

BUSINESS DISCOUNT PLAN, INC.

P.S.C.MO. No. 1  
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Title Sheet

MO. PUBLIC SERVICE COMM.

MISSOURI INTEREXCHANGE TELECOMMUNICATIONS TARIFF  
OF  
BUSINESS DISCOUNT PLAN, INC.

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for interexchange telecommunications services provided by Business Discount Plan, Inc. (BDP) within the State of Missouri. BDP operates as a competitive telecommunications company as defined by Case No. TO-88-142 and has been granted the following waivers: 4 CSR 240-10.020, 4 CSR 240-30.010(2)(C), 4 CSR 240-32.030(1)(B), 4 CSR 240-32.030(1)(C), 4 CSR 240-32.030(2), 4 CSR 240-32.050(3), 4 CSR 240-32.050(4), 4 CSR 240-32.050(5), 4 CSR 240-32.050(6), 4 CSR 240-32.070(4), 4 CSR 240-33.030 and Sections 392.240(1), 392.270, 392.280, 392.290, 392.310, 392.320, 392.330, 392.340, Missouri Statutes.

Issued: November 15, 1995

Effective: December 30, 1995

by: Dennis Flannigan, President  
3780 Kilroy Airport Way, Suite 200  
Long Beach, California 90806

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**BUSINESS DISCOUNT PLAN, INC.**

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**CHECK SHEET**

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Sheets 1 through 23, inclusive, of this tariff are effective as of the date shown at the bottom of the respective sheets. Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

**SHEET**

**REVISION LEVEL**

1.....	Original
2.....	Original
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SYMBOLS

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The following symbols are used for the purposes indicated below:

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

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**TARIFF FORMAT**

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

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

**C. Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to the next higher level:

2.  
2.1  
2.1.1  
2.1.1.A.  
2.1.1.A.1.  
2.1.1.A.1.(a)  
2.1.1.A.1.(a).I.  
2.1.1.A.1.(a).I.(i).  
2.1.1.A.1.(a).I.(i).(1).

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

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS NOV 15 1995

**Access Line** - An arrangement which connects the customer's location to a Business Discount Plan, Inc. switching center or point of presence.

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

**BDP** - Used throughout this tariff to mean Business Discount Plan, Inc. unless clearly indicated otherwise by the text.

**Carrier or Company** - Whenever used in this tariff, "Carrier," "Company," or "BDP" refers to Business Discount Plan, Inc. unless otherwise specified or clearly indicated by the context.

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

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

**Day** - From 8:00 a.m. up to but not including 5:00 p.m. local time Monday through Friday.

**Evening** - From 5:00 p.m. up to but not including 11:00 p.m. local time Sunday through Friday.

**LEC** - Local Exchange Company.

**Night/Weekend** - From 11:00 p.m. up to but not including 8:00 a.m. Sunday through Friday, and 8:00 a.m. Saturday up to but not including 5:00 p.m. Sunday.

**PSCM** - Public Service Commission of Missouri.

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

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, CONT.

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**V & H Coordinates** - Geographic points which define the beginning and terminating points of a call in mathematical terms so that the airline mileage of the call may be determined. Call mileage is used for the purpose of rating calls.

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SECTION 2 - RULES AND REGULATIONS

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2.1 Undertaking of Business Discount Plan, Inc.

BDP's services and facilities are furnished for interLATA communications originating at specified points within the State of Missouri under terms of this tariff.

BDP installs, operates, and maintains the communications services provided hereinunder in accordance with the terms and conditions set forth under this tariff. BDP may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities as required in the PSCM rules and orders, when authorized by the Customer, to allow connection of a Customer's location to the BDP network. The Customer shall be responsible for all charges due for such service arrangement.

The Company's services and facilities are provided on a monthly basis unless otherwise indicated, and are available twenty-four hours per day, seven days per week.

2.2 Limitations

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

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SECTION 2 - RULES AND REGULATIONS, CONT'D 15 1995

2.2 Limitations, cont.

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

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

2.3 Use

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

2.4 Liabilities of the Company

The following language does not constitute a determination by the Commission that a limitation of liability imposed by the Company should be upheld in a court of law. Acceptance for filing by the Commission recognizes that it is a court's responsibility to determine the validity of the exculpatory clause.

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

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## SECTION 2 - RULES AND REGULATIONS, CONT.

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## 2.4 Liabilities of Company, cont.

2.4.2 The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage), for any interruption, delay, error, omission, or defect in any service, facility, or transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.

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2.4.3 The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copy-right or patent, unauthorized use of any trademark, tradename, or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use or removal of equipment or wiring provided by the Company, if not directly caused by negligence of the Company.

2.4.4 No agent or employee of any other carrier shall be deemed to be an agent or employee of the Company.

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SECTION 2 - RULES AND REGULATIONS, CONT.

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2.4 Liabilities of Company, cont.

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

2.5 Deposits

The Company does not require a deposit from the Customer.

