

OF THE STATE OF MISSOURI

Case No. TD-2001-196

ORDER CANCELING CERTIFICATE AND TARIFF

On September 21, 2000, the Staff of the Missouri Public Service Commission (Staff) filed a motion requesting that the Commission cancel the certificate of authority and accompanying tariff of Gemini Communications Management, Inc. (Gemini). Staff served its motion via hand delivery and certified mail and attached its service list to its motion. No response to Staff's motion has been filed.

The Commission granted Gemini a certificate of service authority to provide interexchange telecommunications services in Case No. TA-98-118. The terms of the certificate require Gemini to file an annual report with the Commission and to keep the Commission informed of its current address and telephone number.

Staff states that Gemini did not file an annual report in 1998 as required by Sections 392.210 and 392.390.1, RSMo 1994, and further states that Gemini's 1999 annual report form was returned to the Commission by the United States Postal Service as undeliverable. In addition, Staff states that Gemini was administratively dissolved by the Missouri Secretary of State's Office on August 28, 2000, for failure to file an annual report in that office.

The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).

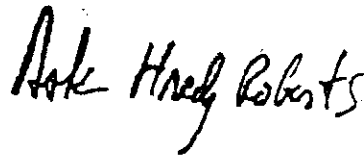
The Commission has reviewed the application and the official file and finds that the certificate of service authority and accompanying tariff to provide intrastate interexchange telecommunications services granted to Gemini in Case No. TA-98-118 shall be canceled.

IT IS THEREFORE ORDERED:

1. That the certificate of authority and tariffs granted in Case No. TA-98-118 to Gemini Communications Management, Inc., shall be canceled on November 12, 2000, unless otherwise ordered by the Commission.
2. That this order shall become effective on November 12, 2000.
3. That this case may be closed on November 13, 2000.

BY THE COMMISSION

(S E A L)



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Keith Thornburg, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 2nd day of November, 2000.

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Public Service Commission
Original Sheet 1

Gemini Communications Management, Inc.

TITLE SHEET

**LONG DISTANCE RESOLD
TELECOMMUNICATIONS SERVICES**

In the State of Missouri

by

GEMINI COMMUNICATIONS MANAGEMENT, INC.

This tariff applies to the Long Distance Telecommunications Services furnished by Gemini Communications Management, Inc. between one or more points in 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 Carrier's principal place of business, 12140 Woodcrest Executive Drive, Suite 190, St. Louis, MO 63141.

Gemini Communications Management, Inc. is a competitive telecommunications company providing competitive services in the state of Missouri.

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By TD-01-196
Public Service Commission
MISSOURI

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Original Sheet 2

Gemini Communications Management, Inc.

Waivers of Statutory and Regulatory Requirements

The following statutory and regulatory requirements have been waived for the Company:

4 CSR 240-10.020	--	Depreciation fund income
4 CSR 240-30.010(2)(C)	--	Posting of exchange rates at central operating offices.
4 CSR 240-30.040	--	Uniform system of accounts
4 CSR 240-32.030(1)(B and (C)	--	Exchange area maps and records of 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	--	Minimum charge rules
4 CSR 240-33.040(5)	--	Finance fee
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, debt and notes
Section 392.340	--	Reorganization

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Gemini Communications Management, Inc.

Original Sheet 6

APPLICATION OF TARIFF

This tariff contains the regulations and changes applicable to intrastate interexchange telecommunications resellers services provided by Gemini Communications Management, Inc. to customers within the State of Missouri.

SYMBOLS

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

- D - Delete or Discontinue
- I - Change Resulting In An Increase in Rates
- M - Moved From Another Tariff Location
- N - New
- R - Change Resulting In A Reduction in Rates
- T - Change In Text or Regulation But No Change In Rate or Charge

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Gemini Communications Management, Inc.

Original Sheet 7

TARIFF FORMAT

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

B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the Missouri Public Service Commission ("P.S.C. MO."). For example, the 2nd revised Sheet 10 cancels the 1st revised Sheet 10. Because of various suspension periods, deferrals and other delays which may occur before the P.S.C. MO. as it follows the normal tariff approval process, the most current sheet number on file with the Commission is not always the tariff pages in effect.

