

Jack W. Pruitte
DBA First Phone

Kentucky Tariff No.1
Original Page No.1

Local Exchange Telephone Service

TITLE PAGE
OF
KENTUCKY LOCAL EXCHANGE SERVICES TARIFF
OF
JACK W. PRUITTE
DBA FIRST PHONE

This tariff, filed with the Kentucky Public Service Commission, located at 211 Sower Blvd.,
Frankfort, KY, 40602, toll free telephone number (800)772-4636,
Contains the rates, terms, and conditions applicable to
Local Exchange Telephone Services within the State of Kentucky
Offered by Jack W. Pruitte DBA First Phone

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SECTION 9 (1)

By 
Executive Director

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Kentucky Tariff No.1
Original Page No.2

Local Exchange Telephone Service

CHECK SHEET

All sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

<u>SHEET</u>	<u>REVISION LEVEL</u>	<u>SHEET</u>	<u>REVISION LEVEL</u>
1	Original	25	Original
2	Original	26	Original
3	Original	27	Original
4	Original	28	Original
5	Original	29	Original
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SECTION 9 (1)

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TARIFF FORMAT

- A. Page Numbering – Page numbers appear in the upper right hand corner of the page. Pages are numbered sequentially. From time to time new pages may be added to the tariff. When a new page is added between existing pages, a decimal is added to the preceding page number. For example, a new page added between Pages 3 and 4 would be numbered 3.1.
- B. Page Revision Numbers – Revision numbers also appear in the upper-right corner of the Page. These numbers are used to determine the most current page version on file with the Commission. For example, 4th Revised Page 4 cancels 3rd Revised Page 4.
- C. Paragraph Numbering Sequence – There are various levels of paragraph coding. Each level of coding is subservient to its next higher level of coding. For example.

2
2.1
2.1.1
2.1.1.A
2.1.1.A.1

- D. Check Sheet – When a tariff filing is made with the Commission, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the pages contained in the tariff, with a cross-reference to the current revision number. When new sheets are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this sheet if these are the only changes made to it (i.e., the format, etc., remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest Check Sheet to find out if a particular page is the most current on file with the Commission.

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PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By 
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Local Exchange Telephone Service

TABLE OF CONTENTS

Title Page	1
Check Sheet	2
Tariff Format	3
Table of Contents	4
Application of Tariff	5
Section 1- Technical Terms and Abbreviations	6
Section 2- Rules and Regulations	8
Section 3- Description of Service	22
Section 4- Rates	25
Section 5- Billing Contents	27
Section 6- Special Service Arrangements	28
Sample Telephone Bill	29

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SECTION 9 (1)

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Kentucky Tariff No.1
Original Page No.5

Local Exchange Telephone Service

APPLICATION OF TARIFF

This tariff contains the regulations and rates applicable to the provision of local exchange service by Jack W. Pruitte DBA First Phone within the State of Kentucky and subject to the jurisdiction of the Kentucky Public Service Commission.

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SECTION 1-TECHNICAL TERMS AND ABBREVIATIONS

Access Line- An arrangement which connects the customer's location to a switching center or point of presence

Authorized User-A person, firm, corporation, or any other entity authorized by the Customer to communicate utilizing the Company' service.

Carrier or Company – Whenever used in this tariff "Carrier" or "Company" refers to Jack W. Pruitte DBA First Phone, unless otherwise specified or clearly indicated by the context.

Commission – Kentucky Public Service Commission

Customer – The person, firm, corporation, or other entity which orders, cancels, amends, or uses service and is responsible for payment of charges and compliance with the Company's tariff;

Exchange Access Line- The serving central office line equipment and all Company plant facilities up to and including the Company-provided Standard Network Interface. These Facilities are Company- provided and maintained and provide access to and from the telecommunications network for message toll service and for local calling appropriate to the tariffed use offering selected by the Customer. Exchange access lines are subject to non-recurring charges, as specified in Section 4 of this tariff.

ILEC- The incumbent Local Exchange Carrier.

LEC- Local Exchange Company.

CLEC- The competitive Local Exchange Carrier.

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Kentucky Tariff No.1
Original Page No.7

Local Exchange Telephone Service

SECTION 1-TECHNICAL TERMS AND ABBREVIATIONS, CONT.

Local Exchange Services – Telecommunications services furnished for use by end-users in placing and receiving local telephone calls within local calling areas.

Resold Local Exchange Service – A service composed of the resale of exchange access lines and local calling provided by other authorized Local Exchange Carriers, in combination with Company- provided usage services, miscellaneous services or interstate/international services.

