

*This tariff, McLeodUSA Telecommunications Services, LLC W.V. P.S.C. Tariff No. 1, replaces McLeodUSA Telecommunications Services, LLC d/b/a PAETEC Business Services W.V. P.S.C. Tariff No. 1 in its entirety.*

**TITLE SHEET**

**RESALE TELECOMMUNICATIONS SERVICES**

This tariff applies to the Resale Interexchange Telecommunications Services furnished by McLeodUSA Telecommunications Services, LLC (“Carrier”) between one or more points in the State of West Virginia. This tariff is on file with the West Virginia Public Service Commission, and copies may be inspected, during normal business hours, at Carrier’s principal place of business, 4001 Rodney Parham Rd. Little Rock, AR 72212.

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Effective: January 19, 2023

BY: Sr. Regulatory Counsel  
4001 Rodney Parham Rd.  
Little Rock, AR 72212

**CHECK SHEET**

The sheets of this tariff are effective as of the date shown at the bottom of the respective sheets. Original and revised sheets as named below comprise all changes from the original tariff that are currently in effect as of the date at the bottom of this sheet.

<b><u>Sheet</u></b>	<b><u>Revision</u></b>	<b><u>Sheet</u></b>	<b><u>Revision</u></b>
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23	Original		
24	Original		
25	Original	* Indicates new or revised	
26	Original	sheet submitted with this	
27	Original	filing.	

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**CONCURRING CARRIERS**

None

**CONNECTING CARRIERS**

None

**OTHER PARTICIPATING CARRIERS**

None

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**TARIFF FORMAT**

**Sheet Numbering.** Sheet numbers appear in the upper right hand corner of the sheets. Sheets are numbered sequentially. From time to time new sheets may be added to the tariff. When a new sheet is added between existing sheets, a decimal is added to the preceding sheet number. For example, a new sheet added between sheets 5 and 6 would be numbered 5.1.

**Sheet Revision Numbers.** Revision numbers also appear in the upper right corner of sheets. These numbers are used to determine the most current sheet version on file with the Commission. For example, the 4th Revised Sheet No. 14 cancels the 3rd Revised Sheet No. 14.

**Paragraph Numbering Sequence.** There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level, as shown by the following example:

2  
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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)

**Check Sheets.** When a tariff filing is made with the Commission, 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 (\*). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current one on file with the Commission.

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**TARIFF FORMAT** (cont'd)

Explanation of Symbols. When changes are made in any tariff sheet, a revised sheet will be issued replacing the tariff sheet affected. Changes will be identified on the revised sheet through the use of the following symbols:

- (C) - Identifies a change in text or regulation.
- (D) - Identifies a decrease in rates.
- (I) - Identifies an increase in rate.
- (M) Identifies material moved or relocated from one tariff location to another.
- (N) - Identifies a new rate or regulation.
- (O) - Identifies an omission.
- (T) - Identifies temporary rates and/or surcharges.

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0.0 Application and Scope of Tariff

0.1 Application

This tariff contains the rates and regulations applicable to regulated intrastate interexchange services provided by Carrier between and among points within the State of West Virginia.

0.2 Scope

Carrier's services are provided subject to the availability of facilities and subject to the terms and conditions of this tariff. All services within the jurisdiction of the Commission provided by Carrier between and among points in West Virginia are governed by this tariff.

0.3 Interconnection with Other Carriers

Service provided by Carrier may be connected with services or facilities of other carriers or may be provided over facilities provided by carriers other than Carrier. However, service provided by Carrier is not a part of a joint undertaking with any other carrier providing telecommunications channels, facilities, or services.

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1.0 Explanation of Terms and Abbreviations

1.1 Definitions of Terms

Calls

Telephone messages completed by Customers.

Carrier

McLeodUSA Telecommunications Services, LLC

Charges

Monthly recurring and nonrecurring amounts billed to Customers for services.

Commission

The West Virginia Public Service Commission.

Customer

Any person, firm, association, corporation, agency of the federal, state, or local government, or legal entity responsible by law for payment of rates and charges and for compliance with the regulations of Carrier.

Customer Contract

A written agreement between the Customer and Carrier containing or referring to the rates and regulations applicable to the service being provided.

Customer Premises Equipment

All terminal equipment normally used on the Customer's premises. This equipment may be Customer-owned, or may be owned by Carrier or another supplier and leased to the Customer.

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1.0 Explanation of Terms and Abbreviations (cont'd)

1.1 Definitions of Terms (cont'd)

Delinquent or Delinquency

An account for which an uncontested bill or payment agreement for regulated services has not been paid in full on or before the last day for timely payment. This term may also apply to a contested bill for which the Commission finds the Customer's complaint to be without merit.

Depositor

The Customer from whom a deposit is received.

Disconnect or Disconnection

The disabling of circuitry to prevent outgoing and/or incoming calls.

Due Date

The last day for payment of a bill without unpaid amounts being considered delinquent or subject to additional collection efforts. The due date may be designated by "due by," "pay by," "if paid by," or other such language on the Customer's bill.

Exchange

A unit established for the administration of local communication services.

Exchange Service

A local communications service furnished by means of local exchange plant and facilities.

Extended Area Service or EAS

Telephone service, offered at a flat local rate, between customers located within an exchange area and all customers in an additional exchange area or areas.

Former CCTS Customers

For purposes of rates or services available to "former CCTS customers" until September 1, 1999, a customer that was formerly a customer of CCTS, whose telecommunications service was transferred to McLeodUSA Telecommunications Services, Inc., and who has elected to continue to receive all its services under CCTS's terms, conditions and rates.

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1.0 Explanation of Terms and Abbreviations (cont'd)

1.1 Definitions of Terms (cont'd)

Individual Case Basis

The application of a rate, charge, or condition of the tariff as determined by individual circumstances.

Inside Station Wiring or Inside Wiring

Wiring on the premises beyond the demarcation point.

Interexchange Service

The provision of intrastate telecommunications services and facilities between local exchanges, excluding EAS.

