

Missouri Public  
Service Commission

REC'D APR 26 2000

**MISSOURI TELECOMMUNICATIONS TARIFF**

**Ciera Network Systems, Inc.**

This tariff contains the descriptions, regulations, and rates applicable to the resale of prepaid basic local telecommunications services offered by Ciera Network Systems, Inc. (Ciera) within the State of Missouri. The Company has principal offices at 2630 Fountainview, Suite 300, Houston, Texas 77057 and telephone number (713) 914-3850. This tariff is on file with the Missouri Public Service Commission ("Commission") and a copy also may be inspected during business hours at the Company's principal place of business. The Missouri Public Service Commission in its Order in Case No. TA-2000-228 has classified Ciera and its telecommunications services offered as competitive and has waived the following statutes and regulations:

**STATUTES**

|                   |  |
|-------------------|--|
| Section 392.210.2 | uniform system of accounts             |
| Section 392.270   | valuation of property (ratemaking)     |
| Section 392.280   | depreciation accounts                  |
| Section 392.290.1 | 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, debt and notes |
| Section 392.340   | reorganizations                        |

**COMMISSION RULES**

|                  |  |
|------------------|--|
| 4 CSR 240-10.020 | depreciation fund income                               |
| 4 CSR 240-30.040 | uniform system of accounts                             |
| 4 CSR 240-35     | reporting of bypass and customer specific arrangements |

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**EXPLANATION OF SYMBOLS**

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

C – To signify 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 decrease to a customer's bill

T – Change in text of regulation but no change in rate or charge

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TARIFF FORMAT

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- 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 sheet 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 Commission. For example, the 4th revised sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc., the Commission follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff sheet in effect.
- C. Paragraph Numbering Sequence - There are nine (9) levels of paragraph coding. Each level of coding is subservient to its next higher level:
  - 2.
  - 2.I.
  - 2. I.A
  - 2. I.A.(I).
  - 2. I.A.(1).a
  - 2.1 .A.(I).a.I.
  - 2. I.a.(I).a.I.(A).
  - 2.1.A.(1).a.I.(A).i
  - 2. I .A.(I).a.I.(A).i.(a).

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**SECTION I - TECHNICAL TERMS AND ABBREVIATIONS**

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**Billed Party** - The person or entity responsible for payment of Ciera's service. The Billed Party is the Customer in whose name service is registered with Ciera Network Systems, Inc.

**Called Station** - The terminating point of a call.

**Calling Station** - The originating point of a call.

**Carrier**- The facilities-based telecommunications provider whose services are being resold to the Customer by the Company.

**Commission** - The Missouri Public Service Commission.

**Company** - Ciera Network Systems, Inc.

**Customer**- The person who orders or uses service and is responsible for payment of charges and compliance with tariff regulations.

**Local Calling Scope** - Includes the Metropolitan Calling Area (MCA) mandatory calling scope of the incumbent local exchange company but does not include tiers designated as optional.

**Suspension** - The first 14 days when service is blocked from customer use prior to termination of service.

**Telecommunications** - The transmission of voice communications or, subject to the transmission capabilities of the service, the transmission of data, facsimile, signaling, or any other form of intelligence.

**Termination** - Complete disconnection of service.

**User**- A customer, or any person or entity which makes use of services provided to a Customer under this Tariff.

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**SECTION 2- RULES AND REGULATIONS**

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**2.1 APPLICATION OF TARIFF**

- 2.1.1 This tariff contains the Rates, Rules and Regulations governing the resale of prepaid basic local telecommunications service by Ciera in those exchanges of incumbent local exchange companies in the State of Missouri specified in this tariff. Ciera will not allow services offered by the company to be resold.
- 2.1.2 The telecommunications services of Ciera are not part of a joint undertaking with any other entity providing telecommunications channels, facilities, or services. However, services under this tariff are conditioned upon the continued availability of the various services provided to Ciera by its underlying carriers.
- 2.1.3 The rates and regulations contained in this tariff apply only to service provided through Ciera's underlying contracted carrier, and do not apply, unless otherwise specified, to the lines, facilities, or other services provided by any other local exchange telephone company or other common carrier for use in accessing the services of Ciera.
- 2.1.4 Where not specifically stated otherwise herein, Ciera concurs in the conditions, limitations and restrictions applying to and governing services offered by Southwestern Bell Telephone Company in its local and general exchange tariffs on file with and approved by the Public Service Commission of the State of Missouri and in any amendments or revisions thereto as authorized by the Missouri Public Service Commission or applicable law.
- 2.1.5 Applications for initial or additional service made by the customer to Ciera, either verbally or in writing, upon acceptance by Ciera and the establishment of the service or facility, shall become a contractual obligation subject to the provisions of this tariff and applicable Commission rules.

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SECTION 2- RULES AND REGULATIONS (Continued)

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2.2 UNDERTAKING OF CIERA NETWORK SYSTEMS, INC.

