

ACCESS SERVICE

- 16 Public Packet Data Network (T)
The Telephone Company concurs with Section 16 of NECA TARIFF F.C.C. NO. 5.
Exceptions to Section 16 are as follows.
- 16.1 Frame Relay Service (T)
Frame Relay Service will be provided where facilities are available and on an ICB basis.
- 16.2 ATM Service (N)
ATM Service will be provided where facilities are available and on an ICB basis.
- 16.3 Ethernet Transport Service (N)
 - 16.3.1 General
Ethernet Transport Service (ETS) is a high speed data transport service that provides end-to-end transmission using Ethernet packet technology at transport speeds beginning at 5Mbps and then ranging in 10Mbps increments following. ETS utilizes the Telephone Companies network to transport broadband multimedia traffic (i.e., voice, data and video). Ethernet packets generated by Ethernet-compatible customer premises equipment (CPE) are transmitted using available capacity on shared transmission paths through the Telephone Company's ETS network to the pre-specified destination.
ETS may be utilized to 1) interconnect customer designated premises (CDPs) served by the Telephone Company's ETS network, 2) interconnect with its local area network (LAN) to the Telephone Company's ETS network and /or 3) interconnect its CDPs to an Ethernet network located outside of the Telephone Company's servicing territory.

ETS is provided using a combination of ETS Channel Termination (ETS CT), ETS Ports and Ethernet Virtual Connections. ETS may be utilized in conjunction with Special Access High Capacity services described in Section 7.
An ETS Port is required to provide the interface into the Telephone Company's ETS network. ETS virtual connections establish a shared transmission path between two ports on the Telephone Company's network. ETS extended virtual connections are required to connect to adjacent or non-adjacent network providers as described below in Section 16.3.3.

The transmission quality of ETS is not guaranteed and is offered to ETS customers at a best effort level. The Telephone Company will attempt to deliver all Ethernet packets received; however, network congestion may result in a loss of Ethernet packets. Transmission speeds using copper facilities may be affected by distance from the

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16.3.1 General (continued):

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Telephone Company central office and other technical limitations in the Telephone Company's copper network and are also not guaranteed. Services are provided where available and by the Telephone Companies providing rates in Section 17 following.

16.3.2 Obligation of the Customer

In addition to other regulations described in other sections of this tariff, the following provisions apply to ETS:

- A) ETS customers are responsible for providing the Telephone Company with the necessary information to provision ETS as specified in the preceding Section 5.2 Ordering Requirements.
- B) Maintenance of required CPE is the responsibility of the customer.

16.3.3 Rate Regulations

A) Rate Categories

The various ETS rate elements are described below.

1) ETS Channel Terminations (CTs)

An ETS CT provides transport facility between the CDP and an ETS Port at the Telephone Company's ETS switch.

Monthly and nonrecurring charges apply for each ETS CT ordered. The monthly recurring rate and nonrecurring charge are based upon the bandwidth capacity ordered.

2) ETS Ports

ETS Ports provide the interface at the Telephone Company's ETS switch for data traffic to and from the CPE as well as for connecting the Telephone Company's ETS network with the Ethernet network of another network provider. The monthly recurring rate and nonrecurring charge are based on the bandwidth capacity ordered.

There are two types of ETS ports; ETS Basic Ports and ETS Interconnection Ports:

- a) ETS Basic Ports provide the interface to the Telephone Company's ETS network and do not include transport. Each Basic Port must be associated with an Ethernet virtual connection. The bandwidth speed of the Port must be equal to or greater than the ETS CT.
- b) ETS Interconnection Ports also provide the interface to the Telephone Company's ETS network and do not include transport. ETS Interconnection Ports connect 1) a CDP served by an ETS or non-ETS switch to the Telephone Company's ETS network; 2) interconnect two ETS networks. The bandwidth speed of the Port must be equal to or greater than the ETS CT.

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16.3.3 Rate Regulations

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B) Rate Categories (continued):

3) ETS Ethernet Virtual Connections (ETS EVCs)

ETS EVCs are logical associations established across a shared transmission path that allow the ETS customer to transmit packets between any two ETS Ports located on the NITA Telephone Company's ETS network. EVCs between ports of any one or multiple NITA member Telephone Company's will be charged EVC rates. The monthly recurring rate and nonrecurring charge are based on the bandwidth capacity ordered.

4) ETS Interconnect Ethernet Virtual Connections (ETS I-EVCs)

ETS I-EVCs are logical associations established across a shared transmission path that allow the ETS customer to transmit packets between Ports located in the Telephone Company's ETS network and a non-NITA Ethernet network. The monthly recurring rate and nonrecurring charge are based on the bandwidth capacity ordered.

C) Types of Rates and Charges

There are two types of rates and charges; monthly and nonrecurring.

1) Monthly Rates

Monthly rates are recurring rates that apply each month or fraction thereof when an ETS service is provided.

2) Nonrecurring Charges

Nonrecurring charges are one-time charges for specific work, like installation of a service. There are four types of nonrecurring charges that apply to ETS; 1) installation, 2) service rearrangement, 3) moves and 4) design changes. These charges are in addition to the Access Order Charge specified in Section 17.4.1.

a) Installation of Service

Nonrecurring charges apply for installation of ETS CTs, ETS Ports and the respective ETS virtual connection.

b) Rearrangement of Service

Service rearrangements of existing services may be administrative only, or they may also involve actual physical changes in the service.

When an increase or decrease in bandwidth is requested a new minimum period requirement will be established and any remaining minimum period charges for the discontinued service will be due. The design change charge described in (d)below will apply for changes in bandwidth.

Charges will not apply for the following Administrative changes:

- Change of customer name
- Change of address when it doesn't affect the location of the equipment
- Change of billing information, such as contact name or telephone number

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16.3.3 Rate Regulations

C) Types of Rates and Charges

2) Nonrecurring Charges (continued):

c) Moves

A move involves a change in the physical location. Either at the point of termination within the customer premise or to a new customer premise.

- Moves within the customer premise will be half of the installation charge
- Moves to a new customer premise will establish a new minimum period requirement and any remaining minimum period charges for the discontinued service will be due

d) ETS Design Changes

The Design Change charged included in Section 17.4.1 will apply for physical changes in the ETS service.

16.3.4 ETS Term Discount Plan

An optional term discount plan is available for a customer subscribing to ETS services for at least 24 months. The rates for 24 months are included in the tariff and terms beyond 24 months will be provided on an individual case basis (ICB). Rates effective at the time the term discount is agreed to will remain in place for the term established when the services are ordered. Rates will not increase or decrease during the term.

Discontinuance charges will apply when a customer fails to satisfy their term commitment period for ETS services. The discontinuance charge will be equal to 35% of the total undiscounted monthly rate for each committed ETS Port included in the Term Discount Plan for each month remaining in the unsatisfied term commitment period.

The following example illustrates how the Telephone Company will calculate the applicable discontinuance charge.

Example:

A customer discontinues its existing ETS Term Discount Plan in its entirety in the 14th month of a 24 month term commitment period. Assuming the undiscounted monthly rate is \$300 for three ports, the Telephone Company would bill the customer a term plan discontinuance charge total of \$3,150 (\$300 x 35% x 3 ports x 10 months).

16.4 ISP Gateway Service

ISP Gateway Service will be provided where facilities are available on an ICB basis.

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