

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheet

1. <u>REPORT DATE:</u> August 16, 2005	2. <u>BUREAU AGENDA NO.</u> AUG-2005-FUS-0456*
3. <u>BUREAU:</u> Fixed Utility Services	
4. <u>SECTION(S):</u> Telecommunications	5. <u>PUBLIC MEETING DATE:</u> August 25, 2005
6. <u>APPROVED BY:</u> Director: R. Rosenthal 3-5242 Mgr/Spvr: J. Tuzinski/R. Staver 3-6175 Legal Review: A. Arnold 7-8032	
7. <u>PERSONS IN CHARGE:</u> Nguyen 7-3145	9. <u>EFFECTIVE DATE OF FILING:</u> N/A
8. <u>DOCKET NO(s):</u> A-311343 A-311343F0002	

10. (a) **CAPTION** (abbreviate if more than 4 lines)  
(b) **Short summary of history & facts, documents & briefs**  
(c) **Recommendation**

- (a) Application of DSCI Corporation for approval to render, furnish or supply telecommunications services to the public as a:
- Competitive Local Exchange Carrier in the service areas of Verizon Pennsylvania Inc.
  - Interexchange Toll Reseller throughout the Commonwealth of Pennsylvania
- (b) On November 15, 2004, the subject Application was filed. No protests were filed and no hearings were held.
- (c) The Bureau of Fixed Utility Services recommends the Commission adopt the proposed Order.

**DOCKETED** **DOCUMENT**  
AUG 31 2005 **FOLDER**

11. **MOTION BY:** Commissioner Chm. Holland  
**SECONDED:** Commissioner Cawley

Commissioner Shane - Yes  
Commissioner Pizzingrilli - Yes  
Commissioner Fitzpatrick - Yes

**CONTENT OF MOTION:** Staff recommendation adopted.



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

AUGUST 26, 2005

A-311343  
A-311343F0002

JONATHAN S MARASHLIAN  
HELEIN LAW GROUP LLP  
8180 GREENSBORO DRIVE  
SUITE 700  
MCLEAN VA 22102

**DOCKETED**  
OCT 14 2005

**DOCUMENT  
FOLDER**

Application of DSCI Corporation for approval of the right to begin to offer, render, furnish, or supply telecommunication services, as a Reseller of Interexchange Toll Services, to the Public, in the Commonwealth of Pennsylvania.

Application of DSCI Corporation for approval of the right to begin to offer, render, furnish, or supply telecommunication services as a Competitive Local Exchange Carrier, to the Public, in the service territory of Verizon Pennsylvania, Inc., in the Commonwealth of Pennsylvania.

To Whom It May Concern:

This is to advise you that the Commission in Public Meeting on August 25, 2005 has adopted an Order in the above entitled proceeding.

An Order has been enclosed for your records.

Very truly yours,

James J. McNulty  
Secretary

fg  
encls  
cert. mail

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265**

Public Meeting held August 25, 2005

Commissioners Present:

Wendell F. Holland, Chairman  
James H. Cawley, Vice Chairman  
Bill Shane  
Kim Pizzingrilli  
Terrance J. Fitzpatrick

**DOCKETED**  
OCT 14 2005

Application of DSCI Corporation for approval to offer, render, furnish or supply telecommunication services as a Reseller of Interexchange Toll Services to the Public in the Commonwealth of Pennsylvania.

Docket Number  
A-311343

Application of DSCI Corporation for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier to the Public in the service area of Verizon Pennsylvania Inc. in the Commonwealth of Pennsylvania.

Docket Number  
A-311343F0002

**ORDER**

**DOCUMENT  
FOLDER**

**BY THE COMMISSION:**

On November 15, 2004, DSCI Corporation (“Applicant” or the “Company”) filed an Application seeking Certificates of Public Convenience pursuant to the Telecommunications Act of 1996, 47 U.S.C. §§201, *et seq.* (TA-96)<sup>1</sup>, and to Chapter 11 of the Public Utility Code (Code) (66 Pa. C.S. §1101, *et seq.*) evidencing authority to provide the following telecommunication services to the public in the Commonwealth of Pennsylvania as:

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<sup>1</sup> Market entry requirements, in light of the policy objectives of the TA-96, for telecommunication service providers are set out in *In Re: Implementation of the Telecommunications Act of 1996*, Docket No. M-00960799 (*Implementation Order*: June 3, 1996; and *Implementation Reconsideration Order*: September 9, 1996).

