

ACCESS SERVICE

9. Digital Subscriber Line Access Services

Digital Subscriber Line Access Services provide transmission services over local exchange service copper facilities that can be used for simultaneous voice and data communications. Service is provided, where available, between customer designated premises and designated Telephone Company Serving Wire Centers.

9.1 Asymmetric Digital Subscriber Line Access Service

9.1.1 General

Asymmetric Digital Subscriber Line (ADSL) Access Service enables data traffic generated by the customer's equipment to be transported to a DSL Access Service Connection Point using the customer's local exchange service facilities. At the DSL Access Service Connection Point, the customer's ADSL Access Service must be connected to a telecommunications service provider's customer designated premises using the Telephone Company's Special Access Services. A DSL Access Service Connection Point is an interconnection point designated by the Telephone Company that aggregates data traffic from and to Telephone Company ADSL Serving Wire Centers (SWCs). The customer for ADSL Access Service is the subscriber of the Telephone Company's local exchange service.

When the ADSL Access Service Connection Point is located in the operating territory of another telephone company, the customer's DSL Access Service must be connected to a single TSP's customer designated premises using a combination of DSL Extended Transport provided by the Telephone Company and the equivalent special access service provided by the distant telephone company.

A generic view of how ADSL Access Service would be interconnected with a telecommunications service provider's network is depicted in the figure following. In this example, the customer's serving wire center is designated as a DSL Access Service Connection Point. The customer orders ADSL Access Service pursuant to the provisions specified in this section. The ADSL Access Service customer's telecommunications service provider orders Special Access Service pursuant to the provisions specified in Part 7, preceding, following, to connect its customer designated premises to the DSL Access Service Connection Point.

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9. Digital Subscriber Line Access Services (Cont'd)

9.1 Asymmetric Digital Subscriber Line Access Service (Cont'd)

9.1.1 General (Cont'd)

ADSL Access service is available as an ADSL Voice-Data option only. The ADSL Voice-Data option provides transmission of data signals at a peak data transmission speeds of 512 kbps upstream and 1,544 Mbps downstream using the telephone company's existing local exchange service line. This option may be used for simultaneous voice and data communications.

9.1.2 Limitations

ADSL Access Service is available at a maximum upstream speed of 512 kbps (i. e., from the customer's equipment up to the DSL Access Service Connection Point) and a maximum downstream speed of 1.544 Mbps (from the DSL Access Service Connection Point down to the customer's equipment). These peak speeds are not guaranteed by the Telephone Company due to factors that may affect the actual speeds delivered, including loop distance from the Telephone Company Serving Wire Center, condition of the facilities, and limitations in the telecommunications service provider's network design.

The Telephone Company does not provide customer premises equipment (CPE) in conjunction with the ADSL Access Service offering

ADSL Access Service may not be used in conjunction with multi-point Special Access Service configurations as described in 7.1.3, preceding. ADSL Access Service will be furnished where suitable facilities exist as determined by the Telephone Company. ADSL Serving Wire Centers and DSL Access Service Connection Points will be identified in NATIONAL EXCHANGE CARRIER ASSOCIATION, INC. Tariff F. C. C. No. 4.

Rates and regulations for ADSL Access Service are in addition to any rates and regulations that apply for the ADSL Access Service customer's local exchange service. Rates and regulations for Special Access Service will apply for the access service(s) provided between the telecommunications service provider's customer designated premises and the DSL Access Service Connection Point, as described in Part 8 preceding.

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9. Digital Subscriber Line Access Services (Cont'd)

9.1 Asymmetric Digital Subscriber Line Access Service (Cont'd)

9.1.3 Undertaking of the Telephone Company

The Telephone Company will provide ADSL Access Service at rates and charges as set forth in Part 8 as follows:

- (A) The Telephone Company will determine if the customer's local exchange service line is suitable for use with ADSL Access Service. Service will not be provided on lines that the Telephone Company determines are not suitable for ADSL Access Service or on lines that produce interference with other services provided by the Telephone Company.
- (B) The Telephone Company, after determining if the local exchange service line is suitable for ADSL Access Service, will notify the customer if any additional CPE is necessary to support ADSL Access Service.
- (C) The Telephone Company will provision and maintain ADSL Access Service from the DSL Connection Point to the Point of Termination at the customer's premises, except as provided for in Part 9.1.5 (D) following.
- (D) The Telephone Company will notify the ADSL Access Service customer's TSP when DSL extended Transport, as described in Part 9.1.5 (D) following, is required.

