
IDAHO TELECOMMUNICATIONS SERVICES TARIFF

TITLE SHEET

IDAHO TELECOMMUNICATIONS TARIFF

RESOLD INTEREXCHANGE SERVICES

This tariff contains the description, regulations, and rates applicable to the furnishing of intrastate resold interexchange telecommunications services by Cytel, Inc., with principal offices at 2700 W. Atlantic Blvd., Ste. 280, Pompano Beach FL 33069. This tariff applies to services furnished within Idaho and is on file with the Idaho Public Utilities Commission, where copies may be inspected during normal business hours.

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Issued By: Cristina Perry
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CHECK SHEET

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

<u>SHEET</u>	<u>REVISION</u>
1	Original
2	Original
3	Original
4	Original
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12	Original
13	Original
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SYMBOLS SHEET

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

- (C) - To signify changed regulation
- (D) - To signify deleted or discontinued regulation
- (I) - To signify increased rate
- (M) - To signify a move in location of text
- (N) - To signify a new rate or regulation
- (R) - To signify a rate reduction
- (T) - To signify a change in text or regulation, but no change in rates

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CONTACT INFORMATION

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TARIFF FORMAT SHEETS

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

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line	A telephone line provided by local exchange carriers that connects a telephone or other communications device at a customer's location to Cytel's underlying carrier's telecommunications network switching center(s).
Authorization Code	A numerical code, one or more of which may be assigned to a Customer, to enable the Company to identify the origin of the Customer so it may rate and bill the call. Automatic Number Identification (ANI) is used as the authorization code wherever possible.
Carrier or Company	Cytel, Inc.
Commission	Idaho Public Utility Commission
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.
IPUC	Idaho Public Utility Commission
Underlying Carrier	The telecommunications carrier whose network facilities provide the technical capability and capacity necessary for the transmission and reception of customer telecommunications traffic within Idaho.

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SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of the Company

The Company undertakes to provide only those designated Services as are furnished under the terms and subject to the conditions and customer payment of the applicable rates of this tariff for communications originating and terminating within the state of Idaho.

The Company's services are available to its customers twenty-four (24) hours per day, seven (7) days per week.

2.2 Limitations

2.2.1 Service is offered subject to the availability of facilities of Company's Underlying Carrier and the provisions of this tariff.

2.2.2 The Company reserves the right to discontinue furnishing service, or to limit the use of service necessitated by conditions beyond its control; including, without limitation, for customer non-payment of charges, or when the customer's use of a service becomes or is in violation of the law or the provisions of this tariff.

2.2.3 The Services provided under this tariff are subject to the direct and exclusive control of the Company. No one may alter or affect the Services nor transfer or assign its use of the Services without the express written consent of the Company, which consent may be withheld, without limitation, by Company in its sole discretion at any time such alteration, effect, transfer or assignment would result in an interruption of the Services or a change in the customer's location to which the Services are to be provided.

2.2.4 In the event prior written permission from the Company is given for any assignment or transfer, all regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.

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IDAHO TELECOMMUNICATIONS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS, continued

2.3 Liabilities of the Company

- 2.3.1 The Company has no liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission or call processing of customer's communications traffic by the Underlying Carrier. The Company's liability for such damages occurring the in course of furnishing the Company's Services, but not caused by its gross negligence or willful misconduct or that of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which such mistakes, interruptions, omissions, delays, errors, or defects in the Company's furnishing of its Services occur.
- 2.3.2 The included tariff language does not constitute a determination by the Commission that the limitation of liability imposed by the Company should be upheld in a court of law. Acceptance for filing by the Commission recognizes that it 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 provisions of Section 2.3.1.
- 2.3.3 The Company shall be indemnified and held harmless by the customer against:
- (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content of a customer's communications traffic;
 - (B) Claims for patent infringement arising from a customer's use of its equipment, facilities or systems with the Company's services; and
 - (C) All other claims arising out of any act or omission of the customer in connection with any service or facility provided by the Company.