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SECTION 9 (1)

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Local Exchange Telephone Service

SECTION 2- RULES AND REGULATIONS

2.1 Undertaking of the Company

The Company services offered pursuant to this Tariff are furnished for Local Exchange Service among specified points within a Local Calling Area. The Company will offer these services over resold facilities.

The Company's services and facilities are provided on a monthly basis unless otherwise indicated, and are available twenty-four hours per day, seven days per week.

2.2 Limitations

- 2.2.1 Service is offered subject to the availability of the necessary facilities and equipment, and subject to the provisions of this tariff
- 2.2.2 The Company reserves the right to discontinue or limit service when necessitated by conditions beyond its control, or when the Customer is using service in violation of the provisions of this tariff, or in violation of the law.

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SECTION 9 (1)

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Local Exchange Telephone Service

SECTION 2- RULES AND REGULATIONS, CONT.

2.2 Limitations, cont.

- 2.2.3 The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.
- 2.2.4 All facilities provided under this tariff are directly controlled by the Company and the Customer may not transfer or assign the use of service or facilities without the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.
- 2.2.5 Prior written permission from the Company is require before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to any assignee or transferee.

2.3 Use

Services provided under this tariff may be used for any lawful purpose for which the service is technically suited.

2.4 Liabilities of the Company

- 2.4.1 The Company's liability for damages arising out of misstates, interruptions, omissions, delays, errors, or defects in transmission which occur in the course of furnishing service or facilities, in no event shall exceed an amount equivalent to the proportionate charge to the Customer for the period during which the faults in transmission occur.

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SECTION 2- RULES AND REGULATIONS, CONT.

2.4 Liabilities of Company, Cont.

- 2.4.2 The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage), for any interruption, delay, error omission, or defect in any service, facility, or transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.
- 2.4.3 The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copy-right or patent, unauthorized use of any trademark, trade name, or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use or removal of equipment or wiring provided by the Company, if not directly cause by negligence of the Company.
- 2.4.4 No agent or employee of any other carrier shall be deemed to be an agent or employee of the Company.
- 2.4.5 The Company shall not be liable for any defacement of or damages to the premises of a Customer resulting from the furnishing of service which is not the direct result of the Company's negligence.

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SECTION 2- RULES AND REGULATIONS, CONT.

2.5 Deposits

The Company does not collect customer deposits.

2.6 Advance Payments

The Company offers prepaid local exchange service, and, therefore, all payments for service are made in advance. Customers are allowed a five (5) day grace period for payment.

2.7 Taxes

All stat and local taxes (including but not limited to franchise fees, excise tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

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SECTION 9 (1)

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SECTION 2- RULES AND REGULATIONS, CONT.

2.8 Installation

Service is installed upon mutual agreement between the Customer and the Company. The service agreement does not alter rates specified in this tariff.

2.9 Payment for Service

The Customer is responsible for payment of all charges for services furnished to the Customer or to an Authorized User of the Customer by the Company. All charges due by the Customer are payable to the Company or to any agency duly authorized to receive such payments. Terms of payment shall be according to the rules and regulations of the agency and subject to the rules of regulatory agencies, such as the Kentucky Public Service Commission.

The Company's billing invoices will be considered correct and binding upon the Customer if no notice is received from the Customer within forty five (45) days of the date of the invoice. Billing inquiries may be made in writing, in person, or via telephone. Adjustments to Customer's bills shall be made to the extent circumstances exist which reasonably indicate that such changes are appropriate. Upon receipt of a billing inquiry, charges involved in the disputed element(s) of the invoice will be temporarily suspended pending resolution of the dispute. The Customer, however, remains responsible for the timely payment of the non-disputed elements of the invoice. If a Customer is not satisfied with the Company's response to an inquiry or request for credit, he or she may appeal to the Kentucky Public Service Commission for final resolution.

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SECTION 2- RULES AND REGULATIONS, CONT.

2.10 Late Payment Charge

The Company will assess a \$5.00 charge for late payment is considered late after the five (5) day grace period. A late payment penalty may be assessed only once on any bill for rendered services.

2.11 Cancellation by Customer

Customer may cancel service by providing written or oral notice to the Company.

2.12 Interconnection

Service furnished by the Company may be connected with the services or facilities of other carriers or enhanced service providers. The Customer is responsible for all charges billed by these entities for use in connection with the Company's service. Any special interface equipment or facilities necessary to achieve compatibility between these entities is the responsibility of the customer. Neither the Company nor any connecting carrier participating in a service shall be liable for any act or omission of any other company or companies furnishing a portion of such service.