- 2.2.1 A Ciera undertakes to provide telecommunications services to customers for their lawful and direct transmission and reception of voice, data, and other types of communications in accordance with the terms and conditions set forth in this tariff.
- 2.2.2 All service is subject to the availability of necessary and suitable facilities and to the provisions of this tariff. Ciera or its designee 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 a service provided by Ciera. The customer shall be responsible for all charges due for such service arrangement, and shall pay for such service arrangement in advance.
- 2.2.3 Ciera shall not be responsible for any construction, installation, operation or maintenance of any customer-provided communications equipment. Where such equipment is connected to service furnished pursuant to this tariff, the responsibility of Ciera shall be limited to furnishing of services under this tariff and to the maintenance and operation of such services in the proper manner.
- 2.2.4 Ciera assumes no liability with respect to the construction, operation, or maintenance of customer-provided station equipment at the customer's premises, excepting such liability directly due to the negligence of Ciera employees or agents.
- 2.2.5 The underlying carrier may, upon notification of the customer, at a reasonable time, make such tests and inspections as may be necessary to determine that the requirements of this tariff are being complied with in the installation, operation, and maintenance of customer provided equipment and in the wiring of the connection of customer channels to carrier-owned facilities.
- 2.2.6 Reserved For Future Use

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**SECTION 2- RULES AND REGULATIONS (Continued)**

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**2.2 UNDERTAKING OF CIERA NETWORK SYSTEMS, INC. (Continued)**

2.2.7 Ciera is obligated to supply the E-911 service provider in the customer's exchange with accurate information necessary to update the E-911 database at the time Ciera submits customer orders to the underlying local exchange carrier whose service is being resold pursuant to these tariffs.

At the time Ciera provides local basic service to a customer by means of Ciera's own cable pair, or over any other exclusively owned facility, Ciera will be obligated to make the necessary equipment or facility additions in the 911 service provider's equipment in order to accurately and properly update the database for 911. Ciera will be obligated to provide facilities to route calls from the end users to the proper Public Safety Answering Point.

Ciera recognizes the authority of the E-911 customer to establish service specifications and grant final approval or denial of service configurations offered by Ciera.

Ciera Network Systems, Inc. will bill for all required 911 monthly surcharges as a separate line item on the customers bill and will remit all 911 surcharge revenue to the appropriate governmental entity pursuant to Section 190.310 RSMo 1994 and any amendments thereto.

**2.3 LIMITATIONS**

- 2.3.1 Ciera does not undertake to transmit messages, but mediates the use of its underlying carriers' facilities when available, and will not be liable for errors in transmission or for failure to establish connections.
- 2.3.2 Prior written permission from Ciera 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.
- 2.3.3 Reserved For Future Use

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SECTION 2- RULES AND REGULATIONS (Continued)

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2.4 USE

- 2.4.1 Services may be used for the lawful transmission of communications by the customer consistent with the provisions of this tariff.
- 2.4.2 Service may not be used for any unlawful purpose. The use of Ciera's services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another or in such a way as to unreasonably interfere with use by others is prohibited.
- 2.4.3 The use of Ciera's services without payment for service, as well as any attempt to avoid payment for service by fraudulent means, devices, or schemes, false or invalid numbers, or false calling or credit cards, or other fraudulent means, is prohibited.
- 2.4.4 Ciera's services are available for use twenty-four (24) hours per day, seven (7) days per week.
- 2.4.5 The customer shall be responsible to Ciera for payment of all charges for services used by others, with or without the customer's knowledge, and is responsible for notifying Ciera immediately of any unauthorized use of services.

2.5 LIABILITIES OF THE COMPANY

- 2.5.1 Ciera shall not be liable for any failure of performance hereunder due to causes beyond its control, including but not limited to: acts of God, fires, flood or other catastrophes; any law, order, regulation, directive, action, or request of the United States Government or any other government, including state and local governments having jurisdiction over Ciera, or of any department, agency, commission, bureau, corporation, or other instrumentality of any one or more of said governments or of any civil or military authority; national emergencies; insurrections; riots; wars; or labor difficulties.

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**SECTION 2- RULES AND REGULATIONS (Continued)**

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**2.5 LIABILITIES OF THE COMPANY (Continued)**

- 2.5.2 Ciera shall not be liable for any act or omission of any other entity furnishing to the customer facilities, equipment, or services used with Ciera's services. Ciera shall not be liable for any damages or losses due to the failure of customer-provided equipment, facilities, or services. Ciera is not liable for any act or omission of any other company or companies furnishing a portion of the service. No agents or employees of connecting, concurring, or other participating carriers or companies shall be deemed to be agents or employees of Ciera, without written authorization.
- 2.5.3 Ciera shall not be liable for and customer shall indemnify and hold Company harmless from any and all losses, claims, demands, suits, or other action or liability whatsoever, whether suffered, made, instituted, or asserted by the customer or by any other party or persons, for any personal injury to, or death of, any person or persons, and for any loss, damage, defacement, or destruction of the premises of the customer or any other property, whether owned by the customer or by others, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal, presence, condition, location, or use of equipment, wiring, or services provided by Ciera or underlying carrier where such installation, operation, failure to operate, maintenance, condition, location, or use is not the direct result of Ciera's negligence.
- 2.5.4 The liability of Ciera for mistakes, omissions, interruptions, delays, errors, or defects in transmission shall not exceed an amount equivalent to the proportionate monthly recurring charge to the customer for the period of service during which these events occur. No credit shall be allowed for an interruption of a continuous duration of less than two (2) hours. For purposes of determining service credits, a month shall be deemed to have seven-hundred twenty (720) hours. Any credits will be set off against charges billed during the next month.
- 2.5.5 In addition to and not in limitation of all other provisions in this paragraph 2.5 with respect to customer indemnification of Ciera, Ciera shall be indemnified and held harmless by the customer against:

