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n the Ma	tter of	IN THE MATTER OF THE COMPLAINT FILED BY LOWN HOUSE RESTAURANT, SPEARFISH, SOUTH DAKOTA, AGAINST AT&T COMMUNICATIONS OF THE MIDWEST, INC. REGARDING CONSUMER SERVICE ISSUES	
	Publi	c Utilities Commission of the	e State of South Dakota
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SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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# BEFORE THE PUBLIC LTILITIES CO MISSION OF THE STATE OF SOUTH DAK, HA

# COMPLAINT

(The	Complainant(s): party filing the complaint)		Company complaned againsts
Name:	Lown House Restaurant	Contact Person	City Treast
Address:	745 5th Street	Company	<b>АТ 8</b> Т
City, St., Zip:	spearfish, SD 57783	Address:	(Cerporate Head(1821)(71)
(W) Phone:	(605) 642 3902 or (605) 642 5663	Cipy State Zar	
(H) Phone: Fax:	LOWN745 577832032 RETURN TO SENDER TLOWN HOUSE RESTAURA 410 E COLORADO &LVD SPEARFISH SD 57763-2	다 비행 이번 사람이 있는 것 같이 아니는 것 같은 것이 있는 것이 가지 않는 것이 있는 것 같이 없는 것 같이 않 않는 것 같이 없는 것 같이 않는 것 같이 없는 것 같이 않는 것 않는 것 같이 않는 것 않는 것 같이 않는 것 않는 것 같이 않는 것 않는 것 같이 않 않이 않는 것 같이 않는 것 않 않이 않 않이 않이 않이 않는 것 않 않는 것 않이 않는 것 않이 않는 않 않이	(602) 854 4242
( the Complain f Complainant	RETURN TO SENDER		bour annour and far manner bei
de la company		and Instant III far the share	$(M^{-1})^{-1}$ is the second

# The facts giving rise to my complaint:

In December, 1997 Lowitched my long distance carrier from AT& T to Firstel for clephone Number: SSN-642-5661 and we including the proper paperwork (thru Firstel) in order that I could save on incoming and outgoing long distance bills (rec copy of contract, attached). However, unknown to me at this time was that AT& ! required a "release form", signed by myself authorizing Firstsi to have the number "ported" from AI&I to Urstel, which I do sign and Firstel faxed to AI&I I on over 3 occasions, but without action And only in May did our Firstel representative 1 nally get A1.41.T to acknowledge that there was very "minute" errors on the form they sent on the first three occasions, and I an they would require another form (copies attached). I believed that since I was being billed from Firstel for my long distance (SSS-642-S663) that I was no longer connected with AT&F and paid Firstel for long distance charges. At this same to se, I initiated a "page" on the internet to advertise the Lown House using the \$33-642-5663 telephone number. I'ven that ghove did not have any business from the advertisement, I felt that this was usual for a Bed & Dreakfast/Restaurant as far as reservations are concerned. However, after several weeks with no calls for rooms. I just coulds's understand why everyone case in Spearfish was getting their roome rended and I wasn't. And unfor Mately, it was not units I was in New York state that I wied to call into the Loren House using the SSS-642-5663 telephone number. We vers informed by Firstel representations that there was a "scars" going on ha the eastern part of the United States and that AT&T shuf of this service because of the CH course this year not the case and I feet that Firstel should have understood wh a the situation was and in better assist a diadvise us on exactly what the problem was, and how to rectify the situation. Firstel was still billing as and their depresents: we informed as that "he" was "dar" representative for telephone arrive and that we should go through him for all be sinese related to telephone service. This we

around? and that AT&TT utilized "statiling" factics hoging that we would get in doing the get in contrast with them so that we would just not do anything except continue with "writus quo". I also believe it at if ALACE unitzed these (trained Dramess techniques here in South Dakota that someone should make them name "survice clented" to their customery. The only reason couldn'the inimediately "ported" and that they had up to 20 working days to actually activate the noniber and "port" it over the 388-642-5663 line over to Firsten I was instructed that there was still an outstand aghalance of 525.40 on the account. I that the have stalled, even longer and I still would be without this advectised number. A viewe that we were adven the complete Total My bookkeeper finally located that bill (which was weat to a faall hox with an used or Archeft - Aft building and statements well to be sent directly to usy footkeeper's office for payment ection. I then instructive hun to pay the bill, which he did and unlike however, wasn't posted to the AT&1 account and the 12th of Sune, 1958 (copy a sched). After Ustar hed is my affice an the Fustel and AT&T regarding the vituation and all the while the photo was diversit. And "This pusaled me a great deal because the complete "run-iround", I called my office and had my bookkeeper aftempta. Indont what the problem was No towned 17th of June and after utary, many attempts to reach ALST I to find out what the produced way with regard to "parting" the payment, in full, utilizing my credit card (copy attached). Still, I was told that AT +1. I had serveral reasons why the number had received the initial check for \$239.26. After repeated alterapts to reach AIA [1] structurer wender for whath [345, 2040] ALCI I even responded way because of SD Public Utilities Commission pressue -, wherevise 1 believe that M1&1 Papule personnel from Firstel and they finally discovered that we did, in fact, buye an unable of ALM Fieldshare bill which was being Firstel All the time that this was going on. I was losing business at a \$350,00 per dry rate. In really, the only reason last I did not now why ATACL was even in the picture or why the (thiph off was discer) when an the 12th of ALAC 12 93 after they sent to in old address/PO Box that we do not use for whicial buydress, that afting: A grantitud the phote fine currentiation. did and still we were not genting method and we restricted service on the SSA – no [1 ad muchy 14) and could have been more knowledgeable about these things. Exchilater it was discussed in it the provided was a summary to the transmission for the transmission of transmission of the transmission of the transmission of acheck to AT&T for \$239.26 on the Sth of May, 1998 (copy, attached). This obest [offour offlet on the fifth of May 1998, this Eswitched over in the first place way because VEAT's prices were simply to sighter my business

Lask that the Public Utilities Commission grant the following reliet. (What do you think the Commission should do to solve this problem?)

Remburse the Lown House Restaurant and B&B for realistic business losses. The telephone was "disconnected" for a period of 60 days (May 12, 1998 until July 0, 1998). If I had full rental of my B& B (3 rooms a \$85.00 per day and 1 room a \$95.00 per day), invipotential business earnings would have been in the neighborhood of \$21,000.00, not counting restaur ant losses, nor bed & breakfast sales that I lost for the upcoming months because potential customers simply called or went somewhere else because the phone was disconnected. However, I believe that in realistic and potential business losses are in the \$ 8,000.00 to \$9,000.00 range, for which I an requesting payment from AT&T and FIRSTEL Communications.

Note: Please attach any additional pages. If necessary

VERIFICATION Signature must be witnessed by a notary public

Complainant's Signature

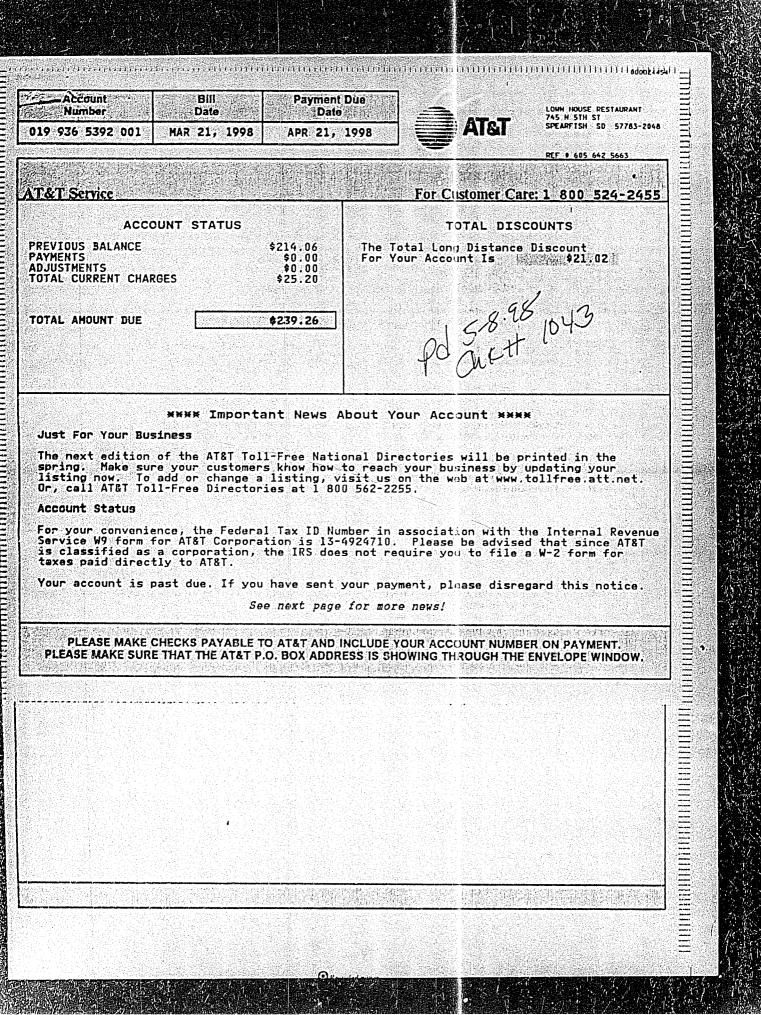
State of South Dakota :SS County of Lawrence

acknowledged to me that he/she executed same for the purpose therein contained. INWITNESS WHEREOF, Theraunto set my hand and official seal.

Jo Ann Hanson

(SEAL) My commission explicits: May 20, 2001

<u>August 19,1998</u> Date



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AIGI AIGI/RAM PO BOX 944072 Maitland, FL 32794

015439 1 FP .295 W70 000836

LOWN HOUSE RESTAURANT 745 N 5 ST SPEARFISE, SD 57783

June 17, 1998

RE: Account Number 0199365392001

Dear AT&T Customer,

Thank you for taking the time today to discuss your AT&T Model T. For your convenience, we are providing this letter to outline the payment schedule. The arrangement is as follows:

Payment Amount Payment Date \$25.40 06/16/98

If mailing payment, please write your account number 0199365392001 on your check or money order and mail by the date indicated above to:

> AT&T P.O. Box 27-680 Kansas City, MO 64180-0680

We appreciate your cooperation and attention to this matter. In the future, please mail all current charges upon receipt of each bill. If payment has already been made, please disregard this notice.

Following the arrangement will avoid further collection activity including possible referral to an outside collection agency.

If you find it necessary to contact our office, we can be reached at 1-800-452-2248.

Sincerely,

AT&T Model T

S. Herryclast par

Q1A015439

Account Bill Number Date 019 936 5392 001 MAY 21,	Date	AT&T	LOWN HOUSE RESTAURANT 745 N. STH ST SPEARFISH SD 57783-2048
T&T Service		For Customer Care	REF 1 605 642 5663
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# SUBSCRIPTION AGREEMENT

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### TERMS OF SERVICE

- FirsTel reserves the right to change access numbers and authorization; security and billing codes upon notice to Customer.
- Service is provided for the sole use of Customer and Customer's authorized agents. Customer is
  responsible for the authorized and unauthorized usage of the service and for security of Customer's
  assigned access numbers and authorization, security and billing codes.

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- 2. Customers will be billed monthly for all services including all applicable takes and, in some cases, a monthly fee. Payment is due twenty (20) days from the statement date. E alances which remain unpaid thirty (30) days after the statement date are subject to the finance charges set forth below.
  - Customer agrees that the service will not be used for any unlawful purpose nor in any manner contrary to the policies of FirsTel. Service is subject to all of the terms and conditions of tariffs filed with the applicable state and federal authorities.
- 5. If Customer is not satisfied with long distance service during the first thirt / (30) days of uninterrupted service, FirsTel will refund the entire activation fee. Activation fees shall be non-refundable after the initial thirty (30) day service period.
- Cancellation of service by Customer must be in writing. Service will be cancelled thirty (30) days after receipt of such notice.
- 7. Initial and continued service is offered subject to the availability of necessary facilities and/or equipment. FirsTel is not responsible for busy signals or service problems due to insufficient Customer local service or Customer telephone equipment.
- 8. FirsTel reserves the right to cancel service upon notice to Customer for failure to make timely payment of amounts owed or for Customer violation of this Agreement. Cancellat on will be made in compliance with applicable law and regulations and upon fifteen (15) days written notice to Customer unless some other period of time is allowed or necessitated by operation of law or court order.
  - FirsTel shall not be liable for any damages, including consequential or incidental damages, ansing from any interruption, delay, error, or defects in transmission occurring in the course of furnishing service; nor for increased costs incurred by Customer if calls are routed over and ther carrier.
- 10. FirsTel reserves the right to change the rates, terms, or conditions of service after approval, where required, by applicable state and lederal authorities and upon thirty (30) days notice to Customer unless some shorter period of time is necessitated by operation of law or court order.
- 11. Equal Access: If Equal Access is marked on the front of this agreement the Customer hereby appoints FirsTel as their long distance carrier and to act as the Customer's agent in all matters related to providing service. Customer understands that Customer is responsible for any line charges assessed by their local tolephone company for installation/use of business lines and that there may be charges by Customer's local tolephone company if Customer decides to choose another long distance corr-pany after service begins. Customer authorize: FirsTel to carry long distance traffic on the lines listed on the Network Access Information form.
  - Customer hereby authorizes FirsTel to review Customer's credit history prior to FirsTel's provision of either initial or continued services under this agreement. The Customer authorization given hereunder extends to a review by FirsTel of all pertinent credit services information including, but not limited to, information related specifically to the Customer's past purchase of utility services. All credit services information obtained regarding the Customer will be held in confidence by FirsTel and used only for purposes of determining the Customer's credit eligibility for FirsTel's services.

#### LATE PAYMENT INFORMATION

A linance charge of 1.5% per month (which is an annual percentage rate of 18%) will be added to any balance which remains unpaid 30 days after the statement date. The finance charge will be applied to the unpaid balance and will be collected.

A charge of \$15.00 will be applied to any check returned for non-sufficient funds, no signature, account closed or if payment is stopped.



# **Responsible Organization Change Authorization**

Thank you for selecting Firstel to be your toll-free service provider.

By signing this Responsible Organization Change Authorization, you agree that FirsTel is authorized to appoint as the Responsible Organization and is authorized to convert your toll-free service provider to FirsTel in accordance with the following:

- FirsTel will use your current toll-free number(s) listed below to provide you with FirsTel(s) toll-free service as detailed in the FirsTel long distance service order forms signed by you.
- The conversion is dependent on the timely cooperation of your current toll-free service provider. FirsTel will initiate your FirsTel(s) toll-free service as close as practicable to your requested conversion date as shown below.

If you are also ordering outbound long distance service from FirsTel; FirsTel, as indicated below, will initiate the outbound service either in accordance with its standard delivery interval for such service, or as close as practicable to the date that you have requested FirsTel to initiate toll-free service.

This Authorization is effective and binding upon the parties upon the date FirsTel receives this Authorization signed by you unless you receive written notice from FirsTel to the contrary within thirty (30) days of such date.

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transfer of each such number from the existing carrier	toat the time such
numbers become portable. I release any third party from liability for acting in acc	cordance with these instructions.
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Euseones Authorized Signature

Date



# Responsible Organization Change Authorization

Thank you for selecting Firstel to be your toll-free service provider.

By signing this Responsible Organization Change Authorization, you agree that FirsTel is authorized to appoint as the Responsible Organization and is authorized to convert your toll-free service provider to FirsTel in accordance with the following:

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This Authorization is effective and binding upon the parties upon the date FirsTel receives this Authorization signed by you unless you receive written notice from FirsTel to the contrary within thirty (30) days of such date.

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# South Dakota Public Utilities Commission WEEKLY FILINGS For the Period of August 27, 1998 through September 3, 1998

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five business days of this filing. Phone: 605-773-3705. Fax: 605-773-3809.

# MISCELLANEOUS

## MS98-001 In the Matter of the Request for a Survey on Utilities' Year 2000 Readiness

The Commission voted to open this docket to determine the status of South Dakota utilities' efforts towards mitigating the potential problems posed by the Year 2000 computer problem. A survey was sent to all utility companies and other interested persons and entities on August 28, 1998. Responses to the survey are due no later than October 1, 1998

Staff Attorney: Karen Cremer Staff Analyst: Martin Bettmann Crder Opening Docket was signed on 8/26/38 Responses Due: Not later than 10/01/98

## NATURAL GAS

NG98-007 In the Matter of the Filing by MidAmerican Energy Company for Approval of Petition for Extension of Test Period

On August 27, 1998, the Commission received a Petition for Extension of Test Period from MidAmerican Energy Company (Mid American) as it relates to its natural gas service in South Dakota. ARSD 20:10:13:44 requires the use of a test period consisting of 12 months of actual experience ending no earlier than 6 months before the date of filing unless good cause for extension is shown. MidAmerican is contemplating filing a natural gas rate case in November 1998 and respectfully requests the Commission to authorize the use of a calendar year 1997 test period for its possible general rate increase in natural gas rates.

Staff Attorney: Camron Hoseck Staff Analyst: Bob Knadle Date Filed: 08/27/98 Intervention Deadline: N/A

NG98-008 In the Matter of the Filing by Northwestern Public Service Company for Approval of Tariff Revisions

Application by Northwestern Public Service Company to update the fuel retention percentage pursuant to its Gas Transportation Tariff General Terms and Conditions. Northwestern Public Service company proposes to update the Gas Transportation fuel retention percentage effective October 1, 1998 based on the actual percentage incurred for the 12 month-period ended July 1, 1998.

TC98-150 In the Matter of the Joint Application of Valley Telephone Company and Park Region Mutual Telephone Company Regarding the Sale of Valley Telephone Company Stock to Park Region Mutual Telephone Company

Park Region Mutual Telephone Company proposes to purchase and Valley Telephone Company proposes to sell the stock of Valley Telephone Company in this joint application. Valley Telephone Company currently serves approximately 180 access lines in West Browns Valley, South Dakota as well as approximately 636 access lines in Browns Valley, Minnesota. Park Region Mutual Telephone Company is an independent telephone company serving six exchanges with approximately 4,100 access lines in Otter Tail County, Minnesota.

Staff Attorney: Karen Cremer Staff Analyst: Dave Jacobson Date Filed: 09/03/98 Intervention Deadline: 09/18/98

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Room 14-34 1875 Lawrence Street Denver, CO 80202

Jerry R. Campbell Complaint Bureau Manager Law & Government Affairs - Western Region

VIA FACSIMILE

September 21, 1998

Ms. Karen Cremer Staff Attomey South Dakota Public Utilities Commission 500 East Capitol Pierre, SD 5701-5070

> Re: Lown House Restaurant Toll-Free Number Complaint Docket No. TC98-149

Τ

Dear Karen:

The above referenced complaint is scheduled for a probable cause determination at the Commission's September 23<sup>rd</sup> meeting. On Friday, September 18<sup>th</sup>, I spoke with Leni Healy about the complaint and informed her that our initial investigation has found that the services provided to the customer are provided for under FCC Tariff No. 1 and are, therefore, not within the jurisdiction of the commission. Leni requested that I send the appropriate FCC Tariff No. 1 pages which cover the customer's services. She also suggested that I forward such pages to your attention since she will be out of the office this week.

Per her request, I have attached two pages from section 2.3 of FCC Tariff No. 1 which sets forth AT&T's liability with regard to provisioning of service. I have also attached six pages from section 6.13.4 of FCC Tariff No. 1 which describes the service provided. Specifically, the customer was receiving AT&T CustomNet – Option S (Option VI) services. While this service offering does include both outbound and inbound calling, customer was only receiving the inbound (toll-free) portion. Also, this particular service requires no monthly revenue or term commitments.

I will be joining the commission's meeting via conference call to provide any necessary assistance. Should you have any questions about the attached information, please feel free to give me a call.

Sincerely,

Jony R. Cambde

Ph: (303) 298-6737 Fax: (303) 298-6112 E-mail: jerry(ampbell@att.com ATST COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: November 22, 1994 TARIFF F.C.C. NO. 1 7th Revised Page 23 Cancels 6th Revised Page 23 Effective: Docember 6, 1994

2.3. RESPONSIBILITIES OF THE COMPANY

2.3.1. Liability

P. 2

A. The Company's liability, if any, for its willful misconduct is not limited by this tariff. With respect to any other claim or suit, by a Customer or by any others, for damages associated with the installation, provision, termination, maintenance, repair or restoration of LDMTS, and subject to the provisions of B. through C. following, the Company's liability, if any, shall not exceed an amount equal to the initial period charge provided for under this tariff for the LDMTS call for the period during which the call was affected. This liability for damages shall be in C addition to any amounts that may otherwise be due the Customer under this tariff as a credit allowance (see Credit Allowances for Interruptions, page 29).

7

B. The Company is not liable for damages associated with service, channels, or equipment which it does not furnish.

C. The Company is not liable for damages to a premises resulting from the furnishing of LDMTS, including the installation and removal of equipment and associated wiring, unless the damage is caused by the Company's negligence.

D. The Company shall be indemnified, defended, and held harmless by the Customer and User against all claims, losses, or damages arising from the use of LDMTS furnished pursuant to this tariff, involving:

1. Claims for libel, slander, invasion of privacy, or infringement of copyright arising from any communication:

2. Claims for patent infringement arising from combining or using LDMTS furnished by the Company in connection with facilities or equipment furnished by others; or

3. All other claims arising out of any act or omission of others relating to LDMTS provided pursuant to this tariff.

E. The Company does not guarantee or make any warranty with respect to LDMTS when used in an explosive atmosphere. The Company shall be indemnified, defended, and held harmless by the Customer and User against all claims, losses or damages by any person relating to LDMTS provided pursuant to this tariff when used in an explosive atmosphere.

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AT&T COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: April 26, 1994

TARIFF F.C.C. NO. 1 2nd Revised Page 24 Cancels 1st Revised Page 24 Effective: April 27, 1994

# 2.3.1. Liability (continued)

F. No license under patents (other than the limited license to use) is granted by the Company or shall be implied or arise by estoppel, with respect to any service offered under this tariff. The Company will defend the Customer and User against claims of patent infringement arising solely from the use by the Customer or User of LDMFS offered under this tariff and will indemnify such Customer or User for any damages awarded based solely on such claims.

3

G. The Company's failure to provide or maintain service under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, acts of God, and other circumstances beyond the Company's reasonable control, subject to the Credit Allowances for Interruptions provisions of this tariff.

Isrued on not less than one day's notice under authority of special Permitaion No. 93-672

Printed in U.S.F

TANK FANN FROM ATT LAW GOV T AFFAIR BOO2110081

AT&T COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: September 3, 1997 TARIFF F.C.C. NO. 1 13th Revised Page 178.65.43.1 Cancels 12th Revised Page 178.65.43.1 Effective: September 4, 1997

6.13.4. AT&T CustomNet Service - Option S

6.

The Option S Customer must subscribe to a Gross Monthly Minimum Revenue Commitment under Option I, Option II, Option III, Option IV, Option V, Option VI, or Option VII specified in Section 0.13.4.8., following.

The AT4T CustomNet Service features not available with Option S arei the NPA Discount, specified in Section 6.13.1.3.5. preceding; the Volume Discount, specified in Section 6.13.1.8.6. preceding; the Service Term Plan, specified in Section 6.13.1.8.7. preceding; the usage rate schedules associated with the Inward Calling Option, specified in Section 6.13.1.8.8. preceding; the Location-to-Location Discount Plan, specified in Section 6. 6.13.1.8.9. preceding; AT4T CustomNet Service Flex Plan, specified in Section 5.13.1.8.10. preceding; the AT4T CustomNet International Optimizer, specified in Section 6.13.2. preceding; the AT4T CustomNet FAX Option, specified in Section 6.13.3. preceding; the AT4T CustomNet FAX Option, specified in Section 6.13.3. preceding; the MAXIMUM ADVANTAGE Promotion, specified in Section 5.9., preceding; the MAXIMUM ADVANTAGE Promotion, specified in Section 8.1.1.432., following; AT4T Partners In Business Program specified in AT4T Tariff F.C.C. No. 2, Section 3.3.4.; Vertical features specified in AT4T Tariff F.C.C. No. 2, Section 3.3.2.L.; and AT4T CustomNet Geographical Restriction Feature specified in Section 6.13.1.8.12. preceding.

All other tariff rates and regulations applicable to AT&T CustomNet Service also apply to Option S, except that Option S is not available to Service Type 2 Locations and the Monthly Charge specified in Section 6.13.18.2. preceding does not apply to Customers subscribing to Option S. In addition, the Uninterrupted Service Guarantee and Uninterrupted Service Guarantee II as specified in AT&T Tariff F.C.I. No. 2, Sections 2.6.5. and 2.6.7. will apply 30 minutes after AT&T confirms that the options described in Sections 2.6.5. and 2.6.7. are available, except as noted below and except for Option VII. The Uninterrupted Service Guarantee and the Uninterrupted Service Guarantee II specified in AT&T Tariff F.C.C. No. 2 are not available to Option Cption VII Customers.

\* For those Customers subscribed to or who have on order, the AT4T CustomNet Service -Option 5 prior to January 30, 1995, the Uninterrupted Service Guarantee and Uninterrupted Service Guarantee II, as specified in AT6T Tariff F.C.C. No. 2, Sections 2.5.5, and 2.5.7, will apply. For Customers who subscribe to AT6T CustomNet Service - Option S, (excluding Option VII), after January 29, 1995 the Uninterrupted Service Guarantee and Uninterrupted Service Guarantee II as specified in AT6T Tariff F.C.C. No. 2, Sections 2.6.5, and 2.6.7, will apply 30 minutes after AT6T confirms that the option's described in Sections 2.6.5, and 2.6.7, will apply 30 minutes after AT6T confirms that the option's described in Sections 2.6.5, and 2.6.7, are available. Customers mukaribed to, or who order an AT6T Contract Tariff that includes the availability of AT6T CustomNet Service Option 3, (excluding Option VII); will continue to have the Uninterrupted Service Guarantee II, as specified in AT6T Tariff F.C.C. No. 2, Sections 2.6.7, available until the end of their current Contract Tariff F.C.C. No. 2, Sections 2.6.7, available until the end AT&T COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: May 3, 1996

Sd

TARIFF F.C.C. NO. 1 14th Revised Page 178.65.43.2 Cancels 13th Revised Page 178.65.43.2 Effective: May 6, 1996

6.13.4. AT&T CustomNet Service - Option S (continued)

Option VI The Monthly Charges and Volume Discount specified in Section 6.13.4.C.4. following apply to Customers who subscribe to Option VI. In addition, Customers who subscribe to Option VI: (1) are not eligible for any tariffed Guarantees applicable to Option S: (2) are not eligible to subscribe to the Option S Term Plan specified in 6.13.4.D. following; and (3) may not exceed ten locations served by AT&T CustomNet Service - Option S, Option VI. All locations in excess of ten will be billed the applicable rates for Option I and are not eligible to receive the Option VI Volume Discount specified in 6.13.4.C.4. following and are not eligible to receive the Promotional benefits specified in 8.1.1.825 following.

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Option VII\* - The Monthly Charges specified in Section 6.13.4.C.5. Sx following apply to Customers who subscribe to Option VII. In addition, Customers who subscribe to Option VII: (1) are eligible only for the Promotional benefits specified in 8.1.1.927 or 8.1.1.928 following: (2) are not eligible for any other current promotions applicable to Option S and are not eligible for any future promotion(s) that may be applicable to Option S unless the promotion explicitly states that it applies to Option VII: (3) are not eligible for any tariffed Guarantees applicable to Option S; (4) are not eligible to subscribe to the Option S Term Plan specified in 6.13.4.D. following; and (5) may not exceed ten locations served by ATAT CustomNet Service - Option S, Option VII. All locations in excess of ten will be billed the applicable rates for Option I and are not eligible to receive the Option VII Volume Discount specified in 6.13.4.C.5. following and are not eligible to receive the Promotional benefits specified in 8.1.1.927 and 8.1.1.928 following; (6) are not eligible to subscribe to the AT&T Advanced 800 Service Features specified in AT&T Tariff F.C.C. No. 2; (7) may not subscribe to Option VII for use in conjunction with AT&T CustomNet Service - Option 5 provided under AT&T Contract Tariff unless the AT&T Contract Tasiff explicitly states that it applies to Option VII, (8) are subject to the Late Payment Charge specified in 6.13.4.5.5 following; (9) are not eligible to subscribe to the Mandatory and Validated Account Codes Option specified in 6.24 following: (10) are not eligible to receive an AT&T CIID/891 Calling Card with a Personal Choica Card Number.

A request for maintenance may be submitted to AT&T only from BAM to SPM, Monday through Friday, excluding Federally observed holidays: New Year's Day; Memorial Day; Independence Day; Labor Day: Thanksgiving Day; and Christmas Day, which fall on a weekday Monday through Friday. Maintenance activities will normally be started by AT&T before SPM on the same day the request is received and AT&T will continue activities after SPM when necessary to complete such requested maintenance.

\* Option VII is not available to new Customets who do not have Option VII on order by Cy May 5, 1996. ATAT Contract Tariffs in effect, or pending, on May 6, 1996, which include the evailability of Option VII are not altected by this provision. Option VII benefits do not Cy extend beyond the current term of the Contract Tariff unless otherwise provided herein. Sx

E Hiterini filed under Transmittal No. 9919 is scheduled to become affective on May 5, 1995 y Issued on not isse than one day's potice under sutherity of Special Peralytion No. 78-0158.

#### Printes in U.S. X.

AT&T COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: October 29, 1996

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TARIFF F.C.C. NO. 1 2nd Revised Page 178.65.43.2.1 Cancels 1st Revised Page 178.65.43.2.1 Effective: October 30, 1996

С

#### 6.13.4. AT&T CustomNet Service - Option S (continued)

B. Minimum Monthly Revenue Commitment - The Cross Monthly Minimum C Revenue Commitment (GMMRC) applies as specified under Option I, Option II, C Option III, Option IV, Option V and Option VI Lelow. Usage rate schedules associated with the specific Option subscribed to by the Customer apply as specified in Section 6.13.4.C.1., following.

9

#### Gross Monthly Minimum Revenue Commitment

Option I	\$200.00 p	per monthly	billing	period
Option II	\$1,000.00			
Option III	\$5,000.00			
Option IV	\$3,000.00			
Option V	\$7,000.00			
Option VI		per monthly		
Option VII		per monthly		

The GMMRC is based on gross monthly usage charges (prior to the application C of AT&T CustomNat/ACAP and AICAP discounts) for eligible calls billed to the Customer's Option S Main Billed Account. Except as specifically excluded below, eligible calls are: intrastate, interstate and international Dial Station calls; Customer D.sled AT&T CIID/891 Calling Card calls and inward calls billed to the Customer's Option S Main Billed Account. Service charges associated with Customer Dialed AT&T CIID/891 Calling Card calls are included as eligible charges under Option S. Charges for eligible calls are used in determining if the Customer's grossmonthly usage charges meet or exceed the GMMRC subscribed to by the C Customer.

Charges for the following types of calls are not included in determining the Customer's Option S monthly usage charges: Operator Handled calls: Directory Assistance calls: calls completed using AT&T Directory LINK Service: Special Service Codes S00, 700 and 900 calls: 976 calls: Conference Services Calls; cellular access calls: calls to the Atlantic. Pacific and Indian Ocean Regions via AT&T Maritime Mobile Service.

1. Seasonality Provision - If the GMMRC is not met for one or more C billing periods, the Customer is subject to payment of a Shortfall Charge. In determining if a Shortfall Charge applies, the Customer's gross monthly C usage charges will be averaged over a consecutive 12 full month billing period beginning with the Customer's first full months billing for Option S and each consecutive 12 full month billing is less than the GMMRC, the Customer C will be billed a Shortfall Charge equal to the difference between the GMMRC and the average monthly billing is charges, times 12. If the Customer C discontinues service prior to the completion of the 12 consecutive full billing months, the Customer's average ronthly usage charges will be averaged C over the actual number of full billing months that Option S was furnished to the GMMRC, the Customer will be billed a Shortfall Charge equal to the Custom for S was furnished to the Customer. If the Customer's average ronthly billing is less than the GMMRC, the Customer will be billed a Shortfall Charge charges charges will be averaged C over the actual number of full billing months that Option S was furnished to the GMMRC, the Customer will be billed a Shortfall Charge equal to the C tifference between the GMMRC and the average monthly billed usage charges C times the actual number of months that Option S was furnished to the Customer will be billed a Shortfall Charge equal to the C difference between the GMMRC and the average monthly billed usage charges C times the actual number of months that Option S was furnished to the Customer.

AT&T COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: October 10, 1997 TARIFF F.C.C. NO. 1 11th Revised Page 178.65.43.3 Cancels 10th Revised Page 178.65.43.3 Effective: October 11, 1997

6.13.4. AT&T CustomNet Service - Option S (continued)

C. Rates and Charges

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1. Domestic Charges and Canada Inward Calling Charges - The following rates and charges apply to:

1

(a) Domestic Dial Station Calls - Calls from locations of the Customer in the Mainland or Hawaii to stations throughout the United States, Guam, CNMI, Puerto Rico and the U.S. Virgin Islands.

(b) Customer Dialed AT&T CIID/891 Calling Card Domestic Calls -Calls between stations throughout the United States, Guam, CNMI (except for calls from Alaska) and from Puerto Rico and the U.S. Virgin Islands that are billed to the Customer's Option S Main Billed Account in the Mainland or Hawaii. Service Charges apply as specified in Section 6.13.4.C.3., following.

(c) Inward Calling - Calls from stations located within the United States, Guam, CNMI, Puerto Rico, the U.S. Virgin Islands and Canada to locations of the Customer in the Mainland and Nawaii. Inward calls from stations outside of such areas will be blocked. All tariff terms, regulations and charges specified for Inward Calling under the Inward Calling Option (Section 6.13.1.B.1.8.) also apply to Option 5 inward calling, except for the Inward Calling usage charges and the Monthly Service Charge and except that the AT&T Advanced 800 Service Features specified in AT&T Tariff F.C.C. No. 2, are not available to Customers subscribed to Option VII. The Monthly Service Charge is \$10.00 for Option 5 Inward Calling arrangement, except as specified in Sections 6.13.4.C.4. following. ATET COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08607 Issued: January 23, 1998 TARIFF F.C.C. NO. 1 15th Revised Page 178.55.43.4 Cancels 14th Revised Page 178.65.43.4 Effective: January 24, 1998

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6.13.4.C.1.(d) Option I through Option VII Usage Charges

(d) Option I through Option VII Usage Charges - Calls are charged at a 30 second minimum per call. Usage over the initial 30 seconds will be charged per 6 second increments or fraction thereof per call. Peak Period rates apply Monday through Friday, from 8am to, but not including, 5pm., Off-Peak Period rates apply for all other hours not included within the Peak Period.

8

Peak Period           S. 2880           S. 3600           S. 3300           S. 9420           L           S. 2760           L           S. 3300           S. 9420           L           S. 2760           L           S. 3180           S. 9420           L           S. 3180           S. 9420           L           S. 3180           S. 3480	Off-Peak Period \$.2220 \$.2940 \$.2640 \$.9420 \$.2880 \$.2880 \$.2580 \$.9420 \$.29420
S. 2880 S. 3600 S. 3300 S. 9420 L S. 2760 L S. 3540 L S. 3180 L S. 9420 L S. 3480	\$.2220 \$.2940 \$.2640 \$.9420 \$.2880 \$.2880 \$.2580 \$.9420 \$.9420 \$.2100
\$.3600 \$.3300 \$.9420 \$.2760 \$.3540 \$.3540 \$.3180 \$.9420 1 \$.9420 1 \$.2700 1 \$.2700 1 \$.2700 1 \$.2700	\$.2940 \$.2640 \$.9420 \$.280 \$.2880 \$.2580 \$.2580 \$.2580 \$.2580 \$.2100
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1 \$ 9420	\$.9420
1 <b>\$.2760</b>	S.2220
	\$.2880
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TO CALL AND	\$.9420
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토토 : 바라고, 바이라, 다고, 네트, 라고, 네트, 가지, 드는 것 2000년 10년 10년	\$.2820
기록 이 것 같아요. 아이는 것 같아요. 지난 것 이 가지 않는 것 같아요. 같이 많이	\$.2460
이 같아요. 그 방법은 이 가지 않는 것 같아요. 이 가장 있는 것 같아요. 한 것 같아요. 한 것 같아요. 한 것 같아요.	\$.9420
\$.2650	5.2650
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	s.3230
두 두근에 많아요. 공연한 것은 것은 정말 것 같아. 그는 것 같아. 한 것 같아요?	5.9250
요구, 사람이 가장, 비행이, 것은 방영화가 확장되었다. 19 이번 이상은 것이 같은 것은 것이라. 가장 것이다.	
11 5 2880	5 2220
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Option VII is not available to new Customers who do not have Option VII on order by May 5, 1996. ATET Contract Tariffs in effect. Or pending on May 6, 1996, which include the availability of Option VII are not affected by this provision. Option VII benefits do not extend beyond the current term of the Contract Tariff unless otherwise provided nervin.

\*\* Options 1, 11, 111, 1V, and V are not available to new Customers who do not have these Options on order by January 24, 1998. ATST Contract Facifits in effect, or pending, on January 24, 1998, which include the availability of these Options are not directed by this provision. Option 1, 11, 11, 1V, and V benefits do not extend bayond the current term of ine Contract Tariff unless otherwise provided herein.

#### Printed in U.S.A

AT&T COMMINICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: June 27, 1997 TARIFF F.C.C. NO. 1 6th Revised Page 178.65.43.15 Cancels 5th Revised Page 178.65.43.15 Effective: June 30, 1997

6.13.4.C Rates and Charges (continued)

3. Service Charge - A Service Charge is applicable to Customer Dialed AT&T CIID/891 Calling Card calls. This charge is in addition to the usage charges applicable to a call.

- From stations in the Mainland, Guam, CNMI or Hawaii to stations C throughout the United States, Puerto Rico, the U.S. Virgin Islands, Canada or Mexico.

Domestic, Canada and Mexico	
Customer Dialed AT&T CIID/891	
Calling Card Calls S	ervice Charge
Customer Dialed/Automated	\$.95
Customer Dialed and Operated Assisted	\$.95
Customer Dialed-Operator	~~~
must Assist	S.95
maac Lagiar	

 To/from locations in the Mainland, Guam, CNMI or Hawaii and Overseas C Countries/Areas specified in Section 6.13.4.C.2., preceding.

Overseas Count	ry/Area AT&	T			신네 관계에 가지 않는 것이 없다.
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4. Option VI - Monthly Charges and Volume Discount

(a) Monthly Charges - Monthly charges are applicable to Option VI as specified below.

A monthly charge of \$5.00 applies per Option VI Main Billed Account. A credit of \$5.00 will be applied to the Customer's bill each month in which the Option VI eligible gross monthly usage charges billed to the Customer's Main Billed Account equal or exceed \$5.00 for that billing month.

A monthly charge of \$5.00 applies for Option VI Inward Calling per routing arrangement in lieu of the Inward Calling Monthly Service Charge specified in Section 6.13.4.C. (c) preceding.

