

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

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A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.1 Construction Charges

A5.1.1 Application

The provisions of this section apply to aerial, buried and underground construction on public highways and private property.

A5.1.2 General

- A. Construction charges are applicable under certain conditions as hereinafter set forth and are in addition to other charges specified in this Guidebook.
- B. Construction charges are payable upon application for service or when billing is rendered as the Company, at its option, may require.
- C. Construction performed by the applicant, where authorized in this Guidebook, is subject to the approval of the Company.
- D. The word "cost", when used in this Section, means the in-plant cost consisting of labor, materials, supervision and other overhead expenses associated with the construction. Estimated cost will be used; however, where the subscriber requests, actual cost will be used where practicable.
- E. 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)
- F. 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.
- G. 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 right-of-way.

A5.1.3 Construction on Public Highways or Other Easements

- A. Pole Line Construction
 - 1. No construction charge is applicable for the provision of new pole line construction on public highways or other easements within the base rate area, or outside the base rate area when such pole line is to be used in serving subscribers in general.
 - 2. Except as provided above, when an applicant for service is located outside the base rate area in territory where new pole line construction is required and the revenue is not expected to be sufficient to insure, within a reasonable time, an adequate return on the necessary investment, the Company will provide new pole line construction to the extent of two poles per subscriber to be served at no construction charge, provided said two poles are to be used for the purpose of carrying central office circuits. Poles in excess of such two poles per subscriber to be served are provided in one of the following methods:
 - a. The subscriber may pay the Company the cost of each pole provided. Ownership and maintenance of such poles is vested in the Company.

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(N)

A5.1 Construction Charges (Cont'd)

A5.1.3 Construction on Public Highways or Other Easements (Cont'd)

A. Pole Line Construction (Cont'd)

2. (Cont'd)

- b. If agreed to in writing by both parties the subscriber, at his own expense, may furnish the portion of pole line and circuits from his station location to an agreed upon point of connection with the Company's system. The subscriber is required to maintain or bear the expense of maintaining his portion of the pole line and circuit and also to bear the expense of installing the station equipment. The station equipment will be maintained by the Company but maintenance expense incurred, because of the inaccessibility of the station or because of disrepair of the subscriber owned portion of the line, shall be borne by the subscriber.
3. Where poles are provided under paragraph 1. above the Company will furnish and maintain the necessary circuits. Where poles are provided under paragraph 2.a. above, the Company will furnish and maintain the necessary circuits but the subscriber may be required to bear all or a part of the construction cost of the circuits where the revenue is not expected to be sufficient to insure, within a reasonable time, an adequate return on the necessary investment.

B. Buried Construction

Where buried construction is furnished instead of pole line construction, at the expressed desire of the applicant, the principles applicable in A. above are followed and an allowance of 300 feet of buried construction will be made in lieu of the specified pole allowance.

A5.1.4 Construction on Private Property

A. Pole Line Construction

1. No construction charge is made for the provision of new pole line construction on private property, either within or without the base rate area, when such pole line is to be used in serving subscribers in general. Ownership and maintenance of such poles on private property is vested in the Company.
2. Except as provided in 1. foregoing and 3. following, poles on private property will be furnished by the Company at a charge to the subscriber(s) equal to the cost of each such pole; however, the Company will furnish as many as two poles without charge per subscriber(s) provided that the poles thus furnished are used to carry central office circuits. Ownership and maintenance of such poles is vested in the Company.
 - a. In lieu of the arrangements specified above, the subscriber may, at his own expense, provide all poles on private property necessary to serve him. Ownership and maintenance of such poles on private property is vested in the subscriber.
3. Where for the purpose of furnishing extension lines, it is necessary to lay underground conduit, to trench, or to set poles on the subscriber's premises, the subscriber is required to provide and install such underground conduit, to dig and backfill trenches, and to provide and erect such poles or the Company will perform the work at the subscriber's expense. Where the work is performed by the subscriber, it must be in accordance with the specifications of the Company. In such situations, conduit, trenching, poles or other supporting structure required for central office circuits will be furnished by or at the expense of the subscriber. Thus, ownership and maintenance of all supporting structure on private property is vested in the subscriber.

