

Missouri Public  
Service Commission

REC'D FEB 04 2000

MISSOURI INTEREXCHANGE TELECOMMUNICATIONS TARIFF

OF

AMERICANETWORKS, INC.

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by AmericaNetworks, Inc., 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 AmericaNetworks, Inc. principal place of business: 103 West Lockwood, Suite 4, St. Louis, Missouri 63119.

AmericaNetworks, Inc. operates as a competitive telecommunications company within the State of Missouri as defined by Case No. TO-88-142.

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James P. Murphy, President  
AmericaNetworks, Inc.  
103 W. Lockwood Avenue  
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March 22, 2004  
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WAIVER OF RULES AND REGULATIONSMissouri Public  
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Pursuant to § 392.420 R.S.Mo., the following statutes and rules set forth herein have been waived in other cases involving interexchange carriers for purposes of offering interexchange and local exchange service authority:

STATUTES

|                    |  |
|--------------------|--|
| Section 392.210.2  | Uniform system of accounts.                    |
| Section 392.240(1) | Rates reasonable average return on investment. |
| Section 392.270    | Property valuation.                            |
| Section 392.280    | Depreciation rates.                            |
| Section 392.290    | Issuance of stocks and bonds.                  |
| Section 392.300.2  | Acquisition of stock.                          |
| Section 392.310    | Reorganization.                                |
| Section 392.320    | Issuance of stocks and bonds.                  |
| Section 392.330    | Issuance of stocks and bonds                   |
| Section 392.340    | Reorganization                                 |

COMMISSION RULES

|                           |  |
|---------------------------|--|
| 4 CSR 240-10.020          | Income on Depreciation fund investments.   |
| 4 CSR 240-30.010(2)(C)    | Posting exchange rates at central offices. |
| 4 CSR 240-32.030(4)(C)    | Exchange boundary maps.                    |
| 4 CSR 240-32.030(4)(a)(2) | Record of access lines.                    |
| 4 CSR 240-32.030(2)       | Records kept within state.                 |
| 4 CSR 240-30.040(1-3)     | Uniform System of Accounts.                |
| 4 CSR 240-30.040(5)(6)    | Uniform System of Accounts.                |
| 4 CSR 240-32.050(3-6)     | Telephone directories.                     |
| 4 CSR 240-32.070(4)       | Coin telephones.                           |
| 4 CSR 240-33.030          | Inform customers of lowest priced service. |
| 4 CSR 240-33.040(5)       | Finance fee.                               |

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TC-2004-0333  
Missouri Public  
Service Commission

TABLE OF CONTENTS**Missouri Public  
Service Commission****REC'D FEB 04 2000**

|  |    |
|--|----|
| Title Sheet .....  | 2  |
| Waivers Granted.....   | 2  |
| Table of Contents .....  | 3  |
| Tariff Format.....   | 4  |
| Explanation of Symbols .....   | 5  |
| Section 1 - Rules and Regulations.....                                     | 6  |
| Liabilities of the Company   |    |
| Interruption of Service  |    |
| Obligations of the Customer  |    |
| Availability of Service  |    |
| Payment and Billing  |    |
| Discontinuance of Service  |    |
| Measurement of Service   |    |
| Section 2 - Definitions .....  | 11 |
| Section 3 - Description of Service and Rates .....                         | 13 |
| AmericaNetworks, Inc. Message Toll Service                                 |    |
| AmericaNetworks, Inc. Travel Card Service                                  |    |
| AmericaNetworks, Inc. Operator Service                                     |    |
| AmericaNetworks, Inc. Dedicated Interexchange Digital Private Line Service |    |
| AmericaNetworks, Inc. Toll-Free Service                                    |    |
| Section 4 - Special Promotions .....                                       | 16 |

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REC'D FEB 04 2000

- A. Sheet Numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 8 and 9 would be 8. 1.
- B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the Missouri Public Service Commission. For example, the 3rd revised Sheet 8 cancels the 2nd revised sheet 8.
- C. Paragraph Numbering Sequences - There are nine levels of paragraph coding. Each level of coding is Subservient to its next higher level:
- 2.
  - 2.1.
  - 2.1.1.
  - 2.1.1.A.
  - 2.1.1.A.1.
  - 2.1.1.A.1.(a).
  - 2.1.1.A.1.(a).I.
  - 2.1.1.A.1.(a).I.(I).
  - 2.1.1.A.1.(a).I.(I).(1).

