

C SYSTEMS, INC.

Applicable to

Telecommunications Services Which Are Not "Basic Local Exchange Services"

In the State of Idaho in the Service Area of GTE

and

Containing Rules and Regulations

Governing Service

ISSUED: 7/19/98

Effective: 7/29/98

BY: C SYSTEMS, INC.
Rick McGee, President

Idaho Public Utilities Commission
Office of the Secretary
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Boise, Idaho

Pages 1 through 34 inclusive of this tariff are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>
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TARIFF FORMAT

- A. Page Numbering** - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages are occasionally added to the tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between pages 14 and 15 would be 14.1.
- B. Page Revision Numbers** - Revision numbers appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the Commission. For example, the 4th revised Page 14 cancels the 3rd revised Page 14. Because of the various suspension periods and deferrals the Commission follows in its tariff approval process, the most current page number on file with the Commission is not always the tariff page in effect. Consult the check sheet for the page currently in effect.
- C. Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding 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).1
2.1.1.A.1.(a).1.(I)
2.1.1.A.1.(a).1.(I)(1)

- D. Check Sheet** - when a tariff filing is made with the Commission an updated check sheet accompanies the filing. The check sheet lists the pages 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 shall be no other symbols used on this page if these are the only changes made to it. The tariff user should refer to the latest check sheet to find out if a particular page is the most current on file with the Commission.

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EXPLANATION OF SYMBOLS

Changes to this tariff shall be identified on the revised page(s) through the use of symbols. The following are the only symbols used for the purposes indicated below:

- (C) - To signify a changed regulation
- (D) - To signify a discontinued rate or regulation
- (I) - To signify an increase in rate or charge
- (M) - To signify material relocated from one page to another without change
- (N) - To signify a new rate or regulation
- (R) - To signify a reduced rate or charge
- (S) - To signify a correction or reissued matter
- (T) - To signify a change in text but no change in rate or regulation

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APPLICATION OF TARIFF

This tariff contains the regulations, rates and charges applicable to telecommunications services which are not "basic local exchange services" (as defined in Idaho Code Section 61-603(1) provided by C SYSTEMS, INC. for the use of Customers transmitting messages within the State of Idaho, subject to the jurisdiction of the Idaho Public Utilities Commission ("Commission").

This tariff is on file with the Idaho Public Utilities Commission. This tariff is available for review at the main office of C SYSTEMS, INC., located at 610 West Hubbard, Suite 125, Coeur d'Alene, Idaho 83814. C SYSTEMS, INC. toll free number is 1-888-769-7003.

Contact person for customer complaints filed with the Idaho Public Utilities Commission: Rick McGee, 610 W. Hubbard, Suite 125, Coeur d'Alene, Idaho 83814, 1-888-769-7003.

Contact persons for questions relating to this tariff, price lists and/or other regulatory issues: Rick McGee, 610 W. Hubbard, Suite 125, Coeur d'Alene, Idaho 83814 & Mark B. Jones, 307 N. 2nd Avenue, Suite 8, Sandpoint, Idaho 83864, (208) 263-0886.

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SECTION 1 - DEFINITION OF TERMS AND ABBREVIATIONS

Authorization Code - A numerical code, one or more of which are available to Customer to enable it to access Carrier's network, and which are used by Carrier both to prevent unauthorized access to its facilities and to identify Customer for billing purposes.

Calling Card - A billing arrangement by which a call may be charged to an authorized calling card account.

Carrier - C SYSTEMS, INC.

Collect Call - A billing arrangement by which the charge for a call may be assessed upon the called station provided the charge is accepted at the called station.

Commission - The Idaho Public Utilities Commission.

Customer - The company, individual, or other entity which orders or uses Service, and is therefore responsible for payment of all charges due and for compliance with the Carrier's tariff regulations.

Customer Premise - The customer or user's premises, including customer designated non-Carrier premises.

Facility (or Facilities) - Any item or items of communications plant or equipment used to provide or to connect to telecommunication services.

Initial Period - The minimum unit of time for which a rate is charged for a connection between given points.

Main Billed Account - The customer name, address and account number to which charges are billed.

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SECTION 1 - DEFINITION OF TERMS AND ABBREVIATIONS (continued)

Operator - An automated or live operator.

Operator Assisted Station-to-Station - Service by which the person originating the call requests the Operator to reach a particular number.

Point of Presence (or POP) - The location in Carrier's system where local access facilities connect to an interexchange carrier's network.

Service - Any or all service(s) provided by Carrier pursuant to this tariff.

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SECTION 2 - REGULATIONS

2.1 Undertaking of the Carrier

- 2.1.1 Service is furnished for telecommunications originating and terminating within the State of Idaho under the terms and conditions of this tariff.
- 2.1.2 Carrier shall operate and maintain Service provided hereunder in accordance with the terms and conditions set forth in this tariff.
- 2.1.3 Service is available twenty-four (24) hours per day, seven (7) days per week.

