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**TARIFF FORMAT**

- A. **Page Numbering** - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages are occasionally added to the tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between Page 14 and 15 would be 14.1.
- B. **Page Revision Numbers** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the Commission. For example, the 4<sup>th</sup> revised Page 14 cancels the 3<sup>rd</sup> revised Page 14. Because of various suspension periods, deferrals, etc. the Commission follows in its tariff approval process, the most current page number on file with the Commission is not always the tariff page in effect.
- C. **Paragraph Numbering Sequence** - There are various 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
- D. **Check Sheets** - When a tariff filing is made with the Commission, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the pages 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. An asterisk designates all revisions made in a given filing (\*). 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 page is the most current on file with the Commission.

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SECTION 2 – RULES AND REGULATIONS (Cont'd)

2.3 Limitations on Liability

- 2.3.1 Except as otherwise stated in this section, the liability of the Company for damages arising out of either: (1) the furnishing of its services, including but not limited to mistakes, omissions, interruptions, delays, or errors, or other defects, representations, or use of these services, or (2) the failure to furnish its service, whether caused by acts or omission, shall be limited to the extension of allowances to the Customer for interruptions in service as set forth in this Tariff.
  
- 2.3.2 Except for the extension of allowances to the Customer for interruptions in service as set forth in this Tariff, the Company shall not be liable to a Customer or third party for any direct, indirect, special, incidental, reliance, consequential, exemplary or punitive damages, including, but not limited to, loss of revenue or profits, regardless of the form of action whether in contract, tort, negligence of any kind whether active or passive, strict liability, or otherwise.
  
- 2.3.3 The liability of the Company for errors in billing that result in overpayment by the Customer shall be limited to a credit equal to the dollar amount erroneously billed or, in the event that payment has been made and service has been discontinued, to a refund of the amount erroneously billed.
  
- 2.3.4 The Company shall not be liable for any claims for loss or damages involving:
  - A. Any act or omission of: (1) the Customer, (2) any other entity furnishing service, equipment or facilities for use in conjunction with services provided by the Company; or (3) common carriers;

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SECTION 2 – RULES AND REGULATIONS (Cont'd)

2.7 Billing Arrangements

- 2.7.1 Customer bills and Company's billing practices will comply with MTSS 4901:1-5-15.
- 2.7.2 The Customer will be billed directly by Company. Billing is based on a minimum call duration of thirty (30) seconds with six (6) second billing increments thereafter for all services. Call duration is measured from the time hardware or software supervision indicates a connection between the calling and the called stations. There are no charges for uncompleted calls.
- 2.7.3 Customer bills are issued monthly. The Customer will receive its bill on or about the same day of each month. Months are presumed to have thirty (30) days. The billing date is dependent on the billing cycle assigned to the Customer.
- 2.7.4 The Customer is responsible for the payment of all charges for services furnished to the Customer. Charges are based on actual usage and are billed monthly in arrears.
- 2.7.5 Bills are due and payable within eighteen (18) days from the invoice date. Payment may be made by cash, check, money order, or cashier's check.
- 2.7.6 A late fee of 1.5% monthly will be charged on any past due balances. The late fee amount will be assessed from the date payment was due. The late payment charge will not be applied to previous late payment charges that have been assessed but not yet paid for, but will apply to the accumulated services for which the customer is in arrears. Late payment charges will be applied without discrimination.
- 2.7.7 A charge will apply whenever a check or draft presented for payment of service is not accepted by the institution on which it is written. The maximum the Company may charge is \$40. For the actual current charge please see Section 4 – Rates and Charges.
- 2.7.8 If Customer fails to perform any of Customer's payment obligations set forth in this tariff, Customer shall pay any and all collection costs and expenses incurred by Company in enforcing or establishing its rights

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hereunder, including, without limitations, collection agency fees or payments, court costs, arbitration costs and actual attorney's fees.

