

CONSTRUCTION CHARGES

A. GENERAL

Construction Charges are applicable to customers under certain conditions for the establishment or rearrangement of communications service when suitable plant facilities are not available or when the construction of the necessary facilities involves excessive costs.

B. TERMS AND CONDITIONS

1. Explanation of Terms

Applicant

Applicant is the person, partnership, association, corporation or government agency applying for telephone service or developing a shopping center, industrial park or subdivision in which telephone service is to be provided.

Conduit

Conduit shall be interpreted to mean conduit or equivalent construction such as trenching for buried cable, etc.

Industrial Park

Industrial park is an area which has been zoned for industrial use.

Poles

Poles includes the anchors, braces, guys, stubs and other fixtures required to support the poles.

Shopping Center

A shopping center is a group of retail stores and service establishments.

Subdivision

A subdivision is a lot or location intended for residential buildings or mobile homes including planned unit developments or new towns.

CONSTRUCTION CHARGES

B. TERMS AND CONDITIONS

2. Scope

- a. Construction Charges apply when one or more of the following conditions are present, and whenever more than one of such conditions are present, the charge for each condition applies, when the customer's request for service requires:
 - (1) Construction for permanent service on public highway or on private property to serve customers in general, and the revenue to be received by the Company or the immediate prospect of securing sufficient additional revenue, or both do not justify the necessary investment.
 - (2) Construction for permanent service on private property.
 - (3) Facilities, up to and including the network interface, of a type other than that which the Company would otherwise utilize in order to provide service for the customer.
 - (4) A greater quantity of facilities than that which the Company would otherwise construct in order to fulfill the customer's initial requirements for service.
 - (5) Routing of facilities other than that which the Company would normally utilize in order to provide service for the customer.
 - (6) The Company to expedite construction of the facilities at greater expense than would otherwise be incurred.
 - (7) Construction for temporary service and there is no immediate prospect of reusing the facilities provided.
 - (8) Construction for permanent service on public highway or private property to serve a single business customer and there is no immediate requirement for the facilities so constructed, only after the single business customer terminates within a ten-year period use of the permanent facilities so constructed for his sole use.
- b. When a charge is applicable for construction on either a public highway or on private property, the customer may undertake, where in the opinion of the Company it is practicable for him to do so, such construction in whole or in part, in lieu of the construction charges which apply. In all cases of construction by the customer, the material furnished and the method of construction are subject to the approval of the Company, no charge applying for the Company's supervision.

CONSTRUCTION CHARGES

B. TERMS AND CONDITIONS (Cont'd)

2. Scope (Cont'd)

- c. Any poles, conduit, cable or other plant provided at the expense of the customer, on either a public highway or on private property, 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.
- d. Construction charges apply in addition to the rate for the class of service furnished and any service charge, installation charge, nonrecurring charge, mileage charge or other similar charges that may apply.

3. Construction for Permanent Service

The terms and conditions contained herein 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 the Company.

a. General

Rights-of-way and easement as requested by the Company shall be furnished at no cost to the Company by the applicant in a reasonable time to meet service requirements, shall be cleared of trees, tree stumps and other obstructions at no charge to the Company and shall be graded to within six inches of final grade by the applicant.

If, subsequent to construction and prior to the establishment of service, the clearance or grade is changed in such a way as to require relocation, replacement or repair of the underground facilities, the cost of the relocation or replacement shall be borne by the applicant or their successors.

The applicant shall furnish or pay for, or both, as elected by the Company:

- Rights-of-way and easements which shall be cleared of trees and other obstruction at no charge to the Company.
- Required suitable conduit systems on the applicant's private property.
- Opening, resurfacing and repaving of paved surfaces on the applicant's private property.

CONSTRUCTION CHARGES

B. TERMS AND CONDITIONS (Cont'd)

3. Construction for Permanent Service (Cont'd)

a. General (Cont'd)

If the underground telephone distribution system is to be installed in an industrial park, shopping center or subdivision, the applicant shall furnish, as required by the Company, at no charge, property plats, utility plans, grading plans, roadway profiles, conduit at all road crossings and other items showing details of proposed construction in reasonable time to allow the Company to engineer, design and construct its facilities.

