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is our business.

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REDACTED – FOR PUBLIC INSPECTION

7852 Walker Drive, Suite 200  
Greenbelt, Maryland 20770  
phone: 301-459-7590, fax: 301-577-5575  
internet: www.jsitel.com, e-mail: jsi@jsitel.com

October 15, 2013

ACCEPTED/FILED

OCT 24 2013

Federal Communications Commission  
Office of the Secretary

**By Hand Delivery**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: WC Docket No. 10-90, WC Docket No. 11-42  
2013 ETC Annual Report of Alma Telephone Company  
Study Area Code 220344**

Dear Ms. Dortch:

On behalf of Alma Telephone Company “Alma”, JSI files the attached confidential and redacted versions of the FCC Form 481 ETC annual reporting information pursuant to sections 54.313 and 54.422 of the Commission’s rules.<sup>1</sup> Alma seeks confidential treatment under Protective Order for section 54.313(f)(2) financial information.<sup>2</sup> The redacted version is also being filed this date via the FCC’s Electronic Comment Filing System.

Please direct any questions regarding the filing to the undersigned.

Sincerely,

John Kuykendall  
JSI Vice President  
301-459-7590  
[jkuykendall@jsitel.com](mailto:jkuykendall@jsitel.com)

cc: Charles Tyler, Telecommunications Access Policy Division (two copies, confidential)

No. of Copies rec'd 093  
List ABCDE

<sup>1</sup> 47 C.F.R. §§ 54.313, 54.422.

<sup>2</sup> *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Protective Order, DA 12-1857 rel. Nov. 16, 2012 (Protective Order). 47 C.F.R. § 54.313(f)(2).

Echelon Building II, Suite 200  
9430 Research Blvd., Austin, TX 78759  
phone: 512-338-0473, fax: 512-346-0822

Eagandale Corporate Center, Suite 310  
1380 Corporate Center Curve, Eagan, MN 55121  
phone: 651-452-2660, fax: 651-452-1909

6849 Peachtree Dunwoody Road  
Bldg. B-3, Suite 200, Atlanta, GA 30328  
phone: 770-569-2105, fax: 770-410-1608

547 South Oakview Lane  
Bountiful, UT 84010  
phone: 801-294-4576, fax: 801-294-512

<b>FCC Form 481 - Carrier Annual Reporting Data Collection Form</b>	FCC Form 481 OMB Control No. 3066-0986/OMB Control No. 3060-0810 July 2013
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<010> Study Area Code 220344

<015> Study Area Name ALMA TEL CO

<020> Program Year 2014

<030> Contact Name: Person USAC should contact with questions about this data Laure Cohen

<035> Contact Telephone Number: Number of the person identified in data line <030> 912-632-3117

<039> Contact Email Address: Email of the person identified in data line <030> lcohen@atcnetworks.net

**ACCEPTED/FILED**

**OCT 24 2013**

**Federal Communications Commission  
Office of the Secretary**

<b>ANNUAL REPORTING FOR ALL CARRIERS</b>	<b>54,313 Completion Required</b>	<b>54,422 Completion Required</b>
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(check box when complete)

<100> Service Quality Improvement Reporting (complete attached worksheet)

<200> Outage Reporting (voice) (complete attached worksheet)

<210>  <-- check box if no outages to report

<300> Unfulfilled Service Requests (voice)

<310> Detail on Attempts (voice) (attach descriptive document)

<320> Unfulfilled Service Requests (broadband)

<330> Detail on Attempts (broadband) (attach descriptive document)

<400> Number of Complaints per 1,000 customers (voice)

<410> Fixed

<420> Mobile

<430> Number of Complaints per 1,000 customers (broadband)

<440> Fixed

<450> Mobile

<500> Service Quality Standards & Consumer Protection Rules Compliance (check to indicate certification)

<510> 220344GA510 (attached descriptive document)

<600> Functionality in Emergency Situations (check to indicate certification)

<610> 220344GA610 (attached descriptive document)

<700> Company Price Offerings (voice) (complete attached worksheet)

<710> Company Price Offerings (broadband) (complete attached worksheet)

<800> Operating Companies and Affiliates (complete attached worksheet)

<900> Tribal Land Offerings (Y/N)?   (if yes, complete attached worksheet)