(b) Volume Discount - A volume discount applies to Option VI as specified below.

The Customer will receive a 30% discount based on the Option VI eligible gross monthly usage charges each billing month in which the Customer's Option VI eligible gross monthly usage charges equal or exceed \$25.00. The discount is not applied on an incremental basis, the same percent discount will be applied to every dollar of eligible usage, except that no discount will apply to monthly amounts above \$6000.

#### Printed in U.S.A.

FROM ATT LAW GOV T AFFAIR 8002110097

WABE 11 8001-12-0

6 d



Room 14-34 1875 Lawrence Street Denver, CO 80202

Jerry R. Campbell Complaint Bureau Manager Law & Government Affairs - Western Region

VIA OVERNIGHT MAIL

September 29, 1998

Mr. William Bullard, Jr. Executive Director South Dakota Public Utilities Commission 500 East Capitol Avenue Pierre, SD 57501 RECEIVED

SEP 3 0 1998

SOUTH DAKCTA PUBLIC UTILITIES COMMISSION

888-642-5663 Docket No. TC98-149

Dear Mr. Bullard:

Per the Commission's request on its September 23<sup>rd</sup> conference call, I am enclosing the attached material in response to the above mentioned complaint.

Re: Lown House Restaurant Toll-Free Number Complaint

Should you or the Commission have any questions about the attached information, please feel free to give me a call.

Sincerely.

myRlashell

Ph: (303) 298-6737
 Fax: (303) 298-6112
 E-mail: jerrycampbell@att.com



Room 14-34

1875 Lawrence Street

Denver, CO 80202

Jerry R. Campbell Complaint Bureau Manager Law & Government Affairs - Western Region

September 29, 1998

Mr. Jim Burg Ms. Pam Nelson Ms. Laska Schoenfelder Commissioners South Dakota Public Utilities Commission 500 East Capitol Avenue Pierre, SD 57501-5070

> Re: Lown House Restaurant Toll-Free Number Complaint 888-642-5663 Docket No. TC98-149

Dear Commissioners:

Per the Commission's request on the September 23<sup>rd</sup> conference call, I am enclosing copies of the following:

Tab No. 1 –	Summary of AT&T's position;
Tab No. 2 –	Detailed chronology of events surrounding the complaint according to AT&T records:
Tab No. 3 -	transcript of an outbound telemarketing call made to customer on 12/5/97 authorizing AT&T to provide service for the above referenced toll-free number;
Tab No. 4 -	Responsible Organization (Resp Org) paperwork received from FirsTel/MCI;
Tab No. 5 -	templates of system generated collection and payment arrangement letters sent to customer;
Tab No. 6 -	submitted by customer in formal complaint documentation;
Tab No. 7 -	Customer's AT&T bills for the months of 12 97 through 7/98;
Tab No. 8 -	FCC Tariff No. 1 pages regarding AT&T's liability and its CustomNet – Option S (Option VI) service offering;
	South Dakota Custom Service Network Tariff pages regarding AT&T's liability and its CustomNet – Option S (Option VI) service offering; and
Tab No. 10	<ul> <li>South Dakota Customer Service Network Tariff page regarding pricing of AT&amp;T's CustomNet – Option S (Option VI) service offering.</li> </ul>

Should you have any questions about the attached information, please feel free to give me a call.

Sincerely,

eng R. Canpbell

 Ph:
 (303) 298-6737

 Fax:
 (303) 298-6112

 E-mail:
 jerrycampbell@att.com

cc: Any Ibis – FirsTel John Grant – Lown House Restaurant Lown House Restaurant Toll-Free Number Complaint 888-642-5663 Docket No. TC98-149

### Summary of AT&T's Position

AT&T believes that the information provided to the Commission in this packet demonstrates that AT&T acted appropriately in its dealing with Lown House Restaurant and the Commission should dismiss this complaint. Even if the Commission decides to pursue this matter further, its jurisdiction over this matter is limited, as the percentage of in-state calls to the customer's toll-free number is very small. The following is a summary of the results of our investigation as well as a statement of our interpretation of applicable tariffs.

### Summary of AT&T's Investigation

1) Lown House Restaurant ("Customer") contends that in December of 1997 it switched its toll-free service for the above referenced telephone number from AT&T to FirsTel.

Our research shows that Customer's 888-642-5663 toll-free number was re-established with AT&T in December of 1997 and not with FirsTel. See the enclosed transcript of the December 5, 1997 call (Tab No. 3).

2) Customer further contends that AT&T required a "release form" in order to port its toll-free number to FirsTel and that such information was sent to AT&T on at least three occasions without action.

Every toll-free number provider is, or should be, aware that the completion of a new Responsible Organization (Resp Org) Letter of Authorization is not only mandated by the FCC but is also the responsibility of the carrier requesting the "porting" and not the responsibility of the carrier currently holding a customer's toll-free number. In addition, toll-free number providers are, or should be, aware that, because of security, privacy and liability issues, the information required on a new Resp Org Letter of Authorization must match exactly the information held by the currently authorized carrier. Adherence to this standard helps protect the customer against toll-free number slamming. While AT&T has ne specific evidence concerning the Customer's contention that Resp Org paperwork was sent to AT&T on three separate occasions, it is possible that such paperwork may have been rejected by AT&T because of inaccuracies. However, a second and larger issue remains. Even if such paperwork was sent as Customer claims and even if it were completely accurate, AT&T still would not have released Customer's number due to the outstanding balance on its account. AT&T records indicate that Resp Org paperwork had an effective date of June 8, 1998. See attached copies of Resp Org paperwork received from FirsTel/MCI (Tab No. 4).

3) Customer further contends that it did not know why its service was disconnected on May 12, 1998.

AT&T, in both conversations with and letters to Customer, advised that Customer's account was past due and that service restriction would ensue unless the account was brought up to date. AT&T sent a system-generated collection letter to Customer on March 2, 1998 and made direct attempts to contact Customer via phone on March 3, 1998

and March 6. 1998, leaving messages on both occasions. Customer, during a return call to AT&T on March 6. 1998, agreed to bring the account current by April 3, 1998. A system-generated payment arrangement confirmation letter was then sent to Customer on March 9, 1998. See enclosed template copies of the collection and payment arrangement confirmation letters (Tab No. 5). Template copies are provided because an actual copy is unavailable. These letters are generated by AT&T's system s when an account approaches being 90 days past due. Information (name, address, account number, past due amount, date, etc.) is pulled from a customer's account record and inserted into specific fields in the template letter. Once the letter is generated, a notation appears on the customer's account. Due to storage constraints, AT&T does not retain actual copies of the original letters which have been mailed to the customer.

4) Customer further contends that AT&T was sending invoices to an old address/P.O. box which was not used for official business and this may have resulted in Customer's account having an outstanding balance, as well as the subsequent service restriction.

AT&T sent invoices to the address provided by Customer during the initial telemarketing solicitation/authorization. This address is the physical location of the Customer's business. In addition, AT&T provided Customer with outstanding balance totals during telephone conversations held on March 6, 1998. During such conversations, Customer made a promise to pay the outstanding balance by April 3, 1998. Customer later broke this arrangement as payment was not received by the agreed-upon date. During the March 6, 1998 conversation, Customer did request a change of billing address to 127 W. Grant Street in Spearfish. The AT&T representative who took Customer's request entered the change in AT&T's systems, however, for unknown reasons, AT&T systems did not process the address change. AT&T believes such error is immaterial to Customer's complaint for two reasons. First, documentation provided to the Commission by Customer in its formal complaint shows that, as of March of 1998, information sent by AT&T to Customer at the 745 N. 5th Street address originally provided was being received (Customer provided the Commission with a photocopy of the first page of its March 21, 1998 AT&T bill). Second, in this same documentation provided to the Commission, Customer utilizes the same 745 N. 5th Street adcress for billing purposes in its Subscription Agreement with FirsTel. See attached copies of the first page of Customer's March 21, 1998 bill and FirsTel Subscription Agreement (Tab No. 6).

5) Customer makes numerous claims that AT&T utilized "stalling" tactics in an effort to maintain the "status quo".

AT&T acted in a lawful and an appropriate manner in its attempts to receive payment for services it rendered to Customer. AT&T gave Customer several opportunities to bring its account balance current prior to disconnecting its service. AT&T immediately released Customer's tell-free number once its account was brought current.

6) Customer's claim for lost business revenues alludes to the belief that service restriction was in place for a longer period than was actually the case.

Customer's service was initially restricted on May 12, 1998. Service was restored on or about June 12, 1998 with receipt of Customer's payment for \$239.26 on June 11, 1998. See attached copies of Customer's AT&T bills for the period of December, 1997 through July, 1998, which show continued usage up through May 12, 1998 (Tab No. 7). AT&T was and continues to be unaware of any other toll-free number that the Customer may

have had with any other carrier, as was discussed during the September 23<sup>rd</sup> conference call. Furthermore, AT&T has no knowledge of any specific conversations and/or relationships between Customer and FirsTel.

### Jurisdiction/Tariffs

Based on our records, it is AT&T's position that it has not committed any unlawful or unreasonable act, rate, practice or omission in this matter and the Commission should dismiss Customer's complaint against AT&T. If the Commission determines that cause has been shown to open this matter as a formal complaint, the Commission has proper jurisdiction over the intrastate portion of the Customer's toll-free service, but not over the interstate portion. The AT&T service provided to Lown House Restaurant that consisted of calls made to the Customer's toll-free number from outside of South Dakota was provided pursuant to the terms of FCC Tariff No. 1 and 15 within the jurisdiction of the Federal Communications Commission. The relevant provisions of that tariff are enclosed at Tab No. 8. Any complaint that Lown House Restaurant has with respect to the interstate portion of its service from AT&T is not properly before this Commission.

The AT&T service provided to Lown House Restaurant that consisted of calls made to the Customer's toll-free number from within South Dakota was provided pursuant to AT&T's South Dakota Custom Service Network Tariff (the "SD Tariff'). The relevant provisions of that tariff are enclosed at Tab No. 9. The Customer seeks damages for loss of business, presumably for the period of time that its toll-free service was disconnected by AT&T for non-payment, from May 12, 1998 until on or about June 12, 1998. Pursuant to Section 2.6.1 of the SD Tariff, AT&T's liability is limited to "an amount equal to the initial period charge provided for under this tariff for the Custom Network Service call for the period during which the call was affected." The period charges are set forth in the SD Tariff pricing pages for Option S (Option VI) at Tab No. 10. Therefore, AT&T cannot be held liable for consequential damages such as the ones sought by Lown House Restaurant.

If the Commission decides to award damages to the Customer in this complaint, they must be limited to the intrastate portion of Customer's complaint and calculated based on the initial period charge described above. AT&T has submitted copies of the Customer's invoices at Tab No 8 which indicate that the charges for intrastate calls were approximately 4.8% of the Customer's total charges.

#### Conclusion

AT&T believes that it acted in good faith and in accordance with applicable law when dealing with this matter and requests that the Commission dismiss Lown House Restaurant's complaint against AT&T. AT&T regrets that this matter has come before the Commission and is hopeful that the information provided in this packet has helped to clear up any confusion on the part of Lown House Restaurant or the Commission with respect to AT&T's dealings. AT&T will make every effort to provide the Commission with any further information available to AT&T that the Commission may find helpful.

Lown House Restaurant Toll-Free Number Complaint 888-642-5663 Docket No. TC98-149

#### Chronology

- 12/5/97 An outbound telemarketing call was placed from a third-party vendor concerning Customer's toll-free number. A Ms. Fran Gibbs at Choice (third-party vendor) conducted the solicitation. Customer affirmatively agreed to have AT&T as its supplier for the above referenced toll-free number and third-party verification (TPV) was provided through Saundra at AT&T. The solicitation/sale was taped for quality assurance and a transcript of the solicitation/sale is attached at Tab No. 4.
- 12/9/97 Order placed to switch Customer's toll-free number back to AT&T. Customer set up as a Winback customer under the Model T plan. The Model T plan corresponds to the CustomNet Option S Option VI plan tariffed under Section 6.13.4 of FCC Tariff No. 1 and Section 23.3 of South Dakota Custom Network Service Tariff. Copies of the relevant tariff pages are attached at Tab Nos. 8 and 9. This tariffed offering requires no contract, monthly revenue or term commitments. Customer's line activated.
- 12/12/97 Account added to DBS (Direct Billing Services) list.
- 12/18/97 Invoice for \$6.87 generated with payment due date of 1/18/98. Copies of Customer's AT&T invoices are attached at Tab No. 7.
- 1/21/98 Invoice for \$143.81 generated with payment due date of 2/21/98. Invoice included current charges of \$136.94 and a past due amount of \$6.87.
- 2/21/98 Invoice for \$214.06 generated with payment due date of 3/21/98. Invoice included current charges of \$70.25 and a past due amount of \$143.81.
- 3/2/98 System generated collection letter sent to Customer. Template copy attached at Tab No. 5.
- 3/3/98 AT&T representative called Customer and left word with a David for Customer to call back. Gave toll-free callback number and advised urgent.
- 3/6/98 Second AT&T representative called Customer and left word with a David for Customer to call back. Gave toll-free callback number and advised urgent payment issue.
- 3/6/98 Customer returned call. AT&T representative advised Customer of \$214.06 outstanding balance and possibility of account restriction unless account paid in full. Customer requested bill copies and claimed AT&T had incorrect billing address. Entered a fax bill copies request and changed billing address to 127 W. Grant Street. Made payment arrangement with Customer for outstanding balance of \$214.06 to be paid in full by 4/3/98.
- 3/9/98 System generated payment arrangement confirmation letter sent to Customer. Template copy attached at Tab No. 5.

- 3/21/98 Invoice for \$239.26 generated with payment due date of 4/21/98. Invoice included current charges of \$25.20 and a past due amount of \$214.06.
- 4/6/98 System generated notation that 3/6/98 payment arrangement broken by Customer.
- 4/10/98 System generated account restrict request made. If payment does not post to account in 15 days the account will be disconnected.
- 4/21/98 Invoice for \$249.85 generated with payment due date of 5/21/98. Invoice included current charges of \$10.59 and a past due amount of \$239.26.
- 4/27/98 System generated notation that account sent for disconnect.
- 5/12/98 Account disconnected.
- 5/21/98 Invoice for \$264.66 generated with payment due date of 6/21/98. Invoice included current charges of \$14.81 and a past due amount of \$249.85.
- 6/8/98 Effective date of Responsible Organization (Resp Org) letter of authorization form from FirsTel/MCI. Copy attached at Tab No. 4.
- 6/11/98 Payment of \$239.26 received.
- 6/12/98 System generated notation of account disconnect request removed. System generated notation of account restore request added.
- 6/16/98 AT&T representative notation that Customer called in and made payment of \$25.40 by credit card (authorization # 055160) and requested that the account be closed. System generated disconnect order issued.
- 6/17/98 System generated payment arrangement confirmation letter sent to Customer.
- 6/18/98 AT&T representative notation that a Darrell called in regarding billing issue.
- 6/19/98 AT&T representative notation that Customer wanted number released from AT&T. Advised Customer that the account was already closed.
- 6/21/98 Invoice for credit of \$1.08 generated.
- 6/23/98 Informal complaint filed with South Dakota Public Utilities Commission.
- 6/29/98 AT&T representative notation that Customer wanted account disconnected. Advised Customer that account was already closed.
- 7/21/98 Invoice showing zero balance generated.

# Transcript of Telemarketing Call to Lown House Restaurant December 5, 1997

Participants in call:

Fran Gibbs- Telemarketing Representative

John Grant- Owner, Lown House Restaurant

Saundra – AT&T 3<sup>rd</sup> Party Verification

Telephone call as recorded: (Opening conversation not recorded).

<u>Fran Gibbs</u> :	Okay, and also. I just want to let you know for quality control purposes, this call will be recorded. Okay?
John Grant:	Okay.
Fran Gibbs:	I have the name of your business as Lawn House Restaurant and you're still at 745 North Fifth Street, Spearfish, South Dakota 57785. Is that correct?
John Grant:	Correct.
Fran Gibbs:	Is that also your billing address, John?
John Grant:	No, it's actually 127 West Grant.
Fran Gibbs:	127 West Grant, is that in Spearfish?
John Grant:	Yes.
Fran Gibbs:	Okay, same zip code?
John Grant:	Yes.
<u>Fran Gibbs</u> :	Okay, and I have your main number as 605-642-5663?
John Grant:	Correct.
Fran Gibbs:	And you can dial out on that line. right?
John Grant:	Correct.
Fran Gibbs:	John, what's your last name?
John Grant:	Grant.

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Fran Gibbs:	G-R-A-N-T?
John Grant:	Соптест.
Fran Gibbs:	Okay, and you're the owner?
John Grant:	Correct.
Fran Gibbs:	How's business sir?
John Grant:	It's not too bad.
Fran Gibbs:	That's good. I have your 800 number as 888-642-5663?
John Grant:	That's correct.
Fran Gibbs:	Okay, and you don't have any other 800 numbers do you?
John Grant:	No.
<u>Fran Gibbs:</u>	Okay, I'm showing you're spending over \$25 easily with all of your lines combined.
John Grant:	Correct.
Fran Gibbs:	And I have U S WEST as your local phone company?
John Grant:	Correct.
<u>Fran Gibbs</u> :	Wil Tel, however they got your lines, we're not sure, we apologize for that. I just want to let you know that your local phone company may charge you a base charge of \$5.00 for us to switch it back, but because you were not aware of it and you didn't authorize it, we will waive that for you. Okay, and also because you didn't authorize them to switch your 800 line, what we will do, John, is waive the \$5.00 service fee on that for you as well for six months. Okay? And then month number 7, the \$5.00 service fee will reoccur.
John Grant:	Okay, Ma'am the only thing that I need to know is the thing you just told me was something to do with Wil Tel.
<u>Fran Gibbs:</u>	Exactly, that's what I'm talking about. Yeah, Wil Tel. Because you didn't authorize them to switch your 800 line as well, yeah, what we would do is waive the \$5.00 service fee on that for you for six months. Okay? And your 800 number is that in South Dakota only or nationwide?
John Grant:	I believe it's nationwide.
<u>Fran Gibbs:</u>	Okay, would you like four free listings in our AT&T National Directory Book?
<u>John Grant:</u>	That would be fine.

Fran Gibbs:	Okay, and I just need about ten more seconds of your time. You may want to write this down and we'll put you back on the program that you were on. It's called the One Rate for Business program. Okay, and with that, John,
John Grant:	(Mr. Grant coughs) Excuse me.
<u>Fran Gibbs:</u>	That's Okay, take your time. Are you ready? With that, you're looking at 12 cents flat rate, state to state, 24 hours a day, 7 days a week. Okay? Okay, I am going to transfer you over to billing and they are going to ask you two quick questions: One, what your 800 number is. You know that by heart right?
John Grant:	I don't know it by heart.
<u>Fran Gibbs</u> :	Here let me give it to you, 1-888-642-5663. Actually it is just like your main telephone number.
John Grant:	Just with an 888.
Fran Gibbs:	Exactly, and two, John, they are going to ask you for four numbers to verify that we spoke with you so we can put a stop to Wil Tel and insure your lines are back with AT&T. One second sir, I will speak first.
Recording con	nes on as call is transferred: The quality of this call may be monitored.
Saundra:	Verification. Thank you for calling AT&T. My name is Saundra. How can l help you?
Fran Gibbs:	Hi Saundra, Fran Gibbs, G-I-B-B-S.
Saundra:	Okay, ready.
<u>Fran Gibbs</u> :	2ASC inbound only, Ma'am. I'm sorry. 2ASC inbound/outbound. John?
John Grant:	Yes.
Fran Gibbs:	Just wanted to make sure you were there.
Saundra:	Customer's name?
<u>Fran Gibbs</u> :	John Grant. He has a bad cold. He's the owner.
Saundra:	Can I have the name and account name?
<u>Fran Gibbs:</u>	Lown House Restaurant.
Saundra:	Hold on until I can get his information please.
Fran Gibbs:	Sure.
<u>Saundra:</u>	Okay. Do you have the BPN?

Fran Gibbs:	605-642-5663.
Saundra:	605-642-5663?
Fran Gibbs:	Yes, Saundra.
<u>Saundra:</u>	Can you hold on while I grab the billing please?
Fran Gibbs:	Sure. Thank You.
Saundra:	Sir, has the area code been recently changed to 520?
John Grant:	No.
Saundra:	And is through a business?
John Grant:	Correct.
Saundra:	And how many lines are you bringing over today Fran?
Fran Gibbs:	BPN and then the 800 number we'll bring it back.
Saundra:	I will process the 800 number in one moment please.
Fran Gibbs:	Sure.
Saundra:	602-642-5663?
Fran Gibbs:	That's correct.
<u>Saundra:</u>	Mr. Grant can I have the name of your company or your name and social security number currently being billed please?
John Grant:	Lown House Restaurant.
Saundra:	What is the address currently being billed to please?
John Grant:	127 West Grant.
Saundra:	May I have the zip code there please?
John Grant:	57783.
<u>Saundra:</u>	Do you understand thatthis is Spearfish, South Dakota?
John Grant:	Соттесь
<u>Saundra:</u>	Do you understand sir that you are choosing AT &T as your long distance carrier and revoking any authority that you may have given to previous carriers?
<u>John Grant:</u>	Correct.



## **DOCUMENT (S)**

### **BEST IMAGE**

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(Request Date)

RE: Account Number (CASS Acct ID)

Dear ATET Customer,

Thank you for taking the time today to discuss your ATET account. For your convenience, we are providing this letter to outline the payment schedule agreed upon. If you have already made your payment by credit card or Western Union Quick Collect/PhonePay, PLEASE DISREGARD this system-generated latter. If mailing your payment, the arrangement is as follows: P 2

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Please write your account number on your check or money order and mail by the date indicated above to:

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(Lock Box Address Line 1 (AT&T))
(Lock Box Address Line 2)
(Lock Box Address Line 3)
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We appreciate your cooperation and attention to this matter. In the future, please mail all current charges upon receipt of each bill.

Pollowing the arrangement will avoid further collection activity including possible referral to an outside collection agency.

PAyment Arragent Letter

Sent 3-9-98 + 6-17-98

If you find it necessary to contact our office, we can be reached at (AIC 800 number).

Sincerely,

ATET

#### 9-08-1998 8:55AM FROM

#### (Request Date)

Account Number: (CASS Acct ID) Total Due: (Current Balance Due)

PB

Dear Valued Customer:

We are very concerned about your account. Our records indicate that you have an unpaid ATST bill in the amount of (Current Balance Due) . of which (Amount in which sent account into collections) is currently past due.

Please contact us immediately to make acceptable payment arrangements. These arrangements will require that all smounts due must be paid in full.

Without payment in full. access to the AT&T Network may be interrupted for all services billed under this account number (including 800/888 and cellular services, if applicable).

If this outstanding balance is not paid. your account may also be subject to referral to an outside collection agency.

Be advised that this may be our only contact regarding your past due AT&T account.

Please call us now at 1 800 452-2248 to resolve this issue.

ATET

Collection letter Sent \$ 3-2-98

om: Leni Healy To: Elizabeth Anadals	9 9 54 - 55 - 94 - 11 - 11 - 12 - 13 - 14 - 14 - 14 - 14 - 14 - 14 - 14	Dale: 8/28/38 Time: 11:41	Average of the second second	Page 5	in also a fill for 1917 Mactine Campion
Actount	Bill Date R 21, 1998 APR 21,		<b>)</b> AT aT	LOMM NEUDSE RESTAURANT 745 H STA ST BREARTEN SD S7763-294	Ħ
WT Service				<u>1 800 520-205</u>	
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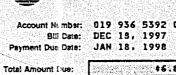
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Date: 8/28/98 Time: 11.41.52 AM Page 10 of 14 From: Leni Healy To: Elizabeth Anadale SUBSCRIPTION AGREEMENT 170 buise Firm Name: LOWAL Type of Business: Q Corporation Q Parmership X Sole Proprietor Service Address: 745 524 St. an Sharin State: Zip Code: 57783 County: LA-WIENCE Primary Phone Number: (605) 643 - 5663 Contact Person: JOAN Grant Contact Phone: SAM Billing Date: D No Preference D 1 🕅 8 D 15 D 22 Previous LD Provider Oulbound Fryste L 800#: AT + T Send Customer Pack to: \_\_\_\_Consultant \_\_\_\_Customer (Include address if different than above) CREDIT INFORMATION 124 D FIRST LINE 800 SERVICE E Callect on (le Home Address:\_ Home Phone: ( 10.5 Rate Plan: Sucial Security Number:\_\_\_\_ Bank Name. Address & Acct #:\_\_\_ Associate Member Affiliate: Federal ID # Number of 800 Numbers Ordered! NONE OUTBOUND SERVICE Designated Local Phone Number (must be at actual Pac Codes for Security Code: \_\_\_\_Yes \_\_\_\_No location): (1) 605: -642-5663 Fax Code: Yes No/Fax PAC Code: Yes No (If pac codes are requested, attach a billing code form) Refe Plan: Yes KNo Teler anagement Reports (Option \_\_\_\_\_) Associate Member Affiliate: Yes KNo Service Area Restrictions Yes (If yes, attach customer info aboet) No Equal Access (1-700 Stickers needed Summarization by: ANL or ----- PAC -----FIRSTLINE FERS Answer Supervision Activation Fee: \$25.00 Yes KNo Monthly Service Fee: 1 NOAC International Calling (If Yes box is not checked it will not be authorized) Telemahagement Reports (Option \_\_\_\_) Multi-Location Service THAVELSERVICE Dialer - No. of Lines (Attach form) Number of Cards: Existing Dialer? PAC Codes: \_\_\_\_Yes \_\_\_No (If yes, attach pac code form) Logo on Cards: Ye: \_\_\_No (If yes, attach logo) **OUTBOUND FEES** Names on Cards: \_\_\_\_Yas \_\_\_No (If yes, attach list) Activation Fee: \$50.00 Yes No Monthly Service Fee: Outbound \$. Dialer Fee: \$ Print Name: JOHN Grant Consultant Signature: Title: DUNET Consultant Number: Authorized Signature: X\_4 Date Subject to Credit Approval by Firstel TE COPY . YPI I ME . CONSULTANT COPY . PINK - CUSTOMER COPY

Account Bill Number Date Date 18,	Dale 1997 JAN 18, 1998	SPEARFISH ED B7763
T&T/Service		For Customer Care: 1-800 524-245
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Check here if name, address, or telephone number has changed. See reverse side. .....

Plaze send Payments to AT&T P.O. BOX 27-680 KANSAS CITY, MO 64180-0680 



Amount Enclosed:

46.87 \$

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SC#25-05

Page 2

### TO REPLACE LOST OR STOLEN AT&T CARDS CALL 1-800-CALL-ATT

Economy Evening Per Minute Or Flat Rate Multi-rated (More Than One Rate Period Applies) Mexico Special Rate Night/Weekend

Off Peak (Evening & Nicht/Weekend Or Discount & Economy) Peak (Day or Standard) Special Additional Discount Rate

AT&T CALL TYPE AND RATING INFORMATION

CALL TYPE	RATE PERIOD
<ul> <li>CCO - Operator Handled Card Calls</li> <li>CCP - Calling Card Person Call</li> <li>CCS - Calling Card Station Call</li> <li>CEL - Cellular Calls</li> <li>DDC - Direct Dialed Call</li> <li>DFR - Direct Dialed Call - Per Minute Or Flat Rate Applied</li> <li>INT - Interrupt Request</li> <li>OBP - Operator Handled Person Call Billed To Third Number Or Special Billing Number</li> <li>OCP - Operator Handled Person Call Billed To Third Number Or Special Billing Number</li> <li>OCP - Operator Handled Person Collect Call</li> <li>OCS - Operator Handled Station Collect Call</li> <li>ODR - Operator Handled Station Call-Dial Rate Applied</li> <li>OHP - Operator Handled Person Call</li> <li>OHP - Operator Handled Person Call</li> <li>OKR - Verification Request</li> </ul>	DAY - Day DAYSA - Daytime Savirigs Time DISAB - Disabled Person Discount Rate Applied DISC - Discount ECON - Economy EVE - Evening MFLAT - Per Minute Or Flat Rate MULTI - Multi-rated (More Than One Ra Period Applies) MXSPC - Mexico Special Rate NT/WK - Night/Weekend OPEAK - Off Peak (Evening & Nicht/Wee Or Discount & Economy) PEAK - Peak (Day or Standard) SPECL - Special Additional Disco unt Rat Applied STAND - Standard
Note: An Operator Service Charge will apply when the Customer has the capability of diation the called number, but elects to	<ul> <li>(&amp;) - Call displayed more than once to identify separate rate periods.</li> </ul>

Note: An Operator Service Charge will apply when the Customer has the capability of dialing the called number, but elects to have the Operator dial the called number.

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HAS YOUR BUSINESS MOVED 7

HAS OWNERSHIP CHANGED ?

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019 936 5392 001 DEC 18,	1997 JAN 18, 1998	LOWN NGUBE RESTAURAMT 740 N BTH BT SPEARPISH "BD STYRS REF. 0 485 642 5443
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DTHER CHARGES & CREDITS Long Distance Service		01.67
TAXES LONG DISTANCE SERVICE Federal Tax	IN THE REPORT OF THE REPORT	10.20
HINI MALANA	IS CONTRACTOR CONTRACTOR CONTRACTOR	3

&T St	, Adjustments, (	other, Charges and Credita		
1	12/09/97	OTHER CHARGES AND CREDITS LONG DISTANCE SERVICE Charge For AT&T Service Monthly Fee At 05.00 From 12/09/97 Through 12/18/97	MD=C(EDITS=	41.67

			attanta at	nr o 103 (12 MA) Man Baratan
T&T Service		FO	spansesni të	<b>3-1-800-524-2</b> 455
ACCOUNT STATUS REVIOUS BALANCE AYMENTS DJUSTMENTS OTAL CURRENT CHARGES	\$6.87 \$0.00 \$0.00 \$136.94		TOTAL DIS Long Disturce Lecount Ia	Discount
OTAL: AMOUNT 'DUE	<u></u>			
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Just For Your Business DID YOU KNOW AT&T TeleConfe productive and cost effective? Account Status Your account is past due. If y PLEASE MAKE CHECKS FAYABLE	For more inf ou have sent y See next page	ormation, pl our payment. for more new	Loase call [-8 . please disre es]	00 232-1234. gard this notice.
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### TO REPLACE LOST OR STOLEN AT&T CARDS CALL 1-800-CALL-ATT

### AT&T CALL TYPE AND RATING INFORMATION

CALL TYPE	RATE PERIOD
CCO - Operator Handled Card Calls CCP - Calling Card Person Call CCS - Calling Card Station Call CEL - Cellular Calls DDC - Direct Dialed Call DFR - Direct Dialed Call - Per Minute Or Flat Rate Applied INT - Interrupt Request OBP - Operator Handled Person Call Billed To Third Number Or Special Billing Number OBS - Operator Handled Station Call Billed To Third Number Or Special Billing Number OCP - Operator Handled Person Collect Call OCS - Operator Handled Station Collect Call OCS - Operator Handled Station Call-Dial Rate Applied OHP - Operator Handled Person Call OHS - Operator Handled Person Call OHS - Operator Handled Station Call VER - Verification Request	DAY - Day DAYSA - Daytime Savings Time DISAB - Disabled Person Discount Rate Applied DISC - Discount ECON - Economy EVE - Evening MFLAT - Per Minute Or Flat Rate MULTI - Multi-rated (More Than One Rate Period Applies) MXSPC - Mexico Special Rate NT/WK - Night/Weekend OPEAK - Off Peak (Evening & Night/Weekend OF Discount & Economy) PEAK - Peak (Day or Standard) SPECL - Special Additional Discount Rate Applied STAND - Standard
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#### LEASE NOTE ONLY THE ITEMS THAT HAVE CHANGED

HAS YOUR BUSINESS MOVED ? Y\_\_\_\_N

HAS OWNERSHIP CHANGED ? Y\_\_\_\_N\_\_\_

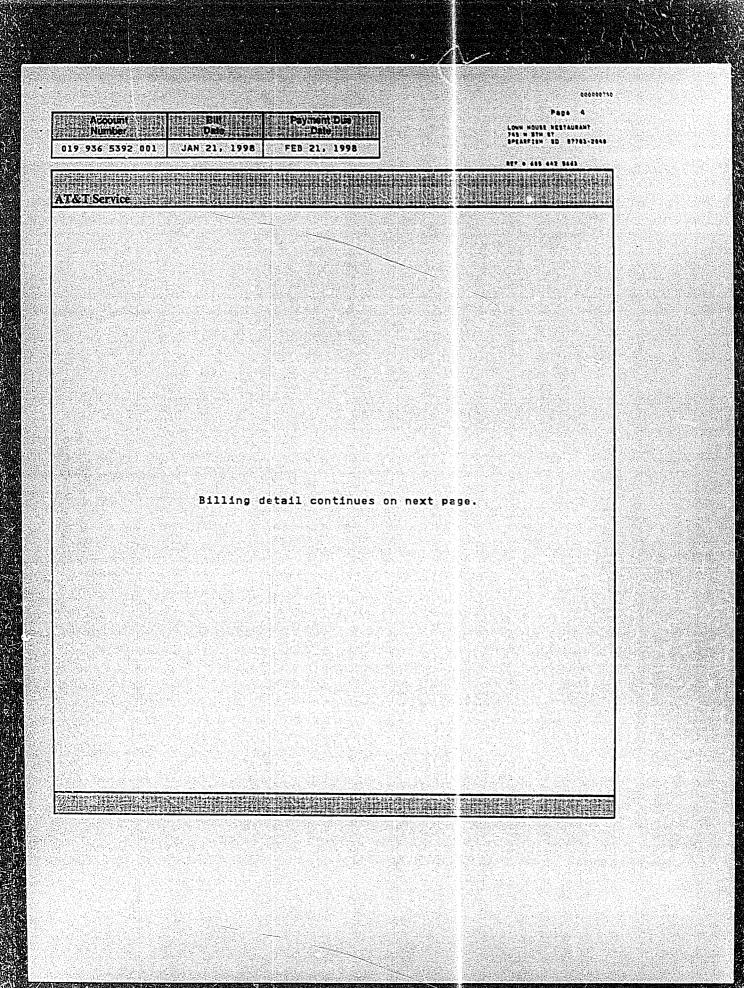
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Page 2

Account Number 1	Date	Date Date	LOWN MOULE REETAUNANT 745 W 570 ST BPEARFILM 3D B7783-2044 REF 0 448 447 8443
T&T Service			
Commission (FCC) ha customers who live programs help to pr and health csre pro these programs and notifying you that January 26, 1998, t total discounted bi	s established programs in rural areas, as wel ovide advanced service viders. Telecommunica are permitted to recov it will add a line ite	Act of 1996, the Federal to provide telecommunica 1 as low-income customers 5 like Internet accoss to tions providers, like ATE er these contributions fr m to your service bill be ent. Initially, this cha state usage. In the futu ing intrastate usage.	tions services to . In addition, these schools, libraries, T, must contribute to on customers. AT&T is pinning on or about
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For more informatio	n on either of these n	ew charges, please call l	- 300 - 594 - 8505.

**和我们的问题,**我们的问题。

RAMBIC AUX MULTING



Number         Jan 21, 1998         FEB 21, 1998	742 (N 874 87 67447534 90 87743-2844 877 8 485 442 8443
T&T Service	
HONTHLY CHARGES LONG DISTANCE SERVICE ATAT Service Monthly Foe Fee Waived Due To Calls In Excess Of #5.00 INBOUND BOO Domestic Monthly Fee	•5.00 5.00 5.00
USAGE CHARGES LONG DISTANCE SERVICE INBOUND Usage Eligible For Discount Charge Includes \$0.56 For 2 Pay Phone Originated Call(s)	•278.30
INTERNET OF A CONTRACT OF A Discount activity Long distance service	\$153.074
DTHER CHARGES & CREDITS LONG DISTANCE SERVICE	12.67
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Image: Market in the second	OTHER CHARGES AND CREDITS LONG DISTANCE SERVICE Miscellaneous Adjustment Credit For AT&T Model T Service Monthly Fee Waived Due To Usage In Excess Of Threshold	40.67
	Applied to 161 158 6310 111 LONG DISTANCE SERVICE	•0.67*
3 1/06/98	Charge For AT&T Domestic Monthly Fee At \$5.00 From 1/06/98 Through 1/21/98	\$2.67

LONG DISTANCE SERVIC Volume Discount on Promotion Credit(s	\$278.30	SUBTOTAL	Managaran Managaran	11.32 41.75 58.079.41.4.4
ACCOUNT NBOUND 161 158 6310 111 LGWN HOUSE RESTAURANT 745 N 5TH ST SPEARFISH SD 57783	LONG DISTANCE SERVICE Volume Discount Compatitive Adv. Promo - HADSI	USAGE ELIGIBLE FORIDISCOUNT	IS. 00X	•111.32* •111.32* •111.32*
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Homber	Date	Date
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### Page B

#### LOWN HOUSE RESTAURANT 745 N STN ST EPEAAFISH SD 57783-2848

T&TService						神经治		
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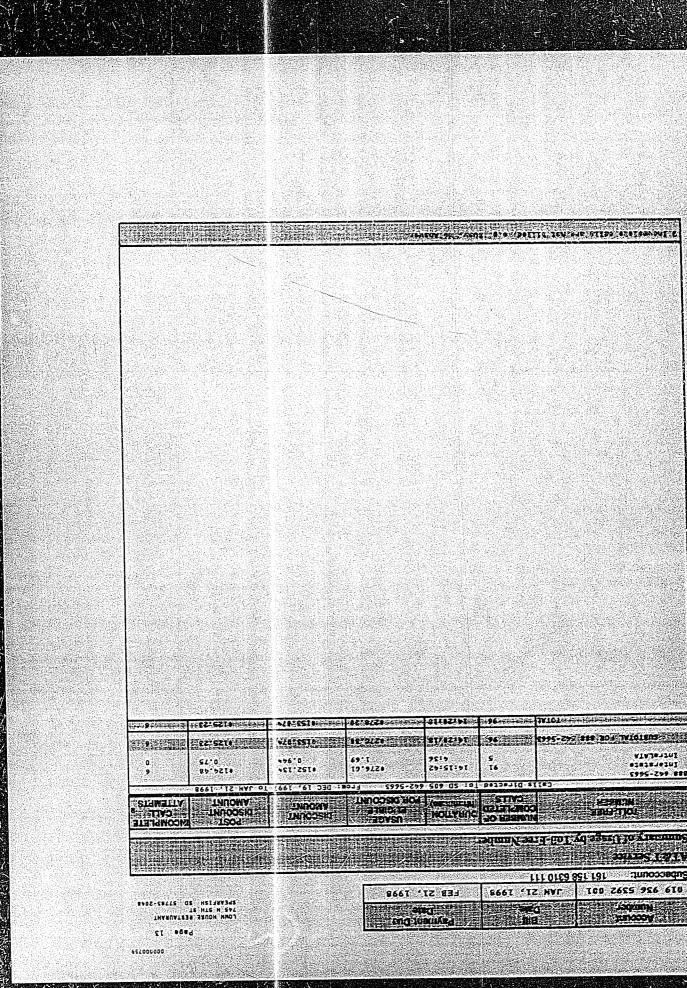
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61 158 6310 111 GWM HOUSE RESTAURANT 45 N 5TH ST PEARFISH SD 57783 88 642 5663	LONG DISTANCE SERVICE 96 Total Calls 14:20:18 Total Minutes/Seconds Other Charges & Credits Long Distance Charges Federal Tax State Tax Local Tax	¢2.67 130.23 3.99 0.03 0.23
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&T Service					7,5113 2,5113 2,5113 3,5115 3,5115 4,5115
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DISCOUNT ACTIVITY LONG DISTANCE SERVICE \$15	<b>8;3</b> 0 3.079
CONG DISTANCE SERVICE	<b>3,074</b> 2.67
TAXES LONG DISTANCE SERVICE Federal <sup>3</sup> Tax State Tax	2;67; 3.99 0.03 0.02
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ecount: 161168 6310 111 Thereter nents: Adjustment: Other Charges and Credits: 1 OTHER CHARGES AND CREDITS LONG DISTANCE SERVICE 1 1/06/98 Charge For AIRT Domestic Honthy, Fee AI #5.00 From 1/06/98 Through 1/21/98 \$2.67
0THER CHARGES AND CREDITS         LONG DISTANCE SERVICE         1       1/06/98         Charge For AT&T Domestic         Monthly Fee At \$5.00         From 1/06/98 Through 1/21/98



Account	122 <b>BU</b>	Payment Due
Humber 019 936 5392 001	1000 1000	Date
	8 6310 111	

AT&T Service Summary of Usage by Toll-Free Number 000000740 Page 14

LOWN HOUSE RESTAURANT 745 N STH ST Spearfish SD 57783-2048

Billing detail continues on next page.

