
A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

CONTENTS

A5.1	Construction Charges	1	
A5.1.1	Reserved For Future Use	1	
A5.1.2	General	1	
A5.1.3	Pole Line Construction	4	
A5.1.4	Reserved For Future Use	6	
A5.1.5	Reserved For Future Use	6	
A5.1.6	Underground Construction	6	
A5.1.7	Special Types Of Construction	8	
A5.1.8	Rearrangements Of Existing Plant	8	
A5.1.9	Construction Required For Temporary Service	8	
A5.1.10	Application Of Installation And Carrying Charges For Cable And Wire Facilities	9	
A5.1.11	Special Construction Charges For Multiple Lines Terminated At Private Residence Locations	9	
A5.1.12	Engineering Work Preparation Fee	9	
A5.2	Reserved For Future Use	14	(T)
A5.3	Charges For Unusual Installations	14	(T)
A5.3.1	Reserved For Future Use	14	(T)
A5.3.2	Reserved For Future Use	14	(T)
A5.3.3	Reserved For Future Use	14	(T)
A5.3.4	Construction On Government Reservations Or Commonly Owned Property	14	
A5.3.5	Clean Environment Equipment	14	
A5.3.6	Special Types of Cabling	14	
A5.4	Special Service Arrangements	14.1	
A5.4.1	General	14.1	
A5.4.2	Reserved for Future Use	14.1	
A5.4.3	Reserved For Future Use	14.1	
A5.5	Reserved For Future Use	14.1	
A5.6	Reserved For Future Use	14.1	
A5.7	Reserved For Future Use	14.1	

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

CONTENTS

A5.8	Emergency Service Continuity Plan	15	
A5.8.1	General	15	
A5.8.2	Explanation of Terms	15	
A5.8.3	Application	15.1	
A5.8.4	Notice	15.1	
A5.8.5	Conditions	15.1	
A5.8.6	Rates	15.1	
A5.9	(DELETED)	16	
A5.10	Reserved For Future Use	16	
A5.11	(DELETED)	16	(D)
A5.12	(DELETED)	27	(D)

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.1 Construction Charges

A5.1.1 Reserved For Future Use

A5.1.2 General

A. Construction Charges

1. Construction charges are payable upon application for service or when billing is rendered as the Company may, at its option, require.
2. Construction performed by the applicant, where authorized in this *Guidebook*, is subject to the approval of the Company. (T)
3. Additional *terms and conditions* in regard to construction on government reservations and commonly-owned property apply as set out in A5.3.4. Cable and wire facilities will be provided on private property to furnish service to a group of tenants (as in shopping centers, trailer parks, office buildings, etc.) without construction charges where, in the judgment of the Company, excessive costs are not involved. (T)
4. Except as otherwise provided herein, the *terms and conditions* in this *Guidebook* contemplate that the type of construction required to provide the quantity and class of service involved will be determined by the Company. The applicant may be required to pay the additional costs involved where a different type of construction than that proposed by the Company is desired. (T)
5. When attachments are made to poles of other companies in lieu of providing new pole line construction for which construction charges would be applicable under the provisions of this Section, the attachment rental charges to the Company for such attachments may be assessed to the applicant(s) in whole or in part as the particular circumstances may warrant. Where supporting structures owned by this Company or other companies are used to support off-premises extension circuits, charges based on cost are applicable.
6. When service which utilizes facilities subject to construction charges is disconnected and the same facilities are used to furnish service to a new subscriber, the new subscriber must assume the obligations as to construction charges of the previous subscriber. Under these circumstances the original subscriber would not be required to pay termination charges.
7. Where plant facilities are provided to furnish service to more than one customer and construction charges are involved, these charges will be divided among the customers equitably based on each customer's individual service requirements. Where the Company has a requirement for circuits in a specially constructed facility, construction charges will apply only to the portion of the specially constructed facility allocated to the subscriber's use.
8. All rates and charges quoted in this Company's *service publications* provide for the furnishing of services or channels when suitable facilities are available or where the construction of the necessary facilities does not involve unusual costs. (T)
 - a. When the revenue to be derived from the service or channels is not, in the opinion of the Company, sufficient to warrant the Company assuming the unusual costs of providing the necessary construction, the customer may be required to pay all or a portion of the estimated cost to be incurred, the amount depending upon the circumstances in each case.
 - b. When an applicant is so located that it is necessary to use private right-of-way to furnish service and the Company is unable to obtain the required right-of-way without cost, the applicant may be required to pay the costs incurred in securing, clearing and retaining such rights-of-way.

