

Missouri Public
Service Commission

REC'D AUG 20 1998

MISSOURI TELECOMMUNICATIONS TARIFF

OF

Buyers United International, Inc.

635 West 5300 South, Suite 202, Murray, Utah 84123

RESALE INTEREXCHANGE TELECOMMUNICATIONS SERVICE

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of telecommunications services provided by Buyers United International, Inc. within the State of Missouri. This tariff is on file with the Missouri Public Service Commission ("Commission").

Copies may be inspected during normal business hours at the Company's principal place of business; 635 West 5300 South, Suite 202, Murray, Utah 84123.

Buyers United International, Inc. is a provider of interexchange telecommunications services on a 24-hour basis. Service is provided for the direct transmission and reception of voice and data communications between points within the state of Missouri as an adjunct to Buyers United International, Inc.'s interstate service.

Buyers United International, Inc. operates as a competitive telecommunications company within the state of Missouri.

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Mr. Paul Jarman, Treasurer
Buyers United International, Inc.
635 West 5300 South, Suite 202
Murray, Utah 84123
(801) 264-9015

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WAIVER OF RULES AND REGULATIONS

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Buyers United International, 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 of fund income.
4 CSR 240-30.010(2)(C)	Posting of exchange rates at central operating offices.
4 CSR 240-30.040	Uniform system of accounts.
4 CSR 240-32.030(1)(B) and (C)	Exchange area maps and record or access lines.
4 CSR 240-32.030(2)	In-state record keeping.
4 CSR 240-32.050(3) through (6)	Information concerning local service tariffs, maps, directories and telephone numbers.
4 CSR 240-32.070(4)	Coin telephones.
4 CSR 240-33.030	Information regarding lowest price available.
4 CSR 240-33.040(5)	Financing fees.

Statutes

Section 392.240(1)	Rates -- Reasonable average return on investment.
Section 392.270	Property valuation.
Section 392.280	Depreciation rates.
Section 392.290	Issuance of securities.
Section 392.310	Issuance of stocks and bonds.
Section 392.320	Stock dividends.
Section 392.330	Issuance of securities; debts and notes.
Section 392.340	Reorganization(s).

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CONCURRING CARRIERS

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None

CONNECTING CARRIERS

None

OTHER PARTICIPATING CARRIERS

None

EXPLANATION OF SYMBOLS

- (C) To signify **changed** condition or regulation.
- (D) To signify **deleted or discontinued** rate, regulation or condition.
- (I) To signify a change resulting in an **increase** to a Customer's bill.
- (M) To signify that material has been **moved from** another tariff location.
- (N) To signify a **new** rate, regulation condition or sheet.
- (R) To signify a change resulting in a **reduction** to a Customer's bill.
- (T) To signify a change in **text** but no change to rate or charge.

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TARIFF FORMAT

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- A. **Sheet Numbering** - Sheet numbers appear in the upper right corner of the sheet. Sheets are numbered sequentially. However, occasionally, 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 sheet. 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 its tariff approval process, the most current sheet number on file with the Commission is not always the sheet in effect. Consult the Check Sheet for the sheet currently in effect.
- C. **Paragraph Numbering Sequence** - There are four levels of paragraph coding. Each level of code is subservient to its next higher level:
- 2.
 - 2.1.
 - 2.1.1.
 - 2.1.1.1.

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Buyers United International, Inc.

Missouri P.S.C. Tariff No. 1

Original Sheet No. 5

Missouri Public
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APPLICATION OF TARIFF

REC'D AUG 20 1998

This tariff contains the rates applicable to the provision of specialized intrastate resale common carrier telecommunications services by Buyers United International, Inc. between various locations within the State of Missouri. All services are interstate offerings. Intrastate service is an add on service available only if the Customer subscribes to the Company's interstate offerings.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

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Account Code:

A numerical code, one or more of which are available to a Customer to enable identification of individual users or groups of users on an account and to allocate costs of service accordingly.

Called Station:

The terminating point of a call (i.e., the called number).

Calling Card:

A card issued by Company containing such account numbers assigned to its Customer which enables the charges for calls made to be properly billed on a pre-arranged basis.

Company:

Buyers United International, Inc. ("Buyers United")

Commission:

The Missouri Public Service Commission

Customer:

The person, firm, corporation or other entity which orders or uses service and is responsible for payment of charges and compliance with tariff regulation.

