

Columbine Telephone Company, Inc. dba  
SILVER STAR COMMUNICATIONS  
104101 US Highway 89  
P.O. Box 226  
Freedom, WY 83120

ID. PUC TARIFF NO. 3  
CANCELS NO. 1  
REVISED NO. 2

SHEET NO. 1  
SHEET NO. 1  
SHEET NO. 1

Regulations, Rates and charges  
applying to the provision of  
Local Exchange Service  
within the Local Exchange operating  
territory of

Columbine Telephone Company, Inc. dba  
SILVER STAR COMMUNICATIONS

in the state of

Idaho

as provided herein.

Exchanges

Driggs, Idaho  
Tetonia, Idaho  
Victor, Idaho  
Irwin, Idaho  
Wayan, Idaho

Issued: October 29, 2019  
Effective: December 1, 2019  
By: Legal & Regulatory Administrator

**IDAHO PUBLIC UTILITIES COMMISSION**  
Approved **Effective**  
Nov. 26, 2019 Dec. 1, 2019  
Diane M. Hanian Secretary

Columbine Telephone Company, Inc. dba  
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 Freedom, WY 83120

ID. PUC TARIFF NO. 3 SHEET NO. 2  
 CANCELS ORIGINAL SHEET NO. 2  
 REVISED NO. 1 SHEET NO. 2

TABLE OF CONTENTS

Page/Sheet No.

Title Sheet .....1  
 Table of Contents .....2  
 Concurring Carriers .....6  
 Connecting Carriers .....6  
 Other Participating Carriers .....6  
 Registered Service Marks .....6  
 Registered Trademarks .....6  
 Explanation of Symbols .....7

1. TARIFFS.....8  
 1.1 Reference to Other Tariffs and Rules .....8  
 1.2 Application of Tariff.....8

2. GENERAL REGULATIONS.....9  
 2.1 Undertaking of the Telephone Company .....9  
 2.1.1 Scope.....9  
 2.1.2 Limitations .....9  
 2.1.3 Liability.....10  
 2.1.4 Provision of Services .....12  
 2.1.5 Installation and Termination of Services .....12  
 2.1.6 Maintenance of Services .....13  
 2.1.7 Changes and Substitutions .....13  
 2.1.8 Refusal and Discontinuance of Service .....14  
 2.1.9 Limitations on the Discontinuance of Service .....15  
 2.1.10 Notification of Service-Affecting Activities.....17  
 2.1.11 Provision and Ownership of Telephone Numbers .....17  
 2.1.12 Provision and Ownership of Telephone Directories.....17  
 2.1.13 Provision for Services to Disabled or Handicapped  
 Persons (ADA).....17  
 2.1.14 Provision of Directory Assistance Service .....17

2.2 Use .....18  
 2.2.1 Interference or Impairment .....18  
 2.2.2 Unlawful Use .....18  
 2.2.3 Limitations on Use.....20  
 2.2.4 Automatic Dialing and Announcement Devices.....21  
 2.2.5 Business Service .....22

Issued: October 29, 2019  
 Effective: December 1, 2019  
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**IDAHO PUBLIC UTILITIES COMMISSION**  
 Approved Effective  
 Nov. 26, 2019 Dec. 1, 2019  
 Diane M. Hanian Secretary

TABLE OF CONTENTS (Cont'd)

	<u>Page/Sheet No.</u>
2.3	Obligations of the End User or Customer.....23
2.3.1	Application for Service .....23
2.3.2	Damages.....24
2.3.3	Ownership of Facilities .....24
2.3.4	Equipment Space and Power .....24
2.3.5	Availability for Testing.....25
2.3.6	Claims and Demands for Damages.....25
2.3.7	Subdivisions.....26
2.3.8	Mobile Home Parks .....27
2.3.9	Temporary or Speculative Service.....27
2.4	Payment Arrangements and Credit Allowances .....30
2.4.1	Payment of Rates, Charges and Deposits .....30
2.4.2	Minimum Period .....31
2.4.3	Cancellation of an Order for Service .....32
2.4.4	Credit Allowance for Service Interruptions.....32
2.4.5	Re-establishment of Service Following Fire, Flood or Other Occurrence.....34
2.4.6	Title or Ownership Rights.....35
2.5	Definitions.....35
3.	EXCHANGE ORDERING AND INSTALLATION SERVICE .....43
3.1	General Description .....43
3.1.1	Ordering Conditions.....43
3.1.2	Provision of Other Services .....43
3.2	Exchange Ordering Service .....44
3.2.1	Exchange Order Charge.....45
3.2.2	Exchange Order Service Date Provision.....45
3.2.3	Exchange Order Change – Modifications.....45
3.3	Premises Visit Service .....49
3.3.1	Installation/Connection .....49
3.3.2	Central Office Charge.....50

Columbine Telephone Company, Inc. dba  
 SILVER STAR COMMUNICATIONS  
 104101 US Highway 89  
 P.O. Box 226  
 Freedom, WY 83120

ID. PUC TARIFF NO. 3 SHEET NO. 4  
 CANCELS ORIGINAL SHEET NO. 4  
 REVISED NO. 1 SHEET NO. 4

TABLE OF CONTENTS (Cont'd)

	<u>Page/Sheet No.</u>
4. PROMOTIONAL OFFERINGS.....	51
4.1 Promotional Offerings .....	51
4.1.1 General Description .....	51
5. LOCAL EXCHANGE SERVICE.....	52
5.1 General Description .....	52
5.2 Undertaking of the Telephone Company.....	52
5.3 Vacation Service .....	53
5.4 Limitations .....	54
5.5 Obligations of the End User.....	54
5.6 Payment Arrangements and Credit Allowances .....	55
5.7 Rate Regulations .....	55
6. LOCAL EXCHANGE SPECIAL SERVICE .....	56
6.1 General Description .....	56
6.2 Undertaking of the Telephone Company.....	56
6.3 Limitations .....	56
6.4 Obligations of the End User.....	56
6.5 Payment Arrangements and Credit Allowances .....	56
6.6 Rate Regulations .....	57
7. CONSTRUCTION CHARGES .....	58
7.1 General Description .....	58
7.2 Undertaking of the Telephone Company-Single Applicants .....	58
7.3 Undertaking of the Telephone Company-Group Applicants.....	60
7.4 Undertaking of the Telephone Company-Subsequent Applicants.....	61
7.5 Limitations - Real Estate Subdivisions .....	61
7.6 Special Service Arrangements .....	63
7.7 Mobile Home Parks .....	64
7.8 Obligations of the End User.....	64
7.9 Payment Arrangements and Credit Allowances .....	64
7.10 Rate Regulations .....	65

Issued: October 29, 2019  
 Effective: December 1, 2019  
 By: Legal & Regulatory Administrator

**IDAHO PUBLIC UTILITIES COMMISSION**  
 Approved Effective  
 Nov. 26, 2019 Dec. 1, 2019  
 Diane M. Hanian Secretary

TABLE OF CONTENTS (Cont'd)

	<u>Page No.</u>
8. ENGINEERING AND LABOR SERVICES .....	66
8.1 Engineering Services .....	66
8.1.1 Normal Engineering Services .....	66
8.1.2 Additional Engineering Services .....	66
8.1.3 Charges for Normal and Additional Engineering .....	66
8.2 Normal and Additional Labor .....	67
8.2.1 Normal Labor Services .....	67
8.2.2 Additional Labor Services .....	67
8.2.3 Normal and Additional Labor Charges .....	67
9. RATES AND CHARGES .....	68
9.1 General Regulations .....	68
9.2 Exchange Ordering and Installation Services .....	68
9.3 Local Exchange Service .....	68
9.4 Local Exchange Special Service .....	69
9.5 Premise Extension Service .....	69
9.6 Special Service Arrangements .....	70
9.7 Plant Addition/Facilities Extension .....	70
9.8 Engineering and Labor Services .....	70
9.9 Digital Transport Service .....	70
10. TELEPHONE SERVICE ASSISTANCE .....	71
10.1 Idaho Telephone Service Assistance Program (ITSAP) .....	71
10.2 Lifeline Assistance Program .....	72
11. DIGITAL TRANSPORT SERVICE .....	74
11.1 General .....	74
11.2 Terms and Conditions .....	74
11.3 Rates .....	74
12. EXHIBITS .....	75
12.1 Exchange Area Map .....	75

Columbine Telephone Company, Inc. dba  
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P.O. Box 226  
Freedom, WY 83120

ID. PUC TARIFF NO. 3  
CANCELS \_\_  
REVISED \_\_

SHEET NO. 6  
SHEET NO. \_\_  
SHEET NO. \_\_

CONCURRING CARRIERS

COLUMBINE TELEPHONE COMPANY, INC.  
dba SILVER STAR COMMUNICATIONS

CONNECTING CARRIERS  
SILVER STAR TELEPHONE COMPANY, INC.

OTHER PARTICIPATING CARRIERS  
SILVER STAR LONG DISTANCE

REGISTERED SERVICE MARKS  
NONE

REGISTERED TRADEMARKS  
NONE

CONTACT INFORMATION

SILVER STAR COMMUNICATIONS  
a dba of Columbine Telephone Company, Inc.  
Street: 1670 North Highway 33, Driggs, ID 83422  
Mailing: P.O. Box 226, Freedom, WY 83120  
Phone: 208-354-3300  
Fax: 208-354-3319

Customer Contact -

For establishment of service, complaints and inquiries regarding service and billing, or reporting or inquiring about network outages or service problems.

Customer Service and/or Maintenance, Toll Free: (877) 883-2411

Commission Contact -

For complaints, inquiries and matters concerning rates and price lists.

Michelle Motzkus  
Legal & Regulatory Administrator  
Phone: (307) 883-6690  
Fax: (307) 883-2575  
Email: mamotzkus@silverstar.net

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ID. PUC TARIFF NO. 3  
CANCELS \_\_\_  
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SHEET NO. 7  
SHEET NO. \_\_\_  
SHEET NO. \_\_\_

## LOCAL EXCHANGE SERVICE

### EXPLANATION OF SYMBOLS

- (C) - To signify changed regulation
- (D) - To signify discontinued rate or regulation
- (I) - To signify increased rate or charge
- (M) - To signify matter relocated without change
- (N) - To signify new rate or regulation
- (R) - To signify reduced rate or charge
- (S) - To signify reissued matter
- (T) - To signify a change in text but no change in rate or regulation
- (Z) - To signify a correction in text

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P.O. Box 226  
Freedom, WY 83120

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CANCELS \_\_  
REVISED \_\_

SHEET NO. 8  
SHEET NO. \_\_  
SHEET NO. \_\_

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LOCAL EXCHANGE SERVICE

1. Tariffs

1.1 Reference to Other Tariffs and Rules

Whenever reference is made in this tariff to other tariffs of the Telephone Company, the reference is made to the tariffs in force. Whenever reference is made in the tariff to Rules, the Rules in reference are established by the Federal Communications Commission or the Idaho Public Utilities Commission Rules and Regulations regarding customer service and the Idaho Administrative Procedures Act (IDAPA), Section 31.