<1000> Voice Services Rate Comparability (check to indicate certification)

<1010> (attach descriptive document)

<1100> Terrestrial Backhaul (Y/N)?   (if not, check to indicate certification)

<1110> (complete attached worksheet)

<1200> Terms and Condition for Lifeline Customers (complete attached worksheet)

**Price Cap Carriers, Proceed to Price Cap Additional Documentation Worksheet**

Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

<2000> (check to indicate certification)

<2005> (complete attached worksheet)

**Rate of Return Carriers, Proceed to ROR Additional Documentation Worksheet**

<3000> (check to indicate certification)

<3005> (complete attached worksheet)

<b>(100) Service Quality Improvement Reporting Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010> Study Area Code	220344
<015> Study Area Name	ALMA TEL CO
<020> Program Year	2014
<030> Contact Name - Person USAC should contact regarding this data	Laure Cohen
<035> Contact Telephone Number - Number of person identified in data line <030>	912-632-3117
<039> Contact Email Address - Email Address of person identified in data line <030>	lcohen@atcnetworks.net
<110> Has your company received its ETC certification from the FCC?	(yes / no) <input type="radio"/> <input checked="" type="radio"/>
<111> If your answer to Line <110> is yes, do you have an existing §54.202(a) "5 year plan" filed with the FCC?	(yes / no) <input type="radio"/> <input type="radio"/>

If your answer to Line <111> is yes, then you are required to file a progress report, on line <112> delineating the status of your company's existing § 54.202(a) "5 year plan" on file with the FCC, as it relates to your provision of voice telephony service.

<112> Attach Five-Year Service Quality Improvement Plan or, in subsequent years, your annual progress report filed pursuant to 47 C.F.R. § 54.313(a)(1). If your company is a CETC which only receives frozen support, your progress report is only required to address voice telephony service.

Name of Attached Document (.pdf)

Please check these boxes below to confirm that the attached PDF, on line 112, contains a progress report on its five-year service quality improvement plan pursuant to § 54.202(a). The information shall be submitted at the wire center level or census block as appropriate.

- <113> Maps detailing progress towards meeting plan targets
- <114> Report how much universal service (USF) support was received
- <115> How (USF) was used to improve service quality
- <116> How (USF) was used to improve service coverage
- <117> How (USF) was used to improve service capacity
- <118> Provide an explanation of network improvement targets not met in the prior calendar year.










**(900) Tribal Lands Reporting  
Data Collection Form**

FCC Form 431

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

<010>	Study Area Code	220344
<015>	Study Area Name	ALMA TEL CO
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Laure Cohen
<035>	Contact Telephone Number - Number of person identified in data line <030>	912-632-3117
<039>	Contact Email Address - Email Address of person identified in data line <030>	lcohen@atcnetworks.net

<910> Tribal Land(s) on which ETC Serves

<920> Tribal Government Engagement Obligation

Name of Attached Document (.pdf)

If your company serves Tribal lands, please select (Yes, No, NA) for each these boxes to confirm the status described on the attached PDF, on line 920, demonstrates coordination with the Tribal government pursuant to § 54.313(a)(9) includes:

- <921> Needs assessment and deployment planning with a focus on Tribal community anchor institutions;
- <922> Feasibility and sustainability planning;
- <923> Marketing services in a culturally sensitive manner;
- <924> Compliance with Rights of way processes
- <925> Compliance with Land Use permitting requirements
- <926> Compliance with Facilities Siting rules
- <927> Compliance with Environmental Review processes
- <928> Compliance with Cultural Preservation review processes
- <929> Compliance with Tribal Business and Licensing requirements.

Select (Yes, No, NA)

<b>(1100) No Terrestrial Backhaul Reporting Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	220344
<015>	Study Area Name	ALMA TEL CO
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Laure Cohen
<035>	Contact Telephone Number - Number of person identified in data line <030>	912-632-3117
<039>	Contact Email Address - Email Address of person identified in data line <030>	lcohen@atcnetworks.net

<1120> Please check this box to confirm no terrestrial backhaul options exist within the supported area pursuant to § 54.313(G)

<1130> Please check this box to confirm the reporting carrier offers broadband service of at least 1 Mbps downstream and 256 kbps upstream within the supported area pursuant to § 54.313(G)

