

FORM NO. 13 P.S.C. MO. NO. 2

(original)

Sheet No. A

Canceling P.S.C. MO. No. 1

(revised)

(original)

Sheet No.

(revised)

Legent Communications Corporation

d/b/a Long Distance America

All Communities and Rural Areas

Formerly Served by

CEO Telecommunications, Inc.

Community, Town or City

### Schedule of Rates, Rules & Regulations

#### ADOPTION NOTICE

Legent Communications Corporation d/b/a Long Distance America (Legent), a California corporation, hereby adopts, ratifies and makes its own, in every respect as if the same had been originally filed by it, all tariffs, schedules, rules, concurrences, schedule agreements, divisions, authorities or other instruments whatsoever, filed with the Public Service Commission, State of Missouri, by CEO Telecommunications, Inc. (CEO). By this Notice Legent also adopts and ratifies all supplements or amendments to any of the above schedules, etc., which CEO has heretofore filed with said Commission. Legent hereby adopts CEO's Missouri PSC Tariff No. 1, in its entirety, as Legent's Missouri P.S.C. Tariff No. 2.

DATE OF ISSUE October 9, 2002

DATE EFFECTIVE November 9, 2002

ISSUED BY Scott A. White President  
Name of Officer Title

8001 Irvine Center Drive, Suite 1140  
Irvine, California 92618  
Address

**Filed**  
**MO PSC**

Missouri Public  
Service Commission

ADOPTION NOTICE

REC'D FEB 04 2000

Effective September 25, 1998, L.D. Services, Inc. merged with CEO Telecommunications, Inc. and assumed the name CEO Telecommunications, Inc.

CEO Telecommunications, Inc. hereby adopts, ratifies, and makes its own, in every respect as if the same had been filed by it, all schedules, rules, notices, concurrences, schedule agreements, divisions, authorities or other instruments whatsoever, filed with the Public Service Commission, State of Missouri, by L.D. Services, Inc. prior to September 25, 1998.

By this notice, CEO Telecommunications, Inc. also adopts all supplements or amendments to any of the above mentioned schedules, rules, notices, concurrences, schedule agreements, divisions, authorities or other instruments whatsoever, filed with the Public Service Commission, State of Missouri, by L.D. Services, Inc. prior to September 25, 1998.

Missouri Public  
Service Commission

FILED MAR 08 2000

Issued: February 5, 2000

Effective: March 8, 2000

Issued by: Mary Casey  
CEO Telecommunications, Inc.  
223 East De La Guerra  
Santa Barbara, CA, 93101

CANCELLED  
September 27, 2013  
Missouri Public  
Service Commission  
XN-2014-0041; YX-2014-0102

FORM NO. 13 P.S.C. MO. NO. 2

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Sheet No. 1

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(revised)

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Legent Communications Corporation  
d/b/a Long Distance America

All Communities and Rural Areas  
Formerly Served by  
CEO Telecommunications, Inc.  
Community, Town or City

TELECOMMUNICATIONS TARIFF

OF

**LEGENT COMMUNICATIONS CORPORATION d/b/a LONG DISTANCE  
AMERICA**

8001 Irvine Center Drive, Suite 1140  
Irvine, California 92618

**RESALE INTEREXCHANGE TELECOMMUNICATIONS SERVICE**

This Tariff contains the descriptions, regulations, and rates applicable to the furnishing of telecommunications services provided by Legent Communications Corporation d/b/a Long Distance America ("Long Distance America") within the state of Missouri. This Tariff is on file with the Missouri Public Service Commission. Copies may be inspected during normal business hours at the Company's principal place of business: 8001 Irvine Center Drive, Suite 1140, Irvine, California 92618.

Long Distance America operates as a competitive telecommunications company within the state of Missouri.