The Idaho Public Utilities Commission has jurisdiction over disputes that cannot be satisfactorily resolved between the Company and the end-user customer.

Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074  
1-800-432-0369

1.2 Application of Tariff

- (A) This tariff contains regulations, rates and charges applicable to the provision of Local Exchange Service as indicated on a Section by Section basis provided by SILVER STAR COMMUNICATIONS, to end users residing within the Idaho exchange boundaries of SILVER STAR COMMUNICATIONS, as indicated on the Exhibit 12.1 Area Exchange Map following.
- (B) The provision of Local Exchange Service by the Telephone Company as set forth in this tariff does not constitute a joint undertaking with the end user or customer for the furnishing of any service.

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LOCAL EXCHANGE SERVICE

2. General Regulations

2.1 Undertaking of the Telephone Company

2.1.1 Scope

- (A) The Telephone Company does not undertake to transmit messages under this tariff.
- (B) The Telephone Company shall be responsible only for the installation, operation and maintenance of the services it provides.
- (C) The Telephone Company will, for maintenance purposes, test its services only to the extent necessary to detect and/or clear troubles.
- (D) Services are provided 24 hours daily, seven (7) days per week, except as set forth in other applicable sections of this tariff.
- (E) The Telephone Company does not warrant that its facilities and services meet standards other than those set forth in this tariff, or those as required by State or Federal Law.

2.1.2 Limitations

- (A) The end user may not assign or transfer the use of services provided under this tariff; however, where there is no interruption of use or relocation of the services, such assignment or transfer may be made to:
  - (1) another end user, whether an individual, partnership, association or corporation, provided the assignee or transferee assumes, in writing, all outstanding indebtedness for such services, and the unexpired portion of the minimum period and the termination liability applicable to such services, subject to notification of the Telephone Company if any; or
  - (2) a court-appointed receiver, trustee or other person acting pursuant to law in bankruptcy, receivership, reorganization, insolvency, liquidation or other similar proceedings, provided the assignee or transferee assumes the unexpired portion of minimum period and the termination liability applicable to such services, if any.

LOCAL EXCHANGE SERVICE

2. General Regulations

2.1 Undertaking of the Telephone Company (Cont'd)

2.1.2 Limitations (Cont'd)

- (3) In all cases of assignment or transfer, the written acknowledgment of the Telephone Company is required prior to such assignment or transfer which acknowledgment shall be made within 15 days from the receipt of notification. All regulations and conditions contained in this tariff shall apply to such assignee or transferee.

The assignment or transfer of services does not relieve or discharge the assignor or transferrer from remaining jointly or severally liable with the assignee or transferee for all long distance toll existing prior to the time of the assignment or transfer, unless other specific arrangements have been made.

- (B) The installation and restoration of services shall be provided on a first-come first-served basis. The restoration of services shall be in accordance with Part 64, Subpart D, Appendix A, of the Federal Communications Commission's Rules and Regulations, which specifies the priority system for service restorable activities.

2.1.3 Liability

- (A) The Telephone Company's liability, if any, for its willful misconduct is not limited by this tariff. With respect to any other claim or suit, by an end user or by any others, for damages associated with the installation, provision, termination, maintenance, repair or restoration of service, and subject to the provisions of (B) through (G) following, the Telephone Company's liability, if any, shall not exceed an amount equal to the proportionate charge for the service for the period during which the service was affected. This liability for damages shall be in addition to any amounts that may otherwise be due the end user under this tariff as a Credit Allowance for a Service Interruption.

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SHEET NO. 11  
SHEET NO. \_\_  
SHEET NO. \_\_

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LOCAL EXCHANGE SERVICE

2. General Regulations

2.1 Undertaking of the Telephone Company (Cont'd)

2.1.3 Liability (Cont'd)

- (B) The Telephone Company shall not be liable for any act or omission of any other carrier or customer providing a portion of a service, nor shall the Telephone Company for its own act or omission hold liable any other carrier or customer providing a portion of a service.
- (C) The Telephone Company is not liable for damages to the end user's premises directly resulting from the installation and removal of telephone equipment and associated telephone wiring.
- (D) The Telephone Company shall be indemnified, defended and held harmless by the end user against any claim, loss or damage arising from the end user's use of services offered under this tariff, involving:
- (1) claims for libel, slander, invasion of privacy, or infringement of copyright arising from the end user's own communications;
  - (2) claims for patent infringement arising from the end user's acts combining or using the service furnished by the Telephone Company in connection with facilities or equipment furnished by the end user or customer, or;
  - (3) all other claims arising out of any act or omission of the end user in the course of using services provided pursuant to this tariff.
- (E) The Telephone Company does not guarantee or make any warranty with respect to its services when used in an explosive atmosphere, electrical substation or switching station. The Telephone Company shall be indemnified, defended and held harmless by the end user or customer from any and all claims by any person relating to such end user's use of services so provided.

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CANCELS ORIGINAL SHEET NO. 12  
REVISED NO. 1 SHEET NO. 12

## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.1 Undertaking of the Telephone Company (Cont'd)

##### 2.1.3 Liability (Cont'd)

- (F) No license under patents (other than the limited license to use) is granted by the Telephone Company or shall be implied or arise by estoppel, with respect to any service offered under this tariff.
- (G) The Telephone Company's failure to provide or maintain services under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, criminal actions taken against the Telephone Company, acts of God and other circumstances beyond the Telephone Company's reasonable control, subject to the Credit Allowance for Service Interruption as set forth in 2.4.4 following.
- (H) The included tariff language does not constitute a determination by the Commission that a limitation of the liability imposed by the Company should be upheld in a court of law. Acceptance for filing by the Commission recognizes that it is a court's responsibility to adjudicate negligence and consequential damage claims. It is also the court's responsibility to determine the validity of the exculpatory cause.

##### 2.1.4 Provision of Services

The Telephone Company, to the extent that such services are or can be made available with reasonable effort, and after provision has been made for its telephone exchange services, will provide to the end user upon reasonable notice services offered in other applicable sections of this tariff at rates and charges specified therein.

##### 2.1.5 Installation and Termination of Services

The services provided under this tariff will: (A) include any entrance cable or drop wiring and wire or intrabuilding cable to that point where provision is made for termination of the Telephone Company's outside distribution network facilities at a suitable location inside an end user-designated premises and; (B) be installed by the Telephone Company to such point of termination. Such point will not exceed 50' inside of a building or structure, in accordance with the National Electric Safety Code (NESC).

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SHEET NO. 13  
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## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.1 Undertaking of the Telephone Company (Cont'd)

##### 2.1.6 Maintenance of Services

The services provided under this tariff shall be maintained by the Telephone Company. The end user or others may not rearrange, move, disconnect, remove or attempt to repair any facilities provided by the Telephone Company, other than by connection or disconnection to any interface means used, except with the written consent of the Telephone Company.

##### 2.1.7 Changes and Substitutions

Except as provided for, equipment and systems subject to FCC Part 68 Regulations at 47 C.F.R. Section 68, the Telephone Company, may, where such action is reasonably required in the operation of its business:

- (A) Substitute, change or rearrange any facilities used in providing service under this tariff, including but not limited to, (1) substitution of different metallic facilities, (2) substitution of carrier or derived facilities for metallic facilities used to provide other than metallic facilities, (3) substitution of metallic facilities for carrier or derived facilities used to provide other than metallic facilities, and (4) or Fiber Optic Cable.
- (B) Change minimum protection criteria, change operating or maintenance characteristics of facilities or change operations or procedures of the Telephone Company. The Telephone Company shall not be responsible if any such substitution, change or rearrangement renders any end user furnished services obsolete or requires modification or alteration thereof or otherwise affects their use or performance. If such substitution, change or rearrangement materially affects the operating characteristics of the facility, the Telephone Company will provide reasonable notification to the end user in writing. Reasonable time will be allowed for any redesign and implementation required by the change in operating characteristics. The Telephone Company will work cooperatively with the end user to determine reasonable notification procedures.

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Freedom, WY 83120

ID. PUC TARIFF NO. 3 SHEET NO. 14  
CANCELS ORIGINAL SHEET NO. 14  
REVISED NO. 1 SHEET NO. 14

## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.1 Undertaking of the Telephone Company (Cont'd)

##### 2.1.8 Refusal and Discontinuance of Service

(A) The Telephone Company may discontinue service without prior notice:

- (1) if a condition immediately dangerous or hazardous to life, physical safety, or property exists;
- (2) upon order by any court, the Commission, or any other duly authorized public authority; or
- (3) if service was obtained fraudulently, under deceptive conditions or without the specific authorization of the Telephone Company.

The Telephone Company may terminate service if it has tried diligently to meet the notice requirements, but has been unsuccessful in its attempt to contact the end user affected.

(B) Unless the provisions of 2.2.1(B) following apply, if an end user fails to comply with 2.1.6 preceding or 2.2.2, 2.3.1, 2.3.4 or 2.4 following, including any payments to be made by it on the dates and times herein specified, the Telephone Company may, on seven (7) days written notice by U.S. Mail to the person designated by that end user to receive such notices of noncompliance, refuse additional applications for service and/or refuse to complete any pending orders for service by the non-complying end user at any time thereafter as referenced in Rule 303, IDAPA 31.41.01.

If the Telephone Company does not refuse additional applications for service on the date specified in the seven (7) days' notice, and the end user's noncompliance continues, nothing contained herein shall preclude the Telephone Company's right to refuse additional applications for service to the non-complying end user without further notice, subject to the Commission Rules and Regulations governing customer relations of telephone companies. In the case of such discontinuance, all applicable charges shall become due.

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LOCAL EXCHANGE SERVICE

2. General Regulations

2.1 Undertaking of the Telephone Company (Cont'd)

2.1.8 Refusal and Discontinuance of Service (Cont'd)

If the Telephone Company does not discontinue the provision of the services involved on the date specified in the seven (7) days' notice, and the end user's non-compliance continues, nothing contained herein shall preclude the Telephone Company's right to discontinue the provision of the services to the non-complying end user provided the Telephone Company diligently attempts, at least twenty-four (24) hours before actual termination, to apprise the customer of actions or steps that may be taken to avoid such disconnection.

- (C) When the Telephone Company has disconnected Local Exchange Service to the end user for non-compliance with this tariff, the end user will be required (unless other arrangements have been made) to pay all unpaid charges prior to the reconnection of service. In addition, the end user will be required to reapply after having been disconnected continuously for 30 calendar days. All end users that are disconnected for non-payment of their bill for any period may be subject to the deposit requirements.

End users will be billed Exchange Order and Line Connection Charges when service is restored.

2.1.9 Limitations on the Discontinuance of Service

- (A) No end user will be given notice of discontinuance of service nor shall his/her service be discontinued if the unpaid bill is for services that are not set forth in this Local Exchange Tariff.
- (B) The Telephone Company will not discontinue service on any, Saturday, Sunday or legal holiday recognized by the State of Idaho, or after 12:00 noon on any Friday or any business day before any legal holiday, or at any time when the Telephone Company's business offices are not open for business, or from December 24 through January 2, inclusive. Service cannot be disconnected if the bill is less than \$50.00, unless the delinquency is greater than 60 days.