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.1 Construction Charges (Cont'd)

A5.1.2 General (Cont'd)

- A. Construction Charges (Cont'd)
9. When poles, conduit, or other supporting structures are provided by the customer, the customer is responsible for maintenance and replacement. When conduit is provided by the customer, the cost of excavation, fill-in, repair, and replacement, if required, in connection with maintenance or replacement of cable facilities of the Company, is borne by the customer. Underground entrance facilities are subject to the provisions of A5.1.6.B.6 and 7. (T)
10. When in the judgment of the Company unusual costs will be involved in providing a suitable opening in the exterior wall of a building for entrance wires and cables the customer will be required to provide the opening or to pay a construction charge equal to the cost incurred. When the opening is provided by the Company, liability for any defacement or damage is limited in accordance with A2.5. When in the judgment of the Company there is a likelihood that damage will result from providing the opening then the opening must be provided by the customer or applicant. When conduit for underground entrance is provided in accordance with the provisions of A5.1.6.B.3, the customer or applicant must provide the opening. When underground facilities without conduit are provided in accordance with A5.1.6.B.6 or 7, and the opening in the exterior wall will be below the existing or proposed ground level, the customer or applicant must provide the opening. (T)
- B. Additional Charges
1. Definition of Additional Charges
- a. Additional charges are those applicable under special conditions as hereinafter set forth and they are in addition to other charges specified in this *Guidebook*. (T)
- b. Additional charges may be initial nonrecurring charges, recurring monthly charges, termination charges or a combination of these types of charges. The types of additional charges applied in a specific case are determined by the Company with recurring charges being converted to nonrecurring charges and vice versa using standard time and cost of money computations.
- c. Termination charges applicable to facilities subject to construction charges represent the present worth, at the time of disconnection, of the future monthly payments due under the contract.
2. Definition of Cost
- a. The word "cost" when used in this Section refers to estimated cost involved in providing facilities for telephone service or equipment. Those costs consist of the following items to the extent they are applicable:
- (1) Cost of maintenance.
 - (2) Cost of operation.
 - (3) Depreciation on the estimated cost installed of the facilities utilized, based on the anticipated useful service life of the facilities with an appropriate allowance for the estimated net salvage.
 - (4) Administration and taxes on the basis of reasonable average charges for these items.
 - (5) Any other specific items of expense associated with the particular situation.
 - (6) A reasonable amount, computed on the estimated cost installed of the facilities utilized, for return and contingencies.

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.1 Construction Charges (Cont'd)

A5.1.2 General (Cont'd)

B. Additional Charges (Cont'd)

2. Definition of Cost (Cont'd)

b. Estimated cost installed as mentioned in A5.1.2.B.2.a.(3) and (6) includes cost of equipment and materials specifically provided or used plus the estimated cost of installing, including engineering, labor, supervision, transportation, rights-of-way and any other investment items. "The cost installed" and "accounting costs" will, at the request of a subscriber, be recorded as actual costs by means of a Keep Cost Authorization assigned to a particular project. (T)

3. Charges for Work Performed Outside Regular Working Hours

The rates and charges specified in this *Guidebook* contemplate that all work in connection with furnishing or rearranging service be performed during regular working hours. Whenever a subscriber requests that work necessarily required in the furnishing or rearranging of his service be performed outside the Company's regular working hours, the subscriber may be required to pay, in addition to the other rates and charges specified in this *Guidebook*, those charges for subscriber requested overtime. The hourly overtime charge or fraction thereof will be computed at 1.5 times the current directly assigned Company labor rates, rounded to the nearest dollar. The appropriate hourly charge will depend on the force group performing the work. (T)

4. Cancellation of Requests for Service and Equipment

When an application for service and facilities or requests for additions, rearrangements, relocations or modifications of service and equipment are canceled in whole or in part prior to completion of the work involved, the applicant is required to reimburse the Company for all costs incurred in handling the request before notice of cancellation is received. Such charge, however, is not to exceed all charges which would apply if the work involved in complying with the request had been completed.

