

COMPETITIVE LOCAL CARRIER

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COMPETITIVE LOCAL CARRIER

TARIFF SCHEDULES

Applicable to

TELEPHONE SERVICE

of

SUREWEST TELEPHONE

dba

SUREWEST BROADBAND

(Name of Utility)

U 1015 C

(Utility Code)

(N)

(N)

P.O. Box 969, Roseville, California 95678

(Mailing Address)

Operating in (or Near)

Roseville, Placer County

(City or Town and/or County)

These tariff schedules have been regularly filed with the Public Utilities Commission of the State of California and are the effective rates and rules of this Utility.

(Continued)

| | | |
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| | Issued By | Date Filed <u>AUG 06 2004</u> |
| Advice Letter No. <u>989-CLEC</u> | <u>Brian H. Strom</u> | Effective <u>DEC 06 2004</u> |
| Decision No. <u>04-05-057</u> | <u>President - CEO</u> | Resolution No. _____ |

COMPETITIVE LOCAL CARRIER

1. PRELIMINARY STATEMENT

1.1 GENERAL INFORMATION

This tariff sets forth rates and rules of SureWest Telephone dba SureWest Broadband (the "Company") applicable to its provision of competitive local exchange service within the State of California to Customers located in exchange areas served by Pacific Bell, GTE California, Inc., and Citizens Telecommunications Company. (T)

The Company has been authorized by the California Public Utilities Commission (CPUC) to provide competitive local exchange service as a reseller and facilities based carrier, and offers these services on a full-period, 24 hour, round-the-clock basis.

The rates and rules contained herein are subject to change pursuant to the rules and regulations of the CPUC.

1.2 APPLICATION OF TARIFF

This tariff sets forth the service offerings, rates, terms and conditions applicable to the furnishing of intrastate communications services by the Company to residence customers and business customers within the State of California.

This tariff applies only for the use of Company's services for communications between points within the State of California; this includes the use of company's network (a) to complete an end-to-end intrastate communications; (b) by other service providers to originate and terminate intrastate communications; and (c) by Customers to obtain access to the intrastate services offered by other service providers.

The rates specified throughout the tariff for different carriers are the rates applicable in that carrier's serving territory for the Company's customers.

1.3 AVAILABILITY OF COMPANY'S TARIFF

Complete copies of the Company's Advice Letters and current tariff are maintained at the Company's business offices located at:

211 Lincoln Street
Roseville, California 95678

The tariff is also available for public inspection at the California Public Utilities Commission and on the World Wide Web at www.surewest.com. (N)
(N)

(Continued)

| | | |
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COMPETITIVE LOCAL CARRIER

1. PRELIMINARY STATEMENT - (Cont'd)

1.4 SYMBOLS USED IN THIS TARIFF

When a revised tariff sheet is filed by the Company, attention will be directed to the current revision(s) by a symbol at the right hand margin of the tariff sheet utilizing the following symbols, as appropriate:

- (C) To signify changed listing, rule, or condition which may affect rates or charges.
- (D) To signify discontinued material, including listing, rate, rule or condition.
- (I) To signify increase.
- (L) To signify material relocated from or to another part of tariff schedules with no change in text, rate, rule or condition.
- (N) To signify new material including listing, rate, rule or condition.
- (R) To signify reduction.
- (T) To signify change in wording of text but no change in rates, rules or conditions.

(Continued)

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COMPETITIVE LOCAL CARRIER

1. PRELIMINARY STATEMENT - (Cont'd)

1.5 SERVICE AREA MAP

The Company has been authorized by the CPUC to provide competitive local exchange service within the areas of the State of California identified on the following map, which depicts the total combined service areas of Pacific Bell, GTE California, Inc., and Citizens Telecommunications Company as shown on the CPUC Telephone Exchange Map revised 2/94.

(Map of California)



(Continued)

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COMPETITIVE LOCAL CARRIER

1. PRELIMINARY STATEMENT - (Cont'd)

1.6 TAXES AND SURCHARGES

In addition to the charges specifically pertaining to the Company's services, certain federal, state and local surcharges, taxes and fees will be applied. These surcharges, taxes and fees are calculated based upon the amount billed to the Customer for the Company's intrastate services. Such charges include but are not limited to, the surcharges and fees ordered by the CPUC as set forth below. None of the following surcharges will apply to any taxes or surcharges levied upon the Company's service to a Customer.

(A) CPUC REIMBURSEMENT FEE: * (T)

Pursuant to CPUC Resolution M-4789, the Company will apply this surcharge to each Customer bill, in compliance with CPUC directives determined annually by the CPUC. This surcharge represents a user fee intended to reimburse the CPUC for the cost of regulating all certificated utilities.

(B) SURCHARGE TO FUND CALIFORNIA RELAY SERVICE AND COMMUNICATIONS DEVICES: * (T)

This surcharge is in compliance with CPUC Resolution T-13005, which established a program to distribute telecommunications devices for the deaf and established a dual-party relay service program for hard-of-hearing and deaf people in California, as amended by Resolutions T-16379 and T-16403. The surcharge is applied monthly to all intrastate tariffed services not exempt from the surcharge. This surcharge will be identified on the Customer's billing statement as the "California Relay Service and Communications Devices Fund."

(C) SURCHARGE TO FUND UNIVERSAL LIFELINE TELEPHONE SERVICE (ULTS): * (T)

Pursuant to Resolution T-16412 this surcharge will be applied to all surchargeable intrastate services billings rendered on or after January 1, 2001. This surcharge will be identified on the Customer's billing statement as the "Universal Lifeline Telephone Service Surcharge."