C. Paragraph Numbering Sequence - There are four levels of paragraph coding. Each level of coding is subservient to its next higher level.

2.
2.1.
2.1.1.A.
2.1.1.A.1.

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Gemini Communications Management, Inc.

Original Sheet 8

SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects a customer's location to Gemini Communications' location or switching center.

Account Number - A numerical code, one or more of which may be assigned to a customer, to enable Gemini Communications to identify the service user so it may rate and process the call.

Affinity Advantage Calling Card - A postpaid Affinity card pays a commission of 4 - 8% of network services usage dependent upon monthly gross collected revenues. Card offers speed dial and voicemail function.

Affinity Advantage Plus Calling Card - A postpaid Affinity card pays a commission of 4 - 6% of network services usage dependent upon monthly gross collected revenues. Card offers speed dial and voicemail function.

Basic Recharge Card - Credit card debit card rechargeable in dollar amounts of less than \$45.00.

Basic Calling Card - A postpaid affinity card that pays a commission of 13-18% of network services usage dependent upon monthly gross collected revenues. Card offers speed dial and voicemail functions.

Basic Plus Calling Card - A postpaid affinity card that pays a commission of 9-15% of network services usage dependent upon monthly gross collected revenues. Card offers speed dial and voicemail functions.

Business Services Calling Card - A service calling card with monthly and per call fees. Card offers speed dial and voicemail functions.

Collegiate Card - Collegiate Cards sold to college students or their parents. Card offers speed dial and voicemail functions.

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Gemini Communications Management, Inc.

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SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS (Cont'd).

Collegiate Card Plus - Collegiate Cards sold to college students or their parents, minimum card denomination of \$45.00. Card offers speed dial and voicemail functions.

Common Carrier - A Company or entity providing telecommunications services to the public.

Consumer Cards - Calls for which charges are billed not to the originating telephone number, but to a credit card, such as VISA, MasterCard, or American Express.

Corporate Accounts Calling Card - A postpaid affinity card that pays a commission of 9-15% of network services usage dependent upon monthly gross collected revenues.

Customer - The calling party utilizing the services of Gemini Communications and responsible for the payment of charges.

Debit Card Calls - Calls for which charges are billed not to the originating telephone number but are deducted from the face value of the debit card. Company debit card calls do not result in a bill being sent to the customer.

Evening - From 5:00 p.m. up to, but not including, 11:00 p.m. Sunday through Friday, and all holidays (unless night rates apply).

Gemini Card Calls - Calls for which charges are billed not to the originating telephone number, but to a Gemini Communications Phone Card.

Gemini Communications - Used throughout this tariff to mean Gemini Communications Management, Inc.

Holiday - New Year's Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

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Gemini Communications Management, Inc.

Original Sheet 10

SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS (Cont'd).

LEC - Used throughout this tariff to mean "Local Exchange Carrier".

Local Access and Transport Area (LATA) - The term "Local Access Transport Area" denotes a geographical area established by the U.S. District Court for the District of Columbia in Civil Action No. 82-0192, within which a local exchange company provides communications services.

Measured Charge - A charge assessed on a per minute basis in calculating the charges due for a completed call.

Postpaid LEC-Billed - A card that is offered to a customer and is LEC-billed. The card offers speed dial and voicemail functions.

Promotional Card - a card given to consumers free of charge to promote Gemini Communications' calling cards

Recharge Advantage - Credit card debit card rechargeable in dollar amounts of \$45.00 or more.

Retail Card Plans 1- 45 - Retail Cards with and without recharge, speed dial and/or voice mail functions.

Telecommunications - The transmission of voice communications or, subject to the transmission capabilities of the service, the transmission of data, facsimile, signaling, metering, or other similar communications.

ValuCard - Sold as a \$45.00 card through direct marketing, customer is LEC billed. Card offers speed dial and voicemail functions.

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Gemini Communications Management, Inc.