5. Delay of Installation by Customer or Applicant

When equipment has been ordered for the specific needs of a subscriber and the installation thereof is unduly delayed by or at the request of the subscriber, appropriate charges apply for such equipment for the period of the delay. These charges will be based on the costs of sustaining the investment beyond a reasonable period of time for the period of the delay.

6. Modification of Request for Service and/or Equipment

When a customer or applicant requests a change in location of all or a part of the facilities covered by his application for service or requests for additions, rearrangements or modifications of his existing service and equipment prior to completion of the work involved, he is required to pay the difference between the total costs and expenses incurred by the Company in completing the work involved and that which would have been incurred had the final location of the facilities been specified initially.

7. Expedited Installation and Construction

When at the request of a customer or applicant the Company expedites the installation or construction of facilities at a greater expense than would otherwise be incurred, charges equal to the excess of costs on an expedited basis over the estimated costs on a normal schedule basis apply. For specific service expediting charges to advance normal service intervals see Section A4.

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.1 Construction Charges (Cont'd)

A5.1.2 General (Cont'd)

B. Additional Charges (Cont'd)

8. Responsibilities of Parties Other Than Customers and Applicants

When telephone facilities are to be provided at a location where at that time, there are no customers or applicants for service (for example a building being constructed for sale or rent) the property owner and his agents are required to assume the responsibilities normally assumed by the customer or applicant, except as specified in A5.1.2.A.3. The ability of the Company to provide service is dependent on the customers, applicants or property owners and their agents fulfilling their responsibilities as outlined in this Section A5. If, under these conditions in this Section or other sections, the property owner or his agents refuse to assume the normal responsibility in regard to providing telephone facilities, then no Company facilities will be provided until a bona-fide applicant for service accepts these responsibilities. (T)

9. Authority for Constructing and Installing Telephone Facilities

When in the judgment of the Company it is necessary to secure authorization from a property owner or his agents to construct or install telephone facilities at a specific location the customer or applicant is required to secure such authorization in a proper form and without expense to the Company.

A5.1.3 Pole Line Construction

A. General Distribution Facilities

1. Except as otherwise stated in this *Guidebook*, no construction charge is applicable for the provision of new general distribution pole line construction on public highways or other easements when such pole line is to be used in serving customers in general. (T)
2. Construction charges for facilities located on public highways and other easements are computed as described following for entrance facilities except that the ownership of all the supporting structures is vested in the Company.

B. Entrance Pole Line Facilities

1. Entrance poles are poles located on private property used to support central office circuits required to serve a specific building or group of buildings located on the property. Poles required to support facilities to serve subdivisions, industrial parks, or other areas where streets are dedicated to public use and where such poles are placed on dedicated street rights-of-way or in dedicated utility easements, these poles are not considered entrance poles.
2. The Company will furnish as many as two entrance poles on the property without charge and ownership and maintenance of such poles is vested in the Company. Construction charges based on cost apply for entrance poles in excess of two and the ownership and maintenance of these poles is vested in the applicant or customer.
In lieu of the arrangement described preceding, the subscriber may at his own expense provide all poles on private property (above the allowance of 2) necessary to serve him if such poles are properly located and suitable for use. Ownership and maintenance of such poles is vested in the customer or applicant. The Company may, after notice in writing to the customer, without incurring any liability thereby, discontinue furnishing service if the poles are not maintained or used in accordance with accepted safety standards.

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.1 Construction Charges (Cont'd)

A5.1.3 Pole Line Construction (Cont'd)

B. Entrance Pole Line Facilities (Cont'd)

3. A maximum of 750 feet of the cable or wire facilities which are required for central office circuits will be provided at no additional charge. Except as otherwise specified, construction charges may apply for all other cable or wire facilities provided in connection with pole line entrance facilities. Ownership and maintenance of all cable and wire facilities provided either with or without construction charges is vested in the Company.

