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MISSOURI TELECOMMUNICATIONS TARIFF

AUG 23 1996

OF

MISSOURI
Public Service Commission

TRANSCOMMUNICATIONS, INCORPORATED

6025 Lee Highway, 402 Executive Park, Chattanooga, TN 37421

RESALE INTEREXCHANGE TELECOMMUNICATIONS SERVICE

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of telecommunications services provided by Transcommunications, Incorporated within the State of Missouri. This tariff is on file with the Public Service Commission of Missouri ("Commission"). Copies may be inspected during normal business hours at the Company's principal place of business; 6025 Lee Highway, 402 Executive Park, Chattanooga, TN 37421.

Transcommunications, Incorporated is a provider of interexchange telecommunications services on a 24-hour basis. Service is provided for the direct transmission and reception of voice and data communications between points within the State of Missouri as an adjunct to Transcommunications, Incorporated's interstate service.

Transcommunications, Incorporated is a "competitive telecommunications company" as defined by Case No. TO-88-142.

Issued: August 23, 1996

Effective Date: ~~XXXXXXXXXX~~

Issued By:

Christopher Giles
Transcommunications, Incorporated
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WAIVER OF RULES AND REGULATIONS

Pursuant to Case No. TA-97-75, the following Rules and Regulations have been waived for purposes of offering network services as set forth herein: **RECEIVED**

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Commission Rules

MISSOURI

- 4 CSR 240-10.020 -- Depreciation of fund income. **Public Service Commission**
- 4 CSR 240-30.010(2)(C) -- Posting of exchange rates at central operating offices.
- 4 CSR 240-32.030(1)(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) -- Coin telephones.
- 4 CSR 240-33.030 -- Information regarding lowest price available.
- 4 CSR 240-33.040(5) -- Financing fees.

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 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.

Issued: June 28, 1996

Issued By:

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Effective Date:

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Issued: August 23, 1996
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CONCURRING CARRIERS

None

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CONNECTING CARRIERS

None

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OTHER PARTICIPATING CARRIERS

Sprint and MCI

EXPLANATION OF SYMBOLS

- (C) To signify **changed** listing, rule or condition which may affect rates or charges.
- (D) To signify **deleted or discontinued** rate, regulation or condition.
- (I) To signify a change resulting in an **increase** to a customer's bill.
- (M) To signify that material has been **moved from** another tariff location.
- (N) To signify a **new** rate, regulation, condition or sheet.
- (R) To signify a change resulting in a **reduction** to a customer's bill.
- (T) To signify a change in **text** but no change to rate or charge.

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APPLICATION OF TARIFF

**MISSOURI
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This tariff contains the rates applicable to the provision of specialized intrastate resale common carrier telecommunications services by Transcommunications between various locations within the State of Missouri. All services are interstate offerings. Intrastate service is an add on service available only if the customer subscribes to the Company's interstate offerings.

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Effective Date: ~~XXXXXXXXXX~~
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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

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Account Code:

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A numerical code, one or more of which are available to a customer to enable identification of individual users or groups of users on an account and to allocate costs of service accordingly.

Called Station:

The terminating point of a call (i.e., the called number).

Calling Card:

A card issued by Company containing such account numbers assigned to its Customer which enables the charges for calls made to be properly billed on a pre-arranged basis.

Company:

Transcommunications, Incorporated ("Transcommunications").

Commission:

The Missouri Public Service Commission.

Customer:

The person, firm, corporation or other entity which orders or uses service and is responsible for payment of charges and compliance with tariff regulation.

Disconnect or Disconnection:

The termination of a circuit connection between the Originating Station and the Called Station or the Company's operator.

Issued: August 23, 1996
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Christopher Giles
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6025 Lee Highway, 402 Executive Park
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(423) 954-9961

Effective Date: ~~October 1, 1996~~
OCT 9 1996

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

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Measured Service:

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The provision of long distance measured time communications telephone service to customers who access the Company's service at its contracted interexchange carriers' switching and call processing equipment by means of access facilities obtained from local exchange common carrier(s). Company contacted interexchange carrier is responsible for arranging the access lines.

Postpaid Service:

Presubscribed service where subscribers are billed for and remit payment subsequent to the provision of service.

Prepaid Service:

A discretionary prepaid calling card service for which subscribers pay prior to accessing the service.

