

TRIAx TELECOM, INC.

MO. P.S.C. TARIFF NO. 1
ORIGINAL SHEET NO. 1

MISSOURI TELECOMMUNICATIONS SERVICE

FEB 3 1993

TITLE SHEET

TRIAx TARIFF NO. 1

Private Network and Specialized Resale/Rebiling Services

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of telecommunications services provided by Triax Telecom, Inc., 100 Fillmore Street, Suite 600, Denver, Colorado 80206, a Competitive Provider of such services. This tariff applies for services furnished within the State of Missouri. This tariff is on file with the Missouri Public Service Commission, and copies may be inspected, during normal business hours, at the following location:

Corporation Service Company
d/b/a CSC-Lawyers Incorporating Service Company
P.O. Box 1069
235 East High Street
Jefferson City, Missouri 65102

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JUN 08 2003
By *TD-03-467*
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Issued: February 3, 1993

Effective: March 19, 1993

By:

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Denver, Colorado 80206

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EXCISE

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SYMBOLS

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

- D - Delete or Discontinue
- I - Change Resulting In An
Increase to A Customer's Bill
- M - Moved From Another Tariff Location
- N - New
- R - Change Resulting In A
Reduction to A Customer's Bill
- T - Change in Text or Regulation
But No Change in Rate or Charge

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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 PSC. For example, 4th Revised Sheet 14 cancels the 3rd Revised Sheet 14. Because of various suspension periods, deferrals, etc. the PSC follows in its tariff approval process, the most current sheet number on file with the PSC is not always the tariff page in effect. 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 its next higher level:

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

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Lines - The line facilities provided by local exchange carriers which connect Triax Telecom, Inc.'s on-premise switching facilities (PBX) to its underlying carrier's telecommunications network switching center(s) or Point(s) of Presence (POPs).

Authorization or Account Code - A numerical code of four to eleven digits, one or more of which codes are available to a customer to enable the customer to lawfully connect its communication devices for the purpose of accessing the telecommunications resale network of Triax Telecom, Inc., and which thereby are used to prevent unauthorized network access and to identify the customer and its calling volumes for billing purposes.

Commission - Missouri Public Service Commission (PSC).

Company or Carrier - Triax Telecom, Inc., Denver, CO.

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

Day - From 8:00 AM up to but not including 5:00 PM local time Monday through Friday.

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

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

Night/Weekend - From 11:00 PM up to but not including 8:00 AM Sunday through Friday, and 8:00 AM Saturday up to but not including 5:00 PM Sunday.

Rate Center - The Points of Presence (POPs) or first point of interconnection of local exchange facilities providing access to the long distance network of the Company's Underlying Carrier and the point from which a customer's traffic is rated and billed.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS (CONT'D.)

Service Agreement - Company's standard form for the ordering and acceptance of a customer's request for and commitment to take Company's service offerings pursuant to this tariff.

Underlying Carrier - The telecommunications carrier whose network facilities provide the technical capability and capacity necessary for the transmission and reception of customer telecommunications traffic within the State of Missouri.

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By *TP-03-467*
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SECTION 2 - RULES AND REGULATIONS

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2.1 Undertaking of Company

Company undertakes to provide only those telecommunications services ("Services") as are furnished under the terms and subject to the conditions and customer payment of the applicable rates of this tariff for communications originating and terminating within the State of Missouri.

The Company's Services are available to its customers twenty-four hours per day, seven days per week.

2.2 Limitations

2.2.1 Service is offered subject to the availability of the facilities of Company's and its Underlying Carrier and the provisions of this tariff.

2.2.2 Company reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control; or when the customer's use of a service becomes or is in violation of the law or the provisions of this tariff.

2.2.3 The Services provided under this tariff are subject to the direct and exclusive control of the Company. No one may alter or affect the Services nor transfer or assign its use of the Services without the express written consent of the Company, which consent may be withheld, without limitation, by Company in its sole discretion at any time such alteration, effect, transfer or assignment would result in an interruption of the Services or a change in the customer's location to which the Services are to be provided.

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Issued: February 3, 1993

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SECTION 2 - RULES AND REGULATIONS (CONT'D.)

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2.2 Limitations (Cont.)

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2.2.4 In the event prior written permission from the Company is given for 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 for service.

2.3 Liabilities of the Company

2.3.1 Company has no liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission or call processing of customer's communications traffic. The company's liability for such damages occurring in the course of furnishing the Company's Services but not caused by its gross negligence or willful misconduct or that of its employees or agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which such mistakes, interruptions, omissions, delays, errors, or defects in the Company's furnishing of its Services occur.

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

- (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content of a customer's communications traffic;
- (B) Claims for patent infringement arising from customer use of its equipment, facilities or systems with the Services; and
- (C) All other claims arising out of any act or omission of the customer in connection with any service provided by Company.

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SECTION 2 - RULES AND REGULATIONS (CONT'D.)

