

SPECIAL ACCESS SERVICE

7.2 Rate Regulations (Cont'd)

7.2.22 High Capacity Term Pricing Plan (HC-TPP) (Cont'd)

(C) Terms and Conditions

(1) Minimum Monthly Revenue Commitment

The customer agrees to a minimum monthly revenue commitment when electing to participate in a HC-TPP. The minimum monthly revenue commitment is determined when the customer specifies the quantity of services to be included in the HC-TPP. That amount is then calculated using the current HC-TPP rates in effect at the time to arrive at the minimum monthly revenue commitment.

The minimum monthly revenue commitment is calculated as follows:

$$\begin{array}{l} \text{(Number of circuits }) \\ \text{(ordered }) \end{array} \quad \times \quad \begin{array}{l} \text{(Rates in effect when }) \\ \text{(customer establishes }) \\ \text{(HC-TPP service }) \end{array}$$

= Initial minimum monthly revenue commitment.

The customer may establish the HC-TPP minimum monthly revenue commitment at either a LATA or state level as follows:

Less than 91% of total DS1 revenues is established as
HC-TPP = LATA

91% or greater of total DS1 revenues is established as
HC-TPP = state

(a) Maintaining the Minimum Monthly Revenue Commitment

A customer who chooses the state level must maintain that level of minimum monthly revenue commitment for a minimum of one year.

At the quarterly review, if the level is below 91%, the customer has 30 days to increase the revenue to 91% or greater to maintain the state level.

If the customer elects not to increase the revenues, the minimum monthly revenue commitment will be modified to reflect the LATA level and an Access Order charge will apply.

(b) Exceeding the Minimum Monthly Revenue Commitment

The customer may exceed the minimum monthly revenue commitment by 10 percent throughout the life of a 3 year HC-TPP or by 15 percent throughout the life of a 5 year HC-TPP.⁽¹⁾ If the customer exceeds the minimum monthly revenue commitment by more than 10 percent during a consecutive three-month period on a 3 year HC-TPP, that portion of the minimum monthly revenue commitment will be assessed and billed a 20 percent adjustment factor. (N)
If the customer exceeds the minimum monthly revenue commitment by more than 15 percent during a consecutive three-month period on a 5 year HC-TPP,⁽¹⁾ that portion of the minimum monthly revenue commitment will be assessed and billed a 30 percent adjustment factor. The revenue commitment amount will be reconciled quarterly. (N)

⁽¹⁾ Effective on February 16, 2019, High Capacity Term Pricing Plans are no longer available for 5 year term lengths, including for any otherwise available renewals, extensions or conversions. (N)
(N)

SPECIAL ACCESS SERVICE

7.2 Rate Regulations (Cont'd)

7.2.22 High Capacity Term Pricing Plan (HC-TPP) (Cont'd)

(C) Terms and Conditions (Cont'd)

(1) Minimum Monthly Revenue Commitment (Cont'd)

(d) Decreasing the Minimum Monthly Revenue Commitment

The customer may elect to decrease the minimum monthly revenue commitment at any time during the life of the HC-TPP. To initiate a decrease in the minimum monthly revenue commitment, the customer must provide the amount of the decrease in writing with the understanding that the decreased minimum monthly revenue commitment becomes the new minimum monthly revenue commitment.

The decreased minimum monthly revenue commitment will be calculated as follows:

(Existing minimum) (Decrease in minimum)
(monthly revenue) - (monthly revenue)
(commitment) (commitment)

= Decreased (new) minimum monthly revenue

In addition, the customer will be assessed a termination charge of 20% on either a 3 year or 5 year HC-TPP⁽¹⁾ as follows:

(N)

(Termination) x (Decrease in) (Months)
(percentage) x (minimum monthly) x (remaining)
() (revenue) (in revenue)
() (commitment) (commitment)

= Termination charge.

A decrease in the minimum monthly revenue commitment does not change any of the conditions in effect during the life of the HC-TPP.

⁽¹⁾ Effective on February 16, 2019, High Capacity Term Pricing Plans are no longer available for 5 year term lengths, including for any otherwise available renewals, extensions or conversions. (N)

SPECIAL ACCESS SERVICE

7.2 Rate Regulations (Cont'd)

7.2.22 High Capacity Term Pricing Plan (HC-TPP) (Cont'd)

(C) Terms and Conditions (Cont'd)

(2) Nonrecurring Charges

The nonrecurring charges under 7.3 (Service Descriptions, Rates and Charges) apply for those services ordered and installed under an HC-TPP. The nonrecurring charges will not apply toward the minimum monthly revenue commitment.

The nonrecurring charges under 7.3 (Service Descriptions, Rates and Charges) do not apply to existing services that are to be billed under HC-TPP; however, the Access Order Charge (AOC) under 5.2 (Access Order) and 5.4(A)(2) (Access Order Charges) will apply.

