

1. CONSTRUCTION CHARGES APPLICATION OF RATES

- A. Construction charges are nonrecurring charges made to customers under certain conditions, as hereinafter set forth, to cover all or a portion of the unusual costs involved in the establishment or continuation of service and are in addition to the rate for the class of service furnished and any service connection charges, mileage charges or other charges that may apply in accordance with the Local Exchange and General Exchange Guidebooks.

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.

- B. Payment of construction charges will be required prior to the commencement of the work with which such construction charges are associated. (D)
- C. Except as otherwise provided herein, the rules and regulations in this Section contemplate usual construction, i.e., the type of construction which the Company would provide for the area and for the quantity and class of service involved if the decision rested solely with it. (C)
- D. Any poles, conduit, cable or other plant provided at the expense of the customer, on either a public highway or on private property, are the property of the Company, are maintained and replaced by the Company, and shall not be used by the customer for any purpose other than service furnished by the Company or the support of crossarms, cable, wire or other apparatus of the Company except upon approval of the Company.
- E. The provisions of this Section do not apply where installation, replacement and/or other charges are made to customers for construction on private property, when such charges are in lieu of mileage charges that would otherwise apply. (Cable Charges Based On Cost.)

1. CONSTRUCTION CHARGES APPLICATION OF RATES (cont'd)

E. Temporary Construction

(C)

Where temporary construction is necessary to provide service, the Customer will be required to pay a construction charge equal to the estimated net cost of installing and removing the temporary construction.

2. CONSTRUCTION ON PUBLIC HIGHWAYS OR OTHER EASEMENTS

- A. This section of the guidebook governs the construction or extension of the Company's facilities on public highways or on private property in order to furnish service to an Applicant or Applicants. In context of this guidebook, the term Applicant includes, but is not limited to, a Customer or developer.

When an Applicant⁽¹⁾ requests that the Company construct facilities to provide Basic Residential Exchange Service, or, as applicable, the Applicant's functionally equivalent service, the Company will provide for each Applicant a standard allowance of one route mile of construction without charge to provide such service. Construction charges will be based on the total construction route for all facilities constructed on public and private property originating from the Company's nearest point of existing facilities. If the Company does not have the capacity to provide this service on existing facilities, such reinforcement of existing facilities will be made by the Company.

When an Applicant requests that the Company construct facilities to provide Business Exchange Service or, as applicable, the Applicant's functionally equivalent service, such facilities will be furnished by the Company.

Facilities designed and constructed by the Company will be of the standard type normally furnished for the particular location or kind of service requested.

- B For each one-tenth route mile, or fraction thereof, of construction in excess of the above non-business standard allowance, the following charge applies:

- 1) Where the company constructs new facilities:

Per one-tenth mile	\$70.60
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- 2) Where pole lines of other utilities are used in lieu of, or in addition to, constructing new facilities:

Per one-tenth mile	\$44.20
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Note 1: For two or more Applicants, refer to Paragraph 2.D in this section

2. CONSTRUCTION ON PUBLIC HIGHWAYS OR OTHER EASEMENTS (cont'd)

- C. With the approval of the Company, arrangements may be made for the payment of construction charges spread over as many as thirty monthly installments. Customers paying construction charges on this basis who discontinue service are required to pay a termination charge equal to the construction charges still due.
- D. Where the Company constructs facilities to serve a group of applicants or a developer in the same general area (generally not more than a mile apart), a plant extension project is established and the applicants are considered as a group. The construction allowances for the individual members of the group are totaled to determine the amount of construction which will be provided without construction charge to the group. Charges for construction in excess of the total allowance are divided equally among the members of the group who are subject to construction charges or in any other fashion mutually agreeable. No applicant is required to pay higher construction charge than he would if considered on an individual basis.
- E. When additional Customers are connected within a three-year period to a plant extension project subject to construction charges, the case is recomputed on the basis of the larger number of Customers. If this recomputation results in lower construction charges to any existing Customers, a refund will be made. The new Customers are added to the project and are responsible for payment of construction charges on the recomputed basis. If the recomputation results in higher construction charges to any existing Customers, a new project is established.
- F. When an Applicant requests that the Company construct facilities to provide both Basic Residential and Business Exchange Service or, as applicable, the Applicant's functionally equivalent services, the request will be treated as two distinct requests. Any costs commonly shared between the requests will be apportioned based upon the direct costs assigned to each request. The appropriate standard allowance for facilities extensions will apply to each request.

3. CONSTRUCTION ON PRIVATE RIGHT-OF-WAY

When an applicant is so located that it is necessary or desirable to use private right-of-way to furnish service, the applicant may be required to provide cleared right-of-way.

4. SPECIAL TYPES OF OUTSIDE CONSTRUCTION**A. Description**

All rates and charges quoted elsewhere in this guidebook provide for the furnishing of Telecommunications Service when (1) suitable facilities are available, and (2) the revenue to be derived from the service is sufficient to warrant the Company assuming the usual cost of providing the necessary facilities. If these conditions are not met and the Company assumes unusual costs to provide telecommunications facilities, Special Construction Charges are applicable to pay all or a portion of the unusual costs.

Special Construction Charges are also applicable to provide, rearrange, or reroute entrance facilities on private property for each of the following conditions:

1. When at the request of the applicant/Customer, the Company pushes pipe, augers, trenches or resurfacing is required, to cross gravel, crushed stone, or any hard surfaced area (e.g., street, parking lot, road, alley, or driveway).
2. When at the request of the applicant/Customer, the Company constructs plant using a route or type other than that which the Company would otherwise utilize in order to provide service for the applicant/Customer.