InterLATA Service

The completion of calls between Local Access Transportation Areas.

IntraLATA Service

The completion of calls between points within the boundaries of a Local Access Transportation Area.

Local Access Transportation Area or LATA

A geographic area within which Bell Operating Companies are permitted to offer interexchange service. These areas were established as a result of the break-up of the former Bell System.

Local Exchange Utility or Local Utility

A telephone utility that provides local service under a tariff filed with the Commission. The utility may also provide other services and facilities.

Local Service

Telephone service furnished between points located within an area where there is no toll charge.

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1.0 Explanation of Terms and Abbreviations (cont'd)

1.1 Definitions of Terms (cont'd)

Message

A telephone call made by a Customer.

Month

For billing purposes, a month is considered to have thirty (30) days.

Public Safety Answering Point

A communications facility operated on a twenty-four (24) hour basis and serving participating jurisdictions that initially receives 911 calls and either directly dispatches emergency response services or relays the calls to the appropriate public safety agency.

Rates

The usage amounts billed to customers for regulated services and/or equipment.

Suspend or Suspension

To disconnect or impair a service temporarily in order to disable either outgoing or incoming calls or both.

Timely Payment

A payment of the Customer's account made on or before the due date shown on a current bill for rates and charges or by an agreement between the Customer and Carrier for a series of partial payments to settle a delinquent account.

10XXX Access

A dialing method that enables a Customer to reach the long distance carrier of the Customer's choice even if the Customer is not a regular customer of that long distance carrier. For example, to reach AT&T Communications of the Midwest, Inc., the Customer dials "10288".

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1.0 Explanation of Terms and Abbreviations (cont'd)

1.2 Explanation of Acronyms and Trade Names

AT&T = AT&T Communications of the Midwest, Inc.

BOC = Bell Operating Company

DA = Directory Assistance

EAS = Extended Area Service

FCC = Federal Communications Commission

LATA = Local Access Transport Area

MCI = MCI Telecommunications Corporation

NPA = Numbering Plan Area, more commonly known as Area Code

SNI = Standard Network Interface

Sprint = Sprint Communications Company, L.P.

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## 2.0 General Rules and Regulations

### 2.1 Undertaking of Carrier

#### 2.1.1 General

Pursuant to this tariff, Carrier undertakes to provide within the state regulated intrastate interLATA and intraLATA interexchange services described in Section 3.0. Service will be provided on a statewide basis.

#### 2.1.2 Limitations

- A. Service is offered subject to the availability of the necessary facilities and equipment and subject to the provisions of this tariff in compliance with limitations set forth in the Commission's rules.
- B. Carrier reserves the right to discontinue service when the Customer is using the service in violation of the provisions of this tariff, signed contract, or the law, with notice as required by the rules of the Commission.
- C. Carrier does not undertake to transmit messages, but offers the use of its facilities, when available, for that purpose.

### 2.2 Use

#### 2.2.1 Lawful Purpose

Services provided under this tariff may be used for any lawful purpose for which the service is technically suited consistent with the transmission and switching parameters of the telecommunications facilities utilized in the provision of the service.

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## 2.0 General Rules and Regulations (cont'd)

### 2.2 Use (cont'd)

#### 2.2.2 Use of Service for Unlawful and/or Fraudulent Purposes

Carrier's services are provided subject to the condition that they will not be used for any unlawful and/or fraudulent purpose. Services will not be furnished if any law enforcement agency, acting within its jurisdiction, advises Carrier that such services are being used or are likely to be used in violation of the law and/or in a fraudulent manner. If Carrier receives other evidence giving reasonable cause to believe that such services are being used or are likely to be used for unlawful and/or fraudulent purposes, it may either discontinue or deny the services and/or refer the matter to the appropriate law enforcement agency in accordance with law and/or Commission rules.

#### 2.2.3 Unauthorized Use

Any individual who uses or receives Carrier's services other than under the provisions of an accepted application for service and a current Customer relationship shall be liable for the appropriate rates and charges for the service received and for Carrier's costs of investigation and collection.

#### 2.2.4 Recording Devices

Carrier's services are not designed for the use of recording devices, and customers who use such devices to record two-way telephone conversations do so at their own risk.

#### 2.2.5 Use of Service Mark

No Customer shall use any service mark or trademark of Carrier or refer to Carrier in connection with any product, equipment promotion, or publication of the Customer without the prior written consent of Carrier.

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2.0 General Rules and Regulations (cont'd)

2.3 Liability

Except for granting credit allowances for interruptions of service as provided in the last paragraph of this section, Carrier shall not be liable for any claim or loss, expense or damage, for any failure of performance due to failure or malfunction of Customer-supplied equipment, acts of God, storms, fires, floods or other catastrophes, power failure, natural emergencies, insurrections, riots or wars, or any law, order, regulation, or other action of any governmental authority or agency thereof.

Carrier shall not be liable for, and shall be fully indemnified and held harmless by, Customers against any claim or loss, expense or damage, for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, trade name, service mark, or proprietary or creative right, or any other injury to any person, property, or entity arising out of the material, data, or information transmitted.

No agent or employee of any other carrier shall be deemed to be an agent or employee of Carrier.

Carrier's liability due to any failure of the transmission shall not exceed an amount equal to the charges provided for by the applicable tariff (for regulated services) and applicable price list, catalogue, and/or contract (for all other services) for the call.

Carrier shall not be liable for damages arising out of the use of Carrier's services for the transmission of anything other than voice grade service.

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## 2.0 General Rules and Regulations (cont'd)

### 2.3 Liability (cont'd)

Notwithstanding anything to the contrary in this section, if Carrier's service is interrupted and remains out of service for more than twenty-four (24) hours after the earlier of being reported to Carrier or being found by Carrier to be out of order, and if the interruption is not the result of a negligent or willful act by the Customer, a malfunction of Customer-owned equipment, Carrier's inability to gain access to the Customer's premises, or causes beyond Carrier's control as described in the first paragraph of this section, Carrier will make appropriate adjustments upon request. Such adjustments, in the form of direct payments or bill credits, will be the proportionate part of the monthly charge for all services and facilities rendered inoperative during the interruption, beginning with the hour of the report to Carrier, or discovery by Carrier, of the interruption.