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SECTION 2. RULES AND REGULATIONS

2.1 Terms of Tariff

- 2.1.1 This tariff contains the regulations and rates applicable to intrastate resale telecommunications services provided by Gemini Communications for telecommunications between points within the State of Missouri. Gemini Communications' services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff.
- 2.1.2 The services of Gemini Communications are not part of a joint undertaking with any other entity providing telecommunications channels, facilities or services, but do involve the resale of the Message Toll Services (MTS) and Wide Area Telecommunications Services (WATS) of underlying common carriers who may be subject to the jurisdiction of this commission.
- 2.1.3 The rates and regulations contained in this tariff apply only to the services furnished by Gemini Communications and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carrier for use in accessing the services of Gemini Communications.
- 2.1.4 The services of Gemini Communications are furnished to purchasers of Gemini Communications Phone cards. The purchase of a card makes available to the purchasing subscriber Gemini Communications' nationwide services, including the intrastate services offered under the terms and conditions of this tariff.

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Gemini Communications Management, Inc.

SECTION 2. RULES AND REGULATIONS (Cont'd)

2.2 Use of Services

- 2.2.1 Gemini Communications' services may be used for any lawful purpose consistent with the transmission and switching parameters of the telecommunications facilities utilized in the provision of services.
- 2.2.2 The use of Gemini Communications' services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another, or in such a way as to unreasonably interfere with use by others, is prohibited.
- 2.2.3 The use of Gemini Communications' services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, false calling or credit cards or false Gemini Communications Calling Card™ Cards or false numbers of such cards, is prohibited.
- 2.2.4 Gemini Communications' services are available for use twenty-four hours per day, seven days per week.
- 2.2.5 Gemini Communications does not transmit messages pursuant to this tariff, but its services may be used for that purpose.
- 2.2.6 Gemini Communications' services may be denied for nonpayment of charges or for other violations of this tariff.
- 2.2.7 If a Gemini Communications Card is inactive for any 6-month period, an inactivity fee of \$2.00 per month will be assessed against the remaining balance on the card on a monthly basis until the card exhausts or is reused.

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Gemini Communications Management, Inc.

Original Sheet 13

SECTION 2. RULES AND REGULATIONS (Cont'd)

- 2.2.8 A purchaser of a Gemini Communications card may obtain a refund of any unused portion of a card by returning the card to the company, with a written request for such refund.
- 2.2.9 A purchaser of a Gemini Communications Card is responsible for all losses in the event that the card is lost, stolen, or used by an unauthorized person. In the event a card is lost or stolen, a purchaser may contact Customer Relations and have the unused portion of a card balance transferred to a new card and identification number.

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Original Sheet 14

Gemini Communications Management, Inc.

SECTION 2. RULES AND REGULATIONS (Cont'd)

2.3 Liability of Gemini Communications

- 2.3.1 Gemini Communications shall not be liable for loss or damage sustained by reason of any failure in or breakdown of facilities associated with Gemini Communications or for any interruption or delay of services, whatever shall be the cause of such failure, breakdown, or interruption, and whether negligent or otherwise, and however long it shall last. In no event shall Gemini Communications' liability for any service exceed the charges applicable under this tariff to such service.
- 2.3.2 Gemini Communications shall be indemnified and saved harmless by any subscriber, user or by any other entity against claims for libel, slander or the infringement of copyright arising from the material transmitted over its services; and against all other claims arising out of any act or omission of a subscriber or of any other entity in connection with the services provided by Gemini Communications
- 2.3.3 Gemini Communications is not liable for any act or omission of any entity furnishing facilities or services connected with or provided in conjunction with the services of Telecard Services.
- 2.3.4 Gemini Communications shall not be liable for any personal injury, or death of any person or persons, nor for any loss or damage sustained by reason of acts, mistakes, omissions, errors or defects in providing its services, whatever shall be the cause, and whether negligent or otherwise.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

