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INTRASTATE LONG DISTANCE SERVICE

TARIFF SCHEDULES

Applicable to

LONG DISTANCE TELEPHONE SERVICE

of

**Audeamus (U-6217-C)**

(Name of Utility)

(T)

dba

Sebastian

811 South Madera Avenue, Kerman, California 93630

(Mailing Address)

Operating in (or Near)

Kerman, Fresno County & Foresthill, Placer County

(City or Town and/or County)

These tariff schedules have been regularly filed with the Public Utilities Commission of the State of California and are the effective rates and rules of this Company.

Service will be furnished in accordance with these tariff schedules and no officer, employee, or representative of the Company has any authority to waive, alter, or amend these tariff schedules or any part thereof in any respect. All inquiries may be directed to David Clark at 800-841-9311 or 559-846-6277.

(Continued)

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	<u>Issued By</u>	Date Filed <u>May 13, 2009</u>
Advice Letter No. <u>34</u>	<u>William S. Barcus</u>	Effective <u>May 13, 2009</u>
Decision No. _____	<u>President</u>	Resolution No. _____

INTRASTATE LONG DISTANCE SERVICE

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INTRASTATE LONG DISTANCE SERVICE

1. Preliminary Statement

This Schedule contains all effective rates and rules together with information relating to intrastate long distance telecommunication services in the State of California provided by Audeamus LLC, dba Sebastian, hereinafter referred to as the Company. (T)

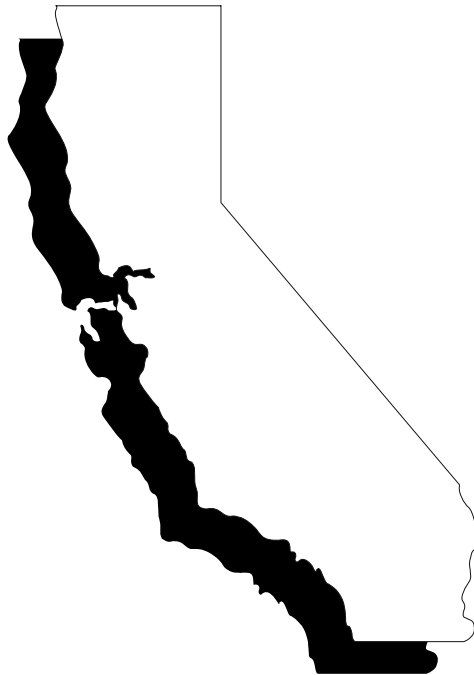
The Company provides intrastate long distance telecommunications services between points in California. Services are available 24 hours per day, seven days a week to both residential and business customers.

The Company has been granted authority by the California Public Utilities Commission ("CPUC") to provide intrastate service within the State of California.

1.1 Service Area Map

The Company has been granted authority by the CPUC to provide intrastate telecommunications services within the State of California.

Map of California



(Continued)

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	<u>Issued By</u>	Date Filed <u>May 8, 2008</u>
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INTRASTATE LONG DISTANCE SERVICE

1. Preliminary Statement (Cont'd)

1.2 Tariff Information and Use

1.2.1 Tariff Page Format

(A) Page Numbering

Page numbers are located in the upper right-hand corner of each tariff page. Pages are numbered sequentially. When a new page must be added between existing pages, a decimal and number is added to the page number, to sequentially number the new page. For example, a new page between existing pages 20 and 21 would be numbered 20.1. A new page added between pages 18.1 and 18.2 would be numbered 18.1.1. (T)

(B) Page Revision Numbering

Page Revision Numbers are located in the upper right-hand corner of each tariff page. This number is the most recent page revision on file with the California Public Utilities Commission (CPUC). Due to Notice Periods, and changes in Effective Dates, the most recent page on file with the CPUC may not be in effect. Consult the Effective Date on a specific page and Check Sheets to determine if that page is in effect.

(C) Date Filed

The Date Filed in the lower right-hand corner of each tariff page is the date that page was filed with the CPUC. (T)

(D) Effective Date

The Effective Date in the lower right-hand corner is the date the page is scheduled to go into effect (at 12:01 a.m. on that date).

(E) Advice Letter No.

The number of the Advice Letter filing is shown in the lower left-hand corner of each tariff page. (T)

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	<u>Issued By</u>	Date Filed <u>March 29, 2001</u>
Advice Letter No. <u>5</u>	<u>William S. Barcus</u>	Effective <u>April 6, 2001</u>
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INTRASTATE LONG DISTANCE SERVICE

1. Preliminary Statement (Cont'd)

1.2 Tariff Information and Use (Cont'd)

1.2.1 Tariff Page Format (Cont'd)

(F) Decision No.

If a Decision is rendered in regard to the Advice Letter, it is shown in the lower left-hand corner beneath the Advice Letter No. (T)

(G) Resolution No.

If a Resolution is rendered in regard to the Advice Letter, it is shown in the lower right-hand corner beneath the Effective Date. (T)

1.2.2 Tariff Section Numbering

An alpha-numeric numbering plan is used to number tariff regulations and rates. Each level is subordinate to and dependent on its next higher level. An example of the numbering sequence follows:

6.  
6.2  
6.2.1  
6.2.1(B)  
6.2.1(B)(2)  
6.2.1(B)(2)(a)

(Continued)

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	<u>Issued By</u>	Date Filed <u>March 29, 2001</u>
Advice Letter No. <u>5</u>	<u>William S. Barcus</u>	Effective <u>April 6, 2001</u>
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INTRASTATE LONG DISTANCE SERVICE

1. Preliminary Statement (Cont'd)

1.2 Tariff Information and Use (Cont'd)

1.2.3 Tariff Revision Coding and Explanation of Symbols

Revisions to this tariff are coded through the use of symbols. These symbols appear in the right margin of the page. The symbols and their meanings are:

- |     |  |     |
|-----|--|-----|
| (C) | To signify changed listing, rule, or condition which may affect rates or charges                                     | (T) |
| (D) | To signify discontinued material, including; listing, rate, rule, or condition                                       | (T) |
| (I) | To signify increase  |     |
| (L) | To signify material relocated from or to another part of tariff schedules with no change in text, rate, or condition | (T) |
| (N) | To signify new material including listing, rate, rule, or condition  | (T) |
| (R) | To signify reduction   |     |
| (T) | To signify change in wording of text, but no change in rate, rule, or condition                                      | (T) |