Notwithstanding any of the above, no tariff provision shall be interpreted to excuse the Carrier from liability, if any, when a court of competent jurisdiction finds that the Carrier has engaged in gross negligence, willful neglect or willful misconduct.

### 2.4 Equipment

#### 2.4.1 Inspection, Testing, and Adjustment

Carrier may, upon reasonable notice, make such tests and inspections as may be necessary to determine whether the requirements of this tariff are being complied with in the installation, operation, or maintenance of the Customer's equipment. Carrier may interrupt the service at any time, without penalty to itself, unless interruption exceeds twenty-four (24) hours.

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## 2.0 General Rules and Regulations (cont'd)

### 2.4 Equipment (cont'd)

#### 2.4.2 Interference and Hazard

The operating characteristics of Customer premises equipment or communications systems connected to Carrier's services must not interfere with, or impair, any of the services offered by Carrier. Additionally, connected Customer premises equipment must not endanger the safety of Carrier employees or the public, damage or interfere with the proper functioning of Carrier's equipment, or otherwise injure the public in its use of Carrier's services.

#### 2.4.3 Maintenance and Repair

##### A. Customer Liability

The Customer shall be responsible for damages to Carrier's facilities used in the provision of regulated services caused by the negligence or willful act of the Customer or those using Carrier's service through the Customer. The Customer may not physically modify or intrude upon, rearrange, disconnect, remove, or attempt to repair any of Carrier's facilities except upon written consent of Carrier.

##### B. Leased or Owned Facilities

The Customer's obligation to Carrier is the same whether the facilities involved are Carrier's facilities or are facilities leased by Carrier from another party. If Carrier incurs expenses due to the Customer's actions that result in damage or impairment of Carrier's owned or leased facilities, Carrier will pass on to the Customer any and all expenses to repair Carrier's facilities or that the owner imposes on Carrier for leased facilities.

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## 2.0 General Rules and Regulations (cont'd)

### 2.5 Contract for Service

Service is installed upon contractual agreement between a Customer and Carrier. The contractual agreement specifies the terms and conditions of service not covered by this tariff. The contract does not alter the obligations of Carrier to Customers as described in this tariff. The agreement may require the Customer to pay a minimum monthly fee (“MMF”) wherein the Customer agrees, in writing, to pay for the duration of the term agreement, either the monthly recurring and usage charges, or the MMF amount, whichever is greater. Should the Customer choose to terminate their contract without cause prior to the agreed upon term, the Customer will be liable for the MMF specified in the contract multiplied by the number of months remaining in the term, unless Customer converts to another service provided by Carrier with equal or greater term and MMF commitment. In the event Carrier continues to provide service after the Customer contract is terminated or expires, then Carrier shall continue to provide service to the Customer under the terms of the then applicable tariff and applicable terms of the expired contract under a month-to-month arrangement.

### 2.6 Application for Service

#### 2.6.1 Information Required

When applying for service, each prospective Customer will be required to furnish Carrier with the following information:

- A. The name of the party who will be responsible for payment for the service provided.
- B. The address or addresses or exact location of the premises where service is to be provided and billed.
- C. Any information required to make a proper determination of appropriate creditworthiness.

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## 2.0 General Rules and Regulations (cont'd)

### 2.6 Application for Service (cont'd)

#### 2.6.2 Initiation of Service

Service shall be deemed to be initiated upon the service activation date specified in the Customer contract.

### 2.7 Deposits

#### 2.7.1 Deposit Requirements

Carrier may require from any Customer or prospective Customer a deposit to be held as a guarantee for the payment of charges in accordance with the rules and regulations of the Commission. Any applicant who is either not a previous Customer having established prompt payment record or whose credit record is not satisfactory may be required to pay a deposit. In its calculation of a Customers' creditworthiness, Carrier will use trading banking references, credit reports, and any other information pertinent to a Customers' credit. Any deposit required shall be confirmed in writing to the Customer no later than the time of the next billing.

#### 2.7.2 Amount of Deposit

The amount of the deposit shall be in accordance with Commission regulations and shall not be more than one (1) month of usage of Carrier's services for any specific residential Customer and not more than one and one-half (12) months of usage of Carrier's services for any specific business Customer. The amount of such usage may be estimated from past usage, the Customer's estimated anticipated usage, or Carrier's state average usage considering type and nature of service. Interest on deposits held for thirty days or more will be paid at a rate as permitted under Commission rules.

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Little Rock, AR 72212

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## 2.0 General Rules and Regulations (cont'd)

### 2.7 Deposits (cont'd)

#### 2.7.3 New or Additional Deposit

A new or additional deposit may be required to cover the amount provided in Section 2.7. above when a deposit has been refunded or is found to be inadequate by virtue of abnormal toll usage or nonpayment. Written notice shall be mailed advising the Customer of any new or additional deposit requirement, and the Customer shall have twelve (12) calendar days from the date of mailing to comply. The new or additional deposit is payable at the address specified in Section 2.7.4

##### A. Abnormal Toll Usage

For customers with at least six (6) consecutive months of service, “abnormal toll usage” is defined as at least a twenty-five percent (25%) increase in monthly usage charges amounting to at least twenty dollars (\$20). The Customer’s average monthly bills for not less than the three (3) prior months shall be used in determining the increase. For customers with less than six (6) consecutive months of service, “abnormal toll usage” is defined to exist when one (1) month’s service exceeds the deposit attributable to the service by twenty-five percent (25%) amounting to at least twenty dollars (\$20).