DATE OF ISSUE October 9, 2002

DATE EFFECTIVE November 9, 2002

ISSUED BY Scott A. White President  
Name of Officer Title

8001 Irvine Center Drive, Suite 1140  
Irvine, California 92618  
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CANCELLED  
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Service Commission  
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## TELECOMMUNICATIONS SERVICES TARIFF

L.D. Services is classified as a competitive telecommunications company in Missouri for which the following statutory and regulatory requirements are waived pursuant to Mo. Rev. Stat. § 392.420:

4 CSR 240.10.020	--	Depreciation of fund income.	RECEIVED
4 CSR 240-30.010 (2) (C)	--	Posting of exchange rates at central operating offices.	MAY 4 1995 MISSOURI Public Service Commission
4 CSR 240-32.030 (1)(B)(C)	--	Exchange area maps and record of access lines.	
4 CSR 240-32.030(2)	--	In-state recording keeping.	
4 CSR 240-32.050 (3) thru (6)	--	Information concerning local service tariffs, maps, directories, and telephone numbers.	
4 CSR 240-32.070 (4)	--	Coin telephones availability.	
4 CSR 240-33.020	--	Quarterly billing.	
4 CSR 240-33.030	--	Information regarding lowest price available.	
4 CSR 240-33.040 (1) and (5)	--	Financing fee and quarterly billing.	
Section 392.240 (1)	--	Rates - Reasonable average return on investment.	
Section 392.270	--	Property valuation.	
Section 392.280	--	Depreciation rates.	

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
L.D. Services, Inc.  
13230 East Firestone Blvd., Suite D-2  
Santa Fe Springs, California 90670

CANCELLED  
September 27, 2013  
Missouri Public  
Service Commission  
XN-2014-0041; YX-2014-0102

FILED  
JUN 5 1995  
95 - 314  
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L.D. SERVICES, INC.

Missouri P.S.C. Tariff No. 1  
Original Sheet No. 3

TELECOMMUNICATIONS SERVICES TARIFF

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Section 392.290	--	Issuance of stocks and bonds.	RECEIVED
Section 392.310	--	Issuance of stocks.	MAY 4 1995
Section 392.320	--	Stock dividends.	MISSOURI
Section 392.330	--	Issuance of securities, debts and rates.	Public Service Commission
Section 392.340	--	Capitalization Reorganization.	

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Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
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CANCELLED  
September 27, 2013  
Missouri Public  
Service Commission  
XN-2014-0041; YX-2014-0102

FILED  
JUN 5 1995  
95-314  
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TELECOMMUNICATIONS SERVICES TARIFF

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TABLE OF CONTENTS

Title Sheet . . . . .	1
Table of Contents . . . . .	4
Symbols . . . . .	5
Tariff Format . . . . .	5
Section 1 - Technical Terms and Abbreviations . . . . .	7
Section 2 - Rules and Regulations . . . . .	9
Section 3 - Description of Service . . . . .	23
Section 4 - Rates . . . . .	24

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
L.D. Services, Inc.  
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Santa Fe Springs, California 90670

CANCELLED  
September 27, 2013  
Missouri Public  
Service Commission  
XN-2014-0041; YX-2014-0102

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JUN 5 1995  
95-314  
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SYMBOLS

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

- C - To Signify Changed Condition or Regulation
- D - To Signify Discontinued Rate, Regulation, or Condition
- I - To Signify Increase
- K - To Signify Material That Has Been Transferred To Another Sheet or Place In The Tariff
- M - To Signify Material That Has Been Transferred From Another Sheet or Place In The Tariff
- N - To Signify A New Rate, Regulation, Condition, or Sheet
- R - To Signify A Reduction
- T - To Signify A Change In Text for Clarification

TARIFF FORMAT

- A. Sheet Numbering - Sheet numbers appear on the top 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 14 and 15 would be 14.1.
- 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 Commission. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the Commission follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect.

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
L.D. Services, Inc.  
13230 East Firestone Blvd., Suite D-2  
Santa Fe Springs, California 90670

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L.D. SERVICES, INC.

Missouri P.S.C. Tariff No. 1  
Original Sheet No. 6

TELECOMMUNICATIONS SERVICES TARIFF

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TARIFF FORMAT (Cont'd)

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- 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).

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
L.D. Services, Inc.  
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Santa Fe Springs, California 90670

CANCELLED  
September 27, 2013  
Missouri Public  
Service Commission  
XN-2014-0041; YX-2014-0102

FILED  
JUN 5 1995  
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SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS

MISSOURI  
Public Service Commission

Access Line - An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects a subscriber's location to Carrier's location or switching center.

Authorization Code - A numerical code, one or more of which may be assigned to a subscriber, to enable Carrier to identify the origin of service user so it may rate and bill the call. All authorization codes shall be the sole property of Carrier and no subscriber shall have any property or other right or interest in the use of any particular authorization code. Automatic numbering identification (ANI) may be used as or in connection with the authorization code.

