

COMPETITIVE LOCAL CARRIER

9. CALIFORNIA TELEPHONE ACCESS PROGRAM (“CTAP”) PACKAGE – HEARING IMPAIRED

(N)

9.1 GENERAL

9.1.1 DESCRIPTION

This schedule is applicable to services for certified disabled individuals as prescribed by the CPUC.

9.1.2 DEFINITIONS

Certified Disabled: Individuals with physical impairments limiting their use of the telephone and who require special equipment or services to access the exchange and toll networks. Such disability must be determined by a certifying authority.

Certifying Authorities: Disabled individuals must be certified by a licensed physician or surgeon acting within the scope of their license, or by a qualified state agency determined by the CPUC, to receive specialized telephone communications equipment.

Deaf and hearing impaired individuals must be certified by a licensed physician, audiologist, or qualified state agency determined by the CPUC as described below, to receive telecommunication devices capable of serving their needs.

Qualified State Agencies: The Department of Rehabilitation is qualified to certify disabled, deaf and hearing impaired individuals to receive specialized or supplementary telephone communication equipment.

State agencies desiring to be qualified to certify disabled, deaf, and hearing impaired individuals to receive specialized or supplementary telephone communication equipment shall send a letter to the CPUC’s Executive Director with a copy to the CPUC Advisory and Compliance Division (CACD) Director, identifying the state agency, personnel, and qualifications of personnel being designated to certify the disabled, deaf and hearing impaired individual. Upon receipt of a respondent letter from the CPUC’s Executive Director authorizing its certification program, such agency may begin its certification program.

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9. CALIFORNIA TELEPHONE ACCESS PROGRAM (“CTAP”) PACKAGE – HEARING IMPAIRED – (Cont’d)

(N)

9.1 GENERAL – (Cont’d)
9.1.2 DEFINITIONS - (Cont’d)

The Department of Rehabilitation and other qualified state agencies shall notify the CACD Director by letter of any changes in the designated personnel with qualifications at least twenty (20) working days prior to certifying any individuals.

Re-certification: A disabled person who has a medical certificate on file with a California local exchange carrier shall not be required to refile a medical certificate for participation in the disabled program unless the local exchange carrier is unable to locate the certificate, in which case a new filing will be necessary.

Temporary Disability: Temporarily disabled persons who submit a medical certificate to the new local exchange carrier shall be included in the disabled program only for the actual period of certified disability.

The Company will provide telecommunications relay access to a telephone relay center for California Relay Service. In addition, the Company will participate in the Deaf and Disabled Equipment Program. Both of these services will be provided by Pacific Bell in Pacific Bell exchanges and by Verizon California in Verizon exchanges.

The Relay Service permits telephone communications between hearing and/or speech impaired individuals who must use a TDD or a Teletypewriter (TTY) and individuals with normal hearing and speech. The Relay Service can be reached by dialing an 800 number. Specific 800 numbers have been designated for both impaired and non-impaired customers to use.

Only intrastate calls can be completed using the California Relay Service under the terms and conditions of this Tariff.

The following calls may not be placed through the Relay Service:

- calls to informational recordings and group bridging service;
- calls to time or weather recorded messages;
- station sent paid calls from coin telephones; or
- Operator-handled conference service and other teleconference calls.

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HEARING IMPAIRED – (Cont’d)

(N)

9.2 LIABILITY

The Company contracts with outside provider(s) for the provision of Relay Service and equipment for the Deaf and Disabled Equipment Program. The outside provider(s) has complete control over the provision of these services except for the facilities provided directly by the Company. In addition to other provisions of this Tariff dealing with liability, in the absence of gross negligence or willful misconduct on the part of the Company, the Company shall not be liable for and the Customer, by using the service, agrees to release, defend and hold harmless for all damages, whether direct, incidental or consequential, whether suffered, made, instituted or asserted by the Customer or by any other person, for any loss or destruction of any property, whatsoever whether covered by the Customer or others, or for any personal injury to or death of any person.

9.3 RATES AND CHARGES

The following supplemental services for access lines are furnished to those certified disabled individuals, as defined in 9.2 preceding, at no charge to the Customer: Speed Calling 8, Speed Calling 30, and Three-Way Calling. The tariffed rate for such services and applicable service charges shall be recovered from the Deaf Equipment Acquisition Fund Trust (hereinafter Trust Fund) as provided for in CPUC Decision No. 87-04-027.

Features Solution and Total Solution Service Plan Subscribers. Certified disabled individuals subscribing to either of the Company’s Telecommunications Service Plans that already include Speed Calling 8 and Three-Way Calling, i.e., the Features Solution or Total Solution Service Plans, will receive service pursuant to that plan at the tariffed Service Plan rate less a discount of \$6.00, which is the portion of the Service Plan monthly recurring charge attributable to the speed Calling 8 and Tree-Way Calling service; the \$6.00 shall be recovered from the Trust Fund as provided for in Commission Decision No. 87-04027.

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