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## 2.0 General Rules and Regulations (cont'd)

### 2.7 Deposits (cont'd)

#### 2.7.4 Handling of Deposits

New and existing residential customers may be allowed to pay deposits or requests for increases in existing deposits in installments over a period of three months. Carrier will maintain records that show the name and address of each depositor, the amount and date of the deposit, and each transaction concerning the deposit. Unclaimed deposits, together with accrued interest, shall be credited to an appropriate account and shall be disposed of in accordance with law.

#### 2.7.5 Receipts

A receipt of deposit will be furnished to each Customer from whom a deposit is received. Upon request, duplicate receipts will be provided to Customers who have lost their receipts if the deposits are substantiated by Carrier's records.

#### 2.7.6 Customer Obligations

The existence of a deposit in no way relieves the Customer of the obligation to comply with Carrier's regulations for the prompt payment of bills.

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## 2.0 General Rules and Regulations (cont'd)

### 2.7 Deposits (cont'd)

#### 2.7.7 Refund

The deposit shall be refunded or credited to a residential Customer upon request after twelve (12) consecutive months of prompt payment, and shall be refunded voluntarily after twenty-four (24) consecutive months of prompt payment or as required under Commission rules. For business Customers, deposit shall be refunded or credited to a Customer after thirty-six (36) consecutive months of prompt payment, or as required under Commission rules. Deposits may be refunded sooner at Carrier's option.

### 2.8 Billing

#### 2.8.1 Monthly Billing

Bills to Customers will be issued monthly unless Carrier is authorized by the Commission to bill at other than monthly intervals because of unusual circumstances. Toll charges are billed in arrears.

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2.0 General Rules and Regulations (cont'd)

2.8 Billing (cont'd)

2.8.2 Bill Contents

The bill form or a bill insert will provide the following information: the dates at the beginning and end of the billing period; the last date for timely payment, which shall not be less than thirty (30) days after the bill is rendered; the amount of the net charge, stated by category, for ancillary services and equipment, toll service, information service, sales tax and excise tax, and of any late payment charge, together with the gross amount of the bill, with separate entries for total amounts current or in arrears. Carrier will also comply with reasonable requests for bill detail.

2.9 Payment for Service

2.9.1 Late Penalty Charge

Carrier may impose a late payment charge not to exceed 1.5% on any bill not paid within thirty (30) days of receipt of the bill.

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2.0 General Rules and Regulations (cont'd)

2.9 Payment for Service (cont'd)

2.9.2 Timely Payment for Residential Customers

Each residential Customer is permitted to have a last day for timely payment changeable for cause in writing.

2.9.3 Collection

No collection efforts other than the rendering of the bill shall be undertaken until the delinquency date.

2.9.4 Taxes and Fees

Municipal excise tax is billed as a separate line item and is not included in the rates quoted herein..

2.10 Disputes and Complaints

2.10.1 Disputed Bills

In the event of a dispute concerning the bill, Carrier will require the Customer to pay a sum of money equal to the amount of the undisputed portion of the bill. Following payment of the undisputed amount, efforts to resolve the complaint using the complaint procedures in Section 2.10.2 shall continue, and the service shall not be disconnected for nonpayment of the disputed amount during this time. Subject to Regulatory Requirements, Company's policy is to limit retroactive adjustments for billing errors to 90 days prior to the date the error is discovered.

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2.0 General Rules and Regulations (cont'd)

2.10 Disputes and Complaints (cont'd)

2.10.2 Complaint Procedures

Inquiries, general questions, or complaints may be directed informally to Carrier by telephone, in person, or in writing at Carrier's office located at 4001 Rodney Parham Road Little Rock, Arkansas 72212. Customers can reach Carrier's customer service department by dialing toll-free: 1-(800) 347-1991. Carrier's customer service department accepts calls on a twenty-four (24)-hour-a-day basis. Complaints concerning the charges, practices, facilities, or services of Carrier will be investigated promptly and thoroughly. Carrier will keep records of each complaint showing the name and address of the complainant, the date and nature of the complaint, its disposition, and all other pertinent facts dealing with the complaint that will enable Carrier to review and analyze its procedures and actions. The records maintained by Carrier under this tariff will be available for inspection by the Commission or its staff upon request. Within thirty (30) days of the receipt of a written complaint, Carrier will provide written notice to the Customer of the status of the complaint. Each Customer may file with the Commission for resolution of disputes. Each complainant will be mailed a statement of the complainant's right to contact the Commission at:

Public Service Commission of West Virginia  
c/o Customer Assistance  
201 Brooks Street  
P.O. Box 812  
Charleston, West Virginia 25323

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## 2.0 General Rules and Regulations (cont'd)

### 2.10 Disputes and Complaints (cont'd)

#### 2.10.3 Bill Insert or Notice

Carrier shall notify Customers, by bill insert or notice on the bill form, of the address and telephone number where a Carrier representative qualified to assist in resolving the complaint can be reached.

### 2.11 Service Refusal, Disconnection, and Suspension

#### 2.11.1 Notice of Pending Disconnection

Prior to the disconnection of service, Carrier shall provide a written notice to the Customer setting forth the reason for disconnection and the final date by which the account is to be settled or specific action taken. Final dates shall be no less than five (5) calendar days with respect to an unpaid bill, and no less than twelve (12) days with respect to an unpaid deposit, after the notice is rendered. The notice shall be considered rendered to the Customer when deposited in the U.S. Mail with postage prepaid. If delivery is by other than U.S. Mail, the notice shall be considered rendered when delivered to the last known address of the person responsible for payment for the service. The notice will specify (800) 593-1177 as a toll-free number at which a Carrier representative can be reached to provide additional information about the disconnection.

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2.0 General Rules and Regulations (cont'd)

2.11 Service Refusal, Disconnection, and Suspension (cont'd)

2.11.2 Reasons for Service Refusal, Disconnection, and Suspension

Service may be refused, disconnected, or suspended:

- A. Without notice if a condition on the Customer's premises is determined by Carrier to be hazardous.
- B. Without notice if the Customer uses the service in such a manner as to adversely affect Carrier's equipment or Carrier's service to others.
- C. Without notice if equipment furnished, leased, or owned by Carrier is subject to tampering.
- D. Without notice if there is unauthorized use. Unauthorized use includes, without limitation, use or attempted use for an unlawful purpose and/or use or attempted use in any fraudulent manner.