Other marginal codes are used to direct the reader to a footnote for specific information. Codes used for this purpose are lower case letters of the alphabet, i.e., x, y, and z. These codes may appear beside the page revision number or in the right margin opposite specific text. (T)

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	<u>Issued By</u>	Date Filed <u>March 29, 2001</u>
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INTRASTATE LONG DISTANCE SERVICE

1. Preliminary Statement (Cont'd)

1.3 Abbreviations

- CHCF - California High Cost Fund
- CIC - Carrier Identification Code
- CPUC - California Public Utilities Commission
- IC - Interexchange Carrier
- LATA - Local Access and Transport Area
- MOU - Minutes of Use
- MTS - Message Telecommunications Service

1.4 Application of Tariff

This tariff schedule contains regulations, rates, and charges applicable to intrastate service by the Company within California, as shown on the map filed on Sheet 5 herein, as authorized by the CPUC.

- (A) Individual call charges will be rounded up and billed at the next full penny.
- (B) All billing is monthly. Invoices are payable upon receipt.
- (C) All billing includes complete call details.

1.5 Basic and Optional Service Choices for Intrastate End Users

The long distance service offerings contained in this tariff are all optional. Customers may choose the long distance company of their choice. The Company does not offer basic access line service or functional equivalents. Each rate plan shown is offered independent of all other rate plans. The long distance services can be added, changed, or canceled at any time by calling the business office at 559.846.6677. Customers may select any rate plan without subscribing to any other service offered by the Company. The services are described in Section 3 and the rates are shown in Section 5 for business or residential customers. If the customer uses the services and incurs charges, then the Taxes and Surcharges in Section 4 are mandatory. The following other charges are mandatory if incurred:

	Sheet <u>No.</u>
Insufficient Funds Special Handling Fee	17
Late Payment Charge	17
Federal Excise Tax	*
Emergency Telephone Users Surcharge (9-1-1 Tax)	**

\* Federal Excise Tax information can be found at [www.irs.gov](http://www.irs.gov) by typing "federal excise tax" into the Forms & Publications Finder window, clicking on Instruction 720 and reading the Communications Tax section. The IRS toll-free phone number is 1-800-829-1040.

\*\* Emergency Telephone Users Surcharge information can be found at [www.boe.ca.gov](http://www.boe.ca.gov). Click on Special Tax Programs and then click on Emergency Telephone Users Surcharge under Excise Taxes Division. The toll-free phone number is 1-800-400-7115.

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	<u>Issued By</u>	Date Filed <u>December 20, 2001</u>
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Decision No. <u>01-07-026</u>	<u>Vice President</u>	Resolution No. _____

(N)

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(N)

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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations

2.1 Definitions

Additional Period - The unit of time used for measuring and charging for time in excess of the initial period.

Authorization Code - A multi-digit code which enables customers to access the Company's network and enables the Company to identify customer's use for proper billing. Multiple authorization codes may be assigned to a customer to identify individual users or groups of users on his or her account.

Authorized User - An individual, organization, or other entity which has been allowed to use the authorization code of a customer.

Bill to Third Party - A billing arrangement by which a call may be charged to an authorized station other than the station originating the call or station where the call is terminated.

Calling Card - A billing arrangement by which a call may be charged to an authorized carrier's calling card account.

Coin Sent Paid - Calls originating from a coin telephone paid for by depositing coins in the pay telephone.

Collect Call - A billing arrangement by which the charge for a call may be reversed provided the charge is accepted at the called station.

Company - Audeamus LLC, dba Sebastian.

(T)

Company-Specific Holiday - Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, and President's Day.

Conversation Minutes - For billing purposes, calls are billed based on Conversation Minutes (which begin when the called party answers, as determined by answer supervision) and ends when either party disconnects.

Customer - A firm, company, corporation, individual, or other entity that contracts for service under this tariff and that is responsible for the payment of charges as well as compliance with the Company's regulations pursuant to this tariff.

Customer Dialed Direct Station-to-Station - That service where the person originating the call dials the telephone number desired, completing the call without the assistance of an operator, and the call is billed to the originating number.

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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.1 Definitions (Cont'd)

Day - From 8:00 a.m. up to, but not including, 5:00 p.m. local time at the originating terminal on Monday through Friday, excluding Company-specific holidays as defined by these definitions.

Delinquent or Delinquency - An account for which payment has not been paid in full by the due date.

Evening - From 5:00 p.m. up to, but not including, 11:00 p.m. local time at the originating terminal on Sunday through Friday, excluding Company-specific holidays as defined by these rules.

Initial Period - The minimum unit of time for which a rate is charged for a connection between given points.

Intrastate Service - Implies both intrastate intraLATA and intrastate interLATA message telecommunications.

Local Access and Transport Area (LATA) - A defined geographic area within which the local telephone company may provide telephone services and/or facilities.

Message Telecommunications Services (MTS) - Long distance telecommunications service offered pursuant to this tariff.

Night/Weekends/Holidays - From 11:00 p.m. up to, but not including, 8:00 a.m., and 8:00 a.m. Saturday up to, but not including, 5:00 p.m. Sunday local time at the originating terminal.

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	<u>Issued By</u>	Date Filed <u>March 29, 2001</u>
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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.2 Undertaking of the Company

2.2.1 Scope

The Company undertakes to provide interexchange, intrastate Message Telecommunications Service in accordance with the terms and conditions set forth in this tariff.

2.2.2 Priority of Service

In case a shortage of facilities exists at any time either for temporary or protracted periods, the establishment of message telecommunications service shall take precedence over all others.

2.2.3 Limits of Liability

- (A) In no event shall the Company be liable for interruptions, errors, or defects, in installation, provision, termination, maintenance, repair, or restoration of service caused by acts of God, fire, war, riots, governmental authorities, acts or omissions of other telecommunications service providers, preemption of services in compliance with the federal and state rules and regulations, or any other cause beyond the Company's reasonable control.
- (B) The Company shall have no liability whatsoever for consequential or incidental damages.
- (C) The Company's liability for damages arising out of interruptions, errors, or defects, in installation, provision, termination, maintenance, repair, or restoration of service caused by the ordinary negligence of the Company shall not exceed the amount charged to the customer for the affected service. The Company's liability for any damages caused by the gross negligence on the part of the Company shall be limited to \$1,000. The Company's liability for damages caused by the willful misconduct of the Company is not limited by this tariff.

