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ORIGINAL

REDACTED

RECEIVED

July 27, 2005

JUL 27 2005

*EX PARTE*

Federal Communications Commission  
Office of Secretary

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Room TW B-204  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

EX PARTE OR LATE FILED

EX PARTE OR LATE FILED

Re: *In the Matter of Petition of Qwest Corporation for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Omaha Metropolitan Statistical Area – WC Docket No. 04-223*

Dear Ms. Dortch:

On July 25, 2005, Cronan O'Connell and Joan O'Donnell in person, and Bob McKenna, Michael Adams, Dave Teitzel and Molly Martin, via a conference bridge, all of Qwest met with Julie Veach, Jeremy Miller, Erin Boone, and Tim Stelzig of the Policy Division of the Wireline Competition Bureau. Qwest's June 21, 2004 Petition for Forbearance in the above-captioned proceeding was the topic of the discussion. During the meeting Qwest presented additional information on the status of competition in the Omaha MSA including competition in the enterprise marketplace. Qwest reviewed key competitive information as follows:

- Details of the services other providers, such as Cox, ATT, MCI, McLeod and Alltel, provide in competition with Qwest enterprise services
- With regards to residential competition, losses of primary versus secondary lines by Qwest to other competitors
- DS1 and DS3 special access services sold by Qwest in the MSA
- Copy of the Nebraska Public Service Commission 2004 Annual Report on Telecommunications on the state of competition

This **REDACTED** version of the *ex parte* contains those portions of the presentation for which no claim of confidentiality is made, as well as the Confidential portions that have been redacted and labeled "**REDACTED FOR PUBLIC INSPECTION.**" Enclosed with this letter are an original and four copies of the redacted version of the presentation. The FCC staff recipients listed below are being provided only with a copy of this cover letter since copies of the voluminous presentation materials were previously provided to them. The version of the

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Ms. Marlene H. Dortch  
July 27, 2005

Page 2 of 2

presentation containing confidential portions is being filed today, via hand delivery, under separate cover.

A fifth copy of this letter is being provided, for which acknowledgment is requested. Please date-stamp the copy and return it to the courier. If you have any questions regarding this submission, please contact the undersigned at the contact information reflected in the letterhead. Thank you for your assistance with this matter.

Sincerely,



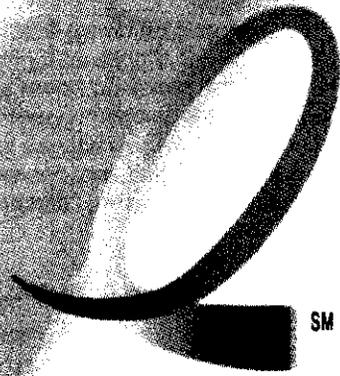
Cronan O'Connell

Enclosure

cc:

Julie Veach  
Jeremy Miller  
Tim Stelzig  
Erin Boone

**REDACTED FOR PUBLIC  
INSPECTION**

**Qwest**  SM

*Spirit of Service*

**Omaha MSA Forbearance  
WC Docket 04-223**

**July 25, 2005**

**QWEST OMAHA FORBEARANCE PETITION  
WC DOCKET 04-223**

***Responses to FCC inquiries***

In an ex parte meeting with the FCC Policy Division on May 13, 2005, Cox reported that it now has \*\*\*REDACTED FOR PUBLIC INSPECTION\*\*\*\* residential access lines in service in the Omaha MSA. By simple subtraction of this number from the reported Cox line total shown in its PowerPoint presentation at page 11, it is apparent that Cox now serves approximately \*\*\*REDACTED FOR PUBLIC INSPECTION\*\*\*\* business lines in that market.

The business services Cox reported in its sales presentation as being available in Omaha are also highlighted in its Cox Business Services website as being available in the Omaha and Council Bluffs areas to "small, medium and large" business customers.<sup>3</sup> Specifically, the range of business services Cox shows as now available in the greater Omaha/Council Bluffs area include:<sup>4</sup>

- Cox Digital Telephone and Voice Mail service
- Cox Digital Trunk
- Cox Long Distance and Toll Free service
- Cox Dedicated Long Distance and Toll Free service
- Cox Private Line
- Cox Business Internet
- Cox Optical Internet
- Cox Web Hosting
- Cox Fibernet (with DS1 and DS3 options)
- Cox Transparent LAN
- Cox Virtual Private Network
- Cox Carrier Access Service
- Cox Enterprise Connectivity
- Cox SmartBill
- Cox Commercial Building Service

While Cox initially focused on the consumer market in the Omaha MSA by leveraging its cable television network to provide residential telephone services, it is now abundantly clear that Cox is squarely focused on providing a wide array of business telephone services in the Omaha MSA ranging from standard single line service to sophisticated fiber-based business services such as transparent LAN and high capacity private line services.

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<sup>3</sup> See [http://www.coxbusiness.com/systems/ia\\_councilbluffs/](http://www.coxbusiness.com/systems/ia_councilbluffs/) and [http://www.coxbusiness.com/systems/ne\\_omaha/](http://www.coxbusiness.com/systems/ne_omaha/)

<sup>4</sup> *Id*

# Overview

Our Company

Our Network

Our People

Our Customers

## Cox Enterprises

Cox Communication, Cox Television, Cox Newspapers,  
Cox Radio, Auto-Trader.com, Mannheim Auto Actions

Over **\$10.7 billion** In Revenue in 2003

Market Cap Value of **\$17.3B**

Annual Market growth over 10 years = **15%**

Building technology and fiber networks for over 15  
years.

300,000 customers

Cox Business Services enterprise sales growth 100%  
per year (for 5 consecutive years).

**COX** Business  
Services.

## Cox Business Services

Digital Business Lines, Digital Trunks, ISDN PRI, Toll-Free and Long Distance.

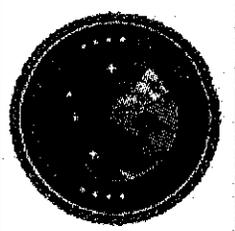
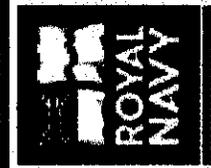
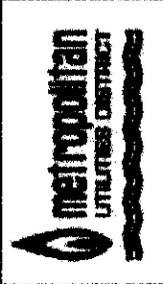
Cable Modem speeds to 786Kbps/6.0Mbps. T-1 speeds (1.5 Mbps) of internet. Optical Internet from OC 3 to OC12 (622Mbps) to OC48 to OC-192 Bandwidth. Ethernet over Sonet (EOS) scalable to 100Mbps.

DS-1, DS-3, Ethernet over Sonet (EOS), Virtual Private Network (VPN) and Local Loop Connectivity to IXC's.

