Utilization Services's service when away from their primary place of business or residence. The Customer must dial a toll-free access code and personal identification number to place a call. Calls are billed in six second increments after an initial minimum call duration of eighteen seconds.

In addition the usage sensitive charges, a per call rate applies.

Per Minute Rate:	\$0.2500
Per Call Rate:	\$0.3000

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**SECTION 3 - SERVICE AND RATE DESCRIPTION, (CONT'D.)**

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**3.5 Product Descriptions and Rates, (cont'd.)**

**3.5.4 Directory Assistance**

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Directory Assistance is available to Customers of Network Utilization Services. A Directory Assistance charge applies to each call to the Directory Assistance Bureau. Up to two requests may be made on each call to Directory Assistance. The Directory Assistance charge applies to each call regardless of whether the Directory Assistance Bureau is able to furnish the requested telephone number.

Per Call: \$0.85

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**SECTION 4 - SERVICE PROMOTIONS**

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**4.1 One Free Month Offering**

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For customers who make a commitment for a term of service of one year or more, the following offer is available. After the first twelve (12) consecutive month period of using the Company's services, the Company may issue a credit to the Customer equal to one time the amount paid for eligible charges during such twelve month period divided by twelve (12). Eligible charges are domestic long distance excluding taxes, surcharges, service fees and utility fees. After each additional twelve (12) consecutive month period of using the Company's services, the Company may issue a credit to the Customer equal to the amount paid for eligible charges during such twelve (12) month period divided by twelve (12). Such credit is available only to Customer who maintain balances paid within terms during each twelve month period and whose accounts are paid in full, and may be used only as a credit against future billing from the Company on the same account. Such credit may not be used to offset outstanding or disputed balances. The Customer is responsible for payment of any charges above those specified in this offering, including taxes, surcharges, service fees and utility fees. No credit will be issued if the amount would be less than \$25 in the first or any subsequent year. Credit due or accrued to any Customer account that is closed will be void. No service month shall be attributed to more than one twelve month period in calculating any service credit due under this offering. The provision of any credit pursuant to this offering shall be with the understanding that Customer's tariffed Rate Tier shall be increased by one tier. The Rate Tiers are set forth a Sections 3.5.1 and 3.5.2. This offer cannot be used in conjunction with any other promotional offering or term commitment discount offering.

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**SECTION 4 - SERVICE PROMOTIONS**

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**4.2 Two Free Months Offering**

MISSOURI  
Public Service Commission

For customers who make a commitment for a term of service of three years or more, the following offer is available. After the first twelve (12) consecutive month period of using the Company's services, the Company may issue a credit to the Customer equal to two times the amount paid for eligible charges during such twelve month period divided by twelve (12). Eligible charges are domestic long distance excluding taxes, surcharges, service fees and utility fees. After each additional twelve (12) consecutive month period of using the Company's services, the Company may issue a credit to the Customer equal to two times the amount paid for eligible charges during such twelve (12) month period divided by twelve (12). Such credit is available only to Customer who maintain balances paid within terms during each twelve month period and whose accounts are paid in full, and may be used only as a credit against future billing from the Company on the same account. Such credit may not be used to offset outstanding or disputed balances. The Customer is responsible for payment of any charges above those specified in this offering, including taxes, surcharges, service fees and utility fees. No credit will be issued if the amount would be less than \$50 in the first or any subsequent year. Credit due or accrued to any Customer account that is closed will be void. No service month shall be attributed to more than one twelve month period in calculating any service credit due under this offering. The provision of any credit pursuant to this offering shall be with the understanding that Customer's tariffed Rate Tier shall be increased by one tier. The Rate Tiers are set forth a Sections 3.5.1 and 3.5.2. This offer cannot be used in conjunction with any other promotional offering or term commitment discount offering.

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**SECTION 4 - SERVICE PROMOTIONS**

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**4.3 One/Two Free Months Offering**

MISSOURI  
Public Service Commission

For customers who make a commitment for a term of service of two years or more, the following offer is available. After the first twelve (12) consecutive month period of using the Company's services, the Company may issue a credit to the Customer equal to two times the amount paid for eligible charges during such twelve month period divided by twelve (12). Eligible charges are domestic long distance excluding taxes, surcharges, service fees and utility fees. After each additional twelve (12) consecutive month period of using the Company's services, the Company may issue a credit to the Customer equal to one time the amount paid for eligible charges during such twelve (12) month period divided by twelve (12). Such credit is available only to Customer who maintain balances paid within terms during each twelve month period and whose accounts are paid in full, and may be used only as a credit against future billing from the Company on the same account. Such credit may not be used to offset outstanding or disputed balances. The Customer is responsible for payment of any charges above those specified in this offering, including taxes, surcharges, service fees and utility fees. No credit will be issued if the amount would be less than \$50 in the first or less than \$25 in any subsequent year. Credit due or accrued to any Customer account that is closed will be void. No service month shall be attributed to more than one twelve month period in calculating any service credit due under this offering. The provision of any credit pursuant to this offering shall be with the understanding that Customer's tariffed Rate Tier shall be increased by one tier. The Rate Tiers are set forth a Sections 3.5.1 and 3.5.2. This offer cannot be used in conjunction with any other promotional offering or term commitment discount offering.

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