

Midwestern Services L.C. d/b/a  
Midwestern Tel

P.S.C. Mo. No. 2  
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**TITLE SHEET**

**FEB 26 1998**

**MISSOURI TELECOMMUNICATIONS TARIFF NO. 2. PUBLIC SERVICE COMM**  
**OF**  
**MIDWESTERN SERVICES L.C. d/b/a**  
**MIDWESTERN TEL**

3809 Castleman  
Suite 100  
St. Louis, Missouri 63110

This tariff contains the descriptions, regulations and rates applicable to the furnishing of telecommunications services provided by Midwestern Services L.C. d/b/a Midwestern Tel within the State of Missouri, including operator assisted services. This tariff is on file with the Missouri Public Service Commission ("Commission"). Copies may be inspected during normal business hours at the Company's principal place of business.

**COMPETITIVE CLASSIFICATION**

Midwestern Services L.C. d/b/a Midwestern Tel has been granted competitive status as defined by the Commission in Case No. TO-88-142.

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**MO. PUBLIC SERVICE COM**

ISSUED: February 27, 1998

EFFECTIVE: April 13, 1998

ISSUED BY:

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WAIVERS

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The following Rules and Regulations have been waived for purposes of offering network services as set forth herein:

Statutes

- 392.240 (1) - ratemaking
- 392.270 - valuation of property (ratemaking)
- 392.280 - depreciation accounts
- 392.290 - issuance of securities
- 392.310 - stock and debt issuance
- 392.320 - stock dividend payment
- 392.330 - issuance of securities, debt and notes
- 392.340 - reorganization(s)

Commission Rules

- 4 CSR 240-10.020 - depreciation fund income
- 4 CSR 240-30.010(2)(C) - rate schedules
- 4 CSR 240-32.030(1)(B) - exchange boundary maps
- 4 CSR 240-32.030(1)(C) - record keeping
- 4 CSR 240-32.030(2) - in-state record keeping
- 4 CSR 240-32.050(3) - local office record keeping
- 4 CSR 240-32.050(4) - telephone directories
- 4 CSR 240-32.050(5) - call intercept
- 4 CSR 240-32.050(6) - telephone number changes
- 4 CSR 240-32.070(4) - public coin telephone
- 4 CSR 240-33.030 - minimum charges rule
- 4 CSR 240-30.040 - uniform system of accounts

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EXPLANATION OF SYMBOLS

The following are the only symbols used for the purposes indicated below: **MO. PUBLIC SERVICE COMM**

- D - To Signify Deleted or Discontinued Material
- I - To Signify Rate Increase
- M - To Signify Text Moved From Another Tariff Location
- N - To Signify New Material
- R - To Signify Rate Reduction
- T - To Signify Change In Text or Regulation, but No  
Change In Rate or Charge

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TARIFF FORMAT

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- A. Sheet Numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff.
- 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 Commission. For example, the 4th revised Sheet 14 cancels the 3rd revised Page 14. Consult check sheet for the page currently in effect.
- C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level of coding.

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 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 sheets 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 sheet if these are the only changes made to it (i.e., the format, etc., remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current sheet on file with the Commission.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

**FEB 26 1998**

1.1 Definitions

**MO. PUBLIC SERVICE COMM**

Aggregator - Any person or entity that, in the ordinary course of its operations, makes telephones available to the public or to End Users of its premises for telephone calls using a provider of operator services.

Authorized User - A person, firm, corporation, or other entity authorized by the customer to receive or send communications.

Busy Hour - The two consecutive half hours during which the greatest volume of traffic is handled.

Cancellation of Order - A customer-initiated request to discontinue processing a service order, either in part or in its entirety, prior to its completion.

Carrier - Midwestern Services L.C. d/b/a Midwestern Tel unless specifically stated otherwise.

Collect Call - A billing arrangement whereby the charge for a call may be charged to the called party, provided the called party verbally accepts the charge or keys in a positive response acknowledging acceptance of the charges.

Company - Midwestern Services L.C. d/b/a Midwestern Tel ("Midwestern"), unless specifically stated otherwise.

