

Verizon North LLC

CONSTRUCTION AND ATTACHMENT CHARGES

A. CONSTRUCTION AND ATTACHMENT CHARGES

1. General

The rates otherwise provided for in this Product Guide are based on furnishing service immediately adjacent to existing lines and facilities of the Company and on the use of lines and facilities engineered and constructed according to common and accepted practices. When service is desired at points somewhat removed from existing lines and facilities, or when abnormal and unusual arrangements and installations are desired, such service and installations are subject to additional charges as prescribed hereunder.

2. Construction on Public Right-of-Way

- a. In all cases of plant construction on public highway, ownership of the plant must be vested in either the Company or some company with which the Company has a joint use agreement.
- b. When local exchange service is desired at a point outside the base rate area but within the exchange area more than 1,320 feet distant from the existing facilities, the applicant may be required to pay for this construction or for the use of another company's plant in lieu of such construction as follows:
 - (1) For each 100 feet, or fraction thereof, required to make the necessary extension beyond the first 1,320 feet, route measurement, from the existing lines, a charge of \$100.00.
 - (2) Measurement to be restricted to the shortest and more direct route over which the desired point can be reached by following public right-of-way or other vested right-of-way privileges which the Company may hold by reason of its franchise or charter, including public thoroughfares such as highways, streets and public alleys.

3. Construction on Private Property

- a. In all cases of plant construction on private property, where the type of construction is selected by the Company, the Company will construct, own, and maintain its facilities, either wholly or jointly with an electric utility, subject to a construction charged based on route measurement as follows:

First 1,320 feet of construction - No Charge
Each additional 100 feet or fraction thereof - \$100.00
- b. Where the customer requests a type of construction different from that selected by the Company, a charge will be made to cover the excess cost of construction above that selected by the Company.
- c. The Company shall have access to all facilities at all times for maintenance purposes.
- d. Where the applicant is so located that it is necessary to use a private right-of-way to furnish service, the subscriber is required to pay the entire cost involved in securing such right-of-way.
- e. The customer is responsible for all tree trimming required to keep the private right-of-way, in which his terminal facilities are located, clear and unobstructed.

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A. CONSTRUCTION AND ATTACHMENT CHARGES (Cont'd)

4. Other Special Construction

When some special or abnormal installation or arrangement of facilities is desired, such as underground construction or concealed wiring, the applicant may be required to furnish at his own expense all necessary conduits, outlets and other fixtures. The Company will install and maintain its facilities in such conduits and fixtures, provided they are constructed in such a manner as to meet the Company's needs and approval.

5. Minimum Contract

New construction will be provided only where service is contracted for a minimum period of one year.

6. Refunds

- a. If at any time within three years from date of completed construction, pole lines for which a subscriber has paid a nonrecurring charge are used for other purposes, such subscribers may be entitled to refunds as follows, provided they are still served by such construction.
- b. If such lines are used to carry toll lines of the Company, the refund will be prorated to cover the unexpired portion of the original three year period for that part of the pole line so used.
- c. When such lines are used to supply local exchange service to other subscribers, the refund will be the difference between the original charge and that subscriber's pro rata share of the total construction, allowing 1,320 feet for each main station for that pole line.

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B. UNDERGROUND TELEPHONE SERVICE IN NEW RESIDENTIAL DEVELOPMENTS

1. For the purpose of this section only, the following words and terms shall have the following meanings unless the context clearly indicates otherwise:
 - a. Applicant for telephone service - The developer: of a recorded plot plan consisting of five or more lots; or one or more five-unit apartment houses.
 - b. Developer - The party responsible for constructing and providing improvements in a development, that is, streets, sidewalks, and utility-ready lots.
 - c. Development - A planned project which is developed by a developer/-applicant for telephone service set out in a recorded plot plan of five or more adjoining unoccupied lots for the construction of single-family residences, detached or otherwise, mobile homes, or apartment houses, all of which are intended for year-around occupancy, if telephone service to such lots necessitates extending the utility's existing distribution lines.
 - d. Distribution line - A main line facility directly or indirectly connecting the customers in a development to the telephone central office.
 - e. Service line - A line from the distribution line to the residence of the subscriber.
 - f. Subdivider - The party responsible for dividing a tract of land into building lots which are not to be sold as utility-ready lots.
 - g. Subdivision - A tract of land divided by a subdivider into five or more adjoining unoccupied lots for the construction of single-family residences, detached or otherwise, or apartment houses, all of which are intended for year-around occupancy, if telephone service to such lots necessitates extending the utility's existing distribution lines.
2. All distribution and service lines, except pedestals, installed pursuant to an application for telephone service within a development shall be installed underground; shall conform to the utility's construction standards; and shall be owned and maintained by the utility. Excavating and backfilling shall be performed by the applicant for telephone service or by such other agent as the applicant may authorize. All other installation shall be performed by the utility or by such other agent as the utility may authorize. The utility shall not be liable for injury or damage occasioned by the willful or negligent excavation, breakage or other interference with its underground lines occasioned by anyone other than its own employees or agent. Nothing in this section shall prohibit a utility from performing its own excavating and backfilling for greater system design flexibility. However, no charges other than those specified in paragraphs (c) and (d) of this section shall be permitted.
3. The applicant for telephone service to a development shall do the following:
 - a. At its own cost, provide the utility with a copy of the recorded development plot plan identifying property boundaries, and with easements satisfactory to the utility for occupancy and maintenance of distribution and service lines and related facilities.
 - b. At its own costs, clear the ground in which the service lines and related facilities are to be laid of trees, stumps and other obstructions, provide the excavating and backfilling according to utility specifications and subject to the inspection and approval of the utility, and backfill within six inches of final grade. Utility specifications for excavating and backfilling shall be set forth by the utility in written form and presented to the applicant at the time of application for such service and presentation of the plot plan to the utility. If the utility's specifications have not been met by the applicant's excavating and backfilling, such excavating and backfilling shall be corrected or redone by the applicant or its authorized agent. Failure to comply with the utility's construction standards and specifications permits the utility to refuse utility service until such standards and specifications are met.

