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RESALE COMMON CARRIER SERVICE

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**TITLE SHEET**

**MISSOURI INTEREXCHANGE TELECOMMUNICATIONS TARIFF**

**OF**

**NETWORK PTS, INC.**

Network PTS, Inc. operates as a competitive telecommunications company within the State of Missouri.

This tariff contains the descriptions, regulations, and rates applicable to the resale of telecommunication services provided by Network PTS, Inc. with offices at 14472 Wicks Boulevard, San Leandro, California 94577.

This tariff applies for services furnished within the State of Missouri. This tariff is on file with the Public Service Commission of Missouri, and copies may be inspected, during normal business hours, at the Company's principal place of business.

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Issued: October 27, 2004

Effective: December 13, 2004

By:

Michael Zumbo, President  
14472 Wicks Boulevard  
San Leandro, California 94577

CANCELLED  
May 29, 2008  
CD-2008-0323  
Missouri Public  
Service Commission

moo0400

FILED  
XA-2005-0115 Missouri Public  
Service Commission

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**SYMBOLS**

Changes to this tariff shall be identified on the revised page(s) through the use of symbols. The following are the only symbols used for the purposes indicated below:

- |            |  |
|------------|--|
| <b>(C)</b> | To signify a change in regulation.                                     |
| <b>(D)</b> | To signify a discontinued rate or regulation.                          |
| <b>(I)</b> | To signify an increase in rate or charge.                              |
| <b>(M)</b> | To signify material relocated from one page to another without change. |
| <b>(N)</b> | To signify a new rate or regulation.                                   |
| <b>(R)</b> | To signify a reduced rate or charge.                                   |
| <b>(S)</b> | To signify a correction or reissued matter.                            |
| <b>(T)</b> | To signify a change or regulation but no change in rate or charge.     |

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**STATEMENT OF COMPETITIVE CARRIER STATUS**

Network PTS, Inc. is classified as a competitive telecommunications company in Missouri for which the following statutory and regulatory requirements are waived:

**Commission Rules**

4 CSR 240-10.020	--	Depreciation fund income
4 CSR 240-30.040	--	Uniform system of accounts

**Rule/Statute**

Section 392.210.2	--	Uniform System of Accounts
Section 392.240(1)	--	Just & Reasonable Rates
Section 392.270	--	Property valuation
Section 392.280	--	Depreciation rates
Section 392.290	--	Issuance of securities
Section 392.300.2	--	Acquisition of Stocks
Section 392.310	--	Issuance of stocks and bonds
Section 392.320	--	Stock dividends
Section 392.330	--	Issuance of securities, debt and notes
Section 392.340	--	Reorganization

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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 pages 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 Missouri PSC. For example, the 4th Revised Page 14 cancels the 3rd Revised Page 14.
- C. Paragraph Numbering Sequence** - 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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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**

**Access Line** - An arrangement which connects the Customer's telephone to a Network PTS' designated switching center or point-of-presence.

**Account Code** - A numerical code, assigned to the Customer, to enable the Company to identify use of a service offering by the Customer and to bill the use of that service offering by the Customer. Multiple Account Codes may be assigned to the Customer to identify individual users or groups of users.

**Authorization Code** - A pre-defined series of numbers to be dialed by the Customer or End User upon access to the Company's system to notify the caller and validate the caller's authorization to use the services provided. The Customer is responsible for charges incurred through the use of his or her assigned Authorization Code

**Calling Card** - A billing arrangement whereby the originating caller may bill the charges for a call to an approved LEC-issued calling card. The terms and conditions of the local exchange carrier apply to payment arrangements.

**Commission** - Refers to the Missouri Public Service Commission.

**Company or Carrier** - Refers to Network PTS, Inc., unless otherwise clearly indicated by the context.

**Customer** - A person, firm, partnership, corporation or other entity which arranges for the Carrier to provide, discontinue or rearrange telecommunications services on behalf of itself or others; uses the Carrier's telecommunications services; and is responsible for payment of charges, all under the provisions and terms of this tariff.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, (CONT'D.)**

**End User** - Any person, firm, partnership, corporation or other entity that uses the service of the Company under the terms and conditions of this tariff. The End User is responsible for payment unless the charges for the service utilized are paid by the Customer.

**Equal Access** - Where the local exchange Company central office provides interconnection to interexchange carriers with Feature Group D circuits. In such end offices, Customers can pre-subscribe their telephone line(s) to their preferred interexchange carrier.