* Pursuant to Resolution T-16901, all telecommunications carriers are required to apply CPUC mandated Public Program surcharge rates and the CPUC Reimbursement Fee rate to all intrastate services, adjusted for those billing exemptions that apply specifically to Public Program surcharges and separately for other billing exemptions that apply specifically to the Reimbursement Fee. For the Public Program surcharges and Reimbursement Fees, please refer to the Pacific Bell (d.b.a. SBC California) tariffs, Section A2, General Regulations. (N)

(Continued)

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| Advice Letter No. <u>1045-CLEC</u> | <u>Brian H. Strom</u> | Effective <u>JAN 01 2005</u> |
| Decision No. _____ | <u>President - CEO</u> | Resolution No. <u>T-16901</u> |

COMPETITIVE LOCAL CARRIER

1. PRELIMINARY STATEMENT - (Cont'd)
1.6 TAXES AND SURCHARGES - (Cont'd)

(D) CALIFORNIA HIGH COST FUND B: * (T)

This surcharge will be imposed on all intrastate services to fund the California High Cost Fund program in compliance with CPUC Decision 96-10-066. This surcharge will be applied to each Customer's monthly bill and will be identified as the California High Cost Fund B Surcharge."

(E) CALIFORNIA TELECONNECT FUND: * (T)

This surcharge will be imposed on all intrastate services for the purpose of funding discounts for telecommunications services to qualifying schools, libraries, hospitals, health clinics and community based organizations in compliance with CPUC Decision 96-10-066. This surcharge will be applied to each customer's monthly bill and will be identified as "Teleconnect Fund Surcharge."

(F) CALIFORNIA HIGH COST FUND A: * (T)

This surcharge will be imposed on all intrastate services to fund the California High Cost Fund program in compliance with CPUC Decision 94-09-065. This surcharge will be applied to each Customer's monthly bill and will be identified as the California High Cost Fund A Surcharge.

(G) SURCHARGE TO FUND TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) PLACEMENT INTERIM COMMITTEE (TPIC): (x)

Surcharge to fund the placement of telecommunications devices capable of servicing the needs of the deaf or hearing impaired in existing buildings and public accommodations. The TPIC is funded by an incremental percentage from the Deaf and Disabled Telecommunications Program (DDTP) surcharge, which applies to all regulated end-user recurring and non-recurring rates and charges for intrastate service both within a service area and between service areas. (x)

* Pursuant to Resolution T-16901, all telecommunications carriers are required to apply CPUC mandated Public Program surcharge rates and the CPUC Reimbursement Fee rate to all intrastate services, adjusted for those billing exemptions that apply specifically to Public Program surcharges and separately for other billing exemptions that apply specifically to the Reimbursement Fee. For the Public Program surcharges and Reimbursement Fees, please refer to the Pacific Bell (d.b.a. SBC California) tariffs, Section A2, General Regulations. (N)

Material omitted now located on 3rd Revised Sheet 9.1.

(x) Inadvertently omitted on Advice Letter No. 840-CLEC.

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| Decision No. _____ | <u>President - CEO</u> | Resolution No. <u>T-16901</u> |

COMPETITIVE LOCAL CARRIER

1. PRELIMINARY STATEMENT - (Cont'd)

1.7 BASIC AND OPTIONAL SERVICE CHOICES

For rates, charges, terms, conditions, and description of service, see Schedules listed below. These services can be added, changed or canceled at any time by contacting the Company at 916-780-8000.

(A) LOCAL EXCHANGE SERVICES AND FUNCTIONAL EQUIVALENT

| <u>Service</u> | <u>Section No.</u> ¹ | |
|---|---------------------------------|-----|
| (1) Associated Non-recurring Charges | 13.2 | (L) |
| (2) Associated Surcharges and Taxes as mandated by regulation or law: | 1.6 | |
| California High Cost Fund A | 1.6(D) | |
| California High Cost Fund B | 1.6(F) | |
| California Relay Service and Communications Devices | 1.6(B) | |
| California Teleconnect Fund | 1.6(E) | |
| CPUC Reimbursement Fee | 1.6(A) | |
| Emergency Telephone Users Surcharge | Not Tariffed ² | |
| Federal Excise Tax | Not Tariffed ³ | |
| Telecommunications Devices for the Deaf Placement Interim Committee (TPIC): | 1.6(G) | (x) |
| Universal Service Lifeline Telephone Service | 1.6(C) | |
| (3) Network Access Lines ⁴ | 3.2 | |
| (4) Super Trunk Service ⁴ | 7.2 | |
| (5) Universal Lifeline Telephone Service ⁴ | 6.3 | |

¹ For specific tariff sheets, please refer to the Table of Contents.

² Emergency Telephone Users Surcharge information can be found at www.boe.ca.gov. Click on Special Tax Programs and then click on Emergency Telephone Users Surcharge under Excise Taxes Division. The toll-free phone number is 1-800-400-7115.

³ Federal Excise Tax information can be found at www.irs.gov by typing "federal excise tax" into the Forms and Publications Finder window, clicking on Instruction 720 and reading the Communications Tax section. The IRS toll-free number is 1-800-829-1040.

⁴ Includes local calling area and an alphabetical listing in the local telephone directory.

(L) Material formerly located on 14th Revised Sheet 9.

Material omitted now located on Original Sheet 9.2

(x) Inadvertently omitted on Advice Letter No. 840-CLEC.