Completed Calls - Completed calls, as defined herein, are answered calls on the distance end or, where necessary, accepted by the called party. (i.e. Person-to person and Collect calls.).

Customer - The person, firm, corporation, or other entity which orders or uses service and is responsible by law for payment for communication service from the telephone utility.

Customer Provided Equipment - Terminal equipment provided by a customer.

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1.1 Definitions (continued)

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Day Rate Period - For any services stated as using this rate structure, it shall consist of the hours of 8 a.m. to 4:59 p.m., Monday through Friday, except on holidays.

Delinquent Account or Delinquency - An account for which a bill or payment agreement for regulated services has not been paid in full on or before the last day for timely payment.

Directory Assistance - Directory Assistance Service consists of supplying listed telephone numbers to persons who call the Directory Assistance Bureau. Directory Assistance personnel cannot complete calls to requested telephone numbers.

Disconnection - The disabling of circuitry preventing outgoing and incoming toll communication service provided by the Company.

Due Date - The last day for payment without unpaid amounts being subject to a late payment charge.

End User - The person using the Company's operator services who is ultimately responsible for payment for these services.

Evening Rate Period - For any services stated as using this rate structure, it shall consist of the hours of 5 p.m. to 10:59 p.m., Sunday through Friday.

Holidays - Carrier's recognized holidays are New Year's Day, July 4th, Labor Day, Memorial Day, Thanksgiving Day, and Christmas Day.

Hospitality Service Customers - Hotels, motels, health care institutions, dormitories and other establishments whose patrons, guests or occupants have telephone instruments made available for their individual use in non-public settings, such as guest rooms. Typically these instruments will be configured as extensions behind PBX equipment. Carrier will not provide such services to correctional facilities.

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1.1 Definitions (continued)

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Interexchange Utility - A utility, resale carrier or other entity that provides intrastate telecommunications services and facilities between exchanges within the state, without regard to how such traffic is carried. A local exchange utility that provides exchange service may also be considered an interexchange utility.

Local Distribution Area (LDA) - Metropolitan locations served by the Company which have been defined by the telephone company providing local service in its local exchange tariff as "local calling area."

Measured Use Service - The provision of long distance measured time communications telephone service to customers who access the carrier's services at its switching and call processing equipment by means of access facilities obtained from another carrier by the customer or otherwise provided at its own expense (the customer is responsible for arranging for the access line).

Message - A completed telephone call by a customer or end user.

Network Terminal - Any location where carrier provides services described herein.

Night/Weekend Rate Period - For services stated as using this rate structure, it consists of the hours of 11 p.m. to 7:59 a.m. every day; from 8 a.m. to 10:59 p.m. on Saturday; and from 8 a.m. to 4:59 p.m. Sunday.

Normal Business Hours - Normal business hours are the times between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Off-Peak - For services using this rate structure, it consists of the hours from 5:00 p.m. up to, but not including 8:00 a.m. seven days per week, regardless of weekends or holidays.

Pay Telephone - A telephone instrument equipped with a device that allows a charge to be made for each call. Operator assisted long distance service is offered by the Carrier through providers of customer-owned pay telephones. Pay telephone instruments may be configured to accept or not accept coins, to read magnetically encoded cards or be a hybrid thereof.

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1.1 Definitions (continued)

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Peak - For services using this rate structure, it consists of the hours from 8:00 a.m. up to, but not including 5:00 p.m. seven days per week, regardless of weekends or holidays.

Person-to-Person Call - A service whereby the person originating the call specifies to the Company operator a particular person to be reached, or a particular station, room number, department or office to be reached through a PBX attendant.

Premises - The space occupied by an individual customer in a building, in adjoining buildings occupied entirely by that customer, or on contiguous property occupied by the customer separated only by a public thoroughfare, a railroad right of way or a natural barrier.

Rates - Recurring amounts billed to customers for regulated services.

Reseller - For purposes of this tariff, the term reseller shall refer to Midwestern.

Subscriber - The person, firm, partnership, corporation or other entity who owns, leases or manages the pay telephone, PBX or other switch vehicle from which an End User places a call utilizing the services of the Company.

