

REC'D AUG 05 1999

PSC Mo. No. 1
Original Sheet 1

FDF COMMUNICATIONS CO.
d/b/a BPS Long Distance

INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE

**REGULATIONS AND SCHEDULE OF CHARGES
APPLICABLE TO INTRASTATE LONG DISTANCE MESSAGE
TELECOMMUNICATIONS SERVICE FURNISHED BY**

**FDF COMMUNICATIONS CO.
d/b/a/ BPS Long Distance**

**BETWEEN POINTS WITHIN THE STATE OF MISSOURI, AS SPECIFIED HEREIN.
SERVICE IS PROVIDED BY MEANS OF WIRE, RADIO, TERRESTRIAL OR
SATELLITE FACILITIES OR ANY COMBINATION THEREOF,
AS SPECIFIED HEREIN.**

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by FDF Communications Co. d/b/a BPS Long Distance 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 Company's principal place of business.

FDF Communications Co., d/b/a BPS Long Distance operates as a competitive telecommunications company as defined by Case No. TA-2000-95 within the State of Missouri.

CANCELLED - Missouri Public Service Commission - 01/16/2026 - XN-2026-0168 - JX-2026-0086

Issued: August 5, 1999

Effective: ~~September 20, 1999~~

Issued by: W. F. Provance
FDF Communications Co.
d/b/a/ BPS Long Distance
120 Stewart St.
Bernie, MO 63822

SEP 27 1999

Missouri Public
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2. DEFINITIONS

Answer Supervision: An electrical signal fed back up the line by the LEC at the distant end of a long distance call to indicate positively that the call has been answered.

Application for Service: A standard order form which includes all pertinent billing, technical, and other descriptive information which will enable the Company to provide the communication service as required.

Authorization Code: An identification number, usually an eight (8) to twelve (12) digit number, that identifies the user as a customer.

Authorized User: A person, firm, corporation or legal entity which is authorized by the Customer to be connected to the service of the Customer. Authorized User(s) must be named in the Application for Service.

Automatic Numbering Identification (ANI): A type of signaling provided by a local exchange carrier which automatically identifies through a seven (7) or ten (10) digit number assigned to the Customer, the local exchange line from which a call originates.

Billing Period: The interval between Customer invoice to Customer invoice which shall consist of thirty (30) days.

Business Service: "Business Service" refers to telecommunications service provided to the Customer for use primarily or substantially for a business, professional, institutional or other occupational purpose.

Calling Card Call: A call for which charges are billed, not to the originating telephone number, but to a telephone calling card issued by a local exchange carrier or long distance telephone company, for this purpose.

Issued: August 5, 1999

Effective: ~~September 20, 1999~~

Issued by: W. F. Provance
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SEP 27 1999

CANCELLED
March 15, 2012
Missouri Public
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JX-2012-0382

Missouri Public
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INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE

3. REGULATIONS (continued)

3.1.3 Liability of the Company (continued)

J. In the event parties other than the Customer (e.g., Customer's authorized users) shall have use of the Service directly or indirectly through the Customer, then Customer agrees to forever indemnify and hold the Company harmless from and against any and all claims, demands, suits, actions, losses, damages, assessments or payments which may be asserted by said parties arising out of or relating to any defects. The Company shall have no liability to any person or entity other than its Customer.

3.1.4 Claims

A. The Company shall be indemnified and saved harmless by the Customer from and against all loss, liability, damage and expense, including reasonable counsel fees, due to claims for libel, slander, or infringement of copyright, trademark, trade name or patent resulting from use of the Company's Service; and any other claim resulting from act or omission of the Customer or Customer's authorized user relating to the use of the Company's Service.

B. The Company shall not be liable for use, misuse, or abuse of a Customer's Service by third parties, including, without limitation, the Customer's employees, guests or members of the public who dial the Customer's telephone number in error. Compensation for any injury the Customer may suffer due to the fault of others must be sought from such other parties.

Issued: August 5, 1999

Effective: ~~September 20, 1999~~

CANCELLED

Issued by: W. F. Provance
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SEP 27 1999

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FILED AUG 05 1999

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INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE

3. REGULATIONS (continued)

3.4 Discontinuation of Service

3.4.1. The Company may discontinue the service under the following circumstances, provided suitable notice has been given to the customer, as required.

