



Digital Transportation Corporation
1720 Q Street
Sacramento, CA 95811

PRIVATE LINE TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of Private Line Services by Digital Transportation Corporation. This tariff applies to services furnished within the State of Arizona. This tariff is on file with the Arizona Corporation Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.

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EXPLANATION OF SYMBOLS

- (C) To signify changed regulation
- (D) To signify discontinued rate or regulation
- (I) To signify increased rate
- (M) To signify that material has been transferred from another sheet or place in the tariff.
- (N) To signify new rate or regulation
- (O) To signify no change*
- (R) To signify reduced rate
- (S) To signify reissued matter
- (T) To signify a change in text but no change in rate or regulations.

* The use of the symbol (O) shall be discretionary unless its use in the interest of clarity or is evident or specifically requested by the Commission.

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APPLICATION OF TARIFF

This tariff sets forth the service offerings, rates, terms and conditions applicable to the furnishing of private line services within the State of Arizona.

SERVICE OFFERING

The Company will offer facilities-based private line transport services.

CUSTOMER SERVICE

The Company's Customer Service number is 1-916-442-1477

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SECTION 1 -
DEFINITIONS

Commission: The Arizona Corporation Commission.

Company: Digital Transportation Corporation, a California corporation, which is the issuer of this tariff.

Customer: The person, firm, corporation or other entity which orders or uses service and, has agreed by signature or otherwise to honor the terms of the service herein, and is responsible for the payment of rates and charges for service to customer locations and for compliance with tariff regulations.

Individual Case Basis ("ICB"): A service arrangement in which the regulations rates and charges are developed based on the specific circumstances of the Customer's situation.

Internet Protocol Transfer: Transfer of information through the use of software that tracks the Internet address of nodes, routes outgoing messages, and recognizes incoming messages.

Private Line Transmission: A dedicated nonswitchable link from one or more customer-specified locations to one or more customer-specified locations.

Packet Based Data Services: Data services sent in packets through a network to some remote location. The data to be sent is assembled by the Packet Assembler/Disassembler in to individual packets of data, involving a process of segmentation or subdivision of larger sets of data as specified by the native protocol of the transmitting device.

Service Commencement Date: The first day following the date on which the Company notifies the Customer that the requested service or facility is available for use, unless extended by the Customer's refusal to accept service which does not conform to standards set forth in the Service Order, Service Contract or this tariff, in which case the Service Commencement Date is the date of the Customer's acceptance

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of service. The parties may mutually agree upon a substitute Service Commencement Date.

Service Order: The written request for interexchange services executed by the Customer and the Company in a format specified by the Company. The signing of a Service Order by the Customer and acceptance thereof by the Company initiates the respective obligations of the parties as set forth therein and pursuant to this tariff, but the duration of the service is calculated from the Service Commencement Date.

Services: The Company's Private Line service.

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SECTION – RULES AND REGULATIONS

2.1 Use of Services

- 2.1.1 The Company’s services may be used for any lawful purpose consistent with the transmission and switching parameters of the Private Line utilized in the provision of services, subject to any limitations set forth in Section 2.2.
- 2.1.2 The use of the Company’s services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.
- 2.1.3 The Company’s services may be denied for non-payment of charges or for other violations of this tariff.
- 2.1.4 Customers shall not use the service provided under this tariff for any unlawful purpose.
- 2.1.5 The Customer is responsible for notifying the Company immediately of any unauthorized use of services.