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**SECTION 2- RULES AND REGULATIONS (Continued)** Missouri Public Service Commission

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**2.5 LIABILITIES OF THE COMPANY (Continued)**

**2.5.5 (Continued)**

1. Claims for libel, sander, infringement of copyright or unauthorized use of any trademark, trade name, or service mark arising out of the materials, data, information, or other content transmitted via Ciera's service.
2. Claims for patent infringement arising from combining or connecting carrier's facilities with apparatus and systems of the customer, and
3. All other claims arising out of any act or omission of the customer in connection with any service by Ciera.
4. In the event that the Ciera underlying carrier(s) no longer provide Ciera with services necessary for it to provide services offered herein, Ciera will refund the customer on a pro rated basis for the remaining time of service for the same month.

**2.5.6** Subject to the provision of 4 CSR 33.080(1), Ciera shall not be liable for damages or adjustment, refund, or cancellation of charges unless the customer has notified Ciera either verbally, in person or in writing, of any dispute concerning charges, or the basis of any claim for damages, within a reasonable period of time after the invoice is rendered or debit is effected by Ciera for the call giving rise to such dispute or claim. Any such notice must set forth sufficient facts to provide Ciera with a reasonable basis upon which to evaluate the customer's claim or demands. If notice of a dispute concerning the charges is not received within a reasonable period of time after the invoice is rendered or a debit is effected, such invoice shall be deemed to be correct, accepted, and binding upon the customer.

**2.6 OBLIGATION OF THE CUSTOMER**

**2.6.1** The customer shall provide the personnel, power, and space required to operate all facilities and associated equipment installed on the premises of the customer.

**2.6.2** The customer shall be responsible for providing Ciera's underlying carrier personnel access to premises of the customer at any reasonable hour for the purpose of testing the facilities or equipment of the carrier.

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**SECTION 2- RULES AND REGULATIONS (Continued)**

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**2.6 OBLIGATION OF THE CUSTOMER (Continued)**

2.6.3 The customer will be liable for damages to the facilities of the underlying carrier caused by negligence or willful acts of any officers, employees, agents, or contractors of the customer.

2.6.4 The customer is responsible for pre-payment of all charges for services to be rendered by Ciera. Customer may authorize others to use the services provided by Ciera, but customer remains responsible to Ciera for payment of all charges for services used by others, with or without the customer's knowledge. Customer is responsible for notifying Ciera immediately of any unauthorized use or service.

**2.7 INTERRUPTION OF SERVICE**

For the interruption of service which lasts more than two hours in continuous duration, and which is not due to Ciera's testing or adjusting, to the negligent or willful acts of the customer, or to the failure of channels and/or equipment provided by the customer, the customer is eligible for a service credit. It shall be the obligation of the customer to notify Ciera of any interruptions of service for which a credit allowance is desired. Before notifying Ciera of any service interruption, the customer shall ascertain that the trouble is not being caused by any action or omission by the customer, not within the customer's control, and/or is not in the wiring or equipment, if any, furnished by the customer and connected to Ciera's facilities. For purposes of calculating the service credit under this provision, every month shall be considered to have seven hundred twenty (720) hours, and the applicable credit shall be calculated according to the following formula:

$$\text{Credit} = A/720 \times B$$

A = outage time in hours

B = total monthly charge for affected facility

**2.8 RESTORATION OF SERVICE**

The use and restoration of service in emergencies shall be in accordance with rules prescribed by the Commission.

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2.9 PAYMENTS AND BILLING

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2.9.1 Service is offered on a prepaid basis only and is provided on a monthly basis billed in advance. The minimum service period is one month, except for customer's second invoice, which will be pro-rated for the portion of the month in which service was initiated that customer received services, calculated according to the following formula:

Second invoice amount = A X B/C

A = number of days of service received by customer

B = flat monthly charge for services

C = number of days in calendar month in which service was initiated

2.9.2 The customer is responsible for the payment of all charges for services furnished by Ciera. Usage charges are based on a calendar month and are billed in advance by the 5th day of the previous calendar month.

2.9.3 If payment is not received Ciera within Ten (10) days before current service expires, Ciera shall notify the customer by written notice sent by first class mail that the customer's account will become delinquent and that service shall be discontinued at the expiration of the current service paid for. Such notice shall contain the information specified in Section 2.11.2 of this tariff. Ciera will contact the customer by telephone to notify the customer at least twenty-four (24) hours prior to discontinuing service.

2.9.4 Bills are payable by valid personal check, cash, credit card, cashier's check, money order, or electronic funds transfer.

2.9.5 Ciera Network Systems, Inc. may appoint an agent to provide billing and collection service.

i. Customer questions, complaints, and disputes regarding billing or service provided by Ciera Network Systems, Inc. may be referred to Ciera's customer service department in writing at 2630 Fountainview, Suite 300, Houston, Texas 77057, by facsimile at 713-914-3851, or by telephone at 1-888-467-1844.

ii. Ciera Network Systems, Inc. will not alter the residential billing cycle unless affected customers are sent a bill insert or other written notice explaining the alteration not less than 30 days prior to the effective date of the alteration. Such notification is not required when a customer requests a number or billing change or when the customer disconnects and reconnects service or transfers service from one premises to another.