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SECTION 2 - RULES AND REGULATIONS, continued

2.4 Interruption of Service

- 2.4.1 Credit allowance for the interruption of service is subject to the general liability provisions set forth in Section 2.3.1. herein. Customer shall receive no credit allowance for interruption of service due to Carrier's testing or adjusting, negligence of the customer, or to the failure of channels or equipment provided by the customer. It shall be the customer's obligation to notify the Company immediately of any interruption in service for which a credit allowance is claimed. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission within the customer's control, or is not in wiring or equipment, if any, furnished by the customer in connection with the Company's Services.
- 2.4.2 No credit shall be allowed in the event service must be interrupted in order to provide routine service quality or related investigations.
- 2.4.3 Credit for failure of service shall be allowed only when such failure is caused by or occurs due to causes within the control of Company or in the event Company is entitled to a credit for the failure of the facilities of Company's Underlying Carrier used to furnish customer's service.
- 2.4.4 No credit shall be allowed:
- (A) For failure of facilities of customer; or
 - (B) For failure of services or equipment caused by negligence or willful acts of customer.
- 2.4.5 Credit for an interruption shall commence after customer notifies Company of the interruption or when Company becomes aware thereof, and ceases when service has been restored.

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SECTION 2 – RULES AND REGULATIONS, continued

2.4 Interruption of Service, continued

2.4.5 Credit for an interruption shall commence after customer notifies the Company of the interruption or when Company becomes aware thereof, and ceases when service has been restored.

2.4.6 Before customer notifies Company of an interruption, customer shall make reasonable attempts to ascertain that customer, a third party, or its or their actions and/or equipment is/are not the cause thereof.

2.4.7 Credits are applicable only to that portion of service interrupted.

2.4.8 For purposes of credit computation, every month shall be considered to have seven hundred twenty (720) hours.

2.4.9 No credit shall be allowed for an interruption of a continuous duration of less than two (2) hours.

2.4.10 The customer shall be credited for an interruption of two (2) hours or more at the rate of 1/729th of the monthly charge for the service affected for each hour or major fraction thereof that the interruption continues. Calculations of the credit shall be made in accordance with the following formula.

Credit Formula:

$$\text{Credit} = \frac{A \times B}{720}$$

“A” - outage time in hours

“B” - total monthly charge for affected facility

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SECTION 2 - RULES AND REGULATIONS, continued

2.5 Restoration of Service

The use and restoration of service shall be administered by the Underlying Carrier in accordance with the priority system specified in the Rules and Regulations of the Idaho Public Utility Commission.

2.6 Deposits

The Company does not require a deposit from its customers.

2.7 Advance Payments

Advance payments are not collected by the Company.

2.8 Taxes

All state and local taxes levied by governmental entities upon customers (i.e., sales tax, municipal utilities tax and so forth) are listed as separate line items on customer bills and are not included in the Company's scheduled rates.

2.9 Collection of Charges

2.9.1 In the event Company incurs fees or expenses to collect, or to attempt to collect, any charges owed Company by customer, including charges alleged to have resulted from fraud or abuse of customer's services, the Company shall charge customer all such fees and expenses incurred to collect or to attempt to collect its charges, and Company shall be entitled to recover such fees or expenses irrespective of whether it prevails in any legal action brought to collect its charges, all in accordance with and subject to the following additional legal requirements:

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SECTION 2 - RULES AND REGULATIONS, continued

2.9 Collection of Charges, continued

2.9.2 In accordance with the “filed tariff doctrine,” as established by judicial and regulatory decisions and precedents, customer shall pay all charges due and owing irrespective of any claims of loss, liability, set off, damages, or other claims against Company to which customer may claim to be entitled. The duty to pay such charges shall arise upon the demand for payment by Company and shall not be delayed or deferred by the commencement of any legal or equitable action by either customer or Company in connection with such charges incurred under this tariff.

2.9.3 Customer agrees that all actions, suits, or proceedings to recover charges due under this tariff shall be prosecuted in the United States District Court for the Eastern District of Virginia. Customer consents to and submits to the exercise of jurisdiction over the subject matter, waives personal service of any and all process upon it, and consents that all such service of process be made by registered mail directed to customer at its address registered with Company. Service so made shall be deemed to be completed five business days after such process shall have been deposited in the mail, postage prepaid. Customer waives trial by jury, any objection based on forum *non conveniens*, any objection to venue or jurisdiction of any action instituted hereunder, and consents to the granting of such legal or equitable relief as deemed appropriate by the Court.

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SECTION 3 - DESCRIPTION OF SERVICES

3.1 Usage Based Services

The Company's charges are based on the actual usage of the Company's services, plus any special features and/or service options, if any. Charges begin when the designated communication termination(s) is/are accessed and enabled, thereby ("connected") to receive the communication from the originating location on the network. Charges cease when the termination(s) is/are disconnected.