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## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.1 Undertaking of the Telephone Company (Cont'd)

##### 2.1.9 Limitations on the Discontinuance of Service (Cont'd)

- (C) Telephone service will only be discontinued between the hours of 8:00 a.m. and 4:00 p.m.
- (D) The Telephone Company will postpone discontinuance of telephone service to a residential end user for 30 days from the date of a certificate by a licensed physician or public health official with medical training which states that discontinuance of service will aggravate an existing medical emergency or create a medical emergency for an end user, a member of the end user's family, or other permanent resident on the premises where service is rendered. If the serious illness or medical emergency still exists at the end of the thirty (30) day postponement and the customer has not made excessive or unwarranted MTS calls and has not refused to enter into a payment agreement, The Company will grant additional postponement as referenced in Rule 306, IDAPA 31.41.01.

This notice or certificate of medical emergency must be in writing and show clearly the name of the person whose illness would be compounded by discontinuance of service, the nature of the medical emergency, and the name, title, and signature of the person giving notice of or certifying the medical emergency.

- (E) Where service is provided to a medical care facility, including a hospital, medical clinic with resident patients, or nursing home, notice of pending discontinuance will be provided to the Commission as well as to the end user. Upon written request from the Commission or its Staff, a delay in discontinuance of service of no less than seven (7) business days from the date of notice shall be allowed so that the Commission may take whatever steps are necessary to protect the interest of the resident patients.

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CANCELS ORIGINAL SHEET NO. 17  
REVISED NO. 1 SHEET NO. 17

## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.1 Undertaking of the Telephone Company (Cont'd)

##### 2.1.10 Notification of Service-Affecting Activities

The Telephone Company will provide the end user reasonable notification of service-affecting activities that may occur in normal operation of its business. Such activities may include, but are not limited to, equipment or facilities additions, removals or rearrangements, routine preventative maintenance and major central office or switching equipment change-out. Generally such activities are not individual end user service specific, they affect many end users' service. No specific advance notification period is applicable to all service activities.

##### 2.1.11 Provision and Ownership of Telephone Numbers

The Telephone Company reserves the reasonable right to assign, designate or change telephone numbers, any other call number designations associated with Exchange Services, or the Telephone Company serving central office prefixes associated with such numbers, when necessary in the conduct of its business. Should it become necessary to make a change in such number(s), the Telephone Company will furnish, to the end user, 30 days notice and explanation of the reason(s) for such change(s). Should a number change become necessary, the Company will provide number referral service (where available) free of charge for a period of six (6) months.

##### 2.1.12 Provision and Ownership of Telephone Directories

The Telephone Company reserves the right of ownership of the telephone directories provided to end users as an aid to the use of telephone service. The Telephone Company will furnish to its end users, without charge, one directory per line as a part of the local service charge.

##### 2.1.13 Provision for Services to Disabled or Handicapped Persons (ADA)

The Telephone Company will make provisions for and comply with the communications provisions of the Americans with Disabilities Act of 1990 (ADA).

##### 2.1.14 Provision of Directory Assistance Service

The Telephone Company will provide end user access to a directory assistance operator. Directory assistance will not be provided for telephone numbers outside of the Telephone Company's local exchanges. Per call charges apply; charges do not apply for directory assistance calls made from hospital telephone or from residential telephones where the end user affirmed, in writing, to be unable to use a Telephone Company provided directory because of a visual or physical handicap.

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**Diane M. Hanian Secretary**

LOCAL EXCHANGE SERVICE

2. General Regulations

2.2 Use

2.2.1 Interference or Impairment

- (A) The characteristics and methods of operation of any circuits, facilities or equipment provided by other than the Telephone Company and associated with the facilities utilized to provide services under this tariff shall not interfere with or impair service over any facilities of the Telephone Company, its affiliated companies, or its connecting and concurring carriers or customers involved in its services, cause damage to their plant, impair the privacy or any communications carried over their facilities or create hazards to the employees of any of them or the public.
- (B) Except as provided for, equipment or systems subject to the FCC Part 68 Rules in 47 C.F.R. Section 68.108, if such characteristics or methods of operation are not in accordance with 2.2.1(A) preceding, the Telephone Company will, where practicable, notify the end user that temporary discontinuance of the use of a service may be required. However, where prior notice is not practicable, nothing contained herein shall be deemed to preclude the Telephone Company's right to temporary discontinuance for less than twenty-four (24) hours, the end user will be promptly notified and afforded the opportunity to correct the condition which gave rise to the temporary discontinuance. During such period of temporary discontinuance, credit allowance for service interruptions as set forth in 2.4.4 following is not applicable.

2.2.2 Unlawful Use

The service provided under this tariff shall not be used for an unlawful purpose.

- (A) The Telephone Company may, by notice in writing, without incurring any liability, either suspend or terminate the service of an end user for any of the following reasons:
- (1) use of foul or profane language over the service;
  - (2) impersonation of another person with fraudulent intent;
  - (3) making of nuisance calls over the service;

LOCAL EXCHANGE SERVICE

2. General Regulations

2.2 Use (Cont'd)

2.2.2 Unlawful Use (Cont'd)

- (4) use of service by an end user in connection with a plan or contrivance to secure a large volume of calls to be directed to such end user at or about the same time, resulting in preventing, obstructing, or delaying the service of others; except as provided in Section 2.2.4.
- (5) abuse or fraudulent use of service which includes:
  - (a) the use of service or facilities of the Telephone Company to transmit a message or to locate a person or otherwise to give or obtain information, without payment of an applicable charge;
  - (b) the obtaining, or attempting to obtain, or assisting another to obtain, or attempting to attain telephone service, by rearranging, tampering with, or making connection with any facilities of the Telephone Company, or by any trick, scheme, false representation, or false credit device, or by or through any other fraudulent means or device whatsoever, with intent to avoid the payment in whole or in part, of the established charge for such service;
  - (c) resale of any service provided by the Telephone Company, except as provided by the FCC and applicable state Commission Rules and Regulations;
- (6) use of the service in such a manner as to interfere with the service of other users;
- (7) use of the service for any purpose other than a means of communication;
- (8) use of service for unlawful purposes;
- (9) any other violation of regulations set forth in the Telephone Company's filed tariffs.

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ID. PUC TARIFF NO. 3 SHEET NO. 20  
CANCELS ORIGINAL SHEET NO. 20  
REVISED NO. 1 SHEET NO. 20

## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.2 Use (Cont'd)

##### 2.2.2 Unlawful Use (Cont'd)

- (10) Listening in on telephone conversations, without lawful authorization.

The Telephone Company may continue such suspension of service until all violations have ceased, or terminated the service without suspension of service or following suspension of service, and disconnect and remove any of its facilities from the end user's premises.

- (B) Service is furnished by the Telephone Company subject to the condition that it will not be used for any unlawful purpose. Service will not be furnished if any law enforcement agency, acting within its jurisdiction, advises that such service is being used or will be used in violation of law, and secures proper legal orders to deny such service.
- (C) In such instances when termination occurs, as in 2.2.2(A) preceding, the Telephone Company shall be indemnified, defended and held harmless by the end user against any claim, loss or damage arising from the Telephone Company's actions in terminating such service.
- (D) The Telephone Company will comply with any call trace requests that are requested and performed in accordance with Local, State and Federal law, and are properly requested by either a court order or completed form as shown in the Trap & Trace Procedures.

##### 2.2.3 Limitations on Use

The Telephone Company reserves the right to limit the length of communication when necessary because of shortage of facilities caused by emergency conditions.

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LOCAL EXCHANGE SERVICE

2. General Regulations

2.2 Use (Cont'd)

2.2.4 Automatic Dialing and Announcement Devices (ADADs)

Before an ADAD, other than one that will be used to deliver a message in response to an emergency, may be connected to the telephone network, the potential end user must verify in writing to the Telephone Company that the ADAD(s) will have the capacity to comply and that the end user will comply with the following:

- (A) The potential end user must notify the Telephone Company, in writing, of the intended use of the ADAD(s). The notice shall list the calendar days and clock hours during which the ADAD(s) will be used and shall estimate the message attempts per hour and the average length of the completed messages.
- (B) The ADAD end user will notify the Company, in writing, within 30 days of any change in the ADAD operation that results in either an increase or decrease in the number of message attempts per hour and/or the average length of the completed calls.
- (C) The use of ADAD(s) that do not automatically disengage the called party's line when the called party hangs up its receiver are prohibited, except for their use in security and alarm systems or other systems in which the called party has previously agreed to the ADAD's call and has consented to its line being engaged in this manner.
- (D) ADAD(s) are prohibited from making unsolicited calls before 9:00 a.m. or after 9:00 p.m.
- (E) ADAD(s) are prohibited from calling public safety numbers such as police, fire and emergency services. ADAD(s) are prohibited from calling unlisted and unpublished numbers. ADAD(s) are prohibited from calling more than one number held by a given called party.
- (F) The provision for service and the use of any ADAD(s) shall be in strict conformance to Part 64 of the Federal Communications Commission Rules and Regulations.

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Freedom, WY 83120

ID. PUC TARIFF NO. 3  
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SHEET NO. 22  
SHEET NO. \_\_\_  
SHEET NO. \_\_\_

## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.2 Use (Cont'd)

##### 2.2.5 Business Service

An end user being provided Local Exchange Service in the Company's service area, where the Customer's use of the telecommunications services is primarily of a business, professional, institutional or other occupational nature or where the service or any part of the service is provided at a business location. Under these circumstances, the service provided is classified as business service and business rates will apply. Business rates will apply to institutions such as churches, schools, hospitals, health care centers, non-profit groups and governmental bodies. The fact that business is conducted at a customer's residence, but the telephone is not used for the purpose of enticing individuals to call the residential telephone number or another telephone number in order to obtain a service or product, will not cause a customer's service to be classified or reclassified as a business service unless the residential telephone number is advertised by the customer in a Telephone Directory. For purposes of this definition, the customer shall include the end user, any member of the end user's household or any person residing at the end user's service address.

- (1) In the event the Customer advertises his/her residential telephone number in a business directory such as "Yellow Pages" or a similar directory, the Company will notify the Customer of its intent to reclassify the Customer's service as business service based on that advertisement. If the Customer demonstrates that he/she was unaware that such an advertisement would be viewed by the Company as a basis to reclassify residential service to business service, the Company will permit the Customer to continue receiving residential service at the residential rates, but the Company will assign the Customer a new telephone number with no connection charges on a one-time basis, with no availability of call forwarding from the disconnected number.

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LOCAL EXCHANGE SERVICE

2. General Regulations

2.2 Use (Cont'd)

2.2.5 Business Service (Cont'd)

(2) A customer who is currently paying a business rate and would like to change to residential service because he/she is no longer a business, has the following options:

(A) A business customer may change his/her telephone number and be charged residential rates for that new number. A service order and line connection charge will apply. If the customer chooses to advertise his/her new telephone number, his/her account will be charged business rates.