- (1) An Interexchange Toll Reseller (IXC),
- (2) A facilities-based and reseller Competitive Local Exchange Carrier (CLEC), in the service territory of Verizon Pennsylvania Inc. ("Verizon PA").

The Applicant complied with notice requirements set forth in our Implementation Orders<sup>2</sup> by serving a copy of its application upon Verizon PA. No protests were filed. No hearings were held.

The Applicant is a Massachusetts Corporation with its principal place of business at 1050 Waltham Street, Lexington, MA 02421, telephone: (781) 862-8300, fax: (781) 862-4545. Correspondence to resolve complaints may be directed to Marianne Donmoyer, VP Customer Care, 42 Franklin Street, Laconia, NH 03246. The Applicant complied with 15 Pa. C.S. §4124, relating to a Foreign Business Corporation. The Applicant's registered office provider is CT Corporation System, 1515 Market Street, Suite 1210, Philadelphia, PA 19102. The Applicant will not be using a fictitious name. The Applicant understands that if it plans to cease doing business within the Commonwealth of Pennsylvania, it is under a duty to request authority from the Commission for permission prior to ceasing.

The Applicant is not presently doing business in Pennsylvania as a public utility. It has no affiliates doing business in Pennsylvania or predecessors which have done business in Pennsylvania. The Applicant does not have affiliates rendering or predecessors which rendered public utility service outside Pennsylvania.

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<sup>2</sup> *Id.*

The Applicant proposes offering long distance service in all equal access exchanges throughout the State of Pennsylvania, resold local exchange services, and UNE-P local exchange services throughout Verizon PA's territory.<sup>3</sup> All proposed service offerings will be marketed to small, medium, and large business customers only. Furthermore, it states that it will not provide any residential services.

Currently, the Applicant does not plan to offer local exchange services over its own facilities. However, if and when it does, the Applicant will provide services where Verizon PA's facilities or the facilities of competitive suppliers permit.

Issues affecting CLECs have been addressed and are being addressed in a number of Commission proceedings.<sup>4</sup> A CLEC Applicant is expected to adhere to the requirements relative to universal service programs, as initially set forth or as subsequently enlarged or modified.<sup>5</sup> Also, per federal rules, CLECs are required to ensure the efficient usage of their numbering resources and are required to semi-annually report their utilization and forecast data to the North American Numbering Plan Administrator. See 47 C.F.R. §52.5 tense. Any CLEC failing to comply with state and/or Commission orders related to numbering may be subject to the reclamation of their numbering resources as well as fines pursuant to the Public Utility Code, 66 Pa.C.S. §3301. See *Implementation of Numbering Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released March 31, 2000 – NXX Code Reclamation*, Docket No. M-00001373 (Order entered August 22, 2000), 30 Pa. B. 4701 (September 2, 2000) (Commission established process for reclaiming NXX codes from

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<sup>3</sup> UNE-P availability from Verizon PA and Verizon North have been the subject of recent Commission proceedings on the basis of the FCC's February 4, 2005 TRRO decision and this Commission's March 23, 2005 actions at Docket Nos. R-00049524, R-00049525, R-00050319 and R-00050319C001.

<sup>4</sup> See, e.g., *MFS, Intelenet, et al.*, Docket Nos. A-310203, F0002, *et al.*, (October 4, 1995; July 31, 1996; and August 7, 1997); *Pa. PUC v. Bell*, Docket No. R-00963578; *Pa. PUC v. GTE*, Docket No. R-00963666, *Global Order*, Docket Nos. P-00991648 and P-00991649, as well as other CLEC proceedings.

<sup>5</sup> *Universal Service Invest.*, Docket No. I-00940035 (January 28, 1997).

carriers who have failed to activate them within 6 months of their availability for assignment to customers).