Terminal Equipment - All telephone instruments, including pay telephone equipment, the common equipment of large and small key and PBX systems and other devices and apparatus, and associated wiring, which are intended to be connected electrically, acoustically or inductively to the telecommunication system of the telephone utility.

Third Party Billed Call - A billing arrangement by which the charges for a call may be billed to a number that is different from the calling number and the called number.

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1.2 Abbreviations:

IXC - Interexchange Carrier

LATA - Local Access Transport Area

LDA - Local Distribution Area

LEC - Local Exchange Carrier

MTS - Message Toll Service

PBX - Private Branch Exchange

SAL - Special Access Line

V&H - Vertical and Horizontal

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SECTION 2 - RULES AND REGULATIONS

**MO. PUBLIC SERVICE COMM**

2.1 Undertaking of the Company

The Company provides long distance message toll telephone service to customers for their direct transmission of voice, data, and other types of telecommunications.

Communications originate when the customer accesses Carrier directly or through the facilities of the local service carrier via one or more access lines, equal access or on a dial-up basis. Carrier may act as the customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the customer, to allow connection of a customer's location to the network. The customer shall be responsible for all charges due for such service arrangements.

The Company's services are provided on a monthly basis and are available twenty-four (24) hours per day, seven (7) days per week. The minimum service period is one month (30 days).

2.2 Limitations on Service

- 2.2.1 Carrier reserves the right to provide services only to and from locations with the necessary facilities and/or equipment and subject to the provisions of this tariff.
- 2.2.2 Carrier reserves the right to discontinue furnishing service upon written notice, when necessitated by conditions beyond its control or when the customer is using the service in violation of the provisions of this tariff or in violation of the law.
- 2.2.3 Title to any equipment provided by Carrier under these regulations remains with Carrier. Prior written permission from the company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to any such assignee or transferee.

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2.3 Use of Service

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Service may not be used for any unlawful purpose.

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2.4 Carrier Liability

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2.4.1 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. In any event, the Company's liability to a customer is limited to the charges for services rendered to the customer.

2.4.2 The Company shall not be liable for, and shall be fully indemnified and held harmless by the 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.

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2.4.3 Carrier Liability (continued)

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2.4.3 Carrier makes no warranty, whether express, implied or statutory, as to the description, quality, merchantability, completeness or fitness for any purpose of the service or local access, or as to any other matter, all of which warranties by Carrier are hereby excluded and disclaimed.

2.4.4 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.

2.4.5 Carrier 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 the Company's facilities;
- B. All other claims arising out of any act or omission by the customer in connection with any service provided by Carrier.
- C. In no event shall the Company be liable to customer for any general, indirect, special, incidental, consequential or punitive loss or damage of any kind, or character including lost profits (whether or not the company has been advised of the possibility of such loss or damage), by reason of any act or omission in the Company's performance under this agreement.

2.4.6 No agent, independent contractor, or employee of any other carrier shall be deemed to be an agent, independent contractor or employee of the Company.

2.4.7 The Company is not liable for interruptions in service caused by customer's failure to  
notify Company prior to any change.

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2.5 Interruption of Service

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2.5.1 Credit allowances for the interruption of service which is not due to the Company's testing or adjusting, to the negligence of the customer, or to the failure of the channels, equipment, and/or communications systems provided by the customer, are subject to the liability provisions set forth in herein. It shall be the obligation of the customer to notify the Company immediately of any interruption in 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 or within the customer's control and is not in wiring or equipment connected to the Company's facilities.

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

2.6 Restoration of Service

The use and restoration of service shall be in accordance with the priority system specified in part 64, Subpart D of the Rules and Regulations of the Federal Communications Commission.

