

New Concept Communications, LLC

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MO. PUBLIC SERVICE COMMISSION

Tariff Schedule

Applicable to

Missouri Intrastate

Telephone Communications

of

New Concept Communications, LLC

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by New Concept Communications, LLC, ("NCC") within the State of Missouri. This tariff is on file with the Missouri Public Service Commission, and copies may be inspected, during normal business hours, at NCC's principal place of business.

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## INDEX

## LIST OF WAIVED STATUTES AND REGULATIONS

The Missouri Public Service Commission in its order in the case of *In the Matter of the Application of New Concept Communications, LLC for a Certificate of Authority to Provide Competitive Interexchange Intrastate Telecommunications Services within the State of Missouri*, Case No. TA-98-215, waived the following statutes and regulations:

STATUTES

Section 392.210.2	--	System of Accounts.
Section 392.240(1)	--	Rates--Reasonable average return on investment.
Section 392.270	--	Property valuation.
Section 392.280	--	Depreciation rates.
Section 392.290	--	Issuance of securities.
Section 392.310	--	Issuance of stocks and bonds.
Section 392.320	--	Stock dividends.
Section 392.330	--	Issuance of securities; debts and notes.
Section 392.340	--	Reorganization.

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	--	Uniform system of Accounts.
4 CSR 240-32.030(1)(B) and (C)	--	Exchange area maps and record or access lines.
4 CSR 240-32.030(2)	--	In-state record keeping.
4 CSR 240-32.050(3) through (6)	--	Information concerning local service tariffs, maps, directories and telephone numbers.
4 CSR 240-32.070 (4)	--	Public telephone.
4 CSR 240-33.030	--	Minimum Charges.
4 CSR 240-33.040 (5)	--	Financing Fees.

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Original Sheet No. 2-T  
NOV 20 1997TABLE OF CONTENTS

MO. PUBLIC SERVICE COM

Subject MatterSheet No.

Title Sheet	Title
Tariff Checking Sheet	1-T
Table of Contents	2-T
Preliminary Statement	3-T
Explanation of Symbols	3-T
Tariff Format Sheets	4-T
Service Area Map	5-T
Section 1 - Rules and Regulations	6-T
Section 2 - Technical Terms and Abbreviations	12-T
Section 3 - Description of Services and Rates	14-T

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## PRELIMINARY STATEMENT

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This tariff contains all effective rates and rules together with information relating to an applicable to New Concept Communications, LLC ("NCC").

MO. PUBLIC SERVICE COMMISSION

NCC provides 24-hour interLATA and intraLATA intrastate telephone service between points in Missouri.

NCC has been granted authority by the Missouri Public Service Commission ("MPSC") to provide interLATA and intraLATA intrastate service within the state of Missouri.

## SYMBOLS USED IN THIS TARIFF

- (C) To signify changed regulation
- (D) Delete or discontinue
- (I) Change resulting in an increase to a customers bill
- (M) Moved from another tariff location
- (N) New
- (R) Change resulting in a decrease to a customers bill
- (T) Change in text or regulation but not change in rate or charge

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## TARIFF FORMAT SHEETS

**MO. PUBLIC SERVICE COMMISSION****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 MPSC. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14.

**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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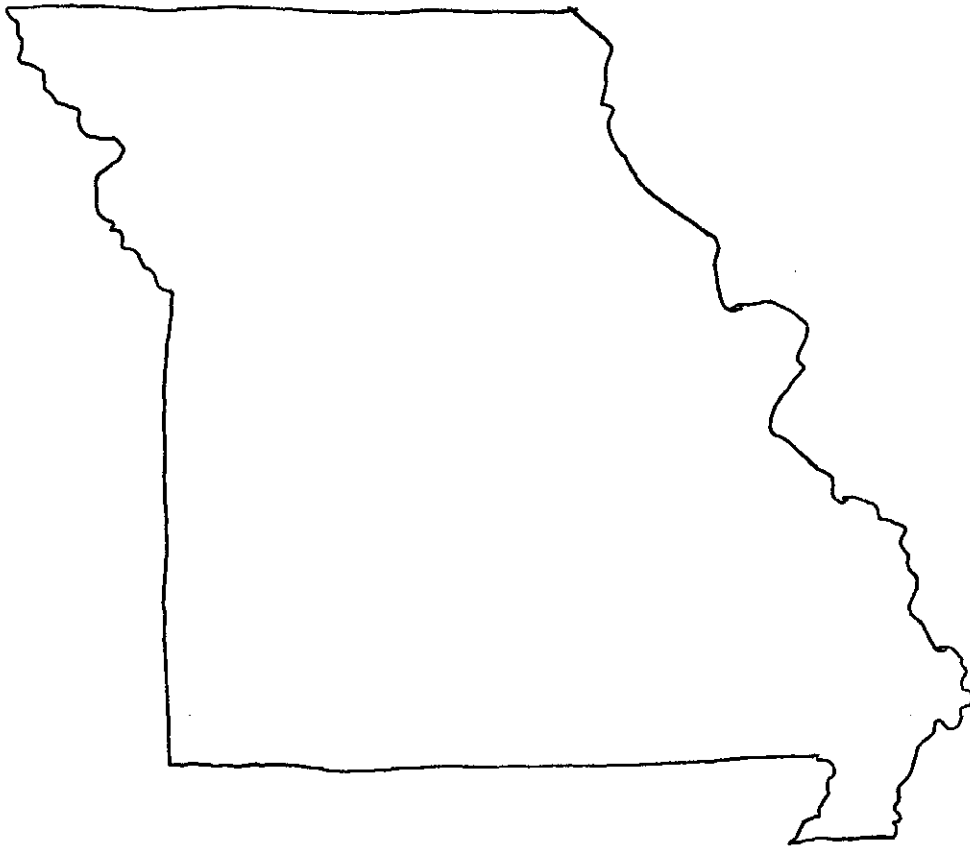
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SERVICE AREA MAP