C. Local Distribution Pole Line Facilities

1. Local distribution poles are poles between buildings on private property other than entrance poles, used to support local wire and cable facilities for extension lines, PBX or *Centrex Type* Services station lines, signaling circuits, etc. (C)
2. The Company will perform the work to provide local distribution poles at the customer or applicant's expense. Ownership and maintenance of such poles will be vested in the customer or applicant.
3. In lieu of the arrangement described in A5.1.3.C.2. preceding, the customer or applicant may provide all local distribution poles in accordance with A5.1.3.B.3. preceding for entrance pole line facilities, except that no allowance is provided for local distribution poles.
4. The application of construction charges for cable and wire facilities provided in connection with local distribution pole line facilities is described in A5.1.10. following.
5. Ownership and maintenance of all cable and wire facilities provided either with or without construction charges is vested in the Company.

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.1 Construction Charges (Cont'd)

A5.1.4 Reserved For Future Use

A5.1.5 Reserved For Future Use

A5.1.6 Underground Construction

A. General Distribution Underground Facilities

1. General distribution underground conduit is conduit in which cable facilities required to serve customers generally are placed.
2. The Company will place general distribution facilities underground without conduit where in its opinion conditions are suitable.
3. Except as otherwise stated in this *Guidebook*, no construction charge is applicable for the provision of new general distribution underground construction on public highways or other easements when such underground facilities are to be used in serving customers in general. (T)
4. Construction charges for facilities located on public highways and other easements are computed as described following for entrance facilities except that the ownership of all the supporting structures is vested in the Company.

B. Underground Entrance Facilities

1. Underground entrance facilities consist either of underground conduit in which the entrance underground cable is placed or, in lieu of conduit, where in the opinion of the Company conditions are suitable, of only excavation and fill-in in which buried underground wires or cables are placed, on private property required to serve one building or group of buildings. Entrance underground conduit is provided as specified in A5.1.6.B.3. Entrance underground facilities without conduit are provided as specified in A5.1.6.B.6. (T)
2. Where the general distribution system is underground, or is about to be placed underground, all existing customers and applicants along the route thereof are required to arrange for underground entrance conduit or underground entrance facilities without conduit to connect to the general distribution underground system.
3. The customer or applicant is responsible for providing, at his own expense, all conduit located on private property including all conduit located on easements or rights-of-way, excluding public streets and highways, dedicated to public use but maintained by the customer or applicant. The Company may also require that a pull wire be provided by the customer or applicant for the purpose of placing wire or cable.
4. At the request of a customer or applicant the Company may agree to provide conduit normally provided by the customer or applicant at charges based on cost. If a group of customers or applicants so desire and it is practicable to do so, a type of distribution may be employed where underground conduit is constructed from the public street or highway to one of the buildings and thence successively to the other buildings on the private property of the respective customers or applicants provided the facilities to provide service to one or more customers are not required to pass through the building of another customer. In such cases the construction charge is apportioned among the parties equitably, taking into consideration their respective locations.

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.1 Construction Charges (Cont'd)

A5.1.6 Underground Construction (Cont'd)

B. Underground Entrance Facilities (Cont'd)

5. The Company will place its underground entrance cables in conduit provided and maintained by the customer or others if in its opinion the conduit is properly located and suitable for such use. Permission to use such conduit must be furnished to the Company free of cost. The Company may, after notice in writing to the customer, without incurring any liability thereby, discontinue furnishing service in this manner, if in its opinion the conduit is not properly maintained or used in accordance with accepted safety standards. The Company will provide in conduit at no additional charge a maximum of **750** feet of cable and wire facilities required for central office circuits. Except as otherwise specified, construction charges based on cost may apply for all other cable and wire facilities provided in underground entrance conduit. Ownership and maintenance of all cable and wire facilities provided either with or without construction charges is vested in the Company. (C)
6. Except as provided in A5.1.6.B.7. following, where general distribution facilities are underground and when the ground condition is, in the opinion of the Company, such that increased costs will not be involved in trenching, the Company will place entrance facilities for central office circuits underground without use of conduit at no additional charge for a maximum of **750** feet of the building entrance. A construction charge based on cost applies for excavation and fill-in in excess of **750** feet except where the excavation and fill-in is provided and maintained by the customer or others and the construction is in accordance with the specifications of the Company. The Company will provide in underground facilities without conduit at no additional charge a maximum of **750** feet of cable and wire facilities required for central office circuits. Except as otherwise specified, construction charges based on cost may apply for other cable and wire facilities provided in entrance underground facilities without conduit. Ownership and maintenance of all cable and wire facilities provided either with or without construction charges is vested in the Company. Permission to use the trench must be furnished to the Company free of charge. The Company may, after notice in writing to the customer, without incurring any liability thereby, discontinue furnishing service in this manner, if in its opinion the trench is not properly maintained or used in accordance with accepted safety standards. (C)
7. If the area adjacent to an existing or proposed opening for entrance facilities in the exterior wall of a building is paved or is to be paved or if other obstacles exist or will exist which will make the trenching impractical or unusually difficult, it is the responsibility of the customer or applicant to provide conduit under that area to the place where connection is to be made with buried facilities without conduit. If after entrance facilities are placed in accordance with A5.1.6.B.6. preceding and the ground surface is later paved or if other obstacles are installed which make additions and/or maintenance difficult and/or expensive, the customer will be required to remove and replace at his own expense any paving or other obstacles. In the event the Company agrees to perform this work charges based on cost involved will apply.