Disconnect or Disconnection:

The termination of a circuit connection between the originating station and the called station or the Company's operator.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

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Measured Service:

The provision of long distance measured time communications telephone service to Customers who access the Company's service at its contracted interexchange carriers' switching and call processing equipment by means of access facilities obtained from local exchange common carrier(s). Company contracted interexchange carrier is responsible for arranging the access lines.

Point of Presence:

The point of physical interconnection between the local exchange Company's local network and the interexchange carrier's network ("POP").

Postpaid Service:

Presubscribed service where subscribers are billed for and remit payment subsequent to the provision of service.

Prepaid Service:

A discretionary prepaid calling card service for which subscribers pay prior to accessing the service.

Subscriber:

See "Customer" definition.

Travel Card:

See "Calling Card" definition.

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SECTION 2 - RULES AND REGULATIONS

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2.1. UNDERTAKING OF COMPANY

- 2.1.1. Company's services are furnished for telecommunications originating and/or terminating in any area within the State of Missouri.
- 2.1.2. Company is a provider of interexchange telecommunications to Customers for direct transmission and reception of voice, data, and other types of communications.
- 2.1.3. Company resells access, switching, transport and termination services provided by interexchange carriers.
- 2.1.4. Customer's monthly charges for Company's service are based on the total time Customer actually uses the service.
- 2.1.5. Subject to availability, the Customer may use authorization codes to identify the users or user groups on an account. The numerical composition of the codes shall be set by Company to assure compatibility with the Company's accounting and billing systems and to avoid the duplication of codes.
- 2.1.6. The Company's services are provided on a monthly basis and are available twenty-four (24) hours per day, seven (7) days per week.

2.2. LIMITATIONS

- 2.2.1. Service is offered subject to availability of the necessary facilities and/or equipment and subject to the provisions of this tariff.
- 2.2.2. Company reserves the right to immediately disconnect service without incurring liability when necessitated by conditions beyond the Company's control or when the Customer is using the service in violation of either the provisions of this tariff or the Commission rules.

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SECTION 2 - RULES AND REGULATIONS, Continued

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2.2. LIMITATIONS, Continued

2.2.3. The Company does not undertake to transmit messages, but offers the use of its facilities when available.

2.2.4. Title to all facilities provided by Company under these regulations remains in Company's name.

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.

2.3. USE

2.3.1. Service may be used for the transmission of communications by the Customer.

2.3.2. Service may not be used for any unlawful purpose or for any purpose for which any payment or other compensation is received by the Customer, except when the Customer is a duly authorized and regulated common carrier. This provision does not prohibit an arrangement between the Customer, authorized user or joint user to share the cost of service.

2.3.3. The Company strictly prohibits use of the Company's services without payment or an avoidance of payment by the Customer by fraudulent means or devices including providing falsified calling-card numbers or invalid calling card numbers to the Company, providing falsified or invalid credit card numbers to the Company or in any way misrepresenting the identity of the Customer.

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SECTION 2 - RULES AND REGULATIONS, Continued

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2.4. LIABILITIES OF THE COMPANY

2.4.1. The liability of the Company for damages arising out of mistakes, omissions, interruptions, delays, errors or defects in transmission occurring in the course of furnishing service or other facilities and not caused by the negligence of the Customer, commences upon activation of service and in no event exceeds an amount equivalent to the proportionate charge to the Customer for the period of service during which such mistakes, omissions, interruptions, delays, errors, or defects in transmission occur. In no event will the Company be responsible for consequential damages for lost profits suffered by a Customer or end user as the result of interrupted or unsatisfactory service. For the purpose of computing such amount a month is considered to have thirty (30) days.

2.4.2. Company shall be indemnified and held harmless by the Customer against:

- A. Claims for libel, slander, infringement of copyright or unauthorized use of any trademark, trade name or service mark arising out of the material, data, information or other content transmitted over Company's facilities; and
- B. Claims for patent infringement arising from combining or connecting Company's facilities with apparatus and systems of the Customer; and
- C. All other claims arising out of any act or omission of the Customer in connection with any service provided by Company.

2.4.3. The Company is not liable for any defacement of, or damage to, the equipment or premises of a Customer resulting from the furnishing of services when such defacement or damage is not the result of the Company's negligence.

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SECTION 2 - RULES AND REGULATIONS, Continued

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2.4. LIABILITIES OF THE COMPANY, Continued

2.4.4. Company shall not be liable for and the Customer indemnifies and holds harmless from any and all loss claims, demands, suits, or other actions or liabilities whatsoever, whether suffered, made, instituted or asserted by the Customer or by any other party or person, for any personal injury to, death of any person or persons, and for any loss, damage, defacement or destruction of the premises of the Customer or any other property, whether owned by the Customer or by others, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of equipment or wiring provided by Company where such installation, operation, failure to operate, maintenance, condition, location or use is not the direct result of the Company's negligence.