(3) A business customer may choose to keep his/her current telephone number. If so, the following conditions must be met:

(A) At the time a customer requests a change in status, Silver Star Communications will take the account out of his/her business name and list his/ her account under the customer name. A service order charge applies at this time. When the next telephone directory, in which the advertisement appeared, is published and there is no listing for the business name, the account rate will be changed from business to residential service. No service order charge will apply at this time. It is the responsibility of the customer to notify the Telephone Company when the new directory is printed without the customer's listing.

2.3 Obligations of the End User or Customer

2.3.1 Application for Service

(A) As a condition of requesting local service, an end user will be required to provide a properly executed application for service. This application for service can be completed via telephone, facsimile, mail, or by coming to the local business office.

(B) The Company may from time to time request end users that do not have applications for service on file to complete said application so as to maintain current and accurate customer information.

Columbine Telephone Company, Inc. dba  
SILVER STAR COMMUNICATIONS  
104101 US Highway 89  
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Freedom, WY 83120

ID. PUC TARIFF NO. 3  
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SHEET NO. 24  
SHEET NO. \_\_\_\_  
SHEET NO. \_\_\_\_

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LOCAL EXCHANGE SERVICE

2. General Regulations

2.3 Obligations of the End User or Customer (Cont'd)

2.3.1 Application for Service (Cont'd)

(C) All end users who are applying for new service with the Company, or who are changing the physical location of their current service with the Company, will have an additional 30 day period of time in which the end user may request additional calling features at no extra installation charges to the end user.

2.3.2 Damages

The end user shall reimburse the Telephone Company for damages to Telephone Company facilities utilized to provide services under this tariff caused by the negligence or willful act of the end user, their employees or agent, resulting from the end user's, employee's or agent's improper use of the Telephone Company facilities, or due to malfunction of any facilities or equipment provided by other than the Telephone Company. Such damages will be the actual cost of the materials and the actual hours required for repair of the damage multiplied by the appropriate labor rate.

Nothing in the foregoing provision shall be interpreted to hold one end user liable for another end user's actions. The Telephone Company will, upon reimbursement for damages, cooperate with the end user in prosecuting a claim against the person causing such damage and the end user shall be surrogated to the right of recovery by the Telephone Company for the damages to the extent of such payment.

2.3.3 Ownership of Facilities

Facilities utilized by the Telephone Company to provide service under the provisions of this tariff shall remain the property of the Telephone Company. Such facilities shall be returned to the Telephone Company by the end user, whenever requested, within a reasonable period following the request in as good condition as reasonable wear will permit.

2.3.4 Equipment Space and Power

The end user shall furnish or arrange to have furnished to the Telephone Company, at no charge, equipment space and electrical power required by the Telephone Company to provide services under this tariff at the points of termination of such services. The selection of ac or dc power shall be mutually agreed to by the end user and the Telephone Company. The end

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LOCAL EXCHANGE SERVICE

2. General Regulations

2.3 Obligations of the End User or Customer (Cont'd)

2.3.4 Equipment Space and Power (Cont'd)

user shall also make necessary arrangements in order that the Telephone Company will have access to such spaces at reasonable times for installing, testing, repairing or removing Telephone Company facilities.

2.3.5 Availability for Testing

The services provided under this tariff shall be available to the Telephone Company at times mutually agreed upon in order to permit the Telephone Company to make tests and adjustments appropriate for maintaining the services in satisfactory operating condition. Such tests and adjustments shall be completed within a reasonable time. No credit will be allowed for any interruptions involved during such tests and adjustments.

2.3.6 Claims and Demands for Damages

- (A) With respect to claims of patent infringement made by third persons, the end user shall defend, indemnify, protect and save harmless the Telephone Company, its employees, or agents from and against all claims arising out of the combining with, or use in connection with, the services provided under this tariff, any circuit, apparatus, system or method provided by the end user.
- (B) The end user shall defend, indemnify and save harmless the Telephone Company, its employees or agents from and against any suits, claims, losses or damages, including punitive damages, attorney fees and court costs by third persons arising out of the construction, installation, operation, maintenance or removal of the end user's circuits, facilities or equipment connected to the Telephone Company's facilities. Services provided under this tariff include, without limitation, Workmen's Compensation claims, actions for infringement of copyright and/or unauthorized use of program material, libel and slander actions based on the content of communications transmitted over the end user's circuits, facilities or equipment, and proceedings to recover taxes, fines or penalties for failure of the end user to obtain or maintain in effect any necessary certificates, permits, licenses or other authority to acquire or operate the services provided under this tariff; provided, however, the foregoing indemnification shall not apply to suits, claims and demands to recover damages for damage to property,

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LOCAL EXCHANGE SERVICE

2. General Regulations

2.3 Obligations of the End User or Customer (Cont'd)

2.3.6 Claims and Demands for Damages (Cont'd)

death or personal injury unless such suits, claims or demands are based on the tortuous conduct of the end user, or agents.

- (C) The end user shall defend, indemnify and save harmless the Telephone Company, its employees or agents from and against any suits, claims, losses or damages, including punitive damages, attorney fees and court costs by the end user or third parties arising out of any act or omission of the end user in the course of using services provided under this tariff.

2.3.7 Subdivisions

- (A) Where builders or developers subdivide property into five (5) or more lots for the purpose of selling either residential or business lots, such builder or developer shall be required to do the following before the Telephone Company will provide telephone service in the subdivision:

- (1) Provide the Telephone Company with a complete plot plan of present and future divisions of the development area.
- (2) The Pre-Development fee which reimburses the Telephone Company for the cost of the engineering services required to design the proposed telephone plant in the development area.
- (3) Without regard to the tariffed rates set forth in the Contributions in Aid to Construction Section of this tariff, provide for the pro-rata in-place cost of all feeder plant required to extend service to the subdivision and distribution facilities as may be required to properly and adequately serve the development area based on design criteria as established by the Commission in accordance with the Telephone Company engineering plans and Telephone Company specifications by:

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ID. PUC TARIFF NO. 3 SHEET NO. 27  
CANCELS ORIGINAL SHEET NO. 27  
REVISED NO. 1 SHEET NO. 27

## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.3 Obligations of the End User or Customer (Cont'd)

##### 2.3.7 Subdivisions (Cont'd)

- (a) Having the Telephone Company install the plant and pay the Telephone Company the estimated construction cost in advance of any construction; after signing the Real Estate Subdivision Agreement for Underground Telephone Distribution System.
- (b) Maintain responsibility for installing the in-place system including all feeder plant and distribution facilities in accordance with the Telephone Company's design and specifications. Any changes or modifications required by the Telephone Company will be the sole responsibility of the developer or builder.
- (4) If the developer or builder installs its own telephone feeder and distribution facilities for the subdivision, such facilities and construction methods must meet the specifications of the Telephone Company along with payment of the appropriate inspection fees, and the facilities be turned over to the Telephone Company, with clear title, before service will be provided to the residents of the subdivision by the Telephone Company.
- (5) (See Section 7.5, Limitations-Real Estate Subdivisions, contained herein.)

##### 2.3.8 Mobile Home Parks

(See Section 7, Construction Charges, contained herein.)

##### 2.3.9 Temporary or Speculative Service

When construction is required to provide temporary service to an applicant engaged in temporary or speculative business, anticipated to remain temporary for less than three (3) years, the applicant/end user is required to pay the cost of such construction and removal upon disconnection, in the event there is no prospect within six (6) months of the temporary

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Freedom, WY 83120

ID. PUC TARIFF NO. 3 SHEET NO. 28  
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REVISED NO. 1 SHEET NO. 28

## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.4 Payment Arrangements and Credit Allowances

##### 2.3.9 Temporary or Speculative Service (cont'd)

service disconnection to reuse the plant provided. If the service is so designated as temporary become permanent within the three years, applicant may be refunded the difference between the payment made and construction charge in effect at the time of temporary service placement.

##### 2.4.1 Payment of Rates, Charges and Deposits

(A) The Telephone Company may, in order to safeguard its interests, request a deposit or written guarantee. The company complies with deposit requirements as established by Idaho law.

Such deposit or written guarantor will be held by the Telephone Company until a residential customer establishes and maintains good credit. For a business customer, they must maintain good credit and not be delinquent more than once in the previous twelve (12) month period. Such end user will be required to sign the Guarantee for Payment of Telephone Service and will receive a Receipt of Deposit. No such deposit will be required of an end user who can provide a letter of credit from a previous telephone company, or who is a successor of this company and has established good credit and has no history of disconnect for non-pay. Such deposit will be the actual or estimated rates and charges for the services ordered (both local and toll) for the average two (2) month period within the last twelve (12) month period as set forth in Section 9.1. The fact that a deposit has been made in no way relieves the end user from complying with the Telephone Company's regulations as to the prompt payment of bills. At such time as the provision of service to the end user is terminated, the amount of the deposit will be credited to the end user's account and any credit balance which may remain will be refunded.

Such a deposit will be refunded or credited to the account when the end user has established credit or, in any event, after the end user has established a six (6) month active service and has a prompt payment record (no disconnect for non-pay) at any time prior to the termination of the provision of the service to the end user. In case of a cash deposit, for the period the deposit is held by the

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Freedom, WY 83120

ID. PUC TARIFF NO. 3 SHEET NO. 29  
CANCELS ORIGINAL SHEET NO. 29  
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## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.4 Payment Arrangements and Credit Allowances (Cont'd)

##### 2.4.1 Payment of Rates, Charges and Deposits (Cont'd)

Telephone Company, the end user will receive interest at a rate set forth in IDAPA 31.41.01, Rule 104 on annual basis. The interest rate will be applied as simple interest from the date the end user deposit is received by the Telephone Company to and including the date such deposit is credited to the end user's account or the date the deposit is refunded by the Telephone Company. Should a deposit be credited to the end user's account, as indicated above, no interest will accrue on the deposit from the date such deposit is credited to the end user's account.

- (B) The Telephone Company shall make every reasonable effort to bill, on a current basis, all charges incurred by the end user and credit all credits due to the end user under this tariff attributable to services established or discontinued during the preceding billing period.

The Telephone Company shall bill, in arrears, all usage sensitive charges (i.e., message toll) to its end users, and the associated taxes and charges.