Point of Presence:

The point of physical interconnection between the local exchange company's local network and the interexchange carrier's network ("POP").

Subscriber:

See "Customer" definition.

Travel Card:

See "Calling Card" definition.

Voice Recognition Unit:

A computerized device which recognizes specific voice commands.

Issued: August 23, 1996
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SECTION 2 - RULES AND REGULATIONS

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2.1. UNDERTAKING OF TRANSCOMMUNICATIONS, INCORPORATED MISSOURI
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2.1.1. Company's services are furnished for telecommunications originating and/or terminating in any area within the State of Missouri.

2.1.2. Company is a non-facilities-based provider of interexchange telecommunications to Customers for their direct transmission and reception of voice, data, and other types of communications.

2.1.3. Company resells access, switching, transport and termination services provided by interexchange carriers.

2.1.4. Customer's monthly charges for Company's service are based on the total time Customer actually uses the service. For billing purposes, the duration of each call will be rounded up in sixty (60) second increments unless otherwise specified.

2.1.5. Subject to availability, the customer may use authorization codes to identify the users or user groups on an account. The numerical composition of the codes shall be set by Company to assure compatibility with the Company's accounting and billing systems and to avoid the duplication of codes.

2.1.6. The Company's services are provided on a monthly basis unless otherwise provided, and are available twenty-four (24) hours per day, seven (7) days per week.

2.2. LIMITATIONS

2.2.1. Service is offered subject to availability of the necessary facilities and/or equipment and subject to the provisions of this tariff.

2.2.2. Company reserves the right to immediately disconnect service without incurring liability when necessitated by conditions beyond the company's control or when the customer is using the service in violation of either the provisions of this tariff or the Commission rules.

Issued: August 23, 1996
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Effective Date: ~~October 19, 1996~~
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SECTION 2 - RULES AND REGULATIONS, Continued

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2.2. LIMITATIONS, Continued

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2.2.3. The Company does not undertake to transmit messages, but offers the use of its facilities when available.

2.2.4. Title to all facilities provided by Company under these regulations remains in Company's name.

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

2.3.1. Service may be used for the transmission of communications by the customer.

2.3.2. Service may not be used for any unlawful purpose or for any purpose for which any payment or other compensation is received by the Customer, except when the Customer is a duly authorized and regulated common carrier. This provision does not prohibit an arrangement between the Customer, authorized user or joint user to share the cost of service.

2.3.3. The Company strictly prohibits use of the Company's services without payment or an avoidance of payment by the Customer by fraudulent means or devices including providing falsified calling card numbers or invalid calling card numbers to the Company, providing falsified or invalid credit card numbers to the Company or in any way misrepresenting the identity of the Customer.

Issued: August 23, 1996

Effective Date: ~~07/23/1996~~

Issued By:

Christopher Giles

OCT 09 1996

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SECTION 2 - RULES AND REGULATIONS, Continued

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2.4. LIABILITIES OF THE COMPANY

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2.4.1. The liability of the Company for damages arising out of mistakes, omissions, interruptions, delays, errors or defects in transmission occurring in the course of furnishing service or other facilities and not caused by the negligence of the Customer, commences upon activation of service and in no event exceeds an amount equivalent to the proportionate charge to the Customer for the period of service during which such mistakes, omissions, interruptions, delays, errors, or defects in transmission occur. In no event will the company be responsible for consequential damages for lost profits suffered by a customer or end user as the result of interrupted or unsatisfactory service. For the purpose of computing such amount, a month is considered to have 30 days.

2.4.2. Company shall be indemnified and held harmless by the customer against:

- A. Claims for libel, slander, infringement of copyright or unauthorized use of any trademark, trade name or service mark arising out of the material, data, information or other content transmitted over company's facilities; and
- B. Claims for patent infringement arising from combining or connecting company's facilities with apparatus and systems of the Customer; and
- C. All other claims arising out of any act or omission of the Customer in connection with any service provided by Company.

2.4.3. Company is not liable for any defacement of, or damage to, the equipment or premises of a customer resulting from the furnishing of services when such defacement or damage is not the result of the Company's negligence.