Further, Section 253(b) of the TA-96 permits a state Commission to impose, on a competitively neutral basis and consistent with the Universal Service Section, requirements necessary to preserve and advance universal service, protect the public safety and welfare, ensure the continued quality of telecommunication services, and safeguard the rights of consumers. In response, we articulated explicit concerns relative to an applicant's financial fitness, tariff compliance, and rates.<sup>6</sup>

The Commission requires that Applicants seeking to provide local telecommunications services in Pennsylvania take steps to protect the public safety of consumers.<sup>7</sup> One means of ensuring the public safety of consumers in the increasingly competitive telecommunications marketplace is to ensure that new entrants provide their consumers with access to a seamless communications infrastructure for emergency services, such as 911. Therefore, in accordance with the notarized Affidavit, the Applicant avers that it has contacted each county or municipal authority where it intends to provide CLEC telecommunications service and made the necessary arrangements for the provisioning of emergency 911 service.

Prior to approving an application for authority to provide local telecommunications services in Pennsylvania, the Commission seeks to ensure the financial fitness of the Applicant. In this case, the Applicant has provided financial information to support its Application. We therefore conclude that the Applicant has demonstrated that it is financially capable of providing telecommunication services as a CLEC and an IXC reseller.

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<sup>6</sup> *Blue Ribbon*, Docket No. A-310442 (April 25 and August 4, 1997).

<sup>7</sup> See 47 U.S.C. §253(b)

We conclude that the Applicant has met the requirements for certification as a CLEC and an IXC Reseller, consistent with this Order. Premised upon our review of the Applications and the proposed tariffs, and consistent with our Orders, the Code, our Regulations and the TA-96, we conclude that the Applicant's proposed services do not raise concerns at this time regarding safety, adequacy, reliability, or privacy. We note, however, deficiencies in the proposed tariffs. See Appendix A.

We shall direct the Applicant to revise the proposed tariffs in accordance with the changes noted in Appendix A of this Order.<sup>8</sup> The Applicant shall thereafter file its Initial Tariff(s) reflecting the requested changes on or before sixty (60) days from the date of entry of this Order. Copies of the Initial Tariffs shall also be served upon the same entities receiving service of the original Applications, including the ILECs. If the time required for such resolution and filing exceeds sixty (60) days, the Applicant may request an extension of an additional sixty (60) days with the Commission's Secretary. Thus, if the Initial Tariffs are not filed within 60 days (120 days including the extension) of the entry of this Order, the Applications will be dismissed, and the authority granted herein will be revoked without further Commission Order.

In addition, we note that no switched access tariff accompanied the instant facilities-based/UNE-P application. Until a switched access tariff is filed, the Company is not permitted to apply access charges, e.g., originating and terminating access billed to interexchange carriers.

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<sup>8</sup> Yen Nguyen, (717) 783-3145 or [ynguyen@state.pa.us](mailto:ynguyen@state.pa.us), is the contact in the PUC's Bureau of Fixed Utility Services. Regardless of the review process, any tariff provision(s) inconsistent with the provisions of the Code, the TA-96, or our Regulations or Orders will be deemed inoperative and superseded. (52 Pa. Code §64.213).

To the extent that the proposed tariffs contains rates, the Initial Tariffs may become effective on one (1) day's notice from the date upon which they are filed and served.

66 Pa C.S. §3018(b)(2) gives IXCs the option to: (1) file and maintain tariffs with the Commission, (2) file and maintain price lists with the Commission, or (3) detariff. The Company was provided with these options via Secretarial Letter and has elected to maintain a tariff with the Commission.

### Conclusion

Accordingly, we shall grant the Applications. The Applicant has had provisional authority under our *Implementation Order* (p. 7, para. B.1.c.4) and our *Implementation Reconsideration Order* (p. 5) to provide the proposed IXC Reseller and CLEC services pursuant to its proposed tariffs during the pendency of the application process. Upon the establishment of filed rates and the approval of the Initial Tariffs, a Certificate of Public Convenience shall be issued evidencing the Applicant's authority to provide services as an IXC Reseller and as a CLEC, consistent with this Order and our decisions in the *MFS* and such other proceedings; **THEREFORE,**

### **IT IS ORDERED:**

1. That the Application of DSCI Corporation at Docket No. A-311343, for authority to operate as an Interexchange Toll Reseller throughout the Commonwealth of Pennsylvania is granted, consistent with this Order.

2. That the Application of DSCI Corporation at Docket No. A-311343F0002, for authority to operate as a Competitive Local Exchange Carrier,



within the service territory of Verizon Pennsylvania Inc., is granted, consistent with this Order.