### NEXT

# **DOCUMENT (S)**

### **BEST IMAGE**

### POSSIBLE

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Account BIN Payment Humber, Date 1, Date 19 936 5392 001 FEB 21, 1998 MAR 21,	LOWN HOUSE RESTAURANT
T&T-Service	For Custom riGare-1-800-524-2455
ACCOUNT STATUS REVIOUS BALANCE 1143.81 AYMENTS 00.00 DJUSTMENTS 00.00 OTAL CURRENT CHARGES 070.25	TOTAL DISCOUNTS The Total Long Distance Discount For Your Account Is
OTAL AMOUNT DUE	
stay connected to your customers. Call you details. Or, check us out on the Internet of Account Status Your account is past due. If you have sent y Regulatory News	-Free Service, a simple and convenient way to r AT&T Account Executive or 1 800 227-9951 for at www.att.com/tollfree. your payment, please disregard this notice. for important information on billing changes
Expand your marketing reach, provide world or valuable market sensing data with AT&T Toll- stay connected to your customers. Call your details. Or, check us out on the Internet of Account Status Your account is past due. If you have sent y Regulatory News Please see a special bill insert this month in connection with the Telecommunications Ac PLEASE MAKE CHECKS PAYABLE TO AT&T AND	-Free Service, a simple and convenient way to r AT&T Account Executive or 1 800 227-9951 for at www.att.com/tollfree. your payment, please disregard this notice. for important information on billing changes
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### TO REPLACE LOST OR STOLEN AT&T CARDS CALL 1-800-CALL-ATT

AT&T CALL TYPE AND RATING INFORMATION

#### CALL TYPE

### RATE PERIOD

- 1999년 - 1997년 - 1997년 1997년 - 1997년 - 1997년 - 1997년 -	
CCO - Operator Handled Card Calls	DAY - Day
CCP - Calling Card Person Call	DAYSA - Daytime Savings Time
CCS - Calling Card Station Call	DISAB - Disabled Person Discount Rate
CEL - Cellular Calls	Applied
DDC - Direct Dialed Call	DISC - Discount
DFR - Direct Dialed Call - Per Minute Or Flat	ECON - Economy
Rate Applied	EVE - Evening
INT - Interrupt Request	MFLAT - Per Minute Or Flat Rate
OBP - Operator Handled Person Call Billed To	MULTI - Multi-rated (More Than One Rate
Third Number Or Special Billing Number	Period Applies)
OBS - Operator Handled Station Call Billed To	MXSPC - Mexico Special Rate
Third Number Or Special Billing Number	NT/WK - Night/Weekend
OCP - Operator Handled Person Collect Call	OPEAK - Off Peak (Evening & Nicht/Weekend
OCS - Operator Handled Station Collect Call	Or Discount & Economy)
ODR - Operator Handled Station Call-Dial	PEAK - Peak (Day or Standard)
Rate Applied	SPECL - Special Additional Discount Rate
OHP - Operator Handled Person Call	Applied
	STAND - Standard
OHS - Operator Handled Station Call	- STAND-Standaru
VER - Verification Request	
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부장님 성격을 잘 만들고 있다. 말한 것은 것은 것은 것은 것을 하는 것이다.	

Note: An Operator Service Charge will apply when the Customer has the capability of dialing the called number, but elects to have the Operator dial the called number.

- Call displayed more than once to identify separate rate periods. (&)

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000011747 Page 2

IT&TService	REF + 605 642 5663
unmary of Charges	
MONTHLY CHARGES LONG DISTANCE SERVICE AT&T Servica Monthly Fee Fee Waived Due To Calls In Excess Of 05.00 INBOUND 800 Domestic Monthly Fee	######################################
USAGE CHARGES LONG DISTANCE SERVICE IMBOUND Usage Eligible For Discount	\$132.13
DISCOUNT ACTIVITY Long Distance Service	**************************************
REGULATORY FEES LONG DISTANCE SERVICE Universal Connoctivity Charge Carrier Line Charge	(3.04 0.53
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NG DISTANCE SERVICE Volume Discount On • Promotion Credit(s)	132.13	TITLE SUBTOTAL	(19 21-072	的现在分词 网络马马马马马马马马马马马马马马马马马马马马马马马马马马马马马马马马马马马马
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Account. Number 019 936 5392 001 FEB 21, 19	Payment Due	Paga 6 Lown House Festaurant 745 H 57H 57 Spearfish 10 57783-2000 REF 6 485 442,5443
T&T Service		
SUBACCOUNT	EXPLANATION	ABOUNT.
016 428 1823 001 LOWN HBUSE RESTAURANT 745 N 5TH ST SPEARFISH SD 57783-2048 Ref # 605 642 5663	LONG DISTANCE SERVICE 0 Total Calls	
161 158 6310 111 LOWH HOUSE RESTAURANT 745 N 5TH ST SPEARFISH SD 57783-2048 888 642 5663	LONG DISTANCE SERVICE 49 Total Calls 6:50:12 Total Minutes/Seconds Long Distance Charges Federal Tax State Tax Local Tax Local Tax	164.46 1.93 0.12 0.06
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#### Page 7 LOWN HOUSE RESTAURANT

### 3-2048

	BM Date				LOWN HOUSE R 745 M STH ST	
019 936 5392 001 FEB	21, 1998	HAR 2	1, 1998		REF • 403 44	
AT&T Service Summary of Usage by Toll-F	ree Numbe					
	NUMBER OF	DURATION (hhimimass)	ELIGIBLE FOR DISCOUNT	DISCOUNT	POST DISCOUNT AMOUNT	INCOMPLETE CALL ATTEMPTS
	1s Directed	To: SD 605	642-5663 Fro	m: JAN 22, 1998	To: FEB - 21, 1998	and the second sec
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\* Incomplete calls are not elled; e.g. Busy. Ho Angwer, 派的行 2.7

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019 936 5392 001 FEE 21, 1998 MAR 21, 1998			
	019 936 5392 001	FEB 21, 1998	MAR 21, 1998

AT&T Service

Paga 8 Lown House Restaurant 745 N STN ST Spearfish SD 57783-2044

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Nommary of Usage by ToU-Free Number

## Billing detail continues on next page.

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T&C Service			
ACCOUNT STATUS Adjustments Total current charges Location Amount	\$ 0.00 \$ 66.57 \$ 66.57	The Total Long Dis	DISCOUNTS tance Discount s <u>HERMERTZEGTE</u>
國國部員總統局等明書將將將的評評60			
MONTHLY CHARGES Long Distance Service INBOUND 800 Domestic Honthly Fee	<b>2</b> 4455424114253454456		+5.00 C. 1711-1711-1711-145.00
USAGE CHARGES LONG DISTANCE SERVICE IMBOUND Usage Eligible For Discourt		STATUTION STATUTE SUBTOT	¢132.13
DISCOUNT ACTIVITY Long Distance Service		In the second subtor	\$72.674
TAXES LONG DISTANCE SERVICE Federal Tax State Tax Local Tax			\$1.93 0.12 0.06
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9-25-1998 2-10PM FROM BC SERVICES 3176335034 BD: 03-21-98 CIA BILL INQUIRY STAT PAGE 1 OF 12

ACCT IN BILL PULL ACCT: 019 936 5392 001 NAME: LOWN HOUSE RESTAURANT BILLER: SBS 745 N 5TH ST

FINAL BILL: 980621 LEAD

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- 05 LOWN HOUSE RESTAURANT
- 06 AT&T Service

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1.11	1224 14	1.1.2	经济产生	Second and	14.15 - 14. 16.	أرادا فكر والأرد	10.8	etti armı dar	Sellin Frence	in the lost	1.1.1.1	STOCK DE	2.4.10	1.1.1	and the second	1. A.	: ::::::::::::::::::::::::::::::::::::	1.1.1	6.51 64			1.1.1.1.1.1.1.1.1.1.1	1.00	
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1.7.1	1. 1. 7. 1. 1.	1.1%	2.1	Sec.	3. J. A. 4	同時間中の	A 117 1 11	34.0	Sec. 1		1.00	1111	2.S'I''	10	l'ot	• 1880	100	16 C	)n∵e+	- <b>1</b> - 1 - 1	- C - L - L - L - L - L - L - L - L - L	11 00	0110	1 <b>*</b> - 1
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10.0	~ 5 th	* m	1.1		TDO		- Sec. 19				e al el si	1.1			1.19.10	110	1 10 1	200	Sec. 1	영문방법 이 등	10.00		SN8.54P	167.15
Sec. 1	S	12	122	a V D	YM	NT	12002	1.1	67 S. A.S.	5-4-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	100			말로 말 지않		1.52.21.1	S0	્યામ	11. 10. 10	新新市 帮		Bra Shinh	12.191.4	
Sec. 1	100	<b>**</b> **	1.1.5			949 A.	• 97.575			1.1.1.1.1.	10.00	12.585	1.1	36.00		じんきんかり	Y V		Discourses.	영양은 영				100.0
2.0.11	1 10 11 16	1.8.1	1.1.6.1.1	a tana da	والمسترجع المراجعة	10011-0	r St. e. W.	S. 1. 1. 1. 1. 1.	CALCORD CO	Sec. 14	合わたたら	1644	1. 1. 1. 1. 1.	10.00	0 - 18 - 1	1. 1. 1.		866 a. Sec		5 6 1 6	승규가 가슴 옷을 다 나는 것이 없다.	生物学的 经边际管		1.1
6 T 1 1	17 7	1.10.24	1.1	1793-67	2.4445	12/11/12	1211			Sec. Sugar		en la se	1997		m		19 62	1000			6.83.43	小規模学校的		820
in the	SA		2.000	19.01	10125-2	10000	112222	43 B A B B B	1.16.75		Sec. 1.	1 1	1.2.2.1.2	- P'		1.000	12.22.03	100		1965, H				
1.10		1.1			1.1.1 1.1.1.				220000			8 S S S		- C.		1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1			9676 ( MB	28.474				七份和
121 4 20	64 T . 141	10.1	100	1.1.1.1.	1.1	1. 100	10.00	1.1.1		1000	3	Sec. 1 1	Sec. Sec.	2.00.550		计关于 子子的	1000	영양대학 이건		2000 - A	1917 - N.S.	A Period State		
ЪC	CT		1. 1. 1.	1.0	Crist-Series	、杨秋氏的	12.6			1999.01		1000	1.1.1	CM	n	34632684	101	MC	חו				1. 26 6	1.1
n.	11	Same	1000		1.63	120 25	201012		(有): [1]	1.13 1	1.1	1.1		ાતા	$oldsymbol{ u}$ is defined as	通知が発生	2,517,51	111	D			1.	1.10	
2415.24	Same at	100		Oraci de	14711-1	1.15	1.1.1.1.1	16. 201 1.	1. 1. 1. 1. 1.	N. 10 84	984633	R. (1)	1.1	Varian	1.		2.2.4 1.2.6 %		1.1.1			力进行 法资料	1990 B	25724
31.4	1.0.0	1. 19			-					1		<b>`</b>				_		1. 1.	1.1					
1.1	1.1	20,0705	~ V F.			SC C	HOI.	LE	សេរោះ	1.55	7 H 1 I I	154	1275.	SI 19	$\alpha c$	CΗΔ	$\Gamma K \odot$	10.274		astrat a			10.00	122
29.22	the Cas	Sama	و ما جاري		5 V V	S U V	TOT	ء <b>لہ ان اللہ ا</b>	110.25	A BAL	ا كالم الكار			1011	$\sigma$ nn	l un			11.12.24.64	6355 - 4		是 计直接时间 医	11201.2	S
1.1	2.460.000	and many sets	1.50	1	General Sec. Co	Berti de line	co balla the da	Section Courts	100.00	Sec. all	martin	- 1991 - 1-1		1. 1. 1. 2. 2. 1	1.1.1 Lat. 1.	dille av ette	and the second second	6-6-2 K 100	10.42.15	요즘 가지도 것		and set of a fact		2000

(MORE)

P.2

PAGE 1

					Р.Э	<b>}</b>
9-25-1998 2	10PM FROM	BC SERVICES 3170	6335034			
BD:	03-21-98	CIA BILL INQU	IRY STAT	PAGE	1 OF 12	
ACCT: 019 936	5392 001 N	AME: LOWN HOUSE			BILLER: SBS	
		745 N 5TH	ST			
FINAL BILL: 90	80621 LEAU					

						21.02
			For Your A	ccount Is	<b>ې</b>	21.02
- 12	ADJUSTMENTS			\$0.00		
13	TOTAL CURRENT	CHARGES		\$25.20		
	TUIAL CURRENT.	CULINOIDO				
	al antigation of the second			\$239.26		
. 18	TOTAL AMOUNT	DOF				
		网络上海星马马拉马拉拉马拉		The state of the second se		



PT MOD CMD PF11 TO SCROLL FWD / PF10 TO SCROLL BACK

	<b>《注意》:"</b> 这个社会
9-25-1998 2:10PM FROM BC SERVICES 3176335034	P.4
BD: 03-21-98 CIA BILL INQUIRY SUM	PAGE 5 OF 12
ACCT: 019 936 5392 001 NAME: LOWN HOUSE RESTAURANT 745 N 5TH ST FINAL BILL: 980621 LEAD	BILLER: SBS
EINE BIRF. 200051 PRO	
01ACCOUNTBILLPAYMENT DUE02NUMBERDATEDATE030199365392001MAR21, 1998APR21, 1998	PAGE 5
05 LOWN HOUSE RESTAURANT 06 AT&T Service 07 Summary of Charges 08 MONTHLY CHARGES	AMOUNT
<ol> <li>LONG DISTANCE SERVICE</li> <li>AT&amp;T Service</li> <li>Monthly Fee</li> <li>Fee Waived Due To Calls In Excess Of \$5.00</li> <li>800 Domestic Monthly Fee</li> </ol>	\$5:00 5:00CR
SA PT	
ACCT CMD MOD PF11 TO SCROLL FWD / PF10 TO SCROLL BACK	(MORE)

		and the second second	
			P.5
9-25-1998 2:10PM FROM BC SERVICES 3 BD: 03-21-98 CIA BILL IN	· · · · · · · · · · · · · · · · · · ·	PAGE	5 OF 12
SILO 036 5303 001 NAME: LOWN HOU	SE RESTAURANT		BILLER: SBS
	H 51		
FINAL BILL: 980621 LEAD			
n an			5.00
15 800 Domestic Monthly Fee		SUBTOTAL	\$5.00
17			
19 USAGE CHARGES			
21 LONG DISTANCE SERVICE 22 INBOUND			\$38.23
23 Usage Eligible For Discount 24 Usage Ineligible For Discount			0.56
25 Charge Includes (0101 26 For 2 Pay Phone Originated C	all(s)		A-70 - 70
28		SUBTOTAL	\$38.79
	PT IMD M	OD	
ACCT			(MORE)

PF11 TO SCROLL FWD / PF10 TO SCROLL BACK

9-25-1998 2 11PH FRC1	BC SERVICES 31763350	34	Γb
BD: 03-21-98	CIA BILL INQUIRY	SUM PAGE	5 OF 12
ACCT: 019 936 5392 001 N	NAME: LOWN HOUSE REST 745 N 5TH ST	AURANT	BILLER: SBS
FINAL BILL: 980621 LEAD			
30 DISCOUNT ACTIVITY 31 LONG DISTANCE SERV 32	VICE		\$21.02CR
34		SUBTOTAL	\$21.02CR
36 REGULATORY FEES			
<ul><li>38 LONG DISTANCE SERV</li><li>39 Universal Connection</li><li>40 Carrier Line Charge</li></ul>	ivity Charge		\$1.05 0.53
42 SA	PT	SUBTOTAL	\$1.58
ACCT	CMD	MOD	MODEL

PF11 TO SCROLL FWD / PF10 TO SCROLL BACK

9-25-1998 2-11PM FROM BC (SERVICES 3176335034	P.7
BD: 03-21-98 CIA BILL INQUIRY SUM	PAGE 5 OF 12
ACCT: 019 936 5392 001 NAME: LOWN HOUSE RESTAURANT	BILLER: SBS
745 N 5TH ST FINAL BILL: 980621 LEAD	
44 TAXES	
46 LONG DISTANCE SERVICE	
47 Federal Tax	\$0.73
48 State Tax	0.08
49 Local Tax	0.04
51. SUI	STOTAL \$0.85
53 TOTAL CURRENT CHARGES	\$25.20

632	6.23	10.0	SA	1.1.1.1	ti la j	124	1803			1.		いわ	1.1		1.1				100	1.0	120	1.12			ter h	15.716	See.		1.12	12.5	1.14.4	-	- (f) -		1.5.1	1.1	42.5	a 14:22		1.	1. 1.	4
164	20 P.	1. 60	70	1.2.1.2	10.0	1.1.1.	5 চাক	1.000	622	362	252	1.5				nge	1.1		isen.		199	1.00	1.10	640		F 20	5125	1.11		201	1.1	D'I		5	$\odot \Sigma$			12.44.5		- 20.31	1.78.7	ŝ
-60-F	1.1	19 C -		100	化化学系	1.1.1	11.2	1.1.1			22.45		김사님!	2.22	1.1	1.1	S. 3.		- C	1000	11.000	24 D.	2.752	1.1	7 - A.	6194	1.1	11.5	1.2.2	1. 2.6	7154	Ε.Ι	- 26.01	1. 1. 1.	202.0		10.25	S 88 ( B) (	1	2011/23	1.64	
Sec. 7	1.22	· / /	2003	1.79.74		· · · · · ·	4656	1.00	×	172.5	1.12	1.11	9-C - 1	1.0.1	1.1	- C.S.			922.	Sec. 16	13 C	1.00		9.234		£	1.15	41	Sec. 1. 1.	200 Sec.	Sec.	102	- C	1.1	1.19	1.1.1.1.	Set they	1.1	C. ( ) )	1.12	29388	
24	1.0			QL 11	08.BZ	1	142.00	31. Au	19. J.	1.1		12.52		A. 14	14			232	5404	15.0	£		C15.	승강 현	1423	31.5×	832		1.1	20 Per	12:12*	C = s	11.11	1.12		1.000	1. 66	1.19.17	2022	1. 2. 1	1.11	З.
610				1.1.1	10.00	1.19	1.2.5	1.1	25.55		6 S. S. S.		2.68	- 579		11.2 4	SIM N	54 P					Q-14 F		89. AN	Slici	ورد وال	3.779	- 34C	1.16.15	-			1. 6. 20			(A) 14.	2.20	6. S. Britter B.	ances and	Sec. 2.	
640	~		T	- P. 1	12.11	Sec. 8.	1.00		1000	1.1	599	1.1	199	12473	1.15			14.14		1.1		167.7		1. 1. 1. 1.	1.20	S	432	1.00	11.1		C	чı	٦÷-			2006	305.et	2011	M		1.1	
16.4			-,-		6.225	1.157	1. 1. 1.	5.341	12.14	(ru)Q	111		140 S	915.5	1.160		513 X	1.8 1	22.7	4.e 16		A	( AH)		1425	2.75	1.65	1.1.1.1	100	22.53	A	71 F	1.110	12.4		13. A			111		1.000	42
	14.01 63	2.036	1.2.100	116.121	1.12	1.1.1.1	1.00			1.1	1997	5275	8.20		1.15	201	1.1.1	12574	1.1		12.03	-73 P.A.	1027	1.11	Col.	3 H.	1026	14.00	1.445				- 42 A	10.0	5 A 61		196738	31.7	T 7 /	<i>.</i>	1.1.1	14
111	12.1	1.5	10.95	1.11	1008	10.072	67 et 1	- L.	32.25	in star	1998	1.1	2 Q	2010	$a_{448}$	2.07	370.		25/21		e.se			est in	- C. (*	9.84	10.0	1.1	E 17	1.1	Posts	1.1.4			$2^{(0)}$ 14		1.0	1.1			19.5	ι÷
67	1.77	- 92.5	12.53	6 - M - F	10.12	-	_	Sec. 1.	2.1.1	_	- i i	1.2.4						8.974	-		-	100	• 33 C	-	-			~ <b>—</b>	Sec. 1.3	- C		1.1	10000	S. 54	1991 C. 1.	227 STAT	t voltas	Sec. 1.	20.2.3	1. 2. 3	94.6.314	1
677	2.00	1.5	20.64	1967	- 05-5	· M I	- X	1.1		1. L	- 10	1.1		1 in 1	22.	¥ .	- 1	1015	÷-1			12.7	2.35	· L2	L.	11	18	րդո	$\mathbf{n}$	C		nc	١Т	<b>T</b>	577	AC	**//	111.00	10.0		1.64	e
3,24	315.5	S-261.	1.11	41.224	25.15.2	<b>.</b>	- 6-6		2129		-	14 B.		-1	~~			12.12	<b>F</b> - 3		1.1	64 I.	12.1		1.5	1.1	1.85	4 B -	. //			<b></b>	26.6		0 <b>m</b>	шι.	- M -	11.70			1.0.00	

9-25-1	998 2:11PM FROM BC SERVICE	S 3176335034		P. 8
	BD: 03-21-98 CIA BIL	L INQUIRY D	DIS PAG	E 6 OF 12
ACCT: 019	935 5392 001 NAME: LOWN 745	HOUSE RESTAUP	ANT	BILLER: SBS
FINAL BIL	L: 980621 LEAD			
01	ACCOUNT BILL	PAYMENT	DUE	PAGE 6
02	NUMBER DATE	DATE		
03	019 936 5392 001 MAR 21,	1998 APR 21,	1998	
05	LOWN HOUSE RESTAURANT			
06	AT&T Service			
07	Discount Activity			
08	LONG DISTANCE SERVICE		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	이 에너 그 같은 것을 받았다. 것은 것은 것은 것은 것을 가지 않는 것을 가지 않는 같은 것은 것은 것은 것은 것을 것을 알았다. 것은 것은 것은 것을 알았다. 것은 것은 것은 것은 것은 것을 알았다. 같은 것은 것은 것을 알았다. 것은 것은 것은 것은 것을 알았다. 것은 것은 것을 같은 것은
09	Volume Discount On \$38.2	3	가슴에 있는 것 같은 것이다. 같은 것이 있는 것 같은 것이다. 같은 것이 있는 것 같은 것이 같은 것이다.	
09		\$15.290	٤	
10	Promotion Credit(s)			
10		\$5.73CI	۲	
12				SUBTOTAL
SA		PT		
ACCT		CMD	NOD	
PI	F11 TO SCROLL FWD / PF10 TO	SCROLL BACK		(MORE)

. 9-25	-1998 2:11PM FROM BC SERVI	CES 3176335034		P. 9
	BD: 03-21-98 CIA B	ILL INQUIRY DIS	PAGE	6 OF 12
ACCT: 0	[27] 전화	WN HOUSE RESTAURANT 5 N 5TH ST	C	BILLER: SBS
FINAL B	ILL: 980621 LEAD			
12		\$21.02CR		
14				TOTAL
전화 문화가 많은 것이 있는 것이 없다.		\$21.02CR		IOIAN
14		사람은 경험에 다 물건에 다 다 나는 것이 없다.	CE DUT CE	
15	INBOUND	LONG DISTANCE	SERVICE	
16	161 158 6310 111	•••		
17	LOWN HOUSE RESTAURANT	Volume Disco	unt	A1.0 A0.00
17		\$38.23		\$15.29CR
18		Competitive		医结晶体 法法公司条约 化化物合物 网络拉拉拉人名 化成分 网络糖品类植物的复数形式
18			15.00%	\$5.73CR
20				SUBTOTAL
20				\$21.02CR
SA		PT		
ACCT		CMD MOD		
	PF11 TO SCROLL FWD / PF10 7	TO SCROLL BACK		(MORE)

9-25-1998 2:11PM FROM BC SERVICES 3176335034

BD: 03-21-98 CIA BILL INQUIRY DIS PAGE 6 OF 12 ACCT: 019 936 5392 001 NAME: LOWN HOUSE RESTAURANT

745 N 5TH ST

FINAL BILL: 980621 LEAD

22 22 BILLER: SBS

TOTAL \$21.02CR

PT SA CMD MOD ACCT PF11 TO SCROLL FWD / PF10 TO SCROLL BACK

, 9 <del>-</del> 25-	-1998 2:12PM FROM	1 BC SERVICES 317	6335034	P. 11
	BD: 03-21-98	CIA BILL INQU	JIRY CTS	PAGE 7 OF 12
	19 936 5392 001 ILL: 980621 LEAD	NAME: LOWN HOUSE 745 N 5TH		BILLER: SBS
01 02 03	ACCOUNT NUMBER 019 936 5392 001	DATE	PAYMENT DUE DATE APR 21, 1998	PAGE 7
05 06 07 08	LOWN HOUSE RESTAU AT&T Service Summary of Usage	by Call Type NUMBER J		DISCOUNT AVG RATE
09 10 11 12	CALL TYPE LONG DISTANCE		USAGE V ELIGIBLE S) USAGE	
14 SA	SWITCHED INBOUND	PT		
ACCT	철말 전 뒤에서 말했다. 같은 것 같아요. 같은 것	CMD	MOD	정상 분위에 관심하는 것 수가 동안을 가지 않는다. 그 것 같은 것

CMD MOD PF11 TO SCROLL FWD / PF10 TO SCROLL BACK (MORE)

9-25-1998 2:12PM	FROM BC SERVICES	5 3176335034		P.12
BD: 03-2	1-98 CIA BILI	INQUIRY	CTS PAGE	7 OF 12
ACCT: 019 936 5392 0		HOUSE RESTAU	JRANT	BILLER: SBS
FINAL BILL: 980621 L	영양 이상 가지 않는 것은 것은 것을 가지?	1 5th st		

10 17	Interstate	31 \$0.56	\$18.60CR	\$0.145
17 18	IntraLATA	1:45:06 \$33 8	.92 2.42CR	\$15.32 0.135
18		승규는 물건이 많아갈 것 같은 방문에서 다른 물건을 물건을 다 망가락 하고 있는 것이	.31	1.89
20	TOTAL	39 \$0.56	\$21.02CR	\$0.144
20		1:59:06 \$38	.23	\$17.21

SA PT ACCT CMD MOD PF11 TO SCROLL FWD / PF10 TO SCROLL BACK

. 9-25-	-1998 2:12PM FPOM BC 5	ERVICES 317	76335034		P. 13
	BD: 03-21-98 C	IA BILL INQ	UIRY AAG	PAGE	8 OF 12
ACCT: 01	.9 936 5392 001 NAME	LOWN HOUS 745 N 5TH			BILLER: SBS
FINAL BI	ILL: 980621 LEAD				
01	ACCOUNT	BILL	PAYMENT DUE		PAGE 8
02	NUMBER	DATE	DATE		
03	019 936 5392 001 MA	R 21, 1998	APR 21, 1998		
05	LOWN HOUSE RESTAURANT				
06	AT&T Service		2013년 2013년 1월 1939년 1939년 - 1931년 1931년 1931년 1931년 193		
07	Summary by Subaccount				
09	016 428 1823 001		승 한 이상에 가지 못하는 것이 없다. 같은 것은 것이 같은 것이 안 하는 것이 있다.		
09	LONG DISTAN	CE SERVICE			
10	LOWN HOUSE RESTAURANT				사람은 가격은 이가 가슴을 걸었다. 
10	0 Total Ca			일을 관련된다.	
- 11	745 N 5TH ST	, 2013년 1913년 1913년 1917년 - 1913년 1913년 1913년 - 1913년 1 1913년 - 1913년 1 1913년 1913년 191	동안에 같은 가장에게 주말 같은 것은 것이 같은 것이 같은 것이 같이 있다.		
12	SPEARFISH SD 57783-	2048			
SA		PT	성가가 같은 것으로 가락할 것이다. 이는 것은 것은 것은 것은 것이 같은 것이다.		
ACCT		CMD	MOD		
	PF11 TO SCROLL FWD / PF				요즘, 이는 것 같은 것, 여름 방법이라.

. 9-2	5-1998 2:12PM FROM BC SERVICES 3176335034	P.14
	BD: 03-21-98 CIA BILL INQUIRY AAG P.	AGE 8 OF 12
	019 936 5392 001 NAME: LOWN HOUSE RESTAURANT 745 N 5TH ST BILL: 980621 LEAD	BILLER: SBS
14	Ref # 605 642 5653	
16	SUBTOTAL	\$0.00
18 18 19 19 20 20 20 21	LONG DISTANCE SERVICE LOWN HOUSE RESTAURANT 39 Total Calls 745 N 5TH ST 1:59:06 Total Minutes/Seconds	
21	요. 가슴가 관련했다. 아이가 물러지도 하는 석이가 한 지도로 지지 않아야 하는 것 수 있는 것 같아요. 이가 나는 것은 가을 것 같아요. 바람이 있는 것 같아요. 바람이 있는 것 같아요. 바람이 있	\$22.77
S.A	PT	0.68
ACCT	CMD MCD PF11 TO SCROLL FWD / PF10 TO SCROLL BACK	(MORE)

9-25-1998 2	13PM FROM BC SERVICES 3176335034	P. 15
BD:	: 03-21-98 CIA BILL INQUIRY AAG P.	AGE 8 OF 12
ACCT: 019 936	5392 001 NAME: LOWN HOUSE RESTAURANT 745 N 5TH ST	BILLER: SBS
FINAL BILL: 98	30621 LEAD	
23 888 0	642 5663	
23	State Tax	0.08
24	Local Tax	0.04
25	TOTAL LONG DISTANCE CHARGES	\$23.57
27	SUBTOTAL	\$23.57
29	TOTAL	\$23.57

362			80° 0 0 0		31 M M		 WD	-	 -	-			 			14 - QQ			
A(	CT									1.12	CMI	)		_ P	IOD		6.5		
16.0	1.50	转给的机									<u></u>								
	SA					662					רס	•				ξ. <u>Γ</u> .			

. 9-25	-1998 2 13PM FROM	BC SERVICES 317	6335034		P. 16
	BD: 03-21-98	CIA BILL INQU	JIRY SUMA	PAGE	9 OF 12
ACCT: 0	19 936 5392 001 N	AME: LOWN HOUSE 745 N 5TH	이렇게 잘못 안 없는 것 같아요. 이 가지 않는 것 같아요. 한 것이다.		BILLER: SBS
FINAL B	ILL: 980621 LEAD		<b></b>		
01	ACCOUNT	BILL	PAYMENT DUE		PAGE 9
02		DATE	DATE		
03	019 936 5392 001				
04	LOWN HOUSE RESTAUR				
05	AT&T Service				
06	Summary of Usage b	v Toll-Free Nur	iber		
07	1		USAGE	PC	ተጋ(
08	TOLL-FREE		) ELIGIBLE		그렇는 적 성장님께서 가지 않는 것 같은 것 같다. 가장 것은 것 것 같
09	NUMBER	CALLS	ぶん とぼう もかが とうしつ しかくため みねい かいしょうぶい	a fan de skielen ei staffe fan de skielen fan stere	IOUNT
11		DURI	ATION	DISCOUNT	INCOMPLETE
12		승규가 집안 한 영상의 사이 집안에 가져 손가 있었다. 등 나라니?	다 수가 다 소리에서 방법을 가지 않는	같은 모님은 것 같은 것	CALL ATTEMPTS
13	Account: 161 158 6	310 111 Call:	Directed To:	SD 605 6	42-5663
13			FEB 22, 1998		
SA		PT			
ACCT		CMD	MOD		
	PF11 TO SCROLL FWD /	ふくせいきつけん ちちちょう かいくしかい おうせか アリア アアレンパー			(MORE)

- 9-25-	-1998 2:13PM FROM BC SERVI	CES 3176335034				P.17
	BD: 03-21-98 CIA B	ELL INQUIRY	SUMA	PAGE	9 OF	12
ACCT: 01	L9 936 5392 001 NAME: LOV	N HOUSE RESTA 5 N 5TH ST	URANT		BILLER:	SBS
FINAL BI	ILL: 980621 LEAD					
15	888 642-5663					
16	Interstate	31	\$33.92		\$15.32	
16		1:45:06		\$18.60		3
17	IntraLATA	8	4.31		1.89	
17		14:00		2.42		0
	SUBTOTAL FOR	39	\$38.23		\$17.21	
19	888 642-5663	1:59:06		\$21.02		3
21	SUBTOTAL FOR		\$38.23		\$17.21	
21	161 158 6310 111	1:59:06		\$21.02		3
23	TOTAL	이는 물건을 통해 있는 것은 것 같은 것 같은 것 같이 많이 가지 않는 것 같이 다.	\$38.23		\$17.21	
SA		PT				
ACCT		CMD		사람이는 사람이다. 같은 것은 것은 것이다. 같은 것은 것은 것이다.		
	PF11 TO SCROLL FWD / PF10 T	O SCROLL BACK			4)	10RE)

. 9-25-1	998 2:13PM	FRO	1 BC SERV	VICES 3176	6335034	La series a			P. 18
	BD: 03-	-21-98	CIA	BILL INQU	IRY	SUMA	PAGE	.9 OF	12
ACCT: 019	936 5392	001	Automatic Andreas	OWN HOUSE 45 N 5TH	History Caleby	URANT		BILLER:	SBS
FINAL BIL	L: 980621	LEAD							

1:59:06

SA PT ACCT CMD MOD PF11 TO SCROLL FWD / PF10 TO SCROLL BACK

23

(MORE)

3

\$21.02

9-25-1998 2:14PM FROM EC SERVICES 3176335034 PAGE 10 OF 12 BD: 03-21-98 CIA BILL INQUIRY SUMA PAGE 10 OF 12 ACCT: 019 936 5392 001 NAME: LOWN HOUSE RESTAURANT BILLER: SBS 745 N 5TH ST FINAL BILL: 980621 LEAD

01	ACCOUNT BILL	PAYMENT DUE	PAGE 10
02	NUMBER DATE	DATE	1.00 10
03	019 936 5392 001 MAR 21, 1998	APR 21, 1998	
04	SUBACCOUNT	161 158 6310 111	
05	LOWN HOUSE RESTAURANT		
06	AT&T Service		
08	Billing deta	il continues	

Billing detail continues on next page.