(1) On Public Highway or on Private Property to Serve Customers in General

Construction charges apply only when the revenue to be received by the Company or the immediate prospect of securing sufficient additional revenue, or both, does not justify the necessary investment.

(a) Where the Company constructs the plant, the construction charge is based on the estimated cost of the material and the direct labor required to provide the poles or conduit necessary to connect the customer with existing plant, together with the wire placed on or in such new poles or conduit.

(b) Where the Company purchases an interest in the plant of another company the construction charge is based on the amount the Company pays for such interest, the total charge to the customer not to exceed the construction charge that would apply if the Company built the entire plant.

(c) In all cases of construction on public highway or on private property to serve customers in general, ownership of the poles, conduit, and other plant must be vested either in the Company or some other company with which the Company has joint use arrangement. All plant is maintained and replaced at the expense of the Company.

(2) On Private Property to Serve a Single Customer

(a) The customer is responsible for the construction of poles or conduit on private property.

(b) When the construction is provided by the customer, any poles or conduit necessary to furnish service shall be maintained and replaced at the expense of the customer and shall remain the property of the customer.

CONSTRUCTION CHARGES

B. TERMS AND CONDITIONS (Cont'd)

3. Construction for Permanent Service (Cont'd)

a. General (Cont'd)

(2) On Private Property to Serve a Single Customer (Cont'd)

(b) (Cont'd)

In case the customer prefers to use the poles or conduit of another company or individual and such poles or conduit are suitable in the opinion of the Company, the customer may do so provided any attachment or other charges made for the use of such poles or conduit are paid by the customer.

(c) No charge is made for the first 175 feet route measurement of wire or cable on the customer's premises. For route measurement beyond 175 feet, the customer will be charged the cost of wire or cable required to connect to the network interface.

(3) On Public Highway or on Private Property to Serve a Single Business Customer and there is no other requirement for the facilities so constructed.

(a) Where the construction is provided by the Company, either by constructing such plant or using the plant owned by another company with which the Company has a joint use arrangement, a termination charge based on an initial contract period of 10 years will apply in addition to any applicable charges specified in (1) and (2) preceding.

(b) The maximum termination charge shall not exceed the estimated cost installed less the estimated net salvage and any nonrecurring charge applied at the start of service in accordance with (1) and (2) preceding or 4. following for such construction.

(c) Where the discontinuance of services and channels results in a reduction in the use of ten percent or more, but not all, of the total facilities initially provided, either of the following charge applications will apply, for the unexpired portion of the contract period.

For each ten percent reduction in the use of such facilities, the customer may elect to reduce the termination liability by paying 1/10th of the unexpired portion of the contract liability or pay a monthly recurring charge equal to 1/10th of the unexpired portion.

CONSTRUCTION CHARGES

B. TERMS AND CONDITIONS (Cont'd)

3. Construction for Permanent Service (Cont'd)

a. General (Cont'd)

(3) (Cont'd)

(c) (Cont'd)

of the contract liability divided by the number of months remaining in the termination liability contract period. When a customer elects a recurring charge and the use of such facilities are restored, the applicable recurring charge will be discontinued.

- (d) To the extent that there is another requirement for such construction the termination charge specified in (a) preceding will not apply.

b. Refunds

When the construction for which the Company has made a cash construction charge is utilized by the Company for the purpose of serving additional customers within a period of three years from the date it was placed in service, refunds, without interest, will be made to those customers who have paid such charges, provided they are still served by such construction. The amount of such refunds to a particular customer will be based on the difference between the construction charge actually paid by that customer and the construction charge which he would have paid if all customers served through that construction within such three year period had been connected at the time the construction serving that customer was placed in service.

Where the construction is used within a period of three years for supporting facilities connecting central offices, the total amount of cash construction charges paid by the customers will be refunded, without interest.

