

Missouri Public  
Service Commission

REC'D SEP 01 2000

WWC License LLC d/b/a Cellular One Long Distance  
3650 131<sup>st</sup> Avenue, SE, Suite 400  
Bellevue, Washington 98006

**INTEREXCHANGE SERVICES TARIFF**

WWC License LLC d/b/a Cellular One Long Distance will provide service to the public at large. Rules and regulations applicable for furnishing of Interexchange Services by WWC License LLC d/b/a Cellular One Long Distance between one or more points in the State of Missouri as authorized by the Missouri Public Service Commission. This tariff is on file with the Missouri Public Service Commission and may be inspected during regular business hours. Copies also may be inspected during regular business hours at the principal place of business of WWC License LLC d/b/a Cellular One Long Distance, 3650 131<sup>st</sup> Avenue, SE, Suite 400, Bellevue, Washington 98006.

WWC LICENSE LLC D/B/A CELLULAR ONE LONG DISTANCE IS A  
COMPETITIVE TELECOMMUNICATIONS COMPANY  
UNDER THE REVISED STATUTES OF MISSOURI

Missouri Public  
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Nathan Glazier, Regulatory Specialist  
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LIST OF WAIVED STATUTES AND REGULATIONS

WWC LICENSING LLC d/b/a Cellular One Long Distance is classified as a competitive telecommunications Company in the State of Missouri for which the following statutes and regulations are waived:

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STATUTES

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- Section 392.210.2 -- Uniform System of Accounts
- Section 392.240(1) -- Rate Making
- Section 392.270 -- Valuation of Property (Rate Making)
- Section 392.280 -- Depreciation Accounts
- Section 392.290 -- Issuance of Securities
- Section 392.300.2 -- Acquisition of Stock
- Section 392.310 -- Stock and Debt Issuance
- Section 392.320 -- Stock Dividend Payment
- Section 392.330 -- Issuance of Securities, Debts and Notes
- Section 392.340 -- Reorganization(s)

RULES

- 4 CSR 240-10.020 -- Depreciation Fund Income
- 4 CSR 240-30.010(2)(C) -- Rate Schedules
- 4 CSR 240-30.040 -- Uniform System of Accounts
- 4 CSR 240-33.030 -- Information Regarding Lowest Price Available
- 4 CSR 240-35 -- Bypass 4 CSR 240-10.020

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SYMBOLS

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

- (C) To signify changed regulation
- (D) To signify discontinued material
- (I) To signify rate or charge increase
- (M) To signify material relocated without change in text or rate
- (N) To signify new material
- (R) To signify reduction
- (S) To signify reissued material
- (T) To signify a change in text, but no change in rate or regulation
- (Z) To signify a correction

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TARIFF FORMAT REC'D SEP 01 2000

- A. Page Numbering - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages occasionally are added to the tariff. When a new page is added between pages already in effect, a decimal is added to the page number. For example, a new page added between pages 14 and 15 would be 14.1.
- B. Page Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the Commission. For example, the 4th revised Page 14 cancels the 3rd revised Page 14. Because of various suspension periods, deferrals, etc. the Commission follows in its tariff approval process, the most current page number approved by the Commission, is 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.
  - 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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**SECTION 1. DEFINITIONS**

Authorized User - Any person, firm, corporation or other entity accessing or utilizing the services furnished by the Company to the Customer.

Billed Party - The person or entity responsible for payment of the Company's service. The Billed Party is the Customer associated with the Calling Station used to place the call, with the following exceptions:

- (a) in the case of a calling card or credit card call, the Billed Party is the holder of the calling card or credit card used by the User; and
- (b) in the case of a collect or third party call, the Billed Party is the person responsible for the local telephone service at the telephone number that agrees to accept charges for the Call.

Call - A completed connection between the Calling and Called station.

Calling Station - The telephone number from which a Call originates.

Called Station - The telephone number called.

Commission - Missouri Public Service Commission.

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SECTION 1. DEFINITIONS (Cont'd)

Common Carrier - A company or entity providing telecommunications services to the public.

Company - WWC License LLC d/b/a Cellular One Long Distance.

Customer - A person, firm, corporation, partnership or other entity, including affiliates or divisions of the Customer, in whose name the telephone number of the Calling Station is registered with the underlying local exchange company. The Customer is responsible for payment of charges to the Company and compliance with all terms and conditions of this tariff.

Day - The period of time from 8:00 a.m. to (but not including) 5:00 p.m., Monday through Friday, as measured by local time at the location from which the Call is originated.

Evening - The period of time from 5:00 p.m. to (but not including) 11:00 p.m., Sunday through Friday and any time during a Holiday, as measured by local time at the location from which the Call is originated.