Automatic Numbering Identification (ANI) - A type of signalling provided by a local exchange telephone company which automatically identifies the local exchange line from which a call originates.

Carrier - Refers to L.D. Services, Inc.

Commission - Refers to the Missouri Public Service Commission.

Common Carrier - A company or entity providing telecommunications services to the public.

Holiday - New Year's Day, Independence Day, Labor Day, President's Day, Thanksgiving Day, and Christmas Day.

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
L.D. Services, Inc.  
13230 East Firestone Blvd., Suite D-2  
Santa Fe Springs, California 90670

CANCELLED  
September 27, 2013  
Missouri Public  
Service Commission  
XN-2014-0041; YX-2014-0102

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JUN 5 1995  
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SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS (Cont'd)

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Local Access and Transport Area (LATA) - The term "Local Access Transport Area" denotes a geographical area established by the U.S. District Court for the District of Columbia in Civil Action No. 82-0192, within which a local exchange company provides communications services.

Measured Charge - A charge assessed on a per minute basis in calculating the charges due for a completed call.

Subscriber - The person or legal entity which enters into arrangements for Carrier's telecommunications services and is responsible for compliance with applicable tariff regulations and payment of charges incurred for Carrier's direct dialed services.

Telecommunications - The transmission of voice communications or, subject to the transmission capabilities of the service, the transmission of data, facsimile, signaling, metering, or other similar communications.

Users - Persons authorized by Subscriber to use Carrier's services. In the case of calls billed to other than the originating line, the user is responsible for all charges incurred.

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
L.D. Services, Inc.  
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CANCELLED  
September 27, 2013  
Missouri Public  
Service Commission  
XN-2014-0041; YX-2014-0102

FILED  
JUN 5 1995  
95 - 314  
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Original Sheet No. 9

TELECOMMUNICATIONS SERVICES TARIFF

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SECTION 2. RULES AND REGULATIONS

MISSOURI  
Public Service Commission

2.1 Application of Tariff

2.1.1 This tariff contains the regulations and rates applicable to direct dialed intrastate resale telecommunications services provided by Carrier for telecommunications between points within the State of Missouri. Carrier's services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff.

- A. Carrier may, from time to time, offer various enhanced services and information services. Such services will be provided pursuant to contract and will not be governed by this tariff.
- B. Carrier may also, from time to time, offer switching, or transmission services to other telecommunications carriers, for resale to such companies' customers. The rates for any such services will be determined pursuant to contract, to the extent authorized by the Commission, and Section 4 of this Tariff will not apply thereto.

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
L.D. Services, Inc.  
13230 East Firestone Blvd., Suite D-2  
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FILED

JUN 5 1995  
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SECTION 2. RULES AND REGULATIONS (Cont'd)

MISSOURI  
Public Service Commission

2.1 Application of Tariff (Cont'd)

- 2.1.2 The services of Carrier are not part of a joint undertaking with any other entity providing telecommunications channels, facilities or services, but do involve the resale of the facilities of underlying common carriers.
- 2.1.3 The rates and regulations contained in this tariff apply only to the services furnished by Carrier and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carrier for use in accessing the services of Carrier.
- 2.1.4 The services of Carrier are furnished to Carrier's subscribers and other authorized users. Carrier enters into arrangements with such subscribers providing for the availability of Carrier's nationwide services, including the intrastate services offered under the terms and conditions of this tariff.

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
L.D. Services, Inc.  
13230 East Firestone Blvd., Suite D-2  
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FILED

JUN 5 1995  
95 - 314

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SECTION 2. RULES AND REGULATIONS (Cont'd)

MISSOURI  
Public Service Commission

2.1 Application of Tariff (Cont'd)

- 2.1.5 The subscriber is entitled to limit the use of Carrier's services by users at the subscriber's facilities, and may use other common carriers in addition to or in lieu of Carrier's services, including without limitation, offering users the ability to access the carrier of the user's own choice.

2.2 Use of Services

- 2.2.1 Carrier's services may be used for any lawful purpose consistent with the transmission and switching parameters of the telecommunications facilities utilized in the provision of services.
- 2.2.2 The use of Carrier's services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another or in such a way as to unreasonably interfere with use by others is prohibited.
- 2.2.3 The use of Carrier's services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.
- 2.2.4 Carrier's services are available for use twenty-four hours per day, seven days per week.