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SECTION 2- RULES AND REGULATIONS (Continued) Missouri Public Service Commission

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2.10 CANCELLATION BY CUSTOMER

The minimum service period after the initiation of service is one calendar month. Customers may cancel by providing written or verbal notice during the last calendar month of service. The Customer shall remain liable for any charges incurred prior to the time that such cancellation becomes effective.

2.11 CANCELLATION BY COMPANY

2.11.1 Without incurring liability, the Company may discontinue service to a customer or to a particular customer location, or may withhold the provision of ordered or contracted services for:

- (1) nonpayment of an undisputed delinquent charge: Your service will not be suspended or discontinued for nonpayment of a delinquent charge until Ciera has notified you in writing at least ten (10) days in advance of the suspension or discontinuance. Additionally, Ciera will make reasonable efforts to contact you at least 24 hours in advance prior to suspending or disconnecting your telephone service.
- (2) unauthorized use of telephone utility equipment in a manner which creates an unsafe condition or creates the possibility of damage or destruction to such equipment;
- (3) failure to comply with the terms of a settlement agreement;
- (4) refusal after reasonable notice to permit inspection, maintenance or replacement of telephone utility equipment;
- (5) misrepresentation of identity in obtaining telephone utility service; or
- (6) as provided by state or federal law.

2.11.2 Ciera also adheres to the following rules of the Missouri Public Service Commission

- 1. Residential basic local service may not be discontinued by Ciera for customer nonpayment of a delinquent charge for other than basic local telecommunications services. The failure to pay charges not subject to the Missouri Public Service Commission's jurisdiction shall not constitute cause for a discontinuance of basic local telecommunications service.
- 2. Residential service may be disconnected during normal business hours on or after the date specified in the notice of discontinuance. Service shall not be discontinued on a day when the offices of Ciera are not available to facilitate reconnection of service or on a day immediately preceding such day.

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**SECTION 2- RULES AND REGULATIONS (Continued)**

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**2.11 CANCELLATION BY COMPANY (Continued)**

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**2.11.2 (Continued)**

- 3. Residential customers shall have a minimum of 21 days from the rendition of a bill to pay the charges stated.
- 4. Residential service shall not be discontinued unless written notice by first – class mail is sent or delivered to the customer at least 10 days prior to the date proposed discontinuance.
- 5. At least 24 hours preceding a discontinuance, Ciera shall make reasonable efforts to contact the customer to advise them of the proposed discontinuance and what steps must be taken to avoid it.
- 6. Ciera Notices of Discontinuance shall contain the following information:
  - a. The name and address and the telephone number of the customer
  - b. A statement of the reason for the proposed discontinuance and the cost ( to the customer) for reconnection
  - c. The date after which service will be discontinued unless appropriate action is taken
  - d. How a customer may avoid the discontinuance
  - e. The customer's right to enter into a settlement agreement if the claim is for a charge not in dispute and the customer is unable to pay the charge in full
  - f. The telephone number where the customer may make an inquiry
  - g. A statement that this notice will not be effective if the charges involved are part of an unresolved dispute
  - h. A statement of the exception for medical emergency as follows

**Residential Medical Emergency**

Ciera will postpone a discontinuance for at least 21 days if telephone service is necessary to obtain emergency medical assistance for a person who is a member of the household where the service is provided and where such a person is under the care of a physician. Any person who alleges such an emergency shall, if requested, provide Ciera with reasonable evidence of such necessity.

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**SECTION 2- RULES AND REGULATIONS (Continued)**

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**2.12 INTERCONNECTION**

- 2.12.1** Services furnished by Ciera may be interconnected with services or facilities of other authorized communications common carriers and with private systems, subject to the technical limitations established by Ciera or said carrier. Any special interface of equipment or facilities necessary to achieve compatibility between the facilities of Ciera and other participating carriers shall be provided at the customer's expense.
- 2.12.2** Interconnection between the facilities or services of other carriers shall be under the applicable terms and conditions of the other carrier's tariffs. Ciera is responsible for taking all necessary legal steps for interconnecting customer provided terminal equipment or communications equipment with Ciera's facilities. Ciera shall secure all licenses, permits, rights-of-way, and other arrangements necessary for interconnection.

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Ciera Network Systems, Inc.  
Robert W. Livingston - Chief Executive Officer  
2630 Fountainview, Suite 300, Houston, Texas 77057

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Missouri Public  
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**SECTION 3 - DESCRIPTION OF SERVICES**

REC'D APR 26 2000

**3.1 SERVICES OFFERED**

3.1.1 Ciera provides resold, prepaid basic two-way switched voice service within a local calling scope of the incumbent local exchange companies specified in this tariff.

3.1.2 Ciera offers:

(1) Call Waiting - a service, which alerts the customer with a special tone alerting the customer that an incoming call is waiting.

(2) Call Return - allows the customer to call back the last number called, even if the customer does not know the number or who called. If the line is busy, Call Return keeps trying for up to 30 minutes. When the line is free, Call Return signals the customer with a special ring and places the call.

2. Caller ID - This feature enables the customer to view a display unit the Calling Party Directory Name and / or Number on incoming telephone calls.

When a Caller ID is activated on a customer's line, the CPN of incoming calls are displayed at the called CPE during the first, long silent interval of the ringing cycle.