(Continued)

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COMPETITIVE LOCAL CARRIER

1. PRELIMINARY STATEMENT - (Cont'd)

1.7 BASIC AND OPTIONAL SERVICE CHOICES – (Cont'd)

(B) OPTIONAL FEATURES

- | | |
|-------------------------------------|--------|
| (1) Centrex Service | 19.2 |
| (2) Conference Connection | 25 |
| (3) Custom Calling Features – Basic | 5.2(A) |

Anonymous Call Rejection; Call Forwarding; Call Hold
Call Pick-up; Call Return; Call Transfer; Call Waiting;
Caller ID (Number Only); Caller ID With Name;
Conference Calling 6-way; Priority Ringing;
Code & 30-Code; Three Way Calling
Rejection; Selective Call Forwarding; Speed Calling 8-
Repeat Dialing; Selective Call Acceptance; Selective Call

(T)

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS

2.1 RULES

The following Rules for services in other LEC exchanges such as disputed bill procedure, deposit policies and procedures for termination service are described in the tariff schedule indicated next to that rule.

2.1.1 RULE 1 - DEFINITIONS

All definitions relating to SureWest Broadband Services are described in (T)
SureWest Telephone's tariff Schedule Cal. P.U.C. A2.1.1 and are applicable (T)
to this tariff schedule.

(Continued)

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2. GENERAL REGULATIONS - (Cont'd)

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2. GENERAL REGULATIONS - (Cont'd)

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2. GENERAL REGULATIONS - (Cont'd)

(Continued)

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2. GENERAL REGULATIONS - (Cont'd)

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2. GENERAL REGULATIONS - (Cont'd)

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.2 RULE 2 - DESCRIPTION OF SERVICE AND UNDERTAKING OF
THE COMPANY

The Company undertakes to furnish exchange access service to business and residence customers pursuant to the terms of this tariff.

Customers and users may use services and facilities provided under this tariff to obtain access to services offered by other service providers. The Company is responsible under this tariff only for the services and facilities provided hereunder, and it assumes no responsibility for any service provided by any other entity that purchases access to the Company network in order to originate or terminate its own services, or to communicate with its own customers.

(Continued)

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.3 RULE 3 - AVAILABILITY OF SERVICE

(A) SHORTAGE OF EQUIPMENT OR FACILITIES

The Company reserves the right to limit or to allocate the use of existing facilities, or of additional facilities offered by the Company when necessary because of lack of facilities, or due to some other cause beyond the Company's control.

The furnishing of service under this tariff is subject to the availability on a continuing basis of all the necessary facilities and is limited to the capacity of the Company's facilities as well as facilities the Company may obtain from other carriers to furnish service from time to time as required at the sole discretion of the Company.

(B) NOTIFICATION OF SERVICE-AFFECTING ACTIVITIES

The Company will provide the Customer reasonable notification of service-affecting activities that may occur in normal operation of its business. Such activities may include, but are not limited to, equipment or facilities additions, removals or rearrangements and routine preventive maintenance. Generally, such activities are not specific to an individual customer but may affect many customers' services. No specific advance notification period is applicable to all service activities. The Company will work cooperatively with the Customer to determine the reasonable notification requirements. With some emergency or unplanned service-affecting conditions, such as an outage resulting from cable damage, notification to the Customer may not be possible.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.4 RULE 4 - RESPONSIBILITY AND OBLIGATIONS OF THE COMPANY
FOR PROVISION OF EQUIPMENT AND FACILITIES

- (A) The Company shall use reasonable efforts to make available services to a customer on or before a particular date, subject to the provisions of and compliance by the Customer with the regulations contained in this tariff. The Company does not guarantee availability by any such date and shall not be liable for any delays in commencing service to any Customer.
- (B) The Company shall use reasonable efforts to maintain only the facilities and equipment that it furnishes to the Customer. The Customer may not, nor may Customer permit others to, rearrange, disconnect, remove, attempt to repair, or otherwise interfere with any of the facilities or equipment installed by the Company, except upon the written consent of the Company.
- (C) The Company may substitute, change or rearrange any equipment or facility at any time and from time to time, but shall not thereby alter the technical parameters of the service provided the Customer.
- (D) Equipment the Company provides or installs at the Customer premises for use in connection with the services the Company offers shall not be used for any purpose other than that for which the Company provided it.
- (E) The Company shall not be responsible for the installation, operation, or maintenance of any customer-provided communications equipment. Where such equipment is connected to the facilities furnished pursuant to this tariff the responsibility of the Company shall be limited to the furnishing of facilities offered under this tariff and to the maintenance and operation of such facilities. Subject to this responsibility the Company shall not be responsible for:
 - (1) the transmission of signals by Customer provided equipment or for the quality of, or defects in, such transmission; or
 - (2) the reception of signals by Customer-provided equipment.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd))

2.1 RULES - (Cont'd)

2.1.5 RULE 5 - RESPONSIBILITIES AND OBLIGATIONS OF THE
CUSTOMER

- (A) The services the Company offers shall not be used for any unlawful purpose or for any use as to which the Customer has not obtained all required governmental approvals, authorizations, licenses, consents and permits.
- (B) The Company may require applicants for service who intend to use the Company's offerings for resale and/or for shared use to file a letter with the Company confirming that their use of the Company's offerings complies with relevant laws and CPUC regulations, policies, orders and decisions.
- (C) The Company may require a Customer to immediately shut down its transmission of signals if said transmission is causing interference to others.
- (D) A customer, joint user or authorized user may not assign, or transfer in any manner, the service or any rights associated with the service without the written consent of the Company. The Company will permit a Customer to transfer its existing service to another entity if the existing Customer has paid all charges owed to the Company for regulated communications services. Such a transfer will be treated as a disconnection of existing service and installation of new service, and non-recurring installation charges as stated in this tariff will apply.
- (E) The Customer shall be responsible for:
 - (1) Payment of all applicable charges pursuant to this tariff;
 - (2) Damage to or loss of the Company's facilities or equipment caused by the acts or omissions of the Customer, or the noncompliance by the Customer, with these regulations, or by fire or theft or other casualty on the Customer premises, unless caused by the negligence or willful misconduct of the employees or agents of the Company;
 - (3) Providing at no charge, as specified from time to time by the Company, any needed personnel, equipment space and power to operate Company facilities and equipment installed on the Customer's premises, and the level of heating and air conditioning necessary to maintain the proper operating environment on such premises;