2.4.5. The Company is not liable for any failure of performance hereunder due to causes beyond its control, including, but not limited to, unavoidable interruption in the working of its circuits or those of another common carrier; acts of God, storms, fire, floods, or other catastrophes; any law, order, regulation, direction, action, or request of the United States Government, or any other governmental entity having jurisdiction over the Company or of any department, agency, commission, bureau, corporation, or other instrumentality or any one or more of such instrumentality or any one or more of such governmental entities, or of any civil or military authority; national emergencies, insurrections, riots, rebellions, wars, strikes, lockouts, work stoppages, or other labor difficulties; or notwithstanding anything in this tariff to the contrary, the unlawful acts of the Company's agents and employees, if committed beyond the scope of their employment.

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SECTION 2 - RULES AND REGULATIONS, Continued

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2.4. LIABILITIES OF THE COMPANY, Continued

2.4.6. The Company shall not be liable for damages or adjustments, refunds, or cancellation of charges unless the Customer has notified the Company, in writing, of any dispute concerning charges, or the basis of any claim for damages, after the invoice is rendered by the Company for the call giving rise to such dispute or claim, unless ordered by the Commission pursuant to Missouri law. Any such notice must set forth sufficient facts to provide the Company with a reasonable basis upon which to evaluate the Customer's claims or demands.

2.4.7. The Company shall not be liable for any damages, including usage charges, that the Customer may incur as a result of the unauthorized use of its communications equipment. The unauthorized use of the Customer's communications equipment includes, but is not limited to, the placement of calls from the Customer's premises and the placement of calls through Customer-controlled or Customer-provisioned equipment that are transmitted or carried over the Company's network services without the authorization of the Customer. The Customer shall be fully liable for all such charges.

2.5. PREPAID SUBSCRIBER RESPONSIBILITIES

2.5.1. The Customer is responsible for the payment of all charges for services furnished to the Customer. Charges are based on actual usage.

2.5.2. The Customer is responsible for compliance with applicable regulations set forth in this tariff.

2.5.3. The Customer is responsible for establishing identity as often as necessary during the course of the call or when seeking credits from the Company.

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SECTION 2 - RULES AND REGULATIONS, Continued

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2.6. INTERRUPTION OF SERVICE

2.6.1. Credit allowance for interruptions of service which are not due to Company's testing or adjusting, to the negligence of the Customer, or to the failure of channels, equipment and/or communications equipment 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 Company of any interruptions of service. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any action or omission of the Customer, not within the Customer's control.

2.6.2. No credit allowances will be allowed for an interruption of services for continuous duration of less than two hours.

2.6.3. The subscriber shall be credited for an interruption of two (2) hours or more at the rate of 1/160th for each hour over two (2) such hours of interruption up to a maximum of 6/160th multiplied by the average monthly usage bill of the Customer. If service is activated for less than one (1) month, the monthly usage amount shall be determined by extending the actual usage for the days of service to thirty (30) days.

2.7. RESTORATION OF SERVICE

The use and restoration of service in emergencies shall be in accordance with part 64, Subpart D of the Federal Communications Commission's Rules and Regulations which specifies the priority system for such activities.

2.8. MINIMUM SERVICE PERIOD

The minimum service period is one month (30 days).

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SECTION 2 - RULES AND REGULATIONS, Continued

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2.9. PAYMENTS AND BILLING FOR POSTPAID SERVICES

- 2.9.1. Charges for service are applied on a recurring and nonrecurring basis. Service is provided and billed on a monthly (30 day) basis. The billing date is dependent on the billing cycle assigned to the subscriber. Service continues to be provided until canceled by the Customer with no less than thirty (30) days notice.
- 2.9.2. The Customer is responsible for the payment of all charges for services furnished to the Customer. Charges are based on actual usage and are billed monthly in arrears.
- 2.9.3. Billing will be payable upon receipt and deemed past due thirty (30) days after issuance and posting of invoice. Bills not paid within thirty (31) days after the date of posting are subject to a 1.5% late payment charge for the unpaid balance, or the maximum allowable under state law.
- 2.9.4. The name(s) of the Customer(s) desiring to use the service must be set forth in the application for service.