- 2.3.5 Gemini Communications shall not be liable for and shall be indemnified and saved harmless by any subscriber, user or other entity from any and all loss, claims, demands, suits, or other action or any liability whatever, whether suffered, made, instituted, or asserted by any subscriber, user or any other entity or any personal injury to, or death of, any person or persons, and for any loss, damage, defacement or destruction of the premises of any subscriber, user or any other entity of any other property whether owned or controlled by the subscriber, user or others, caused or claimed to have been caused, directly or indirectly, by any act or omission of the subscriber, user or others or by any installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of services, facilities or equipment provided by Gemini Communications which is not the direct result of Gemini Communications' negligence. No agents or employees of any other entity shall be deemed to be the agents or employees of Gemini Communications .
- 2.3.6 Gemini Communications shall not be liable for any failure of performance due to causes beyond its control, including, without being limited to, acts of God, fires, floods or other catastrophes, national emergencies, insurrections, riots or wars, strikes, lockouts, work stoppage or other labor difficulties, acts or omissions of other carriers, and any law, order, regulation or other action of any governing authority or agency thereof.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.4 Responsibilities of the Subscriber

- 2.4.1 The subscriber is responsible for payment for use of Gemini Communications Calling Card Cards and for complying with tariff regulations. The subscriber is also responsible for the payment of charges for calls which the subscriber elects to continue following notification that the prepaid amount on the Gemini Communications calling card then in use has been fully used. The subscriber is responsible for payment of all card calls on direct and LEC-billed cards.
- 2.4.2 The subscriber must pay Gemini Communications for replacement or repair of damage to the equipment or facilities of Gemini Communications caused by negligence or willful act of the subscriber or others, by improper use of the services, or by use of equipment provided by the subscriber or others.
- 2.4.3 The subscriber is responsible for compliance with the applicable regulations set forth in this tariff.
- 2.4.4 The subscriber is responsible for establishing its identity as often as necessary during the course of a call.
- 2.4.5 The subscriber is responsible for identifying the station, party, or person with whom communication is desired and/or made at the called number.

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Gemini Communications Management, Inc.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.5 Cancellation or Interruption of Services

2.5.1 Without incurring liability, Gemini Communications may immediately discontinue services to a subscriber or may withhold the provision of ordered or contracted services provided that, unless otherwise stated, the customer shall be given fifteen (15) days notice to comply with any rule or remedy any deficiency:

(A) For nonpayment of any sum due Gemini Communications for the use of Gemini Communications Calling Card Cards, or for nonpayment of any sum due Gemini Communications following full use of the prepaid amount on a Gemini Communications calling card, provided five (5) days written notice is given before termination.

(B) For violation of any of the provisions of this tariff.

(C) For violation of any law, rule, regulation or policy of any governing authority having jurisdiction over Gemini Communications' services, provided five (5) days written notice is given before termination.

or

(D) By reason of any order or decision of a court, public service commission or federal regulatory body or other governing authority prohibiting Gemini Communications from furnishing its services.

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Gemini Communications Management, Inc.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

- 2.5.2 Without incurring liability, Gemini Communications may interrupt the provision of services at any time in order to perform tests and inspections to assure compliance with tariff regulations and the proper installation and operation of Gemini Communications' equipment and facilities and may continue such interruption until any items of non-compliance or improper equipment operation so identified are rectified.
- 2.5.3 Service may be discontinued by Gemini Communications, without notice to the subscriber, by blocking traffic to certain countries, cities, or exchanges, or by blocking calls using certain customer authorization code, when Gemini Communications deems it necessary to take such action to prevent unlawful use of its service. Gemini Communications will restore service as soon as it can be provided without undue risk, and will, upon request by the customer affected, assign a new account number to replace the one that has been deactivated.
- 2.5.4 If Gemini Communications chooses to add dial tone or other direct access services in addition to prepaid and postpaid telephone cards, sections 2.5.5, 2.5.6, and 2.5.7 would apply.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