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2.0 General Rules and Regulations (cont'd)

2.11 Service Refusal, Disconnection, and Suspension (cont'd)

2.11.2 Reasons for Service Refusal, Disconnection, and Suspension (cont'd)

- E. If there are reasonable grounds to believe there is a violation of or noncompliance with Carrier's regulations on file with the Commission, municipal ordinances, or law.
- F. If the Customer or prospective Customer fails to furnish service equipment, permits, certificates, or rights-of-way specified to be furnished in Carrier's regulations filed with the Commission as conditions for obtaining service, or withdraws such equipment or terminates those permissions or rights, or fails to fulfill the contractual obligations imposed upon the Customer as conditions of obtaining service.
- G. If the Customer fails to permit Carrier reasonable access to its equipment.

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## 2.0 General Rules and Regulations (cont'd)

### 2.11 Service Refusal, Disconnection, and Suspension (cont'd)

#### 2.11.3 Refusal, Disconnection, and Suspension of Service for Nonpayment of Bill or Deposit

Except as restricted by Section 2.11.4, service may be refused, disconnected, or suspended for nonpayment of a bill or deposit if Carrier has made a reasonable attempt to effect collection and:

- A. Carrier has provided the Customer with five (5) days' prior written notice with respect to an unpaid bill and twelve (12) days' prior written notice with respect to an unpaid deposit. However, disconnection may take place prior to the expiration of the 5-day unpaid bill notice period if Carrier determines from verifiable data that usage during the 5-day notice period is so abnormally high that a risk of irreparable revenue loss is created.
- B. In the event of a dispute concerning the bill, Carrier will require the Customer to pay a sum of money equal to the amount of the undisputed portion of the bill. Following payment of the undisputed amount, efforts to resolve the complaint using the complaint procedures in Section 2.10.2 shall continue, and for not less than forty-five (45) days after the rendering of the disputed bill, the service shall not be disconnected for nonpayment of the disputed amount.

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2.0 General Rules and Regulations (cont'd)

2.11 Service Refusal, Disconnection, and Suspension (cont'd)

2.11.4 Insufficient Reasons for Refusal, Suspension, or Discontinuance of Service

The following reasons are not sufficient cause for refusal, suspension, or discontinuance of service to a present or prospective Customer:

- A. Delinquency in payment for service by a previous occupant, other than a Customer of the same household, of the premises to be served.
- B. Failure to pay for terminal equipment, new inside station wiring, or other merchandise purchased from Carrier.
- C. Failure to pay for directory advertising charges or other unregulated charges.
- D. Failure to pay for 900, 960, or 976 calls disputed by the customer.

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## 2.0 General Rules and Regulations (cont'd)

### 2.12 Cancellations and Deferments of Service

When a Customer cancels or defers an order for service before the service is activated, a charge applies that will allow Carrier to recover its unrecovered costs, including but not limited to outside vendor charges, engineering, labor, materials, and equipment. Charges apply as follows:

#### 2.12.1 Cancellation

In a cancellation situation, the charge is equal to the unrecoverable costs incurred prior to the request for cancellation and the costs of removal, restoration, and disposal, if any, to comply with the cancellation. Those costs include, but are not limited to, costs of outside vendors, engineering, labor, nonrecoverable materials, and equipment expense.

#### 2.12.2 Deferment of Start of Service

If a request for deferment of service is received by Carrier prior to the date an order for equipment or service is placed with Carrier's supplier, no charge shall apply. For deferments received by Carrier subsequent to the date the order for equipment or service is placed with Carrier's supplier, a monthly recurring charge based upon the costs incurred prior to the request for the deferment applies. This monthly rate shall be equal to the deferred investment multiplied by the monthly prime interest rate as announced by Firststar Bank of Hiawatha, N.A., plus recurring costs resulting directly from the deferral such as storage, taxes, etc. In addition, any extraordinary nonrecurring costs resulting from the deferral, such as additional engineering, labor, and transportation, shall be billed in total. Billing shall start at the beginning of the month of deferment and extend to the start of service. Charges shall not exceed the monthly rate that would have applied had the service been established. Carrier will also charge the Customer who defers service any and all rates and charges incurred by Carrier for any leased facilities for which Carrier is held responsible. Carrier will make a good faith effort to minimize those rates and charges whenever possible.

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## 2.0 General Rules and Regulations (cont'd)

### 2.13 Information Service Access Blocking

Where facilities are available, Customers have the option to block access to all “900” and “976” prefix numbers, without charge for the first block. Carrier will comply with all applicable rules of the Commission concerning such blocking.

### 2.14 Non-Routine Installation

At the Customer's request, installation and/or maintenance may be performed outside the Company's regular business hours or in hazardous locations. In such cases, charges based on cost of the actual labor, material, or other costs incurred by or charged to the Company will apply. If installation is started during regular business hours but, at the Customer's request, extends beyond regular business hours into time periods including, but not limited to, weekends, holidays, and/or night hours, additional charges may apply. If the Customer reschedules an installation, additional charges may apply.

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### 3.0 Description of Services Offered

#### 3.1 Nature of Service

Carrier offers long distance interexchange telephone services that allow customers to originate and terminate calls at locations within the State of West Virginia. Usage charges are generally based on the distance, duration, and time of day of each call.

#### 3.2 Availability

Carrier offers long distance interexchange services in West Virginia. These services are an add-on to interstate long-distance services provided by Carrier, and are available as provided in Carrier's interstate tariff.

#### 3.3 Dialing Procedures

Long distance interexchange services may be accessed by dialing the digit "1", followed by the NPA/area code, then the desired 7-digit local telephone number. Customers may also need to employ 10XXX dialing, using an XXX code to be supplied by Carrier, to direct intraLATA calls to Carrier. Those calls may otherwise be carried by another carrier.