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SECTION 2 – RULES AND REGULATIONS (Cont'd)

2.9 Cancellation, Discontinuance or Interruption of Services

2.9.1 Cancellation

- A. Customer may cancel service by providing notice to Company prior to cancellation by telephone or in writing. Notice will be deemed received upon actual receipt by the Company.
- B. Customer is responsible for all usage on any of the Company’s service offerings until the Customer actually leaves the service. Customer will continue to have Company usage until the Customer notifies its local exchange company and changes its long distance company.
- C. Any non-recoverable cost of Company expenditures shall be borne by the Customer if the Customer orders service and then cancels the order before such service begins; or liabilities are incurred expressly on behalf of the Customer by Company and not fully reimbursed by installation and monthly charges.

2.9.2 Discontinuance

- A. Company will comply with MTSS Rule 4901:1-5-17 (B) regarding disconnection of service for nonpayment.
- B. Company will comply with MTSS Rules 4901:1-5-17 (D) and (E) regarding disconnection of service with notice for reasons other than nonpayment.
- C. Company will comply with MTSS Rule 4901:1-5-17 (G) regarding disconnection of service without notice for reasons other than nonpayment.
- D. Company will comply with MTSS Rule 4901:1-5-17 (K) regarding disconnection procedures for nonpayment.
- E. Company will comply with MTSS Rule 4901:1-5-17 (M) regarding procedures for reconnection of service.

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**SECTION 3 – DESCRIPTION OF SERVICES****3.1 Description of Services**

Company provides 24-hour intrastate interexchange telecommunications services, including long distance, toll and calling card telecommunications services. Calls are rated based on the duration of the call. A minimum call duration is thirty (30) seconds with six (6) second billing increments thereafter for all services.

**3.2 Calculation of Usage Rates**

Billing for calls placed over Company's services is based on the duration of the call. Billing is in six (6) second increments, with a minimum call length of not less than thirty (30) seconds. Call duration is measured from the time hardware or software supervision indicates a connection between the calling and the called station. There are no charges for uncompleted calls.

**3.3 Discounts For Persons With Communication Disabilities and the Telecommunication Relay Service**

- a. For purposes of these requirements, the definition of disabled refers to those persons with communication disabilities, including those hearing-disabled, deaf, deaf/blind, and speech-disabled persons who have a disability that prevents them from communicating over the telephone without the aid of a telecommunications device for the communicatively disabled.
- b. Residential disabled customers or disabled members of a customer's household, upon written application and upon certification of their disabled status, which is evidenced by either a certificate from a physician, health care official, state agency, or a diploma from an accredited educational institution for the disabled, are eligible to receive a discount off their MTS rates, and, if they utilize telebraille devices, they are eligible to receive free access to local and intrastate long distance directory assistance. Additionally, TDD lines maintained by non-profit organizations and governmental agencies, upon written application and verification that such lines are maintained for the benefit of the disabled, are eligible to receive a discount off their MTS rates.

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**SECTION 3 – DESCRIPTION OF SERVICES**

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3.3 Discounts For Persons With Communication Disabilities and the Telecommunication Relay Service (cont'd)

- c. Upon receipt of the appropriate application, and certification or verification of a person with a communication disability, the following discount shall be made available for the benefit of the disabled person:
  - i. Off the basic MTS, current, price list rates: a 40 percent discount off the intrastate, interexchange, customer-dialed, station-to-station calls.
- d. All MTS calls placed through the telecommunication relay service (TRS) are eligible to receive a discount off the MTS rates. The rate discounts are the same as those set forth in paragraph 1.c. preceding. The discount shall not apply to sponsor charges associated with calls placed to pay-per-call services, such as 900, 976, or 900-like calls.

3.3 Emergency Services Calling Plan

Message toll telephone calls to governmental emergency service agencies, as set forth in (a) following, having primary or principal responsibility with respect to the provision of emergency services to persons and property in the area from which the call is made, meeting the definition and criteria of an emergency call as set forth in (b) following, are offered at no charge to customers:

- a. Governmental fire fighting, Ohio State Highway Patrol, police, and emergency squad service (as designated by the appropriate governmental agency) qualify as governmental emergency service agencies provided they answer emergency service calls on a personally attended (live) 24-hour basis, 365 days a year, including holidays.
- b. An emergency is an occurrence or set of circumstances in which conditions pose immediate threat to human life, property, or both, and necessitate that prompt action be taken. An emergency call is an originated call of short duration to a governmental emergency service agency in order to seek assistance for such an emergency.

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