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**Resell Interexchange Telecommunications Services**

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**TITLE SHEET**

**ARIZONA TELECOMMUNICATION TARIFF**

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by **American Phone Services Corp. (APSC)** with principal offices at **11285 Elkins Road, Suite L-4 - Roswell GA 30076**. This tariff applies for services furnished within the State of Arizona. This tariff is on file with the Arizona Corporation Commission (ACC) and copies may be inspected, during normal business hours, at the Company's principal place of business.

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ISSUED BY:

Riccardo Ferranti, President  
11285 Elkins Road, Suite L-4  
Roswell, GA 30076

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## CHECK SHEET

The sheets listed below, which are inclusive of this tariff, are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effects of the date of the bottom of this page.

<u>SHEET</u>	<u>REVISION</u>	<u>SHEET</u>	<u>REVISION</u>
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**SYMBOLS**

The following are the only symbols used for the purposes indicated below:

- D - Delete or Discontinue
- I - Change Resulting in an Increase to a customer's bill
- M - Moved from Another Tariff Location without Change
- N - New
- R - Change Resulting in a Reduction to a customer's bill
- T - Change in Text or regulation but no change in rate or charge.

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**TARIFF FORMAT**

- A. Sheet Numbering - Sheet numbers appear in the upper right corner of the sheet. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between Sheets 14 and 15 would be Sheet 14.1.
- B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each sheet. These numbers are used to determine the most current sheet version on file with the ACC. For example, the 4th Revised Sheet 14 cancels the 3rd Revised Sheet 14. Consult the Check Sheet for the sheet currently in effect.
- C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next highest level.
  - 2.
  - 2.1.
  - 2.1.1.
  - 2.1.1.A.
  - 2.1.1.A.1.
  - 2.1.1.A.1.(a).
  - 2.1.1.A.1.(a).I.
  - 2.1.1.A.1.(a).I.(i).
  - 2.1.1.A.1.(a).I.(i).(1).
- D. Check Sheets - When a tariff filing is made with the ACC, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the sheets contained in the tariff, with a cross-reference to the current revision number. When new sheets are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*) on the Check Sheet. The tariff user should refer to the latest Check Sheet to find out if a particular sheet is the most current on file with the ACC.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**

**Access Line** - An arrangement that connects the customer's location to the carrier's location or switching center.

**Application for Service** - A standard order form that includes all pertinent billing, technical, and other descriptive information that will enable the carrier to provide the communication service as required.

**Authorization Code** - A numerical code, one or more of which are assigned to a customer to enable him/her to access the carrier, and which are used by the carrier both to prevent unauthorized access to its facilities and to identify the customer for billing purposes.

**Authorized User** - A person, firm, corporation, or other entity authorized by the customer to receive or send communications.

**Billed Party** - The party responsible for payment of charges applicable to intrastate calls placed using the carrier's services.

**Commission** - The term "Commission" refers to the Public Service Commission of Florida.

**Company or Carrier** - American Phone Services Corp.

**Customer** - The person, firm, corporation or other entity which orders service and is responsible for payment of charges due and compliance with the Company's tariff regulations.

**End User** - The term "end user" denotes an individual who places and/or accepts calls placed over the carrier's services. The end user may or may not be directly responsible for billing of calls, depending upon the payment method selected by the end user.

**Holidays** - The Company's recognized holidays are New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

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Arizona - Tariff No.1  
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**Measured Charge** - A charge assessed on a per minute basis in calculating a portion of the charges due for a completed call.

**Measured Use Service** - A charge assessed on a per minute basis in calculating a portion of the charges due for a completed call.

**Message Telecommunications Service (MTS)** - Regular telephone service comprised of Direct Distance Dial and Operated-Assisted calls. Basic long distance service.

**Mileage** - Airline miles between calling areas. The airline mileage distance between the origination and termination of a telephone call.

**Payment Method** - The manner which the customer designates as the means of billing charges for calls using the Company's service.

**Points of Presence (POP)** - Point-of-Presence is the physical point where the LEC facilities and the carrier's leased facilities interconnect or where the T-1.5 digital facility interconnects with the carrier's leased facilities.

