

President - Texas
 AT&T Texas
 Dallas, Texas
 Issued: October 31, 2022
 Effective: November 1, 2022

ACCESS SERVICE TARIFF
 Section: 7
 Sheet: 40.4
 Revision: 4
 Replacing: 3

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:

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

= 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⁽²⁾ 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⁽²⁾, that portion of the minimum monthly revenue commitment will be assessed and billed a 20 percent adjustment factor. 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.

(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.

(2) Effective November 1, 2022, High Capacity Term Pricing Plans for 3-year term lengths are no longer available, including conversions. Existing Term Plan Services, as of November 1, 2022, will continue to be provided under the then-current terms, for the remainder of the applicable term.

(N)
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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:

$$\begin{array}{r} \text{(Existing minimum)} \quad \text{(Decrease in minimum)} \\ \text{(monthly revenue)} \quad \text{- (monthly revenue)} \\ \text{(commitment)} \quad \quad \quad \text{(commitment)} \end{array}$$

= 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⁾⁽²⁾ as follows:

(N)

$$\begin{array}{r} \text{(Termination)} \quad \text{(Decrease in)} \quad \text{(Months)} \\ \text{(percentage)} \quad \text{(revenue)} \quad \text{x (remaining)} \\ \quad \quad \quad \text{(commitment)} \quad \quad \quad \text{(in revenue)} \\ \quad \quad \quad \quad \quad \quad \quad \quad \quad \quad \quad \quad \text{(commitment)} \end{array}$$

= 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.

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(N)

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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⁾⁽²⁾ 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⁽²⁾ may be converted into a five year HC-TPP without termination liabilities,⁽¹⁾ provided that: (N)

- (a) the three year HC-TPP⁽²⁾ has not ended, (N)
- (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.

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.

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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 ⁽²⁾	20%
5 years ⁽¹⁾	20%

(N)

The termination charges will be calculated as follows:

$$\begin{aligned}
 & \text{(Minimum monthly revenue commitment)} \times \text{(Months remaining in HC-TPP)} \times \text{(Termination percentage)} \\
 & \qquad \qquad \qquad = \text{Termination charge.}
 \end{aligned}$$

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

$$\begin{aligned}
 & \text{Number of months utilized of the X extension of service} \times \text{Current HC-TPP Monthly Rate} = \text{Monthly Termination charge.}
 \end{aligned}$$

(E) (reserve for future use)

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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 ⁽³⁾ 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.

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