(Continued)

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	<u>Issued By</u>	Date Filed <u>August 11, 1999</u>
Advice Letter No. <u>1</u>	<u>William S. Barcus</u>	Effective <u>August 12, 1999</u>
Decision No. <u>99-08-036</u>	<u>Vice President</u>	Resolution No. _____

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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.2 Undertaking of the Company (Cont'd)

2.2.3 Limits of Liability (Cont'd)

- (D) The customer indemnifies and holds the Company harmless against the following:
- (1) Claims for libel, slander, or infringement of copyright from the material communicated using the Company's service;
  - (2) Claims for infringement of patents arising from using the service provided by the Company with any equipment or services furnished by others; and
  - (3) Claims caused by any error or omission caused by the customer in connection with the services provided by the Company.

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	<u>Issued By</u>	Date Filed <u>August 11, 1999</u>
Advice Letter No. <u>1</u>	<u>William S. Barcus</u>	Effective <u>August 12, 1999</u>
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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.2 Undertaking of the Company (Cont'd)

2.2.4 Temporary Suspension for Repairs

The Company shall have the right to make necessary repairs or changes in its facilities at any time and will have the right to suspend or interrupt service temporarily for the purpose of making the necessary repairs or changes in its system. When such suspension or interruption of service for any appreciable period is necessary, the Company will a) give the customers who may be affected reasonable notice as circumstances will permit, b) prosecute the work with reasonable diligence, and c) if practicable, make such suspension or interruption of service at times that will cause the least inconvenience.

When the Company is repairing or changing its facilities, it shall take appropriate precautions to avoid unnecessary interruptions of conversations or customer's service.

2.2.5 Errors in Transmitting, Receiving Messages

- (A) The Company shall not be liable for errors in transmitting, receiving, or delivering messages by telephone over the facilities of the Company and connecting utilities. (T)
- (B) The Company shall not be liable for errors in translating, transmitting, receiving, or delivering messages by telephone or telecommunication devices for the deaf (TDDs) over the facilities of the Company, connecting utilities, or through the California Relay Service. (T)

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	<u>Issued By</u>	Date Filed <u>March 20, 2001</u>
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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.2 Undertaking of the Company (Cont'd)

2.2.6 Facilities of Other Companies

Certain services are offered by the Company subject to the availability of suitable facilities from the Local Exchange Utility. In order to provide such service(s), the Company will incur charges and/or liabilities in the Local Exchange Utility's Access Tariff. Such service(s) will not be provided if facilities cannot be obtained from Local Exchange Utility because of a condition over which a customer has control (e.g., hazardous locations, etc.) violates a regulation in the Local Exchange Utility's Access Tariff.

2.2.7 976 Service Call Blocking

Operators will not process any known intrastate operator assisted 976 calls regardless of whether or not the customer is a subscriber to the Local Exchange Company's Information Service Call Blocking service. This procedure is in compliance with the California Public Utility Commission Code 2884, 1884.5, and Assembly Bill No. 3833.

2.2.8 Establishment and Re-Establishment of Credit

The Company reserves the right to examine the credit record and check the references of all applicants and customers.

The Company may examine the credit profile/record of any applicant prior to accepting the service order or customer's deposit. These shall not in themselves obligate the Company to provide services or to continue to provide service if a later check of applicant's credit record demonstrates that, in the opinion of the Company, provision of service is contrary to the best interest of the Company. Failure to provide a social security number shall not be cause for requiring a deposit.

(C)  
(C)

2.2.9 Deposits and Advance Payments

(A) The Company reserves the right to require a deposit or usage prepayment equal to at least one month's usage of the customer's previous carrier and up to two (2) months of estimated usage based upon the Company's determination of the customer's credit worthiness.

(C)

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	<u>Issued By</u>	<u>Date Filed</u> <u>August 6, 2004</u>
<u>Advice Letter No.</u> <u>24</u>	<u>William S. Barcus</u>	<u>Effective</u> <u>December 6, 2004</u>
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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.2 Undertaking of the Company (Cont'd)

2.2.9 Deposits and Advance Payments (Cont'd)

- (B) The Company will compute simple interest on deposits at the rate of 7/12 of 1 percent per month for each full month deposits are held. In the event of cancellation, the deposit plus accumulated interest will be applied toward the customer's final bill and any remainder will be returned within thirty (30) days after the service is discontinued. All deposits will be returned to customers at the end of one (1) year if payments have been made for one (1) full year on a prompt and timely basis.

2.2.10 Notices

- (A) Notices shall be in writing by one or a combination of bill insets, notices printed on bills, or separate notices sent by first class mail. In each case, an electronic notice may be substituted where the customer has agreed to receive notice in that manner. Notice by first class mail is complete when the document is deposited in the mail; and electronic notice is complete upon successful transmission (as defined in Cal. Civil Code Section 1633.15(b)). Every notice in whatever form shall be legible and printed in the equivalent of 10-point or larger type. (C)

- (B) Notices from a customer to the Company may be given verbally by the customer or any authorized agent or by written communications mailed to the Company's business office. (C)

- (C) The Company shall provide the disconnect notice in writing to customers whose payments are overdue not less than seven (7) calendar days prior to terminating service for nonpayment. Each termination notice shall include all of the following: (C)

- (1) Company's name. (N)

- (2) The name and address of the customer, and the telephone number(s) associated with the delinquent account. (N)

(L)  
|  
(L)

(L) Material now shown on Original Sheet 16.1

(Continued)

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	<u>Issued By</u>	<u>Date Filed</u>	<u>August 6, 2004</u>
<u>Advice Letter No. 24</u>	<u>William S. Barcus</u>	<u>Effective</u>	<u>December 6, 2004</u>
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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.2 Undertaking of the Company (Cont'd)

2.2.10 Notices (Cont'd)

(C) (Cont'd)

- (3) Information sufficient for the customer to identify the delinquent amount(s).
- (4) The time or date by which payment, or arrangement for payment, must be made to avoid termination.
- (5) A toll-free telephone number to reach a Company service representative who can provide customer assistance.
- (6) The telephone number of the Commission's Consumer Affairs Branch where the customer may direct inquiries.