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### 3.0 Description of Services Offered (cont'd)

#### 3.4 Charges Based on Duration of Use

Where charges for a service are specified based on the duration of use, such as the duration of a telephone call, the following rules apply:

- 3.4.1 Calls are measured in durational increments identified for each service. All calls which are fractions of a measurement increment are rounded up to the next whole unit.
- 3.4.2 Timing on completed calls begins when the call is answered by the called party. Answering is determined by hardware answer supervision in all cases where this signaling is provided by the terminating local carrier and any intermediate carrier(s).
- 3.4.3 Timing terminates on all calls when the calling party hangs up or the Company's network receives an on-hook signal from the terminating carrier.
- 3.4.4 Calls originating in one time period and terminating in another will be billed in proportion to the rates in effect during different segments of the call.
- 3.4.5 All times refer to local times.
- 3.4.6 Rates are not distance sensitive. As such, unless otherwise indicated, mileage bands are not applicable to the services offered.
- 3.4.7 Unless otherwise indicated, rates do not vary depending upon day or the time of day (Day, Evening, and Night/Weekend).
- 3.4.8 Each call is rated and billed in whole cents according to the following conventions:
  - A. Calls made using any service by the carrier are rounded up to the next cent at the termination of the call.
  - B. Exceptions. Special rounding arrangements may be made through contractual arrangements.

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### 3.0 Description of Services Offered (cont'd)

#### 3.5 Promotional Offerings

Carrier may from time to time engage in special promotional service offerings designed to attract new customers or to increase existing customers' awareness of a particular tariff offering. These offerings may be limited to certain dates, times and/or locations, and notice of such promotions will be provided pursuant to Commission rules.

In addition to tariffed promotional offerings, Carrier may, in conjunction with the Most Favored Customer clause in its Customer Services Agreement, offer individualized arrangements on a case-by-case basis where necessary to meet prices, terms, or conditions of service offered by competitors. In such cases, the prices offered by Carrier shall not exceed the prices for similar services contained in this tariff.

#### 3.6 Product Descriptions

##### 3.6.1 Commercial Switched Outbound (1+)

Switched outbound services provide direct dialed (1+) long distance services to commercial Subscribers. Subscribers may also access Carrier's services by dialing "10XXX." Subscribers access Carrier's services through switched access origination.

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### 3.0 Description of Services Offered (cont'd)

#### 3.6 Product Descriptions (cont'd)

##### 3.6.2 Commercial Switched 800/888/877 Inbound

Switched 800/888/877 provides an inbound toll-free calling service to commercial subscribers. The Subscriber is billed for each toll-free call, rather than the call originator. Calls terminate to the Subscriber via switched access lines. Subscribers may be billed a monthly recurring charge. Inbound toll free intraLATA calls or inbound toll free instate interLATA calls where the Company may or may not be the responsible organization and where an interexchange carrier, or an entity other than a local exchange carrier, is not involved in the switching and transport of those calls between the calling party and the Company switching center, shall be subject to the rates for inbound toll free calling as published herein.

##### 3.6.3 Commercial Dedicated Outbound (1+)

Dedicated outbound services provide direct dialed (1+) long distance services to commercial Subscribers. Subscribers may also access Carrier's services by dialing "10XXX." Subscribers access Carrier's services through dedicated access origination.

##### 3.6.4 Commercial Dedicated 800/888/877 Inbound

Dedicated 800/888/877 provides an inbound toll-free calling service to commercial Subscribers. Subscriber is billed for each toll-free call, rather than the call originator. Calls terminate to Subscriber via dedicated access lines. Inbound toll free intraLATA calls or inbound toll free instate interLATA calls where the Company may or may not be the responsible organization and where an interexchange carrier, or an entity other than a local exchange carrier, is not involved in the switching and transport of those calls between the calling party and the Company switching center, shall be subject to the rates for inbound toll free calling as published herein.

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3.0 Description of Services Offered (cont'd)

3.6 Product Descriptions (cont'd)

3.6.5 800/888/877 Travel Card

800/888/877 Travel Card Service provides customers the opportunity to make calls while away from their home or office. Subscribers may access Carrier's services through an 800/888/877 number provided by Carrier.

3.7 Directory Assistance

Directory Assistance (DA) Service is defined as furnishing aid in obtaining telephone numbers. A maximum of two requests for telephone numbers will be accepted per call to the DA operator. A telephone number that is not listed in the DA records will not be available to the Customer. The Directory Assistance operator will not transfer, forward or redial a Customer's call to any other location for any purpose other than provision of DA service.

In the event that a DA operator is unable to provide the requested telephone number, the charges will still apply. Certain persons and locations may be exempt from DA charges as provided by applicable regulations.

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4.0 Rates and Charges

4.1 Nonrecurring Charges

4.1.1 Early Termination Charges

If a Customer terminates service prior to the expiration of the term of the contract (see Section 2.5), the Customer will be required to pay an early termination charge in accordance with the customer’s contract for service.

4.1.2 Third Party Vendor Charges

Customers may also be charged for certain charges incurred by Carrier (at the Customer’s instruction) in obtaining services from third party vendors. At the earliest opportunity, the Customer will be advised of the nature of the charges and the estimated amount of the charges.

4.1.3 Bill Copies

Additional and alternate bill copies will be available upon a customer’s request. An additional bill copy is a secondary copy of the customer’s initial bill and an alternate bill copy is an additional bill sent to a different address other than the billing address. Charges for the additional and alternate bill copies are below.