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2.7 Responsibility of the Customer

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2.7.1 All customers assume general responsibilities in connection with the provisions and use of service. All customers are responsible for the following:

- A. The customer is responsible for placing orders for service, paying all charges for service rendered by Carrier and complying with all of Carrier's regulations governing the service. The customer is also responsible for assuring that its users comply with regulations.
- B. When placing an order for service, the customer must provide:
  - 1. The name(s) and address(es) of the person(s) responsible for the payment of service charges.
  - 2. The name(s), telephone number(s), and address(es) of the customer contact person(s).
- C. The customer must pay Carrier for the replacement or repair of Carrier's equipment when the damage results from:
  - 1. The negligence or willful act of the customer or user.
  - 2. Improper use of service.
  - 3. Any use of equipment or service provided by others.

2.7.2 Maintenance, Testing, and Adjustment

Upon reasonable notice, the equipment provided by Carrier shall be made available to Carrier for such tests and adjustments as may be necessary to maintain them in satisfactory condition. No interruption allowance will be granted for the time during which such tests and adjustments are made.

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2.7.3 Credit Allowance for Failure of Service

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Credit for failure of service or equipment will be allowed only when failure is caused by or occurs in equipment owned, provided and billed for, by Carrier.

- A. Credit allowances for failure of service or equipment starts when the customer notifies Carrier of the failure or when Carrier becomes aware of the failure and ceases when the operation has been restored and an attempt has been made to notify the customer.
- B. Only those portions of the service or equipment operation disabled will be credited. No credit allowances will be made for:
  - 1. Interruptions of service resulting from Carrier performing routine maintenance;
  - 2. Interruptions for implementation of customer order or change in service;
  - 3. Interruptions caused by the negligence of the customer or his authorized user;
  - 4. Interruptions of service because due to failure of customer provided service or equipment.

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If a customer orders services requiring special equipment and/or facilities dedicated to the customer's use and then cancels his order before the service begins, a charge will be made to the customer for the non-recoverable portions of expenditures or liabilities incurred expressly on behalf of the customer.

2.7.5 Payment of Charges for Services

Payment of charges is due upon receipt by customer of the Company bill which will include all applicable Federal and State taxes.

Commercial or residential account payments not received within twenty-one (21) days of remittance will accrue interest from the date of the bill until payment is received at the rate of one and one-half percent (1.5%) per month.

- A. The customer is responsible for payment of all charges for service furnished to the customer.
- B. Discontinuance for nonpayment of charges for services shall conform to Commission rules and regulations. Restoration of service will be subject to all applicable installation charges.

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2.7.5 Payment of Charges for Services (continued)

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- C. The Company shall notify the customer in writing at least five (5) days in advance of its intent to discontinue or block the continued use of its services provided to customer for non-payment of billing for the services used by the customer. Under normal circumstances, the customer will be given five (5) days from notification to bring his account current before service is discontinued or blocked. The Company shall have the right to terminate its agreement and/or service without additional notice should the customer not bring its account current as outlined above. Restoration of service will be subject to all applicable installation charges.
- D. If the Company receives a check from a customer which is returned from the bank due to insufficient or uncollected funds, closed account, apparent tampering, missing signature or endorsement, or for any other reason, the Company shall apply a service charge as set forth in the rate section of this tariff.

The charge shall be applied to the customer's monthly billing, in addition to any other charges which may apply under this tariff.

Payment rendered by check, which is subsequently dishonored, shall not constitute payment until such time as repayment is made by valid means.

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2.7.6 Deposits

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- A. An applicant whose credit has not been duly established may be required to make a deposit to be held as guarantee of payment of charges. Existing customers may also be required to make a deposit or to increase a deposit currently held by the Company in the event that the conditions of service or basis on which credit was originally established have materially changed.
- B. The amount of the deposit shall not exceed the estimated charges for two months' service.
- C. All deposits will be held by the Company.
- D. Deposits will be returned:
  - 1.) When an application for service has been canceled prior to establishment of service. The deposit will be applied to amounts owed to the Company and the excess portion returned;
  - 2.) After one (1) year of satisfactory payment history by the customer;
  - 3.) Upon discontinuance of service. The Company will refund the Customer's deposit or the balance in excess of unpaid bills.
- E. The fact that a deposit has been made in no way relieves the Customer from complying with regulations regarding prompt payment of bills.
- F. Interest shall be paid on any deposit held by the Company at the rate of 9%.