**Service Agreement** - Company's standard form for the ordering and acceptance of a customer's request for and commitment to take the Company's service offerings pursuant to this tariff.

**Switched Access** - If the customer's location has a transmission line that is switched through the LEC to reach the carrier's POP, the access is considered switched access.

**Telecommunications** - The transmission of voice communications or, subject to the transmission capabilities of the service, the transmission of data, facsimile, signaling, metering, or other similar communications.

**Toll Call** - Any call extending beyond the local exchange of the originating caller that is rated on a toll schedule by the local exchange telephone Company's.

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**Travel Card Service** - A billing mechanism that enables a subscriber or customer to access the services of the carrier while away from home or office.

**Underlying Carrier** - A variety of telecommunications carriers whose network facilities provide the technical capability and capacity necessary for the transmission and reception of customer telecommunications traffic within Arizona.

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**SECTION 2 - RULES AND REGULATIONS**

**2.1. Undertaking of Company**

Company services and facilities are furnished for communications originating at specified points within the State of Arizona under terms of this Tariff.

Company installs, operates, and maintains the communications services provided hereunder in accordance with the terms and conditions set forth under this Tariff. It may act as the customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the customer, to allow connection of a customer's location to Company's network. The customer will be responsible for all charges due for such service arrangement

Company's services and facilities are provided on a monthly basis, unless ordered on a longer-term basis, and are available twenty-four hours per day, seven days per week.

**2.2. Limitations**

2.2.1. Service is offered subject to the availability of facilities and the provisions of this Tariff.

2.2.2. The Company reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control, or when the customer is using service in violation of the law or the provisions of this Tariff.

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Resell Interexchange Telecommunications Services

**SECTION 2 - RULES AND REGULATIONS (continued)**

- 2.2.3. All facilities provided under this Tariff are directly controlled by Company and the customer may not transfer or assign the use of the service or facilities, except with the express written consent of the Company. Such transfer of assignment shall only apply where there is no interruption of the use or location of the service or facilities.
- 2.2.4. Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this Tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.
- 2.2.5. Customers reselling or rebilling services must have a Certificate of Public Convenience and Necessity as an Interexchange carrier from the Arizona Corporation Commission.

**2.3. Liabilities of the Company**

- 2.3.1 The Company's Liability for damages arising out of mistakes, interruptions omissions, delays, errors, or defects in transmission occurring in the course of furnishing service or facilities, and not caused by the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to Customer for the period during which the aforementioned faults in transmission occur, unless ordered by the commission.

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**SECTION 2 - RULES AND REGULATIONS (continued)**

2.3.2. The Company shall be indemnified and held harmless by the customer against:

(A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over the Company's facilities.

(B) All other claims arising out of any act or omission of the customer in connection with any service or facility provided by the Company.

2.3.3. The Commission's acceptance of the liability provisions contained in this tariff does not constitute its determination that the limitation of liability imposed by the Company's should be upheld in a court of law. Rather, it is more properly construed as a recognition that, since it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, it is, therefore, the duty of the courts to determine the validity of the exculpatory provisions of this tariff.

**2.4. Interruption of Service**

2.4.1. Credit allowance for the interruption of service which is not due to the Company's testing or adjusting, negligence of the customer, or to the failure of channels or equipment provided by the customer, are subject to the general liability provisions set forth in 2.3.1 herein. It shall be the obligation of the customer to notify the Company's immediately of any interruption in service for which a credit allowance is desired. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission by the customer within his control, or is not in equipment, if any, furnished by the customer and connected to the Company's facilities. No refund or credit will be made for the time that the Company stands ready to repair the service and the subscriber does not provide access to the Company for such restoration work.

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**SECTION 2 - RULES AND REGULATIONS (continued)**

2.5.3 The company has given the customer notice and has allowed a reasonable time to comply with any rule, or remedy, and deficiency, refusal or discontinuance of service by company

**2.6 Restoration of Service**

The use and restoration of service shall be in accordance with the priority system specified in Part 64, Subpart D of the Rules and Regulations of the Federal Communications Commission.