- A. Non-payment of any sum due to the Company for service for more than twenty-eight (28) days beyond the date of rendition of the bill for such services; or
- B. A violation of or failure to comply with any regulation governing the furnishing of service; or
- C. An order of a court or other government authority having jurisdiction which prohibits the Company from furnishing service; or
- D. Failure to post a required deposit; or
- E. Material misrepresentation of identity in obtaining service or the use of service in a manner that in the opinion of the company constitutes fraud or abuse.

3.4.2 Service shall not be disconnected unless written notice by first class mail is sent or delivered to the customer at least 5 days prior to the date of the proposed discontinuance. At least 24 hours preceding discontinuance, a reasonable effort shall be made to contact the customer to advise him of the proposed discontinuance and what steps must be taken to avoid it.

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OCT 30 2000
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Issued: August 5, 1999

Issued by: W. F. Provance
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120 Stewart St.
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Effective: ~~September 27, 1999~~

SEP 27 1999

Missouri Public
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00-95
FILED SEP 27 1999

REC'D AUG 05 1999

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3. REGULATIONS (continued)

3.5 Obligations of the Customer (continued)

liability relating to Services provided pursuant to this agreement, including payment to the Company associated with reasonable attorney's fees.

3.6 Billing and Payment Regulations

3.6.1 Service shall be provided and billed for on a monthly basis. Service shall continue to be provided until the Company's receipt of a written or verbal request from the Customer for the disconnection of the Service, unless other restrictions apply. Payment is to be made to the address designated on the invoice or such other location as the Company may direct in writing from time to time. In addition to charges for the Company's Service, the Customer shall pay any applicable Federal, state or local use, excise, sales or privileges taxes or assessments such as the Universal Service Fund assessment, resulting from the Services furnished by the Company. Such taxes or assessments shall not be counted toward the attainment of any volume or revenue commitment and will not be discounted.

3.6.2 The Customer is responsible for payment of all charges for Service furnished by the Company. This includes payment for calls or Service:

- A. Originated at the Customer's number(s) whether authorized or not;
- B. Accepted at the Customer's number(s) (e.g. 800/888/877 Service);
- C. Billed to the Customer's number via third number billing, a calling card, a Company-assigned Authorization Code, or other special billing number; or
- D. Incurred at the request of the Customer.

Issued: August 5, 1999

Effective: ~~September 20, 1999~~

Issued by: W. F. Provance
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120 Stewart St.
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SEP 27 1999

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March 15, 2012
Missouri Public
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JX-2012-0382

Missouri Public
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00-95
FILED SEP 27 1999

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INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE

3. REGULATIONS (continued)

3.6 Billing and Payment Regulations (continued)

3.6.3 The Customer's responsibility for payment of all charges for Service furnished by the Company is not changed by virtue of any use, misuse, or abuse of the Customer's Service or Customer-provided systems, equipment, facilities or Services interconnected to the Customer's 800/888/877 Service, which may be occasioned by third parties, including, without limitation, the Customer's employees, guests and/or members of the public who dial the Customer's 800/888/877 number by mistake.

3.6.4 The Customer may advise the Company that all or part of a charge is in dispute by written notice, in person or by a telephone message directed to the Company prior to the delinquent date of the charge. In instances of a dispute, the Customer is required to pay the undisputed portion of the invoice in its entirety. Undisputed amounts not paid within twenty-one (21) days from the due date stated on the invoice will be considered delinquent. A Late Payment Charge of \$1.20 per month will be charged to customer accounts with an unpaid balance 22 or more days past due to compensate the Company for the additional administrative expense associated with these accounts.

3.6.5 The Company may require applicants or Customers to provide information pertaining to their financial ability to pay for Service. Upon application for Service, Customer shall be deemed to have authorized the Company to obtain such routine credit information and verification as the Company shall require in accordance with its then-existing credit policies.

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OCT 30 2000
BY 1st RS 23
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Issued: August 5, 1999

Issued by: W. F. Provance
FDF Communications Co.
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Effective: ~~September 20, 1999~~

SEP 27 1999

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00-93

FILED SEP 27 1999

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PSC Mo. No. 1
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INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE

3. REGULATIONS (continued)

3.6 Billing and Payment Regulations (continued)

1. The Company may require a deposit if the customer is unable to establish a good credit rating, or if the customer has undisputed charges in two (2) out of the last twelve (12) billing periods which have become delinquent. The deposit shall not exceed estimated charges for two months service based on the average bill during the preceding twelve months or in the case of new applicants, two months average monthly bill for all subscribers within a customer class. The deposit shall bear interest at a rate of 9% simple interest per annum, and will be returned upon satisfactory payment of all undisputed charges during the last 12 billing periods, or discontinuance of service.
2. At the time an application for service is made, an applicant may be required to pay an amount equal to at least one month's service and/or service connection charges, which will be applicable to the customer's account on the first bill rendered.