If the notice is sent via text message to the device to be terminated, the terminating Company will be deemed to have complied with this rule if it provides the information above.

(D) Notice to Change Rates

The Company shall notify all affected customers at least 25 days in advance of every proposed change in its customer's tariffed service or non-term contracts that may result in higher rates or charges or more restrictive terms or conditions excluding taxes or surcharges for which the Company has no discretion over the amount to charge. The customer notice shall describe the current and proposed rates, terms, or conditions, as appropriate.

2.2.11 Rendering and Payment of Bills

(A) Billing periods are monthly. The billing date is dependent on the billing cycle assigned to the customer.

(L) Material previously shown on Original Sheet 16.

(Continued)

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	<u>Issued By</u>	<u>Date Filed</u>
Advice Letter No. <u>24</u>	<u>William S. Barcus</u>	<u>August 6, 2004</u>
Decision No. <u>04-05-057</u>	<u>President</u>	<u>Effective</u> <u>December 6, 2004</u>
		<u>Resolution No.</u> _____

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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.2 Undertaking of the Company (Cont'd)

2.2.11 Rendering and Payment of Bills (Cont'd)

- (B) Bills are due and payable upon receipt. The total invoiced amount must be paid within twenty-two (22) days of the invoice date. The Company may elect to give customers written notice that after seven (7) days from such notice, or after such longer period as the Company provides, customer's right to continued use of the service shall be suspended until all payments have been made in full and the Company shall have the right to take such steps as are necessary to terminate customer's access to the service. Customer's service may be terminated if service is not paid for by the 45th day past the billing date. (C)  
(C)
- (C) A Company shall credit payments effective the business day payments are received by the Company or its agent. The date after which a bill is considered overdue and delinquent, and after which late charges may accrue, shall not be earlier than twenty-two (22) days after the day the bill was mailed. Any authorized late-payment penalty may not exceed 1.5% per month on the balance overdue. Customers shall not be liable for late payment charges on disputed amounts that are resolved in the customer's favor. (C)  
(C)
- (D) Bills may be paid by mail or in person at the business office of the Company. All charges for services are payable only in U.S. currency. Payments may be made by cash, check, money order, or cashiers check.
- (E) The Company is not responsible for local telephone charges incurred by the customer in gaining access to the Company's network.
- (F) A bill shall not include any previously unbilled charge for service furnished prior to three (3) months immediately preceding the date of the bill, except charges for collect calls, credit card calls, third-party calls, and "Error file" calls (those which cannot be billed, due to the unavailability of complete billing information to the Company) which shall have a six-month back billing period. In cases of toll fraud, a back billing period of 3 years will apply.
- (G) Payments returned for insufficient funds/closed accounts will incur a \$5.00 special handling fee.
- (H) Bills must be based on the rates in effect at the time the service was used. Any delays or lags in billing must not result in a higher total charge (other than for taxes, and surcharges and fees that are based on a percentage of the bill) than if the usage had been posted to the account in the same billing cycle in which the service was used. (N)  
(N)

(Continued)

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	<u>Issued By</u>	<u>Date Filed</u>	<u>August 6, 2004</u>
<u>Advice Letter No.</u>	<u>William S. Barcus</u>	<u>Effective</u>	<u>December 6, 2004</u>
<u>Decision No.</u>	<u>President</u>	<u>Resolution No.</u>	_____

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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.2 Undertaking of the Company (Cont'd)

2.2.12 Disputed Bills

All disputed charges for any telecommunications service are subject to a rebuttable presumption that charges are unauthorized unless there is (A) a record of affirmative customer authorization, (B) a demonstrated pattern of knowledgeable past use or (C) other persuasive evidence of authorization.

(N)  
|  
(N)

In the case of a billing dispute between the customer and the Company for service furnished to the customer, which cannot be settled with mutual satisfaction, the customer can take the following course of action within thirty (30) days of the disputed bill's billing date.

(A) First, the customer shall notify the Company, in writing, of the precise nature and amount of billing dispute. The Company will conduct an in-depth review of the disputed amount. (The undisputed portion and subsequent bills must be paid on a timely basis or the service may be subject to disconnection.)

(B) Second, if there is still a disagreement about the disputed amount after the investigation and reviewed by the customer and a manager of the Company, the customer may appeal to the CPUC's Consumer Affairs Branch for its investigation and decision. The address of the CPUC is:

California Public Utilities Commission

505 Van Ness Avenue  
San Francisco, CA 94102  
e-mail: [consumer-affairs@cpuc.ca.gov](mailto:consumer-affairs@cpuc.ca.gov)

(D)  
(T)

Phone: (1) 800.649.7570  
TTY: (1) 800.229.6846

(C) To avoid disconnection of service, the customer must submit the claim and, if the bill has not been paid, deposit the amount in dispute with the CPUC. The disputed amount must be deposited with the CPUC in the form of either a check or money order and must be made payable to the CPUC.

(T)  
(T)

(D) The CPUC will review the claim of the disputed amount, communicate the results of its review to the customer and the Company, and make an appropriate disbursement of the deposited amount.

(Continued)

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	<u>Issued By</u>	<u>Date Filed</u> <u>August 6, 2004</u>
<u>Advice Letter No.</u> <u>24</u>	<u>William S. Barcus</u>	<u>Effective</u> <u>December 6, 2004</u>
<u>Decision No.</u> <u>04-05-057</u>	<u>President</u>	<u>Resolution No.</u> _____

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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.2 Undertaking of the Company (Cont'd)

2.2.12 Disputed Bills (Cont'd)

- (E) During the time any Consumer Affairs Bureau review is pending, no late charges or penalties may be collected, the charge may not be sent to collection, and no adverse credit report may be made based on non-payment of the charge. If the customer prevails, then no late charge or penalty may be imposed on the amount in dispute.
- (F) The Company may not disconnect service to a customer before seven (7) calendar days after the date the Company notifies the customer in writing of the results of its investigation. In no event shall the Company disconnect service prior to the due date shown on the bill.

