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Title Sheet

MISSOURI INTEREXCHANGE TELECOMMUNICATIONS TARIFF

OF

#### COMMUNICATION MANAGEMENT SYSTEMS

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for interexchange telecommunications services provided by Communication Management Services ("CMS") within the State of Missouri.

CMS operates as a competitive telecommunications company within the State of Missouri.

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# COMPETITIVE TELECOMMUNICATIONS COMPANY WAIVERSISSOURI

CMS also respectfully requests, pursuant to Section 394.420, RSMo (Cum. Supp. 1990), that the Commission suspend, waive or modify the application of the following rules and statutory provisions as they relate to the regulation of CMS:

	- Depreciation of fund income Posting of exchange rates at central
4 CSR 240-32.030(1)(B)	operating offices. (C)-Exchange area maps and record of access lines.
4 CSR 240-32.030(2) 4 CSR 240-32.050(3) through (6)	<ul> <li>In-state record keeping.</li> <li>Information concerning local service tariffs, maps, directories, intercept and telephone numbers.</li> </ul>
4 CSR 240-32.070(4) 4 CSR 240-33.030	<ul> <li>Coin telephone availability.</li> <li>Information regarding lowest price available.</li> </ul>
Section 392.240(1) Section 392.270 Section 392.280 Section 392.290 Section 392.310 Section 392.320 Section 392.330	<ul> <li>Rates. Average return on Investment.</li> <li>Property valuation.</li> <li>Depreciation accounts.</li> <li>Issuance of securities.</li> <li>Issuance of stocks and bonds.</li> <li>Stock dividends.</li> <li>Issuance of securities, debt and rates.</li> </ul>

- Capitalization Reorganization.

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#### COMMUNICATION MANAGEMENT SYSTEMS

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#### SYMBOLS

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The following symbols are used for the purposes indicated below:

- C Changed regulation.
- D Delete or discontinue.
- I Increase in a rate.
- M Moved from another tariff location.
- N New.
- R Reduction in a rate.
- T Change in text but no change in rate or regulation.

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#### TARIFF FORMAT

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- 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 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 PSCM. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the PSCM follows in its tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. Paragraph Numbering Sequence There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

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).

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# SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS MISSOURI

Authorized User - A person, firm, corporation, or any other entity authorized by the Customer to communicate utilizing the Carrier's service.

Billing Cycle - Communication Management Services enters into contractual arrangements with Local Exchange Carriers, third-party billing agents, and commercial credit card companies to perform billing and collection services on behalf of CMS. The billing cycle for each call is determined by the existing billing arrangement between the end user and the billing entity.

Calling Card - A billing convenience whereby the Customer or Authorized User may bill the charges for a call to an approved telephone company-issued calling card. The terms and conditions of the local telephone company apply to payment arrangements.

Casual Calling Customer - A Customer who accesses the services of the Carrier through a host Subscriber or by dialing the access code of the Carrier.

CMS - Used throughout this tariff to refer to Communication Management Systems.

**Collect Billing** - A billing arrangement whereby the originating caller may bill the charges for a call to the called party, provided the called party agrees to accept the charges.

Commercial Credit Card or Credit Card - A billing convenience whereby the Customer may bill the charges for a call to an approved Commercial Credit Card such as Dinner's Club, Carte Blanche, Visa, American Express or Mastercard. The terms and conditions of the Commercial Credit Card company apply to payment arrangements.

Commission - The Public Service Commission of Missouri, unless otherwise clearly indicated by the context.

Company or Carrier - Communication Management Systems, unless otherwise clearly indicated by the context.

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## SECTION 1 - TERMS AND ABBREVIATIONS, CON'T.

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Customer - The person, firm, corporation or other entity utilizing the services of CMS. The Customer is responsible for the payment of charges for use of CMS's services and for compliance with the terms of CMS's tariff.

Customer Dialed Calling/Credit Card Call - A service whereby the end user dials all of the digits necessary to route and bill the call without any operator assistance.

Day - From 8:00 AM up to but not including 5:00 PM local time Monday through Friday.

End User - Any person, firm, partnership, corporation, or other entity using the Company's services, the rates for which are described in this tariff. The End User is typically a member of the transient public and, as such, does not contract directly with CMS for provisioning or termination of service.

Evening - From 5:00 PM up to but not including 11:00 PM local time Sunday through Friday.