2.4 Interruption of Service

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2.4.1 Credit allowance for the interruption of service which is not due to the Company's testing or adjusting, negligence of the customer, or to the failure of channels or equipment provided by the customer, are subject to the general liability provisions set forth in Section 2.3.1 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 claimed. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission within customer's control, or is not in wiring or equipment, if any, furnished by the customer in connection with the Company's Services.

2.4.2 No credit is allowed in the event service is interrupted for two hours or less for two hours or less in order to provide routine service quality or related investigations.

2.4.3 Credit for failure of service shall be allowed only when such failure is caused by or occurs due to causes within the control of Company or in the event Company is entitled to a credit for the failure of the facilities of Company's Underlying Carrier used to furnish customer's service.

2.4.4 No credit shall be allowed:

(A) For failure of services or facilities of customer or other carriers; or

(B) For failure of services or equipment caused by the negligence or wilful acts of customer or others.

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SECTION 2 - RULES AND REGULATIONS (CONT'D.)

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2.4 Interruptions of Service (Cont'd.)

- 2.4.5 Credit for an interruption shall commence after customer notifies Company of the interruption or when Company becomes aware thereof, and ceases when service has been restored.
- 2.4.6 Before customer notifies Company of an interruption, customer shall make reasonable attempts to ascertain that customer, a third party or its or their actions and/or equipment is/are not the cause thereof.
- 2.4.7 Credits are applicable only to that portion of service interrupted.
- 2.4.8 For purposes of credit computation, every month shall be considered to have 720 hours.
- 2.4.9 No credit shall be allowed for an interruption of a continuous duration of less than two hours.
- 2.4.10 The customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the monthly charge for the service affected for each hour or major fraction thereof that the interruption continues. Calculations of the credit shall be made in accordance with the following formula.

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By TD-03-467
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SECTION 2 - RULES AND REGULATIONS (CONT'D.)

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2.4 Interruptions of Service (cont'd.)

2.4.10 (Cont'd.)

Credit Formula:

$$\text{Credit} = \frac{A \times B}{720}$$

"A" - outage time in hours

"B" - total monthly charge for affected facility

2.5 Restoration of Service

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

2.6 Deposits

The Company does not require a deposit from its customer.

2.7 Advance Payments

The Company does not collect advance payments.

2.8 Taxes

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

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SECTION 3 - DESCRIPTION OF SERVICE

3.1 Usage Based Services

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The Company's charges are based on the actual usage of Company's services, plus any special features and/or service options, if any. Charges begin when the designated communication termination(s) is/are accessed and enabled thereby ("connected") to receive the communication from the originating location on the network. Charges cease when the termination(s) is/are disconnected.

3.2 Distance Sensitivity

The Company's charges are based on the airline distance between Rate Centers located within the State of Missouri.

3.3 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 Bell Core (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 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.

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SECTION 3 - DESCRIPTION OF SERVICE (CONT'D) MISSOURI
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Step 6 - Obtain the square route 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 servicing wire centers of the call.

Formula:

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

3.4. Private Network Service

3.4.1 Carrier resells the volume discounted communications offerings of facilities-based or other common carriers operating in the State of Missouri in order to provide carrier's intrastate long distance resale communications service to Customers and Consumers for their direct transmission and reception of voice communications.

3.4.2 All customer communications are originated by standard dialing sequences, such as 1+ area code and number for presubscribed customers or by dialing an access number (10XXX, 950-XXXX, or 1-800-NXX-XXXX) provided by the Carrier. Local exchange carriers receive and forward all 1+ calls or will provide Customers using an access number with a computer generated dial tone allowing customers to reach the long distance network(s) that will terminate their calls on an interLATA basis within the State. Non-presubscribed Customers using an access code must enter an authorization code followed by the area code and phone number desired. When the Customer hangs up, communications charges will terminate.

3.4.3 Monthly charges for the Carrier's service are based on the total time of actual use of the service. For billing purposes, the duration of each call will be rounded to the nearest minute.

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SECTION 3 - DESCRIPTION OF SERVICE (CONT'D) MISSOURI

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- 3.4.4 At additional cost, and subject to availability, the Customer may use authorization codes to identify the users or user groups on an account. The numerical composition of such codes shall be set by the Carrier to assure compatibility with the Carrier's accounting and automation systems and to avoid duplication of codes.

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SECTION 4 - RATES

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4.1 Long Distance Service Rates

4.1.1 The Company's long-distance service is rated using one of the following schedules. The charges for all calls during a billing month will be totalled. If the total charge includes a fraction of a cent. (e.g., \$4,101.345 would be rounded to \$4,101.35).

