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TARIFF FILES  
ALBANY, NY

TITLE SHEET

NEW YORK TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of long distance telecommunications services within the state of New York by Long Distance Consolidated Billing, with principal offices at 145 S. Livernois, Suite 199, Rochester, Michigan 48307. This tariff applies to services furnished within the state of New York. This tariff is on file with the New York Public Service Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.

Issued: April 22, 1999

Effective: June 22, 1999

Issued by: Jan Lowe, President  
Long Distance Consolidated Billing Co.  
145 S. Livernois  
Suite 199  
Rochester, Michigan 48307

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TARIFF CHECK SHEET

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SYMBOLS SHEET

- D- Deleted or Discontinued rate or regulation
- I- Rate increase
- M- Matter moved or relocated without change
- N- New rate or regulation
- R- Rate reduction
- T- Change in text, but no change in rate or regulation

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TARIFF FORMAT SHEETS

A. Sheet numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. New sheets, however, 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 14.1.

B. Sheet revision numbers - Revision numbers also appear in the upper right hand corner of each page. These numbers are used to determine the most current sheet version on file with the Commission. For example, the 4th revised sheet 14 cancels the 3rd revised sheet 14. Because of various suspension periods, deferrals, and other factors beyond the Company's control, the most current sheet number on file with the Commission may not always be the tariff page in effect. Consult the Check Sheet for the sheets currently in effect.

C. Paragraph numbering sequence - There are nine levels of paragraph coding. Each level is subservient to its next higher 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 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 pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages). 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 Commission.

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SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS

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Access Line - An arrangement which connects the customer's location to the underlying carrier's central office.

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Authorization Code - A numerical code, one or more of which are available 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.

Commission - The New York Public Service Commission.

Company or Carrier - Long Distance Consolidated Billing Co.

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.

Holidays - The Company's recognized holidays are New Year's Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day.

LEC - Local Exchange Carrier.

Service - The communications offerings provided by the Company, i.e. resold long-distance voice and data service obtained by the Company from a facilities-based interexchange carrier.

Underlying Carrier - Facilities-based interexchange carrier providing the long-distance service being resold by the Company.

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SECTION 2. REGULATIONS

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2.1 Undertaking of the Company

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2.1.1 Scope

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The Company undertakes to provide Long Distance Message Telecommunications Service within the state of New York in accordance with the terms and conditions set forth in this tariff. The Company does not own or operate long distance transmission facilities, but rather resells the facilities of underlying carriers.

2.1.2 Shortage of Facilities

All service is subject to the availability of suitable facilities. The Company reserves the right to limit the length of communications or to discontinue furnishing services when necessary because of the lack of satellite or other transmission medium capacity or because of any causes beyond its control.

2.1.3 Liability of the Company

2.1.3.A Except as stated in this Section 2.1.3, the Company shall have no liability for damages of any kind arising out of or related to events, acts, rights or privileges contemplated in this tariff. This tariff does not limit the liability of the Company for willful misconduct.

2.1.3.B The liability of the Company 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 five times the initial minute charge provided for under this tariff for the intrastate long distance call for the period during which the call was affected. No other liability in any event shall attach to the Company.

2.1.3.C The Company shall not be liable for any failure of performance hereunder due to causes beyond its control,

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including but not limited to acts of God, fire, flood, or other catastrophes; any law, order, regulation, directive, action or request of the United States Government or any other government, including state and local governments having jurisdiction over the Company, or of any department, agency, commission, bureau, corporation or other instrumentality of any one or more of said governments, or of any civil or military authority; or national emergencies, insurrections, riots, wars, or strikes or other labor difficulties.

2.1.3.D The Company shall not be liable for any act or omission of any other entity furnishing to the Customer facilities, equipment, or services used with the Company's Long Distance Message Telecommunications Service. Nor shall the Company be liable for any damages or losses due to the failure or negligence of the Customer or due to the failure of Customer-provided equipment, facilities or services.

2.1.4 Claims

The Company shall be indemnified and saved harmless by the Customer from and against all loss, liability, damage and expense, including reasonable attorney's fees, due to claims for libel, slander, or infringement of copyright in connection with the material transmitted over the Company's facilities: and any other claim resulting from any act or omission of the Customer or patron(s) of the Customer relating to the use of the Company's facilities.

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2.2 Prohibited Uses

Long Distance Message Telecommunications Service shall not be used for any unlawful purpose.