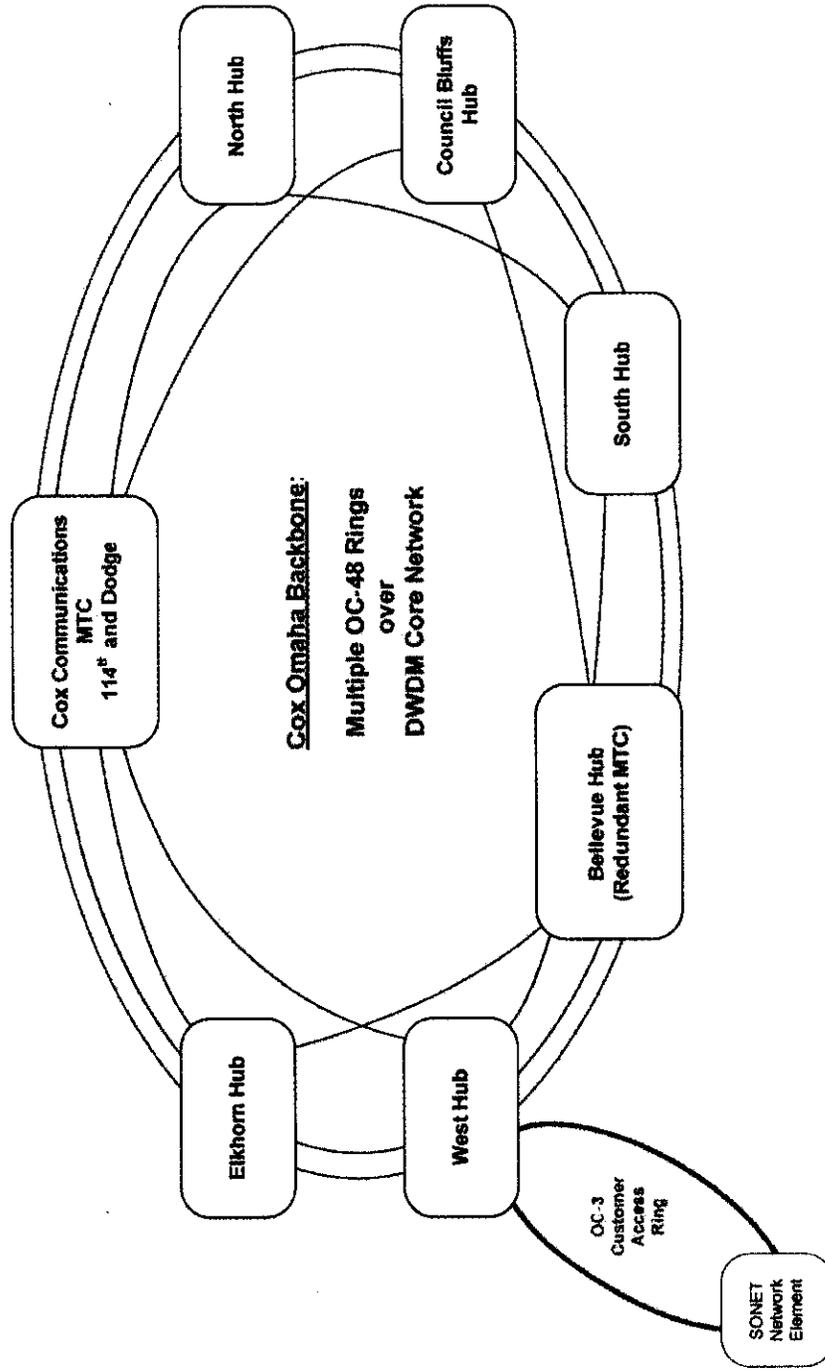
Digital Cable Television and Digital Music Choice often found in boardrooms, lobby's and executive offices.

**COX**  
Business  
Services

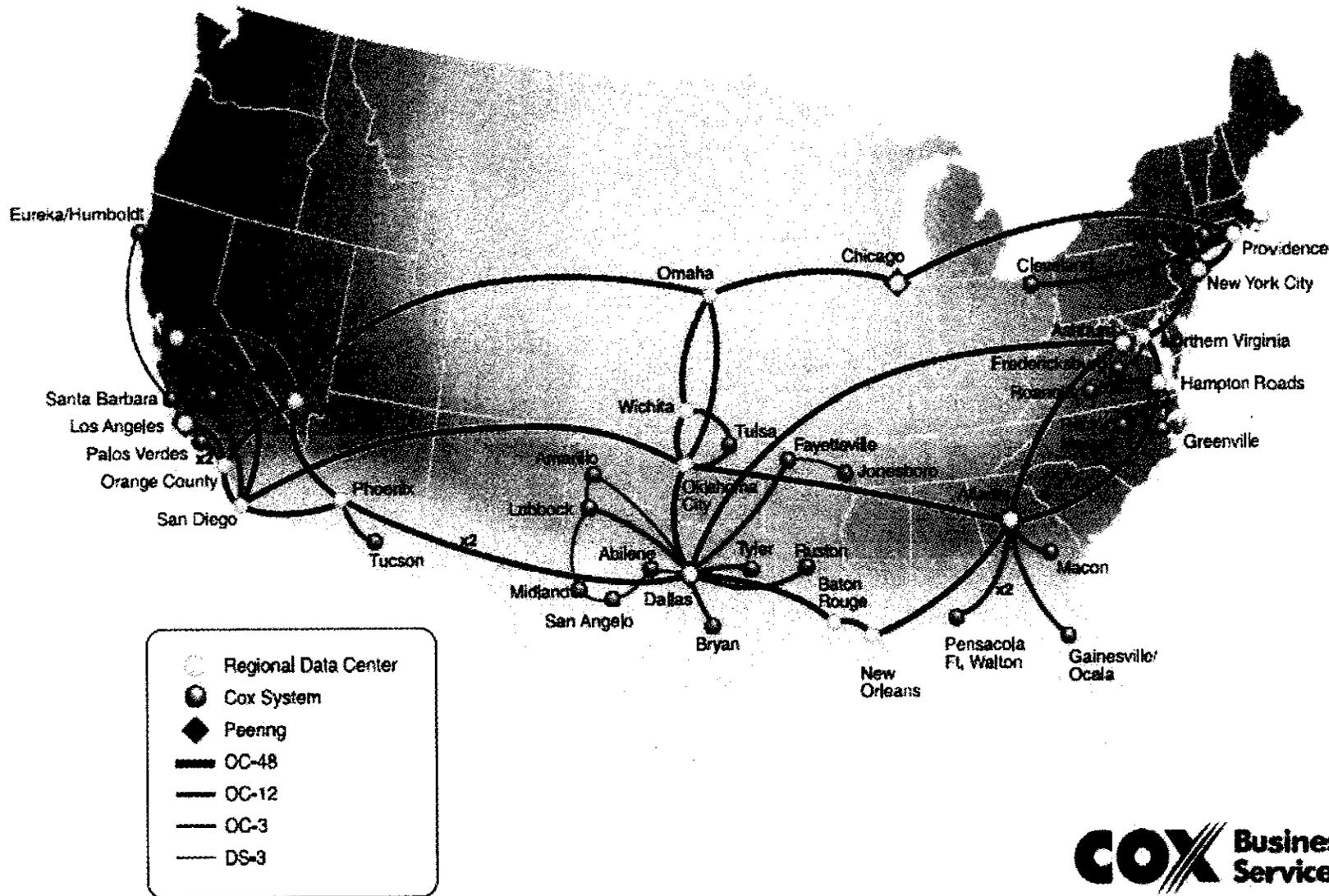
We're proud of our solutions.



# Cox Communications Ring-In-Ring Architecture



# Cox High Speed Internet Backbone



**COX Business Services.**

Due to our continued growth this map is subject to change.  
©2004 Cox Communications, Inc. All rights reserved.

## Our Network Ops.



- 24/7 Monitoring of critical elements
- 24/7 Maintenance
- 24/7 Management
- 24/7 Notifications & Response

In partnership with Cox our customers  
receive the following benefits:

- Superior Network - the most effective platform and architecture available = Peace of mind
- Proactive Network Monitoring - 24x7x365 = Hassle-free & worry-free customer service experience.
- Efficient, scalable products at competitive rates = Economic & reliable solutions designed specifically for you.
- Local, experienced sales, service, and project management = Competitive advantage in a fast-paced corporate world.
- Strong financial position in the industry = Your long-term telecommunications partner.

## Special Account Team

, Enterprise Account Executive  
, Senior Sales Engineer  
, Fiber Project Coordinator  
, Enterprise Sales Manager  
, Operations Manager  
, Director of Sales  
, VP & GM, CBS  
, GM, Cox Communications Omaha

## Next Steps

Your Needs  
Establish Time Frame  
Project Management Team  
Implementation  
Next Step

## Our experience.

- **4,100+** Network Miles built in Omaha Metro.
- **1,000+** Network Miles of Fiber in Omaha Metro.
- Built In Business Continuity:
  - Redundant
  - Diverse routes
  - Independently powered
  - Dual entrances and/or dual hubs
- **165,000 Plus** Phone Lines in Service today
- **4 million** Calls Completed daily
- **100,000 plus** Internet Customers

**QWEST OMAHA FORBEARANCE PETITION  
WC DOCKET 04-223**

**Responses to FCC inquiries**

**TAB 17**

**Request:** On May 18, 2005, Qwest provided a binder to the FCC Staff providing a variety of documentation in support of its petition for regulatory forbearance in the Omaha MSA. After reviewing the documentation, the FCC has asked for further information regarding competition for DS1 capacity services and above in the Omaha MSA.