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.5 RULE 5 - RESPONSIBILITIES AND OBLIGATIONS OF THE
CUSTOMER - (Cont'd)

(E) (Cont'd)

- (4) Obtaining, maintaining, and otherwise having full responsibility for all rights-of-way and conduit necessary for installation of fiber optic cable and associated equipment used to provide communications services to the Customer from the cable building entrance or property line to the location of the equipment space described in paragraph (E)(3) above; any and all costs associated with the obtaining and maintaining the rights-of-way described herein, including the cost of altering the structure to permit installation of the Company-provided facilities, shall be borne entirely by, or may be charged by the Company to the Customer; the Company may require the Customer to demonstrate its compliance with this section prior to accepting an order for service;
- (5) Providing a safe place to work and complying with all laws and regulations regarding the working conditions on the premises at which Company employees and agents shall be installing or maintaining the Company's facilities and equipment; the Customer may be required to install and maintain Company facilities and equipment within a hazardous area if, in the Company's opinion, injury or damage to the Company employees or property might result from installation or maintenance by the Company; the Customer shall be responsible for identifying, monitoring, removing and disposing of any hazardous material (e.g., friable asbestos) prior to any construction or installation work;

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.5 RULE 5 - RESPONSIBILITIES AND OBLIGATIONS OF THE
CUSTOMER - (Cont'd)

(E) (Cont'd)

- (6) Complying with all laws and regulations applicable to, and obtaining all consents, approvals, licenses and permits as may be required with respect to the location of Company facilities and equipment in any Customer premises or the rights-of-way for which Customer is responsible under paragraph (E)(4) above; and granting or obtaining permission for Company agents or employees to enter the premises of the cost at any time for the purpose of installing, inspecting, maintaining, repairing or upon termination of service as stated herein, removing the facilities or equipment of the Company;
- (7) Not creating or allowing to be placed any liens or other encumbrances on the Company's equipment or facilities; and
- (8) Making Company facilities and equipment available periodically for maintenance purposes at a time agreeable to both the Company and the Customer; no allowance will be made for the period during which service is interrupted for such purposes.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.6 RULE 6 - LIMITATIONS OF LIABILITY

Limitations of Liability for services shall be consistent with the specifications in SureWest Telephone's tariff Schedule Cal. P.U.C. A2.1.24.

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- 2. GENERAL REGULATIONS - (Cont'd)
 - 2.1 RULES - (Cont'd)
 - 2.1.6 RULE 6 - LIMITATIONS OF LIABILITY - (Cont'd)
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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.7 RULE 7 – CONTRACTS AND MINIMUM CONTRACT PERIOD

Contracts for services shall be consistent with the specifications in SureWest Telephone's tariff Schedule Cal. P.U.C. A2.1.4.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)
2.1 RULES - (Cont'd)

2.1.8 RULE 8 - APPLICATION FOR SERVICE

Application for Service shall be consistent with the specifications in
SureWest Telephone's tariff Schedule Cal. P.U.C. A2.1.3.

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2. GENERAL REGULATIONS - (Cont'd)

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2. GENERAL REGULATIONS - (Cont'd)

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2. GENERAL REGULATIONS - (Cont'd)

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2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.9 RULE 9 - ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT

Establishment and re-establishment of credit for services shall be consistent with the specifications in SureWest Telephone's tariff Schedule Cal. P.U.C. A2.1.6.

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2. GENERAL REGULATIONS - (Cont'd)
2.1 RULES - (Cont'd)

2.1.10 RULE 10 - ADVANCE PAYMENTS AND DEPOSITS

Advance payments and deposits for services shall be consistent with the specifications in SureWest Telephone's tariff Schedule Cal. P.U.C. No. A2.1.7.

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2. GENERAL REGULATIONS - (Cont'd)

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.11 RULE 11 - RENDERING AND PAYMENT OF CHARGES

Rendering and payment of bills for services shall be consistent with the specifications in SureWest Telephone's tariff Schedule Cal. P.U.C. No. A2.1.9. The three (3) month limit to back billing is not applicable to services in other LEC exchanges.

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2. GENERAL REGULATIONS - (Cont'd)

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.12 RULE 12 - CANCELLATION OF APPLICATION FOR SERVICE

Cancellation Application for Service shall be consistent with the
specifications in SureWest Telephone's tariff Schedule Cal. P.U.C. A2.1.3.

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2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.13 RULE 13 - CANCELLATION OF SERVICE

Cancellation of Service shall be consistent with the specifications in
SureWest Telephone's tariff Schedule Cal. P.U.C. A2.1.3.

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2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.14 RULE 14 - DISCONTINUANCE AND RESTORATION OF SERVICE

Discontinuance and Restoration of Service shall be consistent with the specifications in SureWest Telephone's tariff Schedule Cal. P.U.C. A2.1.11 and Schedule Cal. P.U.C. A2.1.21.

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- 2. GENERAL REGULATIONS - (Cont'd)
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- 2. GENERAL REGULATIONS - (Cont'd)
- 2.1 RULES - (Cont'd)

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2.1.15 RULE 15 - CUSTOMER REQUESTED CHANGES IN SERVICE

If the Customer makes or requests material changes in circuit engineering, equipment specifications, service parameters, premises locations, or otherwise materially modifies any provision of the application for service, the Customer's installation fee shall be adjusted accordingly.