SA ACCT

PT CMD PF11 TO SCROLL FWD / PF10 TO SCROLL BACK

MOD

uSee og de la	All All And All All All All All All	$\sim$		(1994) (1994)	
					P. 20
9-25	-1998 2:14PM FROM BC S	ERVICES 317633	5034		
	BD: 03-21-98 CI	A BILL INQUIRY	( SUM	PAGE	11 OF 12
ACCT: 0	19 936 5392 001 NAME:	LOWN HOUSE RI 745 N 5TH ST	STAURANT		BILLER: SBS
FINAL E	ILL: 980621 LEAD				
01	ACCOUNT	BILL P.	AYMENT DUE		PAGE 11
02	NUMBER		DATE		
03	019 936 5392 001 MA	R 21, 1998 A	PR 21, 1998	이 사망하다 참가 있다. 이 사망하다 같은 것은 것이 있는 것이 있다. 이 사망하는 것이 있는 한 같은 것이 있는 것	
04	SUBACCOUNT	1	61 158 6310	111	
05	LOWN HOUSE RESTAURANT				
. 06	AT&T Service				
07	Summary of Charges				
	ACCOUNT S	TATUS (double-	ささき かいら やうりょうがい せんりょう		
10		TOTAL L	ISCOUNTS		
			\$0.00		
12	ADJUSTMENTS	ml - m-+-1			· • • •
12			. Long Dista	TC6 DISCO	
SA		PT CMD	MOD		
ACCT	DE11 MO CODOLL FUD / DE		아이들 이 집에 다른 말을 다니 같다.	관계가 관계가 있었다. 관계가 관계하는 것은 관계하는 것	(MORF)

PF11 TO SCROLL FWD / PF10 TO SCROLL BACK

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9-25-1998 2:14PM FROM BC SERV	ICES 3176335	034	P. 21
BD: 03-21-98 CIA E	BILL INQUIRY	SUM P.	AGE 11 OF 12
도망 잘 알려 있는 것 같아요. 그는 것 같은 것 같	WN HOUSE RES 15 N 5TH ST	STAURANT	BILLER: SBS
FINAL BILL: 980621 LEAD	I I JIN 31		
13 TOTAL CURRENT CHARGES			
13 TOTAL CURRENT CHARGES 13	For Your A	\$23.57	\$21.02
	TOL TOUL A		ş21.UZ
15 LOCATION AMOUNT		23.57	
21 MONTHLY CHARGES			Amount
23 LONG DISTANCE SERVICE			
24 800 Domestic Monthly Fee			
25 800 Domestic Monthly Fee			\$5.00
27		SUBTOTA	L \$5.00
SA	PT CMD	MOD	
	UPID	riuu	

CMD MOD PF11 TO SCROLL FWD / PF10 TO SCROLL BACK

9-25	-1998 2:14PM FROM BC SERVICES 3176335034		P. 22
	BD: 03-21-98 CIA BILL INQUIRY	SUM PAGE	11 OF 12
ACCT: 0	9 936 5392 001 NAME: LOWN HOUSE RESTAUL 745 N 5TH ST	RANT	BILLER: SBS
FINAL BI	LL: 980621 LEAD		
. 29	USAGE CHARGES		
31	LONG DISTANCE SERVICE		
32	INBOUND		
. 33	Usage Eligible For Discount		\$38.23
	Usage Ineligible For Discount		0.56
35	Charge Includes \$0.56		0.00
36	For 2 Pay Phone Originated Call(s)		
38		SUBTOTAL	\$38.79
40	DISCOUNT ACTIVITY		
41	LONG DISTANCE SERVICE		
-42	LONG DISTANCE SERVICE		
SA	ma	한 것을 가지 않는 것을 받는 것을	\$21.02CR
ACCT	PT CMD	100	
	F11 TO SCROLL FWD / PF10 TO SCROLL BACK	fOD	
	COULD IND / LIIV IO OCNOLL DACK		(MORE)

9-2	5-1998 2:15PM FROM BC SERVICES 3176335034		P. 23
	BD: 03-21-98 CIA BILL INQUIRY SUM	PAGE	11 OF 12
	019 936 5392 001 NAME: LOWN HOUSE RESTAURAN 745 N 5TH ST 0ILL: 980621 LEAD	T'	BILLER: SBS
		5 	
44		SUBTOTAL	\$21.02CR
46	TAXES		
48	LONG DISTANCE SERVICE		
49	Federal Tax		\$0.68
50	State Tax		0.08
51	Local Tax		0.04
53		SUBTOTAL	\$0.80
55	TOTAL CURRENT CHARGES		\$23.57
SA	PT		
ACCT	CMD MOD		
	PF11 TO SCROLL FWD / PF10 TO SCROLL BACK		(MORE)

- 9-25	5-1998 2:15PM FROM	BC SERVICES 317	6335034		P. 24
	BD: 03-21-98	CIA BILL INQU	IRY SUMA	PAGE	12 OF 12
ACCT: 0	19 936 5392 001 N	AME: LOWN HOUSE 745 N 5TH	学校は シアニス かねしし かけっぷる ひとしたがた だいがやい		BILLER: SBS
FINAL B	ILL: 980621 LEAD				
01	ACCOUNT	BILL	PAYMENT DUE		PAGE 12
01	맛다 걸 것 못했는 요즘 소리는 것이 못했다. 바람들은	DATE	DATE		
02	019 936 5392 001	이는 사람이 있는 동네에서 이를 전성하는 것을 가지 않는 것을 수 있다.		an data Nanari Mangarita	
03 04	01) JJ0 JJJL 001	그 같은 사람이 많은 것 같아요. 말했는 것 같아요. 것 같아요. 것 같아요. 것 같아요. 같아요. 같아요. 같아요. 같아요. 같아요. 같아요. 같아요.	58 6310 111		
05	LOWN HOUSE RESTAUE	같이 아직에 위해 관심을 것이 아까지 않는 것을 것 같아요.	50 5510 111		
06	AT&T Service				
07	Summary of Usage b	y Toll-Free Num	ber		
08		이번 방법 위험 가장에 가지 않는 것이 가지 않는 것이 많이 가지 않는 것이 없는 것이 없다. 않은 것이 없는 것이 않이	USAGE	POS	<b>T</b>
09	TOLL-FREE	있는 사람은 것에서 가지 않는 것을 많은 물건을 하는 것을 했다.	ELIGIBLE	FOR DIS	SCOUNT
. 10	NUMBER	CALLS	DISCOUNT	AMC	DUNT
12		DURA	TION	DISCOUNT	INCOMPLETE
13		(hh:m	m:55)	AMOUNT	CALL ATTEMPTS
14		Calls	Directed To	: SD 605 64	12-5663
SA		PT			
ACCT		CMD	MOD	에 전화하는 전문가 같다. 1997년 - 전문가	
	PF11 TO SCROLL FWD /	' PF10 TO SCROLL	BACK		(MORE)

- 9-25-	-1998 2:15PM FROM BC SER	/ICES 317633503	3 <b>a</b>		P. 25
THIS IS	BD: 03-21-98 CIA THE LAST SCREEN FOR THIS	医二乙酸盐 化二乙酸盐 化二乙酸盐 法法律法 化乙烯酸铵 化乙烯酸铵 化乙烯酸铵	SUMA	PAGE 12 OF	12
The second s	19 936 5392 001 NAME: 1		'AURANT	BILLER:	SBS
FINAL BI	ILL: 980621 LEAD	J N JIN SI			
14		From: FEB	2, 1998 To	MAR 21, 1998	
16	888 642-5663				
17	Interstate	31	\$33.92	\$15.32	
17		1:45:06	e e e e e e e e e e e e e e e e e e e	518.60	3
18	IntraLATA	8	4.31	1.89	
18		14:00		2.42	0
	SUBTOTAL FOR	39	\$38.23	\$17.21	
. 20	888 642-5663	1:59:06		\$21.02	3
22	TOTAL	39	\$38.23	\$17.21	
22		1:59:06		\$21.02	3
SA		PT			
ACCT		CMD	MOD		

PF11 TO SCROLL FWD / PF10 TO SCROLL BACK

9-28-1998 9:544M FROM BC SERVICES 3176335034					P.2
BD: 03-21-98 CIA CALL DETAIL		Pl	AGÉ	13 OF	13
ACCT IN BILL PULL ACCT: 019 936 5392 001 SUB: 161 158 6310 111 NAME: LOWN HOUSE RESTAURANT (INBOUND)		DSC PCP			
NO. DATE TIME PLACE AREA/NUM MN/	'SC	TYPE	RT	AMOUNT	
LINE NO. 605-642-5663 01 02/24 01:11P SPEARFISH SD 888-642-5663 FR:NO HOLLYWD CA 818-509-0276	.30	0X1A	P	0.08	v
02 02/24 04:57F SPEARFISH SD 888-642-5663 FR:GREATFALLS MT 406-453-3906	.30	0X1A	P	0.06	V
이 가슴은 아파는 것을 가슴을 해야 하는 것 같아. 프로그램에 이 프로그램에 가슴에 가슴을 가지 않는 것을 가지 않는 것을 수 있는 것을 가슴을 것을 것을 수 있는 것을 수 있는 것을 다. <mark>^</mark> 4	. 48	0X1A	. <b>P</b>	0.12	v
04 02/28 03:05P SPEARFISH SD 888-642-5663 FR:GREATFALLS MT 406-453-3906	.30	0X1A	0	0.08	<b>V</b> .
05 03/01 08:48P SPEARFISH SD 888-642-5663 . FR:GREATFALLS MT 406-453-3906	.30	0X1A	0	0.08	v
06 03/02 10:00F SPEARFISH SD 888-642-5663 17. FR:GREATFALLS MT 406-453-3906	.36	A1X0	0	2.56	V
07 03/03 01:27P SPEARFISH SD 888-642-5663 FR:GREATFALLS MT 406-453-3906	.30	0X1A	P	0.08	V

CMD

MOD

· 9-	-28-1998 9:544M FROM BC SI	ERVICES 3176335034					P. 3
	BD: 03-21-98 CIA	A CALL DETAIL		P.	AGE	13 OF	13
والمحادث المتركب والالمروح والمحاد	019 936 5392 001 SUB: 1	수가는 내가 좀 많은 것이 같아요. 지지않는 것은 가장을 하는 것이 않는 것을 하는 것을 수 있다.	いんだわち おもう	State of states	a shina ƙafa ƙasar		
	LOWN HOUSE RESTAURANT DATE TIME PLACE					AMOUNT	
00	LINE NO. 605-642-5663	요즘은 비행 이가 다 같이 많은 것이 같은 것이 같다.	<b>?</b> 0	011	•	0.00	
08	03/03 06:33P SPEARFISH S FR:SIOUX CITY IA			UXIA	0	0.08	V
09	03/03 07:22P SPEARFISH S	이 가지 않는 것 같아요. 이 가지 않는 것 같은 것 같아요? 방법을 하는	急びい ふりょうとしん	0X1A	0	0.08	V
10	FR:SIOUX CITY IA 03/03 09:54P SPEARFISH S	같아요. 생님 동네 가슴 것 같아요. 집에 다 나는 것이 같아.	영양 관광 감독 문화 가지	0X1A	0	3.72	v
11	FR:GREATFALLS MT 03/04 12:52P SPEARFISH S	maan kaba dagi waxaa ku	공격에 비행하는 것	0218	P	1.07	Υ
	FR:EAGLERIVER WI	715-479-9630					V
12	03/04 01:19P SPEARFISH S FR:SIOUX CITY IA	えいかたいを シリア えいしい レスアレアル とうけいかく かわれる	1.36	0X1A	P	0.23	V
13	03/04 03:06P SPEARFISH S	D 888-642-5663		0X1A	P	0.94	v
14	FR:MUSCATINE IA 03/04 03:19P SPEARFISH S	しん かいしょうかん とうかい かんしょう たんしんかいしょう たんしょう かいもんしょう	이상에서 이야 것 같아. 영국 가지?	0X1A	P	2.51	v
	FR:GREATFALLS MT						

CMD

MOD

- 9-	-28-1998 9.554M FROM BC SERVICES 3176335034					P. 4
	BD: 03-21-98 CIA CALL DETAIL		P	AGE	13 OF	.13
The second second second	019 936 5392 001 SUB: 161 158 6310 111	동물 영상가 다 중 옷을 들었다.	DSC PCP			
	LOWN HOUSE RESTAURANT (INBOUND) DATE TIME PLACE AREA/NUM	网络美国科学会 医外外支 使作	الماخل فيحققه والعادات		AMOUNT	
15	LINE NO. 605-642-5663 03/06 11:05A SPEARFISH SD 888-642-5663	.30	0X1A	P	0.08	v
16	FR:HALLS LAKE WA 425-743-2927 03/06 11:08A SPEARFISH SD 888-642-5663		0X1A	р	0.08	v
	FR:HALLS LAKE WA 425-743-2927 03/09 02:25P SPEARFISH SD 888-642-5663		0X1A	P	0,08	v
	FR:EAGLERIVER WI 715-479-9630					
	03/09 03:28P SPEARFISH SD 868-642-5663 FR:EAGLERIVER WI 715-479-9630					
	03/09 03:45P SPEARFISH SD 888-642-5663 FR:EAGLERIVER WI 715-479-9630					v
20	03/11 09:58P SPEARFISH SD 888-642-5663 FR:GREATFALLS MT 406-453-3906		0X1A	0	0.08	۷
21	03/12 10:08P SPEARFISH SD 888-642-5663 FR:GREATFALLS MT 406-453-3906		OXIA	0	0.25	V

CMD

MOD

- 9	-28-1998 9:55AM FROM BC SERV	/ICES 3176335034					P. 5
	BD: 03-21-98 CIA C	ALL DETAIL		P.	AGE	13 OF	13
	019 936 5392 001 SUB: 161 LOWN HOUSE RESTAURANT	한다는 방법권에서 사망에 대한 방법에 다시 그는 나온다. 방법에 있는 것		A State of Street			
	DATE TIME PLACE LINE NO. 605-642-5663					AMOUNT	
22	03/15 08:07P SPEARFISH SD 8 FR:GREATFALLS MT	2017년 2017년 1월 2017년 1월 2018년 2017년 1월 2017년 1월 1월 2017년 1월 2	같아요~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	0X1A	0	0.08	v
23	03/16 05:41P SPEARFISH SD 8 FR:GREATFALLS MT	88-642-5663	.36	0X1A	0	0.08	v
24	03/17 07:28P SPEARFISH SD 8 FR:PCNCA CITY OK	88-642-5663	.42	0X1A	0	0.11	v
25	03/17 07:38P SPEARFISH_SD 8 FR:MINNEAPOLS MN	888-642-5663	.30	OX1A	0	0.08	V
26	03/18 11:41A SPEARFISH SD 8 FR:TALLAHASSE FL	188-642-5663	.30	0X1A	P	0.08	V
27	03/19 08:37A SPEARFISH SD 8 FR:SULPHUR LA			OX1A	P	0.08	V
28	03/19 08:38A SPEARFISH SD 8 FR:SULPHUR LA			0X1A	P	0.08	ν .

CMD

MOD

. 9	-28-1998 9.554M FR04 BC	SER	VICES 3176335034					P.6
	BD: 03-21-98	CIA	CALL DETAIL		Ρ.	AGE	13 OF	13
	019 936 5392 001 SUB:		상태 집에서 이 지난 것이라. 지나 방법에서		) – Millericker († 1944)			
NAME :	LOWN HOUSE RESTAURANT		(INBOUND)		PCP	•		
NO.	DATE TIME PLACE		AREA/NUM	MN/SC	TYPE	RT	AMOUNT	
	LINE NO. 605-642-566	(4) (4) (4) (4)						
29	03/19 05:19P SPEARFISH		888-642-5663	10.42	ALXO	0	1.54	v
	FR:GREATFALLS MT		医马克氏试验检 化化化化学 的复数形式 法保证 法公司法 有效的现在分词	같은 것이 같은 것 같아요. 나는 것				
30	03/20 12:43P SPEARFISH				OXIA	P	0.36	V
	유명하는 사람은 수가가 고려는 것을 수 없는 것을 수 가지 않는 것을 수 있는 것을 수 있는 것을 수 있다.		314-421-9973		and the second			
31	03/21 06:37P SPEARFISH	SD	888-642-5663	.30	JX1A	0	0.36	V.
			314-342-9336					
32	02/25 09:39A SPEARFISH					P	0.07	v
	FR:SPEARFISH SD							
33	02/26 08:49A SPEARFISH	SD	888-642-5663	.30	0X3A	P	0.07	V
	FR:STURGIS SD							아파라가 알라가 다
34	02/27 07:25A SPEARFISH	SD	888-642-5663	.30	0X3A	0	0.07	V
	FR:STURGIS SD		605-347-6217					
35	03/03 02:072 SPEARFISH	SD	888-642-5663	.48	0X3A	P	0.11	v
	FR:RAPID CITY SD		605-343-8393					

CMD

MOD

9-28-1998 9:55AM FROM BC SERVICES 3176335034 P.	7
BD: 03-21-98 CIA CALL DETAIL PAGE 13 OF	13
ACCT: 019 936 5392 001 SUB: 161 158 6310 111 DSC: NAME: LOWN HOUSE RESTAURANT (INBOUND) PCP:	
NO. DATE TIME PLACE AREA/NUM MN/SC TYPE RT AMOUNT LINE NO. 605-642-5663	
36 03/04 09:50P SPEARFISH SD 888-642-5663 9.54 0X3A O 1.32 V FR:ABERDEEN SD 605-225-2278	
37         03/06         09:21a         SPEARFISH         SD         888-642-5663         .30         0X3A         P         0.07         V           FR:RAPID         CITY         SD         605-348-5183         .30         0X3A         P         0.07         V	
38         03/07         10:46A         SPEARFISH         SD         888-642-5663         .30         0X3A         O         0.07         V           FR:RAPID         CITY         SD         605-341-5015         605-341-5	
39         03/13         04:15P         SPEARFISH         SD         808-642-5663         .48         0X3A         P         0.11         V           FR:RAPID         CITY         SD         605-341-3085         .48         0X3A         P         0.11         V	

CMD MOD

			00003>***
Account Bill			LOWM MOUSE BESTAUSANT 745 M STN ST SPEAFFJIN SD S7783-7244
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## TO REPLACE LOST OR STOLEN AT&T CARDS CALL 1-800-CALL-ATT

## AT&T CALL TYPE AND RATING INFORMATION

CALL TYPE	RATE PERIOD
<ul> <li>CCO - Operator Handled Card Calls</li> <li>CCP - Calling Card Person Call</li> <li>CCS - Calling Card Station Call</li> <li>CEL - Cellular Calls</li> <li>DDC - Direct Dialed Call</li> <li>DFR - Direct Dialed Call - Per Minute Or Flat Rate Applied</li> <li>INT - Interrupt Request</li> <li>OSP - Operator Handled Person Call Billed To Third Number Or Special Billing Number</li> <li>OCS - Operator Handled Person Collect Call</li> <li>OCS - Operator Handled Person Collect Call</li> <li>OCS - Operator Handled Station Collect Call</li> <li>OCS - Operator Handled Station Call-Dial Rate Applied</li> <li>OHP - Operator Handled Person Call</li> <li>OHP - Operator Handled Station Call-Dial Rate Applied</li> <li>OHP - Operator Handled Station Call</li> <li>VER - Verification Request</li> </ul>	DAY - Day DAYSA - Daytime Savings Time DISAB - Disabled Person Discount Rate Applied DISC - Discount ECON - Economy EVE - Evening MFLAT - Per Minute Or Flat Rate MULTI - Multi-rated (More Than One Rate Period Applies) MXSPC - Mexico Special Rate NT/WK - Night/Weekend OPEAK - Off Peak (Evening & Night/Weekend Or Discount & Economy) PEAK - Peak (Day or Standard) SPECL - Special Additional Discount Rate Applied STAND - Standard
Note: An Operator Service Charge will apply when the Customer has the capability of dialing the catled number, but elects to	(&) - Call displayed more than once to identify separate rate periocs.

have the Operator dial the called number.

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PLEASE NOTE ONLY THE ITEMS THAT HAVE CHANGED

HAS YOUR BUSINESS MOVED 7 Y\_\_\_\_ N\_\_

HAS OWNERSHIP CHANGED 7 Y\_\_\_\_ N\_\_\_

Number, Alta State	nie Sitte Di	nt Dus 2111 992	LOWM HOUSE REI 743.M STM ST Spearfish Sd	\$7783-2048	
T&I Service					
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T&T Service		
Billing	detail continues on next	page.

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LONG DISTANCE SERVICE INBOUND Usage Eligible For Discount Usage Ineligible For Discount Charge Includes (6.28 For 1 Pay Phone Originated Call(s)	*8.81 0.28
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019 936 5392 001 APR 21, 199	B HAY 21, 1998	Page A Low House Hestaukaut 743 - 976 - 17 Belantis - 80 - 37781-2744 Her 1 482 - 442 - 444
AT&T.Service Summary by Subsecount		
016 428 1823 001 LOWN HOUSE RESTAURANT 745 N'5TH ST SPEARFISH SD 57783-2048 Ref # 605 642 5663	LONG DISTANCE SERVICE O Total Calls	
161 158 6310 111 LOWN HOUSE RESTAURANT 745 N 5TH ST SPEARFISH SD 57783-2048 888 642 5663	LONG DISTANCE SERVICE 29 Total Calls 0:28:30 Total Minutes/Seconds Long Distance Charges Federal Tax State Tax Local Tax Docal Tax	\$9.25 0.28 0.14 0.07

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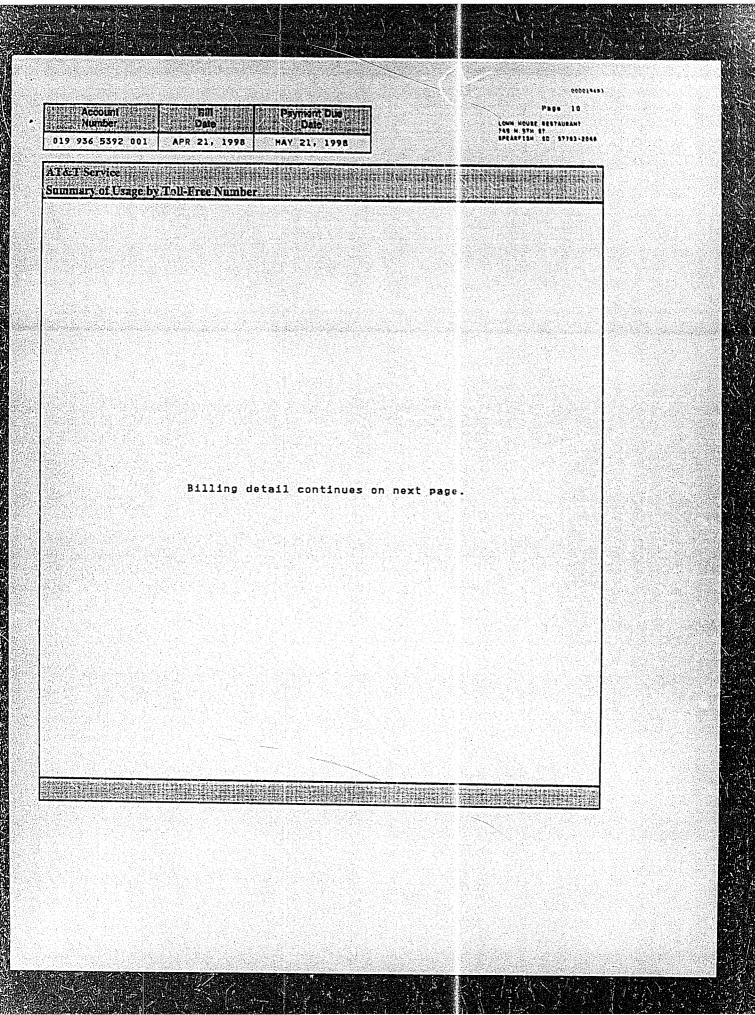
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LONN HOUSE RESTAURANT 743 N 514 ST RPEARFISH SD STP63-2040

Page 4

REF + 405 442 5443

	NUMBER OF COMPLETED CALLS	DURATION (hh:mmæs)	USAGE ELIGIBLE FOR DISCOUNT		POST DISCOUNT AMOUNT	ATTEMPTS
Account: 161 158 6310 111 (A) 888 642-5663	13 Directed	TO: SD 605	692-3663 Fre	MAN 22, 1990	10 APH 21. 1998	
Interstate IntraLATA	. 8 21	4136 23154	*1.46 7.35	•0.80* 4.04*	+0,66 3,31	0 3
SUBTOTAL FOR 888 642-5663	2011) 2011] 29]]	28130	4.81	4.84	43.77	375
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USAGE CHARGES LONG DISTANCE SERVICE INBOUND Usage Eligible For Discou Usage Ineligible For Discou Charge Includes 00.28 For 1 Pay Phone Originat	nt Sunt od Call(s)			*8.81 0.28
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NUMBER		DURATION (hh:mm==)	USAGE ELIGIBLE FOR DISCOUNT		POST DISCOUNT AMOUNT	ATTEMPTS
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SUBTOTAL FOR 888 642-5663	and shows the Upple	28:30	48-81	94.84	13.97	Shares (parate)
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94 4.43.01P NIMMAPHIE W 612 769-1343 T134 DPEAL	
NG 147201499 NEWERNELS NO 412 709-3145 6131 OPERA 2.39 NG 14727349 ASSAULTATE NO 412 709-3145 6131 OPERA 3.31 NG 1379-3149 NEWERNELS NO 412 709-3245 1134 OPERA 5.31	
NGLI-FREE GALLE NG 124161/254 - Sariji Galle Sal-Galle - 5134 - 5414 - 5-17 NG 11431/1542 - 14275 CETY 55 Gall Sal-Galle - 5134 - 5417 - 5-44 NG 10325 - 54175 CETY 55 Gall Sal-Galle - 5134 - 64134 - 1-23	
ND 7.12.220 CTURKIE UD 463 547-4217 1.117 00444 8.14 NG 77.14.127 AAADD CTUT UD 483 546-14.N 5464 00414 0.79 NG 11.544/724 CAUTO CTUT UD 483 541-1585 1.166 00444 8.13 NG 11.641/724 AADD CTUT UD 483 542-7880 1.188 00444 8.14	
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Just For Your	**** Important News / Business	About Your Account *	••••
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What does 877 Exchanges, ac you are inter cut our websi Did you know. the following to FCC mandat For wdditions www.att.com.	Business have in common with 800 and 8 ded as a result of the continu ested in ordering toll-free se te at www.att.com/tollfree/. if you currently access AT&T change: Effective July 1, 19 ed changes. 1 information on AT&T local to See next page HECKSTAYABLE TO AT&T AND INCL THAT THE AT&T P.O. BOX ADDRESS INFORMATION OF AT&T SESSION	1887 877 is the newest is not high demand for tall invice or want additional by dialing 10-ATT (288 998, 10-ATT will be chan bell service, chack out of of for more news! DE YOUN ACCOUNT NON SER IS SHOWING THEOUGHTHE'E	of the Toll-Free free service. If information, check ), plaase make note o aing to 10-10-ATT due Jr website at OM PAYMENT ON PAYMENT
What does 877 Exchanges, ac you are inter cut our websi Did you know. the following to FCC mandat For widditions www.stt.com. Widdet com PUCASE MAKE ASE MAKE Stree JRE PROPER CRE 008 1/1/.1,1, LOW 745	Business have in common with 800 and 8 ded as a result of the continu ested in ordering toll-free se te at www.att.com/tollfree/. .if you currently access AT&T change: Effective July 1, 19 ed changes. I information on AT&T local to See next page	AND RETURN WITH REMITIAN	of the Toll-Free free service. If information, check ), plaase make note o aing to 10-10-ATT due Jr website at OM PAYMENT ON PAYMENT

TO REPLACE LOST OR STOLEN AT&T CARDS CALL 1-800-CALL-ATT

#### AT&T CALL TYPE AND RATING INFORMATION

### CALL TYPE RATE PERIOD

<ul> <li>CCO - Operator Handled Card Calls</li> <li>CCP - Calling Card Person Call</li> <li>CCS - Calling Card Station Call</li> <li>CEL - Cellular Calls</li> <li>DDC - Direct Dialed Call</li> <li>DFR - Direct Dialed Call - Per Minute Or Flat Rate Applied</li> <li>INT - Interrupt Request</li> <li>OBP - Operator Handled Person Call Billed To Third Number Or Special Billing Number</li> <li>OBS - Operator Handled Person Collect Call</li> <li>OCP - Operator Handled Person Collect Call</li> <li>OCS - Operator Handled Person Collect Call</li> <li>OCS - Operator Handled Station Collect Call</li> <li>ODR - Operator Handled Station Call-Dial Rate Applied</li> <li>OHP - Operator Handled Person Call</li> <li>OHP - Operator Handled Station Call-Vial Rate Applied</li> <li>OHP - Operator Handled Station Call</li> <li>VER - Verification Request</li> </ul>	DAY - Day DAYSA - Daytime Savings Time DISAB - Disabled Person Discount Rate Applied DISC - Discount ECON - Economy EVE - Evening MFLAT - Per Minute Or Flat Rate MULTI - Multi-rated (More Than One Rate Period Applies) MXSPC - idexico Special Rate NT/WK - Night/Weekend OPEAK - Vif Peak (Evening & Night/Weekend Or Discount & Economy) PEAK - Peak (Day or Standard) SPECL - Special Additional Disccunt Rate Applied STAND - Standard
Note: An Operator Service Charge will apply when the Customer has the capability of dialing the called number, but elects to have the Operator dial the called number.	(&) - Call displayed more than once to identify separate rate periods.

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HAS YOUR BUSINESS MOVED ? Y\_\_\_\_ N\_\_\_\_

HAS OWNERSHIP CHANGED 7 Y\_\_\_\_ N\_\_\_\_

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T&T Service						
Just For Your B ATLT has a now This new servic the area code.	usiness Directory Assist e allows you to	ance service, v access Directo:	with expanded ry Assistance	features, call information wi	ad "00" INFO". thout knowing	
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Connectivity Ch	bout recently en arge and Carrier http://www.att.	Line Charge),	please call 1			
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000033443 Page 4 LOWN HOUSE RESTAURANT 745 M STN ST BPEARFISH SD S7783-2848 019 936 5392 001 MAY 21, 1998 JUN 21, 1998 REP 0 405 442 5443 AT&T Service Billing detail continues on next page. 

Account Bill Number 019 936 5392 001 MAY 21, 1998 JUN 21, 1998	LOWN HOUSE RESTAURANT 745 N BTH ST BPCARFISH SD 57783-204 REF 0 403 642 5443
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LONG DISTANCE SERVICE	\$17.90%
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OTHER CHARGES & CREDITS	
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REGULATORY FEES	
LONG DISTANCE SERVICE Universal Connectivity Charge Carrier Line Charge	\$0.59 0.53
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- ST # 125	vice	Other, Charges and Credits.		
Man	DATE 19			AMOUNT
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1	5/13/98	Credit For AT&T Domestic Monthly Fee At \$5.00 From 5/13/98 Through 5/21/98		\$1.504
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T&T Service				
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#### LDWN HOUSE RESTAURANT 745 N STN ST Spearfish SD - 57783-2048

Page 10

REF # 605 647 5663

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97 Incomplete calls are not billed; e.g. Busy, No Answer.

T&T Service			
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SPECIAL ATTENTION to those customers who access A July 1, 1998, 10-ATT will be changing to 10-10-AT For additional information on AT&T services, chec http://www.att.com. Sue next page for m	T due to FCC mandated changes. k out our web site at hore news! ####################################
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### TO REPLACE LOST OR STOLEN AT&T CARDS CALL 1-800-CALL-ATT

### AT&T CALL TYPE AND RATING INFORMATION

Ĩ I

RATE PERIOD

### CALL TYPE

CCO - Operator Handled Card Calls
CCP - Calling Card Person Call CCS - Calling Card Station Call
CEL - Cellular Calls
DDC - Direct Dialed Call
DFR - Direct Dialed Call - Per Minute Or Flat
Rate Applied
INT - Interrupt Request
OBP - Operator Handlad Person Call Billed To
Third Number Or Special Billing Number
OBS - Operator Handled Station Call Billed To
Third Number Or Special Billing Number
OCP - Operator Handled Person Collect Call OCS - Operator Handled Station Collect Call
ODR - Operator Handled Station Collect Call ODR - Operator Handled Station Call-Dial
Rate Applied
OHP - Operator Handled Person Call
OHS - Operator Handled Station Call
VER - Verification Request
경험 방법 방법 전체 가격 가지 않는 것은 것이 있다. 가지 않는 것은 것이 가지 않는 것이 있는 것이 있는 것이 있다. 전철 방법 방법 전체 것은 것이 같은 것은 것이 있는 것이 같이 있는 것이 있는 것이 있는 것이 있다.
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DAYSA	- Davtime Savings Time
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DISC	- Discount
ECON	- Economy
FVF	- Evenina
MFLAT	- Per Minute Or Flat Rate
MULTI	- Multi-rated (More Than One Rate
	Period Applies)
	- Mexico Special Rate
	- Night/Weekend
OPEAK	- Off Peak (Evening & Night/Weekend
	Or Discount & Economy)
PEAK	- Peak (Day or Standard)
SPECL	- Special Additional Discount Rate
	Applied
STAND	- Standard
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	김 배상은 이 아이들은 그렇게 걸는 것 바람을 받았다.

(&) - Call displayed more than once to Identify separate rate periods.

Note: An Operator Service Charge will apply when the Customer has the capability of dialing the called number, but elects to have the Operator dial the called number.

Company Mane Attention Street Address CILY - State Ares Code and Fhone Number-Lip Code

PLEASE NOTE ONLY THE ITEMS THAT HAVE CHANGED

HAS YOUR BUSINESS MOVED ? Y\_\_\_\_ N\_\_

HAS OWNERSHIP CHANGED 7 Y\_\_\_\_ N\_\_\_\_

Account Number	BILL Date	Payment Due
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PRDe 3 HOUSE RESTAURANT

000014483

LOWN HOUSE RESTAURANT 743 N STN ST BPEARFISH BD 57783+2048

REF • 405 442 5445 122 144145 5441465441465441451

Just For Your Business

AT&T Service

AT&T has a new Directory Assistance service, with expanded features, called "OO" INFO". This new service allows you to access Directory Assistance information without knowing the area code.

To access this new service, simply dial "00" and press 1 at the prompt. These calls will appear as "00" INFO in the call detail section of your bill.

Regulatory News

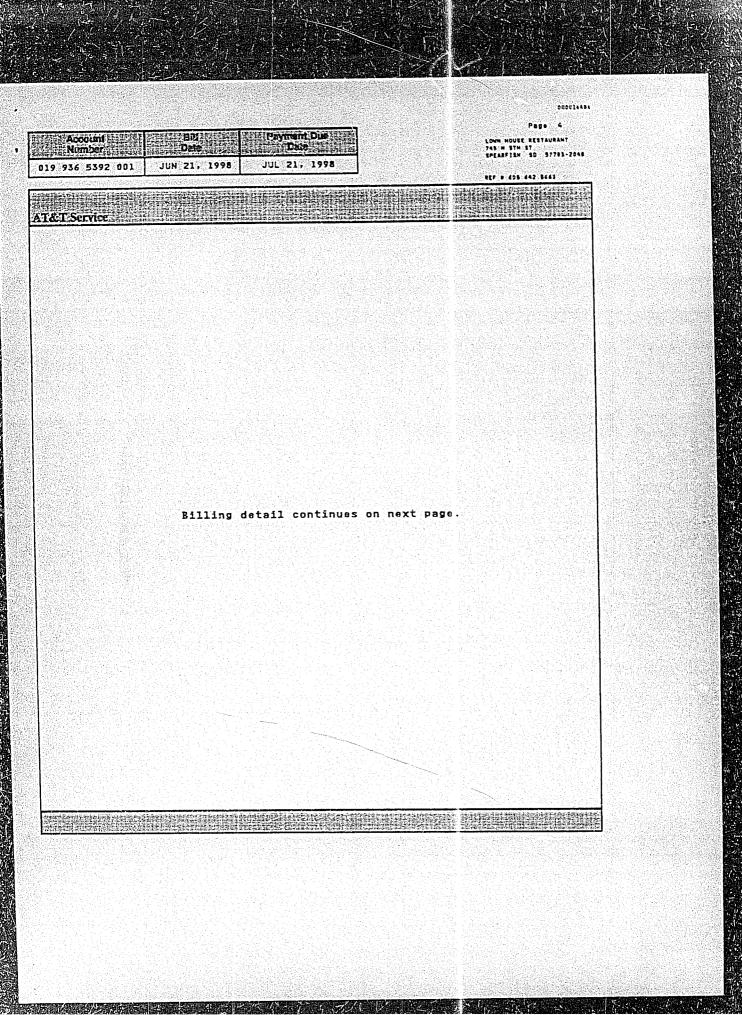
At AT&T, we are committed to keeping you informed about industry-wide issues that affect your AT&T account. The Federal Communications Commission (FCC) has ordered a restructure of the access charges which companies such as AT&T pay to local phone companies for connection to their networks. Since January of this year, AT&T has been passing along some of the restructured access costs in the form of a monthly fee designed to recover charges AT&T incurs from local phone companies. Initially, this was a flat fee identified on your bill as Carrier Line Charge.

Beginning with bills issued on or about July 27, AT&T will be changing the way the Carrier Line Charge is calculated. Instead of a flat fee, it will be based on the number of phone lines which are subscribed to AT&T. Businesses with a single phone line will be assessed a 0.55 Carrier Line Charge; while businesses with multiple lines will be assessed 42.50 per line. While we recognize the shift to a per line fee may represent a substantial increase for some, at 02.50 per line, AT&T is recovering less than the maximum level set by the FCC, and, in some cases, less than the line charge which AT&T must remit to the local phone company.

Concurrent with this change, AT&T will also be implementing a \$5.00 minimum usage charge. While not directly related to the FCC access restructuring, the minimum charge will be used to offset the additional costs incurred to bill and collect Carrier Line Charge and similar regulatory fees from customers who otherwise would not have received a bill. The minimum charge only applies if gross billing-excluding regulatory fees--is less than \$5.00.

For more information, please call 1 800 594–8505 or visit our web site at http://www.att.com/access\_reform. For all other billing questions, please call the Customer Care number on the first page of your bill.

Thank you for using AT&T where every customer counts



	그는 것 아내는 것 같아. 지난 사람이 있는 것 같아요. 그 것 같아. 이 집에 있는 것 같은 것 같아. 같이 같이 가지 않는 것 같아. 집에는 것 같아. 집에 있는 것 같아. 집에 있는 것 같아.
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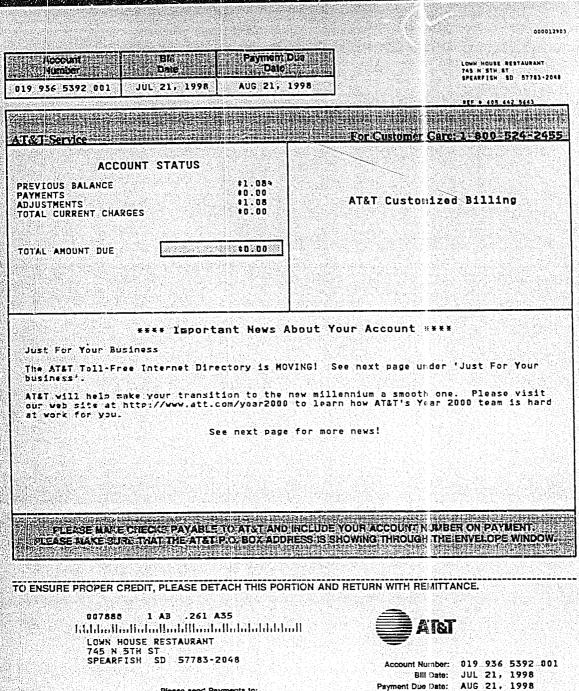
## RETAKE

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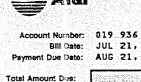


## RETAKE



Check here if name, address, or telephone number has changed. See reverse alde. Π

Pieaso send Payments to: AT&T P.U. BOX 27-680 Kansas City, MD 64180-0680 hiliseled will whether the destation in the level of the



### Amount Enclosed:

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SC#25-05

### TO REPLACE LOST OR STOLEN AT&T CARDS CALL 1-800-CALL-ATT

### AT&T CALL TYPE AND RATING INFORMATION

### CALL TYPE

### RATE PERIOD

<ul> <li>CCO - Operator Handled Card Calls</li> <li>CCP - Calling Card Person Call</li> <li>CCS - Calling Card Station Call</li> <li>CEL - Cellular Calls</li> <li>DDC - Direct Dialed Call</li> <li>DFR - Direct Dialed Call - Per Minute Or Flat Rate Applied</li> <li>INT - Interrupt Request</li> <li>OBP - Operator Handled Person Call Billed To Third Number Or Special Billing Number</li> <li>OBS - Operator Handled Person Collect Call</li> <li>OCP - Operator Handled Person Collect Call</li> <li>OCS - Operator Handled Station Collect Call</li> <li>OCS - Operator Handled Station Call-Dial Rate Applied</li> <li>OHP - Operator Handled Person Call</li> <li>OHP - Operator Handled Station Call-Dial Rate Applied</li> <li>OHP - Operator Handled Person Call</li> <li>OHS - Operator Handled Station Call</li> <li>VER - Verification Request</li> </ul>	DAY - Day DAYSA - Daytime Savings Time DISAB - Disabled Person Discount Rate Applied DISC - Discount ECON - Economy EVE - Evening MFLAT - Per Minute Or Flat Rate MULTI - Multi-rated (More Than One Rate Period Applies) MXSPC - Mexico Special Rate NT/WK - Night/Weekend OPEAK - Off Peak (Evening & Night/Weekend Or Discount & Economy) PEAK - Peak (Day or Standard) SPECL - Special Additional Discount Rate Applied STAND - Standard
Note: An Operator Service Charge will apply when the Customer has the capability of dialing the called number, but elects to have the Operator dial the called number.	(&) - Call displayed more than once to identity separate rate periods.