**Response:** **Omaha MSA Competition for Business Services of DS1 and Above**

In addition to heavy competitive presence in the Omaha MSA for residential and small business services, vibrant competition now exists for business services of DS1 and above. Multiple CLECs, including providers such as AT&T, Alltel, Cox, MCI and McLeod are now providing a wide array of business services targeted to this market segment. The effects of CLEC competition from these and other CLECs in the Omaha enterprise business market can be examined by reviewing Qwest's growth trends for its services in this market segment. Between 1997 and 2000, Qwest's retail switched and non-switched service access line base in the enterprise market (services of DS1 and higher) grew by an average of 24% per year (Qwest's tracking systems do not provide consistent data for period prior to 1997 for trend development). Presuming Qwest retained a majority of the enterprise services market share through 2000, an estimate of the level of the current enterprise services market can be developed by applying the average annual growth rates for these services between 1997 and 2000 to the 2000 in-service line quantities to extrapolate the in-service enterprise market access line base as of December 2004. When the extrapolated enterprise line base is compared to Qwest's actual in-service quantities for December 2004, it is estimated that Qwest's retail "share" of the DS1 and higher enterprise market is approximately 45%. These calculations are provided in Attachment A.

Following is a brief discussion of the range of services of DS1 and higher currently offered by various CLECs in the Omaha MSA:<sup>1</sup>

- AT&T provides a wide range of enterprise business services (serving the DS1 and higher market segment) in the Omaha MSA including business services such as Terrestrial 1.544 MBPS Local Channel Service, Terrestrial 45 MBPS Local Channel Service, SONET OC3/OC12 Services and Regional Frame Relay Services.<sup>2</sup> AT&T has fiber facilities in place in the Omaha area to provide transport for these services.<sup>3</sup> AT&T also highlights the availability of enterprise business services such as ATM and Frame Relay in its current web site.<sup>4</sup>
- Alltel, which serves Southeastern Nebraska including the Omaha area, highlights the availability in Nebraska of sophisticated business services such as Virtual Private Network, Transparent LAN Service (TLS), Frame Relay, ISDN Primary Rate and Digital

<sup>1</sup> A representative sample of Nebraska tariffs of DS1 and above business services offered in Omaha by the carriers listed below is attached.

<sup>2</sup> AT&T Nebraska Private Line Services, Schedule 11, Sections 7, 8, 11 and 14.

<sup>3</sup> See Qwest data binder, Confidential Tab 3, provided in ex parte of May 18, 2005 in WC Docket 04-233.

<sup>4</sup> [http://www.business.att.com/service\\_fam\\_overview.jsp?reporid=ProductSub-Category&reporitem=eb\\_data&serv\\_port=eb\\_connectivity&serv\\_fam=eb\\_data](http://www.business.att.com/service_fam_overview.jsp?reporid=ProductSub-Category&reporitem=eb_data&serv_port=eb_connectivity&serv_fam=eb_data)

**QWEST OMAHA FORBEARANCE PETITION  
WC DOCKET 04-223**

**Responses to FCC inquiries**

- Channel Service (DSC) services in its current website.<sup>5</sup> Alltel has deployed fiber facilities in the Omaha/Council Bluffs area to support these advanced services.<sup>6</sup>
- Cox Communications also offers an array of enterprise business services, including high capacity private lines, Cox Optical Internet, Cox Fibernet (a SONET-based service) and Cox Transparent LAN service.<sup>7</sup> Cox also offers DS1 and DS3 dedicated transport services in the Omaha area.<sup>8</sup> Additionally, Cox offers an array of fiber-based transport services ranging from OC-3 to OC-192.<sup>9</sup> In its current website, Cox offers a case study regarding SONET service it is now providing to Farm Credit Services of America, located in Omaha, in which Cox utilizes its existing fiber infrastructure to provide broadband SONET services to the customer utilizing a redundant fiber ring architecture.<sup>10</sup> At page 5 of a non-confidential sales presentation provided by Cox to an Omaha business customer, Cox provided a diagram of its fiber network in the Omaha MSA showing that it has a redundant OC-48 optical network connecting through seven network hubs: 114<sup>th</sup> and Dodge, Elkhorn, West, Bellevue, South, Council Bluffs and North.<sup>11</sup>
  - MCI offers a number of services at DS1 and higher in the Omaha market. For example, MCI highlights the availability of its FlexService T1 service which provides DS1-level connectivity for business customers.<sup>12</sup> Another MCI enterprise business service in Nebraska is its Metro Frame Relay Service which is detailed in the MCI Nebraska PSC Tariff No. 1, page 76.1.
  - McLeodUSA also provides a range of services to the enterprise business market in the Omaha MSA. For example, McLeod promotes its Preferred Advantage Dynamic Integrated Access service which integrates the customer's voice and data services over a single T-1 with Voice Over IP (VoIP) technology.<sup>13</sup> McLeod also offers enterprise Private Line services in the Omaha area such as DS1 direct trunking service and DS3 to DS1 multiplexing.<sup>14</sup> Additionally, McLeod owns an extensive fiber network in the Omaha/Council Bluffs area to support its enterprise services.<sup>15</sup>

After reviewing the data submitted by Qwest in its April 18, 2005 ex parte, the FCC Staff requested additional information regarding the range of business services Qwest has lost to competitors in the Omaha MSA. A representative sampling of such Qwest retail service losses to CLECs serving the Omaha MSA is provided in Attachment B. This list shows that, not only has Qwest lost business customers subscribing to standard local dial tone services, it has also lost customers subscribing to very sophisticated business services ranging from ISDN Primary Rate services to OC-48 fiber ring services.

<sup>5</sup> <http://www.alltel.com/business/inoffice/data/broadband.html> and <http://www.alltel.com/business/inoffice/local/enterprise.html>

<sup>6</sup> See Qwest data binder, Confidential Tab 3, provided in ex parte of May 18, 2005 in WC Docket 04-233.

<sup>7</sup> [http://www.coxbusiness.com/systems/ne\\_omaha](http://www.coxbusiness.com/systems/ne_omaha)

<sup>8</sup> Cox Nebraska Telecom Nebraska PSC Tariff No. 2, p. 55.

<sup>9</sup> <http://www.coxbusiness.com/products/voice/privateline.html>

<sup>10</sup> <http://www.coxbusiness.com/casestudies/lgbusiness.omaha.html>

<sup>11</sup> Cox business sales presentation to Omaha business customer, May 28, 2005.

<sup>12</sup> <http://business.mci.com/AllProducts/index.htm>

<sup>13</sup> [http://www.mcleodusa.com/ProductDetail.do?jsessionid=00008D90fyzFpOsKUCOjOpbmsn0:uqqeh5mv?com.mcleodusa.req.PRODUCT\\_ID=310758](http://www.mcleodusa.com/ProductDetail.do?jsessionid=00008D90fyzFpOsKUCOjOpbmsn0:uqqeh5mv?com.mcleodusa.req.PRODUCT_ID=310758)

<sup>14</sup> McLeodUSA Nebraska Access Tariff No. 1, Section 5, pages 2 and 3.

<sup>15</sup> See Qwest data binder, Confidential Tab 3, provided in ex parte of May 18, 2005 in WC Docket 04-233.

## Qwest DS1 and above Retail Access Lines in the Omaha / Council Bluffs MSA Extrapolation Summary December 2000 vs. December 2004

NOTE: Includes CSG, GBA, NBA, & IEC market units.  
NOTE: Excludes Official Services and Wholesale Interconnect.