**Initial and Additional Period** - The Initial Period denotes the interval of time allowed at the rate specified for a connection between given service points. The Additional Period denotes the interval of time used for measuring and charging for time in excess of the Initial Period.

**LATA** - Local Area of Transport and Access.

**Network PTS** - Refers to Network PTS, Inc., unless otherwise clearly indicated by the context.

**Operator Dialed Surcharge** - A charge which applies to operator assisted calls in addition to any other applicable service charge when the caller has the capability of dialing the billing number and/or the destination telephone number, but chooses to have the operator dial the number instead.

**Operator Station Call** - A service whereby the originating Customer uses the assistance of an operator to place or bill the call. Calls may be billed collect or to a telephone Company issued Calling Card, to an authorized commercial Credit Card, to a Company Travel Card, or to a Third Party. This category does not include calls placed on a Person-to-Person basis.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, (CONT'D.)**

**Person-to-Person Call** - A service whereby the person originating the call specifies to the Company operator a particular party to be reached. The Party may be an individual person, a particular mobile station, a particular station, room number, department or office to be reached through a PBX attendant.

**Subscriber** - Any person, firm, partnership, corporation, governmental agency or other entity that orders service from the Company on behalf of itself or on behalf of others. A Subscriber may, in the ordinary course of its operations, makes telephones available to transient users of its premises for placing of intrastate calls. The Subscriber has a pre-existing business arrangement with the Company and may also be a Customer.

**Terminal Equipment** - Telecommunications devices, apparatus and associated wiring on the Premises of the Customer.

**Third Party Billing** - A billing arrangement by which the charges for a call may be billed to a telephone number that is different from the calling number and the called number.

**V & H Coordinates** - Geographic points that define the originating and terminating points of a call in mathematical terms so that the airline mileage of the call may be determined. Call mileage is used for the purpose of rating calls.

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**SECTION 2 - RULES AND REGULATIONS****2.1 Undertaking of Network PTS, Inc.**

Network PTS' services and facilities are furnished for communications originating at specified points within the State of Missouri under terms of this tariff.

Network PTS installs, operates, and maintains the communications services provided hereinunder in accordance with the terms and conditions set forth under this Tariff. Network PTS may act as the Customer's agent for ordering access connection facilities provided by other entities, when authorized by the Customer, to allow connection of a Customer's location to the Network PTS network. The Customer shall be responsible for all charges due for such service arrangement.

The Company's services and facilities are provided on a monthly basis unless otherwise provided, and are available twenty-four (24) hours per day, seven (7) days per week.

**2.2 Use**

**2.2.1** Services provided under this tariff may be used by the Customer for any lawful telecommunications purpose for which the service is technically suited.

**2.2.2** 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.

**2.2.3** 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 user 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.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.3 Limitations**

- 2.3.1** 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.
- 2.3.2** Network PTS reserves the right to discontinue or limit service when necessitated by conditions beyond its control, or when the Customer is using service in violation of provisions of this tariff, or in violation of the law.
- 2.3.3** The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.
- 2.3.4** All facilities provided under this tariff are directly or indirectly controlled by Network PTS and the Customer may not transfer or assign the use of service or facilities without the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.
- 2.3.5** Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions of service.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.4 Liabilities of the Company**

- 2.4.1** The liability of the Company, if any, for damages resulting in whole or in part from or arising in connection with the furnishing of service under this tariff, including but not limited to mistakes omissions, interruptions, delays, errors, or other defects in transmission, or failures or defects in facilities furnished by the company in the course of furnishing service or arising out of any failure to furnish service shall in no event exceed an amount of money equivalent to the proportionate charge to the Customer for the period of service during which such mistakes, omissions, interruptions, delays or errors or defects in transmission occur and continue. However any such mistakes, omissions, interruptions, delays, errors or defects in transmission or service that are caused by or contributed to by the negligence or willful act of Customer, or which arise from the use of Customer-Provided Facilities or equipment shall not result in the imposition of any liability whatsoever upon the Company.
- 2.4.2** Network PTS shall not be liable for any failure of performance hereunder due to causes beyond its control, including but not limited to Acts of God, fires, flood or other catastrophes; atmospheric conditions or other phenomena of nature, such as radiation; any law, order, regulation, directive, action of request of the U.S. Government, or any other government, including state and local governments having jurisdiction over Network PTS or the services provided hereunder; national emergencies; civil disorder, insurrections, riots, wars, strikes, lockouts, work stoppages, or other labor problems or regulations established or actions taken by any court or government agency having jurisdiction over the Company or the acts of any party not directly under the control of the Company.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.4 Liabilities of the Company, (Cont'd.)**

