SECTION 3 - ORDERING OPTIONS FOR SWITCHED AND SPECIAL ACCESS SERVICE*

3.1 General

This section sets forth the regulations and order related charges for Access Service Requests (ASR) for Switched and Special Access Service*, as defined in this tariff. These charges are in addition to other applicable charges set forth in other sections of this tariff. In those cases where the Customer has used Company's Switched and Special Access Service* without the submission of an ASR, the Customer is responsible for the payment for such services under the terms and conditions of this tariff.

3.1.1 Ordering Conditions

All services offered under this tariff will be ordered using an ASR. The format of the ASR will be as specified in the industry Access Service Order Guidelines, unless otherwise specified herein. A Customer may order any number of services of the same type and between the same Premises on a single ASR. All details for services for a particular order must be identical.

The Customer shall provide all information necessary for the Company to provide and bill for the requesting service. When placing an order for Access Service, the Customer shall provide the following minimum information:

a. Customer name and Premise(s) address(es);
b. Billing name and address (when different from Customer name and address);
c. Customer contact name(s) and telephone number(s) for the following provisioning activities: order negotiating, order confirmation, interactive design, installation and billing.

The order date (Application Date) is the date on which the Company receives a firm commitment and sufficient information from the Customer to allow processing of the ASR. The Customer is advised of the critical events in the provisioning process, the Application Date, the Plant Test Date and the Service Commencement Date, at the time the company gives the Customer a Firm Order Confirmation (FOC). The FOC is forwarded to the Customer within 2 business days after the date on which all information needed to process the ASR has been received by the Company.

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SECTION 3 - ORDERING OPTIONS FOR SWITCHED AND SPECIAL ACCESS SERVICE*, (CONT'D.)

3.1 General, (Cont'd.)

3.1.2 Provision of Other Services

Unless otherwise specified herein, all services offered under this tariff may be ordered with an ASR. In those cases where the Customer has used Company's Services or has used additional services without the submission of an ASR, the Customer is responsible for the payment for such services under the terms and conditions of this tariff.

With the agreement of the Company, other services may subsequently be added to the ASR at any time, up to and including the service date for the Access Service. When added subsequently, charges for a Design Change as set forth in Section 6.3.3 (b) will apply when an engineering review is required.

Additional Engineering is not an ordering option, but will be applied to an ASR when the Company determines that Additional Engineering is necessary to accommodate a Customer request. Additional Engineering will be provided by the Company at the request of the Customer only when a Customer requests additional technical information after the Company has already provided the technical information included on the Design Layout Report as set forth herein. The Customer will be notified when Additional Engineering is required, and will be furnished with a written statement setting forth the justification for the Additional Engineering as well as an estimate of the charges. If the Customer agrees to the Additional Engineering, a firm order will be established. If the Customer does not want the service or facilities after being notified by the Company that Additional Engineering is required, the Customer may cancel the order and no charges will apply.

3.2 Access Order

An ASR may be required by the Company to provide a Customer both Switched and Special Access Service*, as described herein. An ASR will be required for each new similar service arrangement or group of common circuits. In those cases where the Customer has used Company's Switched and Special Access Service* or has obtained new similar services without the submission of an ASR, the Customer is responsible for the payment for such services under the terms and conditions of this tariff.

When a customer requests new or additional Switched Access Service, one or more ASR's may be required. The number of orders required is dependent on the type of services and/or facilities being requested.

When placing an order for either Direct Connect Service or Tandem Connect Service, as described in Sections 5.2.3 (a) and (b), respectively, the Customer shall provide all standard ASR ordering information as specified in industry guidelines. The Customer will also be required to provide this information to order additional service for an existing service type. For new Customers ordering Tandem Connect Service, the Customer will only be required to complete an ASR for installation of new service.

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SECTION 3 - ORDERING OPTIONS FOR SWITCHED AND SPECIAL ACCESS SERVICE*, (CONT'D.)

3.2 Access Order, (Cont'd.)

3.2.1 Access Service Date Intervals

Access Service is provided with one of the following Service Date intervals:

- Standard Interval
- Negotiated Interval

The Company will specify a FOC and the Service Commencement Date contingent on the ASR being complete as received. To the extent the Access Service can be made available with reasonable effort, the Company will provide the Access Service in accordance with the Customer's requested interval, subject to the following conditions:

(a) **Standard Interval -** The Standard Interval for Switched and Special Access Service* will be 10 business days from the Application Date. This interval only applies to standard service offerings for a Customer which is On-Net and at locations where there are pre-existing facilities to the Customer premises. Access Services provided under the Standard Interval will be installed during Company business hours.