Holiday - New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

Incomplete - Any Call where voice transmission between the Calling and Called station is not established.

Night/Weekend ("N/Wkd") - The period of time from 11:00 p.m. to (but not including) 8:00 a.m., Monday through Friday, any time on Saturday and all day Sunday, except 5:00 p.m. to (but not including) 11:00 p.m., as measured by local time at the location from which the Call is originated.

User - Customer or any Authorized User.

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SECTION 2. TERMS AND CONDITIONS

2.1 Application of Tariff

2.1.1 This tariff contains the regulations and rates applicable to intrastate interexchange services provided by the Company. The Company's services are furnished subject to the availability of facilities and the terms and conditions of this tariff.

2.1.2 The rates and regulations contained in this tariff apply only to the interexchange services furnished by the Company and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other Common Carrier for use in accessing the services of the Company.

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SECTION 2. TERMS AND CONDITIONS (Cont'd)

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2.2 Use and Availability of Service

- 2.2.1 Service is furnished to the User for any lawful purpose. Service shall not be used for any unlawful purpose, nor used in such a manner as to interfere unreasonably with the use of service by any other Users.
- 2.2.2 The use of the Company's services without payment for service or attempting to avoid payment for service by fraudulent means or devices, false or invalid numbers, or false calling or credit cards is prohibited.
- 2.2.3 The Company's services may be denied for nonpayment of charges or for other violations of the terms and conditions set forth in this tariff.
- 2.2.4 The use of the Company's services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another is prohibited.
- 2.2.5 Service temporarily may be refused or limited because of system capacity limitations.
- 2.2.6 Service is subject to transmission limitations caused by natural (including atmospheric, geographic or topographic) or artificial conditions adversely affecting transmission.
- 2.2.7 Service to any or all Customers may be temporarily interrupted or curtailed due to equipment modifications, upgrades, relocations, repairs and similar activities necessary for proper or improved operations.

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SECTION 2. TERMS AND CONDITIONS (Cont'd) **RECD SEP 01 2000**

2.3 Limitation of Liability

2.3.1 Because the Company has no control of communications content transmitted over its system, and because of the possibility of errors incident to the provision and use of its service, service furnished by the Company is subject to the terms, conditions and limitations herein specified.

2.3.2 The Company is not liable to Users for interruptions in service except as set forth in Section 2.5 of this tariff.

2.3.3 The liability of the Company for errors in billing that result in overpayment by the Customer shall be limited to a credit equal to the dollar amount erroneously billed or, in the event that payment has been made and service has been discontinued, to a refund of the amount erroneously billed.

2.3.4 The Company shall not be liable for and the User shall indemnify and hold the Company harmless against any claims for loss or damages involving:

2.3.4.A Any act or omission of: (i) the User; or (ii) any other entity furnishing service, equipment or facilities for use in conjunction with services or facilities provided by the Company;

2.3.4.B Interruptions or delays in transmission, or errors or defects in transmission, or failure to transmit when caused by or as a result of acts of God, fire, war, riots, government authorities or causes beyond the Company's control;

2.3.4.C Any unlawful or unauthorized use of the Company's facilities and services;

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SECTION 2. TERMS AND CONDITIONS (Cont'd) REC'D SEP 01 2000

2.3 Limitation of Liability (Cont'd)

- 2.3.4.D Libel, slander or infringement of copyright arising directly or indirectly from the material transmitted over facilities provided by the Company;
- 2.3.4.E Infringement of patents arising from combining apparatus and systems of the User with facilities provided by the Company;
- 2.3.4.F Claims arising out of any act or omission of the User in connection with service provided by the Company.
- 2.3.4.G Breach in the privacy or security of communications transmitted over the Company's facilities;
- 2.3.4.H Changes in any of the facilities, operations or procedures of the Company that: (1) render any equipment, facilities or services provided or utilized by the User obsolete; (2) require modification or alteration of such equipment, facilities or services; or (3) otherwise affect use or performance of such equipment, facilities or services except where reasonable notice is required by the Company and is not provided to the Customer.
- 2.3.4.I Defacement of or damage to the Customer's premises or personal property resulting from the furnishing of services or equipment on such premises or the installation or removal thereof.

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SECTION 2. TERMS AND CONDITIONS (Cont'd)

2.3 Limitation of Liability (Cont'd)

2.3.4.J Any noncompleted calls due to network busy conditions; and

2.3.4.K Any calls not actually attempted to be completed during any period that service is unavailable.

