

BUEHNER-FRY, INC.
D/B/A RESORT OPERATOR SERVICES

P.S.C.MO. No. 1
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COMMON CARRIER TELECOMMUNICATIONS TARIFF **MISSOURI**
Public Service Commission

FOR

BUEHNER-FRY, INC. D/B/A RESORT OPERATOR SERVICES

This tariff contains the rules, regulations, descriptions, and rates applicable to the furnishing of Common Carrier Communications offered by Buehner-Fry, Inc. d/b/a Resort Operator Services between points within Missouri.

Issued: February 14, 1997

Effective: [REDACTED]

Issued by: Milton T. Buehner, President
Buehner-Fry, Inc. d/b/a Resort Operator Services
62975 Boyd Acres Road, Suite 2
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D/B/A RESORT OPERATOR SERVICES

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CHECK SHEET

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Sheets 1 through 20, inclusive, of this tariff are effective as of the date shown at the bottom of the respective sheet (sheet, original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

SHEET

REVISION LEVEL

ALL SHEETS ORIGINAL

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P.S.C. MO. No. 1
Original Sheet No. 2

TABLE OF CONTENTS

FEB 14 1997

Check Sheet.....	MISSOURI Public Service Commission
Table of Contents.....	2
Section 1 - Technical Terms and Abbreviations.....	5
Section 2 - Rules and Regulations.....	7
Section 3 - Description of Service.....	17
Section 4 - Rates.....	20

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SYMBOLS

The following symbols are used for the purposes indicated below:

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

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TARIFF FORMAT

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

B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the PSCM. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Consult the Check Sheet for the sheet currently in effect.

C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to the 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).

D. Check Sheets - When a tariff filing is made with the PSCM, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new pages are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remain the same, just revised revision levels on some pages.) The tariff user should refer to the latest Check Sheet to find out if a particular sheet is the most current on file with the PSCM.

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97 - 325

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS FEB 14 1997

Access Line - An arrangement which connects the customer's location to a Buehner-Fry, Inc. d/b/a Resort Operator Services switching center or point of presence.

BFI - Used throughout this tariff to mean Buehner-Fry, Inc. d/b/a Resort Operator Services unless clearly indicated otherwise by the text.

Calling Card - A billing convenience whereby the End User may bill the charges for a call to an approved telephone company-issued calling card. The terms and conditions of the local telephone company will apply to payment arrangements.

Collect Billing - A billing convenience whereby the originating caller may bill the charges for a call to the called party, provided the called party agrees to accept the charges.

Commission - The Missouri Public Service Commission.

Company or Carrier - Buehner-Fry, Inc. d/b/a Resort Operator Services unless otherwise clearly indicated by the context.

Credit Card - A billing convenience whereby the End User may bill the charges for a call to an authorized national charge card. The terms and conditions of the agreement between the credit card company and its patrons will apply to payment arrangements.

Customer or End User - The person, firm, corporation, or other entity which initiates a call on the Company's network, or accepts billing for a call on the Company's network, subject to the terms and conditions of the Company's tariff regulations.

Dedicated Access Origination - Where originating access between the Customer and the interexchange carrier is provided on dedicated circuits. The cost of these dedicated circuits is billed by the access provider directly to the end user.

LEC - Local Exchange Company.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, CONT. FEB 1 1997

Operator-Station Call - A service whereby the originating End User requests the assistance of a Company operator to place or bill the call. Calls billed to a telephone company-issued Calling Card or to an authorized Credit Card are Operator-Station calls unless the call is placed on a Person-to-Person basis. Automated Calling Card calls are not Operator-Station calls.

PSCM - Public Service Commission of Missouri.

Resort Operator Services - Buehner-Fry, Inc. d/b/a Resort Operator Services unless otherwise clearly indicated by the context.

Subscriber - The person, firm, partnership, corporation, or other entity who owns or manages the property or location from which a Customer places a call utilizing the equipment and services of the Company. The Subscriber or its agents have a pre-existing business arrangement with the Company and may also be a Customer or End User.

Switched Access Origination - Where originating access between the customer and the interexchange carrier is provided on local exchange company Feature Group circuits.

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SECTION 2 - RULES AND REGULATIONS

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2.1 Undertaking of Buehner-Fry, Inc.