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2.7.7 Taxes

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

2.8 Carrier Responsibility

2.8.1 Calculation of Credit Allowance

Pursuant to limitations set forth herein, when service is interrupted the credit allowance will be computed on the following basis:

- A. No credit shall be allowed for an interruption of less than two hours.
- B. When a minimum usage charge is applicable and the customer fails to meet a usage minimum credit, the outage shall be applied against that minimum equal to 1/360th of the monthly minimum charges associated with the portion of service disabled for each period of two hours or major fraction thereof that the interruption continues beyond two hours.

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2.8 Responsibility of Carrier (continued)

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2.8.2 Cancellation of Credit

Where Carrier cancels a service or the provision of equipment and the final service period is less than the monthly billing period, a credit will be issued for any amounts billed in advance, prorated at 1/30th of the monthly recurring charge for each day the service was rendered or the equipment was provided. This credit will be issued to the customer or applied against the balance remaining on the customer's account.

2.8.3 Fractional Charges

Charges for a fractional part of a month are calculated by counting the number of days of the month remaining in the billing period before service was discontinued. That number is divided by thirty and the resultant fraction is then multiplied by the monthly charge to arrive at the fractional monthly charge.

2.8.4 Customer Complaint Procedures

Carrier will resolve any disputes brought to its attention as promptly and effectively as possible. Customer Service Representatives can be reached via the following 888 telephone number: 1-888-566-3426.

Any unresolved disputes may be directed to the attention of the Missouri Public Service Commission.

In the event of a dispute concerning an invoice, the customer must pay the amount of the undisputed portion of the bill in accordance with timely payment requirements and notify the Company of the disputed portion.

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2.9 Special Conditions Governing Operator Services

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2.9.1 General Provisions

- A. Carrier furnishes its operator assistance services to Pay Telephone Service and Hospitality Service customers. Rates and charges are set forth in the applicable rate schedules set forth in this tariff.
- B. Operator assistance services are provided primarily to subscribers that serve transient End User markets. Terminal equipment accessing Carrier's services will route operator assisted calls over designated carrier facilities to regional digital call processing switches served by the underlying carrier's operator centers.
- C. Calls requiring operator intervention such as Collect, Third Party Billed, Person-to-Person and certain Calling/Credit Card calls will be routed to an operator position by the processor. Carrier operators and automated interfaces will answer each call by identifying the services as that of the Company's.
- D. The operator will collect billing information and perform validation and call acceptance functions. If the call is authorized, the operator will release the call for completion and call timing will then be performed in the processing switch. Automated interface Calling Card and Credit Card calls are validated through an automated interface and if authorized will be completed without operator intervention.
- E. Switch processors forward call message detail via magnetic tape for computer processing and application of tariffed rates. After rating has been performed billing tapes are created and forwarded to local exchange carriers and commercial credit card companies. These companies acknowledge receipt and, after processing, confirm revenues due and payable to Carrier. All calls will be billed to the end user within sixty (60) days of the date of said call.

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2.9 Special Conditions Governing Operator Services (continued)

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- F. Operator assistance service charges are fixed per call fees tariffed by Carrier for operator service rendered in connection with completed calls. The applicable operator assistance service charge is added to the measured usage charge to establish the total charge for a completed operated assisted call.

2.9.2 Company Obligations for Provision of Operator Services

Operator service requirements:

- 1) Carrier will not knowingly bill for incomplete calls and will remove any charge(s) for incomplete calls upon subscriber notification or carrier's knowledge of the charge(s) for incomplete calls.
- 2) Carrier will advise the caller and billed party (if different from the end user) that Midwestern Tel is the operator service provider at the time of the initial contact.
- 3) Carrier will provide rate quotes, including all rate components and any additional charges, upon request, at no charge.
- 4) Carrier 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 carrier and will not collect location surcharges imposed by traffic aggregators.
- 5) Carrier will arrange for listing of its name on a LEC's billing of Carrier's charges, if the LEC has multi-carrier bill listing capability.