2.10. BILLING DISPUTES

- 2.10.1. Billing disputes should be addressed to Company's Customer service organization via telephone to (800) 363-6177 or (888) 203-3900. Customer service representatives are available twenty-four (24) hours per day, seven (7) days per week.
- 2.10.2. In the case of a dispute between the Customer and the Company for service furnished to the Customer, which cannot be settled with mutual satisfaction, the Customer can take the following course of action:
- 2.10.2.1. First, the Customer may request the Company perform 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 disconnection).

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SECTION 2 - RULES AND REGULATIONS, Continued

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2.10. BILLING DISPUTES, Continued

- 2.10.2.2. Second, if there is still a disagreement about the disputed amount after the investigation and review by a manager of the Company, the Customer may appeal to the Commission for its investigation and decision. The address of the Commission is:

Missouri Public Service Commission
301 West High Street
Jefferson City, MO 65102

2.11. CANCELLATION BY CUSTOMER FOR POSTPAID SERVICES

- 2.11.1. Customer may cancel service by providing written notice to Company thirty (30) days prior to cancellation.
- 2.11.2. Customer is responsible for usage charges while still connected to the Company's service and the payment of associated local exchange company charges, if any, for service charges.
- 2.11.3. Any non-recoverable cost of Company expenditures shall be borne by the Customer if:
- A. The Customer orders service requiring special facilities dedicated to the Customer's use and then cancels the order before such service begins, before completion of the minimum period or before completion of some period mutually agreed with the Customer for the non-recoverable portions of expenditures; or
 - B. Liabilities are incurred expressly on behalf of the Customer by Company and not fully reimbursed by installation and monthly charges; and
 - C. Based on an order for service and construction has either begun or has been completed, but no service provided.

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SECTION 2 - RULES AND REGULATIONS, Continued

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2.12. CANCELLATION BY COMPANY

2.12.1. Company reserves the right to immediately discontinue furnishing the service to Customers without incurring liability:

- A. In the event of a condition determined to be hazardous to the Customer, to other Customers of the utility, to the utilities equipment, to the public or to employees of the utility; or
- B. By reason of any order or decision of a court or any other governmental authority which prohibits the Company from furnishing such service; or
- C. If the Company deems such refusal necessary to protect itself or third parties against fraud or to otherwise protect its personnel, agents, facilities or services without notice; or
- D. For unlawful use of the service or use of the service for unlawful purposes; or
- E. If the Customer provides false information to the Company regarding the Customer's identity, address, credit-worthiness, past, current or planned use of Company's services.

2.12.2. Company may discontinue service according to the following conditions upon ten (10) days written notice:

- A. For violation of Company's filed tariff.
- B. For the non-payment of any proper charge as provided by Company's tariff.
- C. For Customer's breach of the contract for service between the utility and Customer.
- D. When necessary for the Company to comply with any order or request of any governmental authority having jurisdiction.

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SECTION 2 - RULES AND REGULATIONS, Continued

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2.12. CANCELLATION BY COMPANY, Continued

- 2.12.3. The discontinuance of service(s) by the Company pursuant to this section does not relieve the Customer of any obligations to pay the Company for charges due and owing for service(s) furnished up to the time of discontinuance. The remedies set forth herein shall not be exclusive and the Company shall at all times be entitled to all the rights available to it under law or equity.
- 2.12.4. The Company may refuse to permit collect calling, calling card, third number billing which it determines to be fraudulent and/or may limit the use of these billing options or services.

2.13. INTERCONNECTION

- 2.13.1. Service furnished by Company may be interconnected with services or facilities of other authorized communications common carriers and with private systems, subject to the technical limitations established by Company. Any special interface of facilities necessary to achieve compatibility between the facilities of Company and other participating carriers shall be provided at the Customer's expense.
- 2.13.2. Interconnection between the facilities or services of other carriers shall be under the applicable terms and conditions of the other carriers' tariffs. The Customer is responsible for taking all necessary legal steps for interconnecting Customer provided terminal equipment or communications equipment with Company's facilities. The Customer shall secure all licenses, permits, rights-of-way, and other such arrangements necessary for interconnection.

2.14. DEPOSITS

The Company does not require a deposit from the Customer.

2.15. TAXES

Taxes are not included in the tariffed rates.