2.6 Advance Payments

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

2.7 Taxes

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

2.8 Terminal Equipment

The Company's facilities and service may be used with or terminated in Customer-provided terminal equipment or Customer-provided communications systems, such as a PBX, key systems or Pay Telephone. Such terminal equipment shall be furnished and maintained at the expense of the Customer, except as otherwise provided. The Customer is responsible for all costs at his or her premises, including personnel, wiring, electrical power, and the like, incurred in the use of the Company's service.

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**SECTION 2 - RULES AND REGULATIONS, CONT. NOV 15 1995**

**2.9 Installation**

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

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**2.10 Payment for Service**

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer or to an Authorized User of the Customer by BDP. All charges due by the Customer are payable to the Company or to any agency duly authorized to receive such payments and are delinquent 21 days after receipt of bill. The billing agency may be a local exchange telephone company, interexchange carrier, or other billing service. Terms of payment shall be according to the rules and regulations of the agency and subject to the rules of regulatory agencies, such as the PSCM. Any objections to billed charges must be promptly reported to the Company or the Company's billing agent. Adjustments to Customer's bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate. Customers with billing inquiries or complaints may contact the Company at 3780 Kilroy Airport Way, Suite 200, Long Beach, California 90806, Phone: (800) 723-4490.

**2.11 Cancellation by Customer**

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

**2.12 Interconnection**

Service furnished by BDP may be connected with the services or facilities of other carriers or enhanced service providers. The Customer is responsible for all charges billed by these entities for use in connection with BDP's service. Any special interface equipment or facilities necessary to achieve compatibility between these entities is the responsibility of the Customer.

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SECTION 2 - RULES AND REGULATIONS, CONT.

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2.13 Refusal or Discontinuance by Company

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

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

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SECTION 2 - RULES AND REGULATIONS, CONT. NOV 15 1995

2.13 Refusal or Discontinuance by Company, cont.

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

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

2.13.10 For extended periods of inactivity.

2.14 Interruption of Service

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

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**SECTION 2 - RULES AND REGULATIONS, CONT. NOV 15 1995**

**2.15 Restoration of Service**

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

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**2.16 Inspection, Testing, and Adjustment**

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

**2.17 Tests, Pilots, Promotional Campaigns and Contests**

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

**2.18 Cost of Collection and Repair**

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

**2.19 Late Fee**

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

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SECTION 2 - RULES AND REGULATIONS, CONT. NOV 15 1995

2.20 Returned Check Charges

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

2.21 Reconnection Charge

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

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SECTION 3 - DESCRIPTION OF SERVICE

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3.1 Timing of Calls

- 3.1.1 Long distance usage charges are based on the actual usage of BDP's network. The Company will determine that a call has been established by signal from the local telephone company. **MO. PUBLIC SERVICE COMM.**
- 3.1.2 Minimum billed call duration and billing increments differ from product to product. Product specific information is included in Section 4 of the Rate Schedules.
- 3.1.3 Usage is measured and rounded to the next higher billing increment for billing purposes.
- 3.1.4 There is no billing applied for incomplete calls.

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**SECTION 3 - DESCRIPTION OF SERVICE, CONT. NOV 15 1995****3.2 Calculation of Distance**

Usage charges for all mileage sensitive products are based on the airline distance between the serving wire center locations associated with the originating and terminating points of the call.

The distance between the originating and terminating points is calculated by using the "V" and "H" coordinates of the serving wire centers as defined by BellCore (Bell Communications Research), in the following manner:

Step 1 - Obtain the "V" and "H" coordinates for the serving wire center of the Customer's switch and the destination point.

Step 2 - Obtain the difference between the "V" coordinates of each of the Rate Centers. Obtain the Difference between the "H" coordinates.

Step 3 - Square the differences obtained in Step 2.

Step 4 - Add the squares of the "V" difference and "H" difference obtained in Step 3.

Step 5 - Divide the sum of the square obtained in Step 4 by ten. Round to the next higher whole number if any fraction results from the division.

Step 6 - Obtain the square root of the whole number obtained in Step 5. Round to the next higher whole number if any fraction is obtained. This is the distance between the originating and terminating serving wire centers of the call.

Formula:

$$\sqrt{\frac{(V_1 - V_2)^2 + (H_1 - H_2)^2}{10}}$$

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.

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3.3 BDP Service

BDP is a resale common carrier providing intrastate and interLATA communications long distance message toll telephone service to Customers for their direct transmission and reception of voice, data, and other types of communications.

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BDP's long distance service is a switched service offered to business customers for direct dialed calls throughout the State of Missouri. Rates vary by time of day and call duration. Several rate plans are offered, with varying billing options. Discounted rates are offered to customers whose total usage of intrastate and interstate service exceeds a certain level per month.

Long distance usage charges are based on the actual usage of BDP's network. Chargeable time begins when a connection is established between the calling station and the called station. Chargeable time ends when either party "hangs up" thereby releasing the network connection. Incomplete calls are not billed.

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SECTION 4 - RATES

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4.1 General

Each Customer is charged individually for each call made through the Carrier. Charges are computed on an airline mileage basis as described in Section 3.2 of this tariff.