(b) **Negotiated Interval -** The Company will negotiate a Service Date Interval with the Customer when:

1) The Customer requests a Service Date before or beyond the applicable Standard Interval Service Date; or

2) There is no existing facility connecting the Customer Premises with the Company; or

3) The Customer requests a service that is not considered by the Company to be a standard service offering (for example, if Additional Engineering is required to complete the order); or

4) The Company determines that Access Service cannot be installed within the Standard Interval.

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SECTION 3 - ORDERING OPTIONS FOR SWITCHED AND SPECIAL ACCESS SERVICE*, (CONT'D.)

3.2 Access Order, (Cont'd.)

3.2.2 Access Service Request Modifications

The Customer may request a modification of its ASR or service prior to the Service Commencement Date. All modifications must be in writing using the industry ASR process. The Company, in its sole discretion, may accept a verbal modification from the Customer. The Company will make every effort to accommodate a requested modification when it is able to do so with the normal work force assigned to complete such an order within normal business hours. Charges for access service order modification will apply as set forth below, on a per occurrence basis.

Any increase in the number of Special Access Service* Channels, Switched Access Service lines, trunks, transport facilities, Out of Band Signaling connections or any change in engineering or functionality of a service will be treated as a new ASR with a new Service Date Interval.

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SECTION 3 - ORDERING OPTIONS FOR SWITCHED AND SPECIAL ACCESS SERVICE*, (CONT'D.)

3.2 Access Order, (Cont'd.)

3.2.2 Access Service Request Modifications, (cont'd.)

(a) **Service Commencement Date Changes -** ASR service dates for the installation of new services or rearrangement of existing services may be changed, but the new service date may not exceed the original Service Commencement Date by more than 30 calendar days. When, for any reason, the Customer indicates that service cannot be accepted for a period not to exceed 30 calendar days, and the Company accordingly delays the start of service, a Service Change Charge will apply. In addition, when the Customer submits a request for a Service Date Change that is less than five business days from the date of notification by the Customer, a Service Date Charge and an Expedite Charge will apply. No Expedite Charge will apply if the Customer requests a Service Date Change that is more than 5 business days from the date of request by the Customer but earlier than the original requested Service Commencement Date.

If the Customer requested service date is more than 30 calendar days after the original service date, the order will be canceled by the Company on the 31st day. Appropriate cancellation charges will be applied. If the Customer still requires the service, the Customer may be required to place a new ASR with the Company.

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SECTION 3 - ORDERING OPTIONS FOR SWITCHED AND SPECIAL ACCESS SERVICE*, (CONT'D.)

3.2 Access Order, (Cont'd.)

3.2.2 Access Service Request Modifications, (cont'd.)

The Service Date Change Charge will apply on a per order, per occurrence basis for each service date changed. The applicable charges are set forth in Section 6.3.3 (b).

(b) Design Change Charge - The Customer may request a Design Change to the service ordered. A Design Change is any change to an ASR which requires Engineering Review. An Engineering Review is a review by Company personnel of the service ordered and the requested changes to determine what change(s) in the design, if any, are necessary to meet the Customer's request. Design Changes include such changes as the addition or deletion of optional features or functions, a change in the type of Transport Termination (Switched Access only) or type of Channel interface. Any other changes are not considered Design Changes for purpose of this subsection and will require issuance of a new ASR and the cancellation of the original ASR with appropriate cancellation charges applied.

The Design Change Charge will apply on a per order, per occurrence basis, for each order requiring a Design Change. The applicable charges, as set forth in Section 6.3.3 (b), are in addition to any Service Date Change Charges that may apply.

(c) Expedited Order Charge - When placing an Access Order for service(s) for which a Standard Interval exists, a Customer may request a Service Commencement date that is earlier than the Standard Interval Service Date, in which case an Expedite Charge will apply. The Expedite Charge will not apply if the new Service Commencement Date is more than five days from the date of the request to the Company of the expedited order request. The request for an earlier service date may be received from the Customer prior to the service date. The Company has the exclusive right to accept or deny the Expedite Order request. However if, upon reviewing availability of equipment and scheduled workload, the Company agrees to provide service on an expedited basis and the Customer accepts the Company's proposal, an Expedite Charge will apply.