3.6.6 In the event that a check or draft tendered by a customer is returned, a fee of \$20.00 will apply. The fee will be assessed when a check or instrument issued by a Customer is returned without payment for any reason whatsoever, unless the return is bank error, in which case documentary evidence is required to waive the fee.

3.6.7 All stated charges in this tariff are computed by the Company exclusive of any federal, state, or local use, excise, gross receipts, sales, or privilege taxes, duties, fees, or similar liabilities (other than general income or property taxes), including Universal Service Fund assessments, whether

Issued: August 5, 1999

Effective: ~~September 27, 1999~~

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Issued by: W. F. Provance
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Bernie, MO 63822

SEP 27 1999

OCT 30 2000
BY 1st RS 24
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00 - 95
FILED SEP 27 1999

REC'D AUG 25 1999

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INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE

4. SERVICE OFFERINGS

4.1 General Description

The Company offers switched long distance network services for voice grade and low speed dial-up data transmission services offered on a usage-sensitive basis. Service is provided subject to the terms and conditions of this tariff. The Services offered are:

- (A) Domestic Message Telecommunications Service;
- (B) Inbound (800/888/877) Toll Free Service; and
- (C) Calling Card Service.

4.2 Direct Dial Domestic Service

4.2.1 The Company provides direct dialed termination of domestic station-to-station calls originating from its service points in the United States to the areas in the United States, as defined in "Definitions", Section 2, of this tariff. The Customer uses the Company's direct dialed Domestic Message Telecommunications Service by dialing 1 + the area code + the desired telephone number.

4.2.2 The rates for Direct Dial Domestic Service are set forth in Section 5.2 of this tariff.

Issued: August 5, 1999

Effective: 

Issued by: W. F. Provance
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CANCELLED
March 15, 2012
Missouri Public
Service Commission
JX-2012-0382

SEP 27 1999

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00595
FILED AUG 25 1999

REC'D AUG 05 1999

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4. SERVICE OFFERINGS (continued)**4.3 Inbound (800/888/877) Toll Free Service (continued)**

period. The Company, without incurring any liability and without notice to the Customer, may disconnect or refuse to furnish the Company's Inbound 800/888/877 Toll Free Service to any Customer that fails to comply with these conditions.

4.4 Calling Card Service

- 4.4.1 The Company will issue a customer dialed Calling Card, using 800/888/877 access, provided subject to the terms of this tariff.
- 4.4.2 The Company reserves the right to place a monthly maximum usage limit on each Calling Card. The company reserves the right to, without incurring any liability, discontinue the furnishing of Service to a Customer immediately and without notice if the Company deems that such action is necessary to prevent or to protect against fraud or to otherwise protect its personnel, agents or Service.
- 4.4.3 All International usage on the Calling Card will be blocked.
- 4.4.4 The Customer is required to notify the Company immediately when a Customer's Calling Card, using the Customer's Authorization number issued by the Company, needs to be deactivated or terminated. The Customer is responsible to immediately notify the Company when a Customer's Calling Card is lost, stolen, misplaced, has suspected or confirmed misuse, or when fraud is known, anticipated or suspected on a Calling Card.

Issued: August 5, 1999

Effective: 

Issued by: W. F. Provance
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Bernie, MO 63822

SEP 27 1999

CANCELLED
March 15, 2012
Missouri Public
Service Commission
JX-2012-0382

Missouri Public
Service Commission
00-95
FILED SEP 23 1999

REC'D AUG 25 1999

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4. SERVICE OFFERINGS (continued)

4.4.5 The Company will deactivate the Calling Card within twenty-four (24) hours after notification from the Customer. The notification can be in writing to the Company, or by contacting the Company's Customer

4.5 Operator Services

4.5.1 Operator Service as provided by Company includes live operator and/or automated operator functions, for the purpose of assisting in the processing of telephone services such as: long distance via collect calls, calling card calls, or third-party billed calls. Company operators may be contacted by dialing 0+ the number desired or 0-. Calls will be billed at Company MTS service rates as set forth in Section 5 plus the appropriate service charges.

4.5.2 In providing operator services, Company agrees that:

- A. Company 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.
- B. Company will advise the caller and billed party (if different from the end user) that Company is the operator service provider at the time of the initial contact.
- C. Company will provide rate quotes, including all rate components and any additional charges, upon request, at no charge.