(3) Renegotiation

The customer may choose to terminate an existing HC-TPP before the end of the three or five year period and negotiate a new three or five year HC-TPP⁽¹⁾ without termination liability if the HC-TPP meets the following requirements: (N)

- (a) the new HC-TPP must have a greater minimum monthly revenue commitment than the previous HC-TPP, and
- (b) the new HC-TPP must be based upon the rates that are currently in effect and available to all customers.

An existing three year HC-TPP may be converted into a five year HC-TPP without termination liabilities,⁽¹⁾ provided that: (N)

- (a) the three year HC-TPP has not ended,
- (b) the converted HC-TPP must be based upon the rates that are currently in effect and otherwise available to all customers, and
- (c) the customer's minimum monthly revenue commitment will be adjusted accordingly, based upon the applicable five year HC-TPP rates times the customer's current HC-TPP number of circuits ordered.

When the customer converts to a five year HC-TPP,⁽¹⁾ actual time in service for the original HC-TPP will be applied to the new HC-TPP. However, no credits or refunds will apply for the billing of actual time in service for the previous HC-TPP. (N)

Subject to the conditions and termination liabilities of 7.2.22(D)(3)(a), the customer can also terminate an HC-TPP in the situation of expanded interconnection for special access services.

⁽¹⁾ Effective on February 16, 2019, High Capacity Term Pricing Plans are no longer available for 5 year term lengths, including for any otherwise available renewals, extensions or conversions. (N)
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(N)

SPECIAL ACCESS SERVICE

7.2 Rate Regulations (Cont'd)

7.2.22 High Capacity Term Pricing Plan (HC-TPP) (Cont'd)

(C) Terms and Conditions (Cont'd)

(4) Renewal⁽²⁾ (N)

The customer must provide SWBT with a written notice of intent to renew or extend an HC-TPP no later than 60 days prior to its expiration. The renewal rates will be the rates that are currently in effect and available to all customers. If the customer elects not to renew or extend the HC-TPP, or does not notify SWBT of his or her intent to renew or extend the HC-TPP, the customer's service will automatically be billed under the tariffed month-to-month rates in effect at the time the HC-TPP expires.

(5) Extension of Service⁽²⁾ (N)

The customer may elect to extend the existing HC-TPP for a single, additional 24 month period at the current rates for the three or five year HC-TPP being extended. If the current HC-TPP rates are lower than the original HC-TPP rates, the customer's minimum monthly revenue commitment will be adjusted accordingly. If current HC-TPP rates create a minimum monthly revenue commitment higher than the existing minimum monthly revenue commitment, the customer's existing minimum monthly revenue commitment will continue to apply.

The customer must provide SWBT with a written notice of intent to extend the HC-TPP no later than 60 days prior to the expiration of the service period.

(6) Upgrades of Service

A customer may upgrade HC-TPP service to High Capacity-Customer Specific Pricing Plan (HC-CSPP) service without termination liability given that:

- (a) the customer identifies the TPP services being moved,
- (b) the CSP service that the above TPP services are being moved to is a new CSP service,
- (c) the upgrade rates are individual case basis (ICB) rates developed in accordance with Section 2 (High Capacity Service) of the Customer Specific Pricing Plan Tariff available to all customers, and
- (d) the due date to disconnect the TPP service and the due date to connect the CSP service must be the same.

The AOC will apply.

(7) Conversion from Intrastate to Interstate HC-TPP⁽¹⁾⁽³⁾ (N)

Customers may convert an existing intrastate HC-TPP to a new interstate HC-TPP without termination liability providing the following conditions are met:

- (a) the customer must provide the Telephone Company written notice of intent to convert intrastate circuits to interstate circuits no later than 30 days prior to requested due date.
- (b) the customer identifies the HC-TPP circuits being moved.

⁽¹⁾ This revision is effective as of September 1, 1996 pursuant to PURA Section 3.356 and SWBT's notification thereunder.

⁽²⁾ Effective on February 16, 2019, High Capacity Term Pricing Plans are no longer available for 5 year term lengths, including for any otherwise available renewals, extensions or conversions.

⁽³⁾ Effective on February 16, 2019, interstate High Capacity Term Pricing Plans are no longer available.

(N)
(N)
(N)
(N)
(N)
(N)

SPECIAL ACCESS SERVICE

7.2 Rate Regulations (Cont'd)

7.2.22 High Capacity Term Pricing Plan (HC-TPP) (Cont'd)

(C) Terms and Conditions (Cont'd)

(7) Conversion from Intrastate to Interstate HC-TPP⁽¹⁾ (Cont'd) (N)

- (c) the customer must enter into a new 3 year or 5 year interstate HC-TPP with a new minimum monthly revenue commitment and the new 3 year or 5 year interstate HC-TPP must be greater than the period remaining on the existing intrastate HC-TPP.
- (d) the removal due date of the existing intrastate HC-TPP and the establishment due date of the new interstate HC-TPP must be the same date.
- (e) the new interstate HC-TPP rates will be based upon those rates in effect for interstate HC-TPP at the time of the conversion and will be those rates currently available to all customers.