Holiday - One of the following federally recognized holidays: New Year's Day (January 1), Independence Day (July 4), Labor Day, Thanksgiving Day, and Christmas Day (December 25).

LEC - Local Exchange Company

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 Station Call - A service whereby the caller places a non-person-to-person call with the assistance of an operator. Does not include Customer Dialed Calling/Credit Card calls.

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## SECTION 1 - TERMS AND ABBREVIATIONS, CON'T. MISSOURI

Person-to-Person Call - A service whereby the person originating the call specifies to the Company operator a particular person to be reached, or a particular person, station, room number, department, or office to be reached through a PBX attendant or an agreed upon alternate.

PSCM - Public Service Commission of Missouri.

Real Time Rated Call - A service by which the Company operator provides time and charges. Includes sent-paid calls from pay telephone stations.

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 which 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 Communication Management Systems Curio Series

CMS's services and facilities are furnished for communications originating at specified points within the state of Missouri under terms of this tariff.

CMS installs, operates, and maintains the communications services provided hereinunder in accordance with the terms and conditions set forth under this tariff.

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

#### 2.2 Limitations

- 2.2.1 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.
- 2.2.2 CMS 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.

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## SECTION 2 - RULES AND REGULATIONS, CON'T. OCT 11 1994

MISSOURI

## 2.2 Limitations, con't.

Public Service Commission

- 2.2.3 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.
- 2.2.4 All facilities provided under this tariff are directly or indirectly controlled by CMS 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.
- 2.2.5 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, CON'T.

MISSOURI

#### 2.3 Use

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Services provided under this tariff may be used for any lawful purpose for which the service is technically suited.

## 2.4 Liabilities of the Company

- 2.4.1 CMS's liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in transmission which occur in the course of furnishing service or facilities, in no event shall exceed an amount equivalent to the proportionate charge to the Customer for the period during which the faults in transmission occur.
- 2.4.2 The Company shall not be liable for any claim or loss, expense or damage (including indirect, special or consequential damage), for any interruption, delay, error, omission, or defect in any service, facility or transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.
- The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copy-right or patent, unauthorized use of any trademark, trade name or service mark, unfair competition, interference with or misappropriation or violation

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SECTION 2 - RULES AND REGULATIONS, CON'T.

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2.4 Liabilities of Company, con't.

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2.4.3 (continued)

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of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use or removal of equipment or wiring provided by the Company, if not directly caused by negligence of the Company.

2.4.4 The Company shall not be liable for any defacement of or damages to the premises of a Customer resulting from the furnishing of service which is not the direct result of the Company's negligence.

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SECTION 2 - RULES AND REGULATIONS, CON'T.

## 2.5 Deposits

MISSOURI

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The Company does not require a deposit from the Customer.

## 2.6 Advance Payments

For Customers whom the Company feels an advance payment is necessary, CMS reserves the right to collect an amount not to exceed one (1) month's estimated charges as an advance payment for service. This will be applied against the first month's charges.

#### 2.7 Taxes

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

#### 2.8 Terminal Equipment

The Company's facilities and service may be used with or terminated in Customer-provided terminal equipment or communications systems, such as a PBX, key systems, Pay Telephones or other telecommunications devices. Such terminal equipment shall be furnished and maintained at the expense of the Customer, except as otherwise provided. The Customer is responsible for all costs at his or her premises, including personnel, wiring, electrical power, and the like, incurred in the use of the Company's service. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry as endorsed by the Federal Communications Commission.

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#### 2.9 Installation

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Service is installed upon mutual agreement between the Customer and the Company. The service agreement does not alter rates specified in this tariff.

#### 2.10 Payment for Service

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer or to an Authorized User of the Customer by CMS. CMS will arrange to bill calls in accordance with the credit card, collect call, or calling card instruction of the caller, via the designated commercial credit card clearing center or the applicable telephone company with whom CMS has a billing agreement. All charges due by the Customer are payable to the Company or to any agency duly authorized to receive such payments. Terms of payment shall be according to the rules and regulations of the agency and subject to the rules of regulatory agencies, such as the Public Service Commission of Missouri. Account payment will not be considered delinquent if payment has been received within 21 days of bill rendering. Any objections to billed charges must be promptly reported to the Company or the Company's billing agent. Adjustments to Customer's bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate.

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SECTION 2 - RULES AND REGULATIONS, CON'T.