<b>(1200) Terms and Condition for Lifeline Customers</b> <b>Lifeline</b> <b>Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	220344
<015>	Study Area Name	ALMA TEL CO
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Laure Cohen
<035>	Contact Telephone Number - Number of person identified in data line <030>	912-632-3117
<039>	Contact Email Address - Email Address of person identified in data line <030>	lcohen@atcnetworks.net

<1210> Terms & Conditions of Voice Telephony Lifeline Plans 220344GA1210

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Name of attached document (.pdf)

<1220> Link to Public Website HTTP \_\_\_\_\_

"Please check these boxes below to confirm that the attached PDF, on line 1210, or the website listed, on line 1220, contains the required information pursuant to § 54.422(a)(2) annual reporting for ETCs receiving low-income support, carriers must annually report:

- <1221> Information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers,
- <1222> Details on the number of minutes provided as part of the plan,
- <1223> Additional charges for toll calls, and rates for each such plan.

<b>(2000) Price Cap Carrier Additional Documentation</b> <b>Data Collection Form</b> <i>Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers</i>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	220344
<015>	Study Area Name	ALMA TEL CO
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Laure Cohen
<035>	Contact Telephone Number - Number of person identified in data line <030>	912-632-3117
<039>	Contact Email Address - Email Address of person identified in data line <030>	lcohen@atcnetworks.net

CHECK the boxes below to note compliance as a recipient of Incremental Connect America Phase I support, frozen High Cost support, High Cost support to offset access charge reductions, and Connect America Phase II support as set forth in 47 CFR § 54.313(b),(c),(d),(e) the information reported on this form and in the documents attached below is accurate.

**Incremental Connect America Phase I reporting**

- <2010>
2nd Year Certification {47 CFR § 54.313(b)(1)}
- <2011>
3rd Year Certification {47 CFR § 54.313(b)(2)}

**Price Cap Carrier Receiving Frozen Support Certification {47 CFR § 54.312(a)}**

- <2012>
2013 Frozen Support Certification
- <2013>
2014 Frozen Support Certification
- <2014>
2015 Frozen Support Certification
- <2015>
2016 and future Frozen Support Certification

**Price Cap Carrier Connect America ICC Support {47 CFR § 54.313(d)}**

- <2016>
Certification Support Used to Build Broadband

**Connect America Phase II Reporting {47 CFR § 54.313(e)}**

- <2017>
3rd year Broadband Service Certification
- <2018>
5th year Broadband Service Certification
- <2019>
Interim Progress Certification
- <2020>
Please check the box to confirm that the attached PDF , on line 2021, contains the required information pursuant to § 54.313 (e)(3)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.

<2021>
Interim Progress Community Anchor Institutions

Name of Attached Document Listing Required Information  


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<b>(3000) Rate Of Return Carrier Additional Documentation</b>	FCC Form 481
<b>Data Collection Form</b>	OMB Control No. 3060-0388/OMB Control No. 3060-0819
	July 2013

<010> Study Area Code	220344
<015> Study Area Name	ALMA TEL CO
<020> Program Year	2014
<030> Contact Name - Person USAC should contact regarding this data	Laure Cohen
<035> Contact Telephone Number - Number of person identified in data line <030>	912-632-3117
<039> Contact Email Address - Email Address of person identified in data line <030>	lcohen@atcnetworks.net

CHECK the boxes below to note compliance on its five year service quality plan (pursuant to 47 CFR § 54.202(a)) and, for privately held carriers, ensuring compliance with the financial reporting requirements set forth in 47 CFR § 54.313(f)(2). I further certify that the information reported on this form and in the documents attached below is accurate.