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B. UNDERGROUND TELEPHONE SERVICE IN NEW RESIDENTIAL DEVELOPMENTS (Cont'd)

3. The applicant for telephone service to a development shall do the following:
 - c. Request the installation of distribution and service lines at such time that the lines may be installed before curbs, pavements and sidewalks are laid; carefully coordinate scheduling of the utility's line and facility installation with the general project construction schedule including coordination with any other utility sharing the same trench; keep the route of lines clear of machinery and other obstructions when the line installation crew is scheduled to appear; and otherwise cooperate with the utility to avoid unnecessary costs and delay.
 - d. Place with the company, in advance or upon such other terms as the company may require, the following charges:
 - (1) A prepayment in aid of construction in an amount not in excess of 60% of the company's cost of the distribution line for the development.
 - (2) Such prepayment in aid of construction with be refunded on a proportionate basis for each contract for telephone service rendered. The basis for total refund shall be 100% refund upon receipt of telephone contracts for telephone service from 50% of the total development within a ten-year period.
 - e. If the applicant changes the plot plan after installation of the telephone utility's lines has begun, or requests deviation from the utility's established underground construction practices, such additional costs shall be borne by the applicant. No charges other than those described herein and in subsection (c) above shall be borne by the applicant for telephone service or by any other utility sharing the same trench, even if the utility elects to perform its own excavating and backfilling.
 - f. The Commission believes that there should be joint use of trenches whenever economically and technologically feasible. However, the Commission realizes that the economic advantages which can result from the joint use of trenches may at times be obviated by the technological disadvantages of joint occupancy. Therefore, the Commission will not make the joint use of trenches mandatory but will require the joint use of trenches whenever the circumstances indicate that such use would be feasible and all parties agree thereto.
 - g. This section shall apply to all requests for distribution facilities for telephone service to developments which are filed after the effective date of this section.

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B. UNDERGROUND TELEPHONE SERVICE IN NEW RESIDENTIAL DEVELOPMENTS (Cont'd)

3. The applicant for telephone service to a development shall do the following:
 - h. Such amounts as the public utility receives pursuant to subsection (c)(4)(i) of this section shall be credited to Accounts 174-Other deferred credits.
 - i. Whenever such public utility or any affected person believes that the application of the rule works an undue hardship, involves a physical impossibility, or is otherwise inappropriate, such utility or person may request an exception from the undergrounding requirements of this section by following the procedure set forth in §57.86 of this title relating to requests for exceptions, Commission procedures for review of exception requests, and appeals from informal staff decisions.
 - j. Exceptions, as granted by the Commission for electric distribution lines under §57.86 of this title, shall also apply to telephone facilities. If an exception request initiated by an applicant for telephone service is granted and such applicant thereafter desires underground service, then this section shall apply as if no exception had been granted.
 - k. Every telephone utility shall file its undergrounding construction and specification standards and any revisions thereto with the Commission's Bureau of Safety and Compliance.
 - l. Underground facilities in new residential developments are only required by this section when a bona fide developer exists, i.e., only when utility-ready lots are provided by the developer. A mere subdivision is not required to have underground service. However, should the lot owner or owners in a subdivision desire underground service, such service shall be provided by the utility if such lot owner or owners, at their option, either comply with subsection 3 of this section, or pay to the utility such charges as are contained in the utility's Product Guide for underground telephone service not required by this title.