Per line blocking for the blocking of CPN will be available upon request, at no charge, only to the following entities for lines over which the official business of the agency is conducted, including those at the residences of employees/volunteers, where an executive officer of the agency registers a need for blocking and provides the required certification to Ciera Network Systems, Inc.: a) private, nonprofit, tax exempt, domestic violence intervention agencies and b) federal, state, and local law enforcement agencies. The CPN will not be transmitted from a line equipped with this capability. Per line blocking is operational on a continuous basis but can be deactivated by the customer by dialing an access code immediately prior to placing a call. Line blocking customers can unblock their CPN information on a per call basis, at no charge, by dialing an access code (\*82 on their touch tone pad or 1182 from a rotary phone) immediately prior to placing a call.

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**SECTION 3 - DESCRIPTION OF SERVICES**

**Missouri Public  
Service Commission**

**3.1 SERVICES OFFERED (Con't)**

REC'D APR 26 2000

**3.1.2 Ciera offers: (Con't)**

**(3) Caller ID (Con't)**

A customer may prevent the delivery of their calling name and / or number to the called party by dialing an access code (\*67 on their touch tone pad or 1167 from a rotary phone) immediately prior to placing a call. The access code will activate per call blocking, which is available at no charge. If the calling party activates blocking, the CPN will not be transmitted across the line to the called party. Instead, Calling Line Identification customers will receive an anonymous indicator. This anonymous indicator notifies the Caller ID customer that the calling party has elected to block the delivery of their name and telephone number. The blocking of CPN will not be provided on calls originating from Customer Owned Pay Telephones. If the Caller ID customer also subscribes to Anonymous Call Rejection, the calling party will be routed to a telephone company recording advising the caller that the called party will not accept calls whose CPN has been blocked.

Any customer subscribing to Caller ID will be responsible for the provision of a display device which will be located on the customer's premises. The installation, repair, and technical capability of that equipment to function in conjunction with the feature specified herein will be the responsibility of the customer. Ciera assumes no liability and will be held harmless for any incompatibility of this equipment to perform satisfactory with the network features described herein.

Telephone CPN information transmitted via Caller ID is intended solely for the use of the Caller ID subscriber. Resale of this information is prohibited by this tariff. CPN will not be displayed if the called party is off-hook or if the called party answers during the first ring interval. CPN will be displayed for calls made from another central office only if it is linked by appropriate facilities. Caller ID is not available on operator handled calls.

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SECTION 3 - DESCRIPTION OF SERVICES (Continued)

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3.1 SERVICES OFFERED (Continued)

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3.1.2 Ciera offers: (Continued)

- (4) Call Block - rejects calls from specific numbers. The last number that called the customer can be put on a list to prevent that number from reaching the customer again. Calls from numbers on the customer's list hear a recorded message that they are not accepting calls and the telephone does not ring on the receiving end.
- (5) Auto Redial - calls back the last number the customer called, whether they received a busy signal or a need to re-contact the person. If the line is busy, Auto Redial keeps trying for up to 30 minutes. When the line is free, Auto Redial signals with a special ring and places the call.
- (6) Call Forwarding - sends all calls to another number.
- (7) Priority Call - identifies important callers with a distinctive ring or tone. When the customer receives calls from one of the pre-selected numbers, the phone will signal with a special ring (*short-long-short*).
- (8) Three-Way Calling connects the customer with two people in two different locations at the same time. The customer can put one person on hold while talking to another.
- (9) Speed-Calling - dials local numbers with just one or two buttons.
- (10) White pages directory listing of the customer's name and telephone number through the underlying incumbent local telecommunications company's white pages directory.
- (11) Unlisted Number - Allows the customer to keep the customer's name and telephone number out of the underlying incumbent local telecommunications company's white pages and directory assistance.

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**SECTION 3 - DESCRIPTION OF SERVICES (Continued)**

**3.1 SERVICES OFFERED (Continued)**

**3.1.2 Ciera offers: (Continued)**

- 2. Call Trace - Customers receiving annoying or anonymous calls may request a telephone number change, which will be provided at no charge by Ciera Communications or the capability to utilize Call Trace on a per activation basis, as needed. Call Trace allows the customer to dial a code to automatically request the following information be recorded:

- The originating phone number
- The date and time of the call
- The date and time Call Trace was activated

When Call Trace successfully identifies a calling number, a recording instructs the customer to call a toll free number, which will activate a Voice Response Script and assist the customer in establishing an open file. Should the customer decide to prosecute the call originating party, the customer should contact Ciera Communications for further instructions. Activation of Call Trace never authorizes Ciera Communications to provide the called party with the name or number of the calling party. In the event that Call Trace is not available or is unable to solve the case, it may be necessary to place a manual trap on the customer's telephone line.

- 3.1.3 A custom package including all custom calling options except Caller ID, Unlisted Number and Call Trace, which has a per successful activation charge, shall be available.

**3.2 SERVICES NOT PROVIDED**

- 3.2.1 Except as provided by Ciera's underlying carrier to its own customer's who are subject to toll restriction, and consistent with the toll-restriction rules and practices imposed by the underlying incumbent local exchange carrier whose services are being resold by Ciera pursuant to this tariff, Ciera blocks and does not provide the following services to customers:

- (1) access to local or long-distance directory assistance;
- (2) access to long distance service, including inbound collect calls;
- (3) access to local or long distance operator services;
- (4) access to 900 / 975 dialing.

- 3.2.2 Ciera does not block toll free 1+ 800 calls.