4.1.2 Day, Evening and Night/Weekend rate periods apply to the Company's Services. The rates apply for all days of the week including holidays. The Day rate period is 8:00 AM to, but not including, 5:00PM, Monday through Friday. The Evening rate period is through Friday and 5:00 PM to, but not including, 11:00 PM Sunday. The Night/Weekend rate period is 11:00 PM to, but not including, 5:00 PM Sunday and 11:00 PM Sunday to, but not including, 8:00 AM Monday. For New Year's Day, Thanksgiving Day and Christmas Day (December 25), the Evening rate applies.

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SECTION 4 - RATES (Cont'd.)

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4.1.3

Schedule A:

This schedule applies to interLATA or intraLATA calls from a Customer's telephone to any other telephone when the Customer does not use the Company's Calling Card.

Rates

Mileage	Initial Minute or Fraction Thereof			Each Additional Minute or Fraction Thereof		
	Day	Eve	Night/Wk	Day	Eve	Night/Wk
0-10	\$.1000	\$.0780	\$.0615	\$.0890	\$.0710	\$.0579
11-14	\$.1400	\$.1100	\$.0875	\$.1287	\$.1030	\$.0837
15-18	\$.1700	\$.1340	\$.1070	\$.1580	\$.1267	\$.1030
19-23	\$.2050	\$.1660	\$.1330	\$.1680	\$.1346	\$.1090
24-28	\$.2450	\$.2085	\$.1720	\$.1740	\$.1580	\$.1287
29-33	\$.2650	\$.2245	\$.1850	\$.1930	\$.1740	\$.1416
34-40	\$.2950	\$.2325	\$.1915	\$.2327	\$.1846	\$.1540
41-50	\$.2950	\$.2325	\$.1915	\$.2327	\$.1846	\$.1540
51-60	\$.3040	\$.2405	\$.1980	\$.2520	\$.2000	\$.1670
61-80	\$.3150	\$.2485	\$.2045	\$.2620	\$.2080	\$.1737
81-100	\$.3350	\$.2645	\$.2175	\$.2720	\$.2160	\$.1800
101-125	\$.3350	\$.2645	\$.2175	\$.3020	\$.2400	\$.1990
126-150	\$.3450	\$.2725	\$.2240	\$.3218	\$.2559	\$.2120
151-190	\$.3550	\$.2805	\$.2305	\$.3317	\$.2638	\$.2188
191-300	\$.3650	\$.2885	\$.2370	\$.3416	\$.2718	\$.2250
301-430	\$.3950	\$.3085	\$.2695	\$.3610	\$.2836	\$.2510
431+	\$.3950	\$.3085	\$.2695	\$.3610	\$.2836	\$.2510

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4.1.4

Schedule B:

This schedule applies to interLATA or intraLATA calls from any telephone to any other telephone when the Customer uses the Company's Calling Card. For every Calling Card call placed, there is a 45 cent surcharge.

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Rates

Mileage	Initial Minute or Fraction Thereof			Each Additional Minute or Fraction Thereof		
	Day	Eve	Night/Wk	Day	Eve	Night/Wk
0-10	\$.1000	\$.0780	\$.0615	\$.0890	\$.0710	\$.0579
11-14	\$.1400	\$.1100	\$.0875	\$.1287	\$.1030	\$.0837
15-18	\$.1700	\$.1340	\$.1070	\$.1580	\$.1267	\$.1030
19-23	\$.2050	\$.1660	\$.1330	\$.1680	\$.1346	\$.1090
24-28	\$.2450	\$.2085	\$.1720	\$.1740	\$.1580	\$.1287
29-33	\$.2650	\$.2245	\$.1850	\$.1930	\$.1740	\$.1416
34-40	\$.2950	\$.2325	\$.1915	\$.2327	\$.1846	\$.1540
41-50	\$.2950	\$.2325	\$.1915	\$.2327	\$.1846	\$.1540
51-60	\$.3040	\$.2405	\$.1980	\$.2520	\$.2000	\$.1670
61-80	\$.3150	\$.2485	\$.2045	\$.2620	\$.2080	\$.1737
81-100	\$.3350	\$.2645	\$.2175	\$.2720	\$.2160	\$.1800
101-125	\$.3350	\$.2645	\$.2175	\$.3020	\$.2400	\$.1990
126-150	\$.3450	\$.2725	\$.2240	\$.3218	\$.2559	\$.2120
151-190	\$.3550	\$.2805	\$.2305	\$.3317	\$.2638	\$.2188
191-300	\$.3650	\$.2885	\$.2370	\$.3416	\$.2718	\$.2250
300+	\$.3950	\$.3085	\$.2695	\$.3610	\$.2836	\$.2510

4.2

Group Billing Service Charge:

A monthly charge of five dollars (\$5.00) per location processed, will be added to the outstanding amount due the Company for those Customers who elect to utilize the Group Billing Service.

MAR 19 1993

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4.3

Directory Assistance Service

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Customers will be billed the following per call charge for each directory assistance call. The directory assistance charge applies to each call regardless of whether the directory assistance bureau is able to furnish the requested telephone number.

Per-Call Charge

\$0.60

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