Issued: August 23, 1996

Effective Date: ~~9/19/96~~

Issued By:

Christopher Giles

OCT 19 1996

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2.4. LIABILITIES OF THE COMPANY, Continued

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2.4.4. Company shall not be liable for and the Customer indemnifies and holds harmless from any and all loss claims, demands, suits, or other action or liability whatsoever, whether suffered, instituted or asserted by the Customer or by any other party or person, for any personal injury to, 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 or wiring provided by Company where such installation, operation, failure to operate, maintenance, condition, location or use is not the direct result of Company's negligence.

2.4.5. The Company is not liable for any failure of performance hereunder due to causes beyond its control, including, but not limited to, unavoidable interruption in the working of its circuits or those of another common carrier; acts of God: storms, fire, flood, or other catastrophes; any law, order, regulation, direction, action, or request of the United States Government, or any other governmental entity having jurisdiction over the company or of any department, agency, commission, bureau, corporation, or other instrumentality or any one or more of such instrumentality or any one or more of such governmental entities or of any civil or military authority; national emergencies, insurrections, riots, rebellions, wars, strikes, lockouts, work stoppages, or other labor difficulties; or notwithstanding anything in this tariff to the contrary, the unlawful acts of the Company's agents and employees, if committed beyond the scope of their employment.

Issued: August 23, 1996

Effective Date: ~~August 23, 1996~~

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OCT 4 9 1996

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SECTION 2 - RULES AND REGULATIONS, Continued

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2.4. LIABILITIES OF THE COMPANY, Continued

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2.4.6. The Company shall not be liable for damages or adjustments, refunds, or cancellation of charges unless the Customer has notified the Company, in writing, of any dispute concerning charges, or the basis of any claim for damages, after the invoice is rendered by the company for the call giving rise to such dispute or claim, unless ordered by the Commission pursuant to Missouri law. Any such notice must set forth sufficient facts to provide the Company with a reasonable basis upon which to evaluate the Customer's claim or demands.

2.4.7. The Company shall not be liable for any damages, including usage charges, that the Customer may incur as a result of the unauthorized use of its communications equipment. The unauthorized use of the Customer's communications equipment includes, but is not limited to, the placement of calls from the Customer's premises and the placement of calls through Customer-controlled or Customer-provisioned equipment that are transmitted or carried over the Company's network services without the authorization of the Customer. The Customer shall be fully liable for all such charges.

2.5. PREPAID SUBSCRIBER RESPONSIBILITIES

2.5.1. The Customer is responsible for the payment of all charges for services furnished to the Customer and for all additional charges for calls the Customer elects to continue making, after notification that the initial amount of calling has been depleted. Charges are based on actual usage.

2.5.2. The Customer is responsible for compliance with applicable regulations set forth in this tariff.

2.5.3. The Customer is responsible for establishing its identity as often as necessary during the course of the call or when seeking credits from the Company.

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Effective Date: ~~October 19, 1996~~
OCT 19 1996

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2.6. INTERRUPTION OF SERVICE

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Public Service Commission**

2.6.1. Credit allowance for interruptions of service which are not due to Company's testing or adjusting, to the negligence of the customer, or to the failure of channels, equipment and/or communications equipment provided by the Customer, are subject to the general liability provisions set forth in Section 2.4, herein. It shall be the obligation of the customer to notify Company of any interruptions of service. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any action or omission of the Customer, not within the Customer's control.

2.6.2. For purposes of credit computation for leased facilities, every month shall be considered to have 720 hours. No credit shall be allowed for an interruption of a continuous duration of less than two hours.

2.6.3. The subscriber 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: $Credit - (A/720) \times B$

A - outage time in hours

B - total monthly charge for affected utility.

2.7. RESTORATION OF SERVICE

The use and restoration of service in emergencies shall be in accordance with part 64, Subpart D of the Federal Communications Commission's Rules and Regulations which specifies the priority system for such activities.

2.8. PAYMENTS AND BILLING FOR POSTPAID SERVICES

2.8.1. Billing disputes should be addressed to Company's Customer Service Organization via telephone to (800) 831-2273.

Issued: August 23, 1996

Effective Date: ~~August 23, 1996~~

Issued By:

Christopher Giles

OCT 09 1996

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**OCT 19 1996
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SECTION 2 - RULES AND REGULATIONS, Continued

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2.8. PAYMENT AND BILLINGS FOR POSTPAID SERVICES, Continued

**MISSOURI
Public Service Commission**

2.8.2. In the case of a dispute between the Customer and the Company for service furnished to the Customer, which cannot be settled with mutual satisfaction, the Customer can take the following course of action:

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

2.8.2.B. Second, if there is still disagreement about the disputed amount after the investigation and review by a manager of the Company, the Customer may appeal to the Commission for its investigation and decision.