- 2.4.3** When the services or facilities of other common carriers are used separately or in conjunction with the Company's facilities or equipment in establishing connection to points not reached by the Company's facilities or equipment, the Company shall not be liable for any act or omission of such other common carriers or their agents, servants or employees.
- 2.4.4** Network PTS shall be indemnified and held harmless by the Customer and Subscriber from and against all loss, liability, damage, and expense, including reasonable attorney's fees, due to claims for libel, slander, or infringement of copyright or trademark in connection with any material transmittal by any person using the Company's services and any other claim resulting from any act or omission of the Customer or Subscriber relating to the use of the Company's facilities.
- 2.4.5** The Company shall not be liable for any act or omission of any other entity furnishing to the Customer facilities or equipment used with the service furnished hereunder; nor shall the company be liable for any damages or losses due in whole or in part to the failure of Customer-provided service, equipment or facilities.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.5 Billing and Payment for Service****2.5.1 Responsibility for Charges**

Charges for installations, service connections, moves, and rearrangements, where applicable, are payable upon demand to the Company or its authorized agent. Billing thereafter will include recurring charges and actual usage as defined in this tariff.

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer for transmission of calls via the Company. In particular and without limitation to the foregoing, the Customer is responsible for any and all cost(s) incurred as the result of:

- A.** any delegation of authority resulting in the use of his or her communications equipment and/or network services which result in the placement of calls via the Company;
- B.** any and all use of the service arrangement provided by the Company, including calls which the Customer did not individually authorize;
- C.** any calls placed by or through the Customer's equipment via any remote access feature(s);
- D.** any and all calls placed to an toll-free (e.g., 800, 888) service number provided to the Customer by the Company.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.5 Billing and Payment for Service, (Cont'd.)****2.5.2 Payment for Service**

Terms of payment are subject to the rules of the PSC of Missouri. Contested charges will be handled in accordance with the Missouri Public Service Commission.

- A.** All charges due by the Customer are payable to the Company or any agent duly authorized to receive such payments. The billing agent may be the Company, a local exchange telephone company, credit card company, or other billing service. Terms of payment shall be according to the rules and regulations of the agent and subject to the rules of regulatory bodies having jurisdiction. Any objections to billed charges must be promptly reported to the Company or its billing agent. Adjustments to Customers' bills shall be made to the extent that circumstances exist that reasonably indicate that such changes are appropriate.
- B.** Disputes with respect to charges must be presented to the Company in writing within one hundred (120) days from the date the bill in question is issued or such bill will be deemed correct and binding on the Customer.
- C.** Unless otherwise specified below, services provided by the Company are billed in arrears directly to the Customer on a monthly basis.
- D.** Charges for third party calls which are charged to a domestic telephone number will be included on the Billed Party's local exchange telephone company bill pursuant to billing and collection agreements established by Network PTS or its intermediary with the applicable telephone company.
- E.** Charges for credit card calls will be included on the Billed Party's regular monthly statement from the card-issuing company.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.5 Billing and Payment for Service, (Cont'd.)****2.5.3 Deposits**

The Company does not collect Customer Deposits.

**2.5.4 Advance Payments**

The Company does not collect Advance Payments.

**2.5.5 Late Payment Charge**

If any portion of the payment is not received by the Company, or if any portion of the payment is received by the Company in funds that are not immediately available, thirty (30) days following the invoice date, then a late payment penalty shall be due the Company. The late payment penalty shall be that portion of the payment not received by the date due minus any charges billed as local taxes multiplied by 1.5%.

**2.5.6 Return Check Charge**

The Company will assess a return check charge of up to \$25.00, whenever a check or draft presented for payment of service is not accepted by the institution on which it is written. This charge applies each time a check is returned to the Company by a bank for insufficient funds.