2.1.16 RULE 16 - OWNERSHIP OF FACILITIES

Title to all facilities provided in accordance with this tariff remains with the Company, its agents or contractors.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.17 RULE 17 - NON-ROUTINE INSTALLATION AND SPECIAL CONSTRUCTION

(A) NON-ROUTINE INSTALLATION

At the Customer's request, installation and/or maintenance may be performed outside the Company's regular business hours or in hazardous locations. In such cases, charges based on cost of the actual labor, material, or other costs incurred by or charged to the Company will apply. If installation is started during regular business hours but, at the Customer's request, extends beyond regular business hours into time periods including, but not limited to, weekends, holidays, and/or night hours, additional charges may apply.

(B) SPECIAL CONSTRUCTION

Subject to the agreement of the Company and to all of the regulations contained in this tariff, special construction of facilities may be undertaken on a reasonable efforts basis at the request of the Customer. Requests for special construction are subject to the provisions of General Order 96-A. Special construction is that construction undertaken:

- (1) Where facilities are not presently available, and there is no other requirement for the facilities so constructed;
- (2) Of a type other than that which the Company would normally utilize in the furnishing of its services;
- (3) Over a route other than that which the Company would normally utilize in the furnishing of its services;
- (4) In a quantity greater than that which the Company would normally construct;
- (5) On an expedited basis;
- (6) On a temporary basis until permanent facilities are available;
- (7) Involving abnormal costs; or
- (8) In advance of its normal construction.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.18 RULE 18 - CUSTOMER EQUIPMENT AND CHANNELS

(A) GENERAL

A customer may transmit or receive information or signals via the facilities of the Company. The Company's services are designed primarily for the transmission of voice-grade telephonic signals, except as otherwise stated in this tariff. A customer may transmit any form of signal that is compatible with the Company's equipment, but the Company does not guarantee that its services will be suitable for purposes other than voice-grade telephonic communication except as specifically stated in this tariff.

(B) STATION EQUIPMENT

(1) Terminal equipment on the Customer's premises and the electric power consumed by such equipment shall be provided by and maintained at the expense of the Customer. The Customer is responsible for the provision of wiring or cable to connect its terminal equipment to the Company's Local Loop Demarcation Point, as described in Rule 28.

(2) The Customer is responsible for ensuring that customer provided equipment connected to Company equipment and facilities is compatible with such equipment and facilities. The magnitude and character of the voltages and currents impressed on Company-provided equipment and wiring by the connection, operation, or maintenance of such equipment and wiring shall be such as not to cause damage to the Company-provided equipment and wiring or injury to the Company's employees or to other persons. Any additional protective equipment required to prevent such damage or injury shall be provided by the Company at the Customer's expense.

(C) INTERCONNECTION OF FACILITIES

(1) Any special interface equipment necessary to achieve compatibility between the facilities and equipment of the Company used for furnishing Communications Services and the channels, facilities, or equipment of others shall be provided at the Customer's expense.

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2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.18 RULE 18 - CUSTOMER EQUIPMENT AND CHANNELS - (Cont'd)

(C) INTERCONNECTION OF FACILITIES - (Cont'd)

- (2) Communications Services may be connected to the services or facilities of other communications carriers only when authorized by, and in accordance with, the terms and conditions of the tariffs of the other communications carriers which are applicable to such connections.
- (3) Facilities furnished under this tariff may be connected to Customer-provided terminal equipment in accordance with the provisions of this tariff. All such equipment shall be registered by the Federal Communications Commission pursuant to Part 68 of Title 47, Code of Federal Regulations; and all Customer-provided wiring shall be installed and maintained in compliance with those regulations.
- (4) Customers may interconnect communications that are used in whole or in part for interstate communications to services provided under this tariff only to the extent that the user is an "end user" as defined in Section 69.2(m), Title 47, Code of Federal Regulations (1992 edition).

(D) INSPECTIONS

- (1) Upon suitable notification to the Customer, and at a reasonable time, the Company may make such tests and inspections as may be necessary to determine that the Customer is complying with the requirements set forth in Paragraph (D)(2) below, for the installation, operation, and maintenance of customer-provided facilities, equipment, and wiring in the connection of customer-provided facilities and equipment to Company-owned facilities and equipment.
- (2) If the protective requirements for customer-provided equipment are not being complied with, the Company may take such action as it deems necessary to protect its facilities, equipment, and personnel. The Company will notify the Customer promptly if there is any need for further corrective action. Within ten days of receiving this notice, the Customer must take corrective action and notify the Company of the action taken. If the Customer fails to do this, the Company may take whatever additional action is deemed necessary, including the suspension of service, to protect its facilities, equipment and personnel from harm.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.19 RULE 19 - SERVICE INTERRUPTIONS

Service Interruptions shall be consistent with the specifications in SureWest

Telephone's tariff Schedule Cal. P.U.C. A2.1.24.

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COMPETITIVE LOCAL CARRIER

- 2. GENERAL REGULATIONS - (Cont'd)
- 2.1 RULES - (Cont'd)

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.20 RULE 20 - USE OF CUSTOMER'S SERVICE BY OTHERS

(A) RESALE AND SHARING

Any service provided under this tariff may be resold to or shared with other persons at the option of Customer, subject to compliance with any applicable laws or CPUC regulations governing such resale or sharing. Customer remains solely responsible for all use of services ordered by it or billed to its telephone number(s) pursuant to this tariff, for determining who is authorized to use its services, and for notifying the Company of any unauthorized use.

