

**CHECK SHEET**

The sheets of this Tariff are effective as of the date shown. The original sheets named below contain all changes from the original Tariff and are in effect on the date shown. An asterisk (\*) appearing next to the Sheet Version indicates revisions made in a given filing.

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6	Original	35	First*				
7	First*	36	Original				
8	Original	37	Original				
9	Original	38	Original				
10	Original	39	Original				
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Issued By:

Director – Regulatory  
Liberty-Bell Telecom, LLC dba DISH Network Phone & Internet  
9601 S. Meridian, Blvd.  
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## DEFINITIONS

Certain terms used generally throughout this Tariff are described below.

**Advance Payment:** Part or all of a payment required before the start of service.

**Access Service:** The Company's intrastate switched exchange access services offered pursuant to this Tariff.

**Carrier or Common Carrier:** See Interexchange Carrier.

**Company:** Liberty-Bell Telecom, LLC dba DISH Network Phone & Internet.

**Common Line:** The term "Common Line" denotes a line, trunk, pay telephone line or other facility provided or used to provide services under the local general services tariffs of the Company, terminated on a central office switch.

**Commission:** The South Dakota Public Utilities Commission.

**Customer:** Any individual, person, firm, partnership, association, joint-stock company, trust, governmental entity, corporation or other entity which directly or indirectly obtains the services offered under the Tariff. Customer is responsible for the payment of charges and compliance with the Company's regulations. An Interexchange Carrier is a Customer if the Interexchange Carrier directly or indirectly sends traffic to or receives traffic from a central office code ("NPA-NXX") assigned to the Company. The use of the Company's Access Service constitutes an order for such service and requires compliance with the obligations, rates, and charges in this Tariff, regardless of whether the Customer has affirmatively requested service or executed a service order. (T)

**Discontinuance or Suspension of Service:** For Incidental Service, the blockage of Customer's traffic terminating on Company's network or traffic originating on Company's network and terminating on Customer's network. (T)

**End Office:** Denotes the Company's switching location where traffic from Customer is interconnected with, routed, or transmitted to an End User of the Company. (T)

**DEFINITIONS**, Continued

**Intrastate Switched Exchange Access Service or Service:** Intrastate Switched Exchange Access Service means the offering of access to exchange services or facilities for the purpose of the origination and termination of traffic.

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**LATA:** A Local Access and Transport Area established pursuant to the Modification of Final Judgment entered by the United States District Court for the District of Columbia in Civil Action No. 82-0192; or any other geographic area designated as a LATA in the NATIONAL EXCHANGE CARRIER ASSOCIATION, Inc. Tariff F.C.C. No. 4.

**PSTN:** Refers to the Public Switched Telephone Network

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**Network:** Refers to the Company's facilities, equipment, whether provided by Company or leased from a third party, and Services provided under this Tariff.

**Serving Wire Center:** The term Serving Wire Center denotes the wire center from which the Customer designated premises would normally obtain dial tone.

**Subscriber Line Charge:** The term "Subscriber Line Charge" denotes the charge applicable to the end user common line.

**Shared:** A facility or equipment system or subsystem that can be used simultaneously by several Customers.

**TDM:** Refers to time division multiplexing

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**Toll VoIP-PSTN Traffic:** Toll VoIP-PSTN Traffic denotes a Customer's non-interstate and non-local voice traffic exchanged with the Company in Time Division Multiplexing format on the PSTN which originates and/or terminates in Internet Protocol format. Toll VoIP-PSTN traffic originates and/or terminates to an end user customer of a service that requires IP-compatible customer premises equipment.

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**Toll Free:** A term to describe an inbound communications service which permits a call to be completed at a location without charge to the calling party. Access to the service is gained by dialing a ten (10) digit telephone number (e.g., North American Numbering Plan ("NPA") code is 800, or other 8XX, number where X is a number between 0 and 9).

**Wire Center:** A building in which one or more central offices, used for the provision of Exchange Services, are located.

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**REGULATIONS**, Continued**2.6 PAYMENT ARRANGEMENTS**, Continued**2.6.4 Discontinuance or Suspension of Service for Cause**

Company may disconnect service in the following instances, if applicable.

- A. For nonpayment of any amounts owing to the Company that remain unpaid beyond the bill due date, the Company may suspend Service without incurring liability, by giving no less than thirty (30) business days prior written notice to the Customer. (T)
- B. Upon violation of any other terms or conditions described herein for furnishing Service, the Company may, by giving ten (10) business days prior notice in writing to the Customer, discontinue or suspend Service without incurring any liability.
- C. Upon condemnation of any material portion of the facilities used by the Company to provide Service to a Customer or if a casualty renders all or any material portion of such facilities inoperable beyond feasible repair, the Company may, by notice to the Customer, discontinue or suspend Service without incurring any liability.
- D. Upon the Customer's insolvency, assignment for the benefit of creditors, filing for bankruptcy or reorganization, or failing to discharge an involuntary petition within the time permitted by law, the Company will follow procedures provided in federal bankruptcy code.
- E. Upon any governmental prohibition or required alteration of the Services provided or any violation of an applicable law or regulation, the Company may immediately discontinue or suspend Service without incurring any liability.
- F. In the event of fraudulent use of the Company's network, the Company may without notice suspend or discontinue Service. The Customer will be liable for all related costs. The Customer will also be responsible for payment of any applicable reconnection charges.