**2.5.7 Customer Complaints and/or Billing Disputes**

Customers have the right to refer billing disputes and any other complaints to Company at 14472 Wicks Boulevard, San Leandro, California 94577, or via telephone by dialing 1-888-371-0734. If the Customer and the Company are unable to resolve the dispute to their mutual satisfaction, the Customer may file a complaint with the Missouri Public Service Commission in accordance with the Commission's rules of procedure. The address and toll-free telephone number of the Commission is as follows:

Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, Missouri 65102

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.5 Billing and Payment for Service, (Cont'd.)****2.5.8 Taxes and Fees**

- A.** All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items on the Customer's bill and are not included in the quoted rates and charges set forth in this tariff. To the extent that a municipality, other political subdivision or local agency of government, or Commission imposes upon and collects from the Company a gross receipts tax, occupation tax, license tax, permit fee, franchise fee, or regulatory fee, such taxes and fees shall, insofar as practicable and allowed by law, be billed pro rata to Customers receiving service from the Company within the territorial limits of such municipality, other political subdivision or local agency of government.
- B.** The Company may adjust its rates and charges or impose additional rates and charges on its Customers in order to recover amounts it is required by governmental or quasi-governmental authorities to collect from or pay to others in support of statutory or regulatory programs. Examples of such programs include, but are not limited to, the Universal Service Fund (USF) and compensation to pay telephone service providers for the use of their pay telephones to access the Company's service.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.6 Refusal or Discontinuance by Company**

The Company may refuse or discontinue service under the following conditions. Unless otherwise specified, the Customer or Subscriber will be given five (5) days written notice and allowed a reasonable time to comply with any rule or remedy any deficiency.

**2.6.1** For non-compliance with and/or violation of any State or municipal law, ordinance or regulation pertaining to telephone service.

**2.6.2** For the use of telephone service for any other property or purpose other than that described in the application.

**2.6.3** For neglect or refusal to provide reasonable access to the Company for the purpose of inspection and maintenance of equipment owned by the Company.

**2.6.4** For non-compliance with and/or violation of the Commission's regulations or the Company's rules and regulations on file with the Commission.

**2.6.5** For non-payment of bills for telephone service.

**2.6.6** Without notice in the event of Customer, Authorized User or Subscriber use of equipment in such a manner as to adversely affect the Company's equipment or the Company's service to others.

**2.6.7** Without notice in the event of tampering with the equipment furnished and owned by the Company.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.6 Refusal or Discontinuance by Company, (Cont'd.)**

- 2.6.8** Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, the Company may, before restoring service, require the Subscriber to make, at his or her own expense, all changes in facilities or equipment necessary to eliminate illegal use and to pay an amount reasonably estimated as the loss in revenues resulting from such fraudulent use.
- 2.6.9** For failure of the Customer or Subscriber to make proper application for service.
- 2.6.10** For Customer's or Subscriber's breach of the contract for service between the Company and the Customer, including posting or access requirements as specified to comply with state and federal regulations.
- 2.6.11** When necessary for the Company to comply with any order or request of any governmental authority having jurisdiction.

**2.7 Cancellation by Customer**

Customers may cancel service at any time, either verbally or in writing. Customers are responsible for all charges up through the actual disconnect date. Charges may be avoided by dialing another carrier's access code.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.8 Interruption of Service**

Credit allowance for the interruption of service which is not due to the Company's testing or adjusting, negligence of the Customer, or to the failure of channels or equipment provided by the Customer, are subject to the general liability provisions set forth in 2.4 herein. It shall be the obligation of the Customer to notify the Company immediately of any interruption in service for which a credit allowance is desired. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any action or omission by the Customer within his control, or is not in wiring or equipment, if any, furnished by the Customer. Credit allowances for interruptions of service are limited the initial minimum period charge incurred to re-establish the interrupted call.

**2.9 Inspection, Testing and Adjustment**

Upon reasonable notice, the facilities provided by the Company shall be made available to the Company for tests and adjustments as may be deemed necessary by the Company for maintenance. No interruption allowance will be granted for the time during which such tests and adjustments are made.

**2.10 Other Rules**

The Company may temporarily suspend service without notice to the Customer, by blocking traffic to certain cities of NXX exchanges, or by blocking calls using certain Personal Account Codes when the Company deems it necessary to take such action to prevent unlawful use of its service. The Company will restore service as soon as service can be provided without undue risk.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.11 Responsibilities of Aggregators**

In addition to the responsibilities of Aggregators in their capacities as Subscribers, Aggregators must also adhere to the following requirements:

**2.11.1** Aggregators must post on the telephone instrument, in plain view of Authorized Users:

- A.** The name, address, and toll-free telephone number of the provider of operator services; and
- B.** A written disclosure that the rates for all operator-assisted calls are available on request, and that Authorized Users have a right to obtain access to the intrastate common carrier of their choice and may contact their preferred intrastate common carriers for information on accessing that carrier's service using that telephone; and
- C.** The name and address of the enforcement division the Federal Communications Commission, to which the Authorized User may direct complaints regarding Operator Services; and
- D.** Any other information required by state or federal regulatory agencies or law.