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
L.D. Services, Inc.  
13230 East Firestone Blvd., Suite D-2  
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FILED

JUN 5 1995

95-314  
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SECTION 2. RULES AND REGULATIONS (Cont'd)

MISSOURI  
Public Service Commission

2.2 Use of Services (Cont'd)

- 2.2.5 Carrier does not transmit messages pursuant to this tariff, but its services may be used for that purpose.
- 2.2.6 Carrier's services may be denied for nonpayment of charges or for other violations of this tariff.

2.3 Liability of Carrier

- 2.3.1 Carrier's liability for damages (including indirect, special or consequential damages) arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission occurring in the course of furnishing service or facilities, and not caused by the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge for the period during which the aforementioned fault(s) occur.

Carrier shall not be liable for any claim or loss, expense or damage (including indirect, special or consequential damages) for any mistakes, omission, interruptions, delays, errors or defects in any service, facilities, equipment or transmission, if caused by any person or entity other than Carrier. This limitation specifically applies to actions, omissions or negligence of any other company furnishing a portion of Carrier's service. Further, Carrier is not liable for any failure of performance due to causes beyond its control, including without limitation civil disorders, fires, floods, labor disputes, and regulations or other actions taken by a government agency with jurisdiction over Carrier.

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
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CANCELLED  
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XN-2014-0041; YX-2014-0102

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SECTION 2. RULES AND REGULATIONS (Cont'd)

MISSOURI  
Public Service Commission

2.3 Liability of Carrier (Cont'd)

- 2.3.2 Carrier shall be indemnified and saved harmless by any subscriber, user or by any other entity against claims for libel, slander or the infringement of copyright arising from the material transmitted over its services; and against all other claims arising out of any act or omission of a subscriber or of any other entity in connection with the services provided by Carrier.
- 2.3.3 Carrier is not liable for any act or omission of any entity furnishing facilities or services connected with or provided in conjunction with the Carrier's services.
- 2.3.4 Carrier shall not be liable for any personal injury, or death of any person or persons, and for any loss or damage sustained by reason of acts, mistakes, omissions, errors or defects in providing its services, whatever shall be the cause and whether negligent or otherwise.

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
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September 27, 2013  
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JUN 5 1995  
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SECTION 2. RULES AND REGULATIONS (Cont'd)

MISSOURI  
Public Service Commission

2.3 Liability of Carrier (Cont'd)

- 2.3.5 Carrier shall not be liable for and shall be indemnified and saved harmless by any subscriber, user or other entity from any and all loss, claims, demands, suits, or other action or any liability whatever, whether suffered, made, instituted, or asserted by any subscriber, user or any other entity for any personal injury to, or death of, any person or persons, and for any loss, damage, defacement or destruction of the premises of any subscriber, user or any other entity or any other property whether owned or controlled by the subscriber, user or others, caused or claimed to have been caused, directly or indirectly, by any act or omission of the subscriber, user or others or by any installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of facilities or equipment provided by Carrier which is not the direct result of Carrier's negligence. No agents or employees of any other entity shall be deemed to be the agents or employees of Carrier.

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
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CANCELLED  
September 27, 2013  
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SECTION 2. RULES AND REGULATIONS (Cont'd)

MISSOURI  
Public Service Commission

2.4 Responsibilities of the Subscriber

- 2.4.1 The subscriber is responsible for placing any necessary orders; for complying with tariff regulations; and for assuring that users comply with tariff regulations. The subscriber shall ensure compliance with any applicable laws, regulations, orders or other requirements (as they exist from time to time) of any governmental entity relating to services provided or made available by the subscriber to end users. The subscriber is also responsible for the payment of charges for calls originated at the subscriber's numbers which are not collect, third party, third-party calling card, or credit card calls.
- 2.4.2 The subscriber is responsible for charges incurred for special construction and/or special facilities which the subscriber requests and which are ordered by Carrier on the subscriber's behalf.
- 2.4.3 If required for the provision of Carrier's services, the subscriber must provide any equipment space, supporting structure, conduit and electrical power without charge to Carrier.
- 2.4.4 The subscriber is responsible for arranging access to its premises at times mutually agreeable to Carrier and the subscriber when required for Carrier personnel to install, repair, maintain, program, inspect or remove equipment with the provision of Carrier's services.