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## SERVICE DESCRIPTIONS

### 3.1 INTRASTATE SWITCHED EXCHANGE ACCESS SERVICES

Intrastate Switched Exchange Access Service provides for the use of common terminating, switching and trunking facilities and/or functionalities. Switched Exchange Access Service provides for the ability to originate calls from an End User's premises and to terminate calls from a Customer's premises in the LATA where it is provided and served by Company. Switched Exchange Access Service must be ordered or is provided as an Incidental Service separately for each LATA in which the Customer desires to originate or terminate calls.

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Switched Exchange Access Service is provided in the following categories, which are differentiated by their technical characteristics and the manner in which an End User or Customer accesses them when originating or terminating calls.

Terminating Switched Exchange Access provides trunk side equivalent access to the Company's Network for the Customer's use in originating and terminating communications.

Toll Free Database Access Service provides trunk side-equivalent access to the Company's Network in the originating direction only, for the Customer's use in originating calls dialed by an End User to telephone numbers beginning with the prefix "800" or "8XX" where X is a number between 0 and 9.

Customer's or its End User's use of any Incidental Service shall constitute Customer's agreement to all of the terms and conditions of this Tariff. Incidental Services are billed to Customer on a monthly basis in accordance with Customer's recorded usage for each Service and the corresponding rates contained in the Rates Section.

**SERVICE DESCRIPTIONS**, Continued

**3.1 INTRASTATE SWITCHED EXCHANGE ACCESS SERVICES**, Continued

**3.1.1 Standard Rate Categories**, Continued

D. Tandem-Switched Transport Services

Tandem-Switched Transport is composed of the following usage sensitive rate elements:

- The Tandem-Switched Termination element includes the non-distance sensitive portion of Switched Transport, and is assessed on a per access minute of use basis.

- The Tandem-Switched Facility element includes the distance sensitive portion of Switched Transport and is assessed on a per access minute of use per mile basis.

- The Tandem Switching element includes the access tandem switching associated with Tandem-Switched Transport traffic and is assessed per access minute switched through the tandem. The Tandem Switching rate element is excluded from the Company's Tariffed Rates.

Tandem-Switched Transport requires dedicated tandem trunk ports, and end office common trunk ports. In addition, common multiplexing, includes the multiplexing associated with the Tandem-Switched Transport

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**RATES, Continued****4.3. TOLL VoIP-PSTN TRAFFIC**

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This section governs the identification, exchange and compensation for Toll VoIP-PSTN Traffic. It applies only to traffic identified pursuant to this section unless the Company and Customer have agreed in writing to other terms and conditions. Also, this section establishes the methodology for separating Toll VoIP-PSTN Traffic from the Customer's traditional intrastate access traffic.

**4.3.1.** Toll VoIP-PSTN traffic will be billed at the applicable, tariffed interstate access rates established in the Company's F.C.C. Tariff No. 1, as set forth in Section 4.1, above.

**4.3.2.** A Customer delivering traffic to the Company shall identify the percentage of that traffic that is Toll VoIP-PSTN Traffic ("Percentage VoIP Usage" or "PVU") and will provide as support for its PVU a traffic study, similar analysis, end-user customer certifications or other information acceptable to the Company.

- A. If the Customer does not furnish the Company with a PVU factor, the Company will utilize a PVU factor of zero;
- B. The PVU and the underlying support for establishing that factor are subject to audit. Each party shall bear their own costs associated with any audit. In no event may the Company or Customer request more than two audits within a calendar year.
- C. The Company may adjust the PVU based on its review of the supporting data provided by the Customer.

**4.3.3.** Customer will not modify its reported Percentage of Interstate Usage factor to account for Toll VoIP-PSTN traffic.

**4.4. PVU Factor Updates**

The Customer may update the PVU factors quarterly. The Customer shall submit such updates no later than the 15th day of January, April, July and October of each year. Revised PVU factors must be based on data for the prior three months ending the last day of December, March, June and September respectively. The revised PVU factors will be used for future billing and will be effective on the bill date of each month and will be used for subsequent monthly billing until superseded by a new PVU factor. No prorating or back billing will be done based on the updated PVU factors.

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**RATES, Continued****4.5. Voice over Internet Protocol – Public Switched Telephone Network (“VoIP -PSTN”) Traffic Rates, per access minute****4.5.1. Local Switching**

Local End Office Switching	\$0.001974
End Office Shared Port	\$0.000747

**4.5.2. Tandem Switched Transport**

Tandem-Switched Transport – Facility	\$0.000240
Tandem-Switched Transport – Termination, per mile	\$0.000030
Common Transport Multiplexing	\$0.000036

**4.5.3. Tandem Switching**

Tandem Switching	\$0.002252
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**4.5.4. Multiplexing**

Multiplexing	\$0.000036
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