**2.7 Deposits**

The Company does not require a deposit from the customer

**2.8 Advance Pavements**

For customers whom the Company feels an advance payment is necessary, the Company reserves the right to collect an amount not to exceed one (1) month estimated charges as an advance payment for service. This will be applied against the next month's charges and if necessary a new advance payment will be collected for the next month.

**2.9 Taxes**

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utility tax) are listed as separate line items and are not included in the quoted rates.

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**SECTION 2 - RULES AND REGULATIONS (continued)**

**2.10 Billing of Calls**

All charges by the subscriber are payable at any agency duly authorized to receive such payments. Any objection to billed charges should be promptly reported to the company. Adjustments to customer's bill shall be made to the extent that records are available and/or circumstances exist which reasonable indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate.

**2.11 Late charge**

Bills are due and payable upon receipt. The total invoiced amount must be paid by the date due as specified on the invoice. Bills not paid by the date specified above are subject to a late fee equal to 1.5% of the invoice amount. Bills not paid within 10 days after the invoice due date is subject to a 1.5% late payment charge on the unpaid amount. Customer's service may be terminated if service is not paid for by the 30<sup>th</sup>. days past the billing due date after written notice has been provided.

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11285 Elkins Road, Suite L-4  
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## Resell Interexchange Telecommunications Services

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### SECTION 3 - DESCRIPTION OF SERVICE

#### 3.1 Timing of Calls

##### 3.1.1 When billing charges begin and end for phone calls

The customer's long distance usage charge is based on the actual usage of the Company's network. Usage begins when the called party picks up the receiver, (i.e. When 2 way communication, often referred to as "conversation time" is possible.) When the called party picks up is determined by hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. When software answer supervision is employed, up to 60 seconds of ringing is allowed before it is billed as usage of the network. A call is terminated when the calling or called party hangs up.

#### 3.2 Billing Increments

Unless otherwise specified in this tariff, the minimum call duration for billing purposes is 1 minute for a connected call and calls beyond 1 minute are billed in 1 minute increments.

#### 3.3 Per Call Billing Charges

Billing will be rounded up to the nearest penny for each call.

#### 3.4 Uncompleted Calls

There shall be no charges for uncompleted calls.

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**Resell Interexchange Telecommunications Services**

**SECTION 3 - DESCRIPTION OF SERVICE (continued)**

**3.5 Calculation of Distance**

Usage charges for all mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call.

The airline mileage between rate centers is determined by applying the formula below to the vertical and horizontal coordinates associated with the rate centers involved. The Company uses the rate centers that are produced by Bell Communications Research in the NPA-NXX V and H Coordinates Tape and Bell's NECA Tariff no. 4.

FORMULA:

The square root of :

$$\frac{\sqrt{(V1 - V2)^2 + (H1 - H2)^2}}{10}$$

**3.6 Minimum Call Completion Rate**

A customer can expect a call completion rate (number of calls completed/ number of calls attempted) of not less than 90% during peak use periods for all FG D services ("1+" dialing).

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**SECTION 3 - DESCRIPTION OF SERVICE (continued)**

**3.7 Service Offerings**

**3.7.1 Message Telecommunication Service (MTS)**

MTS provides interexchange telecommunication service for intraLATA and interLATA calling within the state.

- Dial Station
- Calling Card
- Person to Person

**3.7.2 American Phone Services Corp Long Distance Service**

American Phone Services Corp Long Distance Service is offered to residential and business customers. The service permits direct dialed outbound calling at a single per minute rate. Fraction of a minute will be rounded to nearest whole minute. Service is provided from presubscribed, dedicated or shared use access lines.

**3.7.3 American Phone Services Corp 800/888 (Inbound) Long Distance Service**

American Phone Services Corp 800/888 (Inbound) Long Distance Service is offered to residential and business customers. The service permits inbound 800/888 calling at a single per minute rate. Service is provided from presubscribed, dedicated or shared use access lines. Calls are billed at a single per minute rate. Fraction of a minute will be rounded to nearest whole minute.