2.2 Limitations on Service

- 2.2.1 Service is offered subject to the availability of the necessary facilities and subject to the provisions of this tariff. The obligation of the Carrier to provide service is dependent upon its ability to procure, construct, and maintain facilities which are required to meet the Customer's order for service.
- 2.2.2 Consistent with Commission rules, Carrier reserves the right to discontinue furnishing Service, such as when Customer is using Service in violation of the law or in violation of the provisions of this tariff, for non-payment of billed charges by Customer and such other instances allowed under Idaho law and the rules of the IPUC.
- 2.2.3 Service provided under this tariff is directly controlled by Carrier, and Customer may not transfer or assign the use of Service, except with the consent of Carrier. In the event of such transfer or assignment, all regulations and conditions contained in this tariff, as well as all conditions for Service, shall apply to the assignee(s) or transferee(s).
- 2.2.4 Service may not be used for any unlawful purpose.

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SECTION 2 - REGULATIONS (continued)

2.3 Limitations on Liabilities

2.3.1 The liability of carrier for damages arising out of mistakes, interruptions, omissions, delays, errors or defects occurring in the course of establishing, furnishing, rearranging, changing, or terminating Service under this tariff, and not caused by the failure or negligence of Customer, shall in no event exceed the amounts specified in this tariff for Service interruptions. No other liability in any event shall attach to Carrier.

2.3.2 vacant

2.3.3 vacant

2.3.4 vacant

2.3.5 Carrier shall not be liable for any act or omission of any other entity furnishing equipment, facilities or service to Customer except for the underlying carrier associated with carriers provision of service, nor shall Carrier be liable for any damages or losses due to the failure or negligence of Customer due to the failure of Customer-provided equipment or facilities. Exemptions include fraud unrelated to the Customer such as hacking of access codes or tapping to the pedestal.

2.3.6 vacant

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SECTION 2 - REGULATIONS (continued)

2.3 Limitations on Liabilities (continued)

2.3.7 vacant

2.3.8 Carrier is not liable for unavoidable damages to the subscriber's premise resulting from attachment of its equipment and associated wiring on such premises, or from the installation or removal thereof. The Customer shall indemnify and save harmless the Carrier from any claims of the owner of the Customer's premises or other third party claims for such damages, except for claims where damage arises as a result of Carrier's negligent act or omission.

2.3.9 The included tariff language does not constitute a determination by the Commission that a limitation of liability imposed by the Company should be upheld in a court of law. Acceptance for filing by the Commission recognizes that is a court's responsibility to adjudicate negligence and consequential damage claims. It is also the court's responsibility to determine the validity of the exculpatory clause.

2.4 Claims - nonjurisdictional

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SECTION 2 - REGULATIONS (continued)

2.5 Discontinuance or Interruption of Service by Carrier

Without incurring any liability, Carrier may under the following conditions discontinue or interrupt Service that is being furnished only after appropriate notice.

- 2.5.1 For noncompliance with or violation of any applicable State, municipal or Federal law, ordinance or regulation or noncompliance with or violation of any Commission regulation after appropriate notice to the Customer.
- 2.5.2 For noncompliance with any of the provisions of this tariff governing Service after appropriate notice to the Customer.
- 2.5.3 In the event of Customer's use of Service in such a manner as to adversely affect Carrier's equipment or Service to others.
- 2.5.4 In the event of unauthorized or fraudulent use of Service.
- 2.5.5 By reason of any order or decision of a court or other government authority having jurisdiction that prohibits Carrier from furnishing Service to Customer.
- 2.5.6 In order to perform tests and inspections necessary to insure compliance with tariff regulations or the proper installation, operation, and maintenance of Carrier's equipment and facilities.
- 2.5.7 Carrier reserves the right to limit the duration of a connection/provision of service when necessary because of a shortage of service components caused by emergency conditions (including such conditions as those described in Section 2.3.7) after appropriate notice to the Customer.
- 2.5.8 Discontinuance of Service shall be in accordance with Idaho law and the rules of the IPUC.
- 2.5.9 Carrier may suspend service without notice if it deems such action necessary to protect the public, Carrier personnel, agents, suppliers, facilities or services from damages or injury of any kind. Carrier may suspend service after notice to subscriber of noncompliance with any provision of this tariff if such noncompliance is not corrected within thirty days following the receipt of notice.
- 2.5.10 Carrier may discontinue service for non-payment of any sum due the Carrier for more than 30 days beyond the rendition of the bill for such service after appropriate notice to the Customer.