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EXPLANATION OF SYMBOLS

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

- C - To signify changed regulation
- D - Delete or discontinue
- I - Change resulting in an increase to a customer's bill
- M - Moved from another tariff location
- N - New
- R - Change resulting in a decrease to a customer's bill
- T - Change in text or regulation but no change in rate or charge

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SECTION 1 - RULES AND REGULATIONSMissouri Public  
Service Commission

REC'D FEB 04 2000

1.1 Undertaking of AmericaNetworks, Inc.

AmericaNetworks, Inc. services and facilities are furnished for communications originating within the state of Missouri under the terms of this tariff. This tariff applies to both business and residential customers.

1.2. Limitation

1.2.1. Service is offered subject to the availability of the necessary facilities and equipment, or both facilities and equipment, and subject to the provisions of this tariff.

1.2.2. The Company reserves the right to discontinue or limit service upon written notice when the customer is using the service in violation of provisions of this tariff, or in violation of the law.

1.2.3. The services provided under this tariff are directly or indirectly controlled by AmericaNetworks, Inc. and the customer may not alter or affect the services nor transfer or assign its use of the services.

1.2.4. In the event prior written permission from the Company is given for any assignment or transfer, all regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees.

1.3. Liabilities of the Company

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

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SECTION 1 - RULES AND REGULATION**Missouri Public  
Service Commission**

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1.4. Interruption of Service

- 1.4.1. Credit allowance for the interruption of service is subject to the general liability provisions set forth in Section 1.3.1. herein. The customer shall receive no credit allowance for interruption of service which is due to the Carrier's testing or adjusting, negligence of the customer, or the failure of channels of equipment provided by the customer. It shall be the obligation of the customer to notify the Company immediately of any interruption in service for which a credit allowance is claimed. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission within the customer's control, or is not in wiring or equipment, if any, furnished by the customer in connection with the Company's services.
- 1.4.2. Credit for failure of service shall be allowed only when such failure is caused by or occurs due to causes within the control of the Company.
- 1.4.3. No credit shall be allowed:
- (A) For failure of service or facilities of customer or other carriers; or
  - (B) For failure of services or equipment caused by the negligence or willful acts of customer or others.
- 1.4.4. Credit for an interruption shall commence after customer notifies the Company of the interruption or when the Company become aware thereof, and ceases when service has been restored. Credit shall only be allowed for an interruption of continuous duration of less than two hours.

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SECTION 1 - RULES AND REGULATIONS**Missouri Public  
Service Commission**

REC'D FEB 04 2000

1.5. Obligations of the Customer

1.5.1. The customer is obligated to place an order for origination, termination, and/or changes to AmericaNetworks, Inc. service or facilities; pay all charges for service or facilities rendered by AmericaNetworks, Inc.; and to comply with all AmericaNetworks, Inc. regulations governing the provision of service or facilities. The customer is also responsible for assuring that its authorized users comply with the regulations of AmericaNetworks, Inc.

1.5.2. When placing an order for service or facilities, the customer must provide:

- (A) Names(s) and address(es), of the person(s) liable for the payment of service charges. In the case of a corporation or partnership, a designated individual shall be named responsible for such bill responsibility.
- (B) Names(s), and address(es), and telephone number of person(s) to whom notices shall be addressed by AmericaNetworks, Inc.
- (C) Location(s) at which facilities and services are to be provided.

1.5.3. The customer shall reimburse AmericaNetworks, Inc. for the replacement or repair of AmericaNetworks, Inc. equipment when the damage results from:

- (A) Negligence or willful act of the customer's employees, agents, or contractors, or authorized users.
- (B) Loss through theft, fire, flood, cable cuts, or other catastrophes to AmericaNetworks, Inc. provided equipment or facilities located on the customer's premises.

1.6. Availability of Service/Facilities for Maintenance, Testing and Adjustment

1.6.1. Upon reasonable notice, AmericaNetworks, Inc. reserves the right to entrance for its employees, agents, or contractors to the premises of the customer for the purpose of installing, inspecting, repairing, or general maintenance of the service or facilities of AmericaNetworks, Inc. It is the responsibility of the customer to make necessary arrangements for entrance of AmericaNetworks, Inc. employees, agents, or contractors. No interruption allowance will be granted for the time during which such tests and adjustments are made.

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SECTION 1 - RULES AND REGULATIONS**Missouri Public  
Service Commission**

REC'D FEB 04 2000

1.7. Payment and Billing

1.7.1. The customer is responsible for payment of all regulated charges for service furnished.

- (A) Service is provided and billed in arrears on a monthly (30 days) basis
- (B) The customer shall have at least 21 days from the rendition of a bill to pay the charges at which time the charges become delinquent.
- (C) 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 charge for two months service based on the average bill during the preceding twelve (12) 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.
- (D) 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 may be applicable to the customer's account on the first bill rendered. Taxes and franchise fees are required by the Commission rule to be itemized separately on the bill.
- (E) All charges and fees subject to MoPSC jurisdiction, except taxes and franchise fees, will be submitted to the MoPSC for prior approval.