3. That the Applicant is directed to revise its proposed tariffs to reflect the changes noted in Appendix A of this Order. **The Applicant is directed to identify any changes made to the proposed initial tariffs that are in addition to the changes noted in Appendix A.**

4. That the Applicant shall file its initial tariffs consistent with the requisite changes noted in Appendix A of this Order, within sixty (60) days after the date of entry of this Order. The Applicant shall serve copies of its initial tariffs on each entity receiving a copy of the original Applications. The initial tariffs may become effective on or after one (1) day's notice from the date upon which they are filed and served.

5. The initial Interexchange Reseller tariff shall be labeled "Interexchange Reseller Toll Tariff," and the initial Competitive Local Exchange Carrier tariff "Competitive Local Exchange Carrier Tariff."

6. That the Applicant shall comply with all the provisions of the Public Utility Code, as now exist or as may be hereafter amended, and with all pertinent rules, regulations, and Orders of this Commission, now in effect or as may be prescribed by this Commission, including but not limited to: the *MFS Intelenet, et al.*, Docket Nos. A-310203F0002, *et al.*; the *Universal Service Investigation*, Docket No. I-00940035; the *Global Order*, Docket No. P-00991648, *et al.*, and the *NXX Code Reclamation*, Docket No. M-00001373.

7. That if the Applicant expands its local service into new counties in its currently authorized area of Verizon Pennsylvania Inc., Applicant shall contact the appropriate 911 coordinators, complete an Application for 911 Service for each, and provide the service list to said 911 coordinators with its tariff revisions as verification that

arrangements are under way for the provisioning of Emergency 911 service in the additional exchanges.

8. That if the Applicant should desire to expand its service territory to that of additional incumbent local exchange carriers, Applicant shall file an Application to amend its Certificate of Public Convenience and comply with all the requirements of the Application including the completion of the affidavit and requirements thereto concerning Emergency 911 service.

9. That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the Applicant, shall not be construed as conferring more than one operating right to the Applicant.

10. That the Applicant maintains separate accounting systems for its IXC and CLEC operations.

11. That the Applicant shall file such affiliated interest agreements as may be necessary relative to any transactions with affiliates within 30 days of this Order.

12. That the Applicant shall make 711 abbreviated dialing available to access Telecommunications Relay Service and to arrange its switching equipment to translate these calls to the assigned toll-free number, (888) 895-1197, in order to route calls to the Telecommunications Relay Service Provider, in accordance with Commission's Order entered on February 4, 2000, at Docket No. M-00900239.

13. That in the event that the Applicant has not, on or before sixty (60) days (120 days including an approved extension) from the date of entry of this Order, complied with the requirements set forth herein, the Applications at Docket Nos. A-311343 and A-311343F0002 may be dismissed and the authority granted herein revoked without further Commission Order.

14. That upon the establishment of filed rates and the approval of the Initial Tariffs, a Certificate of Public Convenience shall be issued authorizing the Applicant to furnish services, within the Commonwealth of Pennsylvania, as an Interexchange Toll Reseller and as a Competitive Local Exchange Carrier within the service territory of Verizon Pennsylvania Inc. consistent with this Order.

15. That changes and/or additions made to the approved, filed tariff shall be made in the form of supplements, consecutively numbered in the order of their filing dates, and the tariff designation shall be in the following manner: Supplement No. \_\_ to Tariff Telephone Pa. P.U.C. No.\_\_\_\_.

16. That the Applicant shall add its Pennsylvania tariffs to its website, if it has one. If the Applicant does not maintain a website, the PA Public Utility Commission will host the Applicant's tariffs on the Commission's website.

17. Within 30 days of the filing of its initial tariffs, the Applicant shall add the tariffs to its website and mark it "Pending."

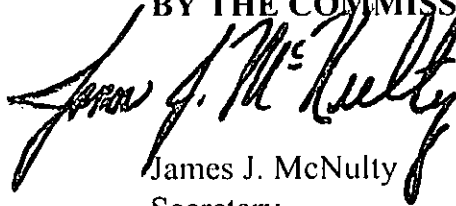
18. Within 30 days of receipt of its Certificates of Public Convenience, the Applicant shall make any required modifications to the tariffs on its website and remove the "Pending" notation. Thereafter, the Applicant will continually update the website whenever any supplemental revisions to the tariff are approved by the Commission such that the website tariff is a true and accurate representation of its tariff/price list on file with the Commission.