C. Where The General Distribution System Is On Poles

Where the general distribution system is on poles and is not to be placed underground, underground entrance facilities will be furnished in accordance with A5.1.7. following except that an underground entrance, which in the opinion of the Company is not unusually expensive, will be furnished without a construction charge where the customer or applicant provides conduit or excavates and backfills a trench to the specifications of the Company. Regular Service Charges quoted in Section A4. apply for this rearrangement.

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.1 Construction Charges (Cont'd)

A5.1.6 Underground Construction (Cont'd)

D. Underground Facilities Required by a Political Subdivision of a State

When a political subdivision of a state requests that existing aerial facilities be changed to underground facilities and/or that all new facilities be placed underground where a different type of construction would be used, the Company will increase its rates by a uniform percentage in the political subdivision involved in an amount sufficient to recover the difference between the cost incurred or to be incurred and the cost it would normally have incurred.

E. Local Distribution Underground Construction

1. Local distribution underground conduit is conduit between buildings on private property, other than entrance underground conduit, in which local underground cable facilities are placed for extension telephone and private branch exchange telephone lines, signaling lines, etc.
2. The customer or applicant is required to provide and maintain suitable local distribution underground conduit.
3. The Company will place local distribution facilities underground without the use of conduit where in its opinion conditions are suitable. In such cases the customer or applicant is required to provide and maintain suitable excavation and fill-in. The cost of excavation and fill-in if required in connection with maintenance or replacement of facilities of the Company is borne by the customer.
4. The application of construction charges for cable and wire facilities provided in connection with local distribution underground construction is described in A5.1.10.

A5.1.7 Special Types of Construction

When a special type of construction other than those covered preceding is desired by a subscriber or where the individual requirements of a particular situation make the construction unusually expensive, the subscriber is required to bear the excess cost of such construction. Any special maintenance expense that may from time to time occur will be borne by the subscriber.

A5.1.8 Rearrangements of Existing Plant

- A. When the Company is requested to move or change existing plant for which no specific charge is quoted in this Guidebook, the person at whose request such move or change is made may be required to bear the costs incurred. (T)
- B. Where by statute, ordinance or other legal requirement, existing aerial facilities are required to be relocated underground, the Company will charge the net cost attributable to such relocation to the local exchange subscribers located within the political subdivision or area affected by such statute, ordinance or other legal requirement. (N)

A5.1.9 Construction Required For Temporary Service

When construction is required for temporary service and there is no immediate prospect of reusing the plant provided, the subscriber may be required to bear all or a portion of the cost of such construction.