The Telephone Company shall bill, in advance, charges for all services billed on a monthly basis to be provided during the ensuing billing period. The bill day (i.e., the billing date of a bill for an end user for Local Exchange Service under this tariff), the period of service each bill covers and the payment date will be as follows:

- (1) The Telephone Company will establish a bill day each month for the end user account. The bill will cover non-usage sensitive service charges, per month charges for the ensuing billing period for which the bill is rendered, any known unbilled non-usage sensitive charges for prior periods and unbilled usage charges (toll) for the period after the last bill day through the current bill day. Any

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104101 US Highway 89  
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Freedom, WY 83120

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## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.4 Payment Arrangements and Credit Allowances (Cont'd)

##### 2.4.1 Payment of Rates, Charges and Deposits (Cont'd)

known unbilled usage charges for prior periods if applicable, and any known unbilled adjustments will be applied to this bill. These charges may include any governmental taxes or fees such as, but not limited to, federal, state, city and county taxes, E911, Idaho USF, TRS. Payment for such bills is due as set forth in 2.4.1(B)(1)(a) following. (a) All bills dated as set forth in 2.4.1(B)(1) preceding for service, provided to the end user by the Telephone Company are due 20 days (payment date) after the bill day, except as provided herein, and are payable in immediately available funds. If such payment date would cause payment to be due on a Saturday, Sunday or any legal holiday observed in the state such as (New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day or Christmas Day is legally observed), payment for such bills will be due from the end user as follows:

- (a) If such payment date falls on a Saturday, Sunday or a Holiday which is observed on a Monday, the payment date shall be the first non-Holiday day following such Saturday, Sunday or Holiday. If such payment date falls on a Holiday which is observed on Tuesday, Wednesday, Thursday or Friday, the payment date shall be the next non-Holiday day following such Holiday.
- (b) In the event the end user makes payment on the account with a check and the bank on which the check is drawn returns the check for reasons of "Non Sufficient Funds" (NSF), account closed or any other reason, a charge pursuant to state law will be made as noted in Section 9.1. The Telephone Company will process the returned check one more

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## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.4 Payment Arrangements and Credit Allowances (Cont'd)

##### 2.4.1 Payment of Rates, Charges and Deposits (Cont'd)

time. If the check is returned again the end user will be required to pay cash for that check.

- (C) Adjustments for the quantities of services established or discontinued in any billing period beyond the minimum period set forth for services in other sections of this tariff will be prorated to the number of days or major fraction of days based on a 30 day month. The Telephone Company will furnish such detailed information as may reasonably be required for verification of any bill.
- (D) When a rate as set forth in this tariff is shown to more than two decimal places, the charges will be determined using the rate shown. The resulting amount will then be rounded to the nearest penny (i.e., rounded to two decimal places).

##### 2.4.2 Minimum Period

The minimum period for which services are provided and for which rates and charges are applicable is one (1) month (30 days) except where specifically noted elsewhere in this tariff.

When a service is discontinued prior to the expiration of the minimum period, charges are applicable, whether the service is used or not, as follows:

- (A) When a service with a one (1) month minimum period is discontinued prior to the expiration of the minimum period, a one (1) month charge will apply at the rate level in effect at the time service is discontinued.
- (B) When a service with a minimum period greater than one (1) month is discontinued prior to the expiration of the minimum period, the applicable charge will be the lesser of, (1) the Telephone

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ID. PUC TARIFF NO. 3 SHEET NO. 32  
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## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.4 Payment Arrangements and Credit Allowances (Cont'd)

##### 2.4.2 Minimum Period, (Cont'd)

Company's total non-recoverable costs, less the net salvage value for the discontinued service, or, (2) the total monthly charges, at the rate level in effect at the time service is discontinued, for the remainder of the minimum period.

##### 2.4.3 Cancellation of an Order for Service

Provisions for the cancellation of an order for service are set forth in Section 3.2.3(C) following.

##### 2.4.4 When a Credit Allowance Applies

###### (A) General

A service is interrupted when it becomes unusable to the end user because of failure of a facility component used to furnish service under this tariff or in the event that the protective controls applied by the Telephone Company result in the complete loss of service by the end user as set forth in Section 2.2.1 previously. An interruption period starts when inoperative service is reported to the Telephone Company, and ends when the service is operative. For purposes of administering the following regulations a major fraction shall mean more than half of the incremental credit period using the unit of time in which the service interruption is measured.

###### (B) When a Credit Allowance Applies

In case of an interruption to any service, allowance for the period of interruption, if not due to the negligence of the end user, shall be as follows:

The company will credit a customer's account by the amount equal to the monthly rate for one month of basic exchange service (Local Exchange Service) if the customer reports an out-of-service condition which has deteriorated service to the extent that the customer cannot make local calls or cannot receive local calls or cannot use the service for voice grade communications because of

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LOCAL EXCHANGE SERVICE

2. General Regulations

2.4 Payment Arrangements and Credit Allowances

2.4.4 Credit Allowance for Service Interruptions (Cont'd)

cross talk, static, or other transmission problems, and service is not restored (1) within sixteen hours after the report of the outage if the customer notifies the Telephone Company that the service outage creates an emergency for the customer; or (2) within 24 hours after the report of the outage if no emergency exists, except that outages reported between noon on Saturday, and 6:00 p.m. on the following Sunday must be restored within 48 hours or by 6:00 p.m. on the following Monday, whichever is sooner.

(C) When a Credit Allowance Does Not Apply

- (1) The credit will not apply to “out-of-service” conditions resulting from the willful neglect, misuse or abuse by the customer.
- (2) The credit will not apply to “out-of-service” conditions where the outage is in the customer’s inside wire or customer’s premises equipment, or customer owned drop.
- (3) This credit will not apply to “out-of-service” conditions resulting from natural disasters, or circumstances beyond control and knowledge of the Telephone Company and affecting large groups of customers.
- (4) This credit also will not apply to “out-of-service” conditions where service has been temporarily or permanently discontinued for nonpayment of bills, provided proper notice has been given.
- (5) Interruptions of service during any period in which the Telephone Company is not afforded access to the premises where the service is terminated.
- (6) Interruptions of service when the end user has released that service to the Telephone company for maintenance purposes, to make rearrangements, or for the

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ID. PUC TARIFF NO. 3 SHEET NO. 34  
CANCELS ORIGINAL SHEET NO. 34  
REVISED NO. 1 SHEET NO. 34

## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.4 Payment Arrangements and Credit Allowances (Cont'd)

##### 2.4.4 Credit Allowance for Service Interruptions (Cont'd)

implementation of an order for a change in the service during the time that was negotiated with the end user prior to the release of that service. Thereafter, a credit allowance as set forth in (B) preceding applies.

- (7) Periods when the end user elects not to release the service for testing and or repair and continues to use it on an impaired basis.

(D) Use of an Alternative Service Provided by the Telephone Company

Should the end user elect to use an alternative service provided by the Telephone Company during the period that a service is interrupted, the end user must pay the tariffed rates and charges.

(E) Temporary Surrender of a Service

In certain instances, the end user may be requested by the Telephone Company to surrender a service for purposes other than maintenance, testing or activity relating to a service order. If the end user consents, a credit allowance will be granted. In no case will the credit allowance exceed the monthly rate for the service surrendered in any one (1) monthly billing period.

##### 2.4.5 Re-establishment of Service Following Fire, Flood or Other Occurrence

(A) Non-recurring Charges Do Not Apply

Exchange Order, Line Connection and Installation Charges do not apply for the re-establishment of service following a fire, flood or other occurrence attributed to an Act of God provided that:

- (1) The service is of the same type as was provided prior to the fire, flood or other occurrence.
- (2) The service is for the same end user.

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ID. PUC TARIFF NO. 3 SHEET NO. 35  
CANCELS ORIGINAL SHEET NO. 35  
REVISED NO. 1 SHEET NO. 35

## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.4 Payment Arrangements and Credit Allowances (Cont'd)

- (3) The service is at the same general location on the same premises.
- (4) The re-establishment of service begins within 60 days after Telephone Company service is available. (The 60 day period may be extended a reasonable period if the renovation of the original location on the premises affected is not practical within the allotted time period).

#### (B) Non-recurring Charges Apply

Exchange Order, Line Connection and Installation Charges apply for establishing service at a different location, on the same premises, or at a different premises pending re-establishment of service at the original location at the rate set forth in Section 9.2 below.

#### 2.4.6 Title or Ownership Rights

The payment of rates and charges by Customers for the services offered under the provisions of this tariff does not assign, confer or transfer title or ownership rights to proposals or facilities developed or utilized, respectively, by the Telephone Company in the provision of such services.

### 2.5 Definitions

Certain terms used herein are defined as follows:

Access Line: The circuit with one termination at the Central Office and the other termination at the protector of the end user's designated premise.

Additional Listing: Any listing of a name or other authorized information in connection with an end user's telephone number in addition to the end user's entitled directory listing for Local Exchange Switching Service.

Applicant: The residential or business end user making application to the Company for Local Exchange Service, or other services as are defined herein.

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Freedom, WY 83120

ID. PUC TARIFF NO. 3 SHEET NO. 36  
CANCELS ORIGINAL SHEET NO. 36  
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## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.5 Definitions (Cont'd)

Authorized User: A person, firm or corporation (other than the end user) on whose premises a Local Exchange Service is located and who may communicate over such service in accordance with the terms of this tariff.

Automatic Dialing and Announcement Device: A device which dials telephone numbers it has been programmed to dial and plays a recorded message when a call is answered. There are two (2) types of automatic dialing and announcement devices: those used for solicitation calls and those used for non-solicitation calls.

Business Day: The time of day that the Telephone Company is open for business. Generally, Monday through Friday.

Business End User: An end user being provided Local Exchange Service in the Company's service area, where the Customer's use of the telecommunications services is primarily of a business, professional, institutional or other occupational nature or where the service or any part of the service is provided at a business location.

Call: An end user attempt for which the complete address code (i.e., 0-, 0+, 1, 911, 7 digits, or 10 digits) is provided to the serving dial tone office.

Central Office: The term "Central Office" denotes the Telephone Company switching system where Local Exchange Common Line Service loops are terminated for purposes of interconnection to each other and to trunks. This is also the place and/or machine that executes the switching of Local Exchange Switched Service and toll switching.

Change Charge: A charge for including end user requested changes on the Exchange Service Order after it had initially been submitted to the Telephone Company.

Channel(s): An electrical or photonic, in the case of fiber optic based transmission systems, communications path between two (2) or more points of termination.

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ID. PUC TARIFF NO. 3 SHEET NO. 37  
CANCELS ORIGINAL SHEET NO. 37  
REVISED NO. 1 SHEET NO. 37

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LOCAL EXCHANGE SERVICE

2. General Regulations

2.5 Definitions (Cont'd)

Commission: The Idaho Public Utilities Commission.

Common Line: Any basic service terminated on a central office switch.

Company: The term "Company or Telephone Company" denotes SILVER STAR COMMUNICATIONS, a dba of Columbine Telephone Company, Inc.

Construction Charge: A special separate non-recurring charge made for the construction of facilities in excess of those contemplated under the rates quoted in the exchange tariffs.

Contract: The agreement between an end user and the Company under which service and facilities are furnished in accordance with the applicable provisions of this tariff.

Cost: The cost of labor, materials and engineering which includes appropriate amounts to cover the Company's general operating and administrative expenses.

Customer: Any individual, partnership, association, joint-stock company, trust, corporation, or governmental entity, other entity, or organization which subscribes to the services offered under the Company's interstate or intrastate exchange tariff, including both Inter-exchange Carriers (ICs) and End Users. Only End Users are provided Local Exchange Service under this tariff.

Customer Trouble Report: An oral or written report from an end user of telephone service relating to a service affecting defect or a condition which prevents that end user from placing or receiving communications of satisfactory quality.

Directory Assistance: Provision of telephone numbers to an end user by an operator when dialing 411.

