

CINCINNATI BELL TELEPHONE COMPANY LLC
Local Telephone Service Agreement - Kentucky

Section 2 - Definitions

A. Agreement

The terms and conditions set forth herein which constitute an agreement between Cincinnati Bell Telephone Company LLC and the Customer for the provision of local telephone services as defined herein. Unless expressly stated otherwise, these terms and conditions also apply to customers who have entered into a separate contract for services for a specified time period; provided, however, in the event of a conflict between the terms and conditions in the separate contract and the terms in this Agreement, the terms in the separate contract shall control with respect to services subject to that contract.

B. Basic Local Calling Area

The Basic Local Calling Area is defined by exchange and is the geographical area within which a customer may make flat rate local calls and where long distance charges do not apply.

C. Basic Local Exchange Service

Basic Local Exchange Service has the same meaning as set forth in Kentucky Revised Statutes Section 278.541(1).

D. Central Office

A switching unit having the necessary equipment and operating arrangements for terminating and interconnecting lines and trunks.

E. Class of Service

The Company furnishes two classes of service, nonresidence and residence, described by the use to be made of such service. Pay telephone access lines are treated the same as nonresidence service unless otherwise noted in this Agreement.

F. Commission

The Kentucky Public Service Commission ("KPSC")

G. Company

Cincinnati Bell Telephone Company LLC ("CBT")

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H. Continuous Property

The plot of ground, together with any buildings thereon, occupied by the Customer, which is not separated by public highways or by property occupied by others. Where a Customer occupies properties on both sides of a street, alley, highway, body of water, railroad right of way, etc., and the properties would otherwise be continuous, such properties are treated as continuous property provided local wire or cable facilities are used and the customer furnishes all local distribution pole line facilities or underground conduit required in connection with the wire or cable.

For the purpose of determining the application of charges, continuous property is additionally defined as follows when apartments, office buildings, or shopping center malls occupied by more than one customer are involved:

For residence service, the apartment occupied by the Customer.

For nonresidence service, the space (single office, or two or more offices on same or different floors) occupied by the Customer, whether or not separated by space occupied by others, except that when the Customer vacates the space from which service is being relocated, the relocation is considered to involve non-continuous property.

I. Cost

The cost of labor and material, plus an appropriate share of the Company's general operating and supervising expense.

J. Customer

The person, firm, or corporation that orders service and is responsible for the payment of charges and compliance with the rules and regulations of the Company.

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K. Demarcation Point (Network Interface)

The point of demarcation and/or interconnection between Company communications facilities and terminal equipment, protective apparatus or wiring at a Customer's premises. Company installed facilities at or constituting the demarcation point will consist of wire or a jack conforming to Subpart F of Part 68 of the FCC's rules. "Premises" as used herein generally means a dwelling unit, other building or a legal unit of real property such as a lot on which a dwelling unit is located, as determined by the Company's reasonable and nondiscriminatory standard operating practices. The "minimum point of entry" as used in this section will be either (1) the closest practicable point to where the wiring crosses a property line or (2) the closest practicable point to where the wiring enters a multiunit building or buildings. The Company's reasonable and nondiscriminatory standard operating practices will determine which of (1) or (2) will apply. The Company is not precluded from establishing reasonable classifications of multiunit premises for purposes of determining which of (1) or (2) above will apply. Multiunit premises include, but are not limited to, residential, commercial, shopping center and campus situations.

1. Single Unit Installations

For single unit installations existing as of November 1, 1991, and installations installed after that date, the demarcation point will be a point within twelve inches of the protector or, where there is no protector, within twelve inches of where the telephone wire enters the customer's premises.

2. Multiunit Installations

In multiunit premises existing as of November 1, 1991, the demarcation point will be determined in accordance with the Company's reasonable and nondiscriminatory standard operating practices; provided, however, that where there are multiple demarcation points within the multiunit premises, a demarcation point for a customer will not be further inside the customer's premises than a point twelve inches from where the wiring enters the customer's premises.

In multiunit premises in which wiring is installed after November 1, 1991, including additions, modifications and rearrangements of wiring existing prior to that date, the multiunit premises owner will determine the location of the demarcation point or points. The multiunit premises owner will determine whether there will be a single demarcation point location for all customers or separate locations for each customer; provided, however, that where there are multiple demarcation points within the multiunit premises, a demarcation point for a customer will not be further inside the customer's premises than a point twelve inches from where the wiring enters the customer's premises.

L. Exchange

A geographic unit established for the administration of telecommunications service in a specified area which usually embraces a city, town, or village and its environs.

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M. Exchange Service

The service of furnishing facilities for telecommunications within a local service area, in accordance with regulations, rates, and charges specified in this Agreement or the Company's tariffs.

N. Flat Rate Service

Customer exchange service for which a stipulated monthly rate is charged, covering all local message use within a defined area.

O. Hunting

An arrangement whereby an individual line is grouped with one or more other individual lines of the same class furnished to a Customer on continuous property, so that calls to the first number of the grouped lines are automatically routed to the first non-busy line of the lines so grouped, and a busy signal is not given unless all the grouped lines are tested once for busy.

P. Initial Charge (Nonrecurring Charge)

A nonrecurring or one-time charge associated with the installation of certain services or facilities, either in lieu of or in addition to recurring monthly charges or other service type charges.

Q. Initial Service Period

The minimum length of time a customer is obligated to pay for service, facilities, or equipment whether or not retained by the customer for that minimum length of time. The Initial Service Period for all services in this Agreement is one month unless otherwise stated.

R. Inside Wire

The wire, including connectors, blocks, and jacks, which extends between the network interface or demarcation point and the jack locations within the Customer's premises to which terminal equipment can be connected.

S. K.R.S.

Kentucky Revised Statutes

T. Measured Service

Customer local exchange service which is usage sensitive. In addition to a basic monthly charge for local exchange service, the Customer is billed for usage based upon the number of originated local calls and the length of those calls in minutes.

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U. Network Interface Device (NID)

A jack conforming to Sub-part F of Part 68 of the FCC's rules provided by the Company as part of the Local Exchange Carrier (LEC) network. It will be located on the customer premises and is considered to be the termination of the LEC network if installed by the Company. (See Demarcation Point)

V. Nonbasic Service

Basic Local Exchange Service has the same meaning as set forth in Kentucky Revised Statutes Section 278.541(5).

W. Service Agreement

Same as Agreement.

X. Station

The network control signaling unit and other equipment at the Customer premises which enables the Customer to establish the communications connection and to accomplish communications through such connections.

Y. Termination Charge

A charge applied to a customer when service is terminated before the expiration of the initial service period, or a charge applied where a basic termination charge is specified.