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SECTION 3 - DESCRIPTION OF SERVICES (Continued) Missouri Public Service Commission

REC'D APR 26 2000

3.3 EXCHANGES SERVED

Ciera Communications, Inc.'s Missouri service areas shall be limited to the following exchanges:

i. Southwestern Bell Telephone Company:

- |                  |                   |                 |                 |
|------------------|-------------------|-----------------|-----------------|
| Adrian           | Eldon             | Lammar          | Puxico          |
| Advance          | Elsberry          | Lancaster       | Quin            |
| Agency           | Essex             | Landwood        | Rayford         |
| Altenburg-Frohnn | Eureka            | Lees Summit     | Republic        |
| Antonio          | Excelsior Springs | Liberty         | Richmond        |
| Archie           | Fair Grove        | Lilbourn        | Richwoods       |
| Argyle           | Farley            | Linn            | Risco           |
| Armstrong        | Farmington        | lock-wood       | Riverview       |
| Ash Grove        | Fayette           | Louisiana       | Rogersville     |
| Beaufort         | Fenton            | Macks Creek     | Rushville       |
| Bell City        | Ferguson          | Malden          | St. Charles     |
| Balton           | Festus-           | Manchester      | St. Clair       |
| Benton           | Crystal City      | Marble Hill     | St. Joseph      |
| Billings         | Fisk              | Marceline       | St. Louis       |
| Bismarck         | Flat River        | Marionville     | St. Mary's      |
| Bloomfield       | Florissant        | Marshall        | Ste. Genevieve  |
| Bloomsdale       | Frank ford        | Marston         | San Antonio     |
| Blue Springs     | Fredericktown     | Maxville        | Sappinton       |
| Bonne Terre      | Freeburg          | Mehlville       | Scott City      |
| Boonville        | Fulton            | Meta            | Sedalia         |
| Bowling Green    | Gideon            | Mexico          | Senath          |
| Bridgeton        | Gladstone         | Moberly         | Sikeston        |
| Brookfield       | Glasgow           | Monett          | Slater          |
| Camdenton        | Grain Valley      | Montgomery City | Smithville      |
| Campbell         | Gravels Mills     | Marchouse       | South Kansas    |
| Cape Girardeau   | Gray Summit       | Nashua          | City            |
| Cardwell         | Greenwood         | Neosho          | Spanish Lake    |
| Carl Junction    | Hannibal          | Nevada          | Springfield     |
| Carrollton       | Harvester         | New Franklin    | Stanberry       |
| Carthage         | Hayti             | New Madrid      | Strafford       |
| Caruthersville   | Herculanuem-      | Nixa            | Tiffany Springs |
| Cedar Hill       | Pevely            | Oak Ridge       | Trenton         |
| Center           | Higbee            | Oakville        | Tuscumbia       |

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SECTION 3 - DESCRIPTION OF SERVICES (Continued)

Missouri Public  
Service Commission

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3.3 EXCHANGES SERVED (Continued)

Ciera Communications, Inc.'s Missouri service areas shall be limited to the following exchanges:

3.3.1 Southwestern Bell Telephone Company (Continued):

|                |              |              |                |
|----------------|--------------|--------------|----------------|
| Chaffee        | High Ridge   | Old Appleton | Union          |
| Charleston     | Hillsboro    | Oran         | Valley Park    |
| Chesterfield   | Holcomb      | Osage Beach  | Versailles     |
| Chillicothe    | Homersville  | Overland     | Vienna         |
| Clarksville    | Imperial     | Pacific      | Walnut Grove   |
| Clever         | Independence | Parkville    | Wardell        |
| Climax Springs | Jackson      | Patton       | Ware           |
| Crave Couer    | Jasper       | Paynesville  | Washington     |
| De Kalb        | Joplin       | Perryville   | Webb City      |
| De Solo        | Kansas City  | Pierce City  | Webster Groves |
| Deering        | Kennett      | Pocahontas-  | Wellsville     |
| Della          | Kirksville   | New Wells    | Westphalia     |
| Dexter         | Kirkwood     | Pond         | Willard        |
| Downing        | Knob Noster  | Poplar Bluff | Wyatt          |
| E.Independence | La Monte     | Portages des |                |
| East Prairie   | Ladue        | Sioux        |                |
| Edina          | Lake Ozark   | Portageville |                |

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**SECTION 4 - RATES AND CHARGES**

**Missouri Public  
Service Commission**

**4.1 BASIC LOCAL SERVICE**

REC'D APR 26 2000

| <u>BASIC SERVICE</u>                                   | <u>RATE</u>     | <u>INITIATION FEES</u> |
|--|-----------------|------------------------|
| Basic Local Service                                    | \$44.99/per mo. | \$69.00                |
| Call Waiting   | 10.00/per mo.   |                        |
| Call Return  | 5.00/per mo.    |                        |
| Caller ID  | 12.00/per mo.   | 10.00                  |
| Call Block   | 5.00/per mo.    |                        |
| Auto Redial  | 5.00/per mo.    |                        |
| Call Forwarding  | 5.00/per mo.    |                        |
| Priority Call  | 5.00/per mo.    |                        |
| Three-Way Calling                                      | 5.00/per mo.    |                        |
| Speed Calling  | 5.00/per mo.    |                        |
| Unlisted Number  | 5.00/per mo.    | 15.00                  |
| Custom Package without<br>Caller ID or Unlisted Number | 20.00/per mo.   |                        |

Per Successful Activation

Call Trace \$ 6.00

The above rates do not include the taxes and surcharges specified in Section 4.5 of this tariff. Initiation fees will not be charged for additional services ordered at the time of initiation of service. A maximum \$20.00 initiation fee will be charged to add an additional service(s) to an existing customer.