Directory Listing: A publication in the Company's alphabetical directory of information relative to an end user's name or other identification and telephone number.

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ID. PUC TARIFF NO. 3 SHEET NO. 38  
CANCELS ORIGINAL SHEET NO. 38  
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## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.5 Definitions (Cont'd)

Drop Wire: That portion of a circuit between the pole line or cable distributing point and the building in which the station is located.

Emergency: A situation which exists when serious sickness or public safety is involved.

End Office Switch: A local Telephone Company switching system where Telephone Exchange Service and user station loops are terminated for purposes of interconnection to trunks and other end user station loops.

End User: Any subscriber of a Local Exchange Service that does make such service available to others, directly or indirectly for the purpose of reselling interstate, intrastate or local exchange services.

Entrance Facilities: Facilities extending from the point of entrance on private property to the premises on which service is furnished.

Exchange: A unit, established by the Telephone Company for the administration of communications service in a specified area which usually embraces a city, town or village and its environs. It consists of one or more central offices together with the associated facilities used in furnishing communications service within that area.

Exchange Area(s): The territory served by an exchange.

Exchange Line: The circuit with one termination at the Central Office and the other termination at the protector of the end user's designated premises.

Exchange Service Order or End User Service Order Charge (Service Order Charge): A charge for preparing the order to connect, install, rearrange, move or repair Telephone Company facilities for the end user.

Extended Area Service: Commonly referred to as EAS, and is the interexchange communications between two (2) or more exchange areas furnished on a flat rate basis where available.

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ID. PUC TARIFF NO. 3 SHEET NO. 39  
CANCELS ORIGINAL SHEET NO. 39  
REVISED NO. 1 SHEET NO. 39

## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.5 Definitions (Cont'd)

Extension Line: A circuit connecting a primary exchange line which ends at one protector to an extension exchange line which ends at an extension protector, both serving the same end user and utilizing the same telephone number. Extension lines may be provided as premises extensions or as off premises extensions as defined herein.

Facilities: All the plant and equipment of the Company owned, operated, licensed, used, controlled, furnished or supplied for or by the Company, including any construction work in progress allowed by the Commission.

FCC: Federal Communications Commission.

Flat Rate Service: Local exchange service furnished at a fixed monthly charge.

First-Come First-Served: First-come first-served shall be based upon the received time and date stamped by the Telephone Company on complete and accurate end user orders received by the Telephone Company which allow it to initiate its ordering process. Inaccurate or incomplete end user orders shall not be deemed to have been received until such time as the end user corrects such inaccuracies and/or omissions. The end user shall not be penalized for any delay in the Telephone Company review process beyond 24 hours of receipt. Once having been advised of the errors and/or omissions, any delay in correction on the part of the end user shall be added to the received time and date. As facilities and/or equipment become available, end users will be provided service in the order of the earliest received time and date when practical, subject to grouped construction projects.

Immediately Available Funds: The term "Immediately Available Funds" denotes a corporate, business or personal check drawn on a bank account and funds which are available for the use by the receiving party on the same day on which they are received and include U.S. Federal Reserve bank wire transfers (where available), U.S. Federal Reserve notes (paper cash), U.S. coins, U.S. Postal Money Orders and Cashiers Checks.

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ID. PUC TARIFF NO. 3  
CANCELS \_\_\_\_\_  
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SHEET NO. 40  
SHEET NO. \_\_\_  
SHEET NO. \_\_\_

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LOCAL EXCHANGE SERVICE

2. General Regulations

2.5 Definitions (Cont'd)

Individual Case Basis (ICB): The term "Individual Case Basis" denotes a condition in which the regulations, if applicable, rates and charges for an offering under the provisions of this tariff are developed based on the circumstances in each case.

Installation Charge: A non-recurring charge made either prior to or at the time of the installation of local exchange service, in addition to Exchange Service Order Charges and other applicable charges for use of telephone facilities.

Line Connection Charges: A charge made to an end user for the purpose of reimbursing the Telephone Company for a portion of the cost involved in end user initiated connecting or rearranging of telephone facilities at the Telephone Company central office.

Local Call: A call made on a local rate basis between two (2) or more end users within an exchange calling area.

Local Calling Area: The area, consisting of one or more exchange serving areas, where an end user of local exchange service may make local or EAS calls without a toll charge.

Local Exchange Service: Communications service within a local calling area provided by the Company in accordance with the provisions of the Company's Local Exchange Service Tariff.

Message: The term "Message" denotes a "call" as defined preceding.

Mobile Home Park: A tract of land designed for the parking of mobile homes.

Move Charge: See Rearrangement Charge.

Non-Recurring Charge: a one-time charge associated with installations, rearrangements, connections, certain repairs, and charges that are in addition to recurring monthly service charges.

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104101 US Highway 89  
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Freedom, WY 83120

ID. PUC TARIFF NO. 3      SHEET NO. 41  
CANCELS ORIGINAL      SHEET NO. 41  
REVISED NO. 1      SHEET NO. 41

## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.5 Definitions (Cont'd)

Off-hook: The active condition of Switched or a Local Exchange Common Line Service.

On-hook: The idle condition of Switched or a Local Exchange Common Line Service.

Optional Services: Provided by the Telephone Company to enhance the utility of the Local Exchange Service to the end user on a per line basis where available.

Point of Termination: The point of demarcation (protector) within the end user designated premises at which the Telephone Company's responsibility for the provision of Local Exchange Service ends.

Premises: The buildings, portion or portions of a building on continuous property used and/or occupied by the end user in the conduct of his/her business or as a residence. Where floor space in adjoining building is made continuous at one or more floor levels, all floor space in both buildings is considered as the same premises insofar as the end user who uses and occupies such continuous floor space is concerned. The two buildings otherwise are considered as separate buildings.

Premises Extension Service: Premises Extension Service provides the end user with the ability to have two (2) or more terminations on a single local exchange service both of which are on the same premises or as an off-premise extension where the second termination is located on non-contiguous property.

Rearrangement Charge: A charge for rearranging or moving Telephone Company facilities on the end user premises.

Recurring Charge: The normal monthly charges for the Local Exchange Services offered under this tariff.

Registered Equipment: Customer's premises equipment which complies with and has been approved within the Registration Provision of Part 68 of the FCC's Rules and Regulations.

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Freedom, WY 83120

ID. PUC TARIFF NO. 3 SHEET NO. 42  
CANCELS ORIGINAL SHEET NO. 42  
REVISED NO. 1 SHEET NO. 42

## LOCAL EXCHANGE SERVICE

### 2. General Regulations

#### 2.5 Definitions (Cont'd)

Residential End User: An end user being provided Local Exchange Service, where the actual or obvious use of the service either by him/herself, members of his/her household, guests or parties calling can be considered as more of a residential (social or domestic) than a business nature.

Repair Charge (Maintenance Visit): A charge to repair Telephone Company facilities on the end user premises that were damaged either accidentally or intentionally.

Shortage of Facilities or Equipment: A condition which occurs when the Telephone Company does not have appropriate cable, switching capacity, bridging or multiplexing equipment, etc., necessary to provide the Local Exchange Service requested by the end user.

Subject to Availability of Equipment: Equipment in question is installed, in operating condition, and has the required capacity available in the end office of the Telephone Company.

Temporary Service: Local Exchange Service definitively known to be required for a short period of time, such as service provided for contractors or owners for use during construction of a building, sales campaign, athletic contests, conventions, fairs, circuses, etc.

Termination of Service Charge: A charge applied under certain conditions when a contract for service is terminated by the end user before the expiration of the initial contract period.

Underground Service Connection: An end user's drop wire which is run underground from a pole line or an underground distributing cable.

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Freedom, WY 83120

ID. PUC TARIFF NO. 3 SHEET NO. 43  
CANCELS ORIGINAL SHEET NO. 43  
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## LOCAL EXCHANGE SERVICE

### 3. Exchange Ordering and Installation Service

#### 3.1 General Description

This section sets forth the regulations and order related charges for the ordering and installation of Local Exchange Service from this tariff. These charges are in addition to other applicable recurring charges as set forth in other sections of this tariff.

A Local Exchange Order (Service Order) is an order to provide an end user with Local Exchange Service or changes to existing Local Exchange Service.

#### 3.1.1 Ordering Conditions

The end user may order any number of Basic Local Exchange Services to the end user's premises on a single order.

Each additional line requires a separate Exchange Order (Service Order).

The end user shall provide all information necessary for the Telephone Company to provide and bill for the requested exchange services. The minimum information the end user must provide is as follows:

- End user name and premises address.
- Billing name and address (when different from customer name and address).
- Customer designated contact name(s) and telephone number(s) for the following provisioning activities: order negotiation, order confirmation, service installation and service billing.
- Sufficient information to ascertain credit worthiness and perform a credit check.

#### 3.1.2 Provision of Other Services

Other services as may be ordered in conjunction with and on the same order for Local Exchange Service. All rates and charges set forth in Section 9 will apply to the rates and charges for the Exchange Service with which they are associated, in addition to ICB rates for other services.

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## LOCAL EXCHANGE SERVICE

### 3. Exchange Ordering and Installation Service

#### 3.2 Exchange Ordering Service

##### 3.2.1 Exchange Order Charge

An Exchange Order (Service Order) is used by the Telephone Company to allow the end user to initially order or make changes to Local Exchange Service and is applicable for the ordering of or change to services in the following situations:

- (A) Initial Exchange Order Charge
  - (1) Orders for initial connection of Local Exchange Service which includes any or all of the service offerings under this tariff.
- (B) Subsequent Order Charge
  - (1) Orders for additional Local Exchange Services after initial service is installed (customer calling features, additional directory services, etc.).
  - (2) Orders to move or rearrange existing facilities on the end user's premises.
  - (3) Orders for change in class of service, business to residence or residence to business.
  - (4) Orders for number change or change of name or address in an established directory listing, when such change is not required for continuation of satisfactory service or for correction of the Company's records.
  - (5) Orders for reconnection or restoration of service when the disconnection was due to the end user's noncompliance with this tariff.

In each of these instances an Exchange Service Order or End User Service Order Charge will be assessed at the rate set forth in Section 9.2 following.

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LOCAL EXCHANGE SERVICE

3. Exchange Ordering and Installation Service

3.2 Exchange Ordering Service (Cont'd)

3.2.1 Exchange Order Charge (Cont'd)

(C) Exchange Service Order Charges do not apply in the following situations:

- (1) Disconnection or suspension of service.
- (2) Orders for any work or changes initiated by the Telephone Company.
- (3) Orders for the normal maintenance and repair of the Telephone Company's facilities.
- (4) Orders for change or correction in name or billing address when there is no change in responsibility and no connection, disconnection, move or change in service.
- (5) Orders for necessary work or changes for the continuation of satisfactory service to the end user.

3.2.2 Exchange Order Service Date Provision

Local Exchange Services will be installed during standard Telephone Company business days. If the end user requests that installation be done outside of scheduled work hours, and the Telephone Company agrees to this request, the end user will be subject to the applicable Additional Labor Charges.