- 2.5.5 Credit allowance for the interruption of service which is not due to Gemini's testing, adjusting, negligence of the customer or to the failure of the equipment provided by the customer, are subject to the general liability set forth in 2.3.1 herein. It shall be the obligation of the customer to notify the Company immediately of any interruption in services for which a credit allowance is desired. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any equipment furnished by the customer and connected to the Companies facilities. No refund or credit will be made for the time that the Company stands ready to repair the service and the subscriber does not provide access to the Company for such restoration work.
- 2.5.6 No credit shall be allowed for an interruption of a continuous duration of less than twenty-four hours after the subscriber notifies the Company.
- 2.5.7 The customer shall be credited for an interruption of more than twenty-four hours as follows:

Credit Formula:

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

"A" = outage time in hours

"B" = total days in month

"C" = total monthly charge for affected facility

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.6 Billing Arrangements

- 2.6.1 Gemini Communications Card Calls: Charges for calls of this type will be prepaid upon purchase by the subscriber of a Gemini Communications Calling Card. Gemini Communications customer service agents will have itemized call detail information on-line in order to answer customers' questions. Upon verification that the caller is a Gemini Communications customer, written itemization of charges can be obtained from customer service.
- 2.6.2 Credit Card Call: Itemization of charges posted to credit cards will be included on the subscriber's regular monthly statement from the card-issuing company, or a monthly statement in the case of LEC and direct billed Cards.
- 2.6.3 LEC and direct billed Cards: Itemization of charges posted will be included on the subscriber's LEC billing, or where a customer has entered into a direct billing arrangement, on their monthly direct billed statement

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SECTION 2. RULES AND REGULATIONS (Cont'd)

- 2.7 Billing of Calls: All charges due by the subscriber are payable at any agency duly authorized to receive such payments. Any objection to billed charges should be promptly reported to the Company. Adjustments to customers' bills should be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate.
- 2.7.1 Late Payment Charges: Interest charges of ½% per month will be assessed on all unpaid balances more than one hundred and eighty (180) days old.
- 2.8 Validation of Credit: Gemini Communications reserves the right to validate the credit worthiness of users through available verification procedures. Where a requested billing method cannot be validated, the user may be required to provide an acceptable alternate billing method or Gemini Communications may refuse to place the call.

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SECTION 2. RULES AND REGULATIONS (Cont'd)

2.9 Contested Charges: All bills are presumed accurate, and shall be absolutely binding on the Subscriber unless objection is received by Gemini Communications within thirty (30) days after such bills are rendered. In the case of a billing dispute between the Subscriber and Gemini Communications for service furnished to the Subscriber, which cannot be settled with mutual satisfaction, the Subscriber can take the following course of action within thirty (30) days of the billing date:

2.9.1 First, the Subscriber may request, and Carrier will provide, an in-depth review of the disputed amount by contacting customer service at: 1-800-997-6738. The undisputed portion and subsequent bills must be paid on a timely basis or the service may be subject to disconnect.

2.9.2 Second, if there is still a disagreement about the disputed amount after the investigation and review by a manager of Telecard Services, the Subscriber may file an appropriate complaint with the Missouri Public Service Commission. The Commission's address is:

Missouri Public Service Commission
P.O. Box 360
Jefferson, MO 65102

Telephone: (573) 751-3234

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SECTION 2. RULES AND REGULATIONS (Cont'd)

- 2.10 Taxes: All federal, state and local taxes (e.g., excise tax, gross receipts tax, sales tax, municipal Service tax) are included in the amount deducted for each call that is placed through a prepaid telephone calling card. In all cases of direct billed and LEC billed cards, taxes will be added to the amount that is charged as shown in the rates shown below.
- 2.11 Deposits: Gemini Communications does not require a deposit from the Subscriber.
- 2.12 Directory Assistance: Intrastate Directory Assistance involves the supplying of assistance in determining or attempting to determine the telephone number of a party.
- 2.13 Advance Payments: For customers whom the Company feels an advanced payment is necessary, the Company reserves the right to collect an amount not to exceed one (1) month's estimated charges as an advanced payment for service. This will be applied against the next month's charges.

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Gemini Communications Management, Inc.