2.3.5 The User shall reimburse the Company for all costs, expenses and fees (including reasonable attorneys' fees and costs) incurred by the Company in its defense against claims set forth in Section 2.3.4.

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**SECTION 2. TERMS AND CONDITIONS (Cont'd)**

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**2.3 Limitation of Liability (Cont'd)**

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- 2.3.6 The Company assumes no responsibility for the availability or performance of any cable or satellite systems or related facilities under the control of other entities that are used to provide service to the User, even if the Company has acted as the User's agent in arranging for such facilities or services.
- 2.3.7 Any claim against the Company shall be deemed waived unless presented in writing to the Company within thirty (30) days after the date of the occurrence that gave rise to the claim.
- 2.3.8 The Company makes no express representations or warranties regarding the service and disclaims any implied warranties, including, but not limited to, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The Company does not authorize anyone to make a warranty of any kind on its behalf and the User should not rely on any such statement.
- 2.3.9 Any liability of the Company for loss or damages arising out of mistakes, omissions, interruptions, delays, errors or defects in the service, the transmission of the service, or failures or defects in facilities furnished by the Company, occurring in the course of furnishing service shall in no event exceed an amount equivalent to the proportionate fixed monthly charge to the Customer for service, during the period of time in which such mistakes, omissions, interruptions, delays, errors or defects in the service, its transmission or failure or defect in facilities furnished by the Company occurred.

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**SECTION 2. TERMS AND CONDITIONS (Cont'd)**

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**2.4 Responsibilities of the Customer**

- 2.4.1 The Customer is responsible for placing any necessary orders, complying with tariff regulations and assuring that Users comply with tariff regulations. The Customer shall ensure compliance with any applicable laws, regulations, orders or other requirements of any governmental entity relating to services provided to the Customer or made available by the Customer to another User. The Customer is also responsible for the payment of charges for all calls originated at the Customer's numbers which are not collect, third party, calling card, or credit card calls.
- 2.4.2 The Customer is responsible for charges incurred for special construction and/or special facilities which the Customer requests and which are ordered by the Company on the Customer's behalf.
- 2.4.3 If required for the provisioning of the Company's services, the Customer must provide any equipment space, supporting structure, conduit and electrical power without charge to the Company.
- 2.4.4 The Customer is responsible for arranging access to its premises at times mutually agreeable to the Company and the Customer when required for Company personnel to install, repair, maintain, program, inspect or remove equipment associated with the provision of the Company's services.

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SECTION 2. TERMS AND CONDITIONS (Cont'd)

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2.4 Responsibilities of the Customer (Cont'd)

- 2.4.5 The Customer must pay the Company for replacement or repair of damage to the Company's equipment or facilities caused by negligent or improper use on the part of the Customer, Users, or others.
- 2.4.6 The Customer must indemnify the Company for the theft of any Company equipment or facilities installed at the Customer's premises.
- 2.4.7 The Customer agrees, except where the events, incidents or eventualities set forth in this sentence are the result of the Company's gross negligence or willful misconduct, to release, indemnify and hold harmless the Company against any and all loss, claims, demands, suits or other action or any liability whatsoever, whether suffered, made, instituted or asserted by the Customer or by any other party or person, for any personal injury to or death of any person or persons, or for any loss of or damage to any property, whether owned by the Customer or others. The Customer shall reimburse the Company for all costs, expenses and fees (including reasonable attorneys' fees and costs) incurred by the Company in its defense against such actions.

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SECTION 2. TERMS AND CONDITIONS (Cont'd)

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2.5 Allowances for Interruptions in Service

2.5.1 General

2.5.1.A A service is interrupted when it becomes unusable to the User, e.g., the User is unable to transmit or receive, because of a failure of a component furnished by the Company under this tariff.

2.5.1.B An interruption period begins when the User reports a service, facility or circuit to be inoperative and releases it for testing and repair. An interruption period ends when the service, facility or circuit is operative.

2.5.1.C If the User reports a service, facility or circuit to be inoperative but declines to release it for testing and repair, the service, facility or circuit is considered to be impaired but not interrupted. No credit allowances will be made for a service facility or circuit considered by the Company to be impaired.