Sum of Total In-Svc										
MSA	Circuit Capacity	Access Line Type	Product Group	Report Category	Actual Units in Service 12/00	Average Annual Growth Rate 1997-2000	Extrapolated Units in Service as of 12/04	Actual Units in Service 12/04	Percent Difference Actual vs Extrapolated	
OMAHA	DS1	NON-SWITCHED ACCESS LINE	DS1 SERVICES	DS1 SERVICES	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	
		NON-SWITCHED ACCESS LINE Total			*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	
		SWITCHED TRUNKS	IP FACILITIES	ISDN PRI T1 PIPES	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	
			SWITCHED TRUNKS	DSS T1 PIPES ISDN PRI T1 PIPES	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	
		SWITCHED TRUNKS Total			*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	
	DS1 Total									
	DS3 and above	NON-SWITCHED ACCESS LINE	DS3 SERVICES	DS3 SERVICES	DS3 SERVICES	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*
			LAN SERVICES	LAN SERVICES	LAN SERVICES	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*
			OCN SERVICES	OCN SERVICES	OCN SERVICES	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*
	NON-SWITCHED ACCESS LINE Total			*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	*REDACTED*	
DS3 and above Total										
Grand Total										

Note: extrpolated units in service as of 12/04 assume that the average annual growth rate for these services between 1997 and 2000 continued on a straight line trend through 12/04.

**REDACTED FOR PUBLIC INSPECTION**

After reviewing the data submitted by Qwest in the May 18, 2005 ex parte, the FCC asked for additional information regarding the services provided to former Qwest customers by competitive carriers in the Omaha MSA. Qwest can provide information regarding the services that customers purchased from Qwest at the time they opted to change telecommunications providers, but we have no specific information regarding what services those customers are purchasing from competitive providers today. Following is a sample (masked) list of former Qwest Large Business Customers and the services they purchased from Qwest at the time they changed carriers. This sampling represents customers in the Banking, Utility, Health Care, Information Services, Law, Healthcare, Higher Education, Wholesale Food and Clothing industries.

Customer A	Fiber, DS-3, Local Dial Tone, Internet Service
Customer B	OC-3, Internet Service
Customer C	OC-48 Ring
Customer D	OC-48 Ring
Customer E	2 DSS, Internet Service, Fiber
Customer F	PRI
Customer G	All Local Service
Customer H	Local Dial Tone
Customer I	Fiber Ring
Customer J	OC-48 Ring
Customer K	Internet Service
Customer L	Internet Service
Customer M	Internet Service
Customer N	PRI's, SHNS Ring
Customer O	Local Private Line services
Customer P	All Local Service
Customer Q	All Local Service
Customer R	OC-12, Local Dial Tone, Internet Services
Customer S	All local services

AT&T COMMUNICATIONS OF THE MIDWEST, INC.  
NEBRASKA

PRIVATE LINE SERVICES TARIFF - SCHEDULE 11

ISSUED: July 23, 2003

EFFECTIVE: August 2, 2003

SECTION 7

1ST REVISED PAGE 1

7. TERRESTRIAL 1.544 MBPS LOCAL CHANNEL SERVICES

7.1 General

Terrestrial 1.544 Mbps Local Channel Service provides for the transmission of 1.544 Mbps digital signals over terrestrial channels.

7.1.1 Description

Terrestrial 1.544 Mbps Local Channel Service is capable of simultaneous two-way transmission of serial, bipolar, return-to-zero isochronous digital signals at a transmission speed of 1.544 Mbps on a two-point basis only. ACC Business, a non-AT&T branded division, is introducing intrastate private line products. All terms and conditions, rates and charges are identical to the existing Terrestrial 1.544 MBPS Local Channel Services offered in this tariff.

(N)

(N)

A Terrestrial 1.544 Mbps Local Channel Service is suitable for the transmission of voice, data (including ACCUNET Spectrum of Digital Services) or any other application required by the customer which utilizes digital signals within the specified transmission parameters of the local channel.

The transmission specification standards for Terrestrial 1.544 Mbps Local Channel Service is contained in Technical Publications-PUB 62508 and PUB 62411.

Terrestrial 1.544 Mbps Local Channel Service may be furnished 1) between a customer's premises and an AT&T central office, or 2) between two customer premises or 3) solely as an access coordination function.

The customer is responsible for providing Channel Service Unit Functionality at each local channel service termination on a customer's premises (see AT&T's Business Services Guide, Connection of Channel Service Unit Functionality).

Terrestrial 1.544 Mbps Local Channel Service uses a framed DS1 signal format (D4 or ESF).

Customers are required to select either D4 format or where available, the Extended Superframe (ESF). The D4 format is described in Technical Publication-PUB 54016.

AT&T COMMUNICATIONS OF THE MIDWEST, INC.  
NEBRASKA

PRIVATE LINE SERVICES TARIFF - SCHEDULE 11

ISSUED: March 21, 2003  
EFFECTIVE: March 31, 2003

SECTION 7  
ORIGINAL PAGE 2

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7. TERRESTRIAL 1.544 MBPS LOCAL CHANNEL SERVICES

7.1 General

7.1.2 General Business Procedures

In addition to the Regulations in AT&T's Business Services Guide, (T)  
the following apply.

A. Availability of Local Channel Service

Terrestrial 1.544 Mbps Local Channel Service is available from  
the AT&T central offices listed in AT&T's Business Services (T)  
Guide. Terrestrial 1.544 Mbps Local Channel Service may not be (T)  
available in every LATA.

B. Credit Allowances for Interruptions

For purposes of determining credit allowances, Terrestrial  
1.544 Mbps Local Channel Service is considered to be  
interrupted when:

- there has been a loss of continuity on the local channel  
service or
- 300 or more seconds of transmission containing errors occur  
in a 15-minute period.

C. Installation Charge Waiver

Installation charges will be waived for Terrestrial 1.544 Mbps  
Local Channel Services including the Access Coordination  
Function for Customers who order a new Terrestrial 1.544 with  
IOC or ACCUNET Spectrum of Digital Service (ASDS) with IOC used  
in conjunction with Terrestrial 1.544 Mbps Local Channel  
Service.

In order for a Customer to qualify for the waived installation  
charges, the Terrestrial 1.544 Local Channel Service must be  
ordered with a Terrestrial 1.544 IOC or must be connected  
through the M24 multiplexing office function to a minimum of  
one new ASDS IOC at speeds of 128 kbps and above or to a  
minimum of two new ASDS IOCs at speeds of between 56 kbps and  
64 kbps and the IOCs must be ordered simultaneously with the  
new Terrestrial 1.544 Mbps Local Channel Service.

Excluded from the installation charge waiver are:

- Replacement of existing service with a service of the same  
type and speed
- Additions to and/or rearrangements to existing services

A Customer who discontinues service prior to 12 full months  
will be billed for the waived charges.

However, a Customer may discontinue service without liability  
for waived charges as specified in Tariff.

AT&T COMMUNICATIONS OF THE MIDWEST, INC.  
NEBRASKA

PRIVATE LINE SERVICES TARIFF - SCHEDULE 11

ISSUED: March 21, 2003  
EFFECTIVE: March 31, 2003

SECTION 7  
ORIGINAL PAGE 3

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7. TERRESTRIAL 1.544 MBPS LOCAL CHANNEL SERVICES

7.1 General (Cont'd)

7.1.3 Signals at the Interface

All signals generated by customer equipment and presented to the interface must meet certain signal and format constraints. Some of these constraints are listed below. Additional details are set forth in Technical Publication-PUB 62411.

- A. Signal and Format Constraints for Framed and Unframed DS1 Signals
  - Data Rate: 1.544 Mbps +/- 75 bps.
  - Consecutive Zeros: No more than 15 consecutive zeros may be generated.
  - Pulse Density: At least three pulses in any 24 bit interval.
- B. Format Constraint for Framed DS1 Signal
  - F Bit Position: This framing constraint permits the use of every 193rd bit position for framing, error detection, signaling and the transmission of other network control information.
- C. In the event that a trouble indication exists which necessitates a visit of a repair person to a customer's premises because of the absence of a loop-back in the customer's equipment, a Maintenance of Service Charge will apply (see Maintenance of Service Charge, paragraph 2.6.5 following).

AT&T COMMUNICATIONS OF THE MIDWEST, INC.  
NEBRASKA

PRIVATE LINE SERVICES TARIFF - SCHEDULE 11

ISSUED: March 21, 2003  
EFFECTIVE: March 31, 2003

SECTION 7  
ORIGINAL PAGE 4

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7. TERRESTRIAL 1.544 MBPS LOCAL CHANNEL SERVICES

7.1 General

7.1.4 Minimum Payment Period

The minimum payment period for Terrestrial 1.544 Mbps Local Channel Service or component is 30 days.