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SECTION 3 - DESCRIPTION OF SERVICE

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3.1. TIMING OF CALLS

- 3.1.1. The subscriber's long distance usage charge is based on the actual usage of Company's service. Usage begins when the receiver of the called number is answered. The moment of the called party's answer is determined by hardware supervision in which the local telephone Company sends a signal to the underlying carrier's switch or the software utilizing audio tone detection. The timing of the call occurs when the called party answers and terminates when either party hangs up.
- 3.1.2. The minimum call duration for billing purposes differs between rate plans. Usage is measured and rounded up to the next billing increment.
- 3.1.3. There is no billing for incomplete calls.

3.2. BUYERS UNITED TELECOMMUNICATIONS SERVICES

- 3.2.1. Company provides switched access, inbound and outbound, telecommunications services which allow Customers to establish a communications path between two stations by using uniform dialing plans.
- 3.2.2. **"1 Plus" Long Distance Service** is a switched access service, offering users outbound "1 plus" long distance telecommunications services from points originating and terminating in the State of Missouri, throughout the US and internationally.
- 3.2.3. **Toll Free Service** is a switched access service, offering users inbound, toll free "800/888" number, long distance telecommunications services from points originating and terminating in the State of Missouri. This service enables the caller to contact the Customer toll free, through the use of an assigned "800/888" number.
- 3.2.4. **Calling Card Service** permits the caller to charge a principal presubscribed location for a call while the caller is away from the principal location. The Customer may place calls from any touch tone phone in the U.S. by dialing a toll free "800/888" number and entering a personal identification code followed by the desired telephone number. Calling Card calls are billed at the Company's tariffed rates and appear on the subscriber's monthly long distance bill.

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SECTION 3 - DESCRIPTION OF SERVICE, Continued

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3.2. BUYERS UNITED TELECOMMUNICATIONS SERVICES, Continued

- 3.2.5. **Prepaid Calling Card Service** is a discretionary switched access service available to subscribers via a toll free number from any dual tone multifrequency telephone in the United States. The user's account is credited for the amount of calling purchased and is debited as the subscriber places calls, in accordance with the Company's tariffed rates, until the account balance is depleted. Subscribers may immediately replenish the account at any time by contacting the Company's customer service department and charging the desired amount to a valid credit card or by mailing a check to the Company. If the account is not replenished, access to the Company's underlying carrier network is blocked. The Prepaid Calling Card Services are designed for subscribers who frequently travel or must call from locations other than their presubscribed call locations.

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SECTION 4 - RATES

REC'D AUG 20 1998

4.1. SERVICE CHARGES

4.1.1. Buyers United Subscriber Services

- 4.1.1.1. Residential "1 Plus" Rate Plan 1 provides for a one (1) minute minimum call duration and one (1) minute additional billing increments.

Rate Per Minute \$0.1290

- 4.1.1.2. Residential "1 Plus" Rate Plan 2 provides for a one (1) minute minimum call duration and six (6) second additional billing increments.

Rate Per Minute \$0.1490

- 4.1.1.3. Residential "1 Plus" Rate Plan 3 provides for an eighteen (18) second minimum call duration and six (6) second additional billing increments.

Rate Per Minute \$0.1690

- 4.1.1.4. Business "1 Plus" Rate Plan provides for and eighteen (18) second minimum call duration and six (6) second additional billing increments.

Rate Per Minute \$0.1550

- 4.1.1.5. Toll Free Service Rate Plan 1 provides for a one (1) minute minimum call duration and one (1) minute additional billing increments.

Rate Per Minute \$0.1190

- 4.1.1.6. Toll Free Service Rate Plan 2 provides for a one (1) minute minimum call duration and six (6) second additional billing increments.

Rate Per Minute \$0.1290

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Mr. Paul Jarman, Treasurer
Buyers United International, Inc.
635 West 5300 South, Suite 202
Murray, Utah 84123
(801) 264-9015

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SECTION 4 - RATES, Continued

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4.1. SERVICE CHARGES, Continued

4.1.1. Buyers United Subscriber Services, Continued

- 4.1.1.7 Toll Free Services Rate Plan 3 provides for an eighteen (18) second minimum call duration and six (6) second additional billing increments.

Rate Per Minute \$0.1390

- 4.1.1.8 Calling Card Service provides for a one (1) minute minimum call duration and one (1) minute additional billing increments.

Rate Per Minute \$0.1890

4.1.2. Buyers United Prepaid Services

- 4.1.2.1. Prepaid Calling Card Service provides for a one (1) minute minimum call duration and one (1) minute additional billing increments.

Rate Per Minute \$0.3300

4.1.3. Director Assistance

- 4.1.3.1. The Company charges \$0.75 per call for director assistance service.

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