- a. The Applicant shall contact Cyndi Page (717-787-5722; cypage@state.pa.us) of the Commission's Communications Office, to create a link from the Commission's website to the Applicant's website.
- b. If the Applicant does not maintain a website, the Applicant shall contact Cyndi Page to have its tariffs added to the Commission's website; and to

update the tariffs upon subsequent approval of supplemental revisions to the tariffs.

19. That if the Applicant plans to cease doing business within the Commonwealth of Pennsylvania, it shall request authority from the Commission for permission prior to ceasing.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "James J. McNulty". The signature is written in a cursive style with a large, sweeping initial "J".

James J. McNulty  
Secretary

(SEAL)

ORDER ADOPTED: August 25, 2005

ORDER ENTERED: AUG 26 2005

**DSCI CORPORATION**

Docket Nos. A-311343 & A-311343F0002

Proposed tariffs for Reseller of Interexchange Carrier Services;  
Competitive Local Exchange Carrier Service;

The Company's proposed tariffs contain certain deficiencies that must be addressed by the Company before the tariffs can be approved and the Certificates of Public Convenience issued. **The Company must submit a copy of this Appendix with its compliance tariff. On that copy, please note the page/sheet of the compliance tariff where the required revision is located for each item below.**

**Tariff deficiencies noted – IXC Reseller**

1. Refer to the proposed Original Sheet No. 1, change Original Sheet No. 1 to Original Title Sheet. Delete also the word "NOTE:"
2. Refer to the proposed CHECK SHEET, remove "Supplement No. 1" and change Original Sheet No. 2 to No. 1. Also, change the subsequent sheet numbers accordingly.
3. Refer to the proposed Section 1 – DEFINITIONS, start this Section as well other Sections with Original Sheet No. 1.
4. Refer to the proposed Sheet No. 22, remove the last paragraph "Each contract...Commission."

**Tariff deficiencies noted – CLEC Local Tariff**

1. Refer to the proposed Title Page, insert "COMPETITIVE LOCAL EXCHANGE CARRIER TARIFF" above "REGULLATIONS AND SCHEDULE OF CHARGES" and replace "THE COMMONWEALTH OF PENNSYLVANIA" with "THE SERVICE AREAS OF VERIZON PENNSYLVANIA INC."
2. Refer to the proposed Preface Original Page 4, change "EXPLANATION OF SYMBOLS...THIS TARIFF" to "EXPLANATION OF SYMBOLS."
3. Refer to the proposed Section 4, Original Page 14, delete subsection 4.11 regarding Residential Local Exchange Service Rates, and change the

subsequent subsection numbers accordingly. The Company indicated that it would not provide any residential services.

4. Refer to the proposed Section 2 and Section 4, delete the tariff provisions regarding Lifeline and Link Up America Services. Since the Applicant will not provide any residential services, it needs not establish these services in the tariff.
5. Refer to the proposed Original Page No. 39, Section 2.13 regarding Telecommunications Relay Service, replace TRS tariff in this section with the TRS tariff sample attached (delete the line regarding rate per residence access line).
6. Refer to the proposed Section 4, Original Page No. 25, remove 4.15, 4.10, and 4.11 regarding Regional Toll Usage Rates, Business Regional Toll Usage Rates, and Promotions, respectively.
7. Refer to the proposed Section 3, Original Pages No. 3 through No. 55, update names for all companies, for example, Bell Atlantic Pennsylvania, Inc., Coopersburg Tel. Co., Continental Tel. Co. of Pa., etc.
8. Establish the following services; sample language is attached: Directory Assistance Services, 911 Services, and Toll Presubscription.

## Pennsylvania Telecommunications Relay Service – Sample Language

### 1. General

The Pennsylvania Telecommunications Relay Service (PA TRS) is a relay telecommunication service for the deaf, hearing and/or speech disabled population of the Commonwealth. The service permits telephone communications between individuals with hearing and/or speech disabilities who must use a Text Telephone and individuals with normal hearing and speech as provided in AT&T Communications of Pennsylvania, Inc.'s Tariff Telephone PA. P.U.C. No. 13

### 2. Surcharge

In addition to the charges provided in this tariff and other intrastate toll tariffs in which this Company concurs, a surcharge will apply to all residence and business access lines served by this Company. This surcharge applies regardless of whether or not the access line uses the PA TRS.