2.5.2 Limitations on Allowances

2.5.2.A No credit allowance will be made for any interruption of service:

2.5.2.A.1 due to the negligence of, or noncompliance with the provisions of this tariff by, any person or entity other than the Company, including but not limited to the Customer or other Common Carriers connected to the service of the Company;

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SECTION 2. TERMS AND CONDITIONS (Cont'd)

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2.5 Allowances for Interruptions in Service (Cont'd)

2.5.2 Limitations on Allowances (Cont'd)

- 2.5.2.A.2 due to the failure of power, equipment, systems or services not provided by the Company;
- 2.5.2.A.3 due to circumstances or causes beyond the control of the Company;
- 2.5.2.A.4 during any period in which the Company is not given full and free access to the Customer's or Company's facilities and equipment for the purpose of investigating and correcting the interruption;
- 2.5.2.A.5 during any period in which the User continues to use the service on an impaired basis;
- 2.5.2.A.6 during any period in which the Customer has released service to the Company for maintenance purposes or for implementation of a Customer order for a change in service arrangements;
- 2.5.2.A.7 that occurs or continues due to the Customer's failure to authorize replacement of any element of special construction; and
- 2.5.2.A.8 that was not reported to the Company within thirty (30) days of the date that service was affected.

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SECTION 2. TERMS AND CONDITIONS (Cont'd)

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2.5 Allowances for Interruptions in Service (Cont'd)

2.5.3 Application of Credits for Interrupted Services

- 2.5.3.A At the Customer's request, a credit allowance for a continuous interruption of service for more than twenty-four (24) hours will be made by the Company on a case-by-case basis.
- 2.5.3.B Any such interruption will be measured from the time it is reported to or detected by the Company, whichever occurs first.
- 2.5.3.C In the event the User is affected by such interruption for a period of less than twenty-four (24) hours, no adjustment will be made. No adjustments will be earned by accumulating non-continuous periods of interruption.
- 2.5.3.D When an interruption exceeds twenty-four (24) hours, the length of the interruption will be measured in twenty-four (24) hour days. A fraction of a day consisting of less than twelve (12) hours will not be credited and a period of twelve (12) hours or more will be considered an additional day.
- 2.5.3.E A credit allowance will not be given for interruptions caused by the negligence or willful act of the User or interruptions caused by failure of equipment or service not provided by the Company.

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**2.6 Payment of Charges**

- 2.6.1 The Customer is responsible for payment of all charges for service furnished to the Customer, as well as applicable state and federal charges, including but not limited to, universal service and access charges.
- 2.6.2 The Company reserves the right to assess late payment charges for Customers whose account(s) carries principal owing from the prior billing period. Any charges not paid in full by the due date indicated on the billing statement may be subject to a late fee of 1.5% per month.
- 2.6.3 The Company reserves the right to assess a fee for any check or other negotiable instrument returned to the Company for any reason.
- 2.6.4 Recurring monthly access charges as set out in Section 4.1.3(A) may be invoiced one month in advance. Invoicing cycles are approximately 30 days in length.
- 2.6.5 Business customers must notify the Company in writing of any disputed charges within fifteen (15) days of the billing date, otherwise all charges on the invoice will be deemed accepted. All charges remain due and payable at the due date, although a Customer does not have to pay disputed charges while the Company conducts its investigation into the matter.

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SECTION 2. TERMS AND CONDITIONS (Cont'd)

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2.7 Deposits

2.7.1 To safeguard its interests, the Company may require from a Customer a deposit consistent with the provisions of 4 CSR 240-33.050. A deposit does not relieve the Customer of the responsibility for prompt payment of bills on presentation. The deposit will not exceed an amount equal to:

- A. two month's charges for a service or facility which has a minimum payment period of one month; or
- B. the charges that would apply for the minimum payment period for a service or facility which has a minimum payment period of more than one month; except that, for business customers, the deposit may include an additional amount in the event that a termination charge is applicable.

When a service or a facility is discontinued, the amount of a deposit, if any, will be applied to the Customer's account and any credit balance remaining will be refunded.

Deposits held will accrue interest at a rate which is equal to one percent (1%) above the prime lending rate as published in the *Wall Street Journal*. This rate shall be adjusted annually on December 1 using the prime lending rate as published in the *Wall Street Journal* on the last business day of September of each year plus one percent (1%).

Pursuant to 4 CSR 240-33.050, Customers who present a credit risk also may be required to provide other assurances of, or security for, the payment of the Company's charges for its services as deemed necessary, including without limitations, advance payments for service, third party guarantees or payment, pledges or other grants of security interests in the Customers' assets, and similar arrangements, the required deposits or other security may be increased or decreased by the Company, as it deems appropriate in the light of changing conditions.

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**SECTION 2. TERMS AND CONDITIONS (Cont'd)**

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**2.8 Contested Charges**

2.8.1 All bills are presumed accurate, and shall be binding on the Customer unless objection is received by the Company no more than twenty-one (21) days after such bills are rendered. In the case of a billing dispute between the Customer and the Company for service furnished to the Customer, which cannot be settled with mutual satisfaction, the Customer may take the following course of action no more than twenty-one (21) days after the billing date:

2.8.1.A First, the Customer may request, and the Company will provide, an in-depth review of the disputed amount. (The undisputed portion and subsequent bills must be paid on a timely basis or the service may be subject to disconnection.)