NCC has been granted authority by the MPSC to provide interLATA and intraLATA service within the State of Missouri.

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Original Sheet No. 6-T  
NOV 20 1997SECTION 1 - RULES AND REGULATIONS

MO. PUBLIC SERVICE COMM

1.1 Undertaking of the Company

New Concept Communications, LLC's ("NCC") services and facilities are furnished for communications originating and terminating within the State of Missouri under terms of this tariff.

The Company's services and facilities are provided on a monthly basis unless ordered on a longer term basis, and are available twenty-four hours per day, seven days per week.

1.2 Limitations

1.2.1 Service is offered subject to the availability of facilities and provisions of this tariff.

1.2.2 NCC reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control or when the customers using service in violation of the law or the provisions of this tariff.

1.2.3 The services provided under this tariff are directly controlled by NCC and the customer may not alter or affect the services nor transfer or assign its use of the services, except with the express written consent of the Company, which consent may be withheld, without limitation, by NCC in its sole discretion at any time such alteration, effect, transfer or assignment would result in an interruption of services or a change in the customer's location to which the services are to be provided.

1.2.4 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 for service.

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SECTION 1 - RULES AND REGULATIONS (Cont'd)1.3 Liabilities of the Company

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1.3.1 NCC's liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission occurring in the course of furnishing service or facilities, and not caused by the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which the aforementioned faults of the transmission occur.

1.3.2 NCC shall be indemnified and held harmless by the customer against:

- (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over the Company's facilities.
- (B) All other claims arising out of any act or omission of the customer in connection with any service or facility provided by NCC.

1.4 Interruption of Service

1.4.1 Credit allowance for the interruption of service which is not due to the company's testing or adjusting, negligence of the customer, or to the failure of channels or equipment provided by the customer, are subject to the general liability provisions set forth in 2.3.1 herein. The customer shall receive no credit allowance for interruption of service which is due to the Carrier's testing or adjusting, negligence of the customer, or to the failure of channels or equipment provided by the customer. It shall be the obligation of the customer to notify the company immediately of any interruption of service for which a credit allowance is desired. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission by the customer within his/her control, if any, furnished by the customer in connection with the Company's services.

1.4.2 For purposes of credit computation, every month shall be considered to have 720 hours.

1.4.3 No credit shall be allowed for an interruption of a continuous duration of less than two hours.

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SECTION 1 - RULES AND REGULATIONS (Cont'd)

MO. PUBLIC SERVICE COMMISSION

1.4 Interruption of Service (Cont'd)

## 1.4.4 No credit shall be allowed:

- (A) For failure of services or facilities of customer or other carriers; or
- (B) For failure of services or equipment caused by the negligence or willful acts of customers or others.

1.4.5 The customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the monthly charge for the facilities affected for each hour or major fraction thereof that the interruption continues.

Credit Formula:

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

"A" - outage time in hours

"B" - total monthly charge for affected facility

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The Company does not require a deposit from the customer.

1.6 Advance Payments

For customers who the Company feels an advance payment is necessary, the Company reserves the right to collect an amount not to exceed one (1) month's estimated charges as an advance payment for service. This will be applied against the next month's charges. If the amount of the advance payment exceeds the amount of the next month's bill, the excess shall be applied to the following month's billing. If necessary a new advance payment will be collected for the next month.

1.7 Taxes

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

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SECTION 1 - RULES AND REGULATIONS (Cont'd)

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1.8 Payment and Billing1.8.1 When Billing Charges Begin and Terminate for Phone Calls

The customer's long distance usage charge is based on the actual usage of NCC's network. Usage begins when the called party picks up the receiver, (i.e., when 2 way communication, often referred to as "conversation time" is possible.) When the called party picks up is determined by hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. When software answer supervision is employed, up to 60 seconds of ringing is allowed before it is billed as usage of the network. A call is terminated when the calling or called party hangs up.

1.8.2 Billing Increments

Unless otherwise specified in this tariff, the minimum call duration for billing purposes is one (1) minute for a connected call. Calls beyond one (1) minute are billed in one (1) minute increments.

1.8.3 Per Call Billing charges

Billing will be rounded up to the nearest penny for each call.

1.8.4 Uncompleted Calls

There shall be no charges for uncompleted calls.