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BFI's services and facilities are furnished to Subscribers and Customers for communications between points within the State of Missouri. The Company offers resold direct dial and operator assisted long distance services. Various billing arrangements are available with its operator assisted service including Calling Card, Commercial Credit Card, Collect, and Third Party. Missouri intrastate service is offered in conjunction with the Company's interstate service. The Company's services and facilities are available twenty-four hours per day, seven days per week.

BFI installs, operates, and maintains the communications services hereinunder for End Users in accordance with the terms and conditions set forth under this tariff and through contracts with its Subscribers. BFI may act as the Subscriber's agent for ordering access connection facilities provided by other carriers or entities, when authorized by the Subscriber, to allow connection of a Subscriber's location to BFI's network. The Subscriber shall be responsible for all charges due for such service arrangement.

2.2 Limitations

- 2.2.1 Service is offered subject to the availability of the necessary facilities and equipment, and subject to the provisions of this tariff.
- 2.2.2 BFI reserves the right to discontinue or limit service when necessitated by conditions beyond its control, or when the Customer is using service in violation of provisions of this tariff, or in violation of the law.
- 2.2.3 The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.

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SECTION 2 - RULES AND REGULATIONS, CONT.

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2.2 Limitations, cont.

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2.2.4 All facilities provided under this tariff are directly controlled by BFI and the Customer may not transfer or assign the use of service or facilities without the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.

2.2.5 Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions of service.

2.3 Use

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

2.4 Liabilities of the Company

2.4.1 BFI's liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in transmission which occur in the course of furnishing service or facilities, in no event shall exceed an amount equivalent to the proportionate charge to the Customer for the period during which the faults in transmission occur.

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97 - 325

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SECTION 2 - RULES AND REGULATIONS, CONT.

2.4 Liabilities of Company, cont.

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- 2.4.2 The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage), for any interruption, delay, error, omission, or defect in any service, facility, or transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.
- 2.4.3 The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copy-right or patent, unauthorized use of any trademark, tradename, or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use or removal of equipment or wiring provided by the Company, if not directly caused by negligence of the Company.
- 2.4.4 No agent or employee of any other carrier shall be deemed to be an agent or employee of the Company.

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97 - 325

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SECTION 2 - RULES AND REGULATIONS, CONT.

2.4 Liabilities of Company, cont.

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2.4.5 The Company shall not be liable for any defacement of or damages to the premises of a Customer resulting from the furnishing of service which is not the direct result of the Company's negligence.

2.5 Deposits

The Company does not require a deposit from the Customer.

2.6 Advance Payments

For Customers or Subscribers from whom the Company feels an advance payment is necessary, BFI reserves the right to collect an amount not to exceed one month's estimated charges as an advance payment for service. This will be applied against the next month's charges and a new advance payment may be collected for the next month.

2.7 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.

2.8 Terminal Equipment

The Company's facilities and service may be used with or terminated in Customer-provided terminal equipment or Customer-provided communications systems, such as a PBX. Such terminal equipment shall be furnished and maintained at the expense of the Customer, except as otherwise provided by tariff or contract. The Subscriber is responsible for all costs at his or her premises, including personnel, wiring, electrical power, and the like, incurred in the use of the Company's service. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry.

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2.9 Installation

Service is installed upon mutual agreement between the Customer and the Company. The service agreement does not alter rates specified in this tariff.

2.10 Payment for Service

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer or to an Authorized User of the Customer by BFI. All charges due by the Customer are payable to the Company or to any agency duly authorized to receive such payments and are considered delinquent 21 days after receipt of the Company's bill. The billing agency may be a local exchange telephone company, inter-exchange carrier, or other billing service. Terms of payment shall be according to the rules and regulations of the agency and subject to the rules of regulatory agencies, such as the PSCM. Any objections to billed charges must be promptly reported to the Company or the Company's billing agent. Customers may contact the Company at 62975 Boyd Acres Road, Suite 2, Bend, Oregon 97701-8237, whose telephone number is (800) 777-1864. Adjustments to Customer's bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate.

2.11 Cancellation by Customer

Customer may cancel service by providing 30 days written notice to the Company.