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C. NEW SERVICE TO COMMERCIAL DEVELOPMENTS

1. For the purpose of this Section C only, the following words and terms shall have the following meanings unless the context clearly indicates otherwise:
 - (a) Applicant for service - The developer of a recorded plot plan consisting of one or more commercial lots; or one or more commercial units.
 - (b) Developer - The party responsible for constructing and/or providing improvements in a commercial development, including streets, sidewalks, and utility-ready lots.
 - (c) Commercial development - A planned project by a Developer set out in a recorded plot plan of one or more contiguous/non-contiguous unoccupied lots for the construction of single business units, detached or otherwise, multi-tenant business units (to include but not be limited to retail, medical or office), all of which are intended for year-round occupancy, if service to such lots requires an extension of Verizon's network facilities.
 - (d) Distribution line - A main line facility directly or indirectly connecting the customers in a commercial development to a Verizon central office.
 - (e) Service line - A line from the distribution line to the business location of the subscriber.
2. All distribution and service lines, except pedestals, installed pursuant to an application for service within a commercial development may be installed underground at Verizon's sole election; shall conform to the Verizon's construction standards; and shall be owned and maintained by Verizon. Excavating and backfilling shall be performed by the applicant for service or by such other agent as the applicant may authorize. All other installation shall be performed by Verizon or by such other agent as Verizon may authorize. Verizon shall not be liable for injury or damage occasioned by the willful or negligent act of anyone other than its own employees or agents. Nothing in this section shall prohibit another utility from performing its own excavating and backfilling for greater system design flexibility.
3. The applicant for service to a commercial development shall do the following:
 - (a) At its own cost, provide Verizon with a copy of the recorded development plot plan identifying property boundaries, with easements satisfactory to Verizon for occupancy and maintenance of distribution and service lines and related facilities.
 - (b) At its own cost, clear the ground in which the service lines and related facilities are to be laid of trees, stumps and other obstructions, provide the excavating and backfilling according to utility specifications and subject to the inspection and approval of Verizon, and backfill within six inches of final grade. Verizon's specifications for excavating and backfilling shall be communicated by Verizon to the Applicant or its representatives, subsequent to the presentation of the plot plan's to Verizon, but prior to construction of the substructure pathway. If Verizon's specifications have not been met by the applicant's excavating and backfilling, such excavating and backfilling shall be corrected or redone by the applicant or its authorized agent.
 - (c) Request the installation of distribution and service lines at such time that the lines may be installed before curbs, pavements and sidewalks are laid; carefully coordinate scheduling of Verizon's line and facility installation with the general project construction schedule, including coordination with any other utility sharing the same trench; keep the route of lines clear of machinery and other obstructions when the line installation crew is scheduled to appear; and otherwise cooperate with Verizon to avoid unnecessary costs and delay.

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C. NEW SERVICE TO COMMERCIAL DEVELOPMENTS (Cont'd)

3. The applicant for service to a commercial development shall do the following: (Cont'd)

- (d) Pay to Verizon, in advance or upon such other terms as Verizon may require, the following charges:
 - (i) A prepayment in an amount not to exceed 60% of Verizon's total cost of extending its facilities to serve the commercial development.
 - (ii) At the end of ten years, the prepayment will be subject to a refund based on the total number of services that the individual units purchase from Verizon. Verizon will refund 100% of the prepayment amount, without interest, upon deployment of at least 50% of the service capacity provided to the commercial development within the ten-year period. Any percentage less than 50% will generate a refund equal to that percentage times two (e.g., if 35% of the service capacity is purchased during the 10-year period, the applicant will receive a 70% refund (35% x 2)).
 - (iii) If the applicant changes the plot plan after installation of Verizon's facilities has begun, or requests deviation from Verizon's established underground construction practices, such additional costs shall be borne by the applicant.
- (e) Verizon's extension of its facilities to applicant's commercial development is contingent upon applicant satisfying each of the requirements of this subsection C.3.

4. Other Provisions

- (a) Nothing in this Section C shall be construed to require Verizon to construct facilities where such construction would not otherwise be required, to preclude Verizon from obtaining non-refundable reimbursement for the costs of new construction, from applicants or otherwise, where authorized, or from deploying facilities at its cost when, in its sole discretion, it is economically viable to do so.
- (b) The payment of a deposit pursuant to this Section C shall not be construed to confer upon the applicant any ownership interest or other property right in facilities constructed or deployed by Verizon, nor shall such payment create any new rights with respect to the availability, pricing, or other terms and conditions of Verizon's services.
- (c) The appropriate deployment scenario for facilities constructed pursuant to this Section C, the design and engineering of such facilities, and the techniques, methods, procedures, and materials used in the construction and deployment of such facilities, shall be based on Verizon's professional judgment and discretion, and shall not be subject to any instructions of the applicant.
- (d) Verizon may, in its discretion, require an applicant to enter into written agreements and execute other documents that are not inconsistent with the provisions of this Section C, and that are considered by Verizon to be necessary or desirable.