The surcharge serves as the funding vehicle for the operation of the PA TRS, and shall be calculated by the Pennsylvania Public Utility Commission (the Commission). The Commission shall compute the PA TRS surcharge each year and notify local exchange carriers of the surcharge amount to be applied for the twelve-month period commencing with July 1 of each year.

The Commission may revise the surcharge more frequently than annually at its discretion.

Tariff revisions will be filed whenever the Commission calculates a new surcharge amount and notifies the Company.

The following surcharge rates apply to all customer bills issued on or after July 1, 2005.

Per residence access line, per month	\$ .07
Per business access line, per month	\$ .10

Centrex lines will be charged on an equivalency basis as determined by the Commission.

### 3. Rates

Local calls will be charged at the applicable local flat rate or local measured service rate, except for calls originating from Pay Telephones, which shall be completed free of charge.

Please refer to the appropriate Intérexchange Carrier tariff for interstate charges.

## Directory Assistance - Sample Language

*(Note: If the Company does not offer any residential services, delete the portion regarding residential customers).*

### DIRECTORY ASSISTANCE SERVICE

#### 1. General

Directory Assistance Service is furnished upon customer request for assistance in determining telephone numbers. The regulations and rates set forth below apply when customers of this company request assistance in determining telephone numbers with the same Numbering Plan Area designation, which are requested from the Pennsylvania Directory Assistance attendant in the originating Numbering Plan Area.

#### 2. Regulations

##### a. Monthly Call Allowance

An allowance of two direct dialed Directory Assistance calls per month without charge is permitted for each: residence exchange service line, residence dormitory line, and residence trunk line. Call allowances or calls are not transferable between separate accounts of the same customer.

##### b. Exceptions

Charges for Directory Assistance Service are not applicable to the following types of calls of Directory Assistance:

1. Calls from patients in hospitals, skilled nursing homes and convalescent homes which have been properly licensed by the Commonwealth of Pennsylvania and which have as their predominant undertaking the surgical, medical and nursing care of the sick and disabled.
2. Calls placed from residence telephone where a member of the customer's household has been certified by a registered physician or a designated agency as unable to use a directory because of a visual or physical handicap, or for the business telephone of a certified handicapped customer where assistance is otherwise not available.

##### c. Multiple number requested

A maximum of [inset quantity] requested telephone numbers per call are permitted.



Directory Assistance Service (continued)

3. Rates

Per Call

- a. Where the customer direct dials Directory Assistance      \$[insert rate]
- b. Where the customer places a call to the Directory Assistance attendant via a Telephone Company      \$[insert rate]\*
- c. Where the customer direct dials Directory Assistance from a Pay Phone      \$[insert rate]
- d. Where the customer originates a Directory Assistance call from a Pay Telephone via a Telephone Company Operator      \$[insert rate]\*

\*Plus the applicable operator handled rate.

## 911 Tariff - Sample Language

### GLOSSARY OF TERMS

Host Telephone Company: The service provider, which is also the telecommunications public utility that provides 9-1-1 service to the county/municipality, and that houses the Automatic Location Identification (ALI)/MSAG data used for providing 9-1-1 service.

Telephone Company: A telecommunications public utility regulated by the Pennsylvania Public Utility Commission and which has or requests access to the county/municipality 9-1-1 system or connection to the serving selective router, including, but not limited to, local exchange carriers and competitive local exchange carriers. This term is synonymous with 'service provider'.

Content: The data elements of the MSAG including (but not necessarily limited to) the data elements that are entered into the following fields A-I of a standard MSAG record:

- A. Tax area record
- B. Locality
- C. Street
- D. Thoroughfare
- E. Directional [where required]
- F. Even (E), odd (O), or all (A) [applied to house numbers]
- G. Low-high range of house numbers
- H. PSAP (Public Safety Answering Point)
- I. LAT/LONG (Latitude/Longitude) [where required]

Formatting, Format: Shall include changes to the identity of fields, order of fields, and number and arrangement of data elements in each field, and a telephone company's rearrangement or regrouping of such data, without changing the MSAG content, for purposes of validating against MSAG records.