Issued: August 5, 1999

Issued by: W. F. Provance
FDF Communications Co.
d/b/a/ BPS Long Distance
120 Stewart St.
Bernie, MO 63822

Effective: ~~September 20, 1999~~

SEP 27 1999

CANCELLED
March 15, 2012
Missouri Public
Service Commission
JX-2012-0382

Missouri Public
Service Commission
00-95
FILED SEP 21 1999

REC'D AUG 28 1999

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INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE

4. SERVICE OFFERINGS (continued)

4.5 Operator Services (continued)

- D. Company 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 aggregations.
- E. Company will arrange for listings of its name on a LEC's billing of Company's charges, if the LEC has multi-carrier bill listing capability.
- F. Company will employ reasonable calling card verification procedures which are acceptable to the companies issuing the calling cards which it determines to be invalid or cards which it is unable to verify.
- G. Company will direct all "0-" emergency calls to the local exchange carrier (LEC) at no charge.
- H. Company's contracts with tariff aggregations will contain provisions which:
 - 1. Prohibit the blocking of access to an end user's interexchange carrier of choice;

Issued: August 5, 1999

Effective: XXXXXXXXXX

Issued by: W. F. Provance
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SEP 27 1999

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Missouri Public
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4. SERVICE OFFERINGS (continued)

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4.8 Directory Assistance

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- 4.8.1 Long Distance Directory Assistance is available to Customers of Company's switched services. The charge applies to each call regardless of whether the Directory Assistance Bureau is able to furnish the requested telephone number. Up to two requests may be made on each Directory Assistance call.
- 4.8.2 A credit allowance for a Directory Assistance call will be provided if the Customer experiences poor transmission quality, receives an incorrect telephone number, or inadvertently misdials the intended Directory Assistance number.
- 4.8.3 The applicability of usage volume discounts toward directory assistance charges is addressed within each individual service section.
- 4.8.4 Usage Charges.

Refer to Section 5.7 Usage Charges.

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MAR 23 2001
By *2nd RS 38*
Public Service Commission
MISSOURI

Missouri Public
Service Commission
00 - 287
FILED OCT 21 1999

Issued: October 15, 1999

Issued by: W.F. Provance
FDF Communications Co.
d/b/a BPS Long Distance
120 Stewart St.
Bernie, MO 63822

OCT 21 1999

REC'D AUG 10 1999

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4. SERVICE OFFERINGS (continued)

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OCT 21 1999
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Issued: August 5, 1999

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120 Stewart St.
Bernie, MO 63822

Effective: ~~September 20, 1999~~

SEP 27 1999

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00-95

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4. SERVICE OFFERINGS (continued)

4.12 Packaged Service Offerings

4.12.1 Residential – the following are bulk toll minute plans. The bulk minutes may be used for either state or interstate interexchange calling. Additional minutes beyond the minutes purchased are available for \$0.15 per minute.

4.12.1.A	60 monthly minutes for \$6.00 per month	
4.12.1.B	100 monthly minutes for \$9.50 per month	
4.12.1.C	225 monthly minutes for \$20.85 per month	(N)
4.12.1.D	350 monthly minutes for \$31.50 per month	(C)
4.12.1.E	500 monthly minutes for \$42.50 per month	(C)

4.12.2 Small Business – the following are bulk toll minute plans. The bulk minutes may be used for either state or interstate interexchange calling. Additional minutes beyond the minutes purchased are available for \$0.15 per minute.

4.12.1.A	60 monthly minutes for \$6.00 per month	
4.12.1.B	100 monthly minutes for \$9.50 per month	
4.12.1.C	225 monthly minutes for \$20.85 per month	(N)
4.12.1.D	350 monthly minutes for \$31.50 per month	(C)
4.12.1.E	500 monthly minutes for \$42.50 per month	(C)

4.12.3 The monthly and per minute rates in sections 4.12.1 and 4.12.2 above, do not include any required state and federal taxes or surcharges.

4. SERVICE OFFERINGS (continued)

4.12 Packaged Service Offerings

4.12.1 Residential -- the following are bulk toll minute plans. The bulk minutes may be used for either state or interstate interexchange calling. Additional minutes beyond the minutes purchased are available for \$0.15 per minute.

