

ACCESS SERVICE

RATES, RULES AND CHARGES

Title Page and Pages 1 to 22-45, inclusive of this tariff are effective as of the date shown. Original and revised pages as named below and Supplement No. 7 contains all changes from the original tariff that are in effect on the date hereof.

CHECK SHEET

<u>Page</u>	Number of Revision Except as Indicated	<u>Page</u>	Number of Revision Except as Indicated
Title	4th	22.3	6th
1	277th*	22.4	7th
1.1	25th	23	Original
1.2	113th	24	Original
1.2.1	2nd	25	1st
1.3	11th	26	1st
1.4	33rd	27	Original
1.5	64th	28	1st
1.5.1	15th	29	1st
1.6	28th	30	2nd
1.7	12th	31	1st
1.7.1	2nd	1-1	Original
1.8	18th	1-2	3rd
1.9	57th	2-1	2nd
1.10	17th	2-2	2nd
1.11	26th	2-3	1st
1.12	36th	2-4	3rd
1.13	22nd	2-5	3rd
1.14	16th*	2-5.1	1st
1.15	4th	2-6	1st
1.16	1st	2-7	Original
2	4th	2-8	Original
3	2nd	2-9	Original
4	3rd	2-10	Original
5	2nd	2-11	Original
6	3rd	2-12	1st
7	4th	2-13	Original
8	3rd	2-14	6th
9	1st	2-15	5th
10	7th	2-15.1	4th
11	2nd	2-16	Original
12	1st	2-17	4th
13	2nd	2-18	Original
14	1st	2-19	Original
15	3rd	2-20	Original
16	5th	2-21	Original
17	6th	2-22	Original
18	2nd	2-23	Original
19	5th	2-24	Original
20	2nd	2-25	Original
21	5th	2-26	1st
22	7th	2-27	Original
22.1	2nd	2-28	Original
22.2	44th	2-29	Original

* New or Revised Page

Issuing Officer: Kristen Shore, Executive Director - Regulatory
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675 W. Peachtree St. NW, Atlanta, GA 30308

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RATES, RULES AND CHARGES CHECK SHEET (Cont'd)

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23-456	1st	23-507	Original
23-457	1st	23-508	Original
23-458	1st	23-509	Original
23-459	1st	23-510	Original
23-460	1st	23-511	Original
23-461	Original	23-512	Original
23-462	Original	23-513	Original
23-463	Original	23-514	Original
23-464	Original	23-515	Original
23-465	Original	23-516	Original
23-466	Original	23-517	Original
23-467	Original	23-518	Original
23-468	Original	23-519	Original
23-469	Original	23-520	Original
23-470	Original	23-521	Original
23-471	Original	23-522	Original
23-472	Original	23-523	Original
23-472	Original	23-524	Original
23-473	Original	23-525	Original
23-474	Original	23-526	Original
23-475	Original	23-527	Original
23-476	Original	23-528	Original
23-477	Original	23-529	Original
23-478	Original	23-530	Original
23-479	Original	23-531	Original
23-480	Original	23-532	1st*
23-481	Original	23-533	Original
23-482	Original	23-534	Original
23-483	Original	23-535	Original
23-484	Original	23-536	Original
23-485	Original	23-537	Original
23-486	Original	23-538	Original
23-487	Original	23-539	Original
23-488	Original	23-540	Original
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23-491	Original	23-543	Original
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23-493	Original	23-545	Original
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ACCESS SERVICE

23. Pricing Flexibility Contract Offerings (Cont'd)23.37 Contract Offer No. 37 - Access Service Offer (Cont'd)23.37.5 Terms and Conditions (Cont'd)

- (H) Subject Services are subject to certain rates, charges and general terms and conditions in other sections of NBTC Tariff F.C.C. No. 1 (Sections 2-General Regulations, 5-Ordering Options for Switched & Special Access Service, and 13-Additional Engineering, Additional Labor & Miscellaneous Services), and such terms and conditions may be modified through the filing of tariff changes at any time during the Contract Term. However, such tariff modifications will not change the Terms and Conditions described in this Contract Offer No. 37.

23.37.6 Credits and Waivers(A) Spend Credits

"Spend-Eligible Charges" means the billed recurring and non-recurring charges, after application of any discounts or credits applicable to those recurring and non-recurring revenues (except those issued under this Contract Offer No. 37), as well as adjustments for overbilling, underbilling and billing dispute settlements for, in the aggregate, the Spend-Eligible Services, which are purchased by and billed to Customer and its Qualifying Affiliates (as each exists as of the Subscription Date) (or their Permitted Successors under the Eligible ACNAs. Spend-Eligible Charges shall specifically exclude the following: (N)

- (1) usage-based charges;
- (2) temporary service charges;
- (3) special construction charges;
- (4) fractional and partial recurring charges;
- (5) customer premise equipment charges;
- (6) charges for services provided by a non-Affiliate third party service provider;
- (7) taxes, surcharges or government-related charges;
- (8) Expanded Interconnection Terminations, Interconnection Tie Pairs or Cross-Connect charges under any Affiliate's Interconnection Agreement;

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