2.11 Cancellation by Customer

MISSOURI Public Service Commission

When connected by the local exchange company to CMS, the Customer may choose not to have CMS process and complete the call, by so stating and terminating the call.

#### 2.12 Interconnection

Service furnished by CMS may be connected with the services or facilities of other carriers. Such service or facilities are provided under the terms, rates and conditions of the other carrier. The Subscriber or Customer is responsible for all charges billed by other carriers for use in connection with CMS's service. Any special interface equipment or facilities necessary to achieve compatibility between carriers is the responsibility of the Customer.

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## SECTION 2 - RULES AND REGULATIONS, CON'T.

## 2.13 Refusal or Discontinuance by Company

MISSOURI
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CMS may refuse or discontinue service under the following conditions provided that, unless otherwise stated, the Customer shall be given fifteen (15) days notice to comply with any rule or remedy any deficiency:

- (a) For non-compliance with or violation of any State, municipal, or Federal law, ordinance or regulation pertaining to telephone service.
- (b) For use of telephone service for any other property or purpose than that described in the application.
- (c) For neglect or refusal to provide reasonable access to CMS or its agents for the purpose of inspection and maintenance of equipment owned by CMS or its agents.
- (d) For noncompliance with or violation of Commission regulation or CMS's rules and regulations on file with the Commission, provided five (5) days' written notice is given before termination.
- (e) For nonpayment of delinquent bills (see Section 2.10), provided that suspension or termination of service shall not be made without five (5) days written Carrier or billing agent notice to the Customer, except in extreme cases. At least twenty-four (24) hours prior to discontinuance, the Company will make reasonable efforts to speak with the Customer in order to advise the Customer of the proposed discontinuance and to advise the Customers of steps necessary to avoid discontinuance.
- (f) Without notice in the event of Customer or Authorized User use of equipment in such a manner as to adversely affect CMS's equipment or service to others.

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SECTION 2 - RULES AND REGULATIONS, CON'T.

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# 2.13 Refusal or Discontinuance by Company, continuedbio Service Company

- (g) Without notice in the event of tampering with the equipment or services owned by CMS or its agents.
- (h) Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, CMS may, before restoring service, require the Customer 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.
- (i) Without notice when necessary for the Company to comply with any order or request of any governmental authority having jurisdiction.
- (k) When any governmental or regulatory condition imposed upon CMS materially and negatively impacts the financial viability of the service, as determined by CMS in its best business judgment.

#### 2.14 Interruption of Service

Credit allowances for interruptions of service which are not due to the Carrier's testing or adjusting, to the negligence of the Customer, or to the failure of channels, equipment or communications systems provided by the Customer, are subject to the general liability provisions set forth in Section 2.4 herein. It shall be the obligation of the Customer to notify Carrier immediately of any interruption in service for which a credit allowance is desired by Customer. Before giving such notice, Customer shall ascertain that the trouble is not

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#### SECTION 2 - RULES AND REGULATIONS, CON'T.

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2.14 Interruption of Service, con't

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within his or her control, or is not in wiring or equipment, if any, furnished by Customer and connected to Carrier's terminal. Interruptions caused by Customer-provided or Carrier-provided automatic dialing equipment are not deemed an interruption of service as defined herein since the Customer has the option of using the long distance network via local exchange company access.

#### 2.15 Inspection, Testing and Adjustment

Upon reasonable notice, the facilities provided by the Carrier shall be made available to the Carrier for tests and adjustments as may be deemed necessary by the Carrier for maintenance. No interruption allowance will be granted for the time during which such tests and adjustments are made when the interruption is less than twenty-four (24) consecutive hours.

#### 2.16 Employee Concessions

[Reserved for future use.]

#### 2.17 Operator Services for Casual Callers

CMS offers operator assisted services and agrees that:

- a. CMS will not knowingly bill for incomplete calls and will remove any charge(s) for incomplete calls upon subscriber notification or carrier's knowledge of the charge(s) for incomplete calls.
- b. CMS will advise the caller and billed party (if different from the end user) that CMS is the operator service provider at the time of the initial contact.

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SECTION 2 - RULES AND REGULATIONS, CON'T. OCT 11 1994

## 2.17 Operator Services for Casual Callers, con't

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Public Service Communication c. CMS will provide rate quotes, including all rate components and any additional charges, upon request at no charge.