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Page 3

REF + 605 642 5663

AT&T Service

Just For Your Business

AT&T Toll-Free Internet Directories will soon be moving to the AnyWho" Directory Service, one of the most popular sites on the Internet – with THOUSANDS of visitors each day.

As a courtesy to our AT&T customers, we are working around the clock to make the necessary changes. However, new listing requests are suspended until the move is complete. In the future, the Anywho Directory Service will allow you to create new Toll-Free Listings. The Anywho Toll-Free Directory is expected to be available in August, 1998 and is located at http://www.anywho.com.

You may continue to request new listings and submit updates to existing listings in the PRINTED AT&T National Toll-Free Directories by calling 1 800 562-2255.

AnyWho is a Service Mark of AT&T.

ATAT has a new Directory Assistance service, with expanded features, called "OO" INFOr. This new service allows you to access Directory Assistance information without knowing the area code.

To access this new service, simply dial "00" and press 1 at the prompt. These calls will appear as "00" INFO in the call detail section of your bill.

Account Status

For your convenience, the Federal Tax ID Number in association with the Internal Revenue Service W9 form for AT&T Corporation is 13-4924710. Please be advised that since AT&T is classified as a corporation, the IRS does not require you to file a W-2 form for taxes paid directly to AT&T.

We've closed your account. Thank you for using AT&T. We look forward to serving you again.

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Page 4

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REF 4 275 443 5443

AT&T Service

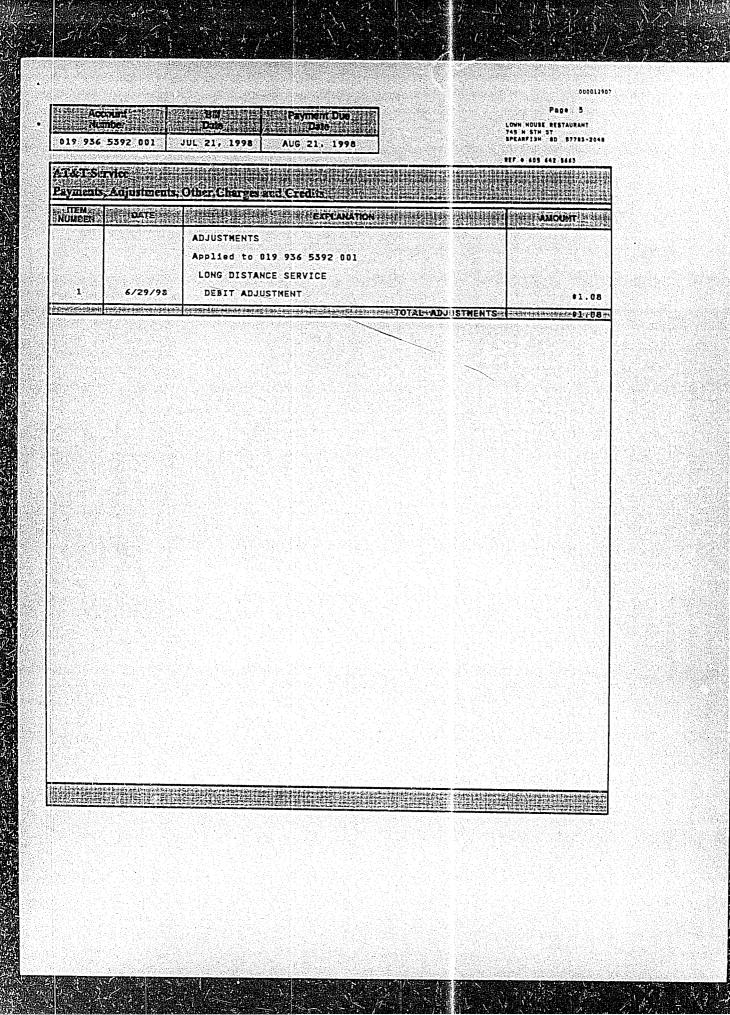
Regulatory News

At AT&T, we are committed to keeping you informed about industry-wide issues that affect your AT&T account. The Federal Communications Commission (FCC) has ordered a restructure of the access charges which companies such as AT&T pay to local phone companies for connection to their networks. Since January of this year, AT&T has been passing along some of the restructured access costs in the form of a monthly fee designed to recover charges AT&T incurs from local phone companies. Initially, this was a flat fee identified on your bill as Carrier Line Charge.

Beginning with bills issued on or about July 27, AT&T will be changing the way the Carrier Line Charge is calculated. Instead of a flat fee, it will be based on the number of phone lines which are subscribed to AT&T. Businesses with a single phone line will be assessed a 6.53 Carrier Line Charge; while businesses with multiple lines will be assessed \$2.50 per line. While we recognize the shift to a per line fee may represent a substantial increase for some, at \$2.50 per line. AT&T is recovering less than the maximum level sot by the FCC, and, in some cases, less than the line charge which AT&T must remit to the local phone company.

Concurrent with this change, AT&T will also be implementing a \$5.00 minimum usage charge. While not directly related to the FCC access restructuring, the minimum charge will be used to offset the additional costs incurred to bill and collect Carrier Line Charge and similar regulatory fees from customers who otherwise would not have received a bill. The minimum charge only applies if gross billing-excluding regulatory fees--is less than 65.00.

For more information, please call 1 800 594–8505 or visit our web site at http://www.att.com/access\_reform. For all other billing questions, please call the Customer Care number on the first page of your bill.



ATST COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: November 22, 1994 TARIFF F.C.C. NO. 1 7th Revised Page 23 Cancels 6th Revised Page 23 Effective: December 6, 1994

# 2.3. RESPONSIBILITIES OF THE COMPANY

### 2.3.1. Liability

A. The Company's liability, if any, for its willful misconduct is not limited by this tariff. With respect to any other claim or suit, by a Customer or by any others, for damages associated with the installation, provision, termination, maintenance, repair or restoration of LDMTS, and subject to the provisions of B. through G. following, the Company's liability, if any, shall not exceed an amount equal to the initial period charge provided for under this tariff for the LDMTS call for the period during which the call was affected. This liability for damages shall be in C addition to any amounts that may otherwise be due the Customer under this tariff as a credit allowance (see Credit Allowances for Interruptions, page 29).

B. The Company is not liable for damages associated with service, channels, or equipment which it does not furnish.

C. The Company is not liable for damages to a premises resulting from the furnishing of LDMTS, including the installation and removal of equipment and associated wiring, unless the damage is caused by the Company's negligence.

D. The Company shall be indemnified, defended, and held harmless by the Customer and User against all claims, losses, or clamages arising from the use of LDMTS furnished pursuant to this tariff, involving:

1. Claims for libel, slander, invasion of privacy, or infringement of copyright arising from any communication;

2. Claims for patent infringement arising from combining or using LDMTS furnished by the Company in connection with facilities or equipment furnished by others; or

**3.** All other claims arising out of any act or omission of others relating to LDMTS provided pursuant to this tariff.

E. The Company does not guarantee or make any warranty with respect to LDMTS when used in an explosive atmosphere. The Company shall be indemnified, defended, and held harmless by the Customer and User against all claims, losses or damages by any person relating to LDMTS provided pursuant to this tariff when used in an explosive atmosphere.

AT&T COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: April 26, 1994 TARIFF F.C.C. NO. 1 2nd Revised Page 24 Cancels 1st Revised Page 24 Effective: April 27, 1994

# 2.3.1. Liability (continued)

F. No license under patents (other than the limited license to use) is granted by the Company or shall be implied or arise by estoppel, with respect to any service offered under this tariff. The Company will defend the Customer and User against claims of patent infringement arising solely from the use by the Customer or User of LDMTS offered under this tariff and will indemnify such Customer or User for any damages awarded based solely on such claims.

G. The Company's failure to provide or maintain service under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, acts of God, and other circumstances beyond the Company's reasonable control, subject to the Credit Allowances for Interruptions provisions of this\_tariff.

Issued on not less than one day's notice under authority of Special Permission No. 93-672.

AT&T COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: September 3, 1997 TARIFF F.C.C. NO. 113th. Revised Page 178.65.43.1Cancels 12th Revised Page 178.65.43.1Effective: September 4, 1997

#### 6.13.4. AT&T CustomNet Service - Option S

A. General - AT&T CustomNet Service - Option S permits Customers to select the usage rate schedules and optional Term Plans specified in Sections 6.13.4.C and D., following, for their AT&T CustomNet Service outbound and/or inbound calling in lieu of the usage rate schedules, Term Plans and Flex Plans specified in Section 6.13.1., preceding. Option S does not include certain features, as specified felow, that are offered under the basic AT&T CustomNet Service. The Option S domestic usage rate schedules provide distinct Peak/Off-Peak, Postalizer usage rates associated with specified Gross Monthly Minimum Revenue Commitments, as selected by the Customer. Option S Term Plan discounts are provided in return for 12month, 24-month or 36-month term commitments from the Customer.

The Option S Customer must subscribe to a Gross Monthly Minimum Revenue Commitment under Option I, Option II, Option III, Option IV, Option V, Option VI, or Option VII specified in Section 6.13.4.8., following.

The AT&T CustomNet Service features not available with Option S are: the NPA Discount, specified in Section 6.13.1.B.6. preceding; the Volume Discount, specified in Section 6.13.1.B.6. preceding; the Service Term Plan, specified in Section 6.13.1.B.7. preceding; the usage rate schedules associated with the Inward Calling Option, specified in Section 6.13.1.B.8. preceding; the Location-to-Location Discount Plan. specified in Section C 6.13.1.B.9. preceding; AT&T CustomNet Service Flex Plan, specified in Section 6.13.1.B.10. preceding; the AT&T CustomNet International Optimizer, specified in Section 6.13.2. preceding; AT&T CustomNet International Optimizer, specified in Section 6.13.3. preceding; AT&T NetPROTECT Advanced, NetPROTECT Premium and NetPROTECT PLUS Services specified in Section 5.7., Section 5.8. and Section 5.9., preceding; the MAXIMUM ADVANTAGE Promotion, specified in Section 8.1.1.432., following; AT&T Partners In Business Program specified in AT&T Tariff F.C.C. No. 2, Section 3.3.4.; Vertical Features specified in AT&T Tariff F.C.C. No. 2, Section 3.3.2.L.; and AT&T CustomNet Geographical Restriction Feature : pecified in Section 6.13.1.B.11. preceding.

All other tariff rates and regulations applicable to AT&T CustomNet Service also apply to Option 5, except that Option 5 is not available to Service Type 2 Locations and the Monthly Charge specified in Section 6.13.1.B.2. preceding does not apply to Customers subscribing to Option 5. "In addition, the Uninterrupted Service Guarantee and Uninterrupted Service Guarantee II as specified in AT&T Tariff F.C.C. No. 2, Sections 2.6.5. and 2.6.7. will apply 30 minutes after AT&T confirms that the options described in Sections 2.6.5. and 2.6.7. are available, except as noted below and except for Option VII. The Uninterrupted Service Guarantee and the Uninterrupted Service Guarantee II specified in AT&T Tariff F.C.C. No. 2 are not available to Option Option VII Customers.

\* For those Customers subscribed to or who have on order, the AT&T CustomNet Service -Option S prior to January 30, 1995, the Uninterrupted Service Guarantee and Uninterrupted Service Guarantee II, as specified in AT&T Tariff F.C.C. No. 2. Sections 2.6.5. and 2.6.7., will apply. For Customers who subscribe to AT&T CustomNet Service - Option S, (excluding Option VII), after January 29, 1995 the Uninterrupted Service Guarantee and Uninterrupted Service Guarantee II as specified in AT&T Tariff F.C.C. No. 2, Sections 2.6.5. and 2.6.7. will apply 30 minutes after AT&T confirms that the options described in Sections 2.6.5. and 2.6.7. are available. Customers subscribed to, or who order an AT&T Contract Tariff that includes the availability of AT&T CustomNet Service Option S, (excluding Option VII), will continue to have the Uninterrupted Service Guarantee and Uninterrupted Service Guarantee II, as specified in AT&T Tariff F.C.C. No. 2, Sections 2.6.7., available until the end of their current Contract Tariff term. AT&T COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: May 3, 1996 TARIFF F.C.C. NO. 114th Revised Page 178.65.43.2Cancels 13th Revised Page 178.65.43.2Effective: May 6, 1996

## 6.13.4. AT&T CustomNet Service - Option S (continued)

Option VI The Monthly Charges and Volume Discourt specified in Section 6.13.4.C.4. following apply to Customers who subscribe to Option VI. In addition, Customers who subscribe to Option VI: (1) are not eligible for any tariffed Guarantees applicable to Option S; (2) are not eligible to subscribe to the Option S Term Plan specified in 6.13.4.D. following; and (3) may not exceed ten locations served by AT&T CustomNet Service - Option S, Option VI. All locations in excess of ten will be billed the applicable rates for Option I and are not eligible to receive the Option VI Volume Discount specified in 6.13.4.C.4. following and are not eligible to receive the Promotional benefits specified in 8.1.1.825 following.

Option VII+ - The Monthly Charges specified in Section 6.13.4.C.5. Sx following apply to Customers who subscribe to Option VII. In addition, Customers who subscribe to Option VII: (1) are eligible only for the Promotional benefits specified in 8.1.1.927 or 8.1.1.928 following; (2) are not eligible for any other current promotions applicable to Option S and are not eligible for any future promotion(s) that may be applicable to Option S unless the promotion explicitly states that it applies to Option VII; (3) are not eligible for any tariffed Guarantees applicable to Option S; (4) are not eligible to subscribe to the Option S Term Plan specified in 6.13.4.D. following; and (5) may not exceed ten locations served by AT&T CustomNet Service - Option S, Option VII. All locations in excess of ten will be billed the applicable rates for Option I and are not eligible to receive the Option VII Volume Discount specified in 6.13.4.C.5. following and are not eligible to receive the Fromotional benefits specified in 8.1.1.927 and 8.1.1.928 following: (6) are not eligible to subscribe to the AT&T Advanced 800 Service Features specified in AT&T Tariff F.C.C. No. 2; (7) may not subscribe to Option VII for use in conjunction with AT&T CustonNet Service - Option S provided under AT&T Contract Tariff unless the AT&T Contract Tariff explicitly states that it applies to Option VII; (8) are subject to the Late Payment Charge specified in 6.13.4.b.5 following; (9) are not eligible to subscribe to the Mandatory and Validated Account Codes Option specified in 6.24 following; (10) are not eligible to receive an AT&T CIID/891 Calling Card with a Personal Choice Card Number.

A request for maintenance may be submitted to AT&T only from 8AM to 5PM, Monday through Friday, excluding Federally observed holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day, which fall on a weekday Monday through Friday. Maintenance activities will normally be started by AT&T before 5PM on the same day the request is received and AT&T will continue activities after 5PM when necessary to complete such requested maintenance.

\* Option VII is not available to new Customers who do not have Option VII on order by Cy May 6, 1996. AT&T Contract Tariffs in effect, or pending, on Mey 6, 1996, which include the .. availability of Option VII are not affected by this provision. Option VII benefits do not Cy extend beyond the current term of the Contract Tariff unless otherwise provided herein. Sx

x Material filed under Transmittal No. 9919 is scheduled to become effective on May 6, 1996. y Issued on not less than one day's notice under authority of Special Permission No. 96-0458. ATST COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: October 29, 1996

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 TARIFF F.C.C. NO. 1

 2nd Rev sed Page 178.65.43.2.1

 Cancels 1st Rev sed Page 178.65.43.2.1

 Effective: October 30, 1996

### 6.13.4. AT&T CustomNet Service - Option S (continued)

**B.** Minimum Monthly Revenue Commitment - The Gross Monthly Minimum C Revenue Commitment (GMMRC) applies as specified uncer Option I, Option II, Option III, Option IV, Option V and Option VI below. Usage rate schedules associated with the specific Option subscribed to by the Customer apply as specified in Section 6.13.4.C.1., following.

#### Gross Monthly Minimum Revenue Commitment

Option I	\$200.00 per monthly billing	period
Option II	\$1,000.00 per monthly billing	
Option III	\$5,000.00 per monthly billing	period
Option IV	\$3,000.00 per monthly billing	
Option V	\$7,000.00 per monthly billing	period
Option VI	\$0.00 per monthly billing	period
Option VII	\$0.00 per monthly billing	period

The GMMRC is based on gross monthly usage charges (prior to the application C of AT&T CustomNet/ACAP and AICAP discounts) for eligible calls billed to the Customer's Option S Main Billed Account. Except as specifically excluded below, eligible calls are: intrastate, interstate and international Dial Station calls; Customer Dialec AT&T CIID/891 Calling Card calls and inward calls billed to the Customer's Option S Main Billed Account. Service charges associated with Customer Dialed AT&T CIID/891 Calling Card calls are included as eligible charges under Option S. Charges for eligible calls are used in determining if the Customer's grossmonthly usage charges meet or exceed the GMMRC subscribed to by the C Customer.

Charges for the following types of calls are not included in determining the Customer's Option S monthly usage charges: Operator Handled calls; Directory Assistance calls; calls completed using AT&T Directory LINK Service; Special Service Codes 500, 700 and 300 calls; 976 calls: Conference Services Calls; cellular access calls; calls to the Atlantic, Pacific and Indian Ocean Regions via AT&T Maritime Mobile Service.

1. Seasonality Provision - If the GMMRC is not met for one or more C billing periods, the Customer is subject to payment of a Shortfall Charge. In determining if a Shortfall Charge applies, the Customer's gross monthly C usage charges will be averaged over a consecutive 12 full month billing period beginning with the Customer's first full months billing for Option S and each consecutive 12 full month billing period thereafter. If the Customer's average monthly billing is less than the GMMRC, the Customer C will be billed a Shortfall Charge equal to the difference between the GMMRC and the average monthly billed usage charges, times 12. If the Customer C discontinues service prior to the completion of the 12 consecutive full billing months, the Customer's gross monthly usage charges will be averaged C over the actual number of full billing months that Option S was furnished to the Customer. If the Customer's average monthly billing is less than the GMMRC, the Customer will be billed a Shortfall Charge equal to the C difference between the GMMRC and the average monthly billed usage charges C times the actual number of months that Option S was furnished to the C difference between the GMMRC and the average monthly billed usage charges C times the actual number of months that Option S was furnished to the Customer.

C

ATET COMMUNICATIONS

TARIFF F.C.C. NO. 1 Adm. Rates and Tariffs11th Revised Page 178.65.43.3Bridgewater, NJ 08807Cancels 10th Revised Page 178.65.43.3Issued: October 10, 1997Effective: October 11, 1997

6.13.4. AT&T CustomNet Service - Option S (continued)

C. Rates and Charges

1. Domestic Charges and Canada Inward Calling Charges - The following rates and charges apply to:

(a) Domestic Dial Station Calls - Calls from locations of the Customer in the Mainland or Hawaii to stations throughout the United States, Guam, CNMI, Puerto Rico and the U.S. Virgin Islands.

(b) Customer Dialed AT&T CIID/891 Calling Card Domestic Calls -Calls between stations throughout the United States, Guam, CNMI (except for calls from Alaska) and from Puerto Rico and the U.S. Virgin Islands that are billed to the Customer's Option S Main Billed Account in the Mainland or Hawaii. Service Charges apply as specified in Section 6.13.4.C.3., following.

(c) Inward Calling - Calls from staticns located within the United States, Guam, CNMI, Puerto Rico, the U.S. Virgin Islands and Canada to locations of the Customer in the Mainland and Hawaii. Inward calls from stations outside of such areas will be blocked. All tariff terms, regulations and charges specified for Inward Calling under the Inward Calling Option (Section 6.13.1.B.1.8.) also apply to Option S inward calling, except for the Inward Calling usage charges and the Monthly Service Charge and except that the AT&T Advanced 800 Service Features specified in AT&T Tariff F.C.C. No. ?, are not available to Customers subscribed to Option VII. The Monthly Service Charge is \$10.00 for Option S Inward Calling per routing arrangement, except as specified in Sections 6.13.4.C.4. following.

AT&T COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ C8807 Issued: January 23, 1998 TARIFF F.C.C. NO. 115th Revised Page 178.65.43.4Cancels 14th Revised Page 178.65.43.4Effective: January 24, 1998

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#### 6.13.4.C.1.(d) Option I through Option VII Usage Charges

(d) Option I through Option VII Usage Charges - Calls are charged at a 30 second minimum per call. Usage over the initial 30 seconds will be charged per 6 second increments or fraction thereof per call. Peak Period rates apply Monday through Friday, from 8am to, but not including, 5pm. Off-Peak Period rates apply for all other hours not included within the Peak Period.

		<u>Per Minute Rates</u>					
		Peak	Off-Peak				
	Mileage	<u>Period</u>	Period				
Option I**		이 아이는 것은 동네 가지?					
Dial Station Calls	A11	\$.2830	\$.2220				
Calling Card Calls	A11	\$.3600	\$.2940				
Inward Calls	A11	\$.3300	\$.2640				
- Canada Inward Calls	A11	\$.9420	\$.9420				
Option II**							
Dial Station Calls	All	\$.2750	\$.2220				
Calling Card Calls	All	\$.3510	\$.2880				
Inward Calls	A11	\$.3130	\$.2580				
- Canada Inward Calls	All	\$.9420	\$.9420				
Option III++	· 문문 전 전 관계						
Dial Station Calls	A11	S.2700	\$.2100				
Calling Card Calls	A11	\$.3430	\$.2820				
Inward Calls	All	\$.3030	\$.2460				
- Canada Inward Calls	A11	\$.9420	\$.9420				
Option IV**	한 관계가 잘 못 들을		1993 - 1993 - 1993 1993 - 1993 - 1993 1993 - 1993 - 1993				
Dial Station Calls	A11	\$.2750	\$.2220				
Calling Card Calls	All	\$.3510	\$.2880				
Inward Calls	A11	\$.3130	\$.2580				
- Canada Inward Calls	All	\$.9420	\$.9420				
Dotion V**							
Dial Station Calls	A11	5.2700	\$.2100				
Calling Card Calls	A11 A11	\$.3430	\$.2820				
Inward Calls	A11 A11	\$.3450	\$.2820 \$.2460				
- Canada Inward Calls	A11 A11	\$.9420	\$.9420				
		₩ • J = - V	4.J320				
Dotion VI) Dial Station Calls	A11	\$.2650	\$.2650				
요즘 눈 같은 것 같은	All All		こう ふってい うちがく うううちょう もうだい				
Calling Card Calls Inward Calls	승규는 일부는 동안에서 가지 않는 것 같은 것을 하는 것이 없다.	\$.3050	\$.3050				
	A11	\$.3230	\$.3230				
- Canada Inward Calls	A11	\$.9250	\$.9250				
Option VII*		영화 김 씨는 영감 영					
Dial Station Calls	A11	\$.2830	\$.2220				
Calling Card Calls	A11	\$.36)0	\$.2940				
Inward Calls	Ali	\$.30)0	\$.2340				
- Canada Inward Calls	A11	\$.9420	\$.9420				

\* Option VII is not available to new Customers who do not have Option VII on order by May 6, 1996. AT&T Contract Tariffs in effect, or pending, on May 6, 1996, which include the availability of Option VII are not affected by this provision. Option VII benefits do not extend beyond the current term of the Contract Tariff unless otherwise provided herein.

\*\* Options I, II, III, IV, and V are not available to new Customers who do not have these Options on order by January 24, 1998. AT&T Contract Tarifs in effect, or pending, on January 24, 1998, which include the availability of these Options are not affected by this provision. Option I, II, III, IV, and V benefits do not extend beyond the current term of the Contract Tariff unless otherwise provided herein.

AT&T COMMUNICATIONS Issued: June 27, 1997

TARIFF F.C.C. NO. 1 6th Revised Page 178,65,43,15 Adm. Rates and Tariffs 6th Revised Page 178.65.43.15 Bridgewater, NJ 08807 Cancels 5th Revised Page 178.65.43.15 Ef ective: June 30, 1997

#### 6.13.4.C Rates and Charges (continued)

3. Service Charge - A Service Charge is applicable to Customer Dialed AT&T CIID/891 Calling Card calls. This charge is in addition to the usage charges applicable to a call.

- From stations in the Mainland, Guam, CNMI or Hawaii to stations C throughout the United States, Puerto Rico, the U.S. Virgin Islands, Canada or Mexico.

Domestic, Canada and Mexico	
Customer Dialed AT&T CIID/891	
Calling Card Calls	Service Charge
Customer Dialed/Automated	\$.95
Customer Dialed and	
Operated Assisted	\$. 75
Customer Dialed-Operator	일은 승규는 것 같은 것은 것이라. 같은 것을 많은 것을 했다.
must Assist	\$. 75

To/from locations in the Mainland, Guam, CNMI or Hawaii and Overseas C Countries/Areas specified in Section 6.13.4.C.2., preceding.

	가 없는 그렇지? 가는 것을 가 많을 것이다. 것이 같은 것을 했다.	
Overseas	Country/Area AT&T	
CIID/591	Calling Card Calls Service	ce Charge
Customer	Dialed/Automated \$2.	. 15
Customer	Dialed and	
Operati	ed Assisted \$2.	. 65
Customer	Dialed-Operator	
must A	ssist \$2	. 55

4. Option VI - Monthly Charges and Volume Discount

Monthly Charges - Monthly charges are applicable to Option VI as (a) specified below.

A monthly charge of \$5.00 applies per Option VI Hain Billed Account. A credit of \$5.00 will be applied to the Customer's bill each month in which the Option VI eligible gross monthly usage charges billed to the Customer's Main Billed Account equal or exceed \$5.00 for that billing month.

A monthly charge of \$5.00 applies for Option VI Inward Calling per routing arrangement in lieu of the Inward Calling Monthly Service Charge specified in Section 6.13.4.C.(c) preceding.

(b) Volume Discount - A volume discount applies to Option VI as specified below.

The Customer will receive a 30% discount based on the Option VI eligible gross monthly usage charges each billing month in which the Customer's Option VI eligible gross monthly usage charges equal or exceed \$25.00. The discount is not applied on an incremental basis, the same percent discount will be applied to every dollar of eligible usage, except that no discount will apply to monthly amounts above \$6000.

CUSTOM NETWORK SERVICE TARIFF Section l Original Page l

State of South Dakota

Issued: November 23, 1993

Effective: November 24, 1993

APPLICATION OF TARIFF

# 1.1 APPLICATION

This tariff contains the regulations and rates applicable to Custom Network Service furnished by AT&T Communications of the Midwest, Inc., hereinafter referred to as the Company, between two stations in the state of South Dakota.

# 1.1.1 Jurisdiction

Jurisdiction refers to the classification of a Custom Network Service call as intrastate or interstate. Jurisdiction is a matter of law not of Company discretion or policy or customer preference. The law describing what constitutes interstate jurisdiction is the Communications Act of 1934, as amended. Some portions of this service are only subject to the jurisdiction of the Federal Communications Commission (F.C.C.). This tariff covers the portion of this service that is subject to the South Dakota Public Utilities Commission's Jurisdiction.

# CUSTOM NETWORK SERVICE TARIFF

Section 2 Original Page 5

State of South Dakota

Issued: November 23, 1993

Effective: November 24, 1993

GENERAL REGULATIONS

#### 2.6 RESPONSIBILITIES OF THE COMPANY

#### 2.6.1 Liability

- A. The Company's liability, if any, for its willful misconduct is not limited by this tariff. With respect to any other claim or suit by a customer or by any others for damages associated with the installation, provision, termination, maintenance, repair or restoration of Custom Network Service and subject to the provisions of B. through H. following, the Company's liability, if any, shall not exceed an amount equal to the initial period charge provided for under this tarifi for the Custom Network Service call for the period during which the call was affected.
- B. The Company is not liable for damages associated with service, channels or equipment which it does not furnish.
- C. The Company is not liable for damages to a premises resulting from the furnishing of Custom Network Service, including the installation and removal of equipment and associated wiring, unless the damage is caused by the Company's negligence.
- D. The Company shall be indemnified, defended and held harmless by the customer and user against all claims, losses or damages arising from the use of Custom Network Service furnished pursuant to this tariff, involving:
  - Claims for libel, slander, invasion of privacy or infringement of copyright arising from any communication.
  - Claims for patent infringement arising from combining or using Custom Network Service furnished by the Company in connection with facilities or equipment furnished by others.
  - 3. All other claims arising out of any act or omission of others relating to Custom Network Service provided pursuant to this tariff.

## CUSTOM NETWORK SERVICE TARIFF

Section 2 Original Page 6

State of South Dakota

Issued: November 23, 1993

Effective: November 24, 1993

GENERAL REGULATIONS

#### 2.6 RESPONSIBILITIES OF THE COMPANY (Cont'd)

- 2.6.1 Liability (Cont'd)
  - E. The Company does not guarantee or make any warranty with respect to Custom Network Service when used in an explosive atmosphere. The Company shall be indemnified, defended and held harmless by the customer and user against all claims, losses or damages by any person relating to Custom Network Service provided pursuant to this tariff when used in an explosive atmosphere.
  - F. No license under patents (other than the limited license to use) is granted by the Company or shall be implied or arise by estoppel with respect to any service offered under this tariff. The Company will defend the customer and user against claims of patent infringement arising solely from the use by the customer or user of Custom Network Service offered under this tariff and will indemnify such customer or user for any damages awarded based solely on such claims.
  - G. The Company's failure to provide or maintain service under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, acts of God and other circumstances beyond the Company's reasonable control.
  - H. The Company shall not be liable for errors in transmitting, translating, receiving or delivering messages by telephone, Text Telephone (TT) or any other instrumentality over the facilities of the Company, connecting utilities or through a Telecommunications Relay Service (TRS) center.

# CUSTOM NETWORK SERVICE TARIFF

Section 2 3rd Revised Page 8

(D)

(D)

Effective: June 26, 1998

State of South Dakota

Issued: June 25, 1998

GENERAL REGULATIONS

2.8 PAYMENTS AND CHARGES

The applicable rates and charges are contained in the Custom Network Service RATE LIST.

2.8.1 Application of Charges

The rates and charges that are in effect in this tariff when Custom Network Service is furnished are the rates and charges used to determine the customer's bill.

2.8.2 Payment of Charges

Payment for Custom Network Service is due upon presentation of the bill. Custom Network Service may be denied for nonpayment of a bill, as specified in Violation of Regulations following.

2.8.3 Deposits

See AT&T's Tariff F.C.C. Nos. 1 and 2.

2.8.4 Payphone Use Charge

In addition to all other charges for Custom Network Services under this tariff, a non-discountable Payphone Use Charge shall apply to each coinless call which AT&T can identify as placed from a domestic payphone by or to the Customer or its permitted users. See AT&T Tariff F.C.C. Nos. 1 and 2 for terms, conditions and exclusions. This charge is for the use of the payphone instrument to access AT&T services.

Refer to The Rate List.

## 2.9 USE OF ANOTHER MEANS OF COMMUNICATIONS

If the customer elects to use another means of communication during the period of interruption, the customer must pay the charges for the alternative service used.

CUSTOM NETWORK SERVICE TARIFF Section 2 6th Revised Page 23

(N)

State of South Dakota

Issued: June 28, 1996

Effective: July 1, 1996

GENERAL REGULATIONS

2.11 RATE DETERMINATION (Cont'd)

2.11.5 Volume Discounts

Volume Discounts may apply to intrastate usage revenue for the Custom Network Services listed below. These discounts are subject to the terms and conditions as outlined in the appropriate F.C.C. Tariffs.

## AT&T CUSTOM NETWORK SERVICES

AT&T 800 READYLINE AT&T MEGACOM WATS Service\* AT&T MEGACOM 800 Service Software Defined Network Service AT&T One Line WATS in Minnesota Distributed Network Service (DNS) AT&T CustomNet AT&T OPTIMUM AT&T 800 Gold Service AT&T UNIPLAN AT&T 800 Plan P AT&T Commercial Long Distance Service AT&T PRO WATS/Plan Q Service AT&T Virtual Telecommunications Network Service AT&T Clear Advantage Service Switched Digital Service

\* For customers who subscribe to the Multilocation Calling Plan (MLCP) found in AT&T's Tariff F.C.C. No. 1, additional discounts will apply to intrastate usage.

2.12 VIOLATION OF REGULATIONS

The Company may take immediate action to protect its services or interests when certain regulations contained in this tariff are violated. The specific regulations involved and the action(s) which will be taken by this Company are as specified following.

# CUSTOM NETWORK SERVICE TARIFF

Section 2 Original Page 24

State of South Dakota

Issued: November 23, 1993

Effective: November 24, 1993

GENERAL REGULATIONS

# 2.12 VIOLATION OF REGULATIONS (Cont'd)

2.11.1 Interference, Impairment or Improper Use

The Company may temporarily restrict service immediately when the customer violation.

- Circumvents the Company's ability to charge for its services as specified in Fraudulent Use preceding.
- Results in an immediate harm to the Custom Network Service network or other Company services as specified in Minimum Protection Criteria preceding.

In such cases, the Company will make a reasonable effort to give the customer prior notice before restricting service.

If a customer fails to comply, as specified in Use, Answer Supervision, Customer-Provided Communications System Failures and Minimum Protection Criteria preceding, the Company may on ten days written notice by certified U.S. Mail to the customer deny requests for additional service and/or restrict service to the noncomplying customer. If the Company does not deny or restrict the service involved on the date of the ten days notice, and the customer's noncompliance continues, nothing contained herein shall preclude the Company's right to deny or restrict the service without further notice.

When a violation results in a denial for additional service and/or restriction of service, the denial and/or restriction will be removed when the customer is in compliance with the regulation and so advises the Company.

# 2.12.2 Nonpayment of Charges

The Company may deny and/or restrict Custom Network Service for nonpayment of charges due as specified in Payment of Charges preceding. A written notice will be sent to the customer at least five days in advance of the restriction and/or denial of Custom Network Service. Upon payment of charges, the restriction and/or denial of Custom Network Service will be removed. AT&T Communications CUSTOM NETWORK Section 23 of the Midwest, Inc. SERVICE TARIFF 4th Revised Page 1 State of South Dakota Issued: April 8, 1998 Effective: April 9, 1998

#### AT&T CUSTOMNET SERVICE

# 23.1 DESCRIPTION

AT&T CustomNet Service is a custom network service that permits (C) customer dialed outward and inward dialed calling from single or multiple locations of the customer in the state. Calls originated (C) over special or cellular access will be treated as Service Type 1 locations for the application of tariff rates, charges and regulations. Two types of service locations can be specified for AT&T CustomNet Service. A Service Type 1 location and Service Type 2 location with a single billing telephone number. A combined Outward Calling and Inward Calling Discount Option, CustomNet Option S, Simply Better Pricing Option and AT&T CustomNet Service Flexible (C)Pricing Flan are also available as specified below. The customer (C) must subscribe to AT&T CustomNet Service for outward calling. Service is furnished to customers who simultaneously subscribe to interstate AT&T CustomNet Service, where facilities and billing capabilities permit. Intrastate service is an add-on to the interstate AT&T CustomNet Service. All terms, conditions, features, functions, discounts, installation and monthly charges, except intrastate usage, will apply as described in AT&T's Tariff F.C.C. Nos. 1 and 2. The AT&T CustomNet Service NPA discount will not apply to inward calling.

#### 23.1.1 VOLUME DISCOUNT

The volume discount is applicable to the total net monthly charges for intrastate, interstate and international direct dialed calls billed to the customer's AT&T CustomNet Service Main Billed Account. Inward calling usage charges are included in the net monthly usage charges when applicable.

Refer to the RATE LIST.

# 23.2 COMBINED OUTWARD CALLING AND INWARD CALLING DISCOUNT OPTION

This optional plan provides discounts based on total AT&T CustomNet Service usage charges incurred for outward calling from a single location or multiple locations and inward calling to a single location or multiple locations billed to the customer's Main Billed Account.

CUSTOM NETWORK SERVICE TARLEF Section 23 2nd Revised Page 2

> (T) | (T)

State of South Dakota

Issued: September 13, 1994

Effective: September 14, 1994

AT&T CUSTOMNET SERVICE

# 23.3 CUSTOMNET SERVICE - OPTION S

CustomNet Service - Option S is a custom switched telecommunications service which permits customer dialed outward and/or inward calling from single or multiple locations of the customer in the state to a station within the state.

23.4 RATES AND CHARGES

Refer to the RATE LIST.

23.4.1 Directory Assistance

See Directory Assistance, Section 5

AT&T Communications	CUSTOM NETWORK	RATE LIST
of the Midwest, Inc.	SERVICE TARIFF	lst Revised Page 8.2
State of South Dakota		
State of South Dakota		
Issued: July 29, 1997	Ei	fective: July 30, 1997
AT&T CUSTOMNET SERVICE		

# Outward Calling Service Type 1

	Init	ial 30 Sec or Fract	(1)、株式会社、ホーマギ(1)(1)(1)(4)(2)(2)(2)(2)	Each A	Additional or Frac	The second s
	Day	Evening	<u>N/W</u>	Day	Evening	<u>N/W</u>
InterLATA						
Dedicated	\$.0660	\$.0660	\$.0660	\$.0022	\$.0022	\$.0022
Switched		.0720	.0720	.0030	.0024	.0024
<u>IntraLATA</u>						
Dedicated	.0660	.0660	.0660	.0022	.0022	.0022
Switched	.0900	.0720	.0720	.0030	.0024	.0024
utward Callir	ng Service Type	2				
InterLATA	.0900	.0720	.0720	.0030	.0024	.0024
IntraLATA	.0900	.0720	.0720	.0030	.0024	.0024
Vol	ume Discount	\$ \$		\$ 25.0		0%
	1943년 1949년 1949년 1949년 1949년 194 1949년 1949년 194	Over \$		\$1,000.0	0	107
	<u>Service Type</u>	Over \$1	,000.00	요즘 것은 가격하는데. 지원 가격 관계하는		15%
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		or Frac			or Fract	
lan A	<u>Day</u>	Evening	<u>N/W</u>	Day	Evening	<u>N/W</u>
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witched	.1200	.0960	.0960	.0040	.0032	.0032
ntraLATA						
edicated	.0660	.0660	.0660	.0022	.0022	.0022
witched	.1200	.0960	.0960	.0040	.0032	.0032
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lan B	<u>Day</u>	<u>Evening</u>	<u>N/W</u>	<u>Day</u>	<u>Evening</u>	<u>N/W</u>
InterLATA	\$.1320	\$.1050	\$.1050	\$.0044	\$.0035	\$.0035
ntraLATA	.1320	.1050	.1050	.0044	.0035	.0035
ption S						
				<u>e of Use</u>	272 23 23 23 23 14 25 25 25 25 25 25 25 25 25 25 25 25 25	
Inward Call	ing Options I -	U C 279				
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			773 S. S. S. O. C. C.	)n	20	
Outward Cal	ling Options 1 ling Option VI				- 주말 감독 가장 가장 우리는 것을 다 물을 다 다 나는 것이 하는 것이 이 하는 것이 하는 것이 하는 것이 하는 것이 하는 것이 하는 것	

- Options I,II,III,IV,V and VI - AT&T CIID/891 Card .2580 .2580 .2580

AT&T CIID/891 Card Service Charge

\$.80

(C)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY LOWN HOUSE RESTAURANT, SPEARFISH, SOUTH DAKOTA, AGAINST AT&T COMMUNICATIONS OF THE MIDWEST, INC. AND FIRSTEL, INC. REGARDING CUSTOMER SERVICE ISSUES ORDER FINDING PROBABLE CAUSE AND NOTICE REQUIRING ANSWER

TC98-149

On August 27, 1998, the Public Utilities Commission (Commission) received a complaint filed by Lown House Restaurant, Spearfish, South Dakota (Complainant). against AT&T Communications of the Midwest, Inc. (AT&T) and FirsTel, Inc (FirsTel). Complainant alleges a variety of customer service issues against AT&T and FirsTel. The Complainant is requesting that it be reimbursed for its business losses in the \$8,000 to \$9,000 range.