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2.9.2 Company Obligations for Provision of Operator Services (continued)

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- 6) Carrier 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.
- 7) Carrier will direct all "00-" emergency calls to the local exchange carrier (LEC) at no charge.
- 8) Carrier's contracts with the 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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2.9.3 Aggregator Obligations

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- 1) Call aggregators must allow end users to use "950" and "800" access code numbers for their interexchange company (IXC) of choice and ensure that the charge for accessing the "950/800" IXC is no greater than the Carrier's normal charge for such a service.
- 2) Call aggregators are required to post on or near all telephones, in plain view of customer served by the Company, the following information:
  - a) Carrier's name, address, and toll-free number;
  - b) A written disclosure that the rates for all operator-assisted calls are available upon request;
  - c) A statement of the end user's right to use that telephone to access the carrier of their choice and that Carrier provider will provide information on how to access the alternative carrier;
  - d) A message directing complaints to the Missouri Public Service Commission, as follows:

Complaints regarding rates for calls within Missouri should be directed to:

Missouri Public Service Commission  
301 W. High Street, Suite 530  
Jefferson City, Missouri 65101  
Phone: (800) 392-4211

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SECTION 3 - DESCRIPTION OF SERVICE

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3.1 Timing of Calls

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The customer's monthly usage charges for Carrier service are based upon the total number of minutes the customer uses and service options subscribed to. Chargeable time begins when the connection is established between the calling station and the called station or PBX.

Chargeable time ends when the calling station "hangs up". If the called station "hangs up" but the calling station does not, chargeable time ends when the connection is released by automatic timing equipment within the telecommunications network.

3.2 Start of Billing

For billing purposes, the start of service is the first day on which service is available for use by the customer. The end of service date is the last day or any portion thereof, on which service was provided by the Company

3.3 Interconnection

Service furnished by Carrier may be interconnected with services or facilities of other authorized communications common carriers and with private systems, subject to the technical limitations established by Carrier. Service furnished by Carrier is not part of a joint undertaking with such other carriers. Any special interface equipment of Carrier and other participating carriers shall be provided at the customer's expense.

Interconnection with the facilities or services of other carriers shall be under the applicable terms and conditions of other carriers' tariffs. The customer is responsible for taking all necessary legal steps for interconnecting his customer - provided terminal equipment or communications systems with Carrier's. The customer shall secure all licenses, permits, right-of-ways, and other arrangements necessary for such interconnection.

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3.4 Terminal Equipment

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Carrier's service may be used with or terminated in customer provided terminal equipment or customer provided communication systems, such as teleprinters, handsets, or data sets. Such terminal equipment shall be furnished and maintained at the expense of the providing customer, except as otherwise agreed in advance and in writing. The customer is responsible for all costs at their premises, including personnel, wiring, electrical power, and the like incurred in his use of Carrier's service. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry.

3.5 Calculation of Distance

Usage charges for all intrastate calls are based on flat rates and are not mileage sensitive.

The airline mileage between rate centers is determined by applying the formula below to the vertical and horizontal coordinates associated with the rate centers involved. The Company uses the rate centers and associated vertical and horizontal coordinates that are generally accepted within the telecommunications industry.

Formula: 
$$\frac{(V1-V2)^2 + (H1 - H2)^2}{10}$$

3.6 Minimum Call Completion Rate

The customer can expect a call completion rate of not less than 97% per 100 calls attempted during peak use periods for all Feature Group D (1+) services.

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3.8 Service Offerings

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The Company provides the following services:

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3.8.1 Message Toll Service (MTS)

"1+" Dialing is achieved by customer's telephone lines being programmed by the local telephone lines being programmed by the local telephone company (LEC) to automatically route 1+ calls to the Company's network. Service is billed in six second increments, with partial seconds of usage rounded up to the next 6 second increment, with a minimum billing of 6 seconds.

Dedicated access service customers are liable for all installation charges, monthly recurring charges based on mileage estimates and monthly recurring charges imposed by the LEC.

The Company offers various MTS service plans which are offered to customers based on their monthly usage and whether they are residential or business customers.