7.1.5 Notice of Discontinuance

The Notice of Discontinuance for Terrestrial 1.544 Mbps Local Channel Service or component is 30 days. Recurring charges apply for a period of 30 days from the date the Company receives the discontinuance notice or until the requested discontinuance date, whichever is longer. During this period, the charges will continue to apply whether or not the customer continues to use the local channel service or component.

7.1.6 Access Coordination Function

An access coordination function is required for each local channel provided by the Company or for each access channel provided by the customer for which the Company provides access coordination.

7.1.7 Clear Channel Capability

This option is subject to the availability of Local Exchange Company access and may not be available in all locations.

AT&T COMMUNICATIONS OF THE MIDWEST, INC.  
NEBRASKA

PRIVATE LINE SERVICES TARIFF - SCHEDULE 11

ISSUED: March 21, 2003  
EFFECTIVE: March 31, 2003

SECTION 8  
ORIGINAL PAGE 1

8. TERRESTRIAL 45 MBPS LOCAL CHANNEL SERVICES

8.1 General

Terrestrial 45 Mbps Local Channel Service provides for the transmission of 44.736 Mbps digital signals.

Terrestrial 45 Mbps Local Channel Service uses a framed DS3 signal format. When used to carry multiplexed DS1 channels, the signal carried within the framed DS3 format must contain extended superframe formatted DS1 channels, to a maximum of 28.

8.2 Description

Terrestrial 45 Mbps Local Channel Service provides a digital channel for the two-way simultaneous transmission of signals at the DS3 rate of 44.736 Mbps. The transmission specification standards for Terrestrial 45 Mbps Local Channel Service are contained in Technical Publications-PUB 43802 and PUB 54016.

Terrestrial 45 Mbps Local Channel Service is suitable for the transmission of voice, data (including ASDS) or any other application required by the customer which utilizes digital signals within the specified transmission parameters of the local channel.

Terrestrial 45 Mbps Local Channel Service may be furnished  
1) between a customer's premises and a designated AT&T central office or 2) solely as access coordination function(s).

8.3 In addition to the General Regulations in Section 1 preceding, the following apply.

a. Availability of Local Channel Service

Terrestrial 45 Mbps Local Channel Service is available from the designated AT&T central offices listed in AT&T's Tariff F.C.C. No. 10 and may not be available in every LATA.

b. Credit Allowances for Interruptions

Terrestrial 45 Mbps Local Channel Service interruptions are covered by the Service Assurance Warranty as specified in 4.1.10, A. preceding. For the purpose of determining credit allowances, service is considered to be interrupted when:

- there has been a loss of continuity or
- 300 or more seconds of transmission containing errors occur in a 15-minute period on a DS3 level.

AT&T COMMUNICATIONS OF THE MIDWEST, INC.  
NEBRASKA

PRIVATE LINE SERVICES TARIFF - SCHEDULE 11

ISSUED: March 21, 2003  
EFFECTIVE: March 31, 2003

SECTION 8  
ORIGINAL PAGE 2

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8. TERRESTRIAL 45 MBPS LOCAL CHANNEL SERVICES

8.3 In addition to the general business procedures in A. preceding, the following apply.

c. Minimum Payment Period

The minimum payment period for a Terrestrial 45 Mbps Local Channel Service access coordination function shall be one year, unless otherwise indicated. The minimum payment period for a local channel is determined on an individual case basis.

d. Notice of Discontinuance

The Notice of Discontinuance for Terrestrial 45 Mbps Local Channel Service is three months. Recurring charges will apply for a period of three months from the date the Company receives the discontinuance notice or until the discontinuance date, whichever is longer.

e. Cancellation Charge

The cancellation charge for Terrestrial 45 Mbps Local Channel Service orders canceled after the start of installation will be equal to an estimate of the net costs incurred in each installation not to exceed the charges for the minimum payment period.

f. Customer Access Selection Charge

When a customer orders a Terrestrial 45 Mbps Local Channel Service and requests an access provider other than the one selected by AT&T, and AT&T provisions the Local Channel Service with the access provider requested by the customer, a monthly recurring CASC applies in addition to the price of the Local Channel Service. The monthly recurring CASC does not count toward revenue commitments and is not eligible for discounts.

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11. SONET OC3/OC12 LOCAL CHANNEL SERVICES

11.1 General

The Digital Local Channel SONET Services provide for the transmission of various digital signals.

11.1.1 Description

These AT&T Digital Local Channel SONET Services are configured by combining service components at designated AT&T Central Offices. The AT&T Central Offices may be within the same LATA or may be in different LATAs.

Digital Local Channel Service used for Digital Local Channel SONET Services is suitable for the transmission of voice, data (including ACCUNET Spectrum of Digital Services) or any other application required by the customer which utilizes digital signals within the specified transmission parameters of the local channel.

Digital Local Channel Service may be furnished (1) between a customer's premises and a designated AT&T Central Office or (2) solely as an Access Coordination Function.

All signals carried by local channels or other access and presented to the AT&T Central Offices must meet certain signal and format constraints. These constraints are described in the following Technical Publications:

TR 54018 - OC3 - Optical Interface Specifications  
GR-523-CORE - Synchronous Optical Network (SONET) Transport  
Systems: Common Generic Criteria  
(Bellcore)

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11. SONET OC3/OC12 LOCAL CHANNEL SERVICES

11.1 General (Cont'd)

11.1.2 Regulations

In addition to the regulations preceding, the following apply.

A. Availability of a Digital Local Channel Service

Digital Local Channels used for Digital Local Channel SONET Services may not be available in every LATA.

B. Credit Allowance for Interruptions

For purposes of determining credit allowances in accordance with the a Digital Local Channel Service used for Digital Local Channe SONET Services is considered to be interrupted when:

- there has been a loss of continuity, or
- 300 or more seconds of transmission containing errors occur in a 15-minute period on an OC3 level

11.1.3 Minimum Payment Period

The minimum payment period for a Local Channel Service or Access Coordination Function used for Private Line SONET Service shall be 12 months.

11.1.5 Cancellation Charge

As specified in General Regulations, the cancellation charge for individual case basis orders canceled after the start of installation will be equal to an estimate of the net costs incurred in each installation not to exceed the charges for the minimum payment period.

11.1.6 Notice of Discontinuance

The Notice of Discontinuance for all Digital Channel SONET Service components is one month. Recurring charges will apply for a period of one month from the date AT&T receives the discontinuance notice or until the requested discontinuance date, whichever period is longer. These charges will apply during this period whether or not the customer continues to use the service.

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11. SONET OC3/OC12 LOCAL CHANNEL SERVICES

11.1 General (Cont'd)

11.1.7 Digital Local Channels (DLC)

The rates for the Digital Local Channel components of a Local Channel Service used for Digital Local Channel SONET Services are established on an individual case basis (ICB).

11.1.8 Access Coordination Function (ACF)

An Access Coordination Function is required for each Digital Local Channel provided under this tariff or for each access channel provided by the customer for which AT&T provides access coordination. The rates are established on an individual case basis (ICB).

11.1.9 Special Access Surcharge

(See Voice Grade Local Channel Services Section).

11.1.10 Channel Options

The following channel option(s) are available for use with Digital Local Channel Services used for Digital Local Channel SONET Services:

a. Special Routing

Digital Local Channel Service is normally furnished using facilities selected by AT&T. However, special routing options are available where the required components are available. If complete Special Routing is not available when ordered, or if it becomes unavailable at a later date due to network rearrangements, Special Routing may only be furnished on a partial basis. The customer will be advised before partial Special Routing is provided and may cancel or discontinue the special routing if the partial Special Routing is not acceptable. No cancellation charge will apply in such case. The special routing option available for Digital Local Channel Service is Local Channel Protection Capability.