Pursuant to ARSD 20:10:01:08.01 and 20:10:01:09, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint.

On September 23, 1998, the Commission considered this matter. It was deferred so that the parties could submit additional information. On October 15, 1993, at a duly noticed meeting, the Commission again heard from the parties. Commission Staff recommended a finding of probable cause.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-13-1, 49-13-4, 49-13-13, 49-13-14.1, 49-31-3, 49-31-7, 49-31-7.1, 49-31-11, 49-31-60 through 49-31-68, inclusive, and ARSD 20:10:01:03.01 and 20:10:01:09. The Commission voted unanimously to find probable cause. It is therefore

ORDERED, that pursuant to ARSD 20:10:01:09, the Commission finds that there is probable cause of an unlawful or unreasonable act, rate, practice, or omission and that the complaint shall be forwarded to AT&T and FirsTel and AT&T and FirsTel shall file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this \_26 th day of October, 1998.

#### CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

AM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner

LAW OFFICES RITER, MAYER, HOFER, WATTIER & BROWN, LLP Professional & Executive Building 319 South Coteau Street P.O. Box 280 Pierre, South Dakota 57501-0280

R. C. RITER (1912-1994) E. D. MAYER ROBERT D. HOFER ROBERT C. RITER, JR. JERRY L. WATTIER JOHN L. BROWN

TRAVIS B. JONES, ASSOCIATE

November 13, 1998

TELEPHONE 605-224-5825 TELECOPIER 605-224-7102

# RECEIVED

NOV 1 5 1998

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Mr. William Bullard, Jr. Executive Director South Dakota Public Utilities Commission State of South Dakota 500 East Capitol Pierre, SD 57501

> Re: In the Matter of the Complaint Filed by Lown House Restaurant, Spearfish, South Dakota, Against AT&T Communications of the Midwest, Inc. and Firstel, Inc. Regarding Customer Service Issues

Dear Mr. Bullard:

Herewith please find original and three copies of Answer of Firstel, Inc., as well as original Certificate of Service, for filing in your office.

By copy of this letter I am enclosing a copy of our Answer to the other parties of interest, intending it as service upon them by mail.

I also enclose an additional first page of our Answer. I would appreciate it if you would date stamp the same and call our office on Monday so we can pick it up.

Thank you very much for your cooperation.

Very truly yours,

RITER, MAYER, HOFER, WATTIER &

BROWN 7 LLP

RCR Jr-wb

cc: Karen Cremer Jerry Campbell - AT&T John J. Grant Lown House Restaurant Neil Schmid

# RECEIVED

NOV 1 ς 1998 Ουτή θακότα public

TILITIES COMMISSION

# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY ) LOWN HOUSE RESTAURANT, SPEARFISH, SOUTH ) TC 98-149 DAKOTA, AGAINST AT&T COMMUNICATIONS OF ) ANSWER OF FIRSTEL, THE MIDWEST, INC. AND FIRSTEL, INC. ) INC. REGARDING CUSTOMER SERVICE ISSUES. )

COMES NOW, the Respondent, Firstel, Inc., hereinafter Firstel, and for its answer to the Complaint of the Complainant filed on or about August 27, 1998, states and alleges as follows:

 Denies each and every allegation, matter, fact and thing contained in said Complaint except as is hereinafter specifically admitted or qualified.

2. That the Complaint fails to state a cause of action for which relief could be granted thereunder.

3. Admit that in March, 1998 Firstel conferred with the Complainant regarding switching his long distance service to Firstel. However, the letter of intent to switch signed by the Complainant, stated that U.S. West was the "388" carrier rather than AT&T.

4. Not until May 13, 1998 did Firstel learn from Complainant that AT&T was the billing agent for Complainant's "888" number rather than U.S. West. Shortly thereafter the Complainant executed a change authorization from AT&T to Firstel.

5. Not until June 11, 1998 did Firstel discover that the port of 888-642-5663, Complainant's toll-free number had not been completed by AT&T. That same day, Firstel was advised by AT&T that the port would not be completed until payment was made by Complainant to AT&T. That information was provided to

Complainant on that same day.

 That Firstel was not involved in the disconnection of the Complainant's "888" number.

7. Attached hereto as Exhibit 1 is current and correct itemization of time lines as put together from a recollection of Firstel's employees, as well as from the bocks and records of this Respondent. That exhibit is incorporated herein by reference as a portion of this filed Answer to the Complaint.

8. Affirmatively alleges that the Complaint filed herein fails to reference any law, statute, order or rule which it is claimed Firstel violated and hence, the Complaint should be dismissed as against Firstel.

9. Affirmatively alleges that Complainant does not have good and sufficient reason for making the Complaint against Firstel, and the Complaint as against Firstel fails to show probable cause and accordingly, should be dismissed as against Firstel.

10. As regards specific contacts between the Complainant and AT&T, Firstel does not have sufficient knowledge and information upon which to admit or deny the same, other than as specified in Exhibit 1 attached hereto, and hence, puts the Complainant upon his strict proof thereof.

11. Affirmatively alleges as regards any portion of the Complaint claiming negligence of any kind or nature against Firstel, that the actions or inactions of the Complainant constitute contributory negligence of a sufficient degree and

manner so as to bar Complainant's claim against Firstel.

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12. Affirmatively alleges that the relief requested by Complainant is not recognized under the statutes or rules of the Public Utilities Commission and is in excess of any relief which this Commission could enter.

13. Affirmatively alleges that any disconnection of telecommunications services, which is the principal complaint of the Complainant, occurred not by the Respondent, Firstel, but rather by other parties for whom Firstel has no legal responsibility.

14. Affirmatively alleges that the Complainant apparently failed to pay AT&T for certain services and charges, which authorized its disconnection of his number, and bars him from recovery herein.

15. Affirmatively alleges that the Commission may only exercise such powers as are necessary to properly supervise telecommunications companies to the extent such services are not otherwise regulated by federal law or regulation, and hence, only the intrastate portion of Complainant's claim is proper for consideration herein.

16. As regards any damages claimed by Complainant, he must show those damages with reasonable or sufficient certainty, and as the damages herein claimed are merely speculative in nature he cannot sustain that burden.

17. That the Complainant knew, or should have know, that until he paid his bill in full to AT&T, his prior carrier,

it had authority to take such action as it deemed appropriate and authorized relating to his long distance toll-free telephone service.

18. Affirmatively alleges that pursuant to the tariff under which Firstel, Inc. operates in South Dakota, as approved by the South Dakota Public Utilities Commission, the claim is limited to charges, if any, incurred to Firstel for the service rendered during the pertinent time involved.

19. Affirmatively alleges that the Complainant failed to properly mitigate his damages, if any.

WHEREFORE, the Respondent, Firstel prays that Complainant's claim and Complaint against Firstel be dismissed and held for naught, and that he take and recover nothing from Firstel, Inc.

Respectfully submitted this  $13^{+}$  day of November, 1993.

RITER, MAYER, HOFER, WATTIER & BROWN, LLP

By:

Robert C. Riter, Jr. A member of said firm 319 S. Coteau - P. O. Box 280 Pierre, SD 57501-0280 Attorneys for Firstel, Inc.

EXHIBIT 1 to Answer of Firstel, Inc.

.

John Grant/Lown House Restaurant Toll-Free Number Complaint TC 98-149

THE FOLLOWING OCCURRED ACCORDING TO BRENT STEFFANS, THE SALES REPRESENTATIVE

March 17, 1997- John Grant, owner of Lown House Restaurant, has been a customer of Brent Steffans, Sales Representative for FirsTel, Inc. since March of 1997 for long distance service only.

FirsTei first ported the 888-800-5663 from LDDS (John Grants previous long distance carrier) on March 17, 1997.

This 800 number has been in existence and been successfully used since March of 1997.

March of 1998 - Brent Steffans, a sales employee of Firs Tel, approached John Grant to offer lower long distance rates and to offer local service as an alternative to US West.

John Grant requested a proposal from Brent Steffans.

Brent Steffans requested a copy of the US West bill in order to prepare the proposal. John Grant provided a US West bill dated January 1, 1998 bill to date, attached as Exhibit "A"

In reviewing the US West bill Brent Steffans discovered a second toll free number ringing into the Lown House which was 888-642-5663. This was the first time Brent Steffans knew of the 888-642-5663 number.

Brent Steffans asked John Grant if he knew of the second number and John stated that he was not aware of this 888-642-5663 number.

Brent Steffans asked John Grant if he would like to port the second toll free number to FirsTel's service and then when the port of the 888-642-5663 was complete, to disconnect one of these two numbers. John agreed to this.

As with all customers, Brent Steffans cautioned John Grant to make sure the port was successfully completed before deciding which 800 number to keep.

# THE FOLLOWING OCCURRED ACCORDING TO NOTES OF OUR CUSTOMER SERVICE REPRESENTATIVES BRENT STEFFANS (Continued)

March 18, 1998-The Letter of Intent (LOI) and proper paper work, attached and marked as "Exhibit B", was sent to Linda Gibbons of MCI, FirsTel's carrier, to port the 888-642-5603 number from US West to FirsTel, Inc. under the name of John Grant.

John Grant was the name used on the US West bill as shown on Exhibit "A".

March 26, 1998 The LOI was rejected for name mismatch.

- April 2, 1998 The information was re-faxed to MCl to port the 888-642-5663 number from US West under the name John Grant, attached and marked "Exhibit C".
- April 17, 1998 Rejected for name mismatch.
- April 27, 1998 Re-faxed to MCI to port the 888-642-5663 number from US West to FirsTel, attached and marked "Exhibit D".
- May 13, 1998 Darrel, the bookkeeper for John Grant, called Brent Steffans questioning an AT&T bill he received and did not understand what the bill was for. Brent Steffans requested a faxed copy of the bill, to help him understand what the AT&T bill was for. This was the first time Brent Steffans realized that AT&T was now the billing agent for \$88-642-5663 instead of US West. Brent informed FirsTel customer service to send the port request to AT&T instead of US West.
- May 20, 1998 The information was faxed to MCI to port the 888-642-5663 from AT&T to FirsTel, attached and marked "Exhibit E".

June 2, 1998 The port was rejected for name mismatch. Holly Engbrecht of FirsTel faxed the routing information to Linda at MCI to port over the 888-642-5663 from AT&T for FirsTel, attached and marked "Exhibit F".

June 11, 1998 12:51:38 John Grant called FirsTel customer service from New York, assuming we were now the billing agent for his 888-642-5663, to inform us that when he calls this toll free number, he gets a recording "This number has been disconnected". Todd McNamara of FirsTel issued a trouble ticket.

# THE FOLLOWING OCCURRED ACCORDING TO NOTES OF OUR CUSTOMER SERVICE REPRESENTATIVES BRENT STEFFANS (Continued)

14:58:27 FirsTel discovered that the port of \$88-642-5663 still was not complete. Brenda Clark of FirsTel called Linda Gibbons, FirsTel's Account Representative at MCI to inquire. Linda said that AT&T rejected the port several times for a name mismatch. FirsTel then re-submitted another request to port but it was rejected again. Linda, of MCI, stated that because AT&T disconnected their service an expedite port can be done to get service restored for customer. FirsTel faxed Linda all the necessary information, attached and marked "Exhibit G". Linda will try to restore service today.

17:05:39 Todd McNamara of FirsTel left a message with John Grant that AT&T will not port 888-642-5663 to FirsTel until payment has been made by John.

June 17, 1998 Between June 2 and June 11 the port was rejected again for credit and collections. Faxed the necessary information to Linda Gibbons of MC1 to port the number from AT&T to FirsTel, attached and marked "Exhibit H".

June 29, 1998

Information faxed to MCL to port the number from AT&T to FirsTel, attached and marked "Exhibit 'l".

June 30, 1998

10:17:40 John Grant's bookkeeper, Darrel, called FirsTel customer service to inform us that the 888-642-5663 has not been ported. Customer Service advised Darrell that AT&T was holding this number.

13:58:26 Darrel called FirsTel customer service and stated that AT&T will port the 888-642-5663 today. Information was forwarded to Betty Rook of FirsTel to call Greg Terhark of AT&T at 602-854-6292 to port the 888-642-5663 today if requested by FirsTel.

16:49:50 Holly of FirsTel called Darrel to inform him the port should be complete by 5:30 today.

July 1, 1998 Brent Steffans called the 888-642-5663 and it was working. Brent Steffans informed Darrel that the toll free number to the Lown House was now working.



# **DOCUMENT (S)**

# **BEST IMAGE**

# POSSIBLE

	JOHN GRANT 40 WN HOUSE BH ADDOWN NO: 805 642 5633 774 For guessic ne, call 1-800-603.6000 JAN 1, 1998 Bill Date
V LONG DISTANCE SERVICES	Page 3
MO         DATE         TIME         PLACE         AREA-NUMBIL           14         DEC 22         358PM TO ARLINGTON         SD         605 883-50           15         DEC 24         1114AM TO RAPID CITY         GD         605 787-30           16         DEC 30         1029AM TO SIQUX FLS         SD         603 787-33           17         DEC 31         123PM TO SIQUX FLS         SD         603 787-33           18         DEC 31         212PM TO SIQUX FLS         SD         603 787-33           19         DEC 31         43PM TO RAPID CITY         SD         605 827-60           20         DEC 31         50PM TO BELLEFORCH         SD         605 827-80           21         JAN         103PM TO RAPID CITY         SD         605 787-53           22         JAN         103PM TO RAPID CITY         SD         605 787-53           22         JAN         103PM TO RAPID CITY         SD         605 787-53           23         JAN         81AM TO RAPID CITY         SD         605 787-53           24         JAN         81AM TO RAPID CITY         SD         605 34A-710           24         JAN         113AN TO STUPCUS         SD         605 34A-710	47 E 25 A 87 77 D 6 A 399 70 D 13 A 54 85 D 31 A 54 85 D 3 A 39 77 D 5 A 39 77 E 1 A 30 77 E 1 A 30 77 E 3 A 39 86 D 5 A 39 77 E 1 A 30 77 E 1 A 30 70 E 1 A 194 70 E
CALLS ELKGBLE FOR ALL TIME® VOLUME D 25. DEC 3 1209PM TO RAPIO CITY SD 800 787-380 29. DEC 4 410PM TO STURGIS SD 603 347-380 29. DEC 4 410PM TO STURGIS SD 603 347-380 29. DEC 4 410PM TO STURGIS SD 603 347-380 29. DEC 4 410PM TO RAPIO CITY SD 603 343-100 30. DEC 4 410PM TO RAPIO CITY SD 603 543-730 31. DEC 4 410PM TO RAPIO CITY SD 603 543-730 32. DEC 4 410PM TO RAPIO CITY SD 603 543-730 33. DEC 4 410PM TO RAPIO CITY SD 603 543-730 34. DEC 5 1110AM TO RAPIO CITY SD 603 543-730 34. DEC 5 1110AM TO RAPIO CITY SD 603 543-730 35. DEC 6 802PM TO STURGIS SC 603 547-360 36. DEC 8 822AH TO STURGIS SC 603 547-365 37. DEC 9 1151AM TO RAPIO CITY SD 603 787-867 37. DEC 9 1151AM TO RAPIO CITY SD 603 787-867 38. DEC 9 103PM TO SHOUX FLS SD 605 343-467 39. DEC 11 725AM TO RAPIO CITY SD 605 343-467 39. DEC 11 725AM TO RAPIO CITY SD 605 343-467 40. DEC 13 500PM TO STURGIS SD 505 547-766 19. DEC 11 725AM TO RAPIO CITY SD 605 343-467 40. DEC 13 500PM TO STURGIS SD 505 347-766 19. DEC 14 705PM TO STURGIS SD 505 347-766 19. DEC 14 705PM TO STURGIS SD 505 347-766 10. DEC 15 755AM TO RAPIO CITY SD 605 343-467 40. DEC 16 760PM TO STURGIS SD 505 347-766 10. DEC 17 755AM TO RAPIO CITY SD 605 343-467 40. DEC 18 725AM TO RAPIO CITY SD 605 343-467 40. DEC 19. C03PM TO STURGIS SD 505 347-766 10. DEC 10. DEC	7       D       23       A       6.06         11       D       1       3       34         11       D       4       A       30         14       D       4       A       30         14       D       1       A       30         14       D       1       A       30         15       D       1       A       30         16       D       3       A       47         17       D       1       A       32         10       D       3       A       39         17       D       3       A       39         18       D       3       A       39         11       N       16       A       39         18       D       3       A       39         14       EM       500       A       1023         14       EM       500       A       1023         11       N       13       A       26         11       N       2       A       18
OETAIL OF 800 SERVICELINE         CALLS 885-           41. DEC I         BKOAM FR RAPIO CITY         SD 806 341-560           42. DEC I         1239M FR RAPIO CITY         SD 806 341-560           43. DEC I         953PM FR MURON         SD 806 352-320           44. DEC 9         1154AM FR RAPID CITY         SD 806 352-320           45. DEC 16         354AM FR RAPID CITY         SD 805 355-030           46. DEC 16         1015AM FR RAPID CITY         SD 605 355-030           47. DEC 16         1015AM FR RAPID CITY         SD 605 355-030           48. DEC 17         1224PM FR RAPID CITY         SD 605 348-630           49. DEC 11         142PM FR RAPID CITY         SD 603 355-030           49. DEC 17         144PM FR RAPID CITY         SD 603 355-030	872-5883 
OF CALLS PLACED TO B68-642-5883      Type of Long Distance Cass:     D-DAY     F-EVENING     N-INTERVICEN     AFMULT: AT. PERCO     T-TAX RATE APPLIED - A-700%      DETAIL OF B00 SERVICELINE <sup>MIC</sup> CALL	P COLLECT
BOD SERVICELINE <sup>®</sup> ACTUAL HOURS USED HOURS AT 30 SECONDS PER CALL (MINIMUM) CHARGEABLE HOURS	, , , , , , , , , , , , , , , , , , , ,
NON DISCOUNTED BOS SERVICELINE" HOURLY RATE USAGE CHARGES	時日 1011
VOLUME DISCOUNT DISCOUNT 10% ON USABE OVER \$63.00 DISCOUNT 12% ON USABE OVER \$200.00 DISCOUNT 15% ON USABE OVER \$500.00 DISCOUNT 20% ON USABE OVER \$1000.00	105 105 105 105 105

EXHIBIT A

FIRSTEL	Letter of Intent
Customer Information	
Company JOKN Gran	$\overline{\mathcal{R}}$ .
Address	
City Spearfish	State SD Zip S7>83
Customot Contact Name JOAN	1 Grant
rive OWNER	Contact Phone (605) 642-5663
800/888 Numbers to be Pr	orted Current 800/888 Number Carrier
1-888-642-56	63 2.5. West
<u> </u>	
Comments	
Ferms and Conditions	
designate	to provide 800/888 Service for the 800/888 number(s) listed
designate -	the Responsible Organization ("Resp Org") for each of the
authorize +	nrollment Form as soon as such numbers become portable and to arrange with my existing carrier ("Resp Org") for the
umbers become nortable	the existing carrier toat the time such
release any third party from Habili	ty for acting in accordance with these instructions.
- Dient. T. D	Branch
Canalian, seconda is in the back and the	
Consultant	

FRI 00:47 FAX 605 773 3800

SD PUBLIC UTILITIES COMM

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Thank you for selecting Firstel to be your toll-free service provider.

宁

By signing this Responsible Organization Change Authorization, you agree that F.rsTel is authorized to appoint as the Responsible Organization and is authorized to convert your toll-free service provider to

FirsTel in accordance with the following:

- I. FirsTel will use your current toll-free number(s) listed below to provide you with FirsTel(s) toll-free service as detailed in the FirsTel long distance service order forms signed by you.
- 2. The conversion is dependent on the timely cooperation of your current toll-free service provider. FirsTel will initiate your FirsTel(s) toll-free service as close as practicable to your requested conversion date as shown below.

If you are also ordering outbound long distance service from FlrsTel; FirsTel, as indicated below, will initiate the outbound service either in accordance with its standard delivery interval for such service, or as close as practicable to the date that you have requested FirsTel to initiate toll-free service.

This Authorization is effective and binding upon the parties upon the date FirsTel receives this Authorization signed by you unless you receive written notice from FirsTel to the contrary within thirty (30) days of such date.

Authorized Subscriber (Printed Name) JOHN GRANT Phone $625-64$ Title OWNER Signature Date Date Your full address Your full address Your requested date for toll-free service ASAP Your current toll-free service TS Weat	<u></u>
Title OWNER Signature Date Your full address Spearfish SN 57783 Your requested date for toll-free service AJAP	
Your full address <u>Spear Fish</u> <u>S7783</u> Your requested date for toll-free service AJAP	
Speartish SA 57783 Your requested date for toll-free service ASAP	
Speartish SA 57783 Your requested date for toll-free service ASAP	
Your requested date for toll-free service AJAP	
Your requested date for toll-free service AJAP	
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Your current toll-free) Toll-Free routing Specify appropriate access type and extended	
Your current toll-free) Toll-Free routing Specify appropriate access type and extender(s) number coverage options	nded
1-888-642-5663 605-642-5663 Switched Dedicated AK D HID	PR/VI 🛛 Canada 🗆
Switched D Dedicated AK D HI D	PR/VI C Canada C
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Reseller ID:Conta	ci:
Sales Rep#: Z Current Account #:	
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110 South Phillips • Suite 202 Sioux Falls, SD 57104-6727 605-332-3232 Fax 605-332-8004 • 1-800-605-3232

# **Facsimile Cover Sheet**

To: Linda Gibberg Company: mcI Phone: Fax: From: lunCompany: FIRSTEL Рнопе: (605)332-3232 Fax: (605)332-8004 Date: 4/3/98Pages including this cover page: Comments: (888) rejectual 3/216 for name mismatch - please resubmit ASAP Also - you may have more paperwork somewhere on this # W/ a different DNIS - the corract DNIS is 2003996 (if you find perwork w/ 2004024 to be attached - disregard it!) Thanks Linda (



110 South Phillips • Suite 202 Sour Falls, SD 57102 605-332-3222 Fax 605-332-8004 • 1-800-605-3232

MCI Telecommunications Anta: Linda Gibbons 5500 Wayzata Blvd Minneapolis, MN 55416

Dear Linda:

Presse tars up 888-642-5663 with DNE: 200 3996

If you have my questions, please contact me at (605)332-1732.

Thank you

Sucerely,

Brenda Cariz

make Complex

<b>STEL</b> FirsTel	Letter of Inte
Customer Information	<b>FARC</b> ( 01 )
Company JOKN Grant	
Address	$\sim$ $\sim$ $+$
$\frac{1}{\operatorname{City}} \underbrace{1}_{\operatorname{City}} \underbrace{1}_$	State SD Zip S7%
Customer Contact Name /	and period and a second sec
Title a	Contact Phone
OWNER	Contact Phone (605) 642-5663
800/888 Numbers to be Ported	Current 800/888 Number Carrier
1-888-642-5663	U.S. West
Comments	
Terms and Conditions	
	e 800/888 Service for the 800/888 number(s) listed
above. I designate the Resp	onsible Organization ("Resp Org") for each of the
800/888 numbers specified on the Enrollment Form I authorize to arran	ge with my existing carrier ("Resp Org") for the
transfer of each such number from the existing car numbers become portable.	Her to at the time such
I release any third party from Hability for acting in	accordance with these instructions.

EXHIBIT "D"

, <mark>MĈ</mark>Ĩ

TRACKING NUMBER: 0999323

# Letter of Authorization for change of Responsible Organization (RESP ORG): MCI 01

To whom it may concern:

The undersigned has selected MCI Telecommunications Corporation ("MCI") to act as RESP ORG for the toll-free numbers identified below and on any addenda attached to this letter and has authorized MCI to act as agent for the undersigned for the purpose of taking such actions as may be required on behalf of the undersigned to implement this selection. The undersigned releases from liability any person to whom this letter is provided for actions taken in accordance with the foregoing. This form is only for use in connection with a RESP CRG change and is not by itself intended nor shall it be used in the construed as authorization to disconnect any toll-free service.

: Toll-free Number	Corporate ID/ Mega Bill ID	RESP ORG CHANGE Effective Date / Time	Current SMS RESP ORG ID Code
: (888) 642 - 510,3	99471235	<u>0</u> _/05/01	
• (++++)			
		All toll-free numb	
		RESP ORG change	ge and same 😳 🖓 🖓
· · · · · · · · · · · · · · · · · · ·		current SMS RES This verifies that	MCL will carry
		both intraLATA ai toll-free traffic or	
<ul> <li>Check here to indicate ad</li> <li>An attachment of</li> </ul>	المربع والمربع	bers to be changed	
Segment (check only one): 🖵 B	ranch Sales (Bus Svcs	s) 🗋 National Account 🗋 Cust Svc 🕻	Tmktg Sales 🛄 Carriers
	~FirsTel	Breed	a Clark
Company Name (Pleas	e Print or Type)		Pease Print or Type
f By: Title			<u></u>
2	110 S Phillipa	Ave, STe 202	· // 1
	Sioux Falls, S	D 57102	
Customer Main Phone Number:	605-332-3232	Contact Name	a Clark 8
Customer Contact Phone #:	605-332-3232	Current Toll-free Service Prov	ider
MCI_NASC / CSC / Center Contact			
Cl Dept / Loc	VNET	_ NOTE: All fields must be complete	d in order to be processed. 🦻 💷
		White Copy to MCI Transition Management	Yellow - Branch Copy Pink - Customer Copy
<ul> <li>© 1996, MCI Telecommunications Corp</li> </ul>	poration. All Rights Reserved		
د Control #25254A.05.96			

FIRSTEL	Letter of Intent
Customer Information Company / // //	
LOWN HOUSE Res.	Tourant
Address 745 N 5th St.	
city Specylish	State 50 57283-204
Contraction for the state of the second state and the second state of the second state	1
Tille	
Quer	Contact Phone (6057 642-55663
800/883 Numbers to be Ported	
	Curreat #00/888 Number Carrier
1-888-642-5663	ATYT
Comments	
Cerms and Conditions	
designate to provid	te \$00/888 Service for the \$00/888 number(s) listed
bove.	
00/888 numbers specified on the Enrollment For	consible Organization ("Resp Org") for each of the m as soon as such numbers become portable and
authorize lo arrar	nge with my existing carrier ("Resp Org") for the rier to at the time such
umbers become portable.	
release any third party from liafility for acting in	2 Martin State - Andre State - Angel State - St
Consultant	we /21
V W V	Brunch 5 - 20 - 9 P

EXHIBIT "E"

		1.1	15.00 F	Sec. 2. 14			12.2.3
<ul> <li>Kielena</li> </ul>	100	Nert	11	5	21-0	5 B. J. S.	meinte
1.1	65.0	1.11	10	140.5	OI A	. 61	1.232
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1							27550.07
	1.1.1	1 Section	1000	1. Jun	1.1. 191.00	11111	記念時を

# Responsible Organization Change Authorization

Thank you for selecting Firstel to be your toll-free service provider.

By signing this Responsible Organization Change Authorization, you agree that FirsTel is authorized to appoint as the Responsible Organization and is authorized to convert your toll-free service provider to

FirsTel in accordance with the following:

- 1. FirsTel will use your current toll-free number(s) listed below to provide you with FirsTel(s) toll-free service as detailed in the FirsTel long distance service order forms signed by you.
- The conversion is dependent on the timely cooperation of your current toll-free service provider. FirsTel will initiate your FirsTel(s) toll-free service as close as practicable to your requested conversion date as shown below.

If you are also ordering outbound long distance service from FirsTel; FirsTel, as indicated below, will initiate the outbound service either in accordance with its standard delivery interval for such service, or as close as practicable to the date that you have requested FirsTel to initiate toll-free service.

This Authorization is effective and binding upon the parties upon the date FirsTel receives this Authorization signed by you unless you receive written notice from FirsTel to the contrary within thirty (30) days of such date.

Agreed to by: Company Name	nu House	Restourd	out		<b>.</b>	
Authorized Subscriber (Print	where we consider the state of the first state of the sta	计 经济水产 化动物流行感动 化均均进步计	とそんたいを ふんたちゃく	605	642-5	663
Title Owner						
Signature	$\sim$	<b>?</b>	Datc	5-	20-98	
77						
Your full address $\underline{74}$	5 N. 5 14 .	St.				
승규는 것같은 것이 가지 않는 것이 같아요. 같이 한 것 같아. 이 가지 🖍 🥆 것이 같다.	porfish SD		)83-2	048		
Your requested date for toll-	-free service AJA	ρ				4
Your current toll-free servic	e provider <u>AT</u>	$\mathcal{T}$				
開始 ない しがいせい とうとうし しょうしん かくかんせんせん	Toll-Free routing number	Specify approprio		type and	extended	
1-888-642-5663	1-605-642-5663	Switched 🖵	Dedicated 🗆	AK 🗆 H		Canada 🛛
Reseller ID: Sales Rep#: <u>/ ⊋.1</u>				$\sim$	Contact:	
Current Account #: RespOrg ID:						
그는 것 것 같은 것 못 없을까?	EX	HIBIT "E"				



110 South Phillips • Suite 202 Sioux Falls, SD 57104-6727 605-332-3232 Fax 605-332-8004 • 1-800-605-3232

6-2-98

MCI Telecommunications Attn: Linda Gibbons 5500 Wayzata Blvd Minneapolis, MN 55416

Dear Linda:

Please turn up 888-642-5663 with DNIS 2003996 attached to it, effective \_\_\_\_\_. ASAP

If you have any questions, please contact me at (605)332-3232.

Thank you.

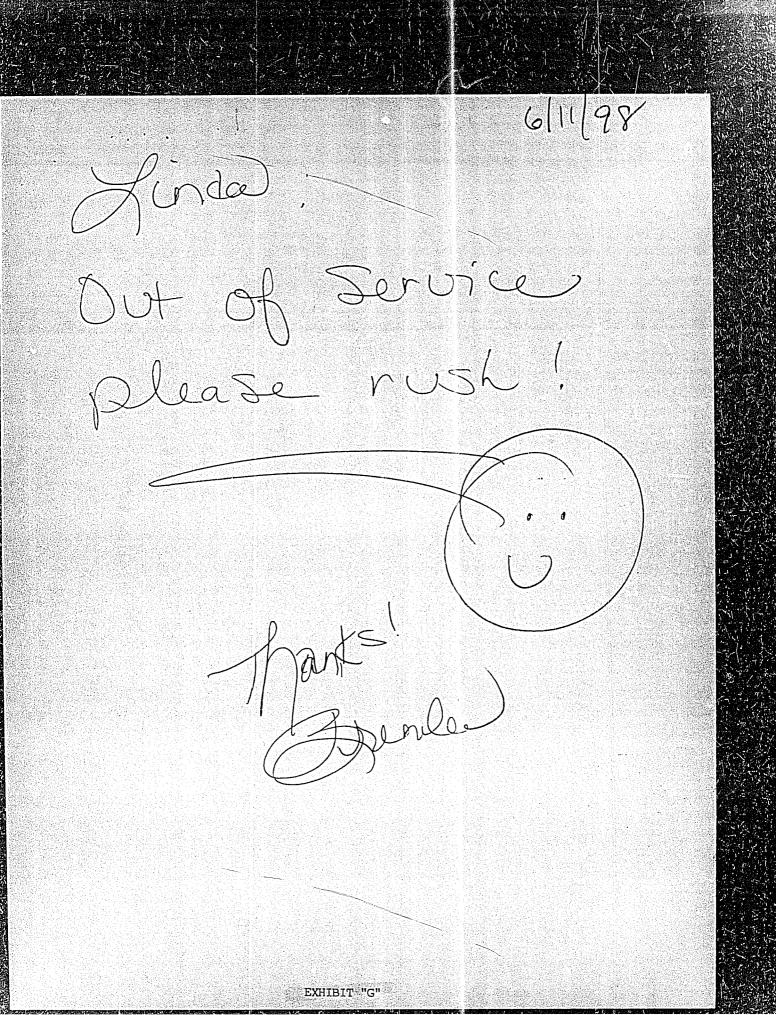
Sincerely,

Hollie Englorelik

Hollie Engbrecht

Set up Compley Please

EXHIBIT "F"



Dialer Switch TNET Cellular Local Service? <u>Yes or No</u>	
Dialer	
Date Reported:	
Acct Number:Phone #:S. 642. 5663 Cell #	
Acct Name: LOWN House	
Address: Address: (g. 22)	
Reported By Cust Rep: Auth Code/13385 PAC	
Difficulty/Request: $88-643-56631$ (SC-800-20)	
authing this it assummedial	
Auto Auto	
The provide H2996	
Average Usage: 888-642-5663 2003996 BIVIS	
COMPACE (000/040-260)2399	.0
• Trouble Affecting These Areas: (Circle those that apply) (Circle those those that apply) (Circle those those those those those the circle those th	
Test Call Results:	
Date of call(s): Time(s) Call(s) were made Originating Number Terminating Number	
Symptoms (fast busy, sirens, system recording)	
Was customer advised to unplug the dialer? Yes No If No, was customer given bypass number? Yes No	
TNET/CELLULAR	1
Date Sent to Carrier: Delays? Why? Date Completed by Carrier:	
Special Programming:	
Resolution: Called Lindamy requested her to check or DNIS Toll Free 1107	
Tinda will rush because Dot of Source" Called to contico	
Signed: Service Date: She received tax S/N IN S/N Out At. 3:05 pm	
See back of Page for more information? Yes She will try	
Fax 800-955-0352 for Field Techs	
EXPBIT "G"	が開い
	1000

		ANGE FORM		
Account Information Acct# <u>/ 국장교교5년</u>	Bhona/Call# / a 6 5	145 51/2		Q.
Customer Name		1993年1997年7月9月1日日本1993年1994年19月1日日本1984年19月1日 1993年1月9日日日日日日日日日日日日日日日日日日日日日日日日日日日日日日日日日日日日		2.20日日是·加速+加速+加速+加速和是其公司。在于一部
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Contact NameChange	erstall a Mathematica de la	Phone# Change		
Service Changes				
Answer Supervision	∃ No (codes) <u>+ </u>			
Tax Status Change:  Federa 800# Ring To Change ()	1 S1 Local = /// 800/	+ code	n Exempt :Complex?⊡Yes	li⊡No -
Additional Cards	# of Cards // 800 Travel Auti	不是了人的时候,你们们还有这些问题的?""这个个学校的是在	PAC'S	
Cardholder Names	SJO HAVE AU			
Cancellation of Service				
Services to Cancel: 800 Auth codes to Cancel:	Outbound	<u>Cellular</u>	Voice Mail	
Cellular Service Changes				
ESN # Change _ FR	то	Why/Who called?	an a	
Feature Activation: Call Forw:	a ang ang ang ang ang ang ang ang ang an	□ No Answer Transfer I Custom Calling Fkg →-		
COMMENTS: Con or	leedo senn	ice + Oul	l to a	darezo
<u>Changsol</u>				
Date Sent to TNET or Cellular C Notes:	Carrier	Completed <u>Completed</u>		
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177 14



TRACKING NUMBER: 0998904

# Letter of Authorization for change of Responsible Organization (RESP ORG): MCI 01

#### To whom it may concern:

The undersigned has selected MCI Telecommunications Corporation ("MCI") to act as RESP ORG for the toll-free numbers identified below and on any addenda attached to this letter and has authorized MCI to act as agent for the undersigned for the purpose of taking such actions as may be required on behalf of the undersigned to implement this selection. The undersigned releases from liability any person to whom this letter is provided for actions taken in accordance with the foregoing. This form is only for use in connection with a RESP ORG change and is not by itself intended nor shall it be construed as authorization to disconnect any toll-free service.

Toll-free Number	Corporate Mega Bill		RESP ORG CHANGE	Current SMS RESP ORG ID Code		
(188)142-5663	99471.236					
<u>( )</u> -			NOTE:			
<u>(()</u>			All toll-free num			
<u>()</u> -			the same effective date/time for RESP ORG change and same current SMS RESP ORG ID Code. This verifies that MCI will carry both IntraLATA and Interstate toll-free traffic or calls.			
. <u>()</u>						
<u>(( )</u> -						
<u>() -</u>						
Check here to indicate a An attachment of		numbers to be	changed			
Segment (check only one): 🔲 I	Branch Sales (Bus	Svcs) 🖸 Natio	nal Account 💭 Cust Svc 🕻	Tmktg Sales 🖸 Carriers		
<u> </u>			Brenda Clark			
Company Name (Plea	se Print or Type)	1	Customer Name (	Please Print or Type)		
- By: Title		(L	Signat	ure7Date		
Customer Address: <u>110 S. I</u>	<u>Phillips Ave. S</u>	Ste. 202				
Sioux Fa	alls, SD 57102	2				
Customer Main Phone Number: _	605-332-3232		_Contact Name			
Customer Contact Phone #:	605-332-3232		_Current Toll-free Service Pro	vider:		
MCI NASC / CSC / Center Contac	:					
MCI Dept / Loc	VNET	NOTE: /	All fields must be complete	ed in order to be processed.		
© 1996, MCI Telecommunications Co Control #25254A.05.96	n her state i s	served. EXHBIT «"G"	White Copy to: MCI Transition Management 7000 Weston Parkway Cary, NC 27513-2118 Attn.: LOA Gains Processing Dept. / Loc. 9413/647			
		sing the second				

· · · ·	TRANSACTION REPORT	JUN-11-98	P.01 THU 2:58 PM
FOR: FirsTel	605 332 0119		
DATE START RECEIVER	TX TIME PAGES TYPE	NOTE	
JUN-11 2:54 PM MC!	3'27 <b>'</b> 4 SEND	ХО	
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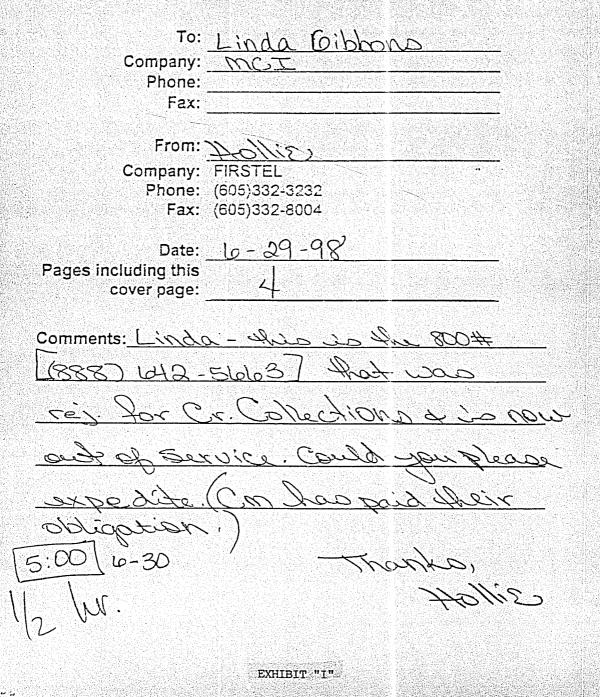
110 South Phillips . Suite 202 Sivux Falls, SD 57104-8727 605-332-3232 Fax 605 332-8004 • 1-800-605-3222 lrgent **Facsimile Cover Sheet** hinda. Gibbens To: Company: ·m Phone: Fax: what Oredit & Ville From: lun Company: FIRSTEL Phone: (605)332-3232 Fax: (605)332-8004 Date: 47/98 Pages including this cover page: \_\_\_\_\_ Comments: 1, da- This is the SCOH 642-5663/ that was rij. for cr. collection : is an aut of service - said you could expedite 2 possibly have sarvice restored today. (The cm has paid their obligation) Thanks so much Linda?