Rates vary by mileage band, time of day, and call duration.

Customers are billed based on their use of BDP's long distance service.

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## SECTION 4 - RATES, CONT.

## 4.2 BDP Rate Plan I

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This plan is offered to subscribers with call volumes of less than \$200 per month. MO. PUBLIC SERVICE COMM.

<u>RATE MILEAGE</u>	<u>INITIAL 18 SECONDS OR FRACTION</u>	<u>EACH ADD'L 6 SECONDS OR FRACTION</u>	<u>RATE PERIOD</u>
All Mileage Bands	\$0.1285	\$0.0428	DAY
	\$0.1156	\$0.0385	EVENING
	\$0.1156	\$0.0385	NIGHT/WEEKEND

Monthly Access Fee: \$3.78

## 4.3 BDP Rate Plan II

This plan is offered to subscribers with call volumes of more than \$200 per month.

<u>RATE MILEAGE</u>	<u>INITIAL 18 SECONDS OR FRACTION</u>	<u>EACH ADD'L 6 SECONDS OR FRACTION</u>	<u>RATE PERIOD</u>
All Mileage Bands	\$0.1000	\$0.0333	DAY
	\$0.0899	\$0.0300	EVENING
	\$0.0899	\$0.0300	NIGHT/WEEKEND

Monthly Access Fee: \$3.78

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## SECTION 4 - RATES, CONT.

## 4.4 Rate Plan III

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This plan is offered to subscribers with call volumes of less than \$200 per month. MO. PUBLIC SERVICE COMM.

<u>RATE MILEAGE</u>	<u>EACH MINUTE</u>	<u>RATE PERIOD</u>
All Mileage Bands	\$0.4284	DAY
	\$0.3852	EVENING
	\$0.3852	NIGHT/WEEKEND
Monthly Access Fee:		\$3.78

## 4.5 Rate Plan IV

This plan is offered to subscribers with call volumes of more than \$200 per month.

<u>RATE MILEAGE</u>	<u>EACH MINUTE</u>	<u>RATE PERIOD</u>
All Mileage Bands	\$0.3332	DAY
	\$0.2996	EVENING
	\$0.2996	NIGHT/WEEKEND
Monthly Access Fee:		\$3.78

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SECTION 4 - RATES, CONT.

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4.6 Rate Plan V

This plan is offered to subscribers with call volumes of less than \$200 per month.

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<u>RATE MILEAGE</u>	<u>EACH 30 SECONDS</u>	<u>RATE PERIOD</u>
All Mileage Bands	\$0.2142	DAY
	\$0.1926	EVENING
	\$0.1926	NIGHT/WEEKEND

Monthly Access Fee: \$3.78

4.7 Rate Plan VI

This plan is offered to subscribers with call volumes of more than \$200 per month.

<u>RATE MILEAGE</u>	<u>EACH 30 SECONDS</u>	<u>RATE PERIOD</u>
All Mileage Bands	\$0.1666	DAY
	\$0.1498	EVENING
	\$0.1498	NIGHT/WEEKEND

Monthly Access Fee: \$3.78

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DEC 30 1995

by: Dennis Flannigan, President  
3780 Kilroy Airport Way, Suite 200  
Long Beach, California 90806

FILED

DEC 30 1995

MO. PUBLIC SERVICE COMM.

## SECTION 4 - RATES, CONT.

## 4.8 Time of Day Periods

The appropriate rates apply for day, evening and night/weekend calls based on the following chart:

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

\*to, but not including.

Calls are billed base on the rate in effect for the actual time period(s) during which the call occurs. Calls that cross rate period boundaries are billed the rates in effect for each portion of the call.

## 4.9. Missouri Universal Service Fund

- A. Company will place on each retail end-user customer's bill a surcharge equal to the Missouri Universal Service fund percentage assessment ordered by the Commission.
- B. The surcharge will appear as a separate line item detailed as "Missouri Universal Service Fund"
- C. The surcharge percentage will be applied to the total of each customer's charges for intrastate regulated telecommunications services that meet the definition of net jurisdictional revenues at 4 CSR 240-31.010(12).

Issued: April 6, 2006

Effective: May 6, 2005

By: T. David Jenkins, President  
One World Trade Center, Suite 800  
Long Beach, California 90806

(T) **FILED**  
(1) **MO PSC**



BUSINESS DISCOUNT PLAN, INC.

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**SECTION 4 - RATES, CONT.**

**4.8 Time of Day Periods**

**MO. PUBLIC SERVICE COMM.**

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\* to, but not including

Calls are billed based on the rate in effect for the actual time period (s) during which the call occurs. Calls that cross rate period boundaries are billed the rates in effect for each portion of the call.

**CANCELLED**

May 6, 2005

**MISSOURI PUBLIC  
SERVICE COMMISSION**

Issued: November 15, 1995

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by: Dennis Flannigan, President  
3780 Kilroy Airport Way, Suite 200  
Long Beach, California 90806

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