Issued: May 4, 1995

Effective: June 5, 1995

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FILED

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SECTION 2. RULES AND REGULATIONS (Cont'd)

MISSOURI  
Public Service Commission

2.4 Responsibilities of the Subscriber (Cont'd)

2.4.5 The subscriber shall ensure that the equipment and/or system is properly interfaced with Carrier facilities or services, that the signals emitted into Carrier's network 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 this tariff, and that the signals do not damage equipment, injure personnel, or degrade service to other subscribers. If the Federal Communications Commission or some other appropriate certifying body certifies terminal equipment as being technically acceptable for direct electrical connection with interstate communications service, Carrier will permit such equipment to be connected with its channels without the use of protective interface devices.

If the subscriber fails to maintain the equipment and/or the system properly, with resulting imminent harm to Carrier equipment, personnel, or the quality of service to other subscribers, Carrier may, upon written notice, require the use of protective equipment at the subscriber's expense. If this fails to produce satisfactory quality and safety, Carrier may, upon written notice, terminate the subscriber's service.

Issued: May 4, 1995

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SECTION 2. RULES AND REGULATIONS (Cont'd)

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2.4 Responsibilities of the Subscriber (Cont'd)

- 2.4.6 The subscriber must pay Carrier for replacement or repair of damage to the equipment or facilities of Carrier caused by negligence or willful act of the subscriber, users, or others, by improper use of the services, or by use of equipment provided by the subscriber, users, or others.
- 2.4.7 The subscriber must pay for the loss through theft of any Carrier equipment installed at subscriber's premises.
- 2.4.8 The subscriber is responsible for payment of the charges set forth in this tariff unless the responsibility for such payment has been accepted by the called party, a third party, or other person.

2.5 Responsibilities of the User

- 2.5.1 The user is responsible for compliance with the applicable regulations set forth in this tariff.
- 2.5.2 The user is responsible for establishing its identity as often as necessary during the course of a call.
- 2.5.3 The user is responsible for identifying the station, party, or person with whom communications is desired and/or made at the called number.

Issued: May 4, 1995

Effective: June 5, 1995

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FILED

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SECTION 2. RULES AND REGULATIONS (Cont'd)

MISSOURI  
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2.6 Cancellation or Interruption of Services

2.6.1 Without incurring liability, Carrier may discontinue services to a subscriber or may withhold the provision of ordered or contracted services, subject to the procedures set forth in 2.6.2:

- (A) For nonpayment of any sum due Carrier for more than thirty days after issuance of the bill for the amount due,
- (B) For violation of any of the provisions of this tariff,
- (C) For violation of any law, rule, regulation or policy of any governing authority having jurisdiction over Carrier's services, or
- (D) By reason of any order or decision of a court, public service commission or federal regulatory body or other governing authority prohibiting Carrier from furnishing its services.

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
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FILED

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SECTION 2. RULES AND REGULATIONS (Cont'd)

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2.6 Cancellation or Interruption of Services (Cont'd)

2.6.2 Procedures for discontinuance of existing service:

- A. Carrier may discontinue service without notice for any of the following reasons:
  - 1. If a subscriber or user causes or permits any signals or voltages to be transmitted over Carrier's network in such a manner as to cause a hazard or to interfere with Carrier's service to others.
  - 2. If a subscriber or user uses Carrier's services in a manner to violate the law.
- B. In all other circumstances, Carrier will provide the subscriber with written notice stating the reason for discontinuance, and will allow the subscriber a period of time in which to remove the cause for discontinuance.

Issued: May 4, 1995

Effective: June 5, 1995

Issued by: Mr. Richard Bishop  
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13230 East Firestone Blvd., Suite D-2  
Santa Fe Springs, California 90670

FILED

JUN 5 1995  
95-314  
MO. PUBLIC SERVICE COMM

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September 27, 2013  
Missouri Public  
Service Commission  
XN-2014-0041; YX-2014-0102

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SECTION 2. RULES AND REGULATIONS (Cont'd)

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2.6 Cancellation or Interruption of Services (Cont'd)

2.6.3 Without incurring liability, Carrier may interrupt the provision of services at any time in order to perform tests and inspections to assure compliance with tariff regulations and the proper installation and operation of subscriber and Carrier's equipment and facilities and may continue such interruption until any items of non-compliance or improper equipment operation so identified are rectified.