The address of the Commission is:

Missouri Public Service Commission
301 West High Street
Jefferson City, MO 65102

2.9. CANCELLATION BY COMPANY

2.9.1. Company reserves the right to immediately discontinue furnishing the service to customers without incurring liability:

- A. In the event of a condition determined to be hazardous to the customer, to other customers of the utility, to the utilities equipment, the public or to employees of the utility; or
- B. By reason of any order or decision of a court or any other governmental authority which prohibits the Company from furnishing such service; or
- C. If the Company deems such refusal necessary to protect itself or third parties against fraud or to otherwise protect its personnel, agents, facilities or services without notice; or

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2.9. CANCELLATION BY COMPANY, Continued

**MISSOURI
Public Service Commission**

- D. For unlawful use of the service or use of the service for unlawful purposes; or
- E. If the Customer provides false information to the Company regarding the Customer's identity, address, credit-worthiness, past, current or planned use of Company's services.

2.9.2. Company may discontinue service according to the following conditions upon five (5) days written notice:

- A. For violation of Company's filed tariffs.
- B. For the non-payment of any proper charge as provided by Company's tariff.
- C. For Customer's breach of the contract for service between the utility and customer.
- D. When necessary for the Company to comply with any order or request of any governmental authority having jurisdiction.

2.9.3. The discontinuance of Service(s) by the Company pursuant to this section does not relieve the Customer of any obligations to pay the Company for charges due and owing for Service(s) furnished up to the time of discontinuance. The remedies set forth herein shall not be exclusive and the company shall at all times be entitled to all the rights available to it under law or equity.

2.9.4. The Company may refuse to permit collect calling, calling card, third number billing which it determines to be fraudulent and/or may limit the use of these billing options or services.

Issued: August 23, 1996
Issued By:

Christopher Giles
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Effective Date: [REDACTED]
OCT 19 1996

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**OCT 19 1996
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2.10. INTERCONNECTION

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2.10.1. Service furnished by Company may be interconnected with services or facilities of other authorized communications common carriers and with private systems, subject to the technical limitations established by Company. Any special interface of equipment or facilities necessary to achieve compatibility between the facilities of Company and other participating carriers shall be provided at the Customer's expense.

2.10.2. Interconnection between the facilities or services of other carriers shall be under the applicable terms and conditions of the other carriers' tariffs. The Customer is responsible for taking all necessary legal steps for interconnecting customer provided terminal equipment or communications equipment with Company's facilities. The Customer shall secure all licenses, permits, rights-of-way, and other such arrangements necessary for interconnection.

2.11. DEPOSITS

The Company does not require a deposit from the Customer.

2.12. TAXES

Taxes are not included in the tariffed rates.

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SECTION 3 - DESCRIPTION OF SERVICE

AUG 23 1996

3.1. TIMING OF CALLS

**MISSOURI
Public Service Commission**

- 3.1.1. The subscriber's long distance usage charge is based on the actual usage of Company's service. Usage begins when the Company's voice recognition answers the call. The timing of the call occurs when the voice recognition unit answers and terminates when either party (i.e. the calling party or called party) hangs up.
- 3.1.2. Unless otherwise specified in this tariff, the minimum call duration for billing purposes is sixty (60) seconds.
- 3.1.3. Any portion of an applicable increment, after the appropriate minimum time for the call, will be rounded upward to the next increment. Calls less than the minimum length will be rounded to the minimum length.
- 3.1.4. There is no billing for incomplete calls.

Issued: June 28, 1996
Issued By:

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(423) 954-9961

Effective Date:

OCT 19 1996

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**OCT 19 1996
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RECEIVED**SECTION 3 - DESCRIPTION OF SERVICE****AUG 23 1996****3.2. TRANSCOMMUNICATIONS TELECOMMUNICATIONS SERVICES MISSOURI
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Company is a resale interexchange telecommunications provider of interexchange telecommunications services.