3.8.2 8XX Service

- A. 8XX Service is virtual banded inbound toll service which permits calls to be completed at the subscriber's location without charge to the calling party. Access to the service is gained by dialing a ten digit telephone number which terminates at the customer's location. 8XX services originate via normal shared use facilities and are terminated via the customers' local exchange service access line.

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3.8.2 8XX Service (continued)

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- B. Carrier will accept a prospective 8XX service customer's request for up to ten (10) 8XX telephone numbers and will reserve such number(s) on a first come first serve basis. All requests for 8XX number reservations must be made in writing, dated and signed by a responsible representative of the customer. Carrier does not guarantee the availability of number(s) until assigned. The 8XX services telephone number(s) so requested, if found to be available, will be reserved for and furnished to the eligible customer.
- C. If a customer who has received an 8XX number does not subscribe to 8XX service within 90 days, the company reserves the right to make the assigned number available for use by another customer.
- D. The Company offers various 8XX service plans which are offered to customers based on their monthly usage and whether they are residential or business customers.

3.8.3 Travel Card Services

Allows subscribers who are away from home or office to place calls by gaining access to the network via an 8XX number and personal identification code issued by the Company.

3.8.6 Directory Assistance

Residential customers shall be provided with a record of the date and time of each directory assistance call made from their residence.

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3.9 Operator Services

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Operator Services is the furnishing of services for the completion of calls by End Users and Customers presubscribed to Carrier services made with the assistance of a Company operator within the state including Aggregator sites and locations. Aggregator sites include, but are not limited to, hotels/motels, hospitals, businesses, military establishments, and locations of public, semi-public, or private pay telephones.

3.9.1 Calling Card/Credit Card

Charges for a long distance call are charged to a valid Calling Card or Credit Card. In order to control fraud, Carrier must refuse to accept a card that it determines or suspects to be invalid.

3.9.2 Person-to-Person

Charges apply when the End User specified to the operator a particular party to be reached. That party may be:

- (a) a person
- (b) a department
- (c) an extension
- (d) an office

If the person, department, mobile station, extension or office designated by the End User is unavailable and the End User requests or agrees to talk to any other party, the call is still classed as a Person-to-Person call.

3.9.3 Station-to-Station

Charges apply when the End User specifies to the operator a particular telephone number to be reached.

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3.9.4 Collect

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The End User requests the operator to bill the charges to the Called Station or party who agrees to pay for all charge. Collect calls can be either Person-to-Person or Station-to-Station.

3.9.5 Third Party

The End User requests the operator to bill the charges for a call to a number other than that of the Calling or Called Station. The party at the number to which the charges are to be billed agrees to pay for all charges.

3.10 Operator Handling Fee

In addition to per minute charges, calls are subject to an Operator Handling Fee or Operator Service Charge. The applicable Operator Service Charges will be included with usage charges on an End User's invoice. When an operator-assisted call includes elements of more than one class of call, the call is charged at the highest rated class.

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SECTION 4 - RATES AND CHARGES

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4.1 Rate Periods

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Day Rate Period - 8:00 A.M. to 4:59 P.M. Monday through Friday.

Evening Rate Period - 5:00 P.M. to 10:59 P.M., Sunday through Friday.

Night and Weekend Rate Period - 11:00 P.M. to 7:59 A.M.; 8:00 A.M. to 10:59 P.M. Saturday; and 8:00 A.M. to 4:59 P.M. Sunday.

4.2 Usage Charges and Billing Increments

A. Usage Charges

Unless flat rated, usage charges are determined by the time of day rate periods and minutes of use within each rate period. The rate period is determined by the time and day of call origination at the customer's location.

B. Billing Increments

Unless stated otherwise, usage is billed in an initial one minute increment and in six second increments thereafter.

C. Rounding

All partial usage will be rounded up to the next highest billing increment. Partial cents will be rounded to the next highest whole cent.

