

EASTERN TELECOMMUNICATIONS INCORPORATED

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Public Service Commission

TITLE PAGE

MISSOURI

INTEREXCHANGE TELECOMMUNICATIONS TARIFF

OF

EASTERN TELECOMMUNICATIONS INCORPORATED

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of interexchange service and facilities for telecommunications services provided by Eastern Telecommunications Incorporated 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 ETI's principal place of business.

Eastern Telecommunications Incorporated operates as a competitive telecommunications company.

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WAIVER OF RULES AND REGULATIONS

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Pursuant to Case No. TA- 97-268, the following statutes and rules have been waived for purposes of offering telecommunications services as set forth herein:

STATUTES

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 stocks and bonds.
Section 392.310	Issuance of stocks and bonds.
Section 392.320	Issuance of stocks and bonds.
Section 392.330	Issuance of stocks and bonds.
Section 392.340	Reorganization.

COMMISSION RULES

4 CSR 240-10.020	Income on depreciation fund investments.
4 CSR 240-30.010(2)(C)	Posting exchange rates at central offices.
4 CSR 240-32.030(1)(B)	Exchange boundary maps.
4 CSR 240-32.030(1)(C)	Record of access lines.
4 CSR 240-32.030(2)	Records kept within state.
4 CSR 240-32.050(3-6)	Telephone directories.
4 CSR 240-32.070(4)	Coin telephones.
4 CSR 240-33.030	Inform customers of lowest priced service.
4 CSR 240-33.040(5)	Finance Fee
4 CSR 240-30.040	Uniform System of Accounts

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SYMBOLS

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

- 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 reduction to a customer's bill.
- T - Change in text or regulation.

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## TARIFF FORMAT

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

**B. Sheet Revision Numbers** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the Public Service Commission. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc., the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.

**C. Paragraph Numbering Sequence** - There are six 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).

**D. Check Sheets** - When a tariff filing is made with the Public Service Commission, 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 Public Service Commission.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS JAN 9 1997

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**Authorized User** - A person, firm, corporation, or any other entity authorized by the Customer to communicate utilizing the Carrier's service.

**Customer** - The person, firm, corporation or other entity which orders, cancels, amends or uses service and is responsible for payment of charges and compliance with the Company's tariff.

**Company or Carrier** - Eastern Telecommunications Incorporated unless otherwise clearly indicated by the context.

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

**ETI** - Refers to Eastern Telecommunications Incorporated

**LEC** - Local Exchange Company

**Switched Access Origination/Termination** - Where originating or terminating access between the Customer and the interexchange carrier is provided on local exchange company Feature Group circuits. The cost of switched Feature Group access is billed to the interexchange carrier.

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SECTION 2 - RULES AND REGULATIONS

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2.1 Undertaking of ETI

ETI's services and facilities are furnished for communications originating and terminating at specified points within the state of Missouri under terms of this tariff.

2.2 Limitations

- 2.2.1 Service is offered subject to the availability of the necessary facilities and equipment, or both facilities and equipment, and subject to the provisions of this tariff.
- 2.2.2 ETI 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'D.)

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2.2 Limitations (cont'd.)

2.2.4 All facilities provided under this tariff are directly or indirectly controlled by ETI 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 ETI'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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## SECTION 2 - RULES AND REGULATIONS (CON'T) JAN 9 1997

## 2.4 Liabilities of Company (con't)

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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 copyright 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.
- 2.4.5 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.

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2.5 Deposits

The Company does not collect customer deposits.

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2.6 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.

2.7 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, key system or single line telephone. Such terminal equipment shall be furnished and maintained at the expense of the Customer, except as otherwise provided. The Customer 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 as endorsed by the Federal Communications Commission.

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SECTION 2 - RULES AND REGULATIONS (CON'T)

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2.8 Installation and Termination

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

2.9 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 ETI. All charges due by the Customer are payable to the Company or to any agency duly authorized to receive such payments. Terms of payment shall be subject to the rules of regulatory agencies, such as the Missouri Public Service Commission. Any objections to billed charges must be promptly reported to the Company or the Company's billing agent. Adjustments to Customer's bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate. Customer shall have at least 21 days from the rendition of a bill until the bill is delinquent.

2.9.1 Late Payment Fee

The Company charges a late fee of 5% of the outstanding amount.

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## SECTION 2 - RULES AND REGULATIONS (CON'T) MISSOURI

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## 2.10 Cancellation by Customer

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

## 2.11 Refusal or Discontinuance by Company

ETI may refuse or discontinue service under the following conditions provided that, unless otherwise stated, the Customer shall be given 60 days notice to comply with any rule or remedy any deficiency:

- (a) For non-compliance with or violation of any State, municipal, or Federal law, ordinance or regulation pertaining to telephone service.
- (b) For use of telephone service for any other property or purpose than that described in the application.
- (c) For neglect or refusal to provide reasonable access to ETI or its agents for the purpose of inspection and maintenance of equipment owned by ETI or its agents.
- (d) For noncompliance with or violation of Commission regulation or ETI's rules and regulations on file with the Commission, provided five (5) days' written notice is given before termination.
- (e) For nonpayment of delinquent bills, provided that suspension or termination of service shall not be made without five (5) days written notice to the Customer.
- (f) Without notice in the event of Customer or Authorized User use of equipment in such a manner as to adversely affect ETI's equipment or service to others.
- (g) Without notice in the event of tampering with the equipment or services owned by ETI or its agents.