**2.11.2** Aggregators must ensure that each of its telephones pre-subscribed to a provider of operator services allows the Authorized User to use "800" and "950" access code numbers to obtain access to the provider of operator services desired by the Authorized User.**2.11.3** Network PTS shall withhold payment (on a location-by-location basis) of any compensation, including commissions, to Aggregators if Network PTS reasonably believes that the Aggregator (i) is blocking access by means of "950" or "800" numbers to intrastate common carriers in violation of The Telephone Consumer Protection Act of 1990 paragraph 3.4.1.B.; or (ii) is blocking access to equal access codes in violation of rules the Federal Communication Commission and/or the Missouri Public Service Commission may prescribe.

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Issued: October 27, 2004

Effective: December 13, 2004

By:

Michael Zumbo, President  
14472 Wicks Boulevard  
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May 29, 2008  
CD-2008-0323  
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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.12 Responsibilities of the Subscriber**

- 2.12.1** The Subscriber is responsible for placing any necessary orders, for complying with tariff regulations, and for ensuring that Authorized Users comply with tariff regulations. The Subscriber is also responsible for the payment of charges for calls originated at the Subscriber's premises that are not collect, third party, calling card, or credit card calls.
- 2.12.2** The Subscriber is responsible for charges incurred for special construction and/or special facilities that the Subscriber requests and which are ordered by Network PTS on the Subscriber's behalf.
- 2.12.3** If required for the provision of Network PTS' Services, the Subscriber must provide any equipment space, supporting structure, conduit, and electrical power without charge to Network PTS.
- 2.12.4** The Subscriber is responsible for arranging ingress to its premises at times mutually agreeable to it and Network PTS when required for Network PTS personnel to install, repair, maintain, program, inspect, or remove equipment associated with the provision of Network PTS' Services.
- 2.12.5** The Subscriber shall ensure that its terminal equipment and/or system is properly interfaced with Network PTS' facilities or services, that the signals emitted into Network PTS' network configuration are of the proper mode, bandwidth, power, and signal level for the intended use of the Subscriber and in compliance with the criteria set forth in Part 68 of the Code of Federal Regulations, and that the signals do not damage equipment, injure personnel, or degrade service to other Subscribers.
- 2.12.6** If the Subscriber fails to maintain the equipment and/or the system properly, with resulting imminent harm to Network PTS' equipment, personnel, or the quality of Service to other Subscribers or Customers, Network PTS may, upon written notice, require the use of protective equipment at the Subscriber's expense. If this fails to produce satisfactory quality and safety, Network PTS may, upon written notification, terminate the Subscriber's service.
- 2.12.7** The Subscriber must pay Network PTS for replacement or repair of damage to the equipment or facilities of Network PTS caused by negligence or willful act of the Subscriber, its Authorized Users, or others, or by improper use of equipment provided by the Subscriber, Authorized Users, or others.
- 2.12.8** The Subscriber must pay for the loss through theft or fire of any of Network PTS' equipment installed at Subscriber's premises.

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Issued: October 27, 2004

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14472 Wicks Boulevard  
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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.13 Responsibilities of the Customer**

**2.13.1** The Customer is responsible for compliance with the applicable regulations set forth in this tariff as well as all rules and regulations of the state utility commission and the FCC.

**2.13.2** The Customer is responsible for identifying the station, party, or person with whom communication is desired and/or made at the called number.

**2.13.3** The Customer is responsible for providing Network PTS with a valid method of billing for each call. Network PTS reserves the right to validate the credit worthiness of users through available credit card, calling card, called number, third party telephone number, and room number verification procedures. Where a requested billing method cannot be validated, the user may be required to provide an acceptable alternate billing method or Network PTS may refuse to place the call.

**2.14 Validation of Credit**

The Company reserves the right to validate the creditworthiness of Customers and billed parties through available verification procedures. Where a Customer's creditworthiness is unacceptable to the Company, Network PTS may refuse to provide service or otherwise restrict or interrupt service to a Customer.

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CD-2008-0323  
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**SECTION 3 - DESCRIPTION OF SERVICES AND RATES**

**3.1 General**

Network PTS will provide operator assisted services for communications originating and terminating within the State of Missouri under terms of this tariff.