4. Special Construction for Permanent Service

- a. When it is necessary for the Company to provide outside plant construction, either on a public highway or on private property, which is other than that usually provided for the area and class of service furnished, the customer or other party requiring such special construction is required to pay the difference between the estimated cost of usual construction and the estimated cost of the type of construction provided under the conditions specified herein. Such special construction includes:

CONSTRUCTION CHARGES

B. TERMS AND CONDITIONS (Cont'd)

4. Special Construction for Permanent Service (Cont'd)

a. (Cont'd)

- (1) underground construction where aerial construction would usually be provided,
- (2) submarine cable,
- (3) greater quantity of facilities than that which the Company would otherwise construct in order to fulfill the customer's initial requirements for service,
- (4) routing of facilities different from that which the Company would normally utilize,
- (5) expedition of the construction of facilities at greater expense than would otherwise be incurred,

b. The Company will, in all cases, bear the same amount of the cost as in the case of usual construction provided under paragraph 3. preceding.

(1) Outside Plant Construction

(a) On Public Highway or on Private Property to Serve Customers in General

The customer or other party requiring the special construction is required to pay the difference between the total estimated cost of such special construction and the amount to be borne by the Company. All plant is maintained and replaced at the expense of the Company.

(b) On Private Property to Serve a Single Customer

The customer is required to pay the difference between the total estimated cost of the special construction and the amount to be borne by the Company. All plant is maintained and replaced at the expense of the Company, except where poles or conduit are owned by the customer, in which case the customer is required to maintain such poles or conduit.

(c) Ownership of Poles and Conduit

The terms and conditions applying to ownership of poles and conduit are the same as apply in the case of usual construction.

CONSTRUCTION CHARGES

B. TERMS AND CONDITIONS (Cont'd)

4. Special Construction for Permanent Service

b. (Cont'd)

(2) Facilities Up to the Network Interface

- (a) It is the responsibility of the customer to provide a means of entrance into the building which is satisfactory to the Company and to provide space for mounting the necessary terminal and station protection equipment and, where riser cable is required, a reusable means to reach each floor and each suite or office on each floor where telephone service is desired.

The Company will provide facilities, if required, to the nearest point on the customer's premises, which is satisfactory to the Company for placement of the network interface, within a building or structure.

- (b) Any conduit required must be provided, maintained and replaced without expense to the Company. Such construction must be installed in a manner which is acceptable to the Company.
- (c) The customer is required to pay the difference between the estimated cost of the facilities provided and the estimated cost of usual construction. All such facilities are maintained and replaced at the expense of the Company.

5. Construction for Temporary Service

When construction is required for temporary service, a period less than three years, and there is no immediate prospect of reusing the plant provided, the customer may be required to bear all of the cost of such construction. The terms and conditions applying to ownership and maintenance of such construction are the same as apply to construction for permanent service.

6. Rearrangement or Relocation of Existing Construction

When the Company is requested to move or change existing construction, the customer or other party requiring the move or change is required to pay the entire cost incurred by the Company properly attributable to such relocation, except as provided below.

When a political subdivision of the State, or any agency thereof, requires by ordinance, franchise provisions, administrative ruling or otherwise that existing aerial facilities be relocated underground, the cost incurred by the Company properly attributable to such relocation, after deducting therefrom any reimbursement received,

CONSTRUCTION CHARGES

B. TERMS AND CONDITIONS (Cont'd)

6. Rearrangement or Relocation of Existing Construction (Cont'd)

any increase in value of the new facility and any salvage value derived from the old facility, shall be paid by the political subdivision of the state, or any agency thereof, requiring such relocation. However, when the political subdivision or agency requires that existing aerial facilities be relocated for other reasons (such as road construction) and the political subdivision or agency directs that such relocation be made underground as an additional requirement of the relocation, then only the excess cost of relocating such aerial facilities underground, after excluding the normal cost of aerial to aerial relocation shall be paid by the political subdivision or agency, after additional deductions for reimbursements received, increase in value and salvage value as described above in this paragraph. The Company will furnish to the political subdivision and the Public Service Commission an estimate of the cost of such construction prior to the commencement of actual work.

The foregoing provision shall not apply to the relocation of underground facilities in historic districts, which is provided for in the Annotated Code of Maryland.

C. RATES

Construction Charge for Permanent Service on Private Property to Serve a Single Customer, underground service line trench, measured from the point at which the facility leaves the utility easement to the location of the network interface. These charges apply in addition to any applicable charges for cable or wire and any fees levied against the Company by a local government for such work.

Initial 175 Feet Route Measurement, or fraction thereof.....	\$50.00
Each Additional Foot.....	.15