SECTION 3. DESCRIPTION OF SERVICE

- 3.1 General Description of Services: Gemini Communications provides interexchange telecommunications services, including switched and dedicated access long distance communications service. Calls are rated based on the duration of the call.
- 3.2 Calling Card Service: Calling Card Service is a product that is neither time of day nor distance sensitive while calling within the United States, that provides prepaid calling card service (see "Service Offerings" below).
- 3.3 Postpaid LEC Billed Card Service: A travel card service to which users may subscribe. Payment for charges to such card are made at the time of billing, after the service has been rendered. A customer who elects to use this service will pay the tariffed rates for calls charged to the card. Charges for such calls appear on the Subscriber's regular monthly bill.
- 3.4 Calculation of Usage Rates: Billing for a call placed over the Gemini Communications network is based on the duration of the call. Billing is in increments set forth in the rate schedules. Calls are rounded up to the next full increment. Timing of each call begins as specified below, and ends when either the calling party or the called party hangs up.
- 3.4.1 When Billing Charges Begin and End for Phone Calls: The Customer's long distance usage charge is based on the actual usage of the Company's network. Usage begins when the called party picks up the receiver, (i.e., when 2-way communication, often referred to as "conversation time")

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SECTION 3. DESCRIPTION OF SERVICE (Cont'd)

is possible.). When the called party picks up it is determined by hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. When software answer supervision is employed up to 60 seconds of ringing is allowed before it is billed as usage of the network. A call is terminated when the calling or called party hangs up.

3.5 Minimum Call Completion Rate: A customer can expect a call completion rate of not less than 99% during peak use periods for all FG D services ("1+" dialing).

3.6 Service Offerings

3.6.1 Gemini Communications Calling Card Service: This service permits use of a prepaid Gemini Communications Phone Card for placing long distance calls. Users may purchase Gemini Communications cards at a variety of retail outlets or through other distribution channels. Gemini Communications Phone Cards are available at a face value ranging from \$1.00 to \$100.00. A call is placed by dialing an 800 number to obtain access to Gemini Communications' network. The caller is prompted by an automated voice response system to enter his/her account number, and then the terminating number.

3.6.1.A Gemini Communications' processor tracks the call duration and destination on its prepaid calling card products for rating purposes on a real time basis. The total price of each call, including applicable taxes, is deducted from the prepaid amount.

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SECTION 3. DESCRIPTION OF SERVICE (Cont'd)

on the caller's Gemini Communications card. Should the balance on the card approach zero, the caller is so advised, and, if desired, the caller may follow voice prompts to reach a live operator who will aid the user in accomplishing a recharge.

3.6.1.B Special features are available for use with some Gemini Communications card. These features include speed-calling capability for two-digit dialing of up to ninety numbers. In addition, multiple calls can be made without re-dialing an access number or account number.

3.6.1.C Gemini Communications offers universal origination from anywhere in the United States and termination both domestically and internationally. Availability of termination may be limited by Gemini Communications' operating authority limits, or by service availability for international direct dialing. Not all of Gemini Communications' cards will have international termination ability.

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SECTION 4. RATES AND CHARGES

4.1 Gemini Communications Calling Card Rates

- 4.1.1 Gemini Communications will enter agreements with retailers or other distributors of a Gemini Communications card to discount the price of cards purchased by a particular retailer or other distributor in order to induce the distributor to offer the cards to end users. These distribution arrangements will not affect the rates charged to end users of the cards.

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SECTION 4. RATES AND CHARGES (Cont'd)

4.2 Charges Computation

- 4.2.1 Calls processed by Gemini Communications are rated and charged in accordance with the rate schedules set forth herein.
- 4.2.2 Chargeable time begins when the called party answers and a connection has been established. Chargeable time ends when either party "hangs up" thereby releasing the network connection. Calls are measured and billed in increments set forth in the rate table for each service offering; fractional minutes of use are rounded up to the next full increment. Calls beginning in one rate period and ending in another will be billed at the rate applicable to at the beginning of the call. Consumers using Gemini Communications will not be charged for unanswered or uncompleted calls.
- 4.2.3 All Calling Card Cards other than LEC billed, credit billed cards and direct billed cards expire six (6) months after the date of last use, or last recharge, whichever is later. Credit calling cards (LEC and direct billed) and those continually recharged would not expire.
- 4.2.4 Call detail history is available on any particular card for a charge of \$5.00 per request; provided however, detail is not available for periods in excess of nine months from the date of request.