**3.2 Timing of Calls**

**3.2.1** Timing for all calls begins when the called party answers the call (i.e. when two-way communications are established). Answer detection is based on standard industry answer detection methods, including hardware and software answer detection.

**3.2.2** Chargeable time for all calls ends when either one of the parties disconnects from the call.

**3.2.3** The minimum call duration and additional billing increments are specified on a per product basis in this section of the tariff.

**3.2.4** The Company will not bill for incomplete calls.

**3.3 Holidays**

The Company does not offer rate discounts for calls placed on state or federal holidays.

**3.4 Rate Periods**

The Company does not rate calls based on time-of-day.

**3.5 Calculation of Distance**

The Company does not rate calls based on distance.

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**SECTION 3 - DESCRIPTION OF SERVICES AND RATES, (CONT'D.)****3.6 Public Telephone Surcharge**

In order to recover the Company's expenses to comply with the FCC's pay telephone compensation plan effective on October 7, 1997 (FCC 97-371), an undiscountable per call charge is applicable to all interstate, intrastate and international calls that originate from any domestic pay telephone used to access the Company's services. This surcharge, which is in addition to standard tariffed usage charges and any applicable service charges and surcharges associated with the Company's service, applies for the use of the instrument used to access the Company service and is unrelated to the Company's service accessed from the pay telephone.

Pay telephones include coin-operated and coinless phones owned by local telephone companies, independent companies and other interexchange carriers. The Public Pay Telephone Surcharge applies to the initial completed call and any reoriginated call (i.e., using the "#" symbol).

Whenever possible, the Public Pay Telephone Surcharge will appear on the same invoice containing the usage charges for the surcharged call. In cases where proper pay telephone coding digits are not transmitted to the Company prior to completion of a call, the Public Pay Telephone Surcharge may be billed on a subsequent invoice after the Company has obtained information from a carrier that the originating station is an eligible pay telephone.

The Public Pay Telephone Surcharge does not apply to calls placed from pay telephones at which the Customer pays for service by inserting coins during the progress of the call.

Per Call Charge: \$0.47

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Issued: October 27, 2004

Effective: December 13, 2004

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May 29, 2008  
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**SECTION 3 - DESCRIPTION OF SERVICES AND RATES, (CONT'D.)****3.7 Operator Assisted Services**

The Company provides the Customer operated assisted Services to aggregator locations on a per call service charge basis. In addition to the per call service charge, mileage-sensitive usage rates apply. The Company's operator services are accessible on a twenty-four (24) hour per day, seven (7) days per week basis.

The use of the Company's operator services allows the Customer to select from the special call handling or billing arrangements specified within. Call rates and applicable service charges will be assessed to the call originator, the called party's telephone number based on the call type (i.e. operator dialed, collect, third party billed, credit card billed or Customer dialed credit card billed without the use off an operator's assistance) initiated by the call originator and the appropriate acknowledgement of other parties, where applicable.

The Company's services are consistent with 4 CRS 240-33.130 and Section 392.515 RSMo.

Customer Dialed Calling/Credit Card Call - This charge applies in addition to long distance usage charges for station to station calls billed to an authorized Calling Card or Commercial Credit Card. The Customer must dial the destination telephone number where the capability exists for the Customer to do so. A separate rate applies in the event operator assistance is requested for entering the Customer's card number for billing purposes.

Operator Dialed Calling/Credit Card Call - This charge applies in addition to long distance usage charges for station to station calls billed to an authorized telephone Calling Card or Commercial Credit Card and the operator dials the destination telephone number at the request of the Customer.

Operator Station - These charges apply in addition to long distance usage charges for non-Person-to-Person calls placed using the assistance of a Company operator and billed Collect, to a Third Party, by deposit of coins in Pay Telephones, or via some method other than a Calling Card or Commercial Credit Card.

Person-to-Person - This charge applies in addition to long distance usage charges for calls placed with the assistance of a Company operator to a particular party at the destination number. This charge applies regardless of billing method, including but not limited to billing to a Calling Card, Commercial Credit Card, Collect, by deposit of coins in Pay Telephones, or to a Third Party. Charges do not apply unless the specified party or an acceptable substitute is available.

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Issued: October 27, 2004

Effective: December 13, 2004

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**SECTION 3 - DESCRIPTION OF SERVICES AND RATES, (CONT'D.)****3.7 Operator Assisted Services, (Cont'd.)****3.7.1 Standard Plan****A. Usage Rates**

Calls are billed in one (1) minute increments after an initial period, for billing purposes, of one minute.