1.9 Billing of Calls

All charges due by the subscriber are payable at any agency duly authorized to receive such payments. Any objection to billed charges should be promptly reported to the Company within thirty (30) days after the customer has received the bill containing the disputed charges. Adjustments to customer's bills shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate.

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NOV 20 1997SECTION 1 - RULES AND REGULATIONS (Cont'd)

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1.10 Payment of Calls1.10.1 Late Payment Charges

Interest charges of 1 1/2% per month may be assessed on all unpaid balances more than thirty days old.

1.10.2 Return Check Charges

A return check charge of \$20.00 or 5% of the amount of the check, whichever is greater, will be assessed for checks returned for insufficient funds.

1.10.3 Restoration of Service

A reconnection fee of \$25.00 per occurrence is charged when service is re-established for customers who had been disconnected for non-payment.

1.11 Minimum Call Completion Rate

A customer can expect a call completion rate (number of calls completed/number of calls attempted) of not less than 90% during peak use periods for all FG-D services ("1+" dialing).

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SECTION 1 - RULES AND REGULATIONS (Cont'd)

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1.12 Discontinuance of Service

1.12.1 NCC may discontinue the service under the following circumstances, provided suitable notice has been given to the customer, as required:

- (A) Non-payment of any undisputed sum due to the Company for service for more than twenty-eight (28) days beyond the date of rendition of the bill for such service;
- (B) A violation or failure to comply with any regulation governing the furnishing of service;
- (C) An order of a court or other government authority having jurisdiction which prohibits the Company from furnishing service;
- (D) Material misrepresentation of identity in obtaining service in a manner that in the opinion of the Company constitutes fraud or abuse.

1.12.2 A notice of discontinuance shall be sent by first class mail or delivered to the customer at least five (5) days prior to the date of the proposed discontinuance.

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SECTION 2 - TECHNICAL TERMS AND ABBREVIATIONSA. Definitions

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1. Accounting Code: A multi-digit code which enables a customer to allocate long distance charges to its internal accounts.
2. Authorization Code: A multi-digit code which enables a customer to access NCC's network and enables NCC to identify the customer's use for proper billing.
3. Business Hours: The phrase "business hours" means the time after 8:00 A.M. and before 5:00 P.M., Monday through Friday excluding holidays.
4. Carrier: The term "Carrier" means NCC.
5. Company: The term "Company" means NCC.
6. Customer: See definition under "subscriber".
7. Day: The term "day" means 8:00 A.M. to 4:59 P.M. local time at the originating city, Monday through Friday, excluding Company-specific holidays.
8. Delinquent or Delinquency: The terms "delinquent" and "delinquency" mean an account for which payment has not been paid in full on or before the last day for timely payment.
9. Evening: The term "evening" means 5:00 P.M. to 10:59 P.M. local time at the originating city, Monday through Friday and on Company-specified holidays except when a lower rate would normally apply.
10. Exchange Area: The term "exchange area" means a geographically defined area wherein the telephone industry through the use of maps or legal descriptions sets down specified areas where individual telephone exchange companies hold themselves out to provide communication services.
11. Holiday: The term "holiday" means all Company-specific holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day, and Christmas Day.

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SECTION 2 - TECHNICAL TERMS AND ABBREVIATIONS (Cont'd)

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A. Definitions (Cont'd)

12. Local Access Transport Area ("LATA"): The phrase "Local Access Transport Area" means a geographical area established by the U.S. District Court for the District of Columbia in Civil Action No. 17-49, within which a local exchange company provides communication services.
13. Local Exchange Carrier/Local Exchange: This term means a company providing telecommunications service within a local exchange or LATA.
14. Night/Weekend: The words "night/weekend" mean 11:00 P.M. to 7:50 A.M. local time in the originating city, Saturday, from 8:00 A.M. to Sunday at 10:50 P.M.
15. Nonbusiness Hours: The phrase "nonbusiness hours" means the time period after 5:00 P.M. and before 8:00 A.M., Monday through Friday, all day Saturday, Sunday, and on holidays.
16. Regular Billing: The words "regular billing" mean a standard bill sent in the normal NCC billing cycle. This billing consists of one bill for each account assigned to a subscriber.
17. Residential Service: The phrase "residential service" means telecommunication services used primarily as nonbusiness service.
18. Subscriber: The term "subscriber" means the firm, company, corporation, or other entity which contracts for service under this tariff and which is responsible for the payment of charges as well as compliance with Company's regulations pursuant to this tariff. The term "customer" is synonymous with the term "subscriber."
19. Switch: The term "switch" means an electronic device which is used to provide circuit routing and control.
20. Timely Payment: The term "timely payment" means a payment on a customer's account made on or before the due date.

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SECTION 3 - DESCRIPTION OF SERVICES AND RATES

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3.1 Service Offerings

3.1.1 Concept One - Service Plan

Concept One - This Service Plan is a flat rate, direct access, inter/intrastate service designed for all customers.

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Activation Fee: \$0.00

Monthly Access Fee: \$2.96

Usage Rate (per minute): \$0.100

Calls are billed in one (1) minute increments with a one (1) minute minimum.

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