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2.11 Refusal or Discontinuance by Company (con't)

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- (h) Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, ETI 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.
- (I) 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.

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SECTION 2 - RULES AND REGULATIONS (CON'T)

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2.12 Credit Allowances for Interruption of Service **Public Service Commission**

Credit allowances for interruptions of service caused by service outages or deficiencies are limited to the initial minimum period call charges for re-establishing the interrupted call.

2.13 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.

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## SECTION 2 - RULES AND REGULATIONS (CON'T)

2.14 Tests, Pilots, Promotional Campaigns and Contests <sup>Missouri</sup> Public Service Commission

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 winner 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. All promotions are subject to Commission approval.

## 2.15 Interconnection

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

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SECTION 3 - DESCRIPTION OF SERVICE

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3.1 General

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ETI will provide direct dial interexchange, directory assistance and travel card telecommunications services within the state of Missouri. Communications may also terminate to other points within the United States.

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SECTION 3 - DESCRIPTION OF SERVICE (CON'T) JAN 9 1997

3.3 Timing of Calls

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- 3.3.1 Long distance usage charges are based on usage of ETI's network. Chargeable time begins when a connection is established between the calling station and the called station. Chargeable time ends when either party "hangs up" thereby releasing the network connection.
- 3.3.2 Minimum call duration and usage measurement and rounding for billing purposes is specified on per-product basis in Section 3.4 of this tariff.
- 3.3.3 There is no billing applied for incomplete calls.

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**RECEIVED****SECTION 3 - DESCRIPTION OF SERVICE (CON'T)****3.4 Service Offerings**

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**3.4.1 Direct Dial Service****MISSOURI  
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Direct Dial Service is available to business and residential Customers for direct dial calling from presubscribed telephones. There is no minimum commitment required. Calls are billed in six (6) second increments after the initial minimum period of eighteen (18) seconds. In addition to usage-based charges, Customers are billed a \$5.00 per month service charge.

**3.4.2 Travel Card Service**

ETI's Travel Card Service permits Customers to make calls using ETI's service when traveling away from the home or office. Customers must dial an access code and personal identification digits to make a call. Calls are billed in six (6) second increments with an initial minimum period of eighteen (18) seconds. A per-call surcharge is added to the usage-based charges.

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SECTION 3 - DESCRIPTION OF SERVICE (CON'T)

3.4 Service Offerings, (cont'd.)

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3.4.3 Directory Assistance

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A Long Distance Directory Assistance charge applies to each call to the Directory Assistance Bureau utilizing the services of the Company. Up to two requests may be made on each call to Directory Assistance. The Directory Assistance charge applies to each call regardless of whether the Directory Assistance Bureau is able to furnish the requested telephone number. Directory Assistance charges are not discounted and will not count toward, nor be calculated as part of any ETI rate plan.

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**4.1 Time of Day Rate Schedule****MISSOURI  
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The appropriate rates apply for day, evening and night/weekend calls based on the following chart.

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

\* to, but not including

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## SECTION 4 - RATES, (CONT'D.)

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## 4.2 ETI Service Rates

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## 4.2.1 Direct Dial 1+ Service

Calls are billed in six (6) second increments after the initial minimum period of eighteen (18) seconds. In addition to usage-based charges, Customers are billed a \$5.00 per month service charge.

Mileage	DAYTIME		EVENING		NIGHT/WEEKEND	
	Initial 18 Sec.	Add'l 6 Sec.	Initial 18 Sec.	Add'l 6 Sec.	Initial 18 Sec.	Add'l 6 Sec.
All Miles	.0810	.0270	.0689	.0230	.0689	.0230

## 4.2.2 Travel Card Service

Calls are billed in six (6) second increments with an initial minimum period of eighteen (18) seconds. In addition, the Customer is charged a per call surcharge.

Mileage	DAYTIME		EVENING		NIGHT/WEEKEND	
	Initial 18 Sec.	Add'l 6 Sec.	Initial 18 Sec.	Add'l 6 Sec.	Initial 18 Sec.	Add'l 6 Sec.
All Miles	.1008	.0336	.0857	.0286	.0857	.0286

Per Call Surcharge-- \$ .42

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SECTION 4 - RATES, (CONT'D.)

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4.2 ETI Service Rates

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4.2.3 Directory Assistance

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Directory Assistance is available to Customers of ETI Switched Network Service, and Travel Card Service. Directory Assistance charge applies to each call to the Directory Assistance Bureau. Up to two requests may be made on each call to Directory Assistance. The Directory Assistance charge applies to each call regardless of whether the Directory Assistance Bureau is able to furnish the requested telephone number.

Per Call Charge: \$.75

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