**4.2 INITIATION FEE**

Ciera Network Systems, Inc. shall charge a flat fee of \$69.00 for initiation of services, which includes the first month's basic local service fee of \$44.99. The initiation fee is due and payable before the service is activated. If service is ever disconnected and terminated, the customer shall pay another initiation fee prior to receiving service.

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**SECTION 4 - RATES AND CHARGES (Continued)**

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Service Commission**

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**4.3 PROMOTIONS**

The Company may, from time to time, engage in special promotional offerings or trial service offerings limited to certain dates, times, and/or locations in order to attract new customer or increase the usage by existing customers. These promotions will be subject to seven (7) days prior notification and approval by the Commission.

**4.4 DEPOSITS**

Ciera Network Systems, Inc. does not require deposits from customers in order to initiate service.

**4.5 TAXES/SURCHARGES**

All state and local taxes (i.e. gross receipts tax, sales tax, municipal utilities tax), Relay Missouri, 911 surcharges, and other lawfully required surcharges are in addition to, and are not included in the monthly recurring rates specified above for the services provided and shall be listed separately on the customer's bill.

**4.6 RECONNECTION OF BLOCKED OR SUSPENDED SERVICE**

If after service is terminated and the customer again requests service, the customer shall be assigned a new telephone number and shall pay a new initiation fee. Prior to actual disconnection, a customer's service may be suspended at which time the customer's telephone number shall be reserved for fourteen (14) days. Ciera shall charge a restoration fee of \$15.00 for restoration of service during any period of suspension.

Prior to actual disconnection, service may be extended by a payment of a service continuation fee of \$10.00, at which time the telephone number will be reserved for ten (10) days and service will be extended ten (10) days beyond the expiration of the prepaid period. The customer may elect to pay the continuation fee to avoid a reconnection fee, however the customer will be responsible to pay for all services provided during the service continuation period. The \$10.00 service continuation fee will not be deducted from the month recurring charge.

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**SECTION 4 - RATES AND CHARGES**

**4.7 RESIDENTIAL CUSTOMER RIGHTS AND RESPONSIBILITIES**

- 4.7.1 Ciera may process a customer's request for service via telephone call initiated by the customer. The customer is not required to sign a service contract with Ciera in order to receive service.
- 4.7.2 Prior to providing service to the customer, Ciera will provide the customer with a written notice which specifies the rates to be charged for the services to be provided and that the rates charged are exclusive of applicable taxes and surcharges, such as Relay Missouri and 911. Said notice shall contain a statement that:
  - 4.7.2.1 the customer is subject to toll restriction, including blocking of long distance, toll, incoming collect calls, directory assistance, 900 / 976 calling and operator services, just as if the customer was receiving service with a toll restriction from the underlying carrier;
  - 4.7.2.2 that 1 + 800 toll free calls shall not be blocked;
  - 4.7.2.3 includes dialing instructions for accessing emergency services within the customer's exchange.
- 4.7.3 Prior to providing service to the customer, Ciera also will provide the customer with the following information:

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**STATEMENT OF RESIDENTIAL CUSTOMER RIGHTS AND RESPONSIBILITIES**

REC'D APR 26 2000

Ciera is regulated by the Missouri Public Service Commission. This information is provided in accordance with the rules of the Missouri Public Service Commission and explains your rights and responsibilities as a residential Ciera customer.

**Your Telephone Bill**

You will receive a telephone bill from us each month. Ciera Network Systems, Inc. provides only basic local telephone service (including access to 911 and toll-free 800 services) and the custom calling services listed below. Long distance service is not provided by Ciera Network Systems, Inc. Additionally, you will not have access to the following calls, which will be blocked by Ciera Network Systems, Inc.: long distance, toll, third-party number billed calls, incoming collect calls and local or long distance operator services, including local and long distance directory assistance. Ciera Network Systems, Inc. does not require a deposit for service.

A one-time initiation fee and the first month's service charge, plus associated taxes, are required to initiate service. The initiation fee is 100% refundable upon request for termination of service within 10 business days following the date upon which the Statement of Rights and Responsibilities is either hand-delivered or mailed to the customer. In the situation where the Statement of Rights and responsibilities is mailed to the Customer, the 10 business days shall start on the date of the postmark. The recurring monthly service charge, plus associated taxes, shall be pro-rated for the actual number of days which service has been provided with the non-used portion being refunded to the customer.

All monthly service charges must be paid in full within 21 days of the date of the rendition of the bill. If we do not receive your payment within 21 days, your service is subject to suspension or disconnection. When paying by mail, be sure to allow enough time for your payment to reach us by the due date.