**Progress Report on 5 Year Plan**

<p>(3010) Milestone Certification (47 CFR § 54.313(f)(1)(i)) Please check this box to confirm that the attached PDF, on line 3012, contains the required information pursuant to § 54.313 (f)(1)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.</p>	<p>Name of Attached Document Listing Required Information</p> <p><input type="checkbox"/></p>
<p>(3012) Community Anchor Institutions (47 CFR § 54.313(f)(1)(ii)) (3013) Is your company a Privately Held ROR Carrier (47 CFR § 54.313(f)(2)) (3014) If yes, does your company file the RUS annual report Please check these boxes to confirm that the attached PDF, on line 3017, contains the required information pursuant to § 54.313(f)(2) compliance requires: (3015) Electronic copy of their annual RUS reports (Operating Report for Telecommunications Borrowers) (3016) PDF of Balance Sheet, Income Statement and Statement of Cash Flows If the response is yes on line 3014, attach your company's RUS annual report and all required documentation (3017) If the response is no on line 3014, Is your company audited? If the response is yes on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains: (3019) Either a copy of their audited financial statement; or (2) a financial report in a format comparable to RUS Operating Report for Telecommunications (3020) PDF of Balance Sheet, Income Statement and Statement of Cash Flows (3021) Management letter issued by the independent certified public accountant that performed the company's financial audit. If the response is no on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains: (3022) Copy of their financial statement which has been subject to review by an independent certified public accountant; or 2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers, (3023) Underlying information subjected to a review by an independent certified public accountant (3024) Underlying information subjected to an officer certification. (3025) PDF of Balance Sheet, Income Statement and Statement of Cash Flows (3026) Attach the worksheet listing required information</p>	<p>Name of Attached Document Listing Required Information</p> <p><input checked="" type="checkbox"/> (Yes/No) <input type="checkbox"/> (Yes/No)</p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p>Name of Attached Document Listing Required Information</p> <p><input checked="" type="checkbox"/> (Yes/No)</p> <p><input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>Name of Attached Document Listing Required Information</p> <p>220344GA3026</p>

<b>Certification - Reporting Carrier Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<b>&lt;010&gt;</b>	Study Area Code	220344
<b>&lt;015&gt;</b>	Study Area Name	ALMA TEL CO
<b>&lt;020&gt;</b>	Program Year	2014
<b>&lt;030&gt;</b>	Contact Name - Person USAC should contact regarding this data	Laure Cohen
<b>&lt;035&gt;</b>	Contact Telephone Number - Number of person identified in data line <030>	912-632-3117
<b>&lt;039&gt;</b>	Contact Email Address - Email Address of person identified in data line <030>	lcohen@atcnetworks.net

**TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING ANNUAL REPORTING ON ITS OWN BEHALF:**

<b>Certification of Officer as to the Accuracy of the Data Reported for the Annual Reporting for CAF or LI Recipients</b>	
I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual reporting requirements for universal service support recipients; and, to the best of my knowledge, the information reported on this form and in any attachments is accurate.	
Name of Reporting Carrier:	
Signature of Authorized Officer:	Date
Printed name of Authorized Officer:	
Title or position of Authorized Officer:	
Telephone number of Authorized Officer:	
Study Area Code of Reporting Carrier:	Filing Due Date for this form:
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

<b>Certification - Agent / Carrier Data Collection Form</b>	PCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
---	--

<010> Study Area Code	220344
<015> Study Area Name	ALMA TEL CO
<020> Program Year	2014
<030> Contact Name - Person USAC should contact regarding this data	Laure Cohen
<035> Contact Telephone Number - Number of person identified in data line <030>	912-632-3117
<039> Contact Email Address - Email Address of person identified in data line <030>	lcohen@atcnetworks.net

**TO BE COMPLETED BY THE REPORTING CARRIER, IF AN AGENT IS FILING ANNUAL REPORTS ON THE CARRIER'S BEHALF:**

<b>Certification of Officer to Authorize an Agent to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier</b>	
I certify that (Name of Agent) <u>John Staurulakis Inc.</u> is authorized to submit the information reported on behalf of the reporting carrier. I also certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual data reporting requirements provided to the authorized agent; and, to the best of my knowledge, the reports and data provided to the authorized agent is accurate.	
Name of Authorized Agent:	John Staurulakis Inc.
Name of Reporting Carrier:	ALMA TEL CO
Signature of Authorized Officer:	CERTIFIED ONLINE
Printed name of Authorized Officer:	Kevin Brooks
Title or position of Authorized Officer:	Persident
Telephone number of Authorized Officer:	9126328603
Study Area Code of Reporting Carrier:	220344
Filing Due Date for this form:	10/15/2013
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