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SECTION 4. RATES AND CHARGES (Cont'd)

4.3 [RESERVED FOR FUTURE USE]

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SECTION 4. RATES AND CHARGES (Cont'd)

4.4 Rate Schedules

4.4.1 Postpaid Card Service: Postpaid travel card service is available to Subscribers of Gemini Communications' long distance services. Customers will reach Gemini Communications' network via a toll free number. A customer who elects to use this service will pay the tariffed rates for calls charged to the card. Charges for such calls appear on the Subscriber's LEC monthly telephone bill. Card calls are billed in one-minute initial and additional increments.

Per Minute Rates:

<u>LEC billed debit cards</u>	<u>Face</u>	<u>Rate</u>
Face amount of card	\$45.00	\$0.30
Recharge Rate	\$25.00	\$0.20

4.4.2 "Collegiate Card" and "Collegiate Card Plus" Service: Prepaid card service is a prepaid long distance calling card service under which college students and their parents purchase cards in predetermined amounts for long distance usage. As Users access the service their usage is automatically deducted from the remaining card balance. Prepaid cards purchased for less than \$45 are decremented in 30 second increments; prepaid cards purchased for more than \$45 are decremented in 6 second increments.

Per Minute Rates:

	<u>Face</u>	<u>Rate</u>
Card cost	\$45.00 or more	\$0.18
Card cost	\$44.99 or less	\$0.20

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SECTION 4. RATES AND CHARGES (Cont'd)

4.4.3 Retail Card Service: Retail card prepaid service is a prepaid long distance calling card service made available to the public through marketing through retail outlets. The card is decremented in full minute increments. The card may have speed dial and/or voice mail. Where recharging is available, it will be at the same rate as the card. As Users access the service their usage is automatically deducted from the remaining card balance.

	Card Cost	Rate per minute		Card Cost	Rate per Minute
Card cost	\$60.00	\$0.15	Card cost	\$37.00	\$0.38
Card cost	\$59.00	\$0.16	Card cost	\$36.00	\$0.39
Card cost	\$58.00	\$0.17	Card cost	\$35.00	\$0.40
Card cost	\$57.00	\$0.18	Card cost	\$34.00	\$0.41
Card cost	\$56.00	\$0.19	Card cost	\$33.00	\$0.42
Card cost	\$55.00	\$0.20	Card cost	\$32.00	\$0.43
Card cost	\$54.00	\$0.21	Card cost	\$31.00	\$0.44
Card cost	\$53.00	\$0.22	Card cost	\$30.00	\$0.45
Card cost	\$52.00	\$0.23	Card cost	\$29.00	\$0.46
Card cost	\$51.00	\$0.24	Card cost	\$28.00	\$0.47
Card cost	\$50.00	\$0.25	Card cost	\$27.00	\$0.48
Card cost	\$49.00	\$0.26	Card cost	\$26.00	\$0.49
Card cost	\$48.00	\$0.27	Card cost	\$25.00	\$0.50
Card cost	\$47.00	\$0.28	Card cost	\$24.00	\$0.51
Card cost	\$46.00	\$0.29	Card cost	\$23.00	\$0.52
Card cost	\$45.00	\$0.30	Card cost	\$22.00	\$0.53
Card cost	\$44.00	\$0.31	Card cost	\$21.00	\$0.54
Card cost	\$43.00	\$0.32	Card cost	\$20.00	\$0.55
Card cost	\$42.00	\$0.33	Card cost	\$19.00	\$0.56
Card cost	\$41.00	\$0.34	Card cost	\$18.00	\$0.57
Card cost	\$40.00	\$0.35	Card cost	\$17.00	\$0.58
Card cost	\$39.00	\$0.36	Card cost	\$16.00	\$0.59
Card cost	\$38.00	\$0.37	Card cost	\$15.00	\$0.60

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SECTION 4. RATES AND CHARGES (Cont'd)

- 4.4.4 Credit Card billed Calling Card Service: This service allows payment of calling card services via a valid credit card issued to the customer. As users access the service their usage is automatically deducted from the remaining card balance. Prepaid cards purchased are decremented in one minute increments.