(N)

(N)

(Continued)

(N)

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	<u>Issued By</u>	Date Filed <u>August 6, 2004</u>
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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.2 Undertaking of the Company (Cont'd)

2.2.13 Reason for Discontinuance of Service

(A) Customer Request

Customers may have service discontinued by giving notice of their desire on or before its effective date.

(B) Nonpayment of Bills

Service may be denied to the customer providing the bill has not been paid and the customer has been given due notice as described in 2.2.10. The Company will not initiate service denial on any Saturday, Sunday, or legal holiday or at any time during which business offices are not open to the public.

(C) Abandonment of service.

(D) Fraudulent or unauthorized use.

(E) Violation of Company tariffs.

2.2.14 Restoration of Service

If service is restricted or disconnected for nonpayment, service will be reestablished only upon receipt of payment of all charges due, which include charges for service and facilities during the period of suspension and which may include a service restoral fee. If the customer has a history of payments returned for insufficient funds, the Company may require payment by cash, money order, or certified check. If payment is made by personal check, restoration will be effected upon clearance of the check.

2.2.15 Information to be Provided to the Public

A copy of this tariff schedule and advice letters will be available for public inspection in the Company's business office during regular business hours.

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(D)

(Continued)

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	<u>Issued By</u>	<u>Date Filed</u>	<u>April 1, 2005</u>
<u>Advice Letter No. 26</u>	<u>William S. Barcus</u>	<u>Effective</u>	<u>May 5, 2005</u>
<u>Decision No. 05-01-058</u>	<u>President</u>	<u>Resolution No.</u>	_____

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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.2 Undertaking of the Company (Cont'd)

2.2.16 Cancellation of Service

(T)

Customers may cancel without termination fees or penalties any new tariffed service or any new contract for service within thirty (30) days after the new service is initiated. This does not relieve the customer from payment for per use and normal recurring charges applicable to the service incurred before canceling.

(Continued)

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	<u>Issued By</u>	Date Filed <u>April 1, 2005</u>
Advice Letter No. <u>26</u>	<u>William S. Barcus</u>	Effective <u>May 5, 2005</u>
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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.3 Release of Information

2.3.1 Credit Information and Calling Records

California Public Utilities Commission's Decision Nos. 92860 and 93361, in Case No. 10206, requires that each communications company, operating under the jurisdiction of the Commission, include the provisions of the rule set forth in Appendix "B" of that decision as a part of the regulations in the Company's tariff schedules. Accordingly, Appendix "B" of Decision Nos. 92860 and 93361, Case No. 10206 is quoted herein:

"APPENDIX B"

Release of Credit Information and Calling Records<sup>1</sup>

(A) DEFINITIONS

(1) Credit Information

A customer's credit information is the information contained in the customer's company account record, including but not limited to: account established date, "can-be-reached" number, name of employer, employer's address, customer's social security and/or driver's license number, billing name, location of previous service. Not included in customer credit information for purposes of these rules are: non-published customer information, or customer's name, address, and telephone number as listed in the telephone directory.

(2) Calling Records

Calling records are the records of calls made from a customer's telephone no matter how recorded and regardless of whether such information appears in the customer's monthly telephone service bill. Toll records and pen registers are examples of call records.

Note 1: Per Decision No. 93361, this rule shall not apply in instances involving the issuance of federal subpoenas which have not, in fact, been authorized by a federal judge or magistrate.

(Continued)

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	<u>Issued By</u>	<u>Date Filed</u> <u>August 11, 1999</u>
<u>Advice Letter No.</u> <u>1</u>	<u>William S. Barcus</u>	<u>Effective</u> <u>August 12, 1999</u>
<u>Decision No.</u> <u>99-08-036</u>	<u>Vice President</u>	<u>Resolution No.</u> _____



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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.3 Release of Information (Cont'd)

2.3.1 Credit Information and Calling Records (Cont'd)

(B) Release of Subscriber Credit Information and Calling Records

A customer's credit information and/or calling records shall be released by a telecommunications company only under the following circumstances:

- (1) Upon receipt of a search warrant obtained pursuant to California or federal law; or
- (2) Upon making return to a subpoena or subpoena duces tecum when, in fact, authorized by a state or federal judge to divulge the information or records.
- (3) In the case of civil or administrative subpoenas, upon notifying the customer that a subpoena has been issued and affording that customer at least ten days to move to quash the subpoena; or
- (4) Upon receiving permission of the customer to release the information.

(C) Notification to the Customer

- (1) Except as provided below, the customer whose credit information or calling records are requested by judicial subpoena or search warrant shall be notified by the Company by telephone the same day that the subpoena or search warrant is received (only one attempt by telephone is necessary). Telephone notification, whether successful or not, shall be followed by written notification within twenty-four hours after the receipt of the subpoena or warrant.
- (2) Both oral and written notification shall state that a judicial subpoena or search warrant was received for credit information or calling records for the specified dates and telephone numbers, and provide the name of the agency making the request.

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	<u>Issued By</u>	<u>Date Filed</u> <u>August 11, 1999</u>
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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.3 Release of Information (Cont'd)

2.3.1 Credit Information and Calling Records (Cont'd)

(D) Deferral of Notification

- (1) Notification to the customer will be deferred, and no disclosure made for a period of 90 days if there is a certification for nondisclosure in the body of a subpoena or search warrant. The certification for nondisclosure must contain a statement that there is probable cause to believe notification to the customer would impede the investigation of an offense pursuant to which the subpoena or warrant was issued. Upon making return to the court to a subpoena, the Company shall request instruction from the court whether it should notify the customer of its receipt of the subpoena before divulging the information or records requested.
- (2) The 90-day period can be extended for successive 90-day periods upon a new written certification in each instance that there is probable cause to believe notification to the customer would impede the investigation of an offense pursuant to which the subpoena or warrant was issued.
- (3) Successive new written certifications shall be made by the individual who procured the issuance of the subpoena or warrant or, if that person is unavailable, by another member of the authorized agency who also certifies that he or she has been assigned to handle the matter for which the credit information or calling records has been obtained.
- (4) Within five working days of the expiration of any outstanding certification, or any renewal of such certification, the deferred notification shall be given in writing to the customer in accordance with (3) above.