(B) JOINT USE ARRANGEMENTS

Joint use arrangements will be permitted for all services available for resale and sharing pursuant to this tariff. For each joint use arrangement, one member will be designated as the customer responsible for the manner in which the joint use of the service will be allocated. The Company will accept orders to start, rearrange, relocate, or discontinue service only from the Customer. Without affecting the Customer's ultimate responsibility for payment of all charges for the service, each joint user shall be responsible for the payment of the charges billed to it.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.21 RULE 21 - OPERATOR SERVICES

(A) The Company will enforce the following operator service rules. A provider of intrastate operator assisted communications services must:

- (1) Identify itself at the time the end-user accesses its services;
- (2) Upon request, quote all rates and charges for its services to the end-user accessing its system;
- (3) Arrange to have posted in plain view at each telephone location which automatically access the operator service provider's network and where its service are made available to the public or transient end-users:
 - (a) The operator service provider's name and address;
 - (b) Bill and service dispute calling information including the operator service provider's dispute resolution telephone number;
 - (c) Clear and specific instructions informing the end-user how to access a local exchange telephone company operator as an alternative to the end-user and
 - (d) Notice concerning any and all amounts to be billed by the operator services provider on behalf of any host location or third party which will appear on the operator service provider's bill for services rendered.
- (4) In instances when the provider is unable to complete the call and it requires transfer to another telephone corporation which may affect the rates and charges applicable to the telephone bill, inform the caller of the transfer and its possible effect on the applicable rates and charges, before any charges are incurred; and
- (5) In the case of such transfer, the telephone corporation or provider to which the call is transferred shall identify itself and inform the caller of the transfer's effect on the applicable rates and charges before any charges are incurred.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.21 RULE 21 - OPERATOR SERVICES - (Cont'd)

(B) The Company will comply with the following provisions:

(1) Providers of intrastate operator assisted communications services shall not take any action or enter into any arrangement which restricts end-user selection among competing interexchange telephone corporations or end users access to competing providers of intrastate operator assisted communications services, or pay any commissions or other compensation to any entity engaged in such action or arrangement.

(C) Operator service providers are required to post an operator service consumer information notice at all aggregator locations. Violation of this requirement could result in disconnection of service.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)
2.1 RULES - (Cont'd)

2.1.22 RULE 22 - TRANSFERS AND ASSIGNMENTS

Neither the Company nor the Customer may assign or transfer its rights or duties in connection with the services and facilities provided by the Company without the written consent of the other party, except that the Company may assign its rights and duties (a) to any subsidiary, parent company or affiliate of the Company, (b) pursuant to any sale or transfer of substantially all the assets of the Company; or (c) pursuant to any financing, merger or reorganization of the Company.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.23 RULE 23 - NOTICES AND COMMUNICATIONS

Notices and Communications shall be consistent with the specifications in SureWest Telephone's tariff Schedule Cal. P.U.C. A2.1.8.

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COMPETITIVE LOCAL CARRIER

- 2. GENERAL REGULATIONS - (Cont'd)
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COMPETITIVE LOCAL CARRIER

- 2. GENERAL REGULATIONS - (Cont'd)
- 2.1 RULES - (Cont'd)

2.1.24 RULE 24 - DISPUTED BILL PROCEDURE

Disputed bills shall be consistent with the specifications in SureWest Telephone's tariff Schedule Cal. P.U.C. A2.1.10.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.25 RULE 25 - SPECIAL INFORMATION REQUIRED ON FORMS

Special Information shall be consistent with the specifications in SureWest Telephone's tariff Schedule Cal. P.U.C. A2.1.5.

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COMPETITIVE LOCAL CARRIER

- 2. GENERAL REGULATIONS - (Cont'd)
- 2.1 RULES - (Cont'd)

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)
2.1 RULES - (Cont'd)

2.1.26 RULE 26 - CHANGE OF SERVICE PROVIDERS

- (A) SOLICITATION OF CUSTOMER AUTHORIZATION FOR
SERVICE TERMINATION AND TRANSFER AND
UNAUTHORIZED TERMINATION AND TRANSFER

Solicitations shall be subject to the Consumer Protection Rules as
set forth by the California Public Utilities Commission

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)
2.1 RULES - (Cont'd)

2.1.27 RULE 27 - PRIVACY

The release by the Company of non-public customer information is restricted by the decisions and regulations promulgated by the CPUC as well as the California Public Utilities Code, specifically Decision 92860, as modified, and Public Utilities Code Sections 2891, 2891.1, and 2893. In compliance with the statutes and regulations, the Company requires a Customer's written consent before it will release to third parties information regarding the Customer's calling patterns, telephone numbers called, credit or other financial information, the services purchased by residential Customers from either the Company or information service providers that are not affiliated with the Company, and demographic information which is desegregated sufficiently to permit identification of the individual Customer.

Furthermore, the Company may have occasion to sell or license lists of its residential Customers. In the event that the Company does provide such information to third parties, such lists will not include the telephone numbers of any Customer assigned an unlisted or unpublished number without the Customer's written permission.