2.12 Interconnection

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

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97 - 325

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SECTION 2 - RULES AND REGULATIONS, CONT. FEB 14 1997

2.13 Refusal or Discontinuance by Company

BFI may refuse or discontinue service under the following conditions provided that, unless otherwise stated, the Customer shall be given 15 days written notice to comply with any rule or remedy any deficiency:

- 2.13.1 For non-compliance with or violation of any State, municipal, or Federal law, ordinance or regulation pertaining to telephone service.
- 2.13.2 For use of telephone service for any other property or purpose than that described in the application.
- 2.13.3 For neglect or refusal to provide reasonable access to BFI or its agents for the purpose of inspection and maintenance of equipment owned by BFI or its agents.
- 2.13.4 For noncompliance with or violation of Commission regulation or BFI's rules and regulations on file with the Commission, provided five days written notice is given before termination.
- 2.13.5 For nonpayment of bills, provided that suspension or termination of service shall not be made without five days written notice to the Customer.
- 2.13.6 Without notice in the event of Customer or Authorized User use of equipment in such a manner as to adversely affect BFI's equipment or service to others.
- 2.13.7 Without notice in the event of tampering with the equipment or services owned by BFI or its agents.

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97 - 325

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SECTION 2 - RULES AND REGULATIONS, CONT.

FEB 14 1997

2.13 Refusal or Discontinuance by Company, cont.

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2.13.8 Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, BFI may, before restoring service, require the Customer to make, at his or her own expense, all changes in facilities or equipment necessary to eliminate illegal use and to pay an amount reasonably estimated as the loss in revenues resulting from such fraudulent use.

2.13.9 Without notice by reason of any order or decision of a court or other government authority having jurisdiction which prohibits Carrier from furnishing such services.

2.13.10 For extended periods of inactivity.

2.14 Interruption of Service

It shall be the obligation of the Customer or Subscriber to notify Carrier immediately of any interruption in service for which a credit allowance is desired by Customer or Subscriber. Before giving such notice, Customer or Subscriber shall ascertain that the trouble is not within his or her control, or is not in wiring or equipment, if any, furnished by Subscriber and connected to Carrier's terminal. Interruptions caused by Subscriber-provided or Carrier-provided automatic dialing equipment are not deemed an interruption of service as defined herein since the Customer or Subscriber has the option of using the long distance network via local exchange company access.

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SECTION 2 - RULES AND REGULATIONS, CONT.

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2.15 Restoration of Service

The use and restoration of service shall be in accordance with the rules and regulations of the Commission.

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2.16 Inspection, Testing, and Adjustment

Upon reasonable notice, the facilities provided by the Carrier shall be made available to the Carrier for tests and adjustments as may be deemed necessary by the Carrier for maintenance. No interruption allowance will be granted for the time during which such tests and adjustments are made.

2.17 Tests, Pilots, Promotional Campaigns and Contests

The Carrier may conduct special tests or pilot programs and promotions at its discretion to demonstrate the ease of use, quality of service and to promote the sale of its services. The Carrier may also waive a portion or all processing fees or installation fees for winners of contests and other occasional promotional events sponsored or endorsed by the Carrier. From time to time, the Company may waive all processing fees for a Customer. These promotions will be subject to prior notification and approval by the PSCM.

2.18 Cost of Collection and Repair

The Customer is responsible for any and all costs incurred in the collection of monies due the Carrier including legal and accounting expenses. Customer is also responsible for recovery costs of Carrier-provided equipment and any expenses required for repair or replacement of damaged equipment.

2.19 Late Fee

A late fee of 1.5% monthly may be charged on any past due balances beginning 30 days from the mailing date of the bill.

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97 - 325

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2.20 Returned Check Charges

A fee of \$15.00, or five percent of the amount of the check, whichever is greater, may be charged for each check returned for insufficient funds.

2.21 Reconnection Charge

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

2.22 Operator Service Rules

- 2.22.1 BFI will not knowingly bill for incomplete calls and will remove any charge(s) for incomplete calls upon subscriber notification or the Company's knowledge of the charge(s) for incomplete calls.
- 2.22.2 BFI will advise the caller and billed party (if different from the end user) that Resort Operator Services is the operator service provider at the time of the initial contact.
- 2.22.3 BFI will provide rate quotes, including all rate components and any additional charges, upon request, at no charge.
- 2.22.4 BFI will allow only tariff charges approved by the commission, or otherwise allowed by law for the provision of operator services, to appear on billings rendered by local exchange companies (LECs) on behalf of BFI and will not collect locations surcharges imposed by traffic aggregators.
- 2.22.5 BFI will arrange for listing of its name on a LEC's billing of BFI's charges, if the LEC has multi-carrier bill listing capability.