2.8.1.B Second, if there is still a disagreement about the disputed amount after investigation and review by the Company, the Customer may file an appropriate complaint with the Missouri Public Service Commission. The address and telephone number of the Commission is:

Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102-0360  
1-800-392-4211

2.8.2 Billing inquiries may be directed to the Company at its toll free number: 1-800-635-0304.

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**2.9 Billing Entity Conditions**

[Reserved].

**2.10 Taxes**

2.10.1 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. All charges other than taxes and franchise fees will be submitted to the Commission for prior approval.

**2.11 Promotions**

2.11.1 Upon seven (7) days prior written notice to the Commission, the Company may from time to time offer services or waive or vary service rates for promotional, market research or other similar business purposes. The varying rates will not exceed those in this tariff for the same services.

**2.12 Incomplete Calls/Wrong Number**

2.12.1 The Company will not knowingly charge for Incomplete Calls or wrong numbers. Upon the Customer's request and proper verification, the Company shall promptly adjust or credit the Customer's account for charges or payments for any unanswered call inadvertently billed due to the unavailability of Feature Group D or due to another carrier's failure to provide answer supervision. Where answer supervision is not available, any Call for which the duration exceeds one (1) minute shall be presumed to have been answered.

**2.13 Directory Assistance**

2.13.1 The Company does not provide or bill for local or long distance directory assistance.

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2.14 Operator Services

2.14.1 The Company does not provide operator services. All operator assisted calls, including collect calls, calling cards, credit card calls, person-to-person calls, third party calls, and other related operator services will be routed to and billed by the Company's underlying carrier.

2.15 Termination of Service

2.15.1 Discontinuance of Service -- General

Company may terminate service to a Customer for non-payment of undisputed charges or other violation of this Tariff or provision of law upon written notice, as required below, without incurring any liability for damages due to loss of telephone service to the Customer. Termination of service will not occur on any day when the offices of the Company are closed or any day prior to a day on which the Company's offices are closed. Charges will not be considered past due until twenty-one (21) days after the date on which the bill is rendered.

The Company may refuse or discontinue service under the following conditions provided that the Customer shall be given ten (10) days written notice, excluding any day when the offices of the Company are closed or any day prior to a day on which the Company's offices are closed, to comply with any rule or remedy any deficiency:

- A. Nonpayment of a delinquent charge except as otherwise limited by 4 CSR 240-33.070;
- B. Failure to post a required deposit or guarantee;
- C. Unauthorized use of Company equipment in a manner which creates an unsafe condition or creates the possibility of damage or destruction to such equipment;
- D. Failure to comply with terms of a settlement agreement;

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2.15 Termination of Service (Cont'd)

2.15.1 Discontinuance of Service -- General (Cont'd)

- E. Refusal after reasonable notice to permit inspection, maintenance or replacement of Company equipment;
- F. Material misrepresentations of identity in obtaining Company service; or
- G. As provided by state or federal law.

At least twenty-four (24) hours preceding a discontinuance of basic local telecommunications, the Company shall make reasonable efforts to advise the Customer of the proposed discontinuance and what steps must be taken to avoid it. The Company shall take such reasonable efforts including either a written notice in addition to the ten (10) days written notice referenced above, a door hanger or at least one (1) telephone call attempt to reach the Customer.

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**SECTION 3. EXPLANATION OF RATES**

The regulations set forth in this section explain how to apply the rate table associated with the various services offerings described in Section 4.

**3.1 Timing of Calls**

3.1.1 Billing for Calls placed over the Company's underlying carrier's network is based on the duration of the Call. Timing begins when the Called Station is answered, as determined by standard industry methods generally in use for ascertaining answers, including answer supervision hardware by which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. Timing ends when either party hangs up.

**3.2 Computation of Charges**

3.2.1 As set forth in Section 4, calls will be billed in increments of an initial one (1) minute period and additional one (1) minute periods.

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**SECTION 4. RATE SCHEDULES**

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4.1 1+ Long Distance

4.1.1 Description of Service

1+ Long Distance provides intrastate and interstate long distance service to residential and business customers who have designated the Company their primary interexchange carriers.

4.1.2 Billing Increments

1+ Long Distance calls are billed in initial 1 minute increments and additional increments of 1 minute.

4.1.3 Rates

- A. Monthly Access Fee \$ 4.95
- B. Per-Minute Rate \$0.08

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