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A5.1 Construction Charges (Cont'd)

A5.1.4 Construction on Private Property (Cont'd)

A. Pole Line Construction (Cont'd)

4. Where poles are provided inside the base rate area under the provisions described in 1. or 2. preceding, the Company will furnish and maintain the necessary circuits. In case poles are provided on private property outside the base rate area, the necessary circuits will be furnished and maintained by the Company; however, the subscriber may be required to bear all or a part of the construction cost of the circuits where the revenue is not expected to be sufficient to insure, within a reasonable time, an adequate return on the necessary investment. Where poles or other supporting structure are provided under 3. preceding the Company will furnish and maintain the necessary circuits.

B. Buried Construction

Where buried construction is furnished instead of pole line construction, at the expressed desire of the applicant, the principles applicable in A. above are followed and an allowance of 300 feet of buried construction will be made in lieu of the specified pole allowance.

A5.1.5 Minimum Revenue Guarantee and Extended Service Period

When a substantial number of central office lines are involved in providing local or foreign exchange service, the subscriber may, based upon the circumstances in each case, be required to guarantee a minimum monthly amount of revenue for a period of up to a maximum of ten years with termination charges applicable in case of cancellation prior to the expiration of the service period.

A5.1.6 Underground Service Entrances

- A.** Underground service entrances may be provided at the subscriber's request as special construction in connection with either existing or new services, in lieu of the usual aerial drop wire.
- B.** Where the following conditions exist, buried service entrance facilities will be furnished without construction charge:
1. The location of the service is in an area where buried distribution facilities are used by the Company, and
 2. Buried service wire or buried cable would normally be provided by the Company for service entrance.
- C.** Where the conditions in B. above do not exist, buried service entrance will be provided at the applicant's request and he shall be required to pay the additional cost incurred by the Company as set forth in A5.1.7 following, or buried service entrance will be furnished without construction charge where the applicant provides conduit or opens and backfills a trench to specifications of the Company.

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 except that maintenance of buried service wire, including associated trenching where required, will be at the expense of the Company.

(M)

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.1 Construction Charges (Cont'd)

A5.1.8 Rearrangement of Existing Plant

- A. When the Company is requested to move or change existing plant, and 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 re-located 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. (M)

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. (N)

A5.1.10 Reserved for Future Use

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

- A. When a subscriber requests more than five (5) total 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) total lines or requests additional lines that results in a total of more than five (5) 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.

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.

A5.2 (DELETED)

A5.3 Charges for Unusual Installations

A5.3.1 Reserved for Future Use

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.3 Charges for Unusual Installations (Cont'd)

A5.3.2 Special Types of Installation

When a special type of installation is desired by a subscriber or where the individual requirements of a particular situation make the installation unusually expensive, the subscriber is required to bear the excess cost of such installation.

A5.3.3 Temporary Installation

When an installation 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 installation, over and above all other regular charges for service and equipment.

A5.4 Special Service Arrangements

A5.4.1 General

- A. Where practicable, 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 of furnishing them.
- B. Initial service periods exceeding one month may be necessary for facilities and equipment provided under a special service arrangement.
- C. The rates, charges and contract terms for the following items have been established as specified above to meet the particular requirements of certain subscribers. Inclusion of the rates and codes herein in no way constitutes authorization for any subscriber other than those specified. Service charges apply to installation of SSA subsequent to the initial installation of associated equipment.

(T)

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

(DELETED)

(D)

Pages 6.0.1 through 14.49.6.4.16 are hereby deleted in their entirety and removed from this Guidebook.

(N)

A5. CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

A5.5 Reserved for Future Use

A5.6 Contract Service Arrangements

A5.6.1 General

- A. When economically practicable, customer specific contract service arrangements may be furnished in lieu of existing Guidebook offerings provided there is reasonable potential for uneconomic bypass of the Company's services. Uneconomic bypass occurs when an alternative service arrangement is utilized, in lieu of Company services, at prices below the Company's rates but above the Company's incremental costs.
- B. Rates, Charges, Terms and additional *terms and conditions*, if applicable, for the contract service arrangements will be developed on an individual case basis, and will include all relevant costs, plus an appropriate level of contribution. (T)
- C. Unless otherwise specified, the *terms and conditions* for contract service arrangements are in addition to the applicable *terms, conditions* and rates specified in other sections of this Guidebook. (T)

Pages 16 through 32 are hereby deleted in their entirety and removed from this Guidebook.