

**5.2 Cancellation Charges – AT&T Switched Ethernet Service**

The following cancellation charges apply for Interstate and Intrastate Access AT&T Switched Ethernet Service.

Customer may cancel an order for the installation of Service at any time prior to AT&T's notice that Service is available for Customer's use. The Cancellation Date is the date AT&T receives written notice from Customer that the order is to be cancelled or the date AT&T cancels the order pursuant to Part 1, Section 3, paragraph 3.4.

When either Customer or AT&T cancels an order for a new Service Port, Cancellation Charges will apply, even when nonrecurring installation charges would otherwise be waived. Applicable Cancellation Charges will be calculated based on the number of calendar days between AT&T's receipt of the order and the Cancellation Date. A Cancellation Charge will apply on a per Port basis as shown in the table below.

Cancellation Charge		
Cancellation Date – Calendar Days after Receipt of Order	USOC	Cancellation Charge (Per Port)
0-30	N/A	\$0.00
31-60	NRFSE	\$2,000.00
61+	NRFSF	\$3,000.00

(N)  
|  
(N)

**When Cancellation Charges Do Not Apply**

Cancellation Charges do not apply under the following circumstances:

- If AT&T misses a service due date by more than 30 days due to circumstances over which it has direct control (excluding, e.g., Force Majeure conditions);
- If Customer cancelled an order because it does not agree to pay applicable Special Construction charges as described in Part 1, Section 7;
- If AT&T requests Customer to cancel and re-submit an order;
- If Customer cancels an order and, within 90 days after the cancellation date of that order, submits a new order for Service to the same service address with bandwidth equal to or greater than the bandwidth requested in the cancelled order. Customer may be required to submit a claim for a credit for or reversal of the Cancellation Charge, in order to establish that the new order is related to the cancelled order and meets the criteria specified above; or
- If AT&T cancels an order as described in Part 1, Section 3, paragraph 3.4 (*AT&T's Discretionary Cancellation of Orders*).