Per Minute Rates:

	<u>Face</u>	<u>Rate</u>
Card cost	\$45.00 or more	\$0.15
Card cost	\$44.99 or less	\$0.30

- 4.4.5 "Affinity Advantage" and "Affinity Advantage Plus" Calling Card Service: Postpaid travel card service is available to Subscribers of Gemini Communications' long distance services. Customers will reach Gemini Communications' network via a toll free number. A customer who elects to use this service will pay the tariffed rates for calls charged to the card. Charges for such calls appear on the Subscriber's LEC monthly telephone bill. Card calls are billed in one-minute initial and additional increments. Basic plus also offers speed dial and voice mail functions.

Per Minute Rates:

Affinity Advantage Calling Card:

Per call surcharge	\$0.35
Per minute rate	\$0.195

Affinity Advantage Plus Calling Card:

Per call surcharge	\$0.25
Per minute rate	\$0.185

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SECTION 4. RATES AND CHARGES (Cont'd)

4.4.6: "Basic" and "Basic Plus" Calling Card Service: Postpaid travel card service is available to Subscribers of Gemini Communications' long distance services. Customers will reach Gemini Communications' network via a toll free number. A customer who elects to use this service will pay the tariffed rates for calls charged to the card. Charges for such calls appear on the Subscriber's LEC monthly telephone bill. Card calls are billed in one-minute initial and additional increments. Basic plus also offers speed dial and voice mail functions.

Per Minute Rates:

Basic Calling Card:

Per call surcharge	\$0.65
Per minute rate	\$0.225

Basic Plus Calling Card:

Per call surcharge	\$0.50
Per minute rate	\$0.225

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SECTION 4. RATES AND CHARGES (Cont'd)

4.4.7: "Business Services" Calling Card Service: Postpaid travel card service is available to Subscribers of Gemini Communications' long distance services. Customers will reach Gemini Communications' network via a toll free number. A customer who elects to use this service will pay the tariffed rates for calls charged to the card. Charges for such calls appear on the Subscriber's LEC monthly telephone bill. Card calls are billed in one-minute initial and additional increments. Basic plus also offers speed dial and voice mail functions.

Per Minute Rates:

Basic Calling Card:

Monthly Account charge	\$1.95
Per minute rate	\$0.25

Corporate Accounts Calling Card:

Monthly account charge	\$3.95
Per minute rate	\$0.175

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SECTION 4. RATES AND CHARGES (Cont'd)

- 4.4.8 "ValuCard Calling Card Service: Postpaid LEC billed card service is available through direct marketing to Subscribers of Gemini Communications' long distance services. Customers will reach Gemini Communications' network via a toll free number. A customer who elects to use this service will pay the tariffed rates for calls charged to the card. Charges for such calls appear on the Subscriber's LEC monthly telephone bill. Card calls are billed in one-minute initial and additional increments. Basic plus also offers speed dial and voice mail functions. May only be purchased in denominations of \$45.00 or more.

Per Minute Rates:

ValuCard Calling Card:

Per minute rate

\$0.30

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SECTION 4. RATES AND CHARGES (Cont'd)

4.4.9 "Consumer" Calling Card Service: Postpaid calling card service is available to consumers through direct marketing. Customers will reach Gemini Communications' network via a toll free number. A customer who elects to use this service will pay the tariffed rates for calls charged to the card. Charges for such calls appear on the Subscriber's LEC monthly telephone bill. Card calls are billed in one-minute initial and additional increments. Basic plus also offers speed dial and voice mail functions.

Per Minute Rates:

Consumer Card 1 Calling Card:

Per minute rate	\$0.66
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Consumer Card 2 Calling Card:

Per minute rate	\$0.666
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