1.8. Discontinuance of Service

1.8.1. 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 service;
- (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

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SECTION 1 - RULES AND REGULATIONS**Missouri Public  
Service Commission**

REC'D FEB 04 2000

1.8. Discontinuance of Service (cont'd)

- (D) Failure to post required deposit.
- (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.

1.8.2. 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.

1.9. Measurement of Distance

1.9.1. The distance between the Company's switch and destination point is calculated using the "V" and "H" coordinates in the following manner:

- (A) Obtain the "V" and "H" coordinates for each called from number utilized equal access or phone number on customer's master file using authorization codes and the destination point.
- (B) Obtain the difference between the "V" coordinates for each of the areas. Obtain the difference between the "H" coordinates.
- (C) Square each difference obtained in Step B.
- (D) Divide the sum of the square obtained in Step C by ten. Round to the next higher whole number, if any fraction is obtained.
- (E) Obtained the square root of the whole number obtained in Step D. Round to the next higher whole number, if any fraction is obtained. This is the distance between the areas.

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SECTION 2 - DEFINITIONSMissouri Public  
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2.1. Definitions

Access Line - An arrangement which connects the customer's location to an AmericaNetworks, Inc. switching center or point of presence.

Authorized User - A customer, or a person designated by a customer to use or communicate over such services or facilities as may be provided by this tariff.

Calling Card - A card authorized by this company to which the charges for an MTS message may be billed.

Collect Call - A billing arrangement by which the charge for a call may be billed to the called station provided the called station accepts the arrangement prior to connection.

Company - AmericaNetworks, Inc.

Commission - The Missouri Public Service Commission

Credit Card Calls - Calls billed to a major bankcard such as Visa, MasterCard, or American Express.

Customer - Any individual, corporation, partnership or other entity which utilizes the direct dial services provided by the Company on a subscription basis.

Day - From 8:00 AM up to but not including 11:00 PM local time Sunday through Friday.

Holidays - The Company observes the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

Individual Case Basis - The term individual case basis (ICB) denotes a condition in which the regulation, if applicable, rates and charges for an offering under the provisions of this tariff are developed based on the circumstances, including costs to provide service, in each case.

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**Missouri Public  
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LEC - Local Exchange Company

MTS - Message Telecommunications Service.

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

Operator Services - Call intervention by either automated interface or live operators for the purpose of call completion or activation of special billing arrangements such as collect, person-to-person or credit card calling.

Operator Station Call - A service whereby the assistance of a Company operator is required to complete a call originated by the customer.

Person-to-Person Call - A service whereby the calling party specifies a individual, extension, department, or office to be reached at the called station. Billing commences when the specified party is reached.

Special Access Origination - Where originating access between the customer and the interexchange carrier is provided on dedicated circuits.

Switched Access Origination - Where originating access between the customer and the interexchange carrier is provided on local exchange company feature groups.

Third Party Billed - A service arrangement whereby the call is billed to a third number other than the calling or called party station.

Traffic Aggregator - Any person, firm, partnership or corporation which furnishes a telephone for use by the public and includes, but is not limited to, telephones located in rooms, offices and similar location in hotels, motels, hospitals, airports and public or customer-owned pay telephone locations, whether or not coin operated.

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REC'D FEB 04 2000

3.1. AmericaNetworks, Inc. Toll Service (MTS)

- 3.1.1. AmericaNetworks, Inc. MTS Service is switched access, measured service. Usage is billed in six second increments. The Missouri intrastate rate is twenty five cents (\$0.25) per minute.

3.2. AmericaNetworks, Inc. Travel Card Service

- 3.2.1. AmericaNetworks, Inc. Travel Card Service is a special travel feature whereby an AmericaNetworks, Inc. customer may access the network by dialing AmericaNetworks, Inc.'s 800 number. Customers are issued a personalized AmericaNetworks, Inc. Travel Card which contains an authorization code identifying them as an AmericaNetworks, Inc. Travel Card Customer. The service includes a per call surcharge as listed below in addition to the AmericaNetworks, Inc. MTS Service rates as set forth above in 3.1.1.