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.1 Construction Charges (Cont'd)

A5.1.10 Application of Installation And Carrying Charges for Cable and Wire Facilities

- A. Entrance cable and wire facilities in excess of the allowances stated in A5.1.3 and A5.1.6 will be provided on the basis of the following plan:
 - 1. A nonrecurring charge, based on cost, representing the capital cost of construction, will be applicable for all customers.
 - 2. In addition, a monthly recurring charge, based on cost, representing the maintenance and administrative costs associated with the facilities, will be applicable to multi-line business and seasonal dwelling customers only.
 - 3. Under this plan, where a portion of the facilities must be replaced at a later date due to having served its useful life, charges apply to the replacing of facilities placed after 11-2-79 as if such facilities were installed new.
- B. When it is known or realized that the life of all or a part of outside circuit extensions will be shorter than the normal life of the plant or the cost of providing the plant is such as to render inadequate the mileage charges or the monthly cable carrying charges in lieu of mileage charges quoted in Section A13, construction charges apply as set out in A5.1.10.A for entrance facilities, except that no allowance is given in connection with extension lines. (T)
- C. Cable and wire facilities specifically provided for off-premise circuits will be furnished in accordance with the provisions of A5.1.10.A.
- D. Ownership and maintenance of cable and wire facilities for on-premises and off-premises circuits provided with or without construction charges is vested in the Company. (T)

A5.1.11 Special Construction Charges for Multiple Lines Terminated at Private Residence Locations

- A. When a subscriber requests more than five (5) lines or requests additional lines that result in more than five (5) total lines to a residence location, special construction charges may apply. If existing facilities are not available to satisfy the subscriber's request, it may be necessary to place an additional service drop or to use approved electronics to avoid placing a cable. If electronics are utilized, the subscriber shall be responsible for the non-reusable material costs and the labor costs, including removing and relocating the electronics. If the Company deems it appropriate to place a cable from the right-of-way or easement to the premises, the special construction charges should include the costs to construct the cable and the terminal which are not reusable for other subscribers.
- B. When a subscriber requests more than five (5) lines or requests additional lines that results in a total of more than five lines at a residence location that requires the reinforcement of the distribution cable, special construction charges shall apply for the portion of the distribution facility that would not normally have been placed at that location by the Company.
 - 1. If the cable is sized to serve only the subscriber's request, i.e. the existing cable is properly sized for the current additional line usage for that location, the total cost for the construction of the cable and associated terminal (s) shall be billed to the subscriber making the request.
 - 2. If the cable is sized to reinforce the existing distribution facility as well as serve the subscriber's request, only the portion of the material and labor costs above the costs to reinforce the embedded cable shall be billed to the subscriber making the request.
- C. The Company reserves the right to require a customer to pay special construction charges prior to the start of construction.
- D. Construction charges may apply to a private residence location in accordance with other provisions contained within Section A5 for subscriber requests of five (5) or less lines. (T)

A5.1.12 Engineering Work Preparation Fee

A one-time Engineering Work Preparation Fee of \$500 will apply for the preparation of a quotation for custom work which may require construction charges. This fee is applicable prior to preparation of an estimate for custom work requiring construction charges and will be applied regardless of whether or not the work is ultimately performed for the customer. The Engineering Work Preparation Fee is nonrefundable; however, should the customer proceed with the custom work the fee will be applied against the special construction charges. If work is determined not to be a custom work order after the field visit by the engineer, the fee will be refunded to the customer.

The Engineering Work Preparation Fee provides for the development and preparation of a detailed estimate of cost including any appropriate engineering costs incurred in the preparation of this quotation. The customer will be advised of this charge and must agree to pay it before development of the quotation will commence. Preparation of the quotation will begin after the Engineering Work Preparation Fee is received by the Company.

Payment of the Engineering Work Preparation Fee does not assign, confer, or transfer title or ownership rights to proposals or equipment, designed or furnished by the Company. Title and ownership rights for any item developed at the customer's request remains with the Company except as specifically provided by an agreement between all parties.

The Company has the right to apply more applicable engineering preparation fees for any large, complex and/or unique projects that will require excessive engineering hours to develop a detailed cost quote.

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.2 Reserved For Future Use

(M)

A5.3 Charges For Unusual Installations

(T)

A5.3.1 (DELETED)

(M)

A5.3.2 Reserved for Future Use

(M)

A5.3.3 Reserved for Future Use

(M)