TOTAL P.07



110 South Phillips • Suite 202 Sioux Falls, SD 57104-6727 605-332-3232 Fax 605-332-8004 • 1-800-605-3232

# **Facsimile Cover Sheet**



MCI	(	254 TRAVING	NUMBER: 0998547
Letter of Authorization f To whom it may concern:	or change of Respo	onsible Organization (RI	LSP ORG): MCI Ø
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Toll-free Number	Corporate ID/ Mega Bill ID	RESP ORG CHANGE Effective Date / Time	Current SMS RESP ORG ID Code
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© 1996. MCI Telecommunications Corpora Control #25254A.05.96	ition. All Rights Reserved.	White Copy tc: MCI Transition Managemer 7000 Weston Parkway Cary, NC 27513-2118 Attn: LOA Gains Processin Dept. / Loc. 9413/647	g

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$\frac{745}{\text{City}} \cdot \frac{745}{\text{City}} \cdot \frac{745}{100} \cdot \frac{100}{100} \cdot \frac{100}$	State SI	Zip 57983-
Customer Contact Name John Grant	······································	
Title	Contect Phone	
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800/888 Numbers to be Ported	Current 800/888	Number Carrier
1-888-642-5663	ATVT	
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BEFORE THE PUBLIC UTILITIES COMMISSION OU H DAKOTA PUBLIC OF THE STATE OF SOUTH DAYOTA

IN THE MATTER OF THE COMPLAINT FILED BY ) LOWN HOUSE RESTAURANT, SPEARFISH, SOUTH ) TC 98-149 DAKOTA, AGAINST AT&T COMMUNICATIONS OF ) THE MIDWEST, INC. AND FIRSTEL, INC. ) CERTIFICATE OF SERVICE REGARDING CUSTOMER SERVICE ISSUES. )

I, Robert C. Riter, Jr., certify that true and correct copy of Answer of Firstel, Inc. was mailed to each of the following by first class mail on the  $\cancel{34}$  day of November, 1998:

Jerry Campbell AT&T 1875 Lawrence St. Suite 1434 Denver, CO 80202

Karen Cremer Attorney at Law Public Utilities Commission 500 E. Capitol Pierre, SD 57501

John J. Grant Lown House Restaurant 745 5th Street Spearfish, SD 57783

Robert C. Riter, Jr.

#### BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

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RECEIVED

IN THE MATTER OF THE COMPLAINT FILED BY LOWN HOUSE RESTAURANT AGAINST AT&T COMMUNICATIONS OF THE MIDWEST, INC. AND FIRSTEL ADVANCED COMMUNICATIONS, INC.

TC 98-149

NOV 1 7 1998

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

### AT&T COMMUNICATIONS OF THE MIDWEST, INC.'S ANSWER TO LOWN HOUSE RESTAURANT'S COMPLAINT

#### I. BACKGROUND

On June 23, 1998, Mr. John J. Grant, owner of Lown House Restaurant ("Customer"), originally filed with the Commission's Consumer Affairs Department an informal complaint against AT&T Communications of the Midwest, Inc. ("AT&T") regarding the same issues presently before the Commission in this matter. Customer is seeking compensation for alleged lost potential business revenues in the amount of \$8,000 to \$9,000. Customer claims it lost such potential business revenues directly and solely due to the disconnecting of Customer's toll-free business telephone number by AT&T. AT&T disputes certain material facts relied upon by Customer in its complaint and, consequently, Customer's claims for lost potential business revenue. Furthermore, AT&T asserts that it acted in good faith and in accordance with applicable law and has not committed any unlawful or unreasonable act, rate, practice or omission in disconnecting Customer's toll-free number for nonpayment.

#### 11. ANSWERS TO CUSTOMER'S CLAIMS

A) Customer contends that in December of 1997 is switched its toll-free service for the 888-642-5663 telephone number from AT&T to FirsTel Advanced Communications, Inc. ("FirsTel").

AT&T's records indicate that Customer's 888-642-5663 toll-free number was not switched to FirsTel in December of 1997 but, rather, was re-established with AT&T. An outbound telemarketing call was made from an AT&T third-party vendor to Customer on December 5, 1997. A Ms. Fran Gibbs at Choice (third-party vendor) conducted the solicitation. During such solicitation/sale, Customer affirmatively agreed to have AT&T as its supplier for the above referenced toll-free number and third-party verification (TPV) was provided through Saundra at AT&T. The solicitation/sale was taped for quality assurance and a transcript of the solicitation/sale is attached as Exhibit No. 1.

B) Customer further contends that AT&T required a "release form" in order to port its toll-free number to FirsTel and that such information was sent to AT&T on at least three occasions without action. Customer also states that it was not until May of 1998 that AT&T acknowledged errors on such forms.

Every toll-free number provider is, or should be, aware that the completion of a new Responsible Organization (Resp Org) Letter of Authorization is not only mandated by the Federal Communications Commission but is also the responsibility of the carrier requesting the "porting" and not the responsibility of the carrier currently holding a customer's toll-free number. In addition, toll-free number providers are, or should be, aware that, because of security, privacy and liability issues, the information required on a new Resp Org Letter of Authorization must match exactly the information held by the currently authorized carrier. Adherence to this standard helps protect the customer against toll-free number slamming.

AT&T has yet to obtain any internal information regarding the number of occasions such paperwork was submitted to AT&T or AT&T's subsequent acknowledgement or response(s) to such submissions. However, a timeline prepared by FirsTel indicates that the initial Resp Org paperwork for Customer's toll-free number was inadvertently being sent to U S West and not to AT&T as Customer claims. A copy of such timeline is provided as Exhibit No. 2.

It is possible that once such paperwork was received by AT&T, AT&T may have rejected it for a variety of reasons, including errors in Customer Name, Toll-Free Number, etc. Again, this helps to protect customers from un uthorized switches. However, in Customer's situation, rejections for inaccuracies in Customer's Resp Org paperwork would have, initially, been nonexistent. Customer's Resp Org paperwork would have been summarily rejected as a result of the then present outstanding balance on Customer's account. AT&T would not have reviewed the paperwork for errors until Customer's account was paid in full.

C) Customer further contends that it did not know why AT&T was still "in the picture" or why its service was disconnected on May 12, 1998.

While AT&T has no specific knowledge of Customer's relationship with FirsTel, AT&T did, both in conversations with and letters to Customer, advise that Customer's account was past due and that service restriction would ensue unless the account was brought up to date. AT&T sent a system-generated collection letter to Customer on March 2, 1998, and made direct attempts to contact Customer via phone on March 3, 1998, and March 6, 1998, leaving messages on both occasions. Customer, during a return call to AT&T on March 6, 1998, acknowledged the outstanding charges and affirmatively agroed to bring the account current by April 3, 1998. A system-generated payment arrangement confirmation letter was then sent to Customer on March 9, 1998. Template copies of the collection and payment arrangement confirmation letters are attached as Exhibit No. 3.<sup>1</sup>

D) Customer further contends that AT&T was sending invoices to an old address/P.O. box which was not used for official business and this may have resulted in Customer's account having an outstanding balance, as well as the subsequent service restriction.

AT&T sent invoices to the address agreed to by Customer during the initial telemarketing solicitation/sale, specifically 745 N. 5<sup>th</sup> Street, Spearfish, SD 57783. This address is and remains the physical location of the Customer's business. In addition, AT&T provided Customer with outstanding balance totals during the telephone conversation held on March 6, 1998. During such conversation, Customer made a promise to pay the outstanding balance by April 3, 1998. Customer later broke this arrangement as payment was not received by the agreed-upon date.

During the March 6, 1998 conversation, Customer did request a change of billing address to 127 W. Grant Street in Spearfish. The AT&T representative who took Customer's request entered the change in AT&T's systems, however, for unknown reasons, AT&T's automated systems did not process the address change. AT&T believes that such error is immaterial to Customer's complaint for two reasons. First, documentation provided to the Commission by Customer in its formal complaint shows that Customer planned to utilize the same 745 N. 5<sup>th</sup> Street address for billing purposes in

<sup>&</sup>lt;sup>1</sup> Template copies are provided because an executed copy is unavailable. These letters are generated automatically by AT&T's systems when an account approaches being 90 days past due. Information (name, address, account number, past due amount, date, etc.) is pulled from a customer's account record and inserted into specific fields in the template letter. Once the letter is generated, a notation appears on the customer's account. Due to storage constraints, AT&T does not retain actual copies of the original letters which have been mailed to the customer.

its Subscription Agreement with FirsTel. A copy of the FirsTel Subscription Agreement provided by Customer is attached as Exhibit No. 4. Second, irrespective of whether the Customer actually received a physical invoice, which AT&T believes it did, ongoing relationships between a customer and a supplier are contractual in nature and a claim of improper delivery of an invoice(s) in no way relieves a customer of its obligation to pay for services rendered if such customer is or has been made aware of outstanding balances via other channels. Customer was informed of its outstanding balance in a systemgenerated letter dated March 2, 1998, and in the aforementioned telephone conversation held on March 6, 1998. In the event a customer disputes the amount of such charges, the customer still has an obligation to pay such charges pending resolution of the disputed amounts. AT&T does, however, have internal policies that stop collection efforts in instances where a customer is disputing charges to its account. At no time during the March 6, 1998, telephone conversation between AT&T and the Customer did the Customer indicate that it was disputing any of the charges reported to it by AT&T.

## E) Customer makes numerous claims that AT& I utilized "stalling" tactics in an effort to maintain the "status quo".

As is the case with any for-profit business operating in a competitive environment, AT&T seeks to receive and process customer payments as quickly as possible, subject to legal requirements and standards of commercial reasonableness. AT&T believes that it acted in a lawful and an appropriate manner in its attempts to receive payment for services it rendered to Customer. AT&T gave Customer several opportunities to bring its account balance current prior to disconnecting its service. At Customer's request, AT&T immediately released Customer's toll-free number once its account was brought current.

F) Customer's claim for lost business revenues alludes to the belief that service restriction was in place for a longer period than was actually the case.

Customer's service began on or about December 9, 1997, and continued until May 12, 1998. It is AT&T's policy that once a confirmed payment arrangement is broken by a customer, service is not restored until the account is paid in full. Customer states that a payment in the amount of \$239.26 was mailed to AT&T on May 8, 1998. However, in addition to being more than a month beyond the agreed upon payment arrangement date established during the March 6, 1998, telephone conversation between Customer and AT&T, such payment was cashed by AT&T on June 12, 1998. A copy of Customer's cancelled check is attached as Exhibit No. 5. AT&T has additional internal systems in place to prevent lost or misplaced payments. If a payment cannot be immediately matched to a specific customer account or if such payment is inadvertently sent to an incorrect AT&T payment office, such payment is cashed nonetheless and placed in a clearing fund to be later matched and posted to a specific customer account. The fact that Customer's payment was cashed on June 12, 1998, indicates that such payment was mailed on a date closer to June 12, allowing for postal delivery time. On June 16, 1998, Customer made a subsequent and final payment by credit card for \$25.40 and requested that its account be closed immediately. AT&T honored Customer's request and closed the account on June 16<sup>th</sup>

III. JURISDICTION/TARIFFS

It is AT&T's position that the Commission has proper jurisdiction over the intrastate portion of the Customer's toll-free service, but not over the interstate portion. The AT&T service consisting of calls made to the Customer's toll-free number from

outside of South Dakota was provided pursuant to the terms of FCC Tariff No. 1 and is within the jurisdiction of the Federal Communications Commission. The relevant provisions of that tariff are attached as Exhibit No. 6. Any complaint Customer has with respect to the interstate portion of its service from AT&T is not properly before this Commission.

The AT&T service consisting of calls made to the Customer's toll-free number from within South Dakota was provided pursuant to AT&T's South Dakota Custom Service Network Tariff (the "SD Tariff"). The relevant provisions of that tariff are attached as Exhibit No. 7. The Customer seeks damages for loss of business, presumably for the period of time that its toll-free service was disconnected by AT&T for nonpayment, from May 12, 1998 until on or about June 16, 1998. Pursuant to Section 2.6.1 of the SD Tariff, AT&T's liability is limited to "an amount equal to the initial period charge provided for under this tariff for the Custom Network Service call for the period during which the call was affected." The period charges are set forth in the SD Tariff pricing pages for Option S (Option VI) at Exhibit No. 8. Therefore, AT&T cannot be held liable for consequential damages such as those sought by Customer.

Should the Commission find in favor of the complainant and decide to award damages to the Customer, they must be limited to the intrastate portion of Customer's complaint and calculated based on the initial period charge described above. AT&T has reviewed copies of the Customer's invoices for the relevant time period which indicate that the total charges for intrastate calls amounted to \$10.71 out of a total long-distance usage amount of \$233.00. Copies of such invoices are available to the Commission if desired.

#### IV. SUMMARY

Based on our records, it is AT&T's position that it has not committed any uniawful or unreasonable act, rate, practice or omission in this matter and tho Commission should dismiss Customer's complaint against AT&T. The facts in this matter are straightforward. Customer received services from AT&T and, after being given several opportunities to bring its account current, was disconnected for nonpayment. Customer received continuous, uninterrupted service from AT&T for over six months during which time the Customer failed and refused to remit payment, despite having been informed of and having agreed to pay its outstanding balance with AT&T.

AT&T acted in good faith and in accordance with applicable law when dealing with this matter and respectfully requests that the Commission dismiss Customer's complaint against AT&T.

Respectfully submitted this 17th day of November, 1998.

AT&T COMMUNICATIONS OF THE MIDWEST. INC.

By: John S. Lovald

P.O. Box 66 Pierre, SD 57501

## CERTIFICATE OF SERVICE

I hereby certify that on this 17<sup>th</sup> day of November, 1998, the original and 10 copies of AT&T Communications of the Midwest, Inc.'s Answer were hand delivered to:

William Bullard, Jr Executive Director South Dakota Public Utilities Commission 500 East Capitol Avenue Pierre, SD 57501

and true and correct copies were delivered via regular mail this 17<sup>th</sup> day of November. 1998 to:

John J. Grant Lown House Restaurant 745 N. 5<sup>th</sup> Street Spearfish, SD 57783

Neil Schmid Director – Regulatory Affairs FirsTel Advanced Communications, Inc. 110 S. Phillips, Suite 202 Sioux Falls, SD 57104

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# Transcript of Telemarketing Call to Lown House Restaurant December 5, 1997

## Participants in call:

Fran Gibbs- Telemarketing Representative

John Grant- Owner, Lown House Restaurant

Saundra – AT&T 3<sup>rd</sup> Party Verification

Telephone call as recorded: (Opening conversation not recorded).

Okay, and also, I just want to let you know for quality control purposes, this call will be recorded. Okay?
Okay,
I have the name of your business as Lawn House Restaurant and you're still at 745 North Fifth Street, Spearfish, South Dakota 57785. Is that correct?
Correct.
Is that also your billing address, John?
No, it's actually 127 West Grant.
127 West Grant, is that in Spearfish?
Yes.
Okay, same zip code?
Yes.
Okay, and I have your main number as 605-642-5663?
Correct.
And you can dial out on that line, right?
Correct.
John, what's your last name?
Grant.

Fran Gibbs:	G-R-A-N-T?
John Grant:	Correct.
<u>Fran Gibbs</u> :	Okay, and you're the owner?
John Grant:	Correct.
Fran Gibbs:	How's business sir?
John Grant:	It's not too bad.
<u>Fran Gibbs:</u>	That's good. I have your 800 number as 888-642-5663?
<u>John Grant:</u>	That's correct.
Fran Gibbs:	Okay, and you don't have any other 800 numbers do you?
John Grant:	No.
Fran Gibbs:	Okay, I'm showing you're spending over \$25 easily with all of your lines combined.
<u>John Grant:</u>	Соптест.
<u>Fran Gibbs:</u>	And I have U S WEST as your local phone company?
John Grant:	Cerrect.
<u>Fran Gibbs</u> :	Wil Tel, however they got your lines, we're not sure, we apologize for that. I just want to let you know that your local phone company may charge you a base charge of \$5.00 for us to switch it back, but because you were not aware of it and you didn't authorize it, we will waive that for you. Okay, and also because you didn't authorize them to switch your 800 line, what we will do, John, is waive the \$5.00 service fee on that for you as well for six months. Okay? And then month number 7, the \$5.00 service fee will reoccur.
<u>John Grant:</u>	Okay, Ma'am the only thing that I need to know is the thing you just told me was something to do with Wil Tel.
<u>Fran Gibbs:</u>	Exactly, that's what I'm talking about. Yeah, Wil Tel. Because you didn't authorize them to switch your 800 line as well, yeah, what we would do is waive the \$5.00 service fee on that for you for six months. Okay? And your 800 number is that in South Dakota only or nationwide?
<u>John Grant:</u>	J believe it's nationwide.
<u>Fran Gibbs</u> :	Okay, would you like four free listings in our AT&T National Directory Book?
John Grant:	That would be fine.

Fran Gibbs:	Okay, and I just need about ten more seconds of your time. You may want to write this down and we'll put you back on the program that you were on. It's called the One Rate for Business program. Okay, and with that, John,
John Grant:	(Mr. Grant coughs) Excuse me.
<u>Fran Gibbs</u> :	That's Okay, take your time. Are you ready? With that, you're looking at 12 cents flat rate, state to state, 24 hours a day, 7 days a week. Okay? Okay, I am going to transfer you over to billing and they are going to ask you two quick questions: One, what your 800 number is. You know that by heart right?
John Grant:	I don't know it by heart.
<u>Fran Gibbs</u> :	Here let me give it to you, 1-888-642-5663. Actually it is just like your main telephone number.
<u>John Grant:</u>	Just with an 888.
<u>Fran Gibbs</u> :	Exactly, and two, John, they are going to ank you for four numbers to verify that we spoke with you so we can put a stop to Wil Tel and insure your lines are back with AT&T. One second sir, I will speak first.
Recording cor	nes on as call is transferred: The quality of this call may be monitored.
<u>Saundra:</u>	Verification. Thank you for calling AT&T. My name is Saundra. How can I help you?
Fran Gibbs:	Hi Saundra, Fran Gibbs, G-I-B-B-S.
Sauncira:	Okay, ready.
Fran Gibbs:	2ASC inbound only, Ma'am. I'm sorry. 2ASC inbound/outbound. John?
John Grant:	Yes.
Fran Gibbs:	Just wanted to make sure you were there.
Saundra:	Customer's name?
Fran Gibbs:	John Grant. He has a bad cold. He's the owner.
<u>Saundra:</u>	Can I have the name and account name?
<u>Fran Gibbs</u> :	Lown House Restaurant.
<u>Saundra:</u>	Hold on until I can get his information please.
<u>Fran Gibbs:</u>	
<u>+ 1411 O1003</u> .	Sure,

F	
Fran Gibbs:	-605-642-5663.
Saundra:	605-642-5663?
Fran Gibbs:	Yes, Saundra.
<u>Saundra:</u>	Can you hold on while I grab the billing please?
Fran Gibbs:	Sure. Thank You.
<u>Saundra:</u>	Sir, has the area code been recently changed to 520?
John Grant:	No.
<u>Saundra:</u>	And is through a business?
John Grant:	Correct.
Saundra:	And how many lines are you bringing over today Fran?
Fran Gibbs:	BPN and then the 800 number we'll bring it back.
<u>Saundra:</u>	I will process the 800 number in one moment please.
Fran Gibbs:	Sure.
Saundra:	602-642-5663?
<u>Fran Gibbs</u> :	That's correct.
<u>Saundra:</u>	Mr. Grant can I have the name of your company or your name and social security number currently being billed please?
John Grant:	Lown House Restaurant.
Saundra:	What is the address currently being billed to please?
John Grant:	127 West Grant.
Saundra:	May I have the zip code there please?
John Grant:	57783.
<u>Saundra:</u>	Do you understand thatthis is Spearfish, South Dakota?
<u>John Grant:</u>	Correct,
<u>Saundra:</u>	Do you understand sir that you are choosing AT&T as your long distance carrier and revoking any authority that you may have given to previous carriers?
John Grant:	Correct.

<u>Saundra:</u>	Do you also understand that there may a switching fee from your local telephone company for which AT&T will reimburse you up to \$5.00 per line?
John Grant:	Correct.
Saundra:	Just to verify that I spoke with you, I need a four digit number that is unique to yourself.
John Grant:	7979
<u>Saundra:</u>	One moment sir while the computer processes and confirms this order. Then I will process your 800 line.
John Grant:	Okay.
<u>Saundra:</u>	Fran?
Fran Gibbs:	Yes?
Saundra:	Is the contact number the same as the BPN?
<u>Fran Gibbs</u> :	Yes, Saundra.
<u>Saundra:</u>	Once again I do have this number recorded as 602-642-5663. Is that correct?
<u>Fran Gibbs</u> :	605-642-5663.
Saundra:	605?
<u>Fran Gibbs</u> :	Yes.
<u>Saundra:</u>	Okay, that's why I verified the number two times with you Fran, because I processed the line as 602.
<u>Fran Gibbs:</u>	Okay, he told you 605 and I told you 605, obviously there is a miscommunication. 605.
<u>Saundra:</u>	Hold on one moment please.
<u>Fran Gibbs</u> :	Sure.
<u>Fran Gibbs:</u>	John?
John Grant:	Yes?
<u>Fran Gibbs</u> :	Po you have my office number?
<u>John Grant:</u>	Yes.

<u>Fran Gibbs</u> :	Just hold on tight to that, you know, and if you see any strange occurrences on your phone bill, you know, don't hesitate to give me a call. I'd be happy to assist you in any way. Okay?
John Grant:	Sounds fine.
<u>Fran Gibbs</u> :	She'll be right with you.
<u>Saundra:</u>	Once again, I had BPN recorded at 605-642-5663.
Fran Gibbs:	UM HM, yes that is correct.
<u>Saundra:</u>	And Mr. Grant, I have us billing on to the Lawn House Restaurant at 745 North Fifth Street, Spearfish, South Dakota, 57783. Is that correct?
John Grant:	Correct.
<u>Saundra:</u>	Okay, for you once again I had a contact number recorded as 605-642-5663. Is that correct?
Fran Gibbs:	That's correct.
<u>Saundra:</u>	And how many 800 lines do you have today?
<u>John Grant:</u>	Just one.
<u>Saundra:</u>	And Mr. Grant can you state your 800 number for me sir?
John Grant:	888-642-5663.
<u>Saundra:</u>	And do you understand sir that you are designating AT&T as your responsible organization as well as your carrier for 888-642-5663?
John Grant:	Yes.
<u>Saundra:</u>	Following this call sir I am required to call back on your 800 line. This is for your protection to insure that I have recorded your number correctly. Will you be available to take my call sir?
John Grant:	Yes.
<u>Saundra:</u>	I do thank you very much for your help filling this application. My confirmation for you is C019. Have a great day.

## SEPTEMBER 25, 1998

## TIMELINE OF FIRSTEL RE: LOWN HOUSE RESTAURANT

TC-98-149

MARCH 17, 1998	BRENT STEFFENS, FIRSTEL SALES REPRESENTATIVE, SIGNED UP STOVES, SPAS AND MORE AND THE LOWN HOUSE B&B FOR LONG DISTANCE SERVICE UNDER A ONE YEAR CONTRACT. FIRSTEL POR TED 888-800-5663 FROM LDDS, THE ONLY TOLL FREE NUMBER THE BRENT STEFFENS KNEW EXISTED AT THIS TIME.
MARCH 1998 (FIRST WEEK)	BRENT STEFFENS APPROACHED JOHN GRANT, OWNER OF LOWN HOUSE TO OFFER LOWER LONG DISTANCE RATES AND TO OFFER LOCAL SERVICE AS AN ALTERNATIVE TO US WEST. JOHN GRANT REQUESTED A PROPOSAL FROM BRENT. BRENT COLLECTED A COPY OF A US WEST BILL TO PREPARE A PROPOSAL. IN EXAMINING THE JANUARY 1, 1998 US WEST BILL. BRENT STEFFENS DISCOVERED A SECOND TOLL FREE NUMBER RINGING TO THE LOWN HOUSE (888-642-5663) BRENT HAD NO KNOWLEDGE OF THIS TOLL FREE NUMBER IN MARCH 1198 BECAUSE HE DID NOT RECEIVE A COPY OF THE US WEST BILL AT THAT TIME. BRENT STEFFENS ASKED JOHN GRANT IF HE WAS AWARE OF THIS SECOND TOLL FREE NUMBER. JOHN GRANT SAID HE WAS NOT AWARE. BRENT STEFFENS ASKED JOHN GRANT IF HE WANTED FIRSTEL TO PORT THIS SECOND TOLL FREE NUMBER TO OUR SERVICE AS WELL, AND THEN WHEN THE PORT WAS COMPLETE, TO DISCONNECT ONES OF THESE TWO NUMBERS. JOHN GRANT AGREED TO THIS.
MARCH 18, 1998	THE LETTER OF INTENT (LOI) AND PROPER PAPER WORK WAS SENT TO MCI FROM FIRSTEL TO PORT THE 888-642- 5663 NUMBER UNDER THE NAME JOHN GRANT TO FIRSTEL
MARCH 26, 1998	REJECTED FOR NAME MISMATCH
APRIL 2, 1998	THE INFORMATION WAS RE-FAXED TO MOUTO PORT THE
1 PP II 17 1000	888-642-5663 NUMBER UNDER THE NAME JOHN GRANT
APRIL 17, 1998	REJECTED FOR NAME MISMATCH
APRIL 27, 1998	RE-FAXED TO MCI TO PORT THE 888-642-5663 NUMBER
MAY 8, 1998	LOWN HOUSE SENT A CHECK TO AT&T FOR AN UNPAID BILL IN THE AMOUNT OF \$239.26
MAY 13, 1998	DARRELL THE BOOKKEEPER FOR JOHN GRANT, CALLED BRENT STEFFENS TO TELL HIM HE HAD RECEIVED AN

	AT&T BILL AND DID NOT UNDERSTAND WHAT THE BILL WAS FOR. BRENT REQUESTED A FAXED COPY OF THE BILL, TO HELP HIM UNDERSTAND WHAT THE AT&T BILL WAS FOR. BRENT BELIEVES THIS WAS THE FIRST TIME HE REALIZED THAT AT&T WAS NOW THE BILLING AGENT FOR 888-642-5663 INSTEAD OF US WEST WHICH WAS UNDER THE NAME LOWN HOUSE RESTAURANT. BRENT STEFFENS INFORMED FIRSTEL CUSTOMER SERVICE TO SEND THE PORT REQUEST TO AT&T INSTEAD OF US WEST.
JUNE 2, 1998	HOLLY ENGBRECHT OF FIRSTEL FAXED THE DESTINATION NUMBER INFORMATION SERVICE (DNIS) INFO TO LINDA AT MCI AS THE FINAL STEP IN PORTING OVER 888-642-5663 FROM AT&T.
JUNE 11, 1998	12:51:38 JOHN GRANT CALLED FIRSTEL CUSTOMER SERVICE FROM NEW YORK, ASSUMING WE WERE NOW THE BILLING AGENT FOR HIS 888-642-5663, TO INFORM US THAT WHEN HE CALLS THIS TOLL FREE NUMBER, HE GETS A RECORDING "THIS NUMBER HAS BEEN DISCONNECTED" TODD MCNAMARA OF FIRSTEL TOLD HIM THAT MAYBE THERE IS A BLOCK ON HIS TOLL FREE NUMBER, AND HE WILL LOOK INTO IT AND REMOVE THE BLOCK, IF THAT'S THE PROBLEM.
	14:58:27 FIRSTEL DISCOVERED THAT THE PORT OF 888-642-5663 STILL WAS NOT COMPLETE. BRENDA CLARK OF FIRSTEL CALLED LINDA GIBBBONS OF MCI, TO INQUIRE. LINDA SAID THAT AT&T REJECTED PORT SEVERAL TIMES FOR NAME MISMATCH. FIRSTEL THEN RE-SUBMITTED REQUEST TO PORT SEVERAL TIMES BUT WAS REJECTED AGAIN. LINDA, OF MCI, STATED THAT BECAUSE AT&T DISCONNECTED THEIR SERVICE, AN EXPEDITE PORT CAN BE DONE TO GET SERVICE RESTORED FOR CUSTOMER. FIRSTEL FAXED LINDA ALL THE NECESSARY INFO INCLUDING LOJ/DNIS LETTER AND A COPY OF CURRENT TOLL FREE SERVICE. LINDA WILL TRY TO RESTORE SERVICE TODAY.
	17:05:39 TODD MCNAMARA OF FIRSTEL LEFT A MESSAGE WITH JOHN GRANT THAT AT&T WILL NOT PORT 888-642-5663 TO FIRSTEL UNTIL PAYMENT HAS BEEN MADE BY JOHN GRANT.

JUNE 30, 1998	10:17:40
	JOHN GRANT'S BOOKKEEPER, DARREL, CALLED FIRSTEL CUSTOMER SERVICE TO INFORM US THAT 888-642-5663 WAS STILL NOT WORKING, SARAH NEWMAN TOLD HIM THAT AT&T WILL NOT RELEASE THIS NUMBER TO US UNTIL THEY PAY AT&T FOR THEIR OUTSTANDING BALANCE. SHE ADVISED HIM TO CALL AT&T AND TELL THEM THEY HAVE PAID THE OUTSTANDING BALANCE.
	13:58:26 DARREL CALLED FIRSTEL CUSTOMER SERVICE TO TELL THEM HE HAD TALKED TO AT&T AND CLEARED UP THE OUTSTANDING BALANCE ISSUE AND THAT AT&T WILL NOW RELEASE 888-642-5663 AND FIRSTEL CAN NOW ORDER THE PORT.
	16:49:50 HOLLY OF FIRSTEL CALLED DARREL TO INFORM HIM THE PORT SHOULD BE COMPLETE BY THE END OF TODAY.
JULY 1, 1998	BRENT STEFFENS CALLED THE 883-642-5663 NUMBER AND REPORTED THAT IT WAS WORKING AND REPORTED THIS TO DARRELL OF LOWN HOUSE.
가방 영상 문서 전 전 전 전 전 전 전 전 전 전 전 전 전 전 전 전 전 전	

JOHN GRANT REQUESTING REIMBURSEMENT FOR BUSINESS LOSS FROM MAY 12, 1998 TO JULY 10, 1998.

SERVICE WAS WORKING ON JULY 1, 1998 PER BRENT STEFFENS.



110 South Phillips • Suite 202 Sinux Falls, SD 57104-6727 605-335-6225 • Fax d05-335-7327

September 28, 1998

South Dakota Public Utilities Commission 500 East Capitol Pierre, SD 57

Attn: Karen Kremer, Staff Attorney RE: TC-98-149 Lown House/John Grant Complaint

Dear Karen:

I apologize for being out of town during the last regularly scheduled PUC meeting. As per your request, we have researched our files for all information relating to this account. Attached is a timeline, which identifies the steps that Firstel took in transferring this customer to our service.

In summary, there appears to be two problems that occurred during this transfer:

- We attempted to convert this account from US West to Firstel in March, April, and May of 1998. The name on the bill was 'John Grant'. We did not know that the number was served by AT&T until May 13, 1998, when we were notified, of an AT&T bill that the oustomer did not understand. We then discovered that the account name was 'Lown House' which was served by AT&T.
- 2) There was an outstanding balance on the AT&T account that prevented us from converting this number to our service. Of course, we had no knowledge of the customer's outstanding balance with another carrier until the transfer failed due to lack of payment on June 11, 1998. Also on June 11, the Lown House notified us that the number was disconnected. Once the balance was paid, AT&T released the number to Firstel on June 30, 1998. The number was promptly converted and working on July 1, 1998.

I would be happy to answer any further questions relating to this matter.

FIRSTEL, INC.

Neil Schmid Director, Regulatory Affairs

(Request Date)

RE: Account Number (CASS Acct ID)

Dear ATET Customer.

Thank you for taking the time today to discuss your ATET account. For your convenience, we are providing this letter to outline the payment schedule agreed upon. If you have already made your payment by credit card or Western Union Quick Collect/PhonePay, PLEASE DISREGARD this system-generated letter. If mailing your payment, the arrangement is as follows:

Payment Amount Payment Date(Promised amount 1)(Promised date 1)(Promised amount 2)(Promised date 2)(Promised amount 3)(Promised date 3)(Promised amount 4)(Promised date 4)(Promised amount 5)(Promised date 5)(Promised amount 5)(Promised date 6)

Please write your account number on your check or money order and mail by the date indicated above to:

(Lock Non Address Line 1 (ATET)) (Lock Box Address Line 2) (Lock Box Address Line 3)

We appreciate your cooperation and attention to this matter. In the Future, plazza mail all current charges upon receipt of each bill.

Following the arrangement will avoid further collection activity including possible referral to an outside collection agency.

If you find it necessary to contact our office, we can be reached at (AIC 800 number).

Sincarely,

ATET

PAyment Arragent Letter Sent 3-9-98 4 6-17-98

#### (Request Date)

Account Number: (CASE Acct ID) Total Due: (Current Balance Due)

Desr Valued Customer:

We are very concerned about your account. Our records indicate that you have an unpaid ATET bill in the amount of (Current Balance Dus) . Of which (Amount in which sent account into collections) is currently past due.

Please contact us immediately to make acceptable payment arrangements. These arrangements will require that all smounts due must be paid in full.

Without payment in full, access to the ATET Network may be interrupted for all services billed under this account number (including 800/858 and cellular services, if applicable).

If this outstanding balance is not paid, your account may also be subject to referral to an outside collection agency.

he advised that this may be our only contact regarding your past due ATST account.

Please call us now at 1 \$00 452-2246 to resolve this issue.

ATGT

Collection Letter Sent \$-2-98

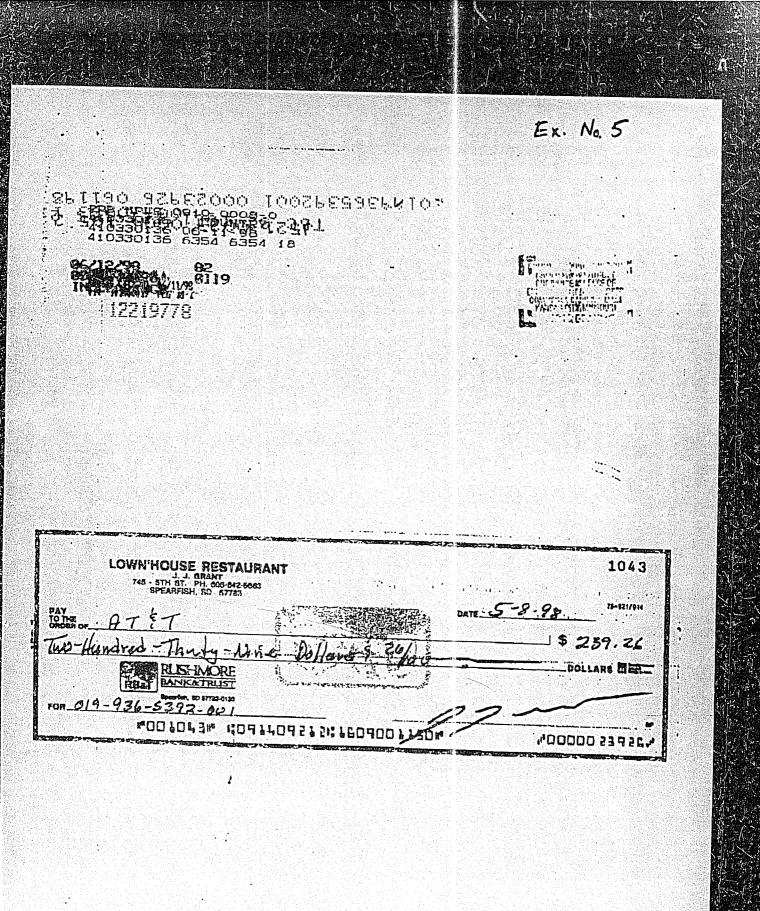
# NEXT

# DOCUMENT (S)

# **BEST IMAGE**

# POSSIBLE

SUBSCRIPTION AGREEMENT LOWN HOURS Sof Husiness: C Corporation C Parmership C Sols Proprietor - 745 5 CA SI In Sanili State: 21 Code: 57783 County: LAWTENCE Himmy Phond Number (605, 643 - 5663 Contest Person: John G + 44 C Contast Phones Billing Date: C No Preference C 1 28 C 15 C 22 Billing Address, if different: 5 aug Local Discharge Company: 115 (1): 32 Previous LD Provider: Outbound: City of e 6 :: 8001: AT + T Send Customer Pack to: \_\_\_\_Consultant \_\_\_\_Customer (Include address If different than above CREDIT INFORMATION WIE ITLINE SO SERVICE C/e Home A.Miress? Home Mindet ( Rete Plan: 10: Social Society Numbers Bent Name, Address & Acet 4: Associate Member Afiliate: Videral ID 9 Number of 800 Numi are Ordereds AUONE **OUTBOUND SERVICE** Designated Local Fill as Number (must be at actual Pac Codes for Security Code: \_\_\_\_Yes \_\_\_\_No location): (1) Tate 5-6-6-5-6-5 Fax Code: \_Yes \_\_\_No/Fax PAC Code: \_\_ Yes NA (If pac codes are requested, sitach a billing code form) Rain Plan: A PARTY SALES NU Yes KNO Tel management Reports Associate Member Affiliate: (Codob Yes ANO SE VICE Ares Resurfutions Yes No (1? yes, misch customer info shoet) Equal Access (1-700 Stickers needed \_\_\_\_) there were an internation of the second of t Answer Supervision Activition Pos: \$25.10 Yes \_KNo Monthly Service Fee: \$ \_\_\_\_\_ International Calling (If Yes box is not checked it will not be authorized) Monthly Blocking Pez: \$5.00 Yes XNo Telemanagement Reports (Option\_ و فاتو به ا Multi-Location Service C TRAVEL SERVICE Dialer - No. of Lines\_ (Attach form) sector there are a Number of Cards Existing Dialer? PAC Choise: \_\_\_\_\_ Yes \_\_\_\_ No (If yes, attach pac code form) OUTBOUND FEES Logo on Cards: \_\_\_\_\_ No (If yes, attach logo) Activation Fee: \$50.00 Yes No Nutites on Curds: \_\_\_Yes \_\_\_No (If yes, attach list) Monthly Service Fee: Outbound \$\_ Dialet For: S OHN GrANE Consultant Signature: Print Name TILC: DWNEF autiliant Number Authorized Signature: X Subject to Crydit Approval by Firstel NOTER CTAY & YHUS CAL . (TRAIL & ANT COPY . FURL - CUSTOMINE COPY



and a second second

AT&T COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: November 22, 1994

TARIFF F.C.C. NO. 1 7th Revised Page 23 Cancels 6th Revised Page 23 Effective: December 6, 1994

2.3. RESPONSIBILITIES OF THE COMPANY

#### 2.3.1. Liability

A. The Company's liability, if any, for its willful misconduct is not limited by this tariff. With respect to any other claim or suit, by a Customer or by any others, for damages associated with the installation, provision, termination, maintenance, repair or restoration of LDMTS, and subject to the provisions of B. through G. following, the Company's liability, if any, shall not exceed an amount equal to the initial period charge provided for under this tariff for the LDMTS call for the period during which the call was affected. This liability for damages shall be in C addition to any amounts that may otherwise be due the Customer under this tariff as a credit allowance (see Credit Allowances for Interruptions, page 29).