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11285 Elkins Road, Suite L-4  
Roswell, GA 30076

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**SECTION 3 - DESCRIPTION OF SERVICE (continued)**

3.7.4 American Phone Services Corp Card Service

American Phone Services Corp Card Service is calling card service offered to residential and business customers who subscribe to the American Phone Services Corp long distance calling plan. Customers using the Carrier's calling card service access the service by dialing a 1-800 number followed by an account identification number and the number being called. This service permits subscribers utilizing the Carrier's calling card to make calls at a single per minute rate. Calls are billed in one (1) minute increments after the initial minimum period of one (1) minute. A Calling Card surcharge applies.

**3.8 Contested Charges**

Subject to the conditions described in Section below, for consideration of any disputed charge, which cannot be settled with mutual satisfaction, a customer must submit in writing to American Phone Services Corp. within Sixty (60) days of the date the bill is issued, the call details and basis for any requested adjustment.

American Phone Services Corp. will promptly investigate and advise the customer as to its findings and disposition. Any undisputed charges must be paid on a timely basis.

- (a) First, the customer may request, and the carrier wills, 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 disagreement about the disputed amount after the investigation and review by a manager of the carrier, the customer may appeal to the Arizona Commission's Utilities Division for its investigation and decision.

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11285 Elkins Road, Suite L-4  
Roswell, GA 30076

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**SECTION 3 - DESCRIPTION OF SERVICE (continued)**

**3.9 Directory Assistance**

Access to long distance directory assistance may be obtained by dialing 1+(area code)+555-1212. User will be charged (or customer will be billed) \$0.95 for each interstate directory assistance call. The directory assistance charge applies to each call regardless of whether the directory assistance bureau is able to furnish the requested telephone number.

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Roswell, GA 30076

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## Resell Interexchange Telecommunications Services

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### SECTION 4 - RATES

#### 4.0 American Phone Services Corp Long Distance Service

1 plus dialing / Rates are not timed of day or distance sensitive

Maximum INITIAL MINUTE	Maximum EACH ADD'L MINUTE
\$ .99	\$ .99

INITIAL MINUTE	EACH ADD'L MINUTE
\$ .15	\$ .15

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## Resell Interexchange Telecommunications Services

### 4.1 American Phone Services Corp. 800/888 (Inbound) Long Distance Service

The following Toll-Free calls will be billed in one (1) minute increments

Maximum INITIAL MINUTE	Maximum EACH ADD'L MINUTE
\$ .99	\$ .99

INITIAL MINUTE	EACH ADD'L MINUTE
\$ .19	\$ .19

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**4.3. American Phone Services Corp Card Service**

Calling Card Calls. Calling Card calls not requiring operator assistance, will be billed in one (1) minute increments, as follow:

Maximum INITIAL MINUTE	Maximum EACH ADD'L MINUTE
\$ .99	\$ .99

INITIAL MINUTE	EACH ADD'L MINUTE
\$ .19	\$ .19

**4.4. Payphone Compensation Dial around Surcharge**

Customer dialed 800,888 and "10-10XXX" calls originated from pay telephones to obtain access to the Company's Services may incur a per-call surcharge of \$.30

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## Resell Interexchange Telecommunications Services

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### InterLATA Charges (cont.)

#### 4.5. Directory Assistance

\$.95 per call.

#### 4.6. Special Rates for the Handicapped

##### 4.6.1 Directory Assistance

There shall be no charge for up fifty calls per billing cycle from lines or trunks serving individuals with disabilities. The Company shall charge the prevailing tariff rates for every call in excess of 50 within a billing cycle.

##### 4.6.2 Hearing and Speech Impaired Persons

Intrastate toll message rates for TDD users shall be evening rates for daytime calls and night rates for evening and night calls.

##### 4.6.3 Telecommunications Relay Service

For intrastate toll calls received from the relay service, the Company will when billing relay calls discount relay service calls by 50 percent off of the otherwise applicable rate for a voice nonrelay call except that where either the calling or called party indicates that either party is both hearing and visually impaired, the call shall be discounted 60 percent off of the otherwise applicable rate for a voice nonrelay call. The above discounts apply only to time-sensitive elements of a charge for the call and shall not apply to per call charges such as a credit card surcharge.

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