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11. SONET OC3/OC12 LOCAL CHANNEL SERVICES

11.1 General (Cont'd)

11.1.10 Channel Options (Cont'd)

a. Special Routing (Cont'd)

- (1) Digital Local Channel Protection Capability - Local Channel Protection Capability (LCPC) provides two physically separate high capacity fiber optic local channels (primary and secondary) equipped with automatic restoration capability to provide backup in the event of a single facility break or an electronic failure. Local Channel Protection Capability is available between the customer premises and the AT&T central office, between the LEC serving wire center for the customer premises and the AT&T central office or between the customer premises and the LEC serving wire center for that premises.

When facilities are not available, the Company may request special construction of plant to satisfy its requirements. When special construction is necessary, charges will be developed on an individual case basis.

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14. AT&T REGIONAL FRAME RELAY SERVICE (RFRS)

14.1 General

AT&T Regional Frame Relay Service (RFRS) is a public data network offering which provides high speed, order-preserving transmission of frames between Local Area Networks (LANs) or other high speed data communications equipment for distributed computing applications.

14.1.1 Description

RFRS is offered within LATA 644 in the State of Nebraska, where facilities and billing capabilities permit. Service is available for use 24 hours a day, seven days a week. Except as otherwise provided in this tariff, all terms, conditions, features and functions may be found in AT&T Business Services Guide. Charges (T) for additional AT&T Frame Relay Services which may be used in conjunction with AT&T Regional Frame Relay Service may be found in AT&T Business Services Guide. (T)

The following AT&T Frame Relay Service features are not available under this tariff for AT&T Regional Frame Relay Service:

- Disaster Recovery Options
- Frame Relay Service Level Agreement
- Frame Relay Service Domestic Gateway Capability
- International Frame Relay Service
- AT&T International End-to-End Frame Relay Service
- Frame Relay Volume Pricing Plan
- Digital Services Volume Pricing Plan

Regional Access Ports furnished under this tariff operate at transmission speeds of 56/64, 128, 256, 384, 512, 768 and 1544 kbps. The port speed defines the maximum rate that the customer can transmit data to and receive data from the FRS network.

14.1.2 Regulations

A. Responsibilities of the Customer

The customer must provide the following additional information to the Company when ordering RFRS:

- The number and location of the Ports ordered,
- The initial set of software functions for each Port per Technical Publication No. TR 50052,
- The transmission speed of each Port,
- The CIR of each PVC,
- The Port origination and destination of each PVC CIR, and
- Requirements for Regional and Global addressing for PVC Data Link Connection Identifiers (DLCI) per Technical Publication No. TR 50052, for transmission through FRS.

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14. AT&T REGIONAL FRAME RELAY SERVICE (RFRS)

14.1 General (Cont'd)

14.1.2 Regulations (Cont'd)

B. Notice of Discontinuance

The Notice of Discontinuance for RFRS components in service is 15 days. Recurring charges apply for a period of 15 days from the date the Company receives the Notice of Discontinuance or until the requested discontinuance date, whichever is later. The charges will continue to apply whether or not the customer continues to use the RFRS components. Orders involving the discontinuance of RFRS components may be delayed or withdrawn, without charge, at any time prior to the discontinuance date. A Notice of Discontinuance cannot be withdrawn or delayed on the Due Date for discontinuance.

C. Cancellation, Delay or Change of an Order

The regulations set forth in this section apply for the cancellation, delay or change of an order for RFRS components. These regulations are in lieu of those specified in Section 1 preceding. When an order is placed for installation of a Regional Access Port or Regional PVC, or for a change to a Regional Access Port's speed or to a Regional PVC CIR, a Due Date for that order will be established by the Company. Such Due Date will be confirmed with the customer. In the event that such Due Date is delayed, the provisions specified in e. or f. following will apply.

D. Cancellation of an Order

A customer may cancel an order for the installation or change of RFRS any time prior to the Due Date. An order cannot be canceled on the Due Date. An order is considered to have been canceled when the Company receives a notification of cancellation from the customer. Such notification may not be retroactive. There is no cancellation charge if the notification of cancellation is received by the Company 30 calendar days or more prior to the initial Due Date. If the notification of cancellation is received by the Company less than 30 calendar days prior to the initial Due Date a cancellation charge will be applied.

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14. AT&T REGIONAL FRAME RELAY SERVICE (RFRS)

14.1 General (Cont'd)

14.1.2 Regulations (Cont'd)

E. Delay of Due Date by Company

The company will make every reasonable effort to assure that the service ordered is furnished on the Due Date. However, in some cases a delay in the Due Date may be unavoidable.

1. If the Company delays a Due Date for less than six (6) cumulative calendar days from the initial Due Date, not counting any delays requested or caused by the customer, the customer may either: (a) cancel the delayed order at no charge, or (b) after the installation or change is completed, the Company will credit the customer's bill in an amount equal to 50% of one month's Monthly Charge (less applicable discount) for each delayed Regional Access Port or Regional PVC.
2. If the Company delays a Due Date for six (6) or more cumulative calendar days from the initial Due Date, not counting any delays requested or caused by the customer, the customer may either: (a) cancel the delayed order at no charge, or (b) after the installation or change is completed, the Company will, credit the customer's bill in an amount equal to 100% or one month's Monthly Charge (less any applicable discount) for each delayed Regional Access Port or Regional PVC.

F. Delay of Due Date by the Customer

A customer may delay an order for the installation or change of RFRS components at any time prior to the Due Date. However,

1. If a customer delays an order within the three (3) calendar days immediately prior to the Due Date, a Due Date Change Charge will apply, regardless of the length of delay.

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ISSUED: March 21, 2003  
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14. AT&T REGIONAL FRAME RELAY SERVICE (RFRS)

14.1 General (Cont'd)

14.1.2 Regulations (Cont'd)

F. Delay of Due Date by the Customer (Cont'd)

2. If a customer delays a Due Date by more than twenty (20) cumulative calendar days from the initial Due date, the customer may either: (a) accept billing for the service ordered commencing on the first day after the 20th cumulative calendar day, or (b) cancel the order and pay the applicable cancellation charge as set forth in RATE LIST following.
3. If a customer is not ready on the Due Date and has not requested a delay prior to the Due Date, the service ordered will commence on the Due Date.

G. Change of an Order

When a customer changes the speed of a Regional Access Port or Regional PVC before the Due Date, such a change is considered to be a design change, not a cancellation of an order. No design change charges apply for RFRS. However, if the customer requests a Regional Access Port speed change from 56 kbps to a higher Regional Access Port speed, less than twenty (20) calendar days prior to the Due Date, a new Due Date will be established by the Company. Such new Due Date will be confirmed with the customer.

H. Expedite of an Order

At the customer's request, the Company will attempt to advance the Due Date of an order for the installation of a Regional Access Port to a new negotiated Due Date. If the new date is met, a Nonrecurring Charge applies.

I. Minimum Payment Period

There is no minimum payment period for RFRS.

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14. AT&T REGIONAL FRAME RELAY SERVICE (RFRS)

14.1 General (Cont'd)

14.1.3 Provision of Access Lines

Regional Access Ports are available for connection to Regional PVCs within the same LATA. Regional Access Ports include a digital access line from the Customer Premises to an AT&T Central Office providing RFRS within that LATA. Equivalent digital access lines provided by the customer, in lieu of the access lines provided by AT&T, may be connected to Regional Access Ports, however all nonrecurring and monthly charges for Regional Access Ports will apply.

Digital access lines connected to a Regional Access Port cannot connect to a Domestic Port or Global Port provided under AT&T's Business Services Guide.

14.1.4 Credit Allowances For Interruptions

- A. RFRS Credit Allowances for Interruptions are based on Regional PVC charges. If a Regional PVC is interrupted for 30 minutes or more, a Credit Allowance based on the Regional PVC Monthly Charge will be made for the interrupted Regional PVC as specified in AT&T's Business Services Guide, Section 2. Regional PVCs are eligible for a credit allowance for interruptions only if the Regional PVCs which were interrupted are not entitled to any other credit for interruptions in lieu of, or in addition to, credit allowances as specified herein.
- B. Calculation of Credit Allowance is as follows.

Calculate the Regional PVC Daily Charge by dividing the Regional PVC Monthly Charge (less any applicable discount) by 30 days.