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	<u>Issued By</u>	<u>Date Filed</u> <u>August 11, 1999</u>
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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.3 Release of Information (Cont'd)

2.3.1 Credit Information and Calling Records (Cont'd)

(E) Exception to Procedure for Release of Credit and Calling Records

The procedure set forth above does not apply where the party making the request is a collection agent working for the Company on the customer's account for the Company.

(T)  
(T)

(F) Retention of Records

Records of requests for credit information and calling records, other than from a company's employees, shall be retained for a period of at least one year from the date on which the customer is notified in writing of the request. A copy of the letter of notification, which was sent to the customer, shall also be retained for a like period of one year.

(T)

2.3.2 Legal Requirements for Refusal or Discontinuance of Service

California Public Utilities Commission's Decision No. 91188, in Case No. 4930, requires that each telecommunications company operating under the jurisdiction of the Commission, include the provisions of the rule set forth in Appendix "B" of that Decision as a part of the rules in the Company's tariff schedules. Accordingly, Appendix "B" of Decision No. 91188, Case No. 4930, is quoted herein:

"APPENDIX B"

- "1. Any telecommunications company operating under the jurisdiction of this Commission shall refuse service to a new applicant and shall disconnect existing service to a customer upon receipt from any authorized official of a law enforcement agency of a writing, signed by a magistrate, as defined by Penal Code Sections 807 and 808, finding that probable cause exists to believe that the use made or to be made of the service is prohibited by law, or that the service is being or is to be used as an instrumentality, directly or indirectly, to violate

(T)(L)

(L) Portion of sentence previously shown on Original Sheet 24.

(Continued)

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	<u>Issued By</u>	Date Filed <u>March 29, 2001</u>
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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.3 Release of Information (Cont'd)

2.3.2 Legal Requirements for Refusal or Discontinuance of Service (Cont'd)

or to assist in the violation of the law. Included in the magistrate's writing, shall be a finding that there is probable cause to believe not only that the subject's telephone facilities have been or are to be used in the commission or facilitation of illegal acts, but that the character of such acts is such that, absent immediate and summary action in the premises, significant dangers to public health, safety, or welfare will result."

2.4 Use

2.4.1 Unlawful and Abusive Use

The service provided under this tariff shall not be used for an unlawful purpose or used in an abusive manner.

Abusive use includes:

The use of the service of the Company for a call or calls, anonymous or otherwise, in a manner that would frighten, abuse, torment, or harass another.

2.4.2 Use of Service

Intrastate Message Telecommunications Service may be used to transmit communications of the customer in a manner consistent with the terms of this tariff and the policies and regulations of the California Public Utilities Commission.

2.5 Competitive Promotional Offerings

From time to time the Company may offer certain special promotions to its customers. These offerings may be limited to certain dates, times, and locations. Such offerings will not be less than one day nor more than one year.

2.5.1 Home Connect Plans Promotion

Home Connect Plans offering bucket of minutes (250/500/unlimited options) as found in Schedules 3.3.2; rates in Section 5.1.9(A), (B), (C).

(A) The promotional offering will run from October 31, 2008 through June 18, 2009.

(C)

(Continued)

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	<u>Issued By</u>	Date Filed <u>June 18, 2009</u>
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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.5 Competitive Promotional Offerings (Cont'd)

2.5.1 Home Connect Plans Promotion (Cont'd)

- (B) A discount of \$17.50 (equivalent to the 250 minute rate) will be taken from the monthly price of any of the bucket of minutes (250/500/unlimited options) for as long as the customer subscribes to both the Home Connect Plan and the Sebastian video television offerings of the Utility.
- (C) This offering is only available where facilities exist whereby both the Home Connect and video services are offered by Sebastian.
- (D) This service is only offered during the period of the promotion. Subsequent to the termination of the promotion, customers can not re-subscribe to this offering once they discontinue either of the applicable services (Home Connect or video).

(N)

(N)

(Continued)

(N)

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	<u>Issued By</u>	Date Filed <u>October 20, 2008</u>
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INTRASTATE LONG DISTANCE SERVICE

2. General Regulations (Cont'd)

2.6 Contracts or Agreements

Contracts or written agreements for communications service will not be required as a condition precedent to services except:

- (A) As may be required by conditions as set forth in the Company's regular Schedules and Rules approved or accepted by the Public Utilities Commission of the State of California.
- (B) In the case of "special" or "custom services" where the Company, at the request of a subscriber, furnishes service or facilities at rates or under conditions other than those filed in its currently effective tariff schedules.

Each such contract or agreement shall contain a provision indicating the understanding of the parties that: "This contract or agreement shall not become effective until authorization of the Public Utilities Commission of the State of California is first obtained."

No Company initiated change in a term contract that may result in more restrictive terms or conditions is enforceable unless the change is otherwise allowed by applicable law and the change is also communicated to the customer in a written notice twenty-five (25) days prior to the change taking effect.

(N)  
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(N)

(Continued)

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	<u>Issued By</u>	<u>Date Filed</u> <u>August 6, 2004</u>
Advice Letter No. <u>24</u>	<u>William S. Barcus</u>	<u>Effective</u> <u>December 6, 2004</u>
Decision No. <u>04-05-057</u>	<u>President</u>	<u>Resolution No.</u> _____

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INTRASTATE LONG DISTANCE SERVICE

3. Message Telecommunications Service

3.1 Description of Service

(A) Message Telecommunications Service (MTS) is interexchange service that utilizes switched access facilities to both originate and terminate the call. The customer will use one of two dialing patterns to gain access to the Company's network.

- The customers who have selected the Company as their primary interexchange carrier will have their line(s) programmed by the local telephone company to automatically route 1+ interLATA/ intraLATA calls to the Company's network.

(B) Customers may terminate MTS calls to all locations within the state of California. Operator Assistance and Directory Assistance are available to MTS customers.

(C)  
(T)

3.2 Types of Services

3.2.1 Caller Advantage Service

(A) Caller Advantage Service is a measured non-distance sensitive, non-time of day sensitive calling plan. Rates for Caller Advantage Service are set forth in Section 5.1.1 following.