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9. Digital Subscriber Line Access Services (Cont'd)

9.1 Asymmetric Digital Subscriber Line Access Service (Cont'd)

9.1.4 Obligations of the Customer

In addition to the regulations described in other sections of this tariff, the following provisions apply to ADSL Access Service:

- (A) The customer must subscribe to local exchange service from the Telephone Company pursuant to the Telephone Company's general and/or local exchange service tariffs. The Telephone Company will automatically disconnect ADSL Access Service when the associated local exchange service is disconnected for any reason.
- (B) The customer is responsible for providing the Telephone Company with the necessary information to provision ADSL Access Service (e. g., customer name, telephone number and premises address; billing name and address when different from the customer name and premises address; customer contact name and telephone number and the contact name and telephone number of the telecommunications service provider with which the customer's ADSL Access Service will interconnect).
- (C) The customer is responsible for providing and maintaining all required customer provided equipment (CPE), which is compatible with ADSL Access Service and complies with the standards specified in Technical Reference ANSI T1.413-1998.

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9. Digital Subscriber Line Access Services (Cont'd)

9.1 Asymmetric Digital Subscriber Line Access Service (Cont'd)

9.1.5 Rate Regulations

This section contains the regulations governing the rates and charges that apply for ADSL Access Service. Regulations governing the rates and charges for the Special Access used in conjunction with ADSL Access Service are as specified in Section 8, preceding. The rates for ADSL Access Service will be billed to the subscriber of the local exchange service.

(A) Minimum Period

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

(B) Moves

A move involves a change in the physical location of one of the following:

- The Point of Termination at the customer designated premises
- The customer designated premises The provisions for moves of ADSL Access Service are the same as those described in Part 7.2.3, preceding, except that an Access Order Charge will not apply.

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9. Digital Subscriber Line Access Services (Cont'd)

9.1 Asymmetric Digital Subscriber Line Access Service (Cont'd)

9.1.5 Rate Regulations (Cont'd)

(C) Temporary Suspension of Service

When a ADSL Access Service customer temporarily suspends its local exchange service, the ADSL Access Service and one-half of the ADSL Line Charge monthly rate will be temporarily suspended for the time period that the associated local exchange service is suspended.

(D) DSL Extended Transport

DSL Extended Transport is required when: 1) the Telephone Company providing ADSL Access Service locates its DSL Access Service Connection Point outside its operating territory in the operating territory of another telephone company and 2) the ADSL Access Service customer's TSP connects its customer designated premises to the DSL Access Service Connection Point using Special Access Service as provided in Section 7 preceding, or equivalent special access provided by the distant telephone company.

DSL Extended Transport provides the TSP with a virtual circuit path capable of supporting a peak data speed of up to 1.544 Mbps between a Telephone Company-designated DSL Transport Hub and its associated DSL Access Service Connection Point location. The Telephone Company must designate at least one DSL Transport Hub SWC location within its operating territory when it locates a DSL Access Service Connection Point outside its operating territory. The DSL Transport Hub aggregates ADSL and/or SDSL Access Services data traffic within the operating territory of the Telephone Company providing the DSL Access Service.

DSL Extended Transport is used to transmit ADSL data traffic. The TSP is responsible for determining and ordering the number of DSL Extended Transport virtual paths it requires to meet its end users' data transmission needs. The TSP must place an order for at least one DSL Extended Transport virtual circuit path, where required, when it places the order for Special Access Service (or equivalent special access service) to connect its customer designated premises to the DSL Access Service Connection Point. An Access Order Charge applies per order for the installation of DSL Extended Transport.

DSL Extended Transport is available between a DSL Transport Hub SWC and the associated DSL Access Service Connection Point SWC located within the United States.

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9. Digital Subscriber Line Access Services (Cont'd)

9.1 Asymmetric Digital Subscriber Line Access Service (Cont'd)

9.1.5 (D) DSL Extended Transport (Cont'd)

(1) Mileage Measurement

- (a) The mileage to be used to determine the monthly charges for each DSL Extended Transport virtual circuit path is calculated using the airline distance between each DSL Transport HUB and its associated DSL Access Service Connection Point when both locations are within the United States. To determine the applicable monthly charges, first compute the mileage using the V+H coordinates method, as described in the National Exchange Carrier Association, Inc. Tariff F.C.C. No. 4. When the calculation results in a fraction of a mile, always round up to the next whole mile before determining the total mileage and applying the rates. Once the total mileage for each path is determined, multiply the number of miles times the DSL Extended Transport per mile rates specified in Part 8, preceding.

(E) Rate Categories

There are two types of rates and charges applicable to ADSL Access Service. These are a monthly rate and a nonrecurring charge.

The monthly rate applies each month or fraction thereof for each local exchange service line equipped with ADSL Access Service.

A nonrecurring charge applies per local exchange service line for the installation of ADSL Access Service.

Rates and charges for ADSL Access Service are as set forth in Part 8, preceding.

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9. Digital Subscriber Line Access Services (Cont'd)

9.2 DSL Access Services Discount Pricing Arrangement

9.2.1 General

The telecommunications services offered under the DSL Access Services Discount Pricing Arrangement (DPA) are provided at wholesale rates to the customer under the conditions below.