A5.3.4 Construction On Government Reservations Or Commonly Owned Property

- A. The Company will provide facilities on property occupied by governmental agencies and/or commonly owned property associated with condominiums, cooperative apartments and so on, only if legal easements are furnished without expense being incurred by the Company. The amount of facilities to be provided on such property without construction charges will be determined in each case by the Company. For this property, responsibility normally assumed by the customer or applicant in connection with the installation and maintenance of facilities on private property, must be assumed by the governmental agency or condominiums or cooperative association administering the common property.
- B. *Terms and conditions* in A5.3.4.A also apply when facilities are to be provided on property owned by a party other than the building owner. Under these circumstances the building owner will be required to secure legal easements and to assume the responsibility normally assumed by a customer or applicant. (T)
- C. When a part of a building or other property is owned by one party and the other by other parties, these parties either at the time telephone facilities are to be installed or at the time a division in ownership is made, must designate a responsible party or parties acceptable to the Company who will agree to assume responsibility normally assumed by the customer, applicant, building owner or his agent.
- D. When service is furnished by using facilities provided in accordance with A5.3.4.A, B and C, and the parties do not comply with the *terms and conditions* of this Section or other Sections of this *Guidebook*, or do not maintain the facilities provided in a proper manner, the Company may without incurring any liability thereby discontinue furnishing service which is provided by using those facilities. (T)

A5.3.5 Clean Environment Equipment

- A. When, in the opinion of the Company, environmental conditions are expected to exist which could cause excessive maintenance problems and expense in connection with telephone service and equipment, the customer may be required to pay additional charges based on cost for "Clean Environment" equipment provided by the Company.
- B. In lieu of the arrangement in A5.3.5.A, the customer may, at his expense, provide an arrangement acceptable to the Company to insure clean environmental conditions. The Company may, after notice in writing to the customer, without incurring any liability thereby, discontinue furnishing service if the customer does not maintain his equipment in a manner which insures continuing clean environmental conditions. (T)

A5.3.6 Special Types of Cabling

For ordinary installations, the Company will use a standard type of inside cable of a size required to meet installed equipment requirements. When the specific requirements for a particular installation result in the customer or applicant choosing a type of cable other than this standard, rates and charges will apply as described in the following paragraphs.

- A. Fire Retardant Cable
 - 1. This type of cable has insulation, core wrap, and jacket made of flame retardant materials, and may be used in air return plenums without conduit where authorized by local codes.
 - 2. The charges for Fire Retardant Cable are in addition to other rates and charges that may apply.
 - 3. Charges for Fire Retardant Cable per each 25 feet or fraction thereof:

	Nonrecurring	
	Charge	USOC
(a) 2-pair	\$ 4.85	TEWO2
(b) 4-pair	5.70	TEWO4
(c) 25-pair	39.00	TEW25

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.4 Special Service Arrangements

A5.4.1 General

Where practical, special equipment and arrangements not otherwise provided for in this *Guidebook* are furnished if they are in accord with authorized service offerings and if they are to be used in connection with and not detrimental to any of the services furnished by the Company. Charges for such special service arrangements will be based on the estimated costs computed in accordance with A5.1.2.B.2. (T)

A5.4.2 Reserved For Future Use

A5.4.3 Reserved For Future Use

A5.5 Reserved For Future Use

A5.6 Reserved For Future Use

A5.7 Reserved For Future Use

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.8 Emergency Service Continuity Plan

A5.8.1 General

The Company will provide full or partial Emergency Service Continuity, subject to the rates, terms and conditions stated herein. Service is provided subject to a determination by the Commission, either upon petition by the Company or upon the Commission's own motion, that a Telecommunications Service Provider (TSP) has effectively abandoned service to its end users or that some other sufficient emergency (e.g., bankruptcy) exists to justify use of this *guidebook*. (T)

A5.8.2 Definition of Terms

ABANDONMENT DATE

The date determined by the Commission that a TSP abandoned or discontinued service to its end users, or the date that some other sufficient emergency exists to justify use of this *guidebook*. (T)

ABANDONED END USER

The former subscriber of a TSP that receives service under the *terms and conditions* of this *guidebook*. (T)

COMPETITIVE LOCAL EXCHANGE COMPANY (CLEC)

Any person or entity possessing a certificate to provide local exchange or exchange access services in conjunction with a Local Exchange Company.

EMERGENCY SERVICE CONTINUITY

The service(s) provided pursuant to this *guidebook*. (T)

NEW SERVICE PROVIDER

The service provider affirmatively chosen by an Abandoned End User. A new service provider can be either a TSP (CLEC, Interexchange Carrier (IXC) or ILEC) or the Company.