- d. CMS will allow only tariff charges approved by the Commission, or otherwise allowed by law for the provision of operator services, to appear on billings rendered by local exchange companies on behalf of carrier and will not collect location surcharges imposed by traffic aggregators.
- e. CMS will arrange for listing of its name on a LEC's billing of CMS charges, if the LEC has multi-carrier bill listing capability.
- f. CMS will employ reasonable calling card verification procedures which are acceptable to the companies issuing the calling cards. In order to control fraud, CMS may refuse to accept calling cards which it determines to be invalid or cards which it is unable to verify.
- g. CMS will re-direct all emergency calls to the local exchange carrier at no charge.

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#### SECTION 3 - DESCRIPTION OF SERVICE

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#### 3.1 General

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CMS offers operator assisted calling services to Customers for the placing of intrastate calls within the State of Missouri. Interstate service is offered in conjunction with intrastate service.

#### 3.2 Timing of Calls

3.2.1 Billing for calls placed over CMS's network is based in part on the duration of the call. Timing of each call begins as specified below and ends when the called party hangs up. Calls are billed in full minute increments with a minimum billing period of one minute.

Collect Calls - Timing begins when the called party accepts the responsibility for payment.

Person to Person - Timing begins when the calling party is connected with the designated called party or an agreed upon substitute.

All Other Calls - Timing begins when the called station is answered.

- 3.2.2 Unless otherwise specified in this tariff, the minimum call duration for billing purposes is one minute.
- 3.2.3 The Company will not bill for unanswered calls. When an End User indicates that he/she was billed for an incomplete call, CMS will reasonably issue credit for the call.

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SECTION 3 - DESCRIPTION OF SERVICE, CON'T.

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#### 3.3 Calculation of Distance

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Usage charges for all mileage sensitive products are based on the airline distance between the serving wire center locations associated with the originating and terminating points of the call. The distance between the originating and terminating points is calculated by using the "V" and "H" coordinates of the serving wire centers as defined by BellCore (Bell

Step 1 - Obtain the "V" and "H" coordinates for the serving wire center of the Subscriber's switch and the destination point.

Step 2 - Obtain the difference between the "V" coordinates of each of the serving wire centers. Obtain the difference between the "H" coordinates.

Step 3 - Square the differences obtained in Step 2.

Communications Research), in the following manner:

Step 4 - Add the squares of the "V" difference and "H" difference obtained in Step 3.

Step 5 - Divide the sum of the square obtained in Step 4 by ten (10). Round to the next higher whole number if any fraction results from the division.

Step 6 - Obtain the square root of the whole number obtained in Step 5. Round to the next higher whole number if any fraction is obtained. This is the distance between the originating and terminating serving wire centers of the call.

Formula:

(V<sub>1</sub>-V<sub>2</sub>)<sup>2</sup>+ (H<sub>1</sub>-H<sub>2</sub>)<sup>2</sup>
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SECTION 3 - DESCRIPTION OF SERVICE, CON'T.

MISSOURI

3.4 CMS Operator Assisted Service

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Service is offered for use by Customers for the placing of long distance operator assisted calls. Operator services may be provided on calls requiring special billing arrangements or other operator call completion assistance. Charges for calls placed through the carrier vary based on duration, distance, time of day, day of week, class of service and billing method.

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SECTION 3 - DESCRIPTION OF SERVICE, CON'T.

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3.5 CMS Operator Assisted Service, continued

MISSOURI

3.5.1 Operator Service Charges

Public Service Commission

In addition to usage charges, the following service charges are billed on a per call basis where appropriate:

#### (A) Customer Dialed Credit Card Charge

This charge applies in addition to the normal long distance usage charges for calls placed utilizing an authorized Commercial Credit Card. The Customer must dial all of the digits required to route and bill the call where the capability exists for the Customer to do so.

#### (B) Customer Dialed Calling Card Charge

This charge applies in addition to the normal long distance usage charges for calls placed utilizing an authorized telephone Calling Card. The Customer must dial all of the digits required to route and bill the call where the capability exists for the Customer to do so.

#### (C) Operator Station Charge - Credit Card

This charge applies in addition to the normal long distance usage charges for non-Person to Person calls billed to a Commercial Credit Card and using operator assistance. An operator may assist the caller with placing and/or billing the call.

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3.5 CMS Operator Assisted Service, continued

OCT 11 1994

3.5.1 Operator Service Charges, continued

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(D) Operator Station Charge - Other Public Service Commission

This charge applies in addition to the normal long distance usage charges for non-Person to Person calls billed to a Calling Card, Collect or to a Third Party and using operator assistance. An operator may assist the caller with placing and/or billing the call. Includes non-Person to Person Real-Time Rated calls.