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**STATEMENT OF RESIDENTIAL CUSTOMER RIGHTS AND RESPONSIBILITIES**

REC'D APR 26 2000

Ciera Network Systems, Inc.'s rates and charges are as follows:

| <u>BASIC SERVICE</u>                                   | <u>RATE</u>     | <u>INITIATION FEES</u> |
|--|-----------------|------------------------|
| Basic Local Service                                    | \$44.99/per mo. | \$69.00                |
| Call Waiting   | 10.00/per mo.   |                        |
| Call Return  | 5.00/per mo.    |                        |
| Caller ID  | 12.00/per mo.   | 10.00                  |
| Call Block   | 5.00/per mo.    |                        |
| Auto Redial  | 5.00/per mo.    |                        |
| Call Forwarding  | 5.00/per mo.    |                        |
| Priority Call  | 5.00/per mo.    |                        |
| Three-Way Calling                                      | 5.00/per mo.    |                        |
| Speed Calling  | 5.00/per mo.    |                        |
| Unlisted Number  | 5.00/per mo.    | 15.00                  |
| Custom Package without<br>Caller ID or Unlisted Number | 20.00/per mo.   |                        |

Per Successful Activation

Call Trace \$ 6.00

The above rates do not include the taxes and surcharges specified in Section 4.5 of this tariff. Initiation fees will not be charged for additional services ordered at the time of initiation of service. A maximum \$20.00 initiation fee will be charged to add an additional service(s) to an existing customer.

Payment Arrangements

Payments must be sent to Ciera's business office or made at one of our Agent locations. Payment may be made by valid personal check, cash, credit card, cashier's check, money order, or electronic funds transfer. If you are temporarily having difficulty paying your telephone bill, or if you have any inquiry or dispute of any charge, please call Ciera immediately toll-free, twenty-four (24) hours a day at 1-888-467-1844. By doing this, you may avoid having your phone service suspended or disconnected.

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**STATEMENT OF RESIDENTIAL CUSTOMER RIGHTS AND RESPONSIBILITIES**

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**Suspension and Disconnection of Telephone Service**

Your telephone service is subject to suspension and blocking of your service for any of the reasons listed below. If after your service is disconnected you again request service, a new telephone number will be assigned and you will be required to again pay a \$69.00 service initiation fee. Prior to actual disconnection, your service may be suspended. If your service is suspended, your telephone number shall be reserved for fourteen (14) days, during which time a service restoration charge of \$15.00 shall apply.

Prior to actual disconnection, service may be extended at which time your telephone number shall be reserved for ten (10) days and will extend service beyond the expiration of the prepaid period after paying the service continuation fee of \$10.00. You may elect to pay a service continuation fee to avoid a reconnection fee, however, you will be responsible to pay for all service provided during the service continuation period.

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**STATEMENT OF RESIDENTIAL CUSTOMER RIGHTS AND RESPONSIBILITIES**

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Your service may be discontinued for any of the following reasons:

1. Non-payment of an undisputed delinquent charge. Your service will not be suspended or discontinued for nonpayment of a delinquent charge until Ciera has notified you writing at least ten (10) days in advance of the suspension or discontinuance. Additionally, Ciera will make reasonable efforts to contact you at least twenty-four (24) hours in advance prior to suspending or disconnecting your telephone service.
2. Unauthorized use of telephone utility equipment in a manner which creates an unsafe condition or creates the possibility of damage or destruction to such equipment.
3. Refusal after reasonable notice to permit inspection, maintenance, or replacement of telephone utility equipment.
4. Misrepresentation of identity in obtaining telephone utility service.
5. Failure to post a required deposit or guarantee
6. Failure to comply with terms of a settlement agreement
7. As allowed by federal or state law.

If you are unable to pay a charge in full when due, you should contact Ciera to discuss a possible settlement agreement. Matters resolved by settlement agreement shall not constitute a basis for disconnection as long as you are following the terms of the agreement.

Ciera will postpone disconnection for a time not in excess of twenty one (21) days if the telephone is necessary to obtain emergency medical assistance for a person who is member residing in the customer's household and where such person is under the care of a physician. You must notify and provide Ciera with reasonable evidence of such necessity.

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**STATEMENT OF RESIDENTIAL CUSTOMER RIGHTS AND RESPONSIBILITIES**

REC'D APR 26 2000

**Reconnection of Service**

After service has been suspended, Ciera will restore your service when the reason for the suspension has been remedied. Before your service is restored, the following will be required:

1. Payment for all undisputed amounts must be received by Ciera or its authorized Agent.
2. Installation charges must be paid again if your service has been disconnected. Installation charges will not be assessed if your service has been suspended, but you will be required to pay a \$15.00 service restoration fee.
3. One months advance payment has been made and received by Ciera or its Authorized Agent.

**Procedures for Handling Inquiries and Complaints**

Telephone inquiries may be directed to Ciera at 1-888-467-1844. Written inquiries may be directed to Ciera, 2630 Fountainview, Suite 300, Houston, Texas 77057. Facsimiles may be sent to 1-713-914-3851.

**Filing a Complaint with the Missouri Public Service Commission**

If Ciera cannot resolve your complaint, you may call the Missouri Public Service Commission, located at 301 West High Street, 5th Floor, Jefferson City, Missouri 65101, toll free at 1-800-392-4211 to file an informal complaint.

If your complaint cannot be resolved informally, you may file a formal complaint in writing with the Missouri Public Service Commission at P.O. Box 360, Jefferson City, Missouri, 65102.

Also, the Missouri Office of the Public Counsel, representing the public before the Missouri Public Service Commission, has its office at 301 West High Street, Jefferson City, Missouri 65101. The telephone number is 1-573-751-4857.

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