Transcommunications TransCARD™ Service is a discretionary switched access service available to subscribers via a toll free number from any dual tone multifrequency telephone in the United States. Transcommunications subscribers purchase the Company's TransCARD™ which immediately enables the user to place calls from any dual tone, multifrequency phone, at the Company's tariffed rates. The user's account is credited for the amount of calling purchased and is debited as the subscriber places calls, in accordance to the call's cost, pursuant to the Company's tariffed rates, until the account balance is depleted. Subscribers are informed of the amount of calling time remaining on the card at the time they access the Company's equipment and enter a card identification number and are reminded to replenish the account prior to its depletion at one (1) minute prior to the account's depletion. Subscribers may immediately replenish the account at any time by contacting the Company's Customer Service Department and charging the desired amount to a valid credit card or by mailing a check to the Company. If the account is not replenished, access to the Company's underlying carrier network is blocked.

Tech Support Card Service is offered to subscribers who provide technical support lines to their own clients. The service is meant specifically to contact the subscriber's tech support line and offered primarily to subscribers in the software development industry.

Postpaid Calling Card Service enables subscribers to place calls from locations other than their presubscribed call locations. Subscribers are billed on a monthly basis at the Company's tariffed rates.

The calling card service is designed for subscribers who frequently travel or must call from locations other than their presubscribed call locations. Cards sold through educational institutions qualify for special volume discounts.

Issued: June 28, 1996

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Effective Date:

OCT 19 1996

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SECTION 3 - DESCRIPTION OF SERVICE, Continued Missouri Public Service Commission

3.2. TRANSCOMMUNICATIONS TELECOMMUNICATIONS SERVICES, Continued

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Private Label Card Service enables a retailer to select a specified pricing plan in accordance with the retailer's desired commission structure. Private Label Cards carry the retailer's logo/identity and advertising as well as the Company's identity. The Company is clearly identified as the service provider. Every customer of the retailer will be charged in accordance with the retailer's selected pricing plan.

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Missouri Public Service Commission

FILED APR 16 1999

Issued: February 2, 1999

Effective Date [REDACTED]

Issued By:

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SECTION 4 - RATES

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4.1. RATES PER MINUTE

AUG 23 1996

4.1.1. General Retail Usage

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Initial and additional minute
Renewal per minute

\$0.35
\$0.35

4.1.2. Educational Institution Usage

For sales directly to educational institutions

Initial and additional minute
Renewal per minute

\$0.25
\$0.25

4.1.3. Retail - Educational Institution Usage

For cards sold at retail to educational institution subscribers

Initial and additional minute
Renewal per minute (credit card)
Renewal per minute (cash only)

\$0.35
\$0.28
\$0.31

4.1.4. Transportation Company Fleet Usage

For sales primarily to transportation fleets

Initial and additional minute
Renewal per minute

\$0.25
\$0.25

Issued: June 28, 1996

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4.1.5. Retail - Transportation Company Fleet Usage

**MISSOURI
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For cards sold at retail primarily to transportation fleet subscribers

Initial and additional minute	\$0.35
Renewal per minute (credit card)	\$0.28
Renewal per minute (cash only)	\$0.31

4.1.6. Tech Support

Initial and additional minute	\$0.39
Renewal per minute	\$0.39

4.1.7. Postpaid Calling Card

Initial and additional minute	\$0.25
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Specific call charges are available from Company's Customer Service Department at no charge.

Issued: June 28, 1996

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OCT 19 1996

FILED

OCT 19 1996

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SECTION 4 - RATES, Continued

**Missouri Public
Service Commission**

4.1. RATES PER MINUTE, Continued

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4.1.6. Private Label Card Service - Specified Pricing Plans

Plan	Rate Per Minute
A	\$0.189
B	\$0.169
C	\$0.149
D	\$0.129
E	\$0.109
F	\$0.089
G	\$0.069

Cards are sold to consumers in \$5, \$10 and \$20 denominations. The consumer will be charged in accordance with the retailer's selected pricing plan. For example, if the retailer chooses Plan A, the consumer will be charged \$0.189 per minute; if the retailer chooses Plan E, the consumer will be charged \$0.109 per minute. Consumers are notified of the applicable rate per minute at the point of purchase.

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**Missouri Public
Service Commission**

FILED APR 16 1999

Issued: February 2, 1999
Issued By:

Effective Date: XXXXXXXXXX

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APR 16 1999