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4.3 MTS Rates

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The following rates are the rates per minute applicable to 1+ MTS services:

	End-User <u>Monthly Volume</u>	<u>Day</u>	<u>Non-day*</u>
Plan I	\$0 - \$20.00	.2000	.2000
Plan II	\$20.01 - \$40.00	.1900	.1900
Plan III	\$40.01 - \$60.00	.1800	.1800
Plan IV	\$60.01 - \$80.00	.1700	.1700
Plan V	\$80.01 - \$100.00	.1600	.1600
Plan VI	\$100.01 - \$150.00	.1500	.1500
Plan VII	\$150.01 - \$250.00	.1400	.1400
Plan VIII	\$250.01 - \$400.00	.1300	.1300
Plan IX	\$400.01 - \$750.00	.1200	.1200
Plan X	\$750.01 - \$2000.00	.1100	.1100
Plan XI	\$2000.01 - \$5000.00	.1000	.1000
Plan XII	\$5001.01 & Up	.0900	.0900

One-time installation fee of \$50.00

Monthly recurring charge of \$10.00 per line.

- \* For purposes of this schedule, Day hours are considered to be from 8:00 A.M. up to, but not including 5:00 P.M. seven days per week, regardless of weekends or holidays. Non-day hours are considered to be from 5:00 P.M. up to, but not including 8:00 A.M. seven days per week, regardless of weekends or holidays.

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4.4 800 Service Rates

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	End-User <u>Monthly Volume</u>	<u>Day</u>	<u>Non-day*</u>
Plan I	\$0 - \$20.00	.2000	.2000
Plan II	\$20.01 - \$40.00	.1900	.1900
Plan III	\$40.01 - \$60.00	.1800	.1800
Plan IV	\$60.01 - \$80.00	.1700	.1700
Plan V	\$80.01 - \$100.00	.1600	.1600
Plan VI	\$100.01 - \$150.00	.1500	.1500
Plan VII	\$150.01 - \$250.00	.1400	.1400
Plan VIII	\$250.01 - \$400.00	.1300	.1300
Plan IX	\$400.01 - \$750.00	.1200	.1200
Plan X	\$750.01 - \$2000.00	.1100	.1100
Plan XI	\$2000.01 - \$5000.00	.1000	.1000
Plan XII	\$5001.01 & Up	.0900	.0900

One-time installation fee of \$50.00

Monthly recurring charge of \$5.00 per line.

- \* For purposes of this schedule, Day hours are considered to be from 8:00 A.M. up to, but not including 5:00 P.M. seven days per week, regardless of weekends or holidays. Non-day hours are considered to be from 5:00 P.M. up to, but not including 8:00 A.M. seven days per week, regardless of weekends or holidays.

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4.5 Travel Card Service Rates

	End-User <u>Monthly Volume</u>	<u>Day</u>	<u>Non-day*</u>
Plan TC I	\$1001.00 & Up	.2000	.2000
Plan TC II	\$251.00 - \$1000.00	.2500	.2500
Plan TC III	\$0 - \$250.00	.3500	.2500

\* For purposes of this schedule, Day hours are considered to be from 8:00 A.M. up to, but not including 5:00 P.M. seven days per week, regardless of weekends or holidays. Non-day hours are considered to be from 5:00 P.M. up to, but not including 8:00 A.M. seven days per week, regardless of weekends or holidays.

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4.5 Directory Assistance

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Directory assistance shall be provided at a rate of \$0.50 per call.

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4.6 Non-Sufficient Funds Charge

Any customer issuing Carrier check(s) returned to Carrier due to insufficient funds will be charged \$15.00 per check.

4.7 Operator Service Charges:

A. Operator Service Charges:

The following per call charges are applicable to interLATA and intraLATA operator assisted services:

Operator Assisted Person-to-Person	\$3.50
Operator Assisted Station-to-Station	\$2.95
Operator Assisted Collect Calls	\$2.95
Operator Assisted Third Number Billed	\$2.95
Calling Card and Credit Card Calls	\$1.95

Operator Service Charges are not subject to time-of-day discounts.

Calls having elements of more than one type of call will be billed the highest charge applicable to that call.

B. Operator Service Rates Per Minute:

Flat rate of \$0.42 per minute for interLATA and intraLATA service.

This rate will be applied for all types of operator calls. Applicable charges as stated in Paragraph 4.7.A above are in addition to this flat rate.

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