**Customer & Operator Dialed Calling Card / Person-to-Person Billed to Card**

All Mileage Bands, All Times of Day, per minute: \$0.8900

**Customer & Operator Dialed Calling Card Billed to Card / Operator Station Billed to Third Party, Collect and Sent Paid Coin**

All Mileage Bands, All Times of Day, per minute: \$0.9900

**Operator Station/Person-to-Person Sent Paid Coin (3-minute increments)**

All Mileage Bands, All Times of Day, per minute: \$2.7000

**B. Per Call Charges**

Customer Dialed / Automated: \$4.99  
Customer Dialed & Operator Assisted: \$7.50

	<u>Automated</u>	<u>Operator Assisted</u>
Collect:	\$5.99	\$7.50
Billed to Third Party:	\$6.99	\$9.99
Sent Paid - Non-Coin:	\$9.99	\$12.50
Sent Paid Coin:	\$1.95	\$1.95
Person-to-Person:	\$12.50	\$12.50

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## SECTION 3 - DESCRIPTION OF SERVICES AND RATES, (CONT'D.)

## 3.7 Operator Assisted Services, (Cont'd.)

## 3.7.2 Rate Plan 1

## A. Option A

.1 Usage Rates

Mileage	Initial 3 Minutes	Each Add'l. 3 Minutes
All	\$2.97	\$2.97

.2 Operator Service Charges

	Automated	Station-to- Station	Person-to- Person	Operator - Assisted
Collect	\$5.99	\$5.99	\$12.50	\$ 7.50
Third Party	N/A	\$6.99	\$12.50	\$12.50
Calling Card	\$4.99	\$7.50	\$12.50	\$ 7.50
Credit Card	\$4.99	\$7.50	\$12.50	\$ 7.50

## B. Option B

.1 Usage Rates

Mileage	Initial 1 Minute	Each Add'l. 1 Minute
All	\$0.99	\$0.99

.2 Operator Service Charges

	Automated	Station-to- Station	Person-to- Person	Operator - Assisted
Collect	\$5.99	\$5.99	\$12.50	\$ 7.50
Third Party	N/A	\$6.99	\$12.50	\$12.50
Calling Card	\$4.99	\$7.50	\$12.50	\$ 7.50
Credit Card	\$4.99	\$7.50	\$12.50	\$ 7.50

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## SECTION 3 - DESCRIPTION OF SERVICES AND RATES, (CONT'D.)

## 3.7 Operator Assisted Services, (Cont'd.)

## 3.7.3 Rate Plan 2

## A. Option A

.1 Usage Rates

Mileage	Initial 3 Minutes	Each Add'l. 3 Minutes
All	\$3.45	\$3.45

.2 Operator Service Charges

	Automated	Station-to- Station	Person-to- Person	Operator - Assisted
Collect	\$5.99	\$5.99	\$12.50	\$ 7.50
Third Party	N/A	\$9.99	\$12.50	\$12.50
Calling Card	\$5.50	\$7.50	\$12.50	\$ 7.50
Credit Card	\$5.50	\$7.50	\$12.50	\$ 7.50

## B. Option B

.1 Usage Rates

Mileage	Initial 1 Minute	Each Add'l. 1 Minute
All	\$1.15	\$1.15

.2 Operator Service Charges

	Automated	Station-to- Station	Person-to- Person	Operator - Assisted
Collect	\$5.99	\$5.99	\$12.50	\$ 7.50
Third Party	N/A	\$9.99	\$12.50	\$12.50
Calling Card	\$5.50	\$7.50	\$12.50	\$ 7.50
Credit Card	\$5.50	\$7.50	\$12.50	\$ 7.50

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 May 29, 2008  
 CD-2008-0323  
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## SECTION 3 - DESCRIPTION OF SERVICES AND RATES, (CONT'D.)