### REGULATIONS

A. The Telephone Company will comply with the Protocols as set forth in, and in the form of; Service Provider E-9-1-1 Protocols, Service Provider E-9-1-1 Questionnaire and Testing Procedures in accordance with the Petition of Bell Atlantic-Pennsylvania, Inc. for a Declaratory Order (MSAG); Docket No. P-0097 1203; Settlement Agreement of all Parties and Joint Petition entered August 7, 1998.

B. The Telephone Company is indemnified under the Public Safety Emergency Telephone Act, Act 78 of 1990.

C. The Telephone Company's liability and insurance provisions are fully stated in its tariff's General Regulations.

D. Cases of Service interruptions affecting public health and safety shall receive priority attention under any and all conditions, particularly in time of disaster. Every appropriate resource will be utilized. The service provider will make reasonable best efforts to have its system fully functional as soon as possible, unless conditions beyond the service provider's control prevent service restoration.

E. The service provider will not use the county's/municipality's MSAG for any purpose that is not directly related to and required for the provision of 9-1-1 service.

F. The Host Telephone Company will install the county's/municipality's MSAG in 'read/write' format and will not modify the content of the MSAG unless requested or permitted to do so by the county/municipality. A request to modify content by the Host Telephone Company shall be responded to by the county/municipality within (10) business days or the request is deemed to be approved. The request shall be in writing and shall set forth in reasonable detail the proposed modification and all reasons in support. The request shall be granted provided the modification is necessary for the Host Telephone Company's provision, maintenance, or upgrading of the 9-1-1 service.

G. The Telephone Company shall not otherwise modify the content of the MSAG, but may make formatting changes approved by the county/municipality necessary to enable the MSAG to conform to the telephone company's information system(s). The request shall be in writing and shall set forth in reasonable detail the formatting changes and all reasons in support. The county/municipality shall respond to the request in ten (10) business days or the request is deemed to be approved. The request shall be granted provided the formatting change does not impair the integrity and accuracy of the MSAG database. For the purposes of this regulation, a content or formatting change does not include the use of the MSAG content in telephone companies' operational support systems to validate customer information for input to the ALL database.

H. The service provider will not sell, lease, rent, loan or provide, or transfer the county's/municipality's MSAG to any other person(s) or entity(ies) without the express written authorization of the county's/municipality's 9-1-1 coordinator, or his or her designee.

I. The Telephone Company will not, without the written consent of the county/municipality, modify or create any derivative of the county's/municipality's MSAG, except as follows: one (1) mirror image copy of the MSAG may be made in electronic form for archival purposes (the copy may be made in read/write format by the host telephone company, but shall be made solely in read-only format by all other telephone companies), and the telephone company may make a mirror image copy, solely in read-only format and only for database reconciliation, address verification for new connections of service, and other functions that are necessary to ensure that the name and address information provided by the service provider to the county/municipality is accurate and conforms to the county's/municipality's MSAG format.

## Toll Presubscription – Sample Language

- A. Toll Presubscription is a procedure whereby a customer designates to the Telephone Company the IntraLATA and InterLATA Toll Providers, i.e., Interexchange Carriers (IXCs) which the customer wishes to be the carriers of choice for toll calls. Such calls are automatically directed to the designated carrier(s) without the need to use carrier access codes or additional dialing to direct the calls to the designated carrier. Toll presubscription does not prevent a customer, who has presubscribed to a toll carrier, from using carrier access codes or additional dialing to direct calls to an alternative toll carrier on a per call basis.

Each carrier will have one or more access codes assigned to it for various types of service. When an end user selects a carrier as its preferred IXC, only one access code of that carrier may be incorporated into the switching system of the Telephone Company permitting access to that carrier by the end user without dialing an access code. Should the same end user wish to use other services of the same carrier, it will be necessary for the end user to dial the necessary access code(s) to reach that carrier's other service(s).

An IXCs must use Feature Group D (FGD) Switched Access Service to qualify as a presubscription toll provider unless prior arrangements have been made with or by the Telephone Company. IXCs must submit an Access Service Request (ASR) to the Telephone Company.

Selection of toll presubscription provider by an end user is subject to the terms and conditions following.