3.2.3 Exchange Order Change - Modifications

The end user may request a modification of the Exchange Order prior to the service date. The Telephone Company will make every effort to accommodate a requested modification when it is able to do so with the normal business hours. If the modifications cannot be made with the normal work force, during normal business hours, the Telephone Company will notify the end user.

LOCAL EXCHANGE SERVICE

3. Exchange Ordering and Installation Service

3.2 Exchange Ordering Service (Cont'd)

3.2.3 Exchange Order Change - Modifications (Cont'd)

If the end user still desires the Exchange Order modification, the Telephone Company will schedule a new service date.

Any increase in the number of Exchange Services will be treated as a new Exchange Order (for the increased amount only).

(A) Change Charge - Service Date Change

Exchange order service dates may be changed, but the new service date may not exceed the original service date by more than 30 calendar days. If the end user requested service date is more than 30 calendar days after the original service date, the order will be canceled by the Telephone Company and reissued. If the Telephone Company determines it can accommodate the end user's request without delaying service dates for orders of other end users, a new service date may be established. An order change charge as set forth in Section 9.2 following will apply to all service date changes of 30 days or less.

(B) Change Charge - Partial Cancellation

Any decrease in the number of ordered Exchange Services will be treated as a partial cancellation and the order change charges as set forth in Section 9.2 following will apply.

(C) Cancellation Charge

- (1) An end user may cancel an Exchange Order for the installation of service on any date prior to the service date. The cancellation date is the date the Telephone Company receives written or verbal notice from the end user that the order is to be canceled. The verbal notice must be followed by a written confirmation within ten (10) days.

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LOCAL EXCHANGE SERVICE

3. Exchange Ordering and Installation Service

3.2 Exchange Ordering Service (Cont'd)

3.2.3 Exchange Order Change - Modifications (Cont'd)

If an end user is unable to accept Local Exchange Service within 30 calendar days after the original service date, the end user has the choice of the following options:

- The Exchange Order shall be canceled and charges as set forth in (2) following apply; or
- Billing for the service will commence.

(2) When an end user cancels an Exchange Order for the installation of service, a Cancellation Charge will apply as follows:

- (a) Installation of Local Exchange Service is considered to have started when the Telephone Company incurs any cost in connection therewith or in preparation thereof which would not otherwise have been incurred.
- (b) Where the end user cancels an Exchange Order prior to the start of installation of facilities, no charges shall apply.
- (c) Where installation of facilities has been started prior to the cancellation, the charges shall be the greater of 1) the costs incurred in such installation (including the non-recoverable cost of equipment and material ordered, provided or used, plus the non-recoverable cost of installation and removal including the costs of engineering, labor, supervision, transportation, rights-of-way and other associated costs), less the estimated net salvage as determined by the Telephone Company; or 2) the charge for the minimum period for the Local Exchange Service involved.

LOCAL EXCHANGE SERVICE

3. Exchange Ordering and Installation Service

3.2 Exchange Ordering Service (Cont'd)

3.2.3 Exchange Order Change - Modifications (Cont'd)

- (d) When an end user cancels an order for the discontinuance of service, no charges apply for the cancellation.
- (e) If the Telephone Company misses a service day by more than 30 days due to circumstances over which it has direct control (excluding, i.e., acts of God, governmental requirements, work stoppages and civil commotions), the end user may cancel the Exchange Order without incurring any additional charges.
- (f) Expedited Order Charge: When placing an Exchange Order, an end user may request a service date that is prior to the applicable service date. An end user may also request an earlier service date on a pending Exchange Order. If the Telephone Company determines that the service can be provided on the requested date and that additional labor cost or extraordinary costs are required to meet the requested service date, the end user will be notified and will be provided with an estimate of actual cost, not to exceed 10% over estimated charges. Such additional charges will be determined and billed to the customer as follows:

To calculate the additional labor charges, the Telephone Company will, upon authorization from the end user to incur the additional labor charges, account for the additional labor hours used to meet the request of the end user and will bill the end user at the applicable Additional Labor charges.

When the request for expediting occurs subsequent to the issuance of the Exchange Order, a Change

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LOCAL EXCHANGE SERVICE

3. Exchange Ordering and Installation Service

3.2 Exchange Ordering Service (Cont'd)

3.2.3 Exchange Order Change - Modifications (Cont'd)

Charge - Service Date Change as set forth in  
3.2.3(A) preceding also applies.

3.3 Premises Visit Service

3.3.1 Installation/Connection

(A) Premises Visit Service is applicable for work on Telephone Company distribution facilities on the end user's premises in the following situations, and shall include up to the first 1 hour of travel time and labor. After 1 hour has expired, additional hours will be billed on a per hour basis according to Silver Star Communications' current rate:

- (1) Installation of an outside circuit, drop wire and/or protector due to an end user's initial request for installation of Local Exchange Service.
- (2) Rearrangement or move of an outside circuit, drop wire and/or protector due to an end user's initial request for such service.
- (3) Rearrangement or disconnection and later reconnection of an outside circuit, drop wire and/or protector initiated by the action of the customer, i.e., building maintenance or construction, cutting of trees or limbs by the customer, etc.

In each of these instances the Premises Visit Charge, applies as set forth in Section 9.2(3) following in addition to the appropriate Exchange Order Charge.

(B) Premises Visit Service does not apply in the following situations:

- (1) Disconnection or suspension of service.
- (2) Rearrangement or move of the outside circuit, drop wire or associated protector required for the continuation of satisfactory service.

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LOCAL EXCHANGE SERVICE

3. Exchange Ordering and Installation Service

3.3 Premises Visit Service (Cont'd)

3.3.1 Installation/Connection (Cont'd)

- (3) Rearrangement or move of the outside circuit, drop wire or associated protector initiated by the Telephone Company.

3.3.2 Central Office Charge

- (A) Line Connection charge is applicable for work in the Telephone Company central office in the following situations:

- (1) Initial connection of the end user line to the central office when Local Exchange Switched Service is ordered by the end user.
- (2) A change in the telephone number made at the request of the end user.
- (3) Line Connection Charge may apply to installation of calling features.
- (4) A reconnection or restoration of Local Exchange Switched Service when the disconnection was due to the end user's noncompliance with this tariff.

In each of these instances the Line Connection Charge as set forth in Section 9.2(4) following apply in addition to the applicable Exchange Order Charge.

- (B) Line Connection Service does not apply in the following situations:

- (1) Disconnection or suspension of service.
- (2) Transfer of service when there is no change in number or lapse in service.
- (3) Rearrangement of line connections initiated by the Telephone Company.

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Freedom, WY 83120

ID. PUC TARIFF NO. 3 SHEET NO. 51  
CANCELS ORIGINAL SHEET NO. 51  
REVISED NO. 1 SHEET NO. 51

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LOCAL EXCHANGE SERVICE

4. Promotional Offerings

4.1 Promotional Offerings

4.1.1 General Description

The Telephone Company may, during certain promotional periods, waive or discount the service and equipment charge and/or monthly rates of new and existing services or products for a designated period of time to a customer who wishes to participate.

Any promotional waiver or discounted rate will apply only one time per customer for each service in any given wire center prefix during the course of the promotional period.

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ID. PUC TARIFF NO. 3 SHEET NO. 52  
CANCELS ORIGINAL SHEET NO. 52  
REVISED NO. 1 SHEET NO. 52

## LOCAL EXCHANGE SERVICE

### 5. Local Exchange Service

#### 5.1 General Description

Local Exchange Service provides for a line and the ability to switch or complete a call made by one end user within the Telephone Company Exchange to another end user within the Telephone Company Exchange or to another end user in a designated EAS exchange. Local Exchange Service also provides for the listing of the end user's name and telephone number in the local telephone directory and includes one (1) local telephone directory each end user.

#### 5.2 Undertaking of the Telephone Company

- (A) The Telephone Company will provide Local Exchange Service to end users residing within the exchange boundaries of the Telephone Company Exchange.
- (B) Use of Local Exchange Service will be provided to residential and business end users only.
- (C) An end user that is provided with Local Exchange Service (Switching) will be provided with a telephone number which numerical values are of the Telephone Company's choosing.
- (D) An end user that is provided with a telephone number will also be provided with a one line entry in the annual telephone directory listing the end user's name and telephone number; the end user's street address may be published at the option of the Company.
- (E) An end user that is provided Local Exchange Service may at the end user's request be provided a Premises Extension or Off Premises Extension in accordance with the provisions (reference Section 7.6, below).
- (F) Intercept arrangements as requested will be provided to the end users of Local Exchange Service with each relocation or discontinuation of service. Such intercept arrangements (referral) are provided, where available, without charge for the first 30 days.

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## LOCAL EXCHANGE SERVICE

### 5. Local Exchange Service

#### 5.2 Undertaking of the Telephone Company (Cont'd)

- (G) The Telephone Company will administer its network to insure the provision of acceptable service levels to all end users of the Telephone Company's service as defined in Part 64 of the FCC Rules. Generally, service levels are considered acceptable only when end users are able to establish connections with little or no delay encountered within the Telephone Company network.

The Telephone Company maintains the right to apply protective controls that selectively cancel the completion of traffic carried over its network, including that associated with the end user's Local Exchange Service. Generally, such protective measures would only be taken as a result of occurrences such as failure or overload of Telephone Company facilities, natural disasters, mass calling or national security demands. In the event that the protective controls applied by the Telephone Company result in the loss of service by the end user, the end user will be granted a Credit Allowance for Service Interruption as set forth above in Section 2.4.4.

- (H) Touch Tone Service will be provided with Local Exchange Service.
- (I) The Telephone Company will provide Extended Area Service (EAS), where available, along with Local Exchange Service to Silver Star Communications' end users.
- (J) Local measured service is available to residential end users. Local measured Service is a reduced rate service which provides access to 911, 0+ and 0-calling along with a specified number of local and EAS calling (no area code required) minutes. If the end user exceeds the allowable minutes, there will be a per minute charge of \$0.03 for each additional local minute. When an end user places a long distance call (using an area code) those minutes do not count against the allowable minutes.

#### 5.3 Vacation Service

Vacation Service provides for the maintenance of the same telephone number on a year-to-year basis for end users that subscribe to telephone service during at least eight (8) months of the year, but return every year, at a discounted cost. This service allows for the publication of the telephone number in the telephone directory, but does not allow for special notations. Vacation Service does not

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Freedom, WY 83120

ID. PUC TARIFF NO. 3 SHEET NO. 54  
CANCELS ORIGINAL SHEET NO. 54  
REVISED NO. 1 SHEET NO. 54

## LOCAL EXCHANGE SERVICE

### 5. Local Exchange Service

#### 5.3 Vacation Service (Cont'd)

eliminate the Exchange Order Charge upon the reconnection of service, and the end user remains responsible to pay applicable Federal and State surcharges on the reduced monthly ICB rate. The end user is required to notify the Telephone Company of their request for vacation service; services will automatically be reconnected based on end user designation or at eight months, whichever is later.