The AOC will apply.

(D) Rate Applications

(1) Billed Revenues

If the customer reduces the number of circuits under HC-TPP without decreasing the minimum monthly revenue commitment, the initial minimum monthly revenue commitment will be billed.

(2) Special Construction Charges

Any special construction charges incurred for services billed under an HC-TPP will apply. These charges do not apply toward the minimum monthly revenue commitment.

(3) Termination of Service

- (a) If the customer gives notice within 120 days after SWBT files a tariff transmittal that intrastate expanded interconnection for special access service is operational in those customer's central offices, that the customer intends to terminate the HC-TPP contract with SWBT in order to take the service from an interconnector, the customer shall pay the lesser of the following termination charges:

- (1) the additional charges the customer would have paid for the high capacity service if the customer had entered into a shorter term contract or tariffed rate for the term or service actually used, plus interest based on the average of prime commercial paper rates as set by the Commission for the previous twelve month period; or
- (2) the normally applicable termination charges in the HC-TPP contract.

In order to be eligible for the above termination charges, the customer must have entered into the HC-TPP contract on or before the date of the Commission's final adoption of an initial expanded interconnection rule for special access services and the customer must actually terminate services with SWBT within 60 days after expanded interconnection is operational and take service from an interconnector.

⁽¹⁾ Effective on February 16, 2019, interstate High Capacity Term Pricing Plans are no longer available.

SPECIAL ACCESS SERVICE

7.2 Rate Regulations (Cont'd)

7.2.22 High Capacity Term Pricing Plan (HC-TPP) (Cont'd)

(D) Rate Applications (Cont'd)

(3) Termination of Service (Cont'd)

(b) In all other cases, customers requesting the termination of an HC-TPP prior to the expiration date, excluding HC-TPP terminated as a result of a renegotiation and cases described in (a) above, will be charged as indicated following:

<u>HC-TPP</u>	<u>Termination Percentage</u>
3 years	20%
5 years ⁽¹⁾	20%

(N)

The termination charges will be calculated as follows:

$$\begin{matrix} \text{(Minimum monthly} & \text{)} & \text{(Months remaining} & \text{)} & \text{(Termination} & \text{)} \\ \text{(revenue commitment} & \text{)} & \text{x (in HC-TPP} & \text{)} & \text{x (percentage} & \text{)} \end{matrix}$$

= Termination charge.

Customers requesting the termination of an HC-TPP prior to the expiration date of an extension of service will be calculated as follows:

$$\begin{matrix} \text{Number of months} & \text{Current HC-TPP} \\ \text{utilized of the X} & \text{Monthly} \\ \text{extension of service} & \text{Rate} \end{matrix} = \begin{matrix} \text{Monthly} \\ \text{Rate} \end{matrix}$$

= Termination charge.

(E) (reserve for future use)

⁽¹⁾ Effective on February 16, 2019, High Capacity Term Pricing Plans are no longer available for 5 year term lengths, including for any otherwise available renewals, extensions or conversions.

(N)
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 (N)

SPECIAL ACCESS SERVICE

7.3 Service Descriptions Rates and Charges (Cont'd)

7.3.10 High Capacity Service (Cont'd)

(F) Rates and Charges (Cont'd)

(12) High Capacity Term Pricing Plan (HC-TPP)

Rates effective: 03/04/96 ⁽¹⁾

(a) <u>Channel Termination</u> (TMECS)	3 Year Monthly Rate		5 Year ⁽²⁾ Monthly Rate		(N)
	Fixed	Per Mile	Fixed	Per Mile	
Per point of termination					
1.544 Mbps	\$175.00		\$165.00		
(b) <u>Channel Mileage</u> (1L5XX)					
1.544 Mbps					
0 miles	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
Over 0 miles	60.00	22.00	57.00	18.00	
(c) <u>Multiplexing</u>					
Per arrangement					
DS1 to DSO (QMU)	\$200.00		\$185.00		
DS1 to Voice (MQ1)	\$200.00		\$185.00		

⁽¹⁾ These rates are effective March 4, 1996 pursuant to PURA 95 Sec. 3.356 and SWBT's notification thereunder.

⁽²⁾ Effective on February 16, 2019, High Capacity Term Pricing Plans are no longer available for 5 year term lengths, including for any otherwise available renewals, extensions or conversions.

(N)
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 (N)