- B. At the option of the IXCs, the nonrecurring charge for a change in toll presubscription, as provided herein, may be billed to the IXCs, instead of the end user. This may involve charges resulting from end-user initial free choice Preferred Interexchange Carrier (PIC), as specified in C.1 following.
- C. Presubscription Charge Application
1. End user choices for toll presubscription:
    - Designating an intraLATA and interLATA IXC(s) as primary carrier(s) thereby requiring no access code to access those IXCs' service. End users are not required to chose the same IXC for intraLATA and interLATA toll presubscription. Other nonpresubscribed IXCs are accessed by dialing 10XXX, 101XXXX, or other required codes.
    - Choosing no carrier as a primary carrier thus requiring 10XXX or 101XXXX code dialing to access all IXCs.

2. If a new customer cannot decide upon presubscription IXCs, the Telephone Company may extend a 30-day period following completion of the initial service request to make a choice without charge. In the interim, the customer will be assigned as a 'No-PIC' and must dial an access code to make toll calls.
3. If an IXC elects to discontinue Feature Group, the IXC is obligated to contact, in writing, all end users who have selected the canceling IXC as their preferred toll provider. The IXC must inform the end users that it is cancelling its Feature Group D Service, request that the end user select a new IXC, and state that the canceling IXC will pay the PIC change charge as provided herein. The IXC must provide written notification to the Telephone Company that this activity has taken place.

Following the IXC's discontinuance of service, the Telephone Company will bill the canceling IXC the change charge for each end user that is currently designated to the IXC at the time of discontinuance.

4. An unauthorized PIC change is a change in the presubscribed IXC that the end user denies authorizing. PIC disputes for end users are resolved through an investigative process.

If an unauthorized change in toll presubscription occurs, the IXC making the unauthorized change will be assessed a charge for unauthorized change in presubscription as provided in G.2 following. In addition, the IXC will be assessed the applicable charge for returning the end user to the preferred IXC.

If an unauthorized change in intraLATA and interLATA presubscription occurs at the same time, on the same Business/Residence line, and the presubscribed IXC is the same carrier for intraLATA and interLATA, presubscription change charges as provided herein and the Telephone Company's corresponding F.C.C. Access Tariff apply. In addition, the IXC will be assessed the applicable charges for returning the end user to the preferred IXC as herein and in the Telephone Company's corresponding F.C.C. Tariff.

E. End User Charge Discrepancy

1. When a discrepancy is determined regarding an end user's designation of a presubscription IXC, the following applies depending upon the situation described:

- A signed letter of authorization takes precedence over any order other than subsequent, direct customer contact with the Telephone Company.
- When two or more orders are received for an end user line generated by telemarketing, the date field on the mechanized record used to transmit PIC change information will be used as the PIC authorization date. The order with the latest application date/time determines customer choice.
- If an end user denies requesting a change in toll presubscription as submitted by an IXC, and the IXC is unable to produce a letter of authorization, signed by the end user, the IXC will be assessed all applicable change charges. The nonrecurring change charges are provided herein. The IXC will also be assessed the presubscription change charge as specified herein, which was previously billed to the end user.

2. Verification of Orders for Telemarketing

Neither the IXC or the Telephone Company shall submit a PIC change order generated by outbound telemarketing unless and until the order has first been confirmed in accordance with the F.C.C.'s current anti-slamming practices and procedures.

F. PIC Switchback Option-Business/Residence

PIC Switchback is an option under which no investigation activities are performed by the Telephone Company when an end user denies requesting a change in primary toll carrier submitted by the IXCs. The IXC participating in PIC Switchback will be billed the PIC Switchback Charge, and the presubscription change charge, as specified herein, to switch the end user to the end user's previous carrier.

When the Telephone Company is contacted by an end user who denies requesting a change in primary toll carrier, the end user will be credited the charge assessed for the disputed change in carrier, and will be switched back to the previous IXC at no charge. If this service is made available by the Telephone Company, IXCs may subscribe to or cancel PIC Switchback Service on 30 days notice to the Telephone Company by submitting a written request. A letter of authorization from the IXC will not be requested or accepted at a later date in the event of dispute of the charges assessed under the PIC Switchback option.

This option in no way relieves an IXC of the F.C.C. requirements for verifying all PIC orders obtained by outbound telemarketing prior to submitting those orders,

or instituting steps to obtain verification of orders submitted to the Telephone Company.

In addition, the end user has the option of initiating a complaint to the F.C.C. or the Pennsylvania Public Utility Commission's Bureau of Consumer Services concerning unauthorized changes in toll presubscription.

INSERT APPROPRIATE RATES HERE