- (A) The customer purchases ADSL Access Service as described in 9.1 , preceding, for the purpose of combining these telecommunications services with its own information service(s) to create a new retail service for sale to its end user customer(s).
- (B) In addition to the obligations specified in 9.1.4, preceding, the customer assumes the following obligations:
 - (1) The customer will directly with its end user customers with respect to all matters pertaining too the services provided, including marketing, sales, ordering, installation, maintenance, trouble reporting, repair, billing and collection. The customer will not direct its end users to contact the Telephone Company for any aspect of the services the customer provides.
 - (2) The customer will submit orders for ADSL to the Telephone Company in a format and manner designated by the Telephone Company.
 - (3) The customer will obtain the appropriate authorization to allow the Telephone Company to provision ADSL Voice-Date access Service over the customer's end user's existing telephone exchange services line.

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9. Digital Subscriber Line Access Services (Cont'd)

9.2 DSL Access Services Discount Pricing Arrangement

9.2.1 General (Cont'd)

When the customer purchases ADSL Access Service under the DSL Access Service DPA, the rates and charges specified in Part 8, preceding, will apply in lieu of the rates and charges specified in Part 8.

Services provided under the DSL Access Service DPA are available under a Monthly Plan at the rates and charges specified in Part 8, preceding, or under a Term Plan described in 9.3.2, following, at the rates and charges specified in Part 8, preceding.

A monthly charge applied for each ADSL Access Service line covered under the DPA. A nonrecurring charge applies for the installation of each ADSL Access Service line under the DPA. A DSL Network Reconfiguration Charge would apply for each requested reconfiguration for each ADSL Access service line covered under the DPA.

The Telephone Company will bill the customer an Access Order Charge, per order, to convert in-service ADSL Access Service lines originally purchased under the provisions specified in 9.1, preceding, to the DSL Access Services DPA, provided the customer obtains written authorization from its end users authorizing such conversions, where necessary. Per line nonrecurring charges specified in Part 8 preceding, do not apply to the conversions on in-service ADSL to a DPA

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9. Digital Subscriber Line Access Services (Cont'd)

9.2 DSL Access Services Discount Pricing Arrangement (Cont'd)

9.3 Term Plan

(A) Description

The Term Plan provides the customer with reduced rates based on the length of the customer's term commitment and its selected pricing option. The Term Plan is available for terms of one or three years with a choice of three pricing options. The Telephone Company will establish a Term Plan for each Serving Wire Center based on the customer's order notifying the Telephone Company which ADSL the customer wants included in the plan (s) and its selected term commitment and pricing option for each SWC. An Access Order Charge applies for each order to establish the initial Term Plan.

When the customer subscribes to a Term Plan, all in-service ADSL Access Service lines provided out of and subsequently installed at the included SWC will be billed the rates and charges specified in Section 8, preceding, for the length of the term commitment. In addition to the applicable ADSL Access Line Charges, the customer will be billed a recurring monthly Term Plan Charge for each SWC included in a Term Plan, as specified in Part 8, preceding, based on its selected pricing option.

If the Telephone Company decreases the rates specified in Part 8, preceding, during the term of a commitment period, the decreased rates will automatically be applied for the remainder of the current commitment.

At the end of the Term Plan, the customer may elect to establish a new Term Plan commitment, convert to the rates available under the Monthly Plan, or discontinue service. If the customer does not make an election by the end of the Term Plan, the rates for all ADSL Access Service lines will automatically be converted to the rates available under the Monthly Plan specified in Part 8, preceding. An Access Order Charge will not apply to any election made by the customer at the end of the Term Plan.

A Term Plan is subject to payment for yearly termination as described in 9.3 (D), following.

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9. Digital Subscriber Line Access Services (Cont'd)

9.2 DSL Access Services Discount Pricing Arrangement (Cont'd)

9.3 Term Plan (Cont'd)

(B) Upgrades in Term Plan

A customer may terminate a Term Plan without the application of a termination liability charge when the customer replaces its original Term Plan commitment with a new Term Plan commitment provided the length and pricing option of the new Term Plan commitment is equal to or greater than the length and pricing option of the original Term Plan commitment. An Access Order Charge will not apply when the customer replaces an existing Term Plan with a new Term Plan commitment under this provision.

(C) Termination without Liability

A customer may terminate a Term Plan without the application of a termination liability charge if the Telephone Company increases the Term Plan monthly rates described in Part 8, preceding, during the term of the existing commitment. The customer has 90 days following such rate increase to notify the Telephone Company in writing of its intent to terminate its Term Plan under this section; otherwise, the increased rates will apply for the remainder of the commitment period.

(D) Termination with Liability

If the customer elects to terminate its term Plan (s) prior to the end of the commitment period for any reason other than specified in (B) or (C), preceding, a termination liability charge will apply. For each Term Plan terminated prior to the end of the commitment period, the Telephone Company will bill the customer a charge equal to the monthly Term Plan Charge for its selected pricing option as specified in Part 8, preceding, multiplied by the number of months remaining in the commitment period.

Monthly Plan rates as described in Part 8, preceding, will apply to all in—service ADSL Access Lines following the early termination of a Term Plan.

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