(B) After the first 60 seconds, all business usage rates will be applied in six (6) second (1/10th of one minute) increments. Any portion of a six second increment, after the first 60 seconds, will be rounded upward to the next increment. Calls under 60 seconds will be rounded to 60 seconds.

(C) All residential usage rates will be applied in one minute increments. Any portion of a one minute increment will be rounded upward to the next increment.

(Continued)

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	<u>Issued By</u>	Date Filed <u>October 30, 2012</u>
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INTRASTATE LONG DISTANCE SERVICE

3. Message Telecommunications Service (Cont'd)

3.2 Types of Services (Cont'd)

3.2.2 Reserved for Future Use\*

(C)

(D)

(D)

3.2.3 Operator Services

Operator Services are provided for calls that require operator assistance. Rates for operator handled calls are set forth in Section 5.1.3 following.

3.2.4 Directory Assistance

(A) Directory Assistance Service provides the calling party with the requested telephone number and address information. Directory Assistance Service will advise the customer if the requested telephone number cannot be found or if the number is non-published.

(B) Rates for Directory Assistance Service are set forth in 5.1.4 following.

\* Calling Card Service is no longer offered as of December 1, 2012.

(N)

(Continued)

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INTRASTATE LONG DISTANCE SERVICE

3. Message Telecommunications Service (Cont'd)

3.2 Types of Services (Cont'd)

3.2.5 Verification Interrupt

(A) Where facilities and operating conditions permit, the Company's toll operators may verify a busy line condition and/or interrupt a conversation in progress at the calling party's request. The operator will notify the customer at the time the request is made at the applicable charges. No charge will apply to the following:

- (1) When the operator finds the called number to be out of order.
- (2) To place a call to or from any public agency whose responsibility it is to provide or render emergency aid.

3.2.6 Coin Sent Paid Service

Payphone Service Providers using the Company's Long Distance service will be charged as described in Section 5.1.6 following for coin sent paid calls. The charges will be applied on a per minute basis, plus operator handled surcharge as applicable, plus tax.

3.2.7 Toll Free Number Service

Toll Free Number Service provides line termination to a business or residential line. Toll Free Number Service terminates on a local access line, eliminating the need for a dedicated line. The service provides for directly dialed telephone calling via the public switched network from anywhere within California.

(N)  
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(N)

(Continued)

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	<u>Issued By</u>	<u>Date Filed</u> <u>June 28, 2001</u>
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INTRASTATE LONG DISTANCE SERVICE

3. Message Telecommunications Service (Cont'd)

3.3 Rate Plans

3.3.1 Simple Saver Calling Plan

- (A) This optional calling plan is available to all customers of the Company.
- (B) Direct dialed Intrastate Residential Interexchange Service calls are discounted as described in Section 5.1.7 of this tariff.
- (C) A monthly rate is applied per account as designated in Section 5.1.7 of this tariff.
- (D) This plan cannot be used in conjunction with other discounts or calling plans.

3.3.2 Home Connect Plans

- (A) This optional calling plan is available to residential customers only. These plans are not intended to be used to conduct business or used for internet dial up and/or high volume data transfers. If it is determined that the plans use is non-residential in nature or used for internet dial up and/or high volume data transfers, the customer will be notified and the plan will be discontinued. (C)  
| (C)  
(D)  
| (D)
- (B) Blocks of direct dialed residential interexchange services may be purchased for a flat monthly rate as identified in Section 5.1.9 of this Tariff. (T)
- (C) Direct dialed minutes exceeding the block of minutes purchased will be charged for at a per minute rate as specified in Section 5.1.9 of this Tariff. (T)
- (D) Unused minutes may not be carried over to subsequent months. (T)

(Continued)

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	<u>Issued By</u>	Date Filed <u>October 02, 2008</u>
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INTRASTATE LONG DISTANCE SERVICE

3. Message Telecommunications Service (Cont'd)

(D)

(D)

(Continued)

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INTRASTATE LONG DISTANCE SERVICE

4. Taxes and Surcharges

4.1 Applicable Surcharges

(A) CPUC Mandated Public Program Surcharges

Pursuant to Resolution T-16901, all telecommunications carriers are required to apply CPUC mandated Public Program surcharge rates to intrastate services excluding the following:

- (1) Universal Lifeline Telephone Service (ULTS) billings;
- (2) Charges to other certificated carriers for services that are to be resold;
- (3) Coin sent paid telephone calls (coin in box) and debit card calls;
- (4) Customer-specified contracts effective before 9-15-94;
- (5) Usage charges for coin-operated pay telephones;
- (6) Directory advertising; and
- (7) One-way radio paging.

For a list of the Public Program surcharges, and the amounts, please refer to the Pacific Bell (d.b.a. SBC California) tariffs.

(B) Surcharge to Fund Public Utilities Commission Reimbursement Fee

Pursuant to Resolution T-16901, all telecommunications carriers are required to apply the CPUC Reimbursement Fee to intrastate services excluding the following:

- (1) Directory advertising and sales;
- (2) Terminal equipment sales; and
- (3) Inter-utility sales.

Please refer to the Pacific Bell (d.b.a. SBC California) tariffs for the amount.

(C)

(C)

(Continued)

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	<u>Issued By</u>	<u>Date Filed</u>	<u>December 14, 2004</u>
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INTRASTATE LONG DISTANCE SERVICE

(D)

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	<u>Issued By</u>	Date Filed <u>December 14, 2004</u>
Advice Letter No. <u>25</u>	<u>William S. Barcus</u>	Effective <u>January 1, 2005</u>
Decision No. _____	<u>President</u>	Resolution No. <u>T-16901</u>

INTRASTATE LONG DISTANCE SERVICE

5. Rates

5.1 Message Telecommunications Service

5.1.1 Caller Advantage Service

(A) InterLATA/Intrastate Business Interexchange Service

- First 60 seconds \$ 0.12  
- Each additional 6 seconds \$ 0.012

(B) InterLATA/Intrastate Residential Interexchange Service

- First minute \$ 0.18 (I)  
- Each additional minute \$ 0.18 (I)

(C) IntraLATA/Intrastate Business Interexchange Service

- First 60 seconds \$ 0.08  
- Each additional 6 seconds \$ 0.008

(D) IntraLATA/Intrastate Residential Interexchange Service

- First 60 seconds \$ 0.12 (I)  
- Each additional minute \$ 0.12 (I)

5.1.2 Reserved for Future Use\*

\* Calling Card Service is no longer offered as of December 1, 2012.