2.6.4 Service may be discontinued by Carrier, without notice to the subscriber, by blocking traffic to certain countries, cities, or NXX exchanges, or by blocking calls using certain customer authorization codes, when Carrier deems it necessary to take such action to prevent unlawful use of its service. Carrier will restore service as soon as it can be provided without undue risk, and will, upon request by the customer affected, assign a new authorization code to replace the one that has been deactivated.

2.7 Billing Arrangements

2.7.1 Direct Dial Calls

Subscribers will either be billed directly by Carrier or its intermediary, or charges will be included in the subscribers' regular home or business telephone bill pursuant to billing and collection agreements established by Carrier or its intermediary with the applicable telephone company.

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2.8 Validation of Credit

Carrier reserves the right to validate the credit worthiness of users through available credit card and calling card verification procedures. Where a requested billing method cannot be validated, the user may be required to provide an acceptable alternate billing method or Carrier may refuse to place the call.

2.9 Contested Charges

All bills are presumed accurate, and shall be binding unless objection is received by the Carrier within thirty days after such bills are rendered. In the case of a billing dispute between the subscriber and the Carrier for service furnished by Carrier which cannot be settled with mutual satisfaction, the subscriber can take the following course of action within 30 days of the billing date:

- 2.9.1 First, the subscriber may request, and the Carrier will provide, an in-depth review of the disputed amount. (The undisputed portion and subsequent bills must be paid on a timely basis or the service may be subject to disconnect.)

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2.9 Contested Charges (Cont'd)

- 2.9.2 Second, if there is still a disagreement about the disputed amount after the investigation and review by a manager of the Carrier, the subscriber may file an appropriate complaint with the Missouri Public Service Commission. The Commission's address is:

Missouri Public Service Commission  
301 West High Street  
Harry S. Truman Office Building  
Floor 5A-N  
P.O. Box 360  
Jefferson City, MO 65102  
314/751-3234

2.10 Billing Entity Conditions

When billing functions on behalf of Carrier are performed by local exchange telephone companies, credit card companies or others, the payment conditions and regulations of such companies apply, including any applicable interest and/or late payment charge conditions.

2.11 Deposits

Carrier does not require a deposit from the subscriber.

2.12 Taxes

All federal excise taxes, and state and local sales, use, and similar taxes, are the responsibility of the user, are billed as separate line items and are not included in the quoted rates. Gross receipts tax will not be billed as a separate line item.

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SECTION 3. DESCRIPTION OF SERVICE

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3.1 Timing of Calls

Billing for calls placed over the Carrier network is based on the duration of the call. Timing begins when the called station is answered, as determined by standard industry methods generally in use for ascertaining answer, including hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection.

3.2 Calculation of Distance

Usage charges for all mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call. Carrier uses the rate centers, associated vertical and horizontal coordinates, and method of computing mileage set forth in AT&T Tariff F.C.C. No. 10.

3.3 Service Offerings

Carrier provides direct dialed services. The applicable rates for these services are set forth in Section 4 of this tariff.

3.4 Directory Assistance

Carrier does not offer directory assistance services. Directory assistance calls are routed to the local exchange company.

3.5 Minimum Call Completion Rate

Carrier will ensure an industry standard blocking rate of less than P.01.

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SECTION 4. RATES

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This section sets forth the rates and charges applicable to Carrier's measured use service offering.

The total charge for each completed direct dialed call consists of the measured usage charge incurred. The minimum measured usage charge is one minute. Thereafter the measured usage charge is calculated in one minute increments. Direct-dialed calls will be completed at the measured usage charge rates contained herein.

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SECTION 4. RATES (Cont'd)

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4.1 USAGE CHARGES

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4.1.1 Message Telecommunications Services

- A. Calls placed from 8 a.m. to (but not including) 5 p.m. Monday - Friday will be billed at the following rates:

Per Minute: \$0.2800

- B. Calls placed from 5 p.m. to (but not including) 11 p.m. Monday - Friday will be billed at the following rates:

Per Minute: \$0.2500

- C. Calls placed from 11 p.m. Monday to (but not including) 8 a.m. Thursday and 11:00 p.m. Friday to (but not including) 8 a.m. Monday will be billed at the following rates:

Per Minute: \$0.19003

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