4.12.1.A	60 monthly minutes for \$6.00 per month
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4.12.1.D	500 monthly minutes for \$42.50 per month

4.12.2 Small Business -- the following are bulk toll minute plans. The bulk minutes may be used for either state or interstate interexchange calling. Additional minutes beyond the minutes purchased are available for \$0.15 per minute.

4.12.2.A	60 monthly minutes for \$6.00 per month
4.12.2.B	100 monthly minutes for \$9.50 per month
4.12.2.C	350 monthly minutes for \$31.50 per month
4.12.2.D	500 monthly minutes for \$42.50 per month

4.12.3 The monthly and per minute rates in sections 4.12.1 and 4.12.2 above, do not include any required state and federal taxes or surcharges.

Issued: April 14, 2006

W.F. Provance, President
120 Stewart Drive
Bernie, MO 63822

Effective: May 15, 2006

REC'D AUG 30 1999

PSC Mo. No. 1
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INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE

5. RATES

5.1 Rate Periods

5.1.1 Rates are applicable based on time of the day (standard or daylight savings), and day of the week, and are associated with Service offered on Dial Station-to-Station and Person-to-Person basis for Domestic Direct Dialed Calls, Inbound Toll Free (800/888/877) Calls, and Company issued Calling Card Calls. Peak and Off-Peak rates apply to the types of Services offered by the Company, unless otherwise specifically designated in this tariff. The rate charged is determined by the day and time (standard or daylight savings) at the originating service point. When a connection is established in one rate period and ends in another rate period, the rate for each rate period applies to the portion of the connection occurring within that rate period.

5.1.2 The rate periods are:

- A. Peak Period - the time period from 8:00 AM to, but not including, 8:00 PM Monday through Friday.
- B. Off-Peak Period - all other time periods other than Peak Period.
- C. Holiday Rate Period - for the following Federal observed holidays, the Off-Peak rates will apply:
 - 1. New Years Day (January 1st)
 - 2. Memorial Day
 - 3. Independence Day (July 4th)
 - 4. Labor Day
 - 5. Thanksgiving
 - 6. Christmas Day (December 25th)

Issued: August 5, 1999

Effective: 

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March 15, 2012
Missouri Public
Service Commission
JX-2012-0382

SEP 27 1999

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INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE

5. RATES (continued)

5.4 Calling Card Rates

5.4.1 Company provided, Customer dialed Calling Cards are provided subject to the terms of this tariff.

- A. Calling Cards usage is billed at an initial one (1) minute minimum usage charge, and in one (1) minute additional increments after the first full minute of usage.
- B. Discounts, if applicable, apply only to the actual qualified usage portion of the bill, and not to the per call surcharge. When the application of the discount results in a fractional charge, the amount will be rounded to the nearest cent.
- C. A per call surcharge of \$.50 will be applied.
- D. Rate per Minute:
 - Peak Period: \$.25 per minute
 - Off-Peak Period: \$.25 per minute

5.5 Operator Service Rates

	<u>0+ Rate</u>	<u>0-Rate</u>
1. Directory Assistance	\$1.20	\$2.20
2. Automated Collect	\$2.35	\$3.35
3. Automated Card	\$1.00	\$2.00
4. Operator-Assisted		
a. Collect	\$2.35	\$3.35
b. Billed to Third Party	\$2.35	\$3.35

Issued: August 5, 1999

Effective: [REDACTED]

Issued by: W. F. Provance
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120 Stewart St.
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SEP 27 1999

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INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE

5. RATES (continued)

5.5 Operator Service Rates (continued)

5.	Person-to-Person	\$4.50	\$5.50
6.	Station-to-Station	\$2.30	\$3.30

5.6 Dedicated Interexchange Digital Private Line Service

5.6.1 Voice Grade Facility

- A. Two point effective two/four wire grade analog or 64 Kbps digital interface (digitalized voice or otherwise compatible 64 Kbps bit stream facility)

Rate: \$ ICB

5.6.2 DS1/1.544 Mbps Facility

- A. Two point digital interface operating at 1.544 Mbps, which may be furnished on either a channelized or non-channelized basis

Rate: \$ ICB

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OCT 21 1999

By *1st RS 10.47*
Public Service Commission
MISSOURI

Issued: August 5, 1999

Effective: ~~SEP 27 1999~~

Issued by: W. F. Provance
FDF Communications Co.
d/b/a/ BPS Long Distance
120 Stewart St.
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SEP 27 1999

Missouri Public
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Original Sheet 48

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5. RATES (continued)

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SEP 27 1999

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July 12, 2015
Missouri Public
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JX-2015-0363