**TO BE COMPLETED BY THE AUTHORIZED AGENT:**

<b>Certification of Agent Authorized to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier</b>	
I, as agent for the reporting carrier, certify that I am authorized to submit the annual reports for universal service support recipients on behalf of the reporting carrier; I have provided the data reported herein based on data provided by the reporting carrier; and, to the best of my knowledge, the information reported herein is accurate.	
Name of Reporting Carrier:	ALMA TEL CO
Name of Authorized Agent or Employee of Agent:	John Staurulakis, Inc.
Signature of Authorized Agent or Employee of Agent:	CERTIFIED ONLINE
Printed name of Authorized Agent or Employee of Agent:	Bob Ragsdale
Title or position of Authorized Agent or Employee of Agent:	Manager - Regulatory Affairs
Telephone number of Authorized Agent or Employee of Agent:	770-569-2105
Study Area Code of Reporting Carrier:	220344
Filing Due Date for this form:	10/15/2013
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

## Attachments



In establishing this certification in its *2005 ETC Order*,<sup>1</sup> the FCC found that an ETC must make “a specific commitment to objective measures to protect consumers.”<sup>2</sup> The Commission found that for wireless ETCs, compliance with CTIA’s Consumer Code for Wireless Service would satisfy this requirement” and that the sufficiency of other commitments would be considered on a case-by-case basis.<sup>3</sup> In this context, the FCC stated, “to the extent a wireline or wireless ETC applicant is subject to consumer protection obligations under state law, compliance with such laws may meet our requirement.”<sup>4</sup>

Alma Telephone Company, Inc. (“Alma”) hereby certifies that it is in compliance with applicable service quality standards and consumer protection rules. Alma is subject to consumer protection obligations under Georgia state law. These obligations include, but are not limited to, the following: (1) filing a Local Exchange Tariff pursuant to the requirements of the Rules of the Georgia Public Service Commission which discloses rates, and terms and conditions of service to customers (Chapter 515-12-1-.02(5)(a) and .04(5) of the Rules of the Georgia Public Service Commission); (2) adherence to state consumer protection requirements governing telephone providers which require Service Standards (Chapter 515-12-1-.17 and .18 of the Rules of the Georgia Public Service Commission); Customer Billing (Chapter 515-12-1-.04(4) of the Rules of the Georgia

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<sup>1</sup> *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (rel. Mar. 17, 2005) (“*2005 ETC Order*”).

<sup>2</sup> *Id.* at para. 28.

<sup>3</sup> *Id.* The FCC noted that under the CTIA Consumer Code, wireless carriers agree to: “(1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy.” *Id.* at n. 71.

<sup>4</sup> *Id.* at n. 72.

Public Service; and Customer Complaints (Chapter 515-12-1-.08 of the Rules of the Georgia Public Service Commission); (3) truth-in-billing requirements (Chapter 515-12-1-.04(4) of the Rules of the Georgia Public Service Commission); and (4) CPNI, Red Flag Rules and other applicable federal and state requirements governing the protection of customers' privacy.

Alma Telephone Company, Inc. (“Alma”) hereby certifies that it is able to function in emergency situations as set forth in 47 C.F.R. §54.202(a)(2)<sup>1</sup> and Chapter 515-12-1-.11(4) of the Rules of the Georgia Public Service Commission. Alma’s network is designed to remain functional in emergency situations without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations as required by 47 C.F.R. §54.202(a)(2) and Chapter 515-12-1-.11(4) of the Rules of the Georgia Public Service Commission. Alma can change call routing translations as needed to reroute traffic around damaged facilities. Changing call routing translations will also allow Alma to manage traffic spikes throughout its network, as emergency situations require.

Specifically, each central office building is supplied with standby generators and battery back-up that enable the central office to keep running until power is restored so long as fuel is available, or until system changes are made to reroute traffic. Alma has battery backup at all office locations and in its electronic equipment sites. Length of run time is determined by the equipment serving the area and the number of customers working out of the equipment.

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<sup>1</sup> Section 54.202(a)(2) requires ETCs that are designated by the Commission to “demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.”

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**GENERAL RULES AND REGULATIONS**

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**GENERAL RULES AND REGULATIONS**

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**GENERAL RULES AND REGULATIONS**

**4.1 GENERAL APPLICATION**

4.1.1 The rules and regulations set out in this Tariff apply to the services and associated facilities furnished by the Company within its operating territory in the exchanges listed in Section 2 of this Tariff.