Business Customers	\$10.00 per copy
Residential Customers	\$ 5.00 per copy

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4.0 Rates and Charges (cont'd)

4.2 Usage Rates

4.2.1 Commercial Switched Outbound (1+)

Billing Minimum: Six Seconds  
Billing Increments: Six Seconds  
Rate: \$ 0.219

4.2.2 Commercial Switched Inbound

Billing Minimum: Thirty Seconds  
Billing Increments: Six Seconds  
Rate: \$ 0.219  
MRC: \$ 4.95

4.2.3 Commercial Dedicated Outbound

Billing Minimum: Six Seconds  
Billing Increments: Six Seconds  
Rate: \$ 0.119

4.2.4 Commercial Dedicated 800/888/877 Inbound

Billing Minimum: Thirty Seconds  
Billing Increments: Six Seconds  
Rate: \$ 0.119

4.2.5 800/888/877 Travel Card Service

Billing Minimum: Thirty Seconds  
Billing Increment: Six Seconds  
Rate: \$ 0.17

4.2.6 Directory Assistance

Rate: \$1.99 per request

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## 5.0 Grandfathered Products and Services

### 5.1 Operator Services

Operator Services is the furnishing of services for the completion of calls by consumers and customers pre-subscribed to company made with the assistance of a company operator within the state including aggregator sites and locations. Aggregator sites include, but are not limited to hotels/motels, hospitals, business, military establishments; and locations of public, semi-public, or private pay telephones. Note: Charges for these services are exempt when requested by authorized emergency personnel. Customers may receive bills directly from other operator service providers whose services the customer may use.

Busy Line Verification Surcharge B Charge to end-user to verify whether a telephone line is in use or has trouble.

Busy Line Verification Interrupt Surcharge B Charge to end-user to verify whether a telephone line is in use, and then to interrupt the end-users current phone call.

Calling Card Surcharge B This charge applies when a 0+ or 0- call is charged to a valid calling card. In order to control fraud, the company may refuse to accept a card that it determines or suspects to be invalid.

Collect Surcharge B This charge applies when an end-user requests the operator to bill the charges to the called station or party which agrees to pay for all charges.

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5.0 Grandfathered Products and Services (cont'd)

5.1 Operator Services (cont'd)

General Assistance Surcharge - Charge to end-user to obtain information such as time of day, day of the week, area codes, international country and/or city codes.

Operator Dialed Surcharge - In addition to the per minute usage rates, an operator dialed surcharge also applies to each type of call. This is a charge that is assessed to the customer for having the operator dial the called number for them.

Payphone Surcharge B The Payphone surcharge applies to the following state-to-state and international consumer calls placed from a public or semi-public payphone that are paid for by means other than depositing coins into the payphone:

- \*calls billed to a third number
- \*collect calls
- \*calls billed to a calling card
- \*calls to Directory Assistance
- \*prepaid card service calls.

Person-to-Person Surcharge B Charge when the end-user specifies to the operator a particular party to be reached. If the original person, department, mobile station, extension, or office designated by the end-user is unavailable and the end-user requests or agrees to talk to any other party, the call is still charged as a Person-to-Person call.

Property Imposed Fee (PIF) B Per call charge imposed by property owner.

Third Party B The end-user requests the operator to bill the charges for a call to a number other than that of the called or calling party. The party receiving the charges agrees to pay for all charges.

5.0 Grandfathered Products and Services (cont'd)

5.1 Operator Services (cont'd)

The following rates are offered for use by pay telephone providers who have entered into an agreement with McLeodUSA to provide operator services to their pay telephones. There is a 3 minute minimum billing on this service.

**INTRASTATE RATES**

Rate Period

	<u>Initial Minute</u>	<u>Additional Minute</u>
Weekday		
Mileage		
1-10	\$0.2400	\$0.1600
11-22	\$0.3000	\$0.2300
23-55	\$0.3600	\$0.2750
56-124	\$0.4000	\$0.3350
125+	\$0.4300	\$0.3800
Evening		
Mileage		
1-10	\$0.1600	\$0.1400
11-22	\$0.2100	\$0.1500
23-55	\$0.2500	\$0.1930
56-124	\$0.2900	\$0.2380
125+	\$0.3200	\$0.2630
Night/Weekend		
Mileage		
1-10	\$0.1300	\$0.1100
11-22	\$0.1400	\$0.1300
23-55	\$0.1800	\$0.1350
56-124	\$0.2100	\$0.1700
125+	\$0.2300	\$0.1900

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5.0 Grandfathered Products and Services (cont'd)

5.1 Operator Services (cont'd)

Weekday rates apply Monday through Friday, 8 AM to 5 PM.  
Evening rates apply 5:01 PM to 11 PM, Sunday through Friday  
Night/weekend rates apply all other times.

Additional Charges

Calling Card (Customer Dial)	\$0.80
Calling Card (Operator Must Dial)	\$0.80
Calling Card (Operator Dial)	\$2.15
Collect	\$2.15
3 <sup>rd</sup> Number	\$2.25
Person to Person	\$4.00
Payphone Surcharge	\$0.25
Operator Dialed	\$1.00
Busy Line Verification	\$2.00
Busy Line Verification Interrupt	\$4.00

5.0 Grandfathered Products and Services (cont'd)

5.1 Operator Services (cont'd)

Intrastate Usage Rate:

<u>Rate Period</u>	<u>Mileage</u>	<u>Initial Minute</u>	<u>Additional Minute</u>
Day	1-10	\$0.2400	\$0.1800
	11-22	\$0.3000	\$0.2500
	23-55	\$0.3600	\$0.3200
	56-124	\$0.4000	\$0.3700
	125 +	\$0.4300	\$0.4100
Evening	1-10	\$0.1600	\$0.1600
	11-22	\$0.2100	\$0.1700
	23-55	\$0.2500	\$0.2300
	56-124	\$0.2900	\$0.2600
	125 +	\$0.3200	\$0.3000
Night/Weekend	1-10	\$0.1300	\$0.1200
	11-22	\$0.1400	\$0.1400
	23-55	\$0.1800	\$0.1600

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5.0 Grandfathered Products and Services (cont'd)

5.2 Business Rate Plan 2001 - Long Distance

This service is available to all new customers as of the effective date of this tariff. Existing customers will stay on their current service until time of renewal.