3. The Company is not liable for damages associated with service, channels, or equipment which it does not furnish.

C. The Company is not liable for damages to a premises resulting from the furnishing of LDMTS, including the installation and removal of equipment and associated wiring, unless the damage is caused by the Company's negligence.

D. The Company shall be indemnified, defended, and held harmless by the Customer and User against all claims, losses, or damages arising from the use of LDMTS furnished pursuant to this tariff, involving:

1. Claims for libel, slander, invasion of privacy, or infringement of copyright arising from any communication;

2. Claims for patent infringement arising from combining or using LDMTS furnished by the Company in connection with facilities or equipment furnished by others; or

3. All other claims arising out of any act or omission of others relating to LDMTS provided pursuant to this tariff.

E. The Company does not guarantee or make any warranty with respect to LDMTS when used in an explosive atmosphere. The Company shall be indemnified, defended, and held harmless by the Customer and User against all claims, losses or damages by any person relating to LDMTS provided pursuant to this tariff when used in an explosive atmosphere. ATET COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: April 26, 1994

TARIFF F.C.C. NO. 1 2nd Revised Page 24 Cancels 1st Revised Page 24 Effective: April 27, 1994

## 2.3.1. Liability (continued)

F. No license under patents (other than the limited license to use) is granted by the Company or shall be implied or arise by estoppel, with respect to any service offered under this tariff. The Company will defend the Customer and User against claims of patent infringement arising solely from the use by the Customer or User of LDMTS offered under this tariff and will indemnify such Customer or User for any damages awarded based solely on such claims.

G. The Company's failure to provide or maintain service under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, acts of, God, and other circumstances beyond the Company's reasonable control, subject to the Credit Allowances for Interruptions provisions of this tariff.

Issued on not less than one day's notice under authority of Special Permission No. 93-672.

Printed in U.S.L.

AT&T COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: September 3, 1997 TARIFF F.C.C. NO. 1 13th Revised Page 178.65.43.1 Cancels 12th Revised Page 178.65.43.1 Effective: September 4, 1997

#### 6.13.4. ATET CustomNet Service ~ Option S

A. General - AT&T CustomNet Service - Option S permits Customers to select the usage rate schedules and optional Term Plans specified in Sections 6.13.4.C and D., following, for their AT&T CustomNet Service outbound and/or inbound calling in lieu of the usage rate schedules, Term Plans and Flex Plans specified in Section 6.13.1., preceding. Option S does not include certain features, as specified below, that are offered under the basic AT&T CustomNet Service. The Option S domestic usage rate schedules provide distinct Peak/Off-Peak, Postalized usage rates associated with specified Gross Monthly Minimum Revenue Commitments, as selected by the Customer. Option S Term Plan discounts are provided in return for 12month, 24-month or 36-month term commitments from the Customer.

The Option S Customer must subscribe to a Gross Monthly Minimum Revenue Commitment under Option I, Option II, Option III, Option IV, Option V, Option VI, or Option VII specified in Section G.13.4.B., following.

The AT&T CustomNet Service features not available with Option S are: the NPA Discount, specified in Section 6.13.1.B.5. preceding; the Volume Discount, specified in Section 6.13.1.B.6. preceding; the Service Term Plan, specified in Section 6.13.1.B.7. preceding; the usage rate schedules associated with the Inward Calling Option, specified in Section 6.13.1.B.8. preceding; the Location-to-Location Discount Plan, specified in Section C 6.13.1.B.9. preceding; AT&T CustomNet Service Flex Plan, specified in Section 6.13.1.B.10. preceding; the AT&T CustomNet International Optimizer, specified in Section 6.13.2. preceding; AT&T NetPROTECT Advanced, NetPROTECT Premium and NetPROTECT PLUS Services specified in Section 5.7., Section 5.8. and Section 5.9., preceding; the MAXIMUM ADVANTAGE Promotion, specified in Section 8.1.1.432., following; AT&T Partners In Business Program specified in AT&T Tariff F.C.C. No. 2, Section 3.3.4.; Vertical Features specified in AT&T Tariff F.C.C. No. 2, Section 3.3.2.L.; and AT&T CustomNet Geographical Restriction Feature specified in Section 6.13.1.B.11. preceding.

All other tariff rates and regulations applicable to AT&T CustomNet Service also apply to Option S, except that Option S is not available to Service Type 2 Locations and the Monthly Charge specified in Section 6.13.1.B.2. preceding does not apply to Customers subscribing to Option S. \*In addition, the Uninterrupted Service Guarantee and Uninterrupted Service Guarantee II as specified in AT&T Tariff F.C.C. No. 2, Sections 2.6.5. and 2.6.7. will apply 30 minutes after AT&T confirms that the options described in Sections 2.6.5. and 2.6.7. are available, except as noted below and except for Option VII. The Uninterrupted Service Guarantee and the Uninterrupted Service Guarantee II specified in AT&T Tariff F.C.C. No. 2 are not available to Option VII Customers.

\* For those Customers subscribed to or who have on order, the AT&T CustomNet Service -Option S prior to January 30, 1995, the Uninterrupted Service Guarantee and Uninterrupted Service Guarantee II, as specified in AT&T Tariff F.C.C. No. 2, Sections 2.6.5. and 2.6.7., will apply. For Customers who subscribe to AT&T CustomNet Service - Option S, (excluding Option VII), after January 29, 1995 the Uninterrupted Service Guarantee and Uninterrupted Service Guarantee II as specified in AT&T Tariff F.C.C. No. 2, Sections 2.6.5. and 2.6.7. will apply 30 minutes after AT&T confirms that the options described in Sections 2.6.5. and 2.6.7. are available. Customers subscribed to or who error an AT&T Contract Tariff that includes the availability of AT&T CustomNet Service Option S, (excluding Option VII), will continue to have the Uninterrupted Service Guarantee and Uninterrupted Service Customer II. as specified in AT&T Tariff F.C.C. No. 2, Sections 2.6.7., available until the end of their current Contract Tariff tern.

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ATET COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: May 3, 1996 
 TARIFF F.C.C. NO. 1

 14th Revised Page 178.65.43.2

 Cancels 13th Revised Page 178.65.43.2

 Effective: May 6, 1996

#### 6.13.4. ATFT CustonNet Service - Option S (continued)

Option VI - The Monthly Charges and Volume Discount specified in Section 6.13.4.C.4. following apply to Customers who subscribe to Option VI. In addition, Customers who subscribe to Option VI: (1) are not eligible for any tariffed Guarantees applicable to Option S; (2) are not eligible to subscribe to the Option S Term Plan specified in 6.13.4.D. following; and (3) may not exceed ten locations served by AT&T CustomNet Service - Option S, Option VI. All locations in excess of ten will be billed the applicable rates for Option I and are not eligible to receive the Option VI Volume Discount specified in 6.13.4.C.4. following and are not eligible to receive the Promotional benefits specified in 8.1.1.825 following.

Option VII\* - The Monthly Charges specified in Section 6.13.4.C.5. Sx following apply to Customers who subscribe to (ption VII. In addition. Customers who subscribe to Option VII: (1) are eligible only for the Promotional benefits specified in 8.1.1.927 or 8.1.1.926 following; (2) are not eligible for any other current promotions applicable to Option S and are not eligible for any future promotion(s) that may be spplicable to Option S unless the promotion explicitly states that it applies to Option VII; (3) are not eligible for any tariffed Guarantees applicable to Option S: (4) are not eligible to subscribe to the Option S Term Plan specified in 6.13.4.D. following; and (5) may not exceed ten locations served by ATAT CustomNet Service - Option S, Option VII. All locations in excess of ten will be billed the applicable rates for Option I and are not eligible to receive the Option VII Volume Discount specified in 6.13.4.C.5. following and are not eligible to receive the Promotional benefits specified in B.1.1.927 and B.1.1.928 following; (6) are not eligible to subscribe to the AT&T Advanced 800 Service Features specified in AT&T Tariff F.C.C. No. 2; (7) may not subscribe to Option VII for use in conjunction with AT&T CustomNet Service - Option S provided under AT&T Contract Tariff unless the AT&T Contract Tariff explicitly states that it applies to Option VII; (8) are subject to the Late Payment Charge specified in 6.13.4.b.5 following; (9) are not eligible to subscribe to the Mandatory and Validated Account Codes Option specified in 6.24 following; (10) are not eligible to receive an AT&T CIID/891 Calling Card with a Personal Choice Card Number.

A request for maintenance may be submitted to AT&T only from 8AM to 5PM, Monday through Friday, oxcluding Federally observed holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day, which fall on a weekday Monday through Friday. Maintenance activities will normally be started by AT&T before 5PM on the same day the request is received and AT&T will continue activities after 5PM when necessary to complete such requested maintenance.

\* Option VII is not available to new Customers who do not have Option VII on order by Cy May 6, 1996. AT&T Contract Tariffs in effect, or pending, on May 6, 1996, which include the ... availability of Option VII are not affected by this provision. Option VII benefits do not Cy extend beyond the current term of the Contract Tariff unless otherwise provided herein. Sx.

x Material filed under Transmittal No. 9919 is scheduled to become effective on May 6, 1996. Y Issued on not less than one day's notice under authority of Special Parmission No. 95-0430.

Printed in U.S.A.

#### AT&T COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: October 29, 1996

TARIFF F.C.C. NO. 1 2nd Revised Page 178.65.43.2.1 Cancels 1st Revised Page 178.65.43.2.1 Effective: October 30, 1996

C

#### 6.13.4. ATET CustomNet Service - Option 5 (continued)

B. Minimum Monthly Revenue Commitment - The Gross Monthly Minimum C Revenue Commitment (GMMRC) applies as specified under Option I, Option II, C Option III, Option IV, Option V and Option VI below. Usage rate schedules associated with the specific Option subscribed to by the Customer apply as specified in Section 5.13.4.C.1., following.

#### Gross Monthly Minimum Revenue Commitment

Option I	\$200.00	per monthly	billing	period
Option II	\$1,000.00	per monthly	billing	period
Option III	\$5,000.00	per monthly	billing	period
Option IV	\$3,000.00	per monthly	billing	period
Option V	\$7,000.00	per monthly	billing	period
Option VI		per monthly		
Option VII	\$0.00	per monthly	billing	period

The GMMRC is based on gross monthly usage charges (prior to the application C of AT&T CustomNet/ACAP and AICAP discounts) for eligible calls billed to the Customer's Option S Main Billed Account. Except as specifically excluded below, eligible calls are: intrastate, interstate and international Dial Station calls; Customer Dialed AT&T CIID/891 Calling Card calls and inward calls billed to the Customer's Option S Main Billed Account. Service charges associated with Customer Dialed AT&T CIID/891 Calling Calling Card calls are included as eligible charges under Option S. Charges for eligible calls are used in determining if the Customer's Custo

Charges for the following types of calls are not included in determining the Customer's Option S monthly usage charges: Operator Handled calls; Directory Assistance calls; calls completed using AT&T Directory LINK Service; Special Service Codes 500, 700 and 900 calls; 976 calls; Conference Services Calls; cellular access calls; calls to the Atlantic, Pacific and Indian Ocean Regions via AT&T Maritime Mobile Service.

1. Seasonality Provision - If the GMMRC is not met for one or more C billing periods, the Customer is subject to payment of a Shortfall Charge. In determining if a Shortfall Charge applies, the Customer's gross monthly C usage charges will be averaged over a consecutive 12 full month billing period beginning with the Customer's first full months billing for Option S and each consecutive 12 full month billing period thereafter. If the Customer's average monthly billing is less than the GMMRC, the Customer C will be billed a Shortfall Charge equal to the difference between the GMMRC and the average monthly billed usage charges, times 12. If the Customer C discontinues service prior to the completion of the 12 consecutive full billing months, the Customer's gross monthly usage charges will be averaged C over the actual number of full billing months that Option S was furnished to the Customer. If the Customer's average morthly billing is less than the GMMRC, the Customer will be billed a Shortfall Charge equal to the C difference between the GMMRC and the average monthly billed usage charges C times the actual number of months that Option S was furnished to the Customer. ATAT COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: October 10, 1997 TARIFF F.C.C. NO. 1 11th Revised Page 178.65.43.3 Cancels 10th Revised Page 178.65.43.3 Effective: October 11, 1997

#### 6.13.4. AT&T CustomNet Service - Option S (continued)

#### C. Rates and Charges

1. Domestic Charges and Canada Inward Calling Charges - The following rates and charges apply to:

(a) Domestic Dial Station Calls - Calls from locations of the Customer in the Mainland or Hawaii to stations throughout the United States, Guam, CNMI, Puerto Rico and the U.S. Virgin Islands.

(b) Customer Dialed ATET CIID/891 Calling Card Domestic Calls -Calls between stations throughout the United States, Guam, CNMI (except for calls from Alaska) and from Puerto Rico and the U.S. Virgin Islands that are billed to the Customer's Option S Main Billed Account in the Mainland or Hawaii. Service Charges apply as specified in Section 6.13.4.C.3., following.

(c) Inward Calling - Calls from stations located within the United States, Guam, CNMI, Puerto Rico, the U.S. Virgin Islande and Canada to locations of the Customer in the Mainland and Hawaii. Inward calls from stations outside of such areas will be blocked. All tariff terms, regulations and charges specified for Inward Calling under the Inward Calling Option (Section 6.13.1.B.1.8.) also apply to Option S inward calling, except for the Inward Calling usage charges and the Monthly Service Charge and except that the AT&T Advanced 800 Service Features specified in AT&T Tariff F.C.C. No. 2, are not available to Customers subscribed to Option VII. The Monthly Service Charge is \$10.00 for Option S Inward Calling per routing arrangement, except as specified in Sections 6.13.4.C.4. following. **ATET COMMUNICATIONS** Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: January 23, 1998

TARIFF F.C.C. NO. 1 15th Revised Page 178.65.43.4 Cancels 14th Revised Page 178.65.43.4 Effective: January 24, 1998

5.13.4.C.1. (d) Option I through Option VII Usage Charges

(d) Option I through Option VII Usage Charges - Calls are charged at a 30 second minimum per call. Usage over the initial 30 seconds will be charged per 6 second increments or fraction thereof per call. Peak Period rates apply Monday through Friday, from 8am to, but not including, 5pm. Off-Peak Period rates apply for all other hours not included within the Peak Period.

		Per Mi	nute Rates		
		Penk	Off-Peak		
Option I**	<u>Mileage</u>	Period	Period		
Dial Station Calls	All	\$.2880	e 0000	N	
Calling Card Calls	All	\$.3600	\$.2220 \$.2940		
Inward Calls	AII	\$.3300	\$.2640	が開始	
- Canada Inward Calls	٨11	\$.9420	\$.9420		
Option II**		사업 것은 것 같은 것이다.			
Dial Station Calls	A11	\$.2760	\$.2220	N	
Calling Card Calls	AÎÎ	\$.3540	\$.2880	1943년 314 1943년 314	
Inward Calls	A11	\$.3180	\$.2880		
- Canada Inward Calls	A11	5.9420	\$.9420		
Option III**					
Dial Station Calls	A11	\$.2700	A 2144	N	
Calling Card Calls	A11	\$.3480	\$.2100		
Inward Calls	All	\$.3060	\$.2820 \$.2460		
- Canada Inward Calls	A11	\$.9420	\$.2460 \$.9420		
Option IV**					
Dial Station Calls	A11	\$.2760	\$.2220	N	
Calling Card Calls	A11	\$.3540	\$.2880		
Inward Calls	A11	\$.3180	\$.2580		
- Canada Inward Calls	All	\$.9420	\$.2380 \$.9420		
Option V**		같은 가지 않는 것 같은 것가 같은 것 같은 것 같은 것 같은 것 같이 있다.			
Dial Station Calls	A11	\$.2700	\$.2100	N	
Calling Card Calls	All	\$.3480	\$.2820		
Inward Calls	A11	\$.3060	\$.2460		
- Canada Inward Calls	All	\$.9420	\$.9420		
Option VD		김 은 김 노벨을 받는 것		이 사람이 있다. 2013년 1월 1일 (1997년) 2919년 1월 1일 (1997년)	
Dial Station Calls	A11	\$.2650	\$.2650		
Calling Card Calls	A11	\$.3050	\$.3050		
Inward Calls	A11	\$.3230	\$.3230		
- Canada Inward Calls	All	\$.9250	\$.9250		
Option VII*		승규는 것 같아요?			
Dial Station Calls	A11	\$.2880	\$.2220		
Calling Card Calls	A11	\$.3600	\$.2940	고 말 같 같	
Inward Calls	A11	\$.3000	\$.2340		
- Canada Inward Calls	A11	\$.9420	\$.9420		
승규는 가슴에 많은 것을 가슴 가슴을 가슴다.			아내는 동안을 정말했는 것이 없다.		

\* Option VII is not available to new Customers who do not have Option VII on order by May 6, 1996. ATLT Contract Tariffs in effect, or pending, on May 6, 1996, which include the availability of Option VII are not affected by this provision. Option VII benefits do not extend beyond the current term of the Contract Tariff unless otherwise provided herein.

\*\* Options I, II, III, IV, and V are not available to new Customers who do not have these Options on order by January 24, 1998. ATAT CONTRACT TARIERS in effect, or pending, on January 24, 1998, which include the availability of these Options are not affected by this provision. Option I, II, III, IV, and V benefits do not extend beyond the current term of the Contract Tariff unless otherwise provided herein.

Printed in U.S.A.

ATET COMMUNICATIONS Adm. Rates and Tariffs Bridgewater, NJ 08807 Issued: June 27, 1997 TARIFF F.C.C. NO. 1 6th Revised Page 178.65.43.15 Cancels 5th Revised Page 178.65.43.15 Elfective: June 30, 1997

6.13.4.C Rates and Charges (continued)

3. Service Charge - A Service Charge is applicable to Customer Dialed AT&T CIID/891 Calling Card calls. This charge is in addition to the usage charges applicable to a call.

- From stations in the Mainland, Guam, CNMI or Hawaii to stations C throughout the United States, Puerto Rico, the U.G. Virgin Islands, Canada or Mexico.

Domestic, Canada and Mexico Customer Dialed AT&T CIID/891 Calling Card Calls Service Charge

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 To/from locations in the Mainland, Guam, CNMI or Hawaii and Overseas C Countries/Areas specified in Section 6.13.4.C.2., preceding.

Overseas Country/Area AT&T	
CIID/891 Calling Card Calls Servi	ce_Charge
Customer Dialed/Automated \$2	.15
Customer Dialed and	
Operated Assisted \$2	.65
Customer Dialed-Operator	
must Assist	.65

4. Option VI - Monthly Charges and Volume Discount

(a) Monthly Charges - Monthly charges are applicable to Option VI as specified below.

A monthly charge of \$5.00 applies per Option VI Main Billed Account. A credit of \$5.00 will be applied to the Customer's bill each month in which the Option VI eligible gross monthly usage charges billed to the Customer's Main Billed Account equal or exceed \$5.00 for that billing month.

A monthly charge of \$5.00 applies for Option VI Inward Calling per routing arrangement in lieu of the Inward Calling Monthly Service Charge specified in Section 6.13.4.C. (c) preceding.

(b) Volume Discount - A volume discount applies to Option VI as specified below.

The Customer will receive a 30% discount based on the Option VI eligible gross monthly usage charges each billing month in which the Customer's Option VI eligible gross monthly usage charges equal or exceed \$25.00. The discount is not applied on an incremental basis, the same percent discount will be applied to every dollar of eligible usage, except that no discount will apply to monthly amounts above \$6000.

Printed in U.S.A.

CUSTOM NETWORK SERVICE TARIFF Section 1 Original Page 1

State of South Dakota

Issued: November 23, 1993

### Effective: November 24, 1993

APPLICATION OF TARIFF

### 1.1 APPLICATION

This tariff contains the regulations and rates applicable to Custom Network Service furnished by AT&T Communications of the Midwest, Inc., hereinafter referred to as the Company, between two stations in the state of South Dakota.

### 1.1.1 Jurisdiction

Jurisdiction refers to the classification of a Custom Network Service call as intrastate or interstate. Jurisdiction is a matter of law not of Company discretion or policy or customer preference. The law describing what constitutes interstate jurisdiction is the Communications Act of 1934, as amended. Some portions of this service are only subject to the jurisdiction of the Federal Communications Commission (F.C.C.). This tariff covers the portion of this service that is subject to the South Dakota Public Utilities Commission's Jurisdiction.

CUSTOM NETWORK SERVICE TARIFF

Section 2 Original Page 5

State of South Dakota

Issued: November 23, 1993

Effective: November 24, 1993

GENERAL REGULATIONS

- 2.6 RESPONSIBILITIES OF THE COMPANY
- 2.6.1 Liability
  - A. The Company's liability, if any, for its willful misconduct is not limited by this tariff. With respect to any other claim or suit by a customer or by any others for damages associated with the installation, provision, termination, maintenance, repair or restoration of Custom Network Service and subject to the provisions of B. through H. following, the Company's liability, if any, shall not exceed an amount equal to the initial period charge provided for under this tariff for the Custom Network Service call for the period during which the call was affected.
  - The Company is not ligble for damages associated with service, Β. channels or equipment which it does not furnish.
  - C. The Company is not liable for damages to a premises resulting from the furnishing of Custom Network Service, including the installation and removal of equipment and associated wiring, unless the damage is caused by the Company's negligence.
  - "he Company shall be indemnified, defended and held harmless by the customer and user against all claims, losses or damages D. arising from the use of Custom Network Service furnished pursuant to this tariff, involving:
    - Claims for libel, slander, invasion of privacy or 1. infringement of copyright arising from any communication.
    - 2. Claims for patent infringement arising from combining or using Custom Network Service furnished by the Company in connection with facilities or equipment furnished by others.
    - 3. All other claims arising out of any act or omission of others relating to Custom Network Service provided pursuant to this tariff.

#### CUSTOM NETWORK SERVICE TARIFF

Section 2 Original Page 6

State of South Dakota

Issued: November 23, 1993

Effective: November 24, 1993

#### GENERAL REGULATIONS

2.6 RESPONSIBILITIES OF THE COMPANY (Cont'd)

- 2.6.1 Linbility (Cont'd)
  - E. The Company does not guarantee or make any warranty with respect to Custom Network Service when used in an explosive atmosphere. The Company shall be indemnified, defended and held harmless by the customer and user against all claims, losses or damages by any person relating to Custom Network Service provided pursuant to this tariff when used in an explosive atmosphere.
  - F. No license under patents (other than the limited license to use) is granted by the Company or shall be implied or arise by estoppel with respect to any service offered under this tariff. The Company will defend the customer and user against claims of patent infringement arising solely from the use by the customer or user of Custom Network Service offered under this tariff and will indemnify such customer or user for any damages awarded based solely on such claims.
  - G. The Company's failure to provide or maintain service under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, acts of God and other circumstances beyond the Company's reasonable control.
  - H. The Company shall not be liable for errors in transmitting, translating, receiving or delivering messages by telephone, Text Telephone (TT) or any other instrumentality over the facilities of the Company, connecting utilities or through a Telecommunications Relay Service (TRS) center.

State of South Dakota

Issued: June 25, 1998

CUSTOM NETWORK SERVICE TARIFF

Section 2 3rd Revised Page 8

(D)

(D)

Effective: June 26, 1998

GENERAL REGULATIONS

2.8 PAYMENTS AND CHARGES

The applicable rates and charges are contained in the Custom Network Service RATE LIST.

2.8.1 Application of Charges

The rates and charges that are in effect in this tariff when Custom Network Service is furnished are the rates and charges used to determine the customer's bill.

2.8.2 Payment of Charges

Payment for Custom Network Service is due upon presentation of the bill. Custom Network Service may be denied for nonpayment of a bill, as specified in Violation of Regulations following.

2.8.3 Deposits

See AT&T's Tariff F.C.C. Nos. 1 and 2.

2.8.4 Payphone Use Charge

In addition to all other charges for Custom Network Services under this tariff, a non-discountable Payphone Use Charge shall apply to each coinless call which AT&T can identify as placed from a domestic payphone by or to the Customer or its permitted users. See AT&T Tariff F.C.C. Nos. 1 and 2 for terms, conditions and exclusions. This charge is for the use of the payphone instrument to access AT&T services.

Refer to The Rate List.

2.9

## USE OF ANOTHER MEANS OF COMMUNICATIONS

If the customer elects to use another means of communication during the period of interruption, the customer must pay the charges for the alternative service used.

CUSTOM NETWORK SERVICE TARIFF

Section 2 6th Revised Page 23

(N)

State of South Dakota

Issued: June 28, 1996

Effective: July 1, 1996

GENERAL REGULATIONS

2.11 RATE DETERMINATION (Cont'd)

2.11.5 Volume Discounts

Volume Discounts may apply to intrastate usage revenue for the Custom Network Services listed below. These discounts are subject to the terms and conditions as outlined in the appropriate F.C.C. Tariffs.

AT&T CUSTOM NETWORK SERVICES

AT&T 800 READYLINE AT&T MEGACOM WATS Service\* AT&T MEGACOM 800 Service Software Defined Network Service AT&T One Line WATS in Minnesota Distributed Network Service (DNS) AT&T CustomNet AT&T OPTIMUM AT&T 800 Gold Service AT&T UNIPLAN AT&T 800 Plan P AT&T Commercial Long Distance Service AT&T PRO WATS/Plan Q Service AT&T Virtual Telecommunications Network Service AT&T Clear Advantage Service Switched Digital Service

\* For customers who subscribe to the Multilocation Calling Plan (MLCP) found in AT&T's Tariff F.C.C. No. 1, additional discounts will apply to intrastate usage.

2.12 VIOLATION OF REGULATIONS

The Company may take immediate action to protect its services or interests when certain regulations contained in this tariff are violated. The specific regulations involved and the action(s) which will be taken by this formany are as specified following.

#### CUSTOM NETWORK SERVICE TARIFF

Section 2 Original Page 24

State of South Dakota

Issued: November 23, 1993

#### Effective: November 24, 1993

GENERAL REGULATIONS

#### 2.12 VIOLATION OF REGULATIONS (Cont'd)

2.11.1 Interference, Impairment or Improper Use

The Company may temporarily restrict service immediately when the customer violation.

- Circumvents the Company's ability to charge for its services as specified in Fraudulent Use preceding.
- Results in an immediate harm to the Custom Network Service network or other Company services as specified in Minimum Protection Criteria preceding.

In such cases, the Company will make a reasonable effort to give the customer prior notice before restricting service.

If a customer fails to comply, as specified in Use, Answer Supervision, Customer-Provided Communications System Failures and Minimum Protection Criteria preceding, the Company may on ten days written notice by certified U.S. Mail to the customer deny requests for additional service and/or testrict service to the noncomplying customer. If the Company does not deny or testrict the service involved on the date of the ten days notice, and the customer's noncompliance continues, nothing contained herein shall preclude the Company's right to deny or restrict the service without further notice.

When a violation results in a denial for additional service and/or restriction of service, the denial and/or restriction will be removed when the customer is in compliance with the regulation and so advises the Company.

2.12.2 Nonpayment of Charges

The Company may deny and/or restrict Custom Network Service for nonpayment of charges due as specified in Fayment of Charges preceding. A written notice will be sent to the customer at least five days in advance of the restriction and/or denial of Custom Network Service. Upon payment of charges, the restriction and/or denial of Custom Network Service will be removed.

CUSTOM NETWORK SERVICE TARIFF

Section 23 4th Revised Page 1

State of South Dakota

lssued: April 8, 1998

#### Effective: April 9, 1998

AT&T CUSTOMNET SERVICE

#### 23.1 DESCRIPTION

AT&T CustomNet Service is a custom network service that permits customer dialed outward and inward dialed calling from single or (0) multiple locations of the customer in the state. Calls originated over special or cellular access will be treated as Service Type 1 (Ċ) locations for the application of tariff rates, charges and regulations. Two types of service locations can be specified for AT&T CustomNet Service. A Service Type 1 location and Service Type 2 location with a single billing telephone number. A combined Outward Calling and Inward Calling Discount Option, CustomNet Option S, Simply Better Pricing Option and AT&T CustomNet Service Flexible Pricing Plan are also available as specified below. The customer (C) must subscribe to AT&T CustomNet Service for outward calling. (C) Service is furnished to customers who simultaneously subscribe to interstate AT&T CustomNet Service, where facilities and billing capabilities permit. Intractate service is an add-on to the interstate AT&T CustomNet Service. All terms, conditions, features, functions, discounts, installation and monthly charges, except intrastate usage, will apply as described in AT&T's Tariff F.C.C. Nos. 1 and 2. The AT&T CustomNet Service NPA discount will not apply to inward calling.

### 23.1.1 VOLUME DISCOUNT

The volume discount is applicable to the total net monthly charges for intrastate, interstate and international direct dialed calls billed to the customer's AT&T CustomNet Service Main Billed Account. Inward calling usage charges are included in the net monthly usage charges when applicable.

Refer to the RATE LIST.

# 23.2 COMBINED OUTWARD CALLING AND INWARD CALLING DISCOUNT OPTION

This optional plan provides discounts based on total AT&T CustomNet Service usage charges incurred for outward calling from a single location or multiple locations and inward calling to a single location or multiple locations billed to the customer's Main Billed Account.

CUSTOM NETWORK SERVICE TARIFF Section 23 2nd Revised Page 2

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State of South Dakota

Issued: September 13, 1994

Effective: September 14, 1994

ATET CUSTOMNET SERVICE

23.3 CUSTOMNET SERVICE - OPTION S

CustomNet Service - Option S is a custom switched telecommunications service which permits customer dialed outward and/or inward calling from single or multiple locations of the customer in the state to a station within the state.

23.4 RATES AND CHARGES

Refer to the RATE LIST.

23.4.1 Directory Assistance

See Directory Assistance, Section 5

ATET Communications CUSTOM NETWORK of the Midwest, Inc. SERVICE TARIFF

Effective: July 30, 1997

State of South Dakota

Issued: July 29, 1997

ATET CUSTOMNET SERVICE

Outward Calling Service Type 1

Initial 30 Seconds Each Additional Second or Fraction or Fraction Evening N/W Day Day NW Evening InterLATA (N) Dedicated \$.0660 \$.0660 \$.0660 \$.0022 \$.0022 \$.0022 (N) Switched .0900 .0720 .0720 .0030 .0024 .0024 IntraLATA (N) Dedicated .0660 .0660 .0660 .0022 .0022 .0900 .0720 .0720 .0030 .0024 (N) .0022 Switched .0024 Outward Calling Service Type 2 (C) .0720 .0720 .0030 .0720 .0720 .0030 InterLATA .0900 .0024 .0024 IntraLATA .0900 .0024 .0024 (Ċ) Volume Discount \$ \$ 0.00 - \$ 25.00 Over \$ 25.00 - \$1,000.00 0% 10% Over \$1,000.00 152 Inward Calling Service Type 1 (C)

	Init	Initial 30 Seconds			Each Additional Second		
Plan A <u>InterLATA</u> Dedicated Switched	<u>Day</u> \$.0660 .1200	Evening \$.0660 .0960	<u>N/W</u> \$.0660 .0960	Day \$.0022 .0040	Evening \$.0022 .0032	<u>N/W</u> \$.0022 .0032	(N) (C)
IntraLATA Dedicated Switched	.0660 .1200	.0660 .0960	.0660 .0960	.0022 .0040	.0022 .0032	.0022 .0032	(N)   (N)

		Ir	itial Secon	ds	Each Addit	ional Sec	'O) hnor	
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#### Option S

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	Day	Evening	N/W	
- Inward Calling Options I - V	\$.2750	\$.2750	\$.2750	
- Inward Calling Option VI	.3090	.3090	.3090	
- Outward Calling Options I - V	.2580	.2580	.2580	
- Outward Calling Option VI	.2580	.2580	.2580	
- Options I, II, III, IV, V and VI				
- AT&T CIID/891 Card	.2580	.2580	.2580	
AT&T CIID/891 Card Serv	ice Charg	ze		

S.80

(C)

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

1

IN THE MATTER OF THE COMPLAINT FILED BY LOWN HOUSE RESTAURANT, SPEARFISH, SOUTH DAKOTA, AGAINST AT&T COMMUNICATIONS OF THE MIDWEST, INC. AND FIRSTEL, INC. REGARDING CUSTOMER SERVICE ISSUES ORDER DISMISSING COMPLAINT AND CLOSING THE DOCKET TC98-149

On August 27, 1998, the Public Utilities Commission (Commission) received a complaint filed by Lown House Restaurant, Spearfish, South Dakota (Complainant), against AT&T Communications of the Midwest, Inc. (AT&T) and FirsTel, Inc (FirsTel). Complainant alleges a variety of customer service issues against AT&T and FirsTel. The Complainant is requesting that it be reimbursed for its business losses in the \$8,000 to \$9,000 range.

Pursuant to ARSD 20:10:01:08.01 and 20:10:01:09, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint.

On September 23, 1998, the Commission considered this matter. It was deferred so that the parties could submit additional information. On October 15, 1998, at a duly noticed meeting, the Commission again heard from the parties. Commission Staff recommended a finding of probable cause. The Commission found that there was probable cause of an unlawful or unreasonable act, rate, practice, or omission and ordered that the complaint be forwarded to AT&T and FirsTel and AT&T and FirsTel file with the Commission its answer in writing within twenty (20) days of service of this order. FirsTel filed its answer on November 16, 1998, and AT&T filed its answer on November 17, 1998. At its regularly scheduled August 17, 1999, meeting, Commission Staff informed the Commission that the Complainant had settled the matter with all parties and wished to have the matter dismissed.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-13-1, 49-13-4, 49-13-13, 49-13-14.1, 49-31-3, 49-31-7, 49-31-7.1, 49-31-11, and ARSD 20:10:01:08.01 and 20:10:01:09. The Commission voted unanimously to dismiss the complaint and close the docket. It is therefore

ORDERED, that this complaint be dismissed and the docket be closed.

Dated at Pierre, South Dakota, this <u>Autor</u> day of August, 1999.

CERTIFICATE OF SERVICE The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon. (OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

JAMES A. BURG. Chairman

PAM NEŁSON, Commissioner

LASKA SCHOENFELDER, Commissioner

LAW OFFICES RITER, MAYER, HOFER, WATTIER & BROWN, LLP Professional & Executive Building 319 South Coteau Street P.O. Box 280 Pierre, South Dakota 57:501-0280

R. C. RITER (1912-1994) E. D. MAYER ROBERT D. HOFER ROBERT C. RITER, JR. JERRY L. WATTIER JOHN L. BROWN TELEPHONE 605-224-5825 FAX 605-224-7102

TRAVIS B. JONES, ASSOCIATE

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

RECEIVED

007 14 1539

October 12, 1999

Ms. Karen Cremer Public Utilities Commission 500 E. Capitol Pierre, SD 57501

> Re: In the Matter of the Complaint Filed by Lown House Restaurant, Spearfish, South Dakota, Against AT&T Communications of the Midwest, Inc., and Firstel, Inc. Regarding Customer Services Issues TC 98-149

Dear Karen:

I understand you still have the above file; hence, enclosed herewith please find original Stipulation, with attached Order for Dismissal with prejudice. I know the Commission previously entered a dismissal, but enclose this document as it reflects Mr. Grant's signature and that of our client.

I do not know if you want the Order signed, but would think it appropriate if there has not been a specific Order already entered.

If the Order is entered, I would appreciate it if you would provide me with a file stamped copy of it so I can forward it to Mr. Grant. If you need more copies, please advise and I will get those to you.

Thank you.

Very truly yours,

RITER, MAYER, HOFER, WATTIER & BROWN, LLP

By:

Robert C. Riter, Jr.

RCR Jr-wb Enclosure cc: Neil Schmid

## RECEIVED

OCT 1 4 1999

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

#### BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY ) LOWN HOUSE RESTAUPANT, SPEARFISH, SOUTH (C.28-149) DAFOTA, AGAINST AT&T COMMUNICATIONS OF (C.28-149) THE MIDWEST, INC., AND FIRSTEL, INC. (C. 19) FOR DISMISSAL WITH REGARDING CUSTOMER SERVICES ISSUES. (C. 19) PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by John J. Grant, individually and doing business as hown House Restaurant of Spearfish, South Dakota, and Riter, Majer, Hofer, Wattier & Brown, LLP of Pierre, South Dakota, attorneys for Earstel. Inc. that the above entitled Complaint has been settled and that these parties, having the authority so to do, request that the Public Utilities Commission enter its Order of Dismissal as between these parties of this action, with prejudice, each party to pay its own actorneys fees and costs, without further notice to either party.

DATE: 9/22/99

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DATE: 9-29-99

RITER, MAYER, HOFER, WATTIER & BROWN\_112

d/b/a LOWN HOUSE RESTAURANT

Bv: Robert C. Riter, Jr

ORDER FOR DISMISSAL

It appearing to the satisfaction of the Public Utilities Commission, upon reviewing the foregoing Stipulation, that this matter has been settled as between Lown House Restaurant, Spearfish. South Dakota and FirsTel, Inc., and that Lown House Restaurant's Complaint against FirsTel, Inc. should be

SOIT-455-200 JJ&W , TOTOH , TOYEM , TOLTA ACS.II 00-70-992

Jusmissed with prejudice, each party to pay its own atterneys (fees and costs, now therefore, it is hereby

CPDERED, ADJUDGED AND DECREED that the above entitled Complaint az against FirsTel. Inc. is hereby dismissed, with preducine, each party to pay its attorneys fees and costs. DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

PUBLIC UTILITIES COMMISSION

Ev: ITS:

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