Notwithstanding the above, there are instances where the Company may be required to release certain non-public customer information without first notifying the customer and obtaining written consent. Consistent with the California Public Utilities Code, the Company will provide required customer information to an emergency agency responding to a 911 call, or other call communicating an imminent threat to life or property, to a law enforcement agency in response to lawful process, to a collection agency for the purpose of collecting unpaid debts, to the CPUC pursuant to its jurisdiction, other telephone companies, including local and long distance carriers, as necessary to provide telephone service within or between service areas, to the Federal Communications Commission or the CPUC in response to orders regarding the provision of services over the Company's facilities by parties other than the Company. In addition, except for customers subscribing to non-published number, the Company will release information that is customarily provided in a subscriber directory or through directory assistance services. Finally, the Company may provide the names and addresses of customers subscribing to Lifeline service to other certified California utilities for use in outreach programs directed toward low-income subscribers.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)
2.1 RULES - (Cont'd)
2.1.27 RULE 27 - PRIVACY - (Cont'd)

Appendix B of CPUC Decision 93361, as modified by subsequent decisions, sets forth the privacy rules for credit information and calling records. This Appendix is reprinted below in its entirety.

APPENDIX "B"

Release of Credit Information and Calling Records

A. *Definitions*

1. *Credit Information*

A subscriber's credit information is the information contained in the subscriber's utility account record, including but not limited to: account established date, "can be-reached" number, name of employer, employer's address, subscriber's social security and/or driver's license number, billing name, location of previous service. Not included in subscriber credit information for purposes of these rules are: non-published subscriber information, or subscriber's name, address, and telephone number as listed in the telephone directory.

2. *Calling Records*

Calling records are the records of calls made from a subscriber's telephone no matter how recorded and regardless of whether such information appears in the subscriber's monthly telephone service bill. Toll records and pen registers are examples of calling records.

B. *Release of Subscriber Credit Information and Calling Records*

A subscriber's credit information and/or calling records shall be released by a telephone utility only under the following circumstances:

- 1. Upon receipt of a search warrant obtained pursuant to California or federal law; or*
- 2. Upon making a return to a subpoena or subpoena duces tecum, when in fact authorized by a state or federal judge to divulge the information or records.*
- 3. In the case of civil or administrative subpoenas, upon notifying the subscriber that a subpoena has issued and affording that subscriber at least ten days to move to quash the subpoena; or*
- 4. Upon receiving permission of the subscriber to release the information.*

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.27 RULE 27 - PRIVACY - (Cont'd)

C. *Notification to the Subscriber*

1. *Except as provided below, the subscriber whose credit information or calling records are requested by judicial subpoena or search warrant shall be notified by the utility by telephone the same day that the subpoena or search warrant is received (only one attempt by telephone is necessary.)*
2. *Both oral and written notification shall state that a judicial subpoena or search warrant was received for credit information or calling records for the specified dates and telephone numbers, and provide the name of the agency making the request.*

D. *Deferral of Notification*

1. *Notification to the subscriber will be deferred, and no disclosure made for a period of 90 days if there is a certification for nondisclosure in the body of a subpoena or search warrant. The certification for nondisclosure must contain a statement that there is probable cause to believe notification to the subscriber would impede the investigation of an offense pursuant to which the subpoena or warrant was issued. Upon making return to the court a subpoena, the telephone utility shall request instruction from the court whether it should notify the subscriber of its receipt of the subpoena before divulging the information or records requested.*
2. *The 90-day period can be extended for successive 90-day periods upon a new written certification in each instance that there is probable cause to believe notification to the subscriber would impede the investigation of an offense pursuant to which the subpoena or warrant was issued.*
3. *Successive new written certifications shall be made by the individual who procured the issuance of the subpoena or warrant or, if that person is unavailable, be another member of the authorized agency who also certifies that he or she has been assigned to handle the matter for which the credit information or calling record has been obtained.*
4. *Within five working days of the expiration of any outstanding certification, or any renewal of such certification, the deferred notification shall be given in writing to the subscriber in accordance with (C) above.*

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.27 RULE 27 - PRIVACY - (Cont'd)

E. Exception to procedure for Release of Credit and Calling Records

1. *The procedure set forth above does not apply where the requester is a collection agency working for the utility on the subscriber's account or is an independent telephone company or Bell Company.*

F. Retention of Records

1. *Records of request for credit information and calling records, other than from a utility's employees, shall be retained for a period of at least one year from the date on which the subscriber is notified in writing of the request. A copy of the letter of notification which was sent to the subscriber shall also be retained for a like period of one year.*

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.28 RULE 28 - DEMARCATION POINTS

Demarcation Points shall be consistent with the specifications in SureWest Telephone's tariff Schedule Cal. P.U.C. A2.1.18 and Schedule Cal. P.U.C. A2.1.25.

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- 2. GENERAL REGULATIONS - (Cont'd)
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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)
2.1 RULES - (Cont'd)

2.1.29 RULE 29 - NON PUBLISHED SERVICE; RELEASE OF INFORMATION (T)

Non-Published Service and Release of Information shall be consistent with
the specifications in SureWest Telephone's tariff Schedule Cal. P.U.C.
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2. GENERAL REGULATIONS - (Cont'd)
2.1 RULES - (Cont'd)

2.1.30 RULE 30 - EQUAL ACCESS

(A) CONDITIONS APPLICABLE TO COMPANY'S RETAIL CUSTOMERS

- (1) Customers with access numbers activated on the Company's system may select an interexchange carrier or carriers obtaining equal access service from the Company, referred to herein as a participating interexchange carrier ("PIC"). A customer shall select a PIC for all interLATA service and intraLATA service beyond Zone 3.
- (2) A customer's initial PIC selection and one PIC change made on or before 90 days from service activation will be free of charge to the Customer. Any additional PIC change will be subject to a Change in Service Charge. A customer's initial selection of "no carrier" will be considered a PIC selection for administrative purposes.

A customer may choose one PIC for its interLATA service and a different PIC for its intraLATA service beyond Zone 3. In the alternative, a customer may choose the same PIC for both interLATA and intraLATA service beyond Zone 3.