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SECTION 2- RULES AND REGULATIONS, CONT.

2.13 Refusal or Discontinuance by Company

The Company may refuse or discontinue service under the following conditions provided that, unless otherwise stated, the Customer shall be given proper notification in accordance with 807 KAR 5:006 Section 14 to comply with any rule or remedy any deficiency:

- 2.13.1 For non-compliance with or violation of any State, municipal, or Federal law, ordinance or regulation pertaining to telephone service.
- 2.13.2 For use of telephone service for any other property or purpose than that described in the application
- 2.13.3 For neglect or refusal to provide reasonable access to the Company or its agents for the purpose of inspection and maintenance of equipment owned by the Company or its agents.
- 2.13.4 For noncompliance with or violation of Commission regulation or the Company's rules and regulations on file with the Commission, provided ten days written notice is given before termination.
- 2.13.5 For nonpayment of bills, including bills for any of the company's other communication services, provided that suspension or termination of service shall not be made without seven days written notice to the Customer, except in extreme cases.
- 2.13.6 Without notice in the event of Customer or Authorized User use of equipment in such a manner as to adversely affect the Company's service to others. Within twenty-four(24) hours alter such termination, the utility shall send written notification to the customer of the reasons for termination or refusal of service upon which the utility relies, and of the customer's right to challenge the termination by filing a formal complaint with the Commission.

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SECTION 9 (1)

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SECTION 2- RULES AND REGULATIONS, CONT.

- 2.13.7 Without notice in the event of tampering with the equipment or services owned by the Company or its agents. Within twenty-four(24) hours alter such termination, the utility shall send written notification to the customer of the reasons for termination or refusal of service upon which the utility relies, and of the customer's right to challenge the termination by filing a formal complaint with the Commission.
- 2.13.8 Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, the Company may, before restoring service, require the Customer to make, at his or her own expense, all changes in facilities or equipment necessary to eliminate illegal use and to pay an amount reasonably estimated as the loss in revenues resulting from such fraudulent use. Within twenty-four(24) hours alter such termination, the utility shall send written notification to the customer of the reasons for termination or refusal of service upon which the utility relies, and of the customer's right to challenge the termination by filing a formal complaint with the Commission.
- 2.13.9 Without notice by reason of any order or decision of a court or other government authority having jurisdiction which prohibits Company from furnishing such services.

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SECTION 2- RULES AND REGULATIONS, CONT.

2.14 Tests, Pilots, Promotional Campaigns and Contests

The Company may conduct special tests or pilot programs and promotions at its discretion to demonstrate the ease of use, quality of service and to promote the sale of its services. The Company may also waive a portion or all processing fees or installation fees for winners of contests and other occasional promotional events sponsored or endorsed by the Company. From time to time, the Company may waive all processing fees for a Customer. The Company will notify the Commission regarding specific promotions and contests.

2.15 Interruption of Service

Credit allowances for interruptions of service which are not due to the Company's testing or adjusting, to the negligence of the Customer, or to the failure of channels, equipment or communications Systems provided by the Customer, are subject to the general liability provisions set forth in Section 2.4 herein. It shall be the obligation of the Customer to notify Company immediately of any interruption in service for which a credit allowance is desired by Customer. Before giving such notice, Customer shall ascertain that the trouble is not within his or her control, or is not in wiring or equipment, if any, furnished by Customer and connected to Company's terminal. Interruptions caused by Customer-provided or Company-provided automatic dialing equipment are not deemed an interruption of service as defined herein since the Customer has the option of using the long distance network via local exchange company access.

2.16 Cost of Collection and repair

The Customer is responsible for any and all costs incurred in the collection of monies due the Carrier including legal and accounting expenses. Customer is also responsible for recovery costs of Carrier-provided equipment and any expenses required for repair or replacement of damaged equipment.

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SECTION 2- RULES AND REGULATIONS, CONT.

2.17 Returned Check Charges

A fee of \$15.00, or five percent of the amount of the check, which ever is greater, may be charged for each check returned for insufficient Funds.

2.18 Service Implementation

Absent a promotional offering, service implementation charges of \$40.00 per service order will apply to new service orders. Changes to existing service after initial connection will reflect a \$30.00 charge.

2.19 Reconnection Charge

The Company will charge a reconnection fee as set forth in this tariff

2.20 Operator Service Rules

The Company will enforce the operator service rules specified by the Commission and by the FCC.

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SECTION 2- RULES AND REGULATIONS, CONT.