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SECTION 2 - REGULATIONS (continued)

2.6 Cancellation or Termination of Service by Customer

2.2.1 Customer may, at its option, cancel or terminate the use of Service at any time following any applicable minimum service requirement.

2.7 Restoration of Service

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

2.8 Payment and Billing

2.8.1 Carrier shall promptly investigate all disputed charges and shall report its findings and disposition to Customer. Nothing in this Section limits Customer's rights as provided by statute to contest charges. Bill will be rendered monthly with local exchange service billed in advance of the month service rendered and toll in arrears. Bill are rendered monthly and are due 30 days after the bill is mailed.

2.8.2 Customer is responsible for payment of all charges for services furnished, including charges for services originated or charges accepted at Customer's station and for charges billed Customer for calling card services unless fraudulently obtained without customer involvement. Upon nonpayment of any sum due or upon a violation of any of the conditions governing the furnishing of service, Carrier may discontinue furnishing said service as provided for in Idaho law and the rules of the IPUC without incurring any liability.

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SECTION 2 - REGULATIONS (continued)

2.8 Payment and Billing (continued)

2.8.3 Bills are due upon receipt of the bill and considered delinquent after 30 days.

2.8.4 Recurring Monthly Charges

- A. Recurring Monthly charges will be billed one month in advance of service or in the current month and reflect the rates in effect as of the date of the invoice.
- B. For the purpose of computing partial month charges, a month is considered to consist of thirty days.

2.8.5 Customer shall be responsible for the payment of all charges for service provided under this Tariff, including unauthorized charges placed from its equipment and which are determined by Carrier to be within Customer's control to prevent. Customer shall be responsible for the payment of all excise, sales, use or other similar taxes that may be levied by a governing body or bodies in conjunction with or as a result of the service furnished under this Tariff.

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SECTION 2 - REGULATIONS (continued)

2.9 Deposits

2.9.1 General

Carrier does not require Customers to pay a deposit.

2.9.2 Credit Limits/Toll Usage Limits

Carrier may require Customer to use a toll restricted line, or provide a guarantor under the terms of Idaho law and the rules of the IPUC. The company will not charge for toll restriction.

2.10 Taxes

2.10.1 General

Federal, state and local sales, use, excise and other taxes, where applicable, shall be added to the charges contained herein, unless Customer provides a properly executed certificate of exemption from such taxes. It shall be the responsibility for Customer to pay these taxes and to accept the liability of any such unpaid taxes and to accept the liability of any such unpaid taxes that may become applicable.

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SECTION 2 - REGULATIONS (continued)**2.11.1 Credit Allowances for Interruptions**

A credit allowance is applicable to that portion of a call which is interrupted due to poor transmission (e.g. noisy circuit condition), one-way transmission (one party is unable to hear the other), or involuntary disconnection (cut-off) of the call caused by components of service or equipment used by Carrier. Customer may also be granted credit for reaching a wrong number.

To receive the proper credit, Customer must notify Carrier within 30 days and furnish called number, the trouble experienced (e.g. cut-off, noisy circuit, reached wrong number, etc.), the class of call, and the approximate time the call was placed. Customer will receive credit equivalent to one minute of use. Usage charges will apply to the re-established call. Credit allowances for a call do not apply to interruptions that are due to the failure of power, equipment or systems not provided by Carrier.

2.11.2 Non-Usage Sensitive Services/Rates

Customer will receive a credit for one month's prorated charges for the service involved. The amount of the credit will be equal to the fixed monthly charge(s) multiplied by the ratio of days of interruption to 30 days. The credit will be prorated each 24 hour period of time will be considered one day. A month is considered to have 30 days. For each day or period the company uses, the customer is instilled to a prorated monthly rate. Customer shall also receive credits allowed under the rules of the IPUC for such other interruptions not specifically listed in this tariff.

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SECTION 2 - REGULATIONS (continued)