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	<u>Issued By</u>	Date Filed <u>September 30, 2013</u>
Advice Letter No. <u>41</u>	<u>William S. Barcus</u>	Effective <u>October 1, 2013</u>
Decision No. _____	<u>President</u>	Resolution No. _____

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INTRASTATE LONG DISTANCE SERVICE

5. Rates (Cont'd)

5.1 Message Telecommunications Service (Cont'd)

(T)

5.1.3 Operator Handled Calls

The following surcharges and usage rates apply to all operator handled calls.

(A) Operator Handled Surcharge

(1)	Collect Station-to-Station	\$ 1.05
(2)	Collect Person-to-Person	\$ 3.15
(3)	Person-to-Person	\$ 3.15
(4)	Station-to-Station	\$ 1.05
(5)	Directory Assistance Call Completion	\$ 1.05
(6)	Third Party Person-to-Person	\$ 3.15
(7)	Third Party Station-to-Station	\$ 1.05
(8)	Operator Dialed Called Number	\$ 1.05
(9)	Customer Dialed Called Number	\$ 0.85

(B) Usage Rate

(1)	Intrastate Business and Residence	
	- First minute	\$ 0.12
	- Each additional minute	\$ 0.12

(T)

5.1.4 Directory Assistance

Each direct dialed call \$ 0.85

Any calls to Directory Assistance utilizing an operator will be billed the Directory Assistance charge plus the applicable operator handled surcharge(s). Person-to-Person and Collect Calls to Directory Assistance are not permitted.

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	<u>Issued By</u>	Date Filed <u>March 29, 2001</u>
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Decision No. _____	<u>Vice President</u>	Resolution No. _____

INTRASTATE LONG DISTANCE SERVICE

5. Rates (Cont'd)

5.1 Message Telecommunications Service (Cont'd)

5.1.5 Verification Interrupt

(A) Verify Busy

- Per Call \$ 2.00

(B) Interrupt Call

- Per call \$ 4.00

5.1.6 Coin Sent Paid Service

Intrastate Calls

- First minute \$ 0.20

- Each additional minute \$ 0.20

5.1.7 Simple Saver Calling Plan

(A) Monthly Rate per account \$ 3.95

(B) InterLATA/Intrastate Business Interexchange Service

- First 60 seconds \$ 0.10

- Each additional 6 seconds \$ 0.01

(C) InterLATA/Intrastate Residential Interexchange Service

- First minute \$ 0.10

- Each additional minute \$ 0.10

(D) IntraLATA/Intrastate Business Interexchange Service

- First 60 seconds \$ 0.07

- Each additional 6 seconds \$ 0.007

(E) IntraLATA/Intrastate Residential Interexchange Service

- First 60 seconds \$ 0.07

- Each additional minute \$ 0.07

(C)

(C)

(Continued)

	<u>Issued By</u>	Date Filed	<u>May 26, 2006</u>
Advice Letter No. <u>28</u>	<u>William S. Barcus</u>	Effective	<u>June 5, 2006</u>
Decision No. _____	<u>President</u>	Resolution No.	_____



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INTRASTATE LONG DISTANCE SERVICE

5. Rates (Cont'd)

5.1 Message Telecommunications Service (Cont'd)

5.1.8 Toll Free Number Service

(A) Usage Rates with Caller Advantage Service

(1) InterLATA/Intrastate Business Interexchange Service

- First 60 seconds \$ 0.12  
- Each additional 6 seconds \$ 0.012

(2) InterLATA/Intrastate Residential Interexchange Service

- First minute \$ 0.18 (I)  
- Each additional minute \$ 0.18 (I)

(3) IntraLATA/Intrastate Business Interexchange Service

- First 60 seconds \$ 0.08  
- Each additional 6 seconds \$ 0.008

(4) IntraLATA/Intrastate Residential Interexchange Service

- First 60 seconds \$ 0.12 (I)  
- Each additional minute \$ 0.12 (I)

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INTRASTATE LONG DISTANCE SERVICE

5. Rates (Cont'd)

5.1 Message Telecommunications Service (Cont'd)

5.1.8 Toll Free Number Service (Cont'd)

(B) Usage Rates with Simple Saver Calling Plan

(1) InterLATA/Intrastate Business Interexchange Service

- First 60 seconds \$ 0.10  
- Each additional 6 seconds \$ 0.01

(2) InterLATA/Intrastate Residential Interexchange Service

- First minute \$ 0.10  
- Each additional minute \$ 0.10

(3) IntraLATA/Intrastate Business Interexchange Service

- First 60 seconds \$ 0.07  
- Each additional 6 seconds \$ 0.007

(4) IntraLATA/Intrastate Residential Interexchange Service

- First 60 seconds \$ 0.07  
- Each additional minute \$ 0.07

(C)

(C)

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	<u>Issued By</u>	Date Filed <u>May 26, 2006</u>
Advice Letter No. <u>28</u>	<u>William S. Barcus</u>	Effective <u>June 5, 2006</u>
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INTRASTATE LONG DISTANCE SERVICE

5. Rates (Cont'd)

5.1 Message Telecommunications Service (Cont'd)

5.1.9 Home Connect Plans

			(D)
(A)	<u>Home Connect</u>		(D)
	(1) 250 direct dialed minutes (charged per month)	\$17.50	(T)
	(2) Minutes of use over 250 per month (per minute of use)	\$ 0.10	
(B)	<u>Home Connect Plus</u>		(T)
	(1) 500 direct dialed minutes (charged per month)	\$29.95	
	(2) Minutes of use over 500 per month (per minute of use)	\$ 0.10	
(C)	<u>Home Connect Unlimited</u>		(T)
	(1) Unlimited direct dialed minutes (charged per month)	\$39.95	

(D)

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INTRASTATE LONG DISTANCE SERVICE

5. Rates (Cont'd)

5.1 Message Telecommunications Service (Cont'd)

(D)

(D)

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Decision No. _____	<u>President</u>	Resolution No. _____