2.21 Access to Telephone Relay Services

Where required by the Commission, the Company will participate in telephone relay services for handicapped and /or hearing-impaired end users, and will comply with all regulations and requirements. The Company shall impose any monthly surcharge or any other related charge upon its local exchange telecommunications subscribers as may be required by state law.

2.22 Access to Carrier of Choice

End users of the Company's local service shall have the right to select the inter exchange telecommunications service provider (IC) of their choice. The IC should request confirmations/verifications of choice from its customers no later than the date of submission of its first bill to the customer. The Company should maintain signed letters of agency or confirmations of choice on file for use in dispute resolution.

2.23 Directory Listings

2.23.1 The Company does not publish a directory of subscriber listings. The Company, however, does arrange for the Customer's main billing number to be placed in the directory or directories of the dominant local exchange carrier.

2.23.2 The rates and regulations specified herein for directory listings apply only to the alphabetical section of the directory. Listings are intended solely for the purpose of identifying subscriber's telephone number and as an aid to the use of telephone service.

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SECTION 2- RULES AND REGULATIONS, CONT.

- 2.23.3 The listings of subscribes, either without charge or at the rate specified within this tariff for other listings are arranged alphabetically and are not intended for special prominence of arrangement. In accepting listings as requested by subscribers or prospective subscribers, the Company will not be a party to controversies between subscribers as result of the publication of such listings in the directories.
- 2.23.4 Listings must confirm to the Company's specifications with respect to the directories. The Company reserves the right to reject listings when in, its sole judgment, such listings would violate the integrity of company records and the directories, confuse individuals using the directory, or when the customer cannot provide satisfactory evidence that he is authorized to do business as requested.
- 2.23.5 The Company reserves the right to limit the length of any listing to one line in the directory by use of abbreviations when, I its judgment, the clearness of the listing and the identification of the subscriber is not impaired.
- 2.23.6 Generally, the listed address is the location of the subscriber's residence.

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SECTION 2- RULES AND REGULATIONS, CONT.

2.24 Universal Emergency Telephone Number Service (911, E911)

- 2.24.1 This tariff does not provide for the inspection or constant monitoring of facilities to discover errors, defects, or malfunctions in the service, nor does the Company undertake such responsibility.
- 2.24.2 911 information consisting of the names, addresses and telephone numbers of all telephone customers is confidential. The Company will release such information via the Data Management System only after a 911 call has been received, on a call-by-call basis, only for the purpose of responding to an emergency call in process.
- 2.24.3 The 911 calling party, by dialing 911, waives the privacy afforded by non-listed and non-published service to the extent that the telephone number, name, and address associated with the originating station location are furnished to the Public Safety Answering Point.
- 2.24.4 After the establishment of service, it is the Public Safety Agency's responsibility to continue to verify the accuracy of and to advise the Company of any changes as they occur in street names, establishment of new streets, changes in address numbers used on existing streets, closing and abandonment of streets, changes in police, fire, ambulance or other appropriate agencies' jurisdiction over any address, annexations and other changes in municipal and county boundaries, incorporation of new cities or any other similar matter that may affect the routing of 911 calls to the proper Public Safety Answering Point.

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SECTION 2- RULES AND REGULATIONS, CONT.

2.24 Universal Emergency Telephone Number Service (911, E911) (continued)

2.24.5 The Company assumes no liability for any infringement, or invasion of any right of privacy of any person or persons caused, or claimed to be caused, directly or indirectly by the use of 911 Service. Under the terms of this tariff, the Public Safety agency must agree, (except where the events, incidents, or eventualities set forth in this sentence are the result of the Company's gross negligence or willful misconduct), to release, indemnify, defend and hold harmless the Company from any and all losses or claims whatsoever, whether suffered, made, instituted, or asserted by the Public Safety Agency or by any other party or person, for any personal injury to or death of any person or persons, or for any loss, damage, or destruction of any property, whether owned by the customer or others, Under the terms of this tariff; the Public Safety Agency must also agree to release, indemnify, defend and hold harmless the Company for any infringement of invasion of the right of privacy of any person or persons, caused or claimed to have been caused, directly or indirectly, by the installation, operation, failure to operate, maintenance, removal, presence, condition, occasion, or use of 911 Service features and the equipment associated therewith, or by any services furnished by the Company in connection therewith, including, but not with the telephone used by the party or parties accessing 911 Service hereunder, and which arise out of the negligence or other wrongful act of the Public Safety Agency, its user, agencies or municipalities, or the employees or agents of any one of them, or which arise out of the negligence, other than gross negligence or willful misconduct, of the Company, its employees or agents.