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SECTION 2 – RULES AND REGULATIONS (CONTINUED)

2.2 Liability of the Company

- 2.2.1 The Company shall not be liable for any claim, loss, expense or damage for interruption, delay, error, omission or defect in any service, facility, or transmission provided under this tariff, if caused by an act of God, fire, war, civil disturbance, act of government, or due to any other causes beyond the Company's control.
- 2.2.2 The Company shall not be liable for, and shall be fully indemnified and held harmless by the Customer against any claim, loss, expense, or damage for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, trade name or service mark, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data or information transmitted.
- 2.2.3 No agent or employee of any other carrier or entity shall be deemed to be an agent or employee of the Company.
- 2.2.4 The Company's liability for damages, resulting in whole or in part from or arising in connection with the furnishing of service under this tariff, including but not limited to mistakes, omissions, interruptions, delays, errors, or other defects or misrepresentations shall not exceed an amount equal to the charges provided for under this tariff service provided. No other liability in any event shall attach to the Company.
- 2.2.5 The Company shall not be liable for and shall be indemnified and saved harmless by any Customer or by any other entity from any and all loss, claims, demands, suits, or other action or any liability whatsoever, whether suffered, made, instituted, or asserted by any Customer or any other entity for any personal injury to, or death of, any person or persons, and for loss, damage, defacement or destruction of the premises of any Customer or any other entity or any other property whether owned or controlled by the Customer or others.

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SECTION 2 – RULES AND REGULATIONS (CONTINUED)

2.2 Liability of the Company (continued)

- 2.2.6 The Company shall not be liable for any indirect, special, incidental, or consequential damages under this tariff including, but not limited to, loss of revenue or profits, for any reason whatsoever, including the breakdown of facilities associated with the service, or for any mistakes, omissions, delays, errors, or defects in transmission occurring during the course of furnishing service.

- 2.2.7 The remedies set forth are exclusive and in lieu of all other warranties and remedies, whether express, implied, or statutory, INCLUDING WITHOUT LIMITATION IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

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SECTION 3 - SERVICES, LOCATIONS, PRICES AND CHARGES

3.1 Description of Service

The Company will provide Private Line Service on a leased long-term basis.

3.2 Location of Service

The Company is a metropolitan provider that designs, builds and maintains custom private network solutions for its Customers. The location of the service is dependent on facilities constructed or leased by the Company.

3.3 ICB Rates for Service

The Company typically offers individualized arrangements on a case-by-case basis to enterprise customers including businesses, schools, and government organizations in response to a request from a bona fide customer or potential customer. Contracts for Private Line Service be negotiated and performed on an individual case basis. The terms, conditions, and prices of such of the Company's services will be set forth in a contract between the customer and Company.

3.4 Application for Service

Application for service must be made in writing. The name(s) of the customer(s) desiring to use the service must be set forth in the application for service.

3.5 Deposits

Deposits and/or advanced payments are not required.

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3.6 Standard and maximum rates for non-ICB Private Line Service.

Where Company facilities are available, and where private line transmission service is not covered an ICB contract under Section 3.3, then the following rates apply:

Transmission Speed	Monthly Recurring Charge Per DS1 Mile	Installation Charge
DS-0	Not available	Not available
DS-1	\$3.83	\$500.00
DS-3 / OC-1	\$15.52	\$2,000.00
OC-3	\$40.98	\$6,000.00
OC-12	\$149.02	\$20,000.00
OC-48	\$521.58	\$50,000.00

The above rates constitute the current price levels of the Company per A.A.C. R14-2-1109(B) and the maximum tariff rates per A.A.C. R14-2-1109(A). The following definitions apply to this Section 3.6:

DS-0 Service DS-0 Service provides a digital transmission path at speeds of up to and including 64 Kbps or, if provided over analog facilities, within the normal frequency range of 300 and 3,000 Hz.

DS-1 Service DS-1 Service provides the Customer a high capacity channel for the transmission of 1.544 Mbps.

DS-3 Service DS-3 Service provides the Customer a high capacity channel for the transmission of 44.736 Mbps.

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OC-3 Service OC-3 Service provides the Customer a high capacity channel for the transmission of 155.52 Mbps.

OC-12 Service OC-12 Service provides the Customer a high capacity channel for the transmission of 622.08 Mbps.

OC-48 Service OC-48 Service provides the Customer a high capacity channel for the transmission of 2.4 Gbps.

Mbps Megabits or 1,000,000 bits per second. Used in reference to data transmission speed.

Gbps Gigabits (1,000 Megabits) per second. Used in reference to data transmission speed.

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