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SECTION 3 - ORDERING OPTIONS FOR SWITCHED AND SPECIAL ACCESS SERVICE*, (CONT'D.)

3.2 Access Order, (Cont'd.)

3.2.2 Access Service Request Modifications, (cont'd.)

(c) Expedited Order Charge: (Cont'd)

If the Company is subsequently unable to meet an agreed upon expedited service date, then the Expedite Charge will not apply.

In the event the Company provides service on an expedited basis on the Customer's request, and the Customer delays service or is not ready for delivery of service at the time of installation, a Service Date Change Charge will apply in addition to the Expedite Charge.

In the event that the Customer cancels an expedite request, the Expedite Charge will be added to any applicable Cancellation Charge specified herein.

In the event that the Customer requests a Service Date Change after the Company has received the original expedite request, the Expedite Charge will still apply.

An Expedite Charge will not be applied to orders expedited for Company reasons.

If costs other than additional administrative expenses are to be incurred when the Access Order is expedited, the regulations and charges for Special Construction as set forth in this tariff will apply.

The Expedited Order Charge will apply on a per order, per occurrence basis, as specified in Section 6.3.3.

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SECTION 3 - ORDERING OPTIONS FOR SWITCHED AND SPECIAL ACCESS SERVICE*, (CONT'D.)

3.2 Access Order, (Cont'd.)

3.2.3 Cancellation of an Access Service Request

A Customer may cancel an ASR for the installation of Switching Access Service at any time prior to notification by the Company that service is available for the Customer's use. If the Service is being provided without an ASR, a Customer may cancel the Service at any time prior to use of the Service. The cancellation date is the date the Company receives written or verbal notice from the Customer that the order or service is to be canceled. The verbal notice must be followed by written confirmation within 10 days. A Customer may negotiate an extension of the service date of an ASR for installation of new services or rearrangement of existing service, in which case a Service Date Change Charge will apply. However, the new service date cannot exceed the originally established service date by more than 30 calendar days. On the 31st day beyond the original service date, the ASR will be canceled and the appropriate Cancellation Charge will be applied.

Except as stated herein, Cancellation Charges will apply as specified in Section 6.3.3(c).

If the cancellation occurs prior to the Company's receiving the ASR or prior to use of the service, no charges shall apply.

A Customer may cancel an ASR for the installation of Special Access Service* without incurring a charge at any time prior to the acceptance of a Negotiated Interval Service Date by the Customer. Cancellation Charges will apply for Special Access Service* if the Customer cancels more than 48 hours after the Application Date. Cancellation Charges for Expedited Orders will be applied for any order canceled from the Application Date forward.

If the Company misses a service date for a Standard or Negotiated Interval Access Order by more than 30 days due to circumstances such as acts of God, governmental requirements, work stoppages and civil commotions, the Company shall not be liable for such delay and the Customer may cancel the ASR without incurring cancellation charges.

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SECTION 3 - ORDERING OPTIONS FOR SWITCHED AND SPECIAL ACCESS SERVICE*, (CONT'D.)

3.2 Access Order, (Cont'd.)

3.2.4 Minimum Period of Service

The minimum period for which Access Service is provided and for which charges are applicable is one month.

(a) The following changes will be treated as a discontinuance of the existing service and a request for installation of a new service. All associated Non-Recurring Charges will apply for the new service, and a new minimum period will be established:

(1) A change in the identity of the Customer of record;
(2) A move by the Customer to a different building;
(3) A change in type of service;
(4) A change in Switched Access Service Interface (i.e., DS1 or DS3);
(5) A change in Switched Access Service Traffic Type;
(6) A change in type of Special Access Service* Channel Termination;
(7) A change from 2-point to multipoint Special Access Service*.

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SECTION 3 - ORDERING OPTIONS FOR SWITCHED AND SPECIAL ACCESS SERVICE*, (CONT'D.)

3.2 Access Order, (Cont'd.)

3.2.4 Minimum Period of Service, (cont'd.)

(b) When Access Service is disconnected prior to the expiration of the minimum period, charges are applicable for the balance of the minimum period. The Minimum Period Charge for monthly billed services will be determined as follows:

(1) For Switched Access Service, the charge for a month or fraction thereof is the applicable minimum monthly charge for the capacity made available to the Customer.

(2) For Special Access Service* facilities, the charge for a month or fraction thereof is the applicable monthly charge for the service as set forth in this tariff.

(3) All applicable Non-Recurring Charges for the service will be billed in addition to the Minimum Period Charge.

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