2.12 Obligations of Customer

- 2.12.1** Customer shall be responsible for the payment of all charges for service provided under this tariff, and for payment of all excise, sales, use or other similar taxes that may be levied by a governing body or bodies in conjunction with or as a result of the service furnished under this tariff.
- 2.12.2** Customer shall notify the Carrier of any interruption in service. Before giving notice, the Customer shall ascertain that the trouble is not being caused by action or omission of the subscriber, not within his control or is not in wiring or equipment annexed to the Carrier's terminal.
- 2.12.3** Customer shall comply with minimum protective criteria , as may be prescribed by the carrier to protect equipment and facilities.
- 2.12.4** Customer shall be responsible for ensuring the Customer-provided signals will not result in interference with any of the services provided by Carrier. All signals must be of the property type, bandwidth and other technical parameters, so as not to damage the Carrier's equipment or degrade service to other subscribers. It shall be the subscriber's responsibility to provide adequate electrical power, wiring and electrical outlets necessary for the proper operation of the Carrier's equipment on their premise.
- 2.12.5** Equipment and facilities on Customer's side of the demarcation point connected to equipment and facilities of the Carrier shall be constructed, operated, and maintained by those providing same so as to work satisfactorily with Carrier's service. Such equipment and facilities shall be suitable to avoid hazard or damage to Carrier's plant or of injury to the Carrier's employees or to the public because of the character or location of such equipment or facilities and sources of power to which it is connected. Customer may not connect any facilities or equipment on Carrier's side of the demarcation.
- 2.12.6** Upon notice from the Carrier that the equipment or facilities of the Customer, or of others so authorized to be connected, is causing or is likely to cause hazard or interference, the Customer, or others so authorized to be connected, shall make such changes as may be necessary to remove or prevent such hazard or interference.
- 2.12.7** vacant
- 2.12.8** Customer shall be responsible for obtaining all necessary permits, licenses, variances and other authorizations required by the state and local authorities for installation and operation of Customer provided equipment or facilities for connection with Carrier's equipment or facilities on the customer property.

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SECTION 2 - REGULATIONS (continued)

2.12 Obligations of Customer (continued)

2.12.9 Customer shall make available entry to its premises for Carrier's employees, agents or contractors at any reasonable hour for the purpose of installing, inspecting, or repairing equipment or service, or, upon termination of service, removing the Carrier's equipment.

2.12.10 No Customer or authorized user may assign or delegate its responsibilities, duties, rights or obligations under this Tariff to any person, corporation, or other entity without the express, written approval of Carrier; provided, however, that Customer may, without Carrier's approval, assign or delegate such responsibilities, duties, rights, or obligations to any subsidiary or affiliated organization or to any successor organization.

2.12.11 Customer is responsible for fault trouble-shooting and isolation of premise equipment and transmission signals and quality. Customer shall be liable to Carrier for the payment of a service charge for trouble-shooting and fault isolation for costs resulting from Carrier identification of a Customer equipment malfunction that was reported by Customer as a service error, or fault, or where the Customer's equipment malfunction created a degradation of network facilities or service regardless of who identifies the trouble.

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SECTION 3 - DESCRIPTION OF SERVICES

3.1 SERVICE COMBINATION PACKAGES

3.1.1 General Description - Provides business line service with a set of Standard Customer Calling features for a flat monthly recurring charge (MRC). Standard features include the following:

- Automatic Identification of Outward Dial
- Call Forward All
- Call Forward Busy
- Call Forward No Answer
- Call Forward Busy and No Answer
- Call Hold
- Call Pickup
- Call Transfer
- Direct Inward Dialing/Direct Outward Dialing
- Hunting
- Intercom
- Message Waiting
- Night Answer Any Station
- Flexible Night Answer
- Speed Dialing
- Toll Restriction
- Touch Call

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SECTION 3 - DESCRIPTION OF SERVICES (continued)

3.1 SERVICE COMBINATION PACKAGES - BUSINESS (continued)

3.1.1 General Description (continued)

3.1.2 County Local Call Plan - local call area for Customer is the county the customer is located.

3.1.3 Tri-County Local Call Plan - local call area for Customer is Kootenai, Bonner and Boundary Counties.

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SECTION 4 - RATES AND CHARGES

4.1 SERVICE COMBINATION PACKAGES - BUSINESS

4.1.1 Access Line Rates

- A. County Local Call Plan - \$40.00 per month per line.
- B. Tri-County Local Call Plan - \$55.00 per month per line.

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SECTION 4 - RATES AND CHARGES (continued)

4.2 ADDITIONAL CHARGES - SERVICE OPTIONS - BUSINESS

4.2.1 Additional Features: These services are defined in section 3.1.

MONTHLY
RECURRING
CHARGE

NON-
RECURRING
CHARGE

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SECTION 4 - RATES AND CHARGES (continued)

4.2 ADDITIONAL CHARGES- SERVICE COMBINATION PACKAGES - BUSINESS (cont'd)

4.2.2 Operator Service

PER CALL CHARGE

4.2.3 Directory Assistance

PER CALL CHARGE

4.2.4 Blocking Options

- A.
- B.
- C.

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SECTION 4 - RATES AND CHARGES (continued)

4.2 ADDITIONAL CHARGES - SERVICE COMBINATION PACKAGES - BUSINESS (cont'd)

4.2.5 Directory Listing Service

Carrier will arrange for the Customer, other than customers requesting non-published service, to be listed in the directories and directory assistance records of underlying carriers. The Customer will have Business Service primary listings in the alphabetic business white pages and alphabetic yellow pages sections of the underlying carrier's directories at no additional cost to the Customer. Primary listings shall consist of a name, designation, address, and telephone number.

4.2.6 Personalized Telephone Number

4.2.7 Additional charges

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