RESALE

Occurs when an entity purchases telecommunications service(s) on a wholesale basis from the Company and resells those service(s) to its customers.

TELECOMMUNICATIONS SERVICE PROVIDER (TSP)

A CLEC, IXC or ILEC.

A5.8.3 Application

- A. From the Abandonment Date until an Abandoned End User is transitioned to a New Service Provider, or until denial or disconnection of service as provided in A5.8.4, the Company will provide each Abandoned End User with the telecommunications service existing at the end user premises at the time of the Company's assumption of responsibility under this *guidebook*. Abandoned End Users will not be able to modify the telecommunications service until electing a New Service Provider. (T)
- B. The Company will provide its standard maintenance and repair services, where applicable, while providing Emergency Service Continuity.

A5.8.4 Notice

- A. Promptly after receipt of the Commission determination of abandonment or other emergency, the Company will provide notice to Abandoned End Users through the Company's service facilities and/or the public media. The notice will inform Abandoned End Users that:
 - 1. Abandoned End Users may continue to receive telecommunications service through the Emergency Service Continuity Plan for a minimum period of fourteen (14) days from the date initial notice is given while Abandoned End Users decide upon and transition to a New Service Provider.
 - 2. After the notice in *paragraph* 1 has been given and the time period in *paragraph* 1 has transpired, service will be denied unless the Abandoned End User has either transitioned to a New Service Provider or has placed an order to transition to a New Service Provider and that order is being processed. When service is denied, the Abandoned End User will be unable to make or receive calls; (T)
 - 3. After the time period in *paragraph* 1 has passed and a minimum of fourteen (14) additional days have transpired, service will be disconnected unless the Abandoned End User has either transitioned to a New Service Provider or has placed an order to transition to a New Service Provider and that order is being processed. (T)
- B. Use of Company facilities may be discontinued without notice at any time after an Abandoned End User has transitioned to a New Service Provider that does not require use of Company facilities.

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.8 Emergency Service Continuity Plan (Cont'd)

A5.8.5 Conditions

- A. Emergency Service Continuity will be provided where the Company has been the underlying facilities provider through a resale or a UNE-P arrangement with a TSP.
- B. To provide Emergency Service Continuity, the Company must have permission, either directly or through Commission order, to use the customer service record information of Abandoned End Users.
- C. To provide Emergency Service Continuity, the Company must have a waiver of any applicable Commission requirements relating to verification of a change in service provider and the "preferred local carrier freeze".
- D. All other non-rate terms and conditions applicable to general subscriber service (including, without limitation, the limits on the Company's liability for failure to provide service) apply to Emergency Service Continuity.

A5.8.6 Rates

- A. For each Abandoned End User that selects a New Service Provider other than the Company, the Company will charge the New Service Provider a rate equivalent to the appropriate 2-wire loop, port and feature rates (switch as is) in that provider's interconnection agreement for the period from the Abandonment Date through the last date the Company provides Emergency Service Continuity. Thereafter, the applicable rates, terms and conditions of the interconnection agreement for services ordered by the New Service Provider shall be charged, collected and observed.
- B. For each Abandoned End User that selects the Company as its New Service Provider, the Company may charge from the Abandonment Date the rates applicable to the services provided to the end user by the Company consistent with the Company's General *Exchange Guidebook*.

(T)

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS**A5.9 Charges For Circuits With Terminations In The "Same Building"**

- A. When due to the size of a building, or where for other reasons it is necessary, in the judgment of the Company, to provide exterior or special cable and wire facilities, additional charges apply based on the difference between the estimated cost to be incurred and the estimated cost that would have been incurred if standard interior cable and wire facilities had been installed.
- B. Where two or more structures are under separate roofs but are connected by enclosed passageways which are over 100 feet in length, the cost of the interior cable and wire facilities in excess of 100 feet are applicable in addition to other rates and charges. If, in the judgment of the Company, exterior type cable or wire facilities are required between terminations in different structures, then charges apply as though each structure were a separate building.

A5.10 Reserved For Future Use**A5.11 (DELETED)**

(D)

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.11 (DELETED)

(D)

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.11 (DELETED)

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A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

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A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

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A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

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A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

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A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

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A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

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A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

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