Determine the Interruption Period to be Credited based upon the actual length of interruption using the Calculation Table in AT&T's Business Services Guide, Section 2.

Multiply the Regional PVC Daily Charge by the Interruption Period to be Credited to determine the Credit Allowance.

14.1.5 Availability

Regional FRS is available at AT&T Central Offices within LATA 644 which provide ACCUNET T1.5 Service or ASDS as listed in AT&T's Business Services Guide.

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14. AT&T REGIONAL FRAME RELAY SERVICE (RFRS)

14.1 General (Cont'd)

14.1.6 Regional FRS Components

The charges for Regional FRS consist of Non-Recurring Charges and Monthly Charges for Regional Access Ports and Regional PVCs.

A. Regional Access Port

Provides connection capability within LATA 644 in the State of Nebraska. Regional Access Ports connect only to Regional PVCs as specified in Section 14.1.6.c, following. A Regional Access Port can connect to a Domestic Port, Global Port or a Regional Access Port within the same LATA via a Regional PVC.

A customer can request to increase or decrease a port speed or change a Domestic Port to a Regional Access Port or change a Global Port to a Regional Access Port at any time after the service date for the Regional Access Port. A Regional Access Port Change Charge will apply for each change.

A change of the physical location of a Customer's Premises that requires a change to an existing Regional Access Port connection, is considered to be a discontinuance and re-installation of the Regional Access Ports involved. Discontinuance provisions will apply as specified in paragraph 3.b., preceding. Installation Charges for the Regional Access Ports will apply as specified in PRICE LIST following. A change of the physical location of a Customer's Premises that does not require a change to an existing Regional Access Port connection is considered a change and the Regional Access Port Change Charge will apply.

Monthly and Installation Charges apply for each Regional Access Port as specified in the Regional Access Port Charge Table in PRICE LIST following.

B. Regional Access Charges

Installation Charges and Monthly Recurring Charges apply for each Regional Access Port as specified in the Regional Access Port Charges Table. A Port Interconnection Monthly Charge applies for each Regional Access Port on which a Domestic PVC terminates. The Port Interconnection Monthly Charge is in addition to the Regional Access Port Monthly Charge.

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ISSUED: March 21, 2003  
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14. AT&T REGIONAL FRAME RELAY SERVICE (RFRS)

14.1 General (Cont'd)

14.1.6 Regional FRS Components (Cont'd)

C. Regional PVCs

A Regional PVC is a logical connection between two Regional Access Ports within LATA 644, or between one Regional Access Port and one 1544 kbps Domestic Port within LATA 644, or between one Regional Access Port and one Global Port within LATA 644. Regional PVCs are provided solely in a two-way configuration. Regional PVCs must connect to at least one Regional Access Port. Domestic and Global Ports are available as specified in AT&T Business Services Guide. A two-way PVC transmits and receives simultaneously. Monthly and nonrecurring charges apply for Regional PVCs. (T)

A customer can request to increase or decrease a Regional PVC CIR at any time after the service date for that Regional PVC. A PVC CIR Change Charge will apply for each change to a Regional PVC CIR as specified in PRICE LIST following

A change of the physical location of the Customer's Premises that requires a change to an existing Regional Access Port connection, requires discontinuance and re-installation of the Regional PVCs involved. Discontinuance provisions will apply as specified in paragraph 3.b., preceding.

D. Regional Access Port Installation and Recurring Charges

Installation Charges apply for the installation of each Regional PVC.

Monthly Recurring Charges apply for each Regional PVC as specified in the Regional PVC Monthly Charges Table in PRICE LIST following.

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**SECTION 4 - DEDICATED TRANSPORT**

**4.1 General**

The Company provides intrastate Dedicated Transport Service with transmission speeds ranging from 2.4 Kbps to 2.4 Gbps. Dedicated transport services are offered on a point-to-point basis. Each Dedicated Transport Service is dedicated to the Customer and the entire usable bandwidth for each service is available to the Customer for their exclusive use.

Standard pricing is available for all non-custom services. Standard rates are provided in Section 4.4 following. The tariffed rates contained in this section are applied based on the locality of service, type of service and the term plan selected.

**4.1.1 Two Point Service**

Two Point Service allows two Customer-designated locations to be connected by one Dedicated Transport Service. The service terminated at both locations must be the same speed and the same capacity.

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Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
Cox Communications, Inc.  
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**ACCESS SERVICE**

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**SECTION 4 - DEDICATED TRANSPORT (CONT'D.)****4.1 General (Cont'd.)****4.1.2 On-Net v. Off-Net**

On-Net Services are those which connect two locations which are both directly served by the Company's network. Pricing and regulations pertaining to On-Net Services are described in this tariff.

Off-Net Services are those where one or more locations to be connected is not served directly by the Company's network. Off-Net Service must be provisioned, in part, by another local access provider. In the instances where the Company is able to provide Off-Net Services, the performance parameters and pricing of the Off-Net Services will be passed through to the Customer.

All rates included in Section 4.4 are for On-Net arrangements. Off-Net service charges will be developed on an Individual Case Basis.

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Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
Cox Communications, Inc.  
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Atlanta, Georgia 30319

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**SECTION 4 - DEDICATED TRANSPORT (CONT'D.)****4.2 Standard Pricing Plan Description****4.2.1 Recurring Charges**

Recurring Charges are monthly charges applied on a city-specific basis. Recurring charges apply to Two Point Service.

Recurring charges for Two Point Service will vary based on the locality of service, capacity of service, the distance of service and the term plan selected. Two Point Service recurring charges are applied on a circuit basis and reflect complete end-to-end charges.

**A. Channel Termination**

The Channel Termination rate category provides for the communications path between a customer designated premises and the serving wire center of that premises.

**B. Channel Mileage**

The Channel Mileage rate category provides for the end office equipment and transmission channel between the serving wire center associated with the two customer premises.

**C. Optional Features and Functions**

Optional Features and Functions may be added to a special access service to improve its quality or utility to meet the Customer's specific communications requirements. These are not necessarily identifiable with specific equipment, but rather represent the end result in terms of performance characteristics which may be obtained.

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Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
Cox Communications, Inc.  
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Atlanta, Georgia 30319

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**SECTION 4 - DEDICATED TRANSPORT (CONT'D.)****4.2 Standard Pricing Plan Description (Cont'd.)****4.2.2 Nonrecurring Charges**

Nonrecurring Charges (NRC) are one-time only charges. NRCs may be waived for certain promotions and under the specific terms of individual case basis services.

**4.2.3 Termination Liability**

Unless otherwise specified in individually negotiated contracts, the termination liability for services purchased under a Term Agreement will be equal to the lesser of either:

- A.** 20% of the balance of the total billing payable during the life of the term, or
- B.** the difference between the monthly rate for selected term plan and the monthly rate for the longest term plan that Customer could have satisfied prior to early discontinuance of service.

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Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
Cox Communications, Inc.  
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**SECTION 4 - DEDICATED TRANSPORT (CONT'D.)****4.3 Service Descriptions****4.3.1 DS3 Service**

DS3 Service is a dedicated, high capacity, full duplex channel with a line speed of 44.736 Mbps isochronous serial data have a line code of bipolar with three zero substitution (B3ZS). DS3 Service has the equivalent capacity of 28 DS1 Services at 1.544 Mbps or 672 Voice Grade Services at 56/64 Kbps. DS3 Service is available with an electrical interface.

**4.3.2 DS1 Service**

DS1 Service is a dedicated, high capacity, full duplex channel with a line speed of 1.544 Mbps isochronous serial data having signal format of either Alternate Mark Inversion (AMI) or Bipolar 8 Zero Substitution (B8ZS) and either Superframe (D4) or Extended Superframe formats. DS1 Service has the equivalent capacity of 24 Voice Grade services or 24 DS0 services. AMI can support 24 56Kpbs channels and B8ZS can support 24 64Kbps channels.

**4.3.3 Digital Data Service**

Digital Data Service is a dedicated, full duplex digital channel with line speeds of 2.4, 4.8, 9.6, 56 or 64 Kbps.