4.1.2 The rules and regulations in this section govern the furnishing of Local Exchange Service to customers. These rules and regulations are in addition to the rules and regulations contained in other Tariffs filed by this Company.

In the event of any conflict between any rate, regulation, or provision contained in these General Rules and Regulations and any rate, regulation or provision contained in the Tariffs described above, the rate, regulation, or provision of the specific Tariff shall apply.

4.1.3 Complete Tariffs containing all rates for Local Exchange Service will be kept at all times in the Company's local business office where they will be available for public inspection during regular business hours. Copies may be obtained at reproduction cost.

4.1.4 The rules and regulations specified herein may be modified by the State of Georgia or the Commission. The Company will comply with any changes which take precedence over this Tariff, unless otherwise established by the courts.

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## GENERAL RULES AND REGULATIONS

### 4.1 GENERAL APPLICATION (Cont'd)

4.1.5 Failure on the part of any customer to observe these rules and regulations of this Tariff gives the Company the right to cancel all contracts and discontinue the furnishing of service.

4.1.6 These Tariffs cancel and supersede all other Tariffs of the Company issued and effective prior to the effective date shown on the individual pages of this Tariff.

### 4.2 ESTABLISHING SERVICE

#### 4.2.1 Availability of Facilities

- A. The Company's obligation to furnish service is dependent on its ability to obtain and maintain suitable rights of way and facilities, without unreasonable expense, for the provision of such service.
- B. The rates and charges quoted in this Tariff provide for the furnishing of service and facilities where suitable facilities are available or when the construction of the necessary facilities does not involve excessive costs. Section 10 of this Tariff sets forth the regulations for determining charges when excessive costs are involved for the construction of facilities.
- C. The Company shall not be liable for failure to furnish service unless the purchase price and costs expended by the Company in acquiring such special or private rights of way by purchase or condemnation is paid or guaranteed to the Company by the customer. The rights of way referred to here are only those rights of way leading from the Company's distribution facilities to the premises of the customer.
- D. When service and facilities are provided in part by the Company and in part by other connecting companies the regulations of the Company apply to that portion of the service and facilities furnished by the Company.

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**GENERAL RULES AND REGULATIONS**

**4.2 ESTABLISHING SERVICE (Cont'd)**

**4.2.2 Application for Service**

- A. Applications for service or requests or orders by the customer for additional services or facilities may be made orally, or in writing when deemed necessary by the Company, and shall constitute a contract when accepted by authorized employees or agents of the Company, or upon establishment of service.
- B. An applicant may be required to make an advance payment at the time the application is accepted, in cases where a deposit is not collected. The amount of the payment will be based on applicable Service Connection Charges and the first month's charges for Exchange Service. The provisions of this paragraph affect the initial payment only and regular monthly charges for service as well as billing and collection practices discussed within this Tariff are otherwise applicable.

**4.2.3 Cancellation or Change in Application for Service**

- A. Where the customer cancels an application for service prior to the start of installation of service or of special construction no charge applies.
- B. Where installation of service has been started prior to the cancellation, a Cancellation Charge equal to the Minimum Service Charge may apply.
- C. For switched and nonswitched services, the Cancellation Charge shall be the costs incurred by the Company up to the time of cancellation.

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## GENERAL RULES AND REGULATIONS

### 4.2 ESTABLISHING SERVICE (Cont'd)

#### 4.2.3 Cancellation or Change in Application for Service (Cont'd)

- D. Where special construction has been started prior to the cancellation, a charge equal to the costs incurred in the special construction, less net salvage, shall apply. Installation or special construction for a customer is considered to have started when the Company incurs any expense in connection therewith or in preparation therefore which would not otherwise have been incurred.
- E. When a customer requests a change in location of all or a part of the facilities covered by the application for service, or additions, rearrangements, or modifications of existing service prior to completion of the work involved, the customer is also required to pay the amount of additional costs and expenses incurred by the Company in completing the work as changed.

#### 4.2.4 Refusal of Service

##### A. Compliance by Applicant:

- 1. The Company may refuse to serve an applicant until such applicant has complied with the State and municipal regulations and the rules and regulations outlined in the Company's Tariff on file with the Commission governing the service applied for Service may also be refused for any one of the following reasons:
  - a. The applicant's installation or equipment is known to be inadequate, hazardous or of such character that satisfactory service cannot be given.