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Local Exchange Telephone Service

SECTION 3- DESCRIPTION OF SERVICE

3.1 Local Service Areas

The Company will provide residential prepaid local exchange service throughout the entire State of Kentucky

3.2 Product Descriptions

3.2.1 Residential Prepaid Local Exchange Service

Connection and monthly recurring charges will apply to the Company's local exchange services and will be prepaid by the customer.

3.2.1.1 The Company's prepaid Local Telephone Service provides a customer with the ability to:

- place or receive calls to any calling Station in the local calling area, as defined herein;
- access basic 911 Emergency Service;
- access the inter exchange carrier selected by the Customer for interLATA, intraLATA, interstate or international calling;
- access Telecommunication Relay Service.

3.2.1.2 The Company's service can not be used to originate calls to other telephone companies caller-paid information services (e.g., 900, 976). Calls to those numbers and other numbers used for caller-paid information blocked by the Company's switch.

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SECTION 3- DESCRIPTION OF SERVICE, CONT.

3.3 Product Descriptions, cont.

3.2.1.3 Local Line provides the Customer with a single, voice-grade communications channel. Each Local Line will include a telephone number.

3.2.1.4 Each Local Line Customer is provided with touch-tone as a standard feature.

3.2.1.5 Optional Features: A Customer may order optional features, at the rates specified in this tariff.

3.2.1.6. Local Line Rates and Charges: A Local Line Customer will be charged applicable Non-Recurring Charges, Monthly Recurring Charges and usage Charges as specified herein.

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SECTION 3-DESCRIPTION OF SERVICE, CONT.

3.2 Product Descriptions, cont.

3.2.2 Directory Listings

For each Customer of Exchange Access Service(s), the Company shall arrange for the listing of the Customer's main billing telephone number in the directory(ies) published by the dominant Local Exchange Carrier in the area at no additional charge. At a Customers' option, the Company will arrange for additional listings at an additional charge.

3.2.3 Directory Assistance

Customers and users of the Company's services may NOT obtain directory assistance in determining telephone numbers within the state by calling the Directory Assistance operator.

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SECTION 4- RATES

4.1 Prepaid Local Residential Services Rates

4.1.1 Monthly Charges*

Each Line:	\$ 35.00 per month
KY lifeline Support Charge	\$.08 per month
KY TRS/TAP Surcharge	\$.09 per month

*Monthly charges include local exchange phone service only. Should additional features be added to service after installation, a \$30.00 service charge will be incurred by the customer in addition to the cost of the new feature.

4.1.2 Optional Features Offered:

Caller ID	\$10.00 per line
Call Waiting	\$ 5.00 per line
Call Forwarding	\$ 5.00 per line
Unlisted Number	\$ 5.00 per line

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Kentucky Tariff No.1
Original Page No.26

Local Exchange Telephone Service

SECTION 4- RATES, CONT.

4.2 Returned Check Charge

\$15.00 per check, or five percent of the amount of the check, which ever is greater, may be charged for each check returned.

4.3 Connection/Reconnection Charge

\$35.00 per occurrence. The company will offer a special promotional charge to new customers of \$20.00 for the customer's first connection with the company. The company will waive this \$20.00 charge to new customers that are being converted from another local exchange telephone service.

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Original Page No.27

Local Exchange Telephone Service

SECTION 5 – BILLING CONTENTS

5.1 Billing Contents

The Company's customer bills contain the following information:

1. Name and address of Company
2. Customer Service/Billing Inquiry toll-free telephone number
3. Name and address of Customer
4. Due Date
5. Account Number
6. List of Charges

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Kentucky Tariff No.1
Original Page No.28

Local Exchange Telephone Service

SECTION 6- SPECIAL SERVICE ARRANGEMENTS

6.1 Individual Case Basis Arrangements

Arrangements will be developed on a case-by-case basis in response to a bona fide special request from a Customer or prospective Customer to develop a competitive bid for a service not generally available under this tariff. The Company's rates will be offered to the Customer in writing and on a non-discriminatory basis. All such rates will be submitted to the Commission for approval.

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Local Exchange Telephone Service

First Phone

P.O. Box 504
Clarksville, TN 37041
931-431-6316
877-431-9595

Phone Bill

SAMPLE TELEPHONE BILL

DUE DATE: 06/01/05

MAIL TO : Lavitra Hurtt

Description	Amount
Basic Service	35.00
911 Service	.65
Federal Communication Charge	6.50
Number Portability	.35
Federal Excise Tax (3%)	1.27
KY Sales Tax (6%)	2.60
KY Life Line Support	.08
KY TRS/TAP	.09
Total	46.55

Total Due: 46.42

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