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Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
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**SECTION 4 - DEDICATED TRANSPORT (CONT'D.)****4.3 Service Descriptions (Cont'd.)****4.3.4 Analog Voice Grade Service**

Analog Voice Grade Service is available in either two wire or four wire configurations. This service provides an analog circuit termination at Customer designated locations which can be used for either voice or data transmission. Analog Voice Grade Service utilizes a bandwidth of 300 to 3000 hertz and can send analog data at speeds up to 9.6 Kbps.

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Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
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Atlanta, Georgia 30319

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**SECTION 4 - DEDICATED TRANSPORT (CONT'D.)**

**4.3 Service Descriptions (Cont'd.)**

**4.3.5 Custom Services**

Dedicated Transport Services not described above or requests for non-standard configurations and specialized service options will be handled on an Individual Case Basis as set forth in Section 4.3.6 following.

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Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
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**SECTION 4 - DEDICATED TRANSPORT (CONT'D.)****4.3 Service Descriptions (Cont'd.)****4.3.6 Special Construction**

Special construction or arrangement of facilities may be undertaken by the Company on a reasonable efforts basis at the request of the Customer, and upon a determination by the Company that such charges should apply in that particular instance. Special Construction cases/rates are on an Individual Case Basis. Special Construction is undertaken:

- A.** where facilities are not presently available,
- B.** where the service is of a type other than that which the Company would normally utilize in the furnishing of its service;
- C.** where the service is requested over a route other than that which the Company would normally utilize in the furnishing of its services;
- D.** where the service is in a quantity greater than that which the Company would normally provide;
- E.** where service is requested on an expedited basis;
- F.** where service is requested on a temporary basis until permanent facilities are available;
- G.** where the service requested involves abnormal costs; or
- H.** where service is requested in advance of the Company's normal construction schedule.

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Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
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Atlanta, Georgia 30319

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**SECTION 4 - DEDICATED TRANSPORT (CONT'D.)****4.3 Service Descriptions (Cont'd.)****4.3.7 Time and Material Service**

This service provides for the Labor and Material charges associated with installation, maintenance, testing and repair deemed to be associated with equipment and facilities not provided by the Company or deemed to be non-standard or non-routine.

The Company shall have no responsibility for the maintenance and repair of any kind with respect to equipment and facilities not provided by the Company. The Company will charge the Customer Time and Material Charges listed in Section 4.5 for any maintenance visits with respect to service problems which are determined to arise from equipment or facilities not provided by Company.

When a Customer reports a trouble to the Company for clearance and no trouble is found in the Company's facilities, the Customer shall be responsible for payment of Time and Materials Charges as listed in Section 4.5 for the period of time from when the Company personnel were dispatched to the Customer's premises to when the work is completed. Failure of Company personnel to find trouble in Company facilities will result in no charge if the trouble is actually in those facilities, but not discovered at the time.

If the Customer, after being informed that the trouble is not in Company facilities, wishes to have the maintenance work performed by Company, and the Company agrees to perform the work, the Time and Material Charges listed in Section 4.5 will apply.

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Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
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Atlanta, Georgia 30319

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**SECTION 4 - DEDICATED TRANSPORT (CONT'D.)****4.3 Service Rate Descriptions (Cont'd.)****4.3.7 Time and Material Service (Cont'd.)**

At the Customer's request, and upon agreement by the Company, installation and/or maintenance may be performed outside the Company's regular business hours or in hazardous locations. In such cases Time and Material Charges listed in Section 4.5 will apply. If installation is started during regular business hours but, at the Customer's request, extends beyond regular business hours into time periods including, but not limited to, weekends, holidays and/or night hours, additional charges may apply (may need to specify how the additional charges will be calculated).

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Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
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**ACCESS SERVICE****SECTION 4 - DEDICATED TRANSPORT (CONT'D.)****4.4 Rate Schedule - (On-Net Services) (Cont'd.)****Voice Grade Service (2, 4 Wire)**

Description	Non-Recurring		Recurring Charge Based on Term of Contract				
	Initial Charge	Add'l. Charge	Month to Month	12 to 23 Months	24 to 35 Months	36 to 59 Months	60 to 84 Months
Channel Termination 2 wire per point of termination	ICB	ICB	ICB	ICB	ICB	ICB	ICB
Channel Mileage Fixed 2 wire	N/A	N/A	ICB	ICB	ICB	ICB	ICB
Channel Mileage Per Mile 2 wire	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Channel Termination 4 wire per point of termination	ICB	ICB	ICB	ICB	ICB	ICB	ICB
Channel Mileage Fixed 4 wire	N/A	N/A	ICB	ICB	ICB	ICB	ICB
Channel Mileage Per Mile 4 wire	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**NOTE:** Only the recurring channel termination charge applies per point of termination.

Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
Cox Communications, Inc.  
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Atlanta, Georgia 30319

**ACCESS SERVICE****SECTION 4 - DEDICATED TRANSPORT (CONT'D.)****4.4 Rate Schedule - (On-Net Services) (Cont'd.)****Voice Grade Service (2, 4 Wire) (Cont'd.)**

Description	Non-Recurring		Recurring Charge Based on Term of Contract				
	Initial Charge	Add'l. Charge	Month to Month	12 to 23 Months	24 to 35 Months	36 to 59 Months	60 to 84 Months
Voice Bridging	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Data Bridging	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Telephoto Bridging	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Station Bridging	ICB	N/A	ICB	ICB	ICB	ICB	ICB
C-Type Conditioning	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Improve Attenuation Distortion	ICB	N/A	N/A	N/A	N/A	N/A	N/A
Improved Envelope Delay Distortion	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Improved Return Loss 2 wire	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Improved Return Loss 4 wire	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Loopback Capability	ICB	N/A	N/A	N/A	N/A	N/A	N/A
DA Type Conditioning	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Telephoto Capability	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Selective Signaling Arrangement	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Transfer Arrangement 4 port	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Transfer Arrangement 6 port	ICB	N/A	ICB	ICB	ICB	ICB	ICB

Issued: November 21, 1997

Effective: December 2, 1997

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**ACCESS SERVICE****SECTION 4 - DEDICATED TRANSPORT (CONT'D.)****4.4 Rate Schedule - (On-Net Services) (Cont'd.)****Digital Data Service (2.4, 4.8, 9.6, 19.2 Kbps)**

Description	Non-Recurring		Recurring Charge Based on Term of Contract				
	Initial Charge	Add'l. Charge	Month to Month	12 to 23 Months	24 to 35 Months	36 to 59 Months	60 to 84 Months
Channel Termination up to 19.2 per point of termination	ICB	ICB	ICB	ICB	ICB	ICB	ICB
Channel Mileage Fixed up to 19.2	N/A	N/A	ICB	ICB	ICB	ICB	ICB
Channel Mileage Per Mile up to 19.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Bridging	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Loop Transfer Arrangement	N/A	N/A	ICB	ICB	ICB	ICB	ICB

**NOTE:** Only the recurring channel termination charge applies per point of termination.

Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
Cox Communications, Inc.  
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**ACCESS SERVICE****SECTION 4 - DEDICATED TRANSPORT (CONT'D.)****4.4 Rate Schedule - (On-Net Services) (Cont'd.)****DS0 Service (56, 64 Kbps)**

Description	Non-Recurring		Recurring Charge Based on Term of Contract				
	Initial Charge	Add'l. Charge	Month to Month	12 to 23 Months	24 to 35 Months	36 to 59 Months	60 to 84 Months
Channel Termination per point of termination	ICB	ICB	ICB	ICB	ICB	ICB	ICB
Channel Mileage Fixed	N/A	N/A	ICB	ICB	ICB	ICB	ICB
Channel Mileage Per Mile	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Secondary Channel 56K	ICB	N/A	ICB	ICB	ICB	ICB	ICB
Digital Cross Connect per DS-0 Connection	ICB	N/A	ICB	ICB	ICB	ICB	ICB

**NOTE:** Only the recurring channel termination charge applies per point of termination.

Issued: November 21, 1997

Effective: December 2, 1997

Issued by: Martin Corcoran  
Director of Tariff Development  
Cox Communications, Inc.  
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Atlanta, Georgia 30319