(E) Person to Person Charge - Credit Card

This charge applies in addition to the normal long distance usage charges for calls placed to a particular party at the destination number and billed to a Commercial Credit Card. Charges do not apply unless the specified party or an acceptable substitute is available.

(F) Person to Person Charge - Other

This charge applies in addition to the normal long distance usage charges for calls placed to a particular party at the destination number and billed to a Calling Card, Collect, or to a Third Party. Charges do not apply unless the specified party or an acceptable substitute is available. Includes Person to Person calls placed on a Real Time Rated basis.

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3.5 CMS Operator Assisted Service, continued

OCT 111994

3.5.1 Operator Service Charges, continued

MISSOURI

(G) Operator Dialed Surcharge

Public Service Commission

A surcharge applies when the customer has the capability of dialing the destination number necessary to route the call, but elects to dial only the appropriate operator code and requests the operator to dial the called station.

The surcharge does not apply to:

- 1) calls where a Customer cannot otherwise dial the call due to defective equipment or trouble on the CMS network and
- 2) calls in which a Company operator places a call for a calling party who is identified as being handicapped and unable to dial the call because of his/her handicap.

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SECTION 4 - RATES

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#### 4.1 General

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Each Customer is charged individually for each call placed through the Carrier. Charges are computed on an airline mileage basis as described in Section 3.3 of this tariff.

The charges for CMS services may vary by the:

- distance between stations
- time of day and day of week
- duration of the call
- type of call
- level of operator assistance required.

Customers are billed based on their use of CMS's long distance service. No installation charges or fixed monthly recurring charges apply.

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SECTION 4 - RATES, CON'T.

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## 4.3 CMS Intrastate Operator Assisted Service

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CMS Intrastate Operator Assisted Service calls are billed in one (1) minute increments following an initial one (1) minute billing period. Usage rates also applicable to Real-Time Rated calls.

## 4.3.1 Usage Rates

	DAY		EVENING		NIGHT/WKND	
Mileage	Int'l	Add'l	Int'l	Add'l	Int'l	Add'l
	Minute	Minute	Minute	Minute	Minute	Minute
1-10	0.1320	0.1080	0.1056	0.0864	0.0858	0.0702
11-14	0.1800	0.1560	0.1440	0.1248	0.1170	
15-18	0.2160	0.1920	0.1728	0.1536	0.1404	0.1248
19-23	0.2460	0.2040	0.1872	0.1632	0.1716	0.1326
24-28	0.2820	0.2112	0.2262	0.1920	0.2184	0.1560
29-33	0.2820	0.2340	0.2334	0.2112	0.2220	0.1716
34-40	0.3180	0.2820	0.2430	0.2238	0.2238	0.1872
41-50	0.3180	0.2820	0.2430	0.2238	0.2238	0.1872
51-60	0.3300	0.2940	0.2526	0.2310	0.2256	0.2028
61-80	0.3420	0.3060	0.2532	0.2406	0.2334	0.2076
81-100	0.3540	0.3120	0.2694	0.2412	0.2370	0.2094
101-125		0.3300	0.2754	0.2700	0.2370	0.2298
126-150	0.4020	0.3540	0.2910	0.2892	0.2508	0.2454
151-190	0.4140	0.3660	0.3006	0.2988	0.2586	0.2532
191-300	0.4260	0.3780	0.3102	0.3084	0.2664	0.2610
301-430 431+	0.4860 0.4860	0.4380 0.4380	0.3822 0.3822	0.3438	0.3354 0.3354	0.3042

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		SECTION 4 - RATES, CON'T.	OCT 11 1994		
4.3	CMS Intra	astate Operator Assisted Service,	continued MISSOURI		
4.3.3		Operator Service Charges	Public Service Commissio		
		Per Call			
		Customer Dialed Credit Card	\$0.52		
	·	Customer Dialed Calling Card	\$0.65		
		Operator Station - Credit Card	\$1.18		
		Operator Station - Other *	\$1.47		
		Person to Person - Credit Card	\$2.36		
		Person to Person - Other *	\$2.95		
	4.3.4	Other Charges			
		Operator Dialed Surcharge	\$0.50		

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\* - Includes Real-Time Rated Calls.

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