- (3) If the Customer does not make a PIC selection within 90 days of service activation, the Company will assign SureWest Broadband Services (U 1015 C) as the Customer's long distance carrier for intraLATA services. (T)
- (4) Customers waive any right to nondisclosure of a customer's name and address whenever a long distance carrier other than the one to which a Customer's access number is presubscribed is accessed by a user dialing a carrier specific 10XXX code.

(B) CONDITIONS APPLICABLE TO PARTICIPATING LONG DISTANCE CARRIERS

- (1) Each PIC receiving non-published customer information for billing, service or allocation purposes shall not use it for any other purpose. Such confidential information may not be released by the PIC to any other person or entity.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.31 RULE 31 - INFORMATION SERVICES CALL BLOCKING

Information Services Call Blocking (ISCB) is a Central Office call blocking service ISCB which allows the Company's single-party residential and business customers the option to block directly dialed, Company operator-assisted and Company operator entered billing calls originating from their telephones to Pacific Bell California 976 and Pacific Bell California 900 numbers within California and to 900 Interexchange Carrier Service numbers (900 IEC).

There will be no charge to customers requesting ISCB on their initial order. Business customers requesting ISCB to be added or removed from existing service will be charged \$15.00 per line. Residence customers will be billed \$5.00 per line to remove ISCB from existing lines.

ISCB will be disconnected only if the customer makes a written request to the business office to cancel the service or if the customer disconnects their telephone service. The customer will be charged as described above.

The Company shall make a one-time adjustment for Pacific Bell California 976, Pacific Bell California 900 or 900 IEC charges per customer account if it is established that: 1) the calls were made by the customer's minor children without parental consent, 2) the calls were not authorized by the customer or 3) the customer was not aware that associated service charges applied.

A customer may request an adjustment within 60 days of the bill date on the bill in question. The customer will be informed of the availability of ISCB at the time of the adjustment. If the customer elects to have ISCB installed, contested Pacific Bell California 976, Pacific Bell California 900 or 900 IEC charges will be adjusted to the date blocking is placed on the customer's line.

The Company will not disconnect local service for non-payment of Pacific Bell California 976, Pacific Bell California 900 or 900 IEC charges. The Company will inform the customer, by mail, of financial responsibility for Information Charges and that if they are not paid, the Utility will equip the customer's line(s) with Information Services Call Blocking (ISCB).

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.31 RULE 31 - INFORMATION SERVICES CALL BLOCKING - (Cont'd)

The Company will temporarily block access to Pacific Bell California 976, Pacific Bell California 900 and 900 IEC if the customer exceeds \$150.00 in Pacific Bell California 900 and 900 IEC charges and the Company is unable to contact the customer. Once the Utility has contacted the customer, the blocking will be removed at the customer's request at no additional charge.

Blocking access to Pacific Bell California 976, Pacific Bell California 900 and 900 IEC is offered to all subscribers at no charge at the time telephone service is established at a new number and for 60 days thereafter.

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)
2.1 RULES - (Cont'd)

2.1.32 RULE 32 – MONITORING OF TELEPHONE CONVERSATIONS

(N)

(A) ADEQUATE NOTICE

Any telephone service furnished under the Utility's tariffs and used by a customer, their employee or agent, to overhear or observe any telephone conversation, to which they are not a party, over any part of the exchange and toll network, requires that adequate notice be given to all parties to the telephone conversation that the conversation is being overheard, observed, or recorded. Such adequate notice shall be given by:

- (1) A tone warning device known as "beep tone" which automatically produces a distinct signal audible to all parties to a telephone conversation; or
- (2) By verbal announcement by the operator of monitoring equipment to the parties to a communication that their communication is being monitored; or
- (3) By a telephone instrument transmitter which is operationally connected to the communication circuit being monitored and which acoustically, mechanically, electrically or otherwise has not been designed, modified, desensitized or located with the intent of eliminating notice or monitoring or interception, with the exception that minimization of transmission losses will be permitted; or
- (4) By an Interactive Voice Recording (IVR) message when a customer calls the Utility's customer service office. The IVR message will inform customers that the call may be monitored or recorded for quality assurance purposes and will allow a customer to opt-out of having the call monitored or recorded.

(N)

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COMPETITIVE LOCAL CARRIER

2. GENERAL REGULATIONS - (Cont'd)

2.1 RULES - (Cont'd)

2.1.32 RULE 32 – MONITORING OF TELEPHONE CONVERSATIONS – (Cont'd)

(B) CUSTOMER NOTIFICATION

The Utility shall notify the customer when it has learned of monitoring which does not use one of the authorized methods of providing notice. Unless the customer will discontinue such use, the Utility shall discontinue service for noncompliance with this rule if, after written notice of at least five (5) days, the customer has not initiated compliance with such notice. The written notice shall advise the customer of the intention to discontinue, the reasons for the discontinuance, and the steps which must be taken to avoid discontinuance. The written notice shall also advise the customer of the provision in (C) following.

(C) DISPUTES

In the event of a dispute between the Utility and the customer as to whether the customer is in fact in violation of the provisions of this tariff schedule, or if a customer desires special relief from those provisions by reason of special hardship or impossibility of compliance, the customer may file a formal complaint with the California Public Utilities Commission in the manner provided under the Commission's "Rules of Practice and Procedure." During the period the complaint is pending before the Commission, the Utility shall not discontinue service for noncompliance.

(D) INDEMNITY

The customer releases, indemnifies and holds the Utility harmless from any and all loss, claims, or demand, or any liability whatsoever, whether suffered or asserted by the customer or by any other person, which arise directly or indirectly from the actions taken by the Utility to enforce this rule.

(N)

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