4. SPECIAL TYPES OF OUTSIDE CONSTRUCTION (cont'd)

A. Description (cont'd)

3. When the applicant/customer requests buried service in an area that is normally served by aerial cable, greater than six pair, and the required trenching and backfill or conduit is not provided by the customer.
4. When the applicant/customer requests the Company to repair/maintain conduit on private property. Ducts in underground conduit required by the Company are reserved for its exclusive use.
5. When the applicant/customer requests a change, rearrangement, move or replacement of existing facilities.
6. When the applicant/customer requests the Company to construct facilities to provide service where there is no other requirement for the facilities so constructed, the applicant/customer shall pay the costs of such construction.
7. When a trench is used for Special Types of Outside Construction and the trench is shared by one or more of the utilities providing service to the property, and the Company is billed a pro rata share by one of the other utilities, such charges will be passed on to the applicant/customer.

5. SPECIAL TYPES OF INTERIOR CONSTRUCTION

A. Description

All rates and charges quoted elsewhere in this guidebook provide the furnishing of network service(s) when (1) suitable facilities are available, and (2) the revenue to be derived from the service is sufficient to warrant the Company assuming the usual cost of providing the necessary facilities. If these conditions are not met, the provisions of this Section apply to provide entrance cable, riser cable/Intrabuilding Network Cable, and Network Terminating Wire (hereafter referred to as cable) in buildings to provide telecommunications facilities.

If required, the applicant/customer shall provide conduit in buildings or air plenums to provide telecommunications facilities.

5. SPECIAL TYPES OF INTERIOR CONSTRUCTION (Cont'd)

B. APPLICATION OF SPECIAL CONSTRUCTION CHARGES

Special Construction Charges are applicable for each of the following conditions:

1. When at the request of the applicant/customer, the Company provides for the penetration of fire walls or drills holes in concrete, masonry, metal walls, and floors.
2. When at the request of the applicant/customer, the Company provides any structural work necessary for housing and supporting cable and assorted equipment.
3. When at the request of the applicant/customer, the Company provides for fire stopping and sealing of pathways through floors and walls to comply with building and electrical codes.
4. When at the request of the applicant/customer, the Company provides material(s) for mounting equipment in designated telecommunications equipment areas.
5. When at the request of the applicant/customer, the Company provides a pathway to each tenant's premises in a multi-tenant building.
6. When at the request of the applicant/customer, the Company provides the appropriate ground connection from the Company's protector to the main electrical ground of the building.
7. When at the request of the applicant/customer, the Company provides suitable means for cable to enter the building and to reach any location within the building.
8. When at the request of the applicant/customer, the Company rearranges, moves or replaces existing facilities within a building or entering a building.

6. TELECOMMUNICATIONS UTILITY FACILITY CONSTRUCTION AND/OR MAINTENANCE SERVICE**A. GENERAL****1. Description**

This service arrangement provides for the construction and maintenance of telecommunications facilities or the maintenance of existing telecommunications facilities within a given Local Access Transport Area (LATA) under individual customer specific contracts. This service arrangement will be tailored to meet the individual needs of the requesting customer.

B. REGULATIONS**1. Availability of Service**

This service arrangement is provided at the option of the Company and is only available to Local Exchange Carriers.

2. Guidebook Requirements

This guidebook is filed under sec. 196.194, Wis. Stats. Therefore, any contract or amendment to such a contract shall be compensatory as determined under Sec. 196.204 (5) and (6) Wis. Stats. Within 20 days after a contract or an amendment to such a contract has been executed, the Company shall submit to the Commission written notice of the general nature of the contract and the parties to the contract.

The receipt of notification of any contract or amendment to a contract established under this guidebook shall not constitute approval of all terms and provisions therein. The Commission retains jurisdiction to investigate on its own motion or upon complaint any contractual term or provision under which the guidebook service is offered, and to take any necessary action pursuant to such investigation, including issuing orders.

3. Service Area

The construction and maintenance of intraLATA telecommunications facilities may be provided only in Wisconsin and within the requesting customer's franchised service area.

4. Provision of Service

This service arrangement does not provide for the procurement of telecommunications products or services.

5. Liability of the Company

The Company warrants construction/maintenance provided under this guidebook, including workmanship, against defects and malfunctions for a period of thirty days from the construction or maintenance date. If there is a defect or malfunction in the construction/maintenance, the Company will, at its option, either repair or replace the facilities/equipment at no charge if the defect or malfunction is reported to the Company during the warranty period.

6. TELECOMMUNICATIONS UTILITY FACILITY CONSTRUCTION AND/OR MAINTENANCE SERVICE (Cont'd)

B. REGULATIONS

5. Liability of the Company

This warranty shall not apply to defects and malfunctions resulting from any fire, acts of God such as flood and earthquakes, riot, acts of war, gross negligence, willful damage, vandalism or any unauthorized repair.

THIS IS THE ONLY COMPANY INSTALLATION/MAINTENANCE WARRANTY. THE COMPANY DISCLAIMS ANY AND ALL IMPLIED WARRANTIES, INCLUDING, WITHOUT LIMITATION, WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

THE COMPANY SHALL NOT BE LIABLE FOR ANY DAMAGES, INCLUDING BUT NOT LIMITED TO LOSS, DAMAGE, OR EXPENSE DIRECTLY OR INDIRECTLY ARISING FROM THE CUSTOMER'S USE OF OR INABILITY TO USE TELECOMMUNICATIONS FACILITIES PROVIDED OR MAINTAINED UNDER THIS GUIDEBOOK.

6. Construction/Maintenance

The Company shall not be liable for any damages resulting from delays in construction of telecommunication facilities or from delays for the maintenance of existing telecommunication facilities provided under this guidebook.