Switched: Outbound and Toll Free Intrastate

This rate is the rate per minute. All calls will be rounded and billed in 6-second increments.

Ceiling Rate \$0.1700

Dedicated: Outbound and Toll Free Intrastate

This pricing is for Dynamic, Long Distance T-1 and Local T-1. This rate is the rate per minute. All calls will be rounded and billed in 6-second increments.

Ceiling Rate \$0.1190

Calling Cards

The below rate is the rate per minute. All calls will be rounded and billed in 6-second increments. The below A La Carte rates are available to customers that have either only McLeodUSA long distance service or McLeodUSA local service. The Bundled rates are available to customers that have both McLeodUSA local AND long distance service.

A La Carte Rates

<u>Ceiling Rate</u>	<u>Mo-Mo</u>	<u>18 Mo</u>	<u>36 Mo</u>	<u>60 Mo</u>
\$0.3000	\$0.2200	\$0.2000	\$0.1900	\$0.1800

Bundled Rates

<u>Ceiling Rate</u>	<u>Mo-Mo</u>	<u>18 Mo</u>	<u>36 Mo</u>	<u>60 Mo</u>
\$0.3000	\$0.2200	\$0.1900	\$0.1800	\$0.1700

Payphone Surcharge

Calling Cards - When a customer places a calling card call from a payphone, the customer will be assessed a per call surcharge of \$0.26.

Toll Free Numbers - If a customer has a Toll Free number and people calling the Toll Free number are using a payphone, the customer will be assessed a per call surcharge of \$0.26 for those calls.

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5.0 Grandfathered Products and Services (cont'd)

5.3 Conference Calling Service

Conference Calling is the ability to have multiple parties listen and participate in meetings via telephone. All conference calling customers must have local and/or long distance services with McLeodUSA.

Standard Services

With each of the two following standard services, clients have two options:

Attended Call: Facilitator monitors the conference call to add any assistance that may be needed.

Unattended Call: No facilitator is present, but a facilitator is available at any time by pressing \*O on the phone.

800 Meet Me Conferencing

Participants call a pre-determined toll free number at a specified time. A conference call operator will greet the participants and ask for the name of the conference chairperson. Participants will be placed on music hold or into the open conference until all parties have arrived. Once all parties have arrived, the conference will be turned over to the chairperson. The conference fees are charged to the hosting organization.

Dial-Out Conferencing

Conference Center facilitators dial-out to all participants prior to the scheduled conference. The hosting organization is charged the long distance and conference bridging fees.

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5.0 Grandfathered Products and Services (cont'd)

5.3 Conference Calling Service (cont'd)

Standard Rates

These rates are per minute, per leg. The below A La Carte rates are available to customers that have only either McLeodUSA long distance service or McLeodUSA local service. The Bundled rates are available to customers that have both McLeodUSA local and long distance service. The below rates are for Meet Me and Dial-Out.

Bundled Rates

<u>Ceiling Rate</u>	<u>Mo-Mo</u>	<u>18, 36 &amp; 60 Mo</u>
\$0.4000	\$0.4000	\$0.3600

A La Carte Rates

<u>Ceiling Rate</u>	<u>Mo-Mo</u>	<u>18, 36 &amp; 60 Mo</u>
\$0.4000	\$0.4000	\$0.3900

The following services are included in the above standard rate:

Blast Dial	Roll Call
Invitation Services	Sub-conferencing
Broadcast Lecture Mode	Originator Dial-Out

Additional Services

The following additional services are at the standard rate plus the following additional charges:

<u>Service</u>	<u>Price</u>
Digital Rebroadcast	\$0.40/minute
Polling	\$0.35 per minute, per leg
Electronic Q&A	\$0.20 per minute, per port
Participant Notification	\$2.00 per person
Call Taping	\$20.00 per tape
Transcription	\$125.00 per hour

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5.0 Grandfathered Products and Services (cont'd)

5.4 Long Distance Interexchange Services

Rates Per Minute

Peak: \$0.1800  
Off-Peak: \$0.1800

Time of Day

All periods ending on a specific hour run to, but not including, the stated hour.

Peak/Off-Peak Rates

As an alternative to the foregoing time-of-day periods, some options allow for peak rates (Monday through Friday, 8:00 a.m. to 5:00 p.m.) and off-peak rates (all other times).

Holiday Description

Holiday rates are applicable from 12:00:00am to 11:59:59pm on the following holidays: New Year's Day, Martin Luther King Juniors Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day.

5.5 800 Services

Monthly Charges

Customers are charged \$10.00 per month per 800 line. Customers ordering Area Code Blocking will be charged a one-time \$110.00 fee.

Usage-Sensitive Rates

All incoming calls are charged at the same rate regardless of point of origin. Day or peak rates are applicable from 8:00 a.m. to 5:00 p.m. Monday-Friday.

Rates Per Minute

Peak: \$0.1800  
Off-Peak: \$0.1800

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5.0 Grandfathered Products and Services (cont'd)

5.6 Travel Calling Card Service

Rates Per Minute

Peak: \$0.1800  
Off-Peak: \$0.1800

Surcharge Per Call

All Travel Calling Card Service calls are subject to an \$0.80 per call surcharge.

5.7 Residential Interexchange Service II

These rates apply to jurisdictional calls made by subscribers to Residential Interexchange Service II in conjunction with Rate Table 13 in McLeodUSA's interstate tariff.

Outbound Interexchange Service

Total Usage	Rate Per Minute
\$0 - \$24.99	\$0.1500
\$25.00 - \$49.99	\$0.1350
\$50.00 +	\$0.1200

Inbound Interexchange Service

Per Minute \$0.2200

Calling Card

There is a surcharge of \$0.75 per call with the calling card service. This service is billed in full minute increments.

\$0.01-\$24.99	\$0.1500
\$25.00-\$49.99	\$0.1350
\$50+	\$0.1200

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