Travel Card Surcharge \$.50 per call

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SECTION 3 - DESCRIPTION OF SERVICES AND RATESMissouri Public  
Service Commission

REC'D FEB 04 2000

3.3. AmericaNetworks, Inc. Operator Service

- 3.3.1. Operator Service as provided by AmericaNetworks, Inc. 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. AmericaNetworks, Inc. operators may be contacted by dialing 0+ the number desired or 00+ the number desired. Calls will be billed at AmericaNetworks, Inc. MTS Service rates as set forth in Section 3.1 plus the appropriate service charges as provided below:

Service Charge

|                                      |        |
|--------------------------------------|--------|
| Customer Dialed Calling Card Station | \$ .65 |
| Operator Station                     | \$1.47 |
| Person-to-Person                     | \$2.95 |
| Directory Assistance                 | \$ .75 |

## 3.3.2. In providing operator services, AmericaNetworks, Inc. agrees that:

- (A) AmericaNetworks, Inc. will not knowingly bill for incomplete calls where answer supervision is available. AmericaNetworks, Inc. will not bill for incomplete calls and will remove any charges for incomplete calls upon (i) subscriber notification or (ii) AmericaNetworks, Inc.'s knowledge.
- (B) The caller and billed party, if different from the caller, will be advised that AmericaNetworks, Inc. is the operator service provider at the initial contact.
- (C) Rate quotes will be given upon request, at no charge, including all rate components and any additional charges.
- (D) Only tariffed rates approved by this Commission for AmericaNetworks, Inc. shall appear on any local exchange telephone company (LEC) billings.
- (E) AmericaNetworks, Inc. shall be listed on the LEC billing if the LEC has multi-company billing ability.

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SECTION 3 - DESCRIPTION OF SERVICES AND RATESMissouri Public  
Service Commission

REC'D FEB 04 2000

3.3. AmericaNetworks, Inc. Operator Service (cont'd)

- (F) AmericaNetworks, Inc. will employ reasonable calling card verification procedures, acceptable to the Telephone Company issuing the calling card. In order to control fraud, AmericaNetworks, Inc. may refuse to accept calling cards which it determines to be invalid or cards which it is unable to verify.
- (G) AmericaNetworks, Inc. will route all 0 – or 00 – emergency calls in the quickest possible manner to the appropriate local emergency service provider, at no charge.
- (H) Upon request, AmericaNetworks, Inc. will transfer calls to another authorized interexchange company or to the LEC, if billing can list the caller's actual origination point.
- (I) AmericaNetworks, Inc. will refuse operator services to traffic aggregators that block access to other Companies.
- (J) AmericaNetworks, Inc. will assure that traffic aggregators will post and display information including: (1) that AmericaNetworks, Inc. is the operator service provider; (2) detailed complaint procedures; and (3) instructions informing the caller on procedures to reach the LEC operator and other authorized interexchange Companies.

3.4. AmericaNetworks, Inc. Dedicated Interexchange Digital Private Line Service

- 3.4.1. Digital transmission facilities between AmericaNetworks, Inc. service points which when connected with dedicated access to customer locations, allows for communications between locations of the customer, or his authorized user. The combined facilities are utilized on a dedicated (non-switched) basis between two or more customer locations, as specified by the customer.

## 3.4.2. (A) Voice Grade Facility

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

Rate determined on an individual case basis.

## (B) DS1/1.544 Mbps Facility

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

Rate determined on an individual case basis.

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SECTION 3 - DESCRIPTION OF SERVICES AND RATESMissouri Public  
Service Commission

REC'D FEB 04 2000

- 3.5. AmericaNetworks, Inc. Dedicated Interexchange Digital Private Line Service (cont'd)
- 3.5.1. Private line services will be made available to customers in a non-discriminatory manner. Rates for interexchange and local exchange dedicated access, private line, non-switched services will be determined on an Individual Case Basis (ICB). ICB rates will be structured to recover the Company's cost of providing the service and will be made available to the Missouri Public Service Commission Staff upon request on a proprietary basis. ICB rates will not be used for switched services.
- 3.6. AmericaNetworks, Inc. Toll-Free Service
- 3.6.1. AmericaNetworks, Inc. toll free service (or "800" service) will be made available to customers on both a dedicated and non-dedicated basis with usage billed in six second increments. Dedicated toll-free service rates will be billed at the rate of twelve cents (\$.12) per minute. Non-dedicated toll-free service rates will be billed at the rate of twenty five cents (\$.25) per minute. AmericaNetworks, Inc. will participate in porting toll-free numbers only if the account balance is zero and all undisputed charges incurred as a result of the toll-free number have been paid.

SECTION 4 - SPECIAL PROMOTIONS

- 4.1. Special Promotions
- 4.1.1. AmericaNetworks, Inc., may, upon Commission approval, offer customers specific rate incentives during specified promotional periods. AmericaNetworks, Inc., will provide written notice to the Commission at least 7 days prior to the commencement of a promotional program specifying the terms of the promotion, the specific service offered, and the beginning and ending dates of the promotional period.

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