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SECTION 2 - RULES AND REGULATIONS, CONT. FEB 14 1997

2.22 Operator Service Rules, cont.

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- 2.22.6 BFI will employ reasonable calling card verification procedures which are acceptable to the companies issuing the calling cards. In order to control fraud, the Company may refuse to accept calling cards which it determines to be invalid or cards which it is unable to verify.
- 2.22.7 BFI will direct all "00-" emergency calls to the local exchange carrier (LEC), at no charge.
- 2.22.8 BFI's contracts with traffic aggregators will contain provisions which:
- a. Prohibit the blocking of access to an end user's interexchange carrier of choice; and
 - b. Provide for the prominent posting or display, on or near the telephones to be utilized by end users, of material setting forth the name of the carrier, complaint procedures, instructions on reaching the LEC operator as well as other interexchange carriers, and procedures for emergency calls.

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SECTION 3 - DESCRIPTION OF SERVICE

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3.1 Timing of Calls

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- 3.1.1 Long distance usage charges are based on the actual usage of BFI's network. The Company will determine that a call has been established through industry standard answer detection methods including, where available, by signal from the local telephone company.
- 3.1.2 Minimum billed call duration and billing increments differ from product to product. Product specific information is included in Section 4 of the Rate Schedules.
- 3.1.3 Usage is measured and rounded to the next higher billing increment for billing purposes.
- 3.1.4 There is no billing applied for incomplete calls.
- 3.1.5 Chargeable time ends when either party "hangs up" thereby releasing the network connection.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.

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3.2 BFI Service

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BFI Long Distance Service is offered to customers for calling within the State of Missouri. Customers access BFI's network via local exchange company provided feature group access. Calls are routed over the Company's transmission and switching facilities to any valid NPA-NXX in the State of Missouri.

Calls are measured as described in Section 3.1 of this tariff. Per-minute usage sensitive charges, as well as per-call operator surcharges apply.

3.2.1 Description of Call Types

Customer Dialed Calling Card or Credit Card Call - A service whereby the End User dials all of the digits necessary to route and bill the call without any operator assistance.

Operator-Assisted Station - A service whereby caller places a station to station call which is billed via credit card or calling card with the assistance of an operator (live or automated).

Person-to-Person - A service whereby the person originating the call specifies a particular person to be reached, or a particular station, room number, department, or office to be reached through a PBX attendant. A person-to-person call may be billed to the called party, a third number, a credit card, or a calling card.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT. FEB 14 1997

3.2 BFI Service, cont.

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3.2.1 Description of Call Types, cont.

Collect - A billing convenience whereby the originating caller may bill the charges for a call to the called party, provided the called party agrees to accept the charges.

Billed to Third Party - A billing convenience whereby the originating caller may bill the charges for a call to a third party, provided authorization is obtained for such billing.

3.2.2 Operator Dialed Surcharge

A surcharge applies to Operator Station and Person-to-Person rated calls when the Customer has the capability of dialing all the digits necessary to complete a call, but elects to dial only the appropriate operator code and requests the operator to dial the called station. The surcharge does not apply to: 1) calls where a Customer cannot otherwise dial the call due to defective equipment or trouble on the BFI network; 2) Calls in which a Company operator places a call for a calling party who is identified as being handicapped and unable to dial the call because of his/her handicap; and 3) calling card calls.

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97 - 325
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SECTION 4 - RATES

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4.1 General

Per minute usage rates, in addition to a per-call operator service charges apply for long distance service. Unless otherwise indicated, calls are billed in full minute increments.

**MISSOURI
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4.2 Resort Operator Services Operator-Assisted Long Distance

Customer Dialed Calling Card	\$0.41/min.
Additional Charges	\$1.55/call
Operator Station	\$0.41/min.
Additional Charges	\$2.12/call
Person to Person	\$0.41/min.
Additional Charges	\$3.50/call
Collect	\$0.41/min.
Additional Charges	\$2.25/call
Billed to Third Party	\$0.41/min.
Additional Charges	\$2.35/call

Additional Surcharges Per Call:

Directory Assistance	\$0.95
Operator Dialed Surcharge	\$1.00

Issued: February 14, 1997

Effective: **APR 06 1997**

Issued by: Milton T. Buehner, President
Buehner-Fry, Inc. d/b/a Resort Operator Services
62975 Boyd Acres Road, Suite 2
Bend, Oregon 97701-8237

FILED

CANCELLED
December 04, 2010
Missouri Public
Service Commission
XD-2011-0125; JX-2003-0828

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