## 3.7 Operator Assisted Services, (Cont'd.)

## 3.7.4 Rate Plan 3

## A. Option A

.1 Usage Rates

Mileage	Initial 3 Minutes	Each Add'l. 3 Minutes
All	\$4.20	\$4.20

.2 Operator Service Charges

	Automated	Station-to- Station	Person-to- Person	Operator - Assisted
Collect	\$7.70	\$7.70	\$12.50	\$ 7.50
Third Party	N/A	\$9.99	\$12.50	\$12.50
Calling Card	\$7.70	\$7.70	\$12.50	\$ 7.50
Credit Card	\$7.70	\$7.70	\$12.50	\$ 7.50

## B. Option B

.1 Usage Rates

Mileage	Initial 1 Minute	Each Add'l. 1 Minute
All	\$1.40	\$1.40

.2 Operator Service Charges

	Automated	Station-to- Station	Person-to- Person	Operator - Assisted
Collect	\$7.70	\$7.70	\$12.50	\$ 7.50
Third Party	N/A	\$9.99	\$12.50	\$12.50
Calling Card	\$7.70	\$7.70	\$12.50	\$ 7.50
Credit Card	\$7.70	\$7.70	\$12.50	\$ 7.50

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 Issued: October 27, 2004

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## SECTION 3 - DESCRIPTION OF SERVICES AND RATES, (CONT'D.)

## 3.7 Operator Assisted Services, (Cont'd.)

## 3.7.5 Rate Plan 4

## A. Option A

.1 Usage Rates

Mileage	Initial 3 Minutes	Each Add'l. 3 Minutes
All	\$2.85	\$2.85

.2 Operator Service Charges

	Automated	Station-to- Station	Person-to- Person	Operator - Assisted
Collect	\$5.09	\$5.09	\$10.63	\$ 6.38
Third Party	N/A	\$5.94	\$10.63	\$10.63
Calling Card	\$4.24	\$6.38	\$10.63	\$ 6.38
Credit Card	\$4.24	\$6.38	\$10.63	\$ 6.38

## B. Option B

.1 Usage Rates

Mileage	Initial 1 Minute	Each Add'l. 1 Minute
All	\$0.95	\$0.95

.2 Operator Service Charges

	Automated	Station-to- Station	Person-to- Person	Operator - Assisted
Collect	\$5.09	\$5.09	\$10.63	\$ 6.38
Third Party	N/A	\$5.94	\$10.63	\$10.63
Calling Card	\$4.24	\$6.38	\$10.63	\$ 6.38
Credit Card	\$4.24	\$6.38	\$10.63	\$ 6.38

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**SECTION 3 - DESCRIPTION OF SERVICES AND RATES, (CONT'D.)****3.6 Directory Assistance**

A Directory Assistance charge applies to each call to the Directory Assistance Bureau. Two (2) requests may be made on each call to Directory Assistance. The Directory Assistance charge applies to each call, regardless of whether the Directory Assistance Bureau is able to furnish a requested telephone number.

Per Call Charge: \$1.25

**3.7 Nonsubscriber Service Charge**

A Nonsubscriber Service Charge is applicable to Operator Station, Person-to-Person or Real Time rated calls billed to all lines which are pre-subscribed to an interexchange carrier other than Network PTS, or not pre-subscribed to any interexchange carrier. This charge is in addition to the initial period and additional period charges applicable to calls from points throughout the United States.

The Nonsubscriber Service Charge does not apply to calling card calls, intraLATA calls, conference calls, calls to Directory Assistance, toll free or 900 telephone numbers, Ship-to-Shore service or Telecommunications Relay Service, calls originated from cellular phones; Customers with disabilities and calls billed to all lines which have discontinued pre-subscription to Network PTS but for whom an active billing record still exists in Network PTS= billing system.

Non-Subscriber Service Charge, Per Call: \$3.50

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CD-2008-0323  
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**SECTION 3 - DESCRIPTION OF SERVICES AND RATES, (CONT'D.)****3.8 Toll Free Operator Services**

Customers may access the Company's network to place a collect call or other call type requiring operator assistance by dialing a designated access code. Calls are billed in one (1) minute increments with an initial period for billing purposes of one (1) minute. Calls are not mileage nor time-of-day sensitive. In the event the Customer requires the assistance of a live operator, an additional per call charge will apply.

Rate Per Minute:	\$0.45
Rate Per Call:	\$2.99
Live Operator Per Call Charge:	\$2.00

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May 29, 2008  
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**SECTION 4 - PROMOTIONS****4.1 Promotions - General**

From time to time the Company shall, at its option, promote subscription or stimulate network usage by offering to waive some of all of the nonrecurring or recurring charges for the Customer (if eligible) of target services for a limited duration, not to exceed 90 days, or by offering premiums or refunds of equivalent value. Such promotions shall be made available to all similarly situated Customers in the target market area. All promotions will be filed with the Commission prior to offering them to Customers.

**4.2 Demonstration of Calls**

From time to time the Company shall demonstrate service by providing free test calls of up to four (4) minutes duration over its network.

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