- 3.1.1 The customer's long distance usage charge is based on the actual usage of the Company's network. Chargeable time begins when the calling and called stations are connected.
- 3.1.2 Chargeable time ends when the calling service point terminates, thereby releasing the network connection. If the called party hangs up, but the calling number does not, chargeable time ends when the network connection is released by automatic timing equipment in the telephone network.
- 3.1.3 Unless otherwise specified in this tariff, the minimum call duration for billing purposes is one (1) minute.
- 3.1.4 Unless otherwise specified in this tariff, usage is measured and rounded to the higher full minute for billing purposes.
- 3.1.5 The Company will not bill for unanswered calls in areas where equal access is available. The Company will not knowingly bill for unanswered calls in areas where equal access is not available.

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SECTION 3 - DESCRIPTION OF SERVICE, continued

3.2 Calculation of Distance

Company's current services are not distance sensitive. Charges for all mileage-sensitive products will be based on the airline distance between rate centers associated with the originating and terminating points of the call.

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

FORMULA:

The square	$(V1 - V2)^2 + (H1 - H2)^2$
Root of:	10

3.3 Minimum Call Completion Rate

A customer can expect a call completion rate (number of calls completed/number of calls attempted) of not less than 95% during peak use periods for all Feature Group D services ("1+" dialing).

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SECTION 3 - DESCRIPTION OF SERVICE, continued

3.4 Service Offerings

3.4.1 Service Area

Cytel offers resold interexchange services throughout the state of Idaho.

3.4.2 Long Distance Service

Company's Long Distance Service is offered to residential and business customers. The service permits direct dialed outbound calling at a single per minute rate. Service is provided from presubscribed, dedicated or shared use access lines. Calls are billed in one (1) minute increments. No minimum monthly billing requirements apply.

3.4.3 800/888 (Inbound) Long Distance Service

Company's 800/888 (Inbound) Long Distance Service is offered to residential and business customers. The service permits inbound 800/888 calling at a single per minute rate. Service is provided from presubscribed, dedicated or shared use access lines. Calls are billed in one (1) minute increments, with a six (6) second minimum call duration. No monthly recurring charges apply.

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SECTION 3 - DESCRIPTION OF SERVICE, continued

3.4.4 Calling Card Service

Company's Calling Card Service is offered to residential and business customers who subscribe to the Cytel Long Distance Service calling plan. Customers using the Company's calling card service access the service by dialing a 1-800 number followed by an account identification number and the number being called. This service permits subscribers utilizing the Company's calling card to make calls at a single per minute rate. Calls are billed in one (1) minute increments after the initial minimum period of one (1) minute. There are no nonrecurring or monthly recurring charges. No calling card surcharge applies.

3.4.5 Directory Assistance

Standard directory assistance is provided by Cytel.

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SECTION 4 - RATES

4.1 Description of Rates

Switched outbound services are available to business and residential subscribers under the following rate plans. Calls in each rate plan are billed in one-minute increments, with usage measured and rounded to the higher full minute for billing purposes. No charge is made for an uncompleted call.

4.2 Standard Outbound Service

Cytel's rates for the Seven Cents All Day Plan are not time period sensitive. Rates are effective 24 hours per day, 7 days per week.

4.2.1 Rate Plan "Seven Cents All Day Plan"

Maximum Usage Charge

Flat Fee	\$0.07/minute
Monthly Service Charge:	\$5.95 per month

4.3 Cytel Personal 800/888 (Inbound) Long Distance Service

Rate per six (6) second increment \$0.20
No surcharge or monthly fee.
Calls are rounded up to the nearest penny.

4.4 Cytel Calling Card Service

Rate per minute \$0.24
No surcharge or monthly fee.
Plan is billed in full minute increments

4.5 Directory Assistance \$0.85 per call

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SECTION 4 - RATES, continued

4.2 Payment of Calls

4.2.1 Late Payment Charges

A late payment charge of 1.5% per month will be assessed on all unpaid balances.

4.2.2 Returned Check Charges

A returned check charge of \$20.00 will be assessed for checks returned for insufficient funds.

4.3 Restoration of Service

A reconnection fee of \$25.00 per occurrence is charged when service is re-established for customers who have been disconnected for non-payment.

4.4 Special Promotions

From time to time, the Company will offer special promotions to its customers waiving certain charges. These promotions will be approved by the IPUC with specific starting and ending dates, and be made part of this tariff.

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SECTION 4 - RATES, continued

4.5 Special Rates For The Handicapped

4.5.1 Directory Assistance

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

4.5.2 Telecommunications Relay Service

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

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