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2.3 Use of Service

Long Distance Message Telecommunications Service may be used to transmit communications of the Customer in a manner consistent with the terms of this tariff and the policies and regulations of the FCC and the New York Public Service Commission.

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Use of Long Distance message Telecommunications Service is considered an order for such service.

2.4 Payment Arrangements

2.4.1 Payment for Service

2.4.1.A The Customer is responsible for payment of all charges for facilities and services furnished by the Company. Federal, state and local sales, use and excise taxes, where applicable, shall be added to the charges contained herein. It shall be the responsibility of the Customer to pay these taxes and to accept the liability of any such unpaid taxes that may subsequently become applicable retroactively.

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2.4.1.B Bills are due and payable upon receipt. If the Customer's net bill is not paid (payment received by the Company) within twenty-two (22) days after the invoice date listed on the bill it shall become a delinquent bill and interest at the lesser of (1) the rate of one and one-half percent (1.5%) per month or (2) the highest rate allowed by law per month shall accrue upon any unpaid amount. If the Company initiates legal proceedings to collect any amount due hereunder and the Company substantially prevails in such proceedings then the defendant Customer shall pay the reasonable attorney's fees and costs of the Company in prosecuting such proceedings and appeals therefrom.

2.4.1.C The Customer will be assessed a charge of ten dollars (\$10.00) for each check submitted by the Customer to the Company which a financial institution refuses to honor for insufficient funds or a non-existent account.

2.4.1.D The Company will not assess advance payments or deposits in New York.

2.4.2 Discontinuance of Service for Cause

Upon non-payment of any sum owing to the Company for more than 30 days beyond the date of rendition of the bill for service or upon violation of any of the terms or conditions governing the furnishing of service under this tariff, the Company may, after 24 hours advance notice in writing to the Customer, without incurring any liability, discontinue the furnishing of service under this tariff.

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SECTION 3. SERVICE OFFERINGS

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3.1 Intrastate Message Toll Service

3.1.1 Description of Services

The Company offers switched and dedicated access MTS and 800 interexchange services by the resale of the services of Underlying Carriers, currently and Sprint. Such service is available twenty-four (24) hours a day, seven (7) days a week. MTS and 800 Services are offered on a flat rate basis.

3.1.2 Timing of Calls

The Customer's long distance usage charge is based on the actual usage of the Company's services. Usage begins when the called party picks up the receiver, and ends when either party hangs up. Calls are measured by Underlying Carriers, whose services are resold by the Company, in accordance with its own Tariff.

3.1.3 Calculation of Distance

The Company uses the V&H coordinate system to calculate the distance of calls.

3.1.4 Minimum Call Completion Rate

A Customer can expect a call completion rate (number of calls completed/number of calls attempted) of not less than 99% during peak use periods.

3.1.5 Billing Increments

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

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SECTION 4. RATES AND CHARGES

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4.1 Dedicated Access

Dedicated access services have initial set up and maintenance charges which are dependent on local exchange carrier tariffs and based on the customer's location and individual needs. The customer's needs and physical location may also affect the rates charged by the Company.

4.2 Non-Recurring Charges

Validated Account Codes,  
per account install                      \$5.00

4.3 Recurring Charges

Validated Account Codes,  
per account                                      \$5.00

800 Charges                                      \$5.00

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4.4 Rates Per Minute

Outbound and Inbound services carry an initial and incremental billing minimum of no greater than one minute.

Switched Access Outbound Service Per Minute  
Day, Evening and Night

Commercial	\$0.25
Residential	\$0.25

Switched Access Inbound Service Per Minute  
Day, Evening and Night

Commercial	\$0.25
Residential	\$0.25

Travel Card Service: Access charges are \$0.35 per access, in addition to a \$0.25 per minute charge for the duration of the call.

Calls are billed in full minute increments with a one minute billing minimum.

4.5 Operator Assistance

The Company does not provide alternative operator services. Operator assisted calls are limited to live operator or automated operator functions provided by the Underlying Carriers for the processing of telephone services such as completion of person to person, operator assisted station to station calls, dialing instructions and emergency call handling.

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4.6 Directory Assistance

Switched 1+  
Intrastate \$0.75

Travel Card  
Intrastate \$0.80

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4.7 Monthly Service Fee

All customers may be charged a minimum monthly service fee for long distance usage of \$5.00.

4.8 Special Promotions

The Company may, from time to time, offer special promotions to its customers waiving certain charges. These promotions will be approved by the Commission with specific starting and ending dates and under no circumstances run for longer than 90 days in any twelve month period.

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