#### 5.4 Limitations

- (A) The Company will assist the subscriber in finding an acceptable number, however, the determination of the numerical value of the telephone number provided to the end user is the sole responsibility of the Telephone Company, and the telephone number itself is the sole property of the Telephone Company.
- (B) The design of the local telephone directory and the individual listing of each end user is the sole responsibility of the Telephone Company.
- (C) Local Exchange Service will not be provided to end users residing outside of the Telephone Company's Local Exchange Area; however, Foreign Exchange Service may be offered by the Telephone Company at its discretion.
- (D) Local Exchange Service will not be provided for use as dedicated facilities.

#### 5.5 Obligations of the End User

The obligations of the end user are as set forth above in Section 2.3. In addition, the following obligations apply:

- (A) The end user shall upon application for Local Exchange Service provide the desired name for the directory listing and street address (optional) if different than that on the service order application.

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Freedom, WY 83120

ID. PUC TARIFF NO. 3 SHEET NO. 55  
CANCELS ORIGINAL SHEET NO. 55  
REVISED NO. 1 SHEET NO. 55

## LOCAL EXCHANGE SERVICE

### 5. Local Exchange Service (Cont'd)

#### 5.5 Obligations of the End User (Cont'd)

- (B) An end user discontinuing or relocating Local Exchange Access Service and requesting an intercept message, where available, for the discontinued telephone number, shall Notify the Telephone Company at the time the end user requests the discontinuance or relocation.
- (C) An end user ordering an unlisted or unpublished directory listing shall notify the Telephone Company of such order at the time of application for Local Exchange Service.

#### 5.6 Payment Arrangements and Credit Allowances

Payment arrangements and credit allowances as set forth above in Section 2.4.

#### 5.7 Rate Regulations

- (A) The charge for Residential Local Exchange Service is as set forth in Section 9.3 following.
- (B) The charge for business Local Exchange Service is as set forth in Section 9.3.

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## LOCAL EXCHANGE SERVICE

### 6. Local Exchange Special Service

#### 6.1 General Description

Local Exchange Special Service provides the necessary elements to provide a dedicated transmission path between two or more end users within the local exchange area. Local Exchange Special Service does not provide for the use of the Telephone Company end office switches.

#### 6.2 Undertaking of the Telephone Company

- (A) The Telephone Company will provide Local Exchange Special Service at voice grade to all end users residing within the exchange boundaries of the Telephone Company Exchange, at rates set forth below in Section 9.4.
- (B) The Company will provide Local Exchange Special Service over other than voice grade line subject to the Special Service Arrangements Section of this tariff in Section 7.6 below.
- (C) The Telephone Company will provide optional features and functions as requested by the end user subject to availability, at rates to be determined on an individual case basis.

#### 6.3 Limitations

- (A) Local Exchange Switched Service is a prerequisite to being provided with Local Exchange Special Service.
- (B) Local Exchange Special Service is not provided to end users or customers residing outside the local exchange area.

#### 6.4 Obligations of the End User

The obligations of the end user are as set forth above in Section 2.3.

#### 6.5 Payment Arrangements and Credit Allowances

The payment arrangements and credit allowances as set forth above in Section 2.4.

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104101 US Highway 89  
P.O. Box 226  
Freedom, WY 83120

ID. PUC TARIFF NO. 3 SHEET NO. 57  
CANCELS ORIGINAL SHEET NO. 57  
REVISED NO. 1 SHEET NO. 57

## LOCAL EXCHANGE SERVICE

### 6. Local Exchange Special Service (Cont'd)

#### 6.6 Rate Regulations

- (A) Local Exchange Special Service is provided at the rates set forth in Section 9.4 below.
- (B) When Local Exchange Special Service is ordered, the Exchange Order Charge and Installation Charge apply.
- (C) When Features and Functions or other than voice grade is ordered, the installation charge will be actual hours multiplied by the current labor rate.

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## LOCAL EXCHANGE SERVICE

### 7. Construction Charges

Construction charges for line extension consist of additions to plant beyond existing leads. Construction charges for line extensions not exceeding 500' are applied to all subscriber applicants to prevent unreasonable burdening the general body of existing subscribers. All line extensions will be owned by the Company.

#### 7.1 General Description

- (A) Construction charges for line extensions as set forth in this section apply in connection with all types of service when established by means of an extension to the Company's plant consisting of buried or overhead construction, including extensions by means of poles, or other methods, if determined feasible by the Company, to be owned by the Company, or jointly with others and by means of contacts or contact space on poles of others. The Company shall determine the type of construction to be used.
- (B) The word "cost" when used in this section, means the "installed plant cost" consisting of labor, materials, equipment hire, rental or use of Company owned equipment, and/or contract services such as road pushes, road crossings, dry road boring, backhoe use or trenching, engineering and any other overhead expense associated with the construction. The "cost" will include any fee or charge exacted by any municipality, county, state or federal government or private party for street crossings, rights-of-way, use of roads, land or facilities.

#### 7.2 Undertaking of the Telephone Company - Single Applicants

- (A) The locations for construction of line extensions are determined by the Telephone Company and the distances (including drop wire) are measured along the route so selected.
- (B) Construction to serve two (2) or more customers, whether on public right-of-way or private easements, may be used for serving subscribers in general.

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ID. PUC TARIFF NO. 3  
CANCELS NO. 1  
REVISED NO. 2

SHEET NO. 59  
SHEET NO. 59  
SHEET NO. 59

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LOCAL EXCHANGE SERVICE

7. Construction Charges

7.2 Undertaking of the Telephone Company - Single Applicants (Cont'd)

- (C) Plant extensions (along public roads or on private property) not exceeding 500' will be furnished at a flat fee cost, per application. Where the total extension exceeds 500', the applicant will pay to the Company prior to construction the actual cost of plant extension exceeding the 500' plus the flat fee cost.
- (D) Line extension charges assessed to applicants will be based on the Rules as set forth herein. In case of disagreement or dispute regarding the application of these rules, or in circumstances where the application of these rules appear impracticable or unjust to either party, the utility, applicant, or applicants may refer the matter to the IPUC for ruling.
- (E) When construction is required to serve a new applicant, a survey is made of all prospective subscribers who might be served from the new construction or an extension thereof, and who might benefit by being included in the project.
- (F) All applicants are grouped in a single project when there is not more than one-half (1/2) mile of construction between successive applicants. Separate projects are established whenever the construction between any two (2) successive applicants exceeds one-half (1/2) mile. Two or more projects are combined, however, whenever this results in lower charges (or no increase in charges) for all of the applicants involved.
- (G) The Company will provide the applicant, at any premises, only a single line extension and drop wire allowance regardless of the number of services ordered at that premises.

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ID. PUC TARIFF NO. 3  
CANCELS NO. 1  
REVISED NO. 2

SHEET NO. 60  
SHEET NO. 60  
SHEET NO. 60

## LOCAL EXCHANGE SERVICE

### 7. Construction Charges

#### 7.3 Undertaking of the Telephone Company - Group Applicants

- (A) Applicants ordering service at more than one premises are treated as separate applicants at each premises for purposes of this schedule; however, a single applicant may only receive construction allowance for one of those premises. The construction allowance for each individual applicant is as set forth in 7.2(C) above.
- (B) For the purpose of determining project charges, the collective construction allowance for the group is subtracted from the overall Line Extension costs required for service. The total project cost is then divided equally among all applicants.

#### Exceptions:

- (1) No applicant is required to pay a higher charge than he would if the project were established for him alone. Any difference between this charge and the average charge for the group is absorbed by the Company.
- (2) Charges for extensions to plant on private property, including drop wire, are assumed by applicants on whose property such extensions are made and these charges are not included in the overall charges for the project.
- (C) When a new applicant can be served from a completed project, within three (3) years from the date service was initially established for such project, the charges for the entire project are recomputed to include the new applicant. The new applicant pays a prorated amount of the line extension charge based on the number of months (a fraction of a month is counted as a full month) remaining in the original three (3) year term. The time is computed from the date service is established for the new applicant.
- (D) Where additional construction is required for an applicant to be served for a project less than three (3) years old, the cost of the project is computed as above if such recomputation does not increase the charges to those customers served from the existing project. Otherwise, a new project will be established.

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ID. PUC TARIFF NO. 3      SHEET NO. 61  
CANCELS ORIGINAL      SHEET NO. 61  
REVISED NO. 1      SHEET NO. 61

LOCAL EXCHANGE SERVICE

7. Construction Charges

7.3 Undertaking of the Telephone Company - Group Applicants (Cont'd)

(E) When a project is recomputed as described above, existing subscribers will be refunded a prorated amount of the difference between the original charges and the recomputed charges, based on the remainder of the three (3) year term. Recomputation of the charges, due to the addition of new applicants, is made on the assumption that there have been no disconnects.

7.4 Undertaking of the Telephone Company - Subsequent Applicants

(A) When construction on private property is subsequently treated as being on public roads, or where a private road is dedicated to the public use, within three (3) years of completion of the original project, the line extension charges shall be recomputed and refunds made to the initial applicants where applicable.

(B) When one (1) or more subscribers on a project disconnect within the three (3) year term, no refund is made of the line extension charge to the disconnected subscribers. Charges to remaining subscribers are not affected by disconnects.

(C) When a subscriber disconnects service or moves off the project and service is established for a new applicant at the same location, any adjustment in charges is a matter for negotiation between the original subscriber and the new applicant.

(D) Where a subscriber is disconnected for any reason, and subsequently re-applies for service from the same premises or another premises on the same project, the subscriber will not be required to pay any additional line extension charges in addition to his/her total original obligation.

7.5 Limitations - Real Estate Subdivision

(A) Line extensions into real estate subdivisions will be made by the company provided ninety percent (90%) of the estimated total cost of such extension is advanced to the Company by the subdivider. Upon completion of construction of the feeder and distribution plant facilities, transfer of ownership of such facilities to the Telephone Company must be made. The Telephone Company will refund back to the developer the amount so advanced when fifty percent (50%) of the estimated total

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ID. PUC TARIFF NO. 3 SHEET NO. 62  
CANCELS ORIGINAL SHEET NO. 62  
REVISED NO. 1 SHEET NO. 62

## LOCAL EXCHANGE SERVICE

### 7. Construction Charges

#### 7.5 Limitations - Real Estate Subdivision (Cont'd)

telephone services or lots are connected within the subdivision during a period of five (5) years from the date of agreement. Change of ownership for a lot which previously subscribed to telephone service would not constitute a new end user. No refunds will be made on any telephone service not maintained for twelve (12) consecutive months.

Customers that have subscribed to vacation service do not qualify for inclusion in the refund. The Telephone Company will not refund to the developer amounts in excess of the total construction costs which the developer paid for the installation of the facilities, including the initial engineering costs. At the end of the five (5) year period, the balance not refunded shall be considered Contributions in Aid to Construction. The subdivider shall notify the Company, in writing, when the fifty percent (50%) occupancy has been attained. Final evaluation will be made by the Company.

- (B) Line extensions and/or additions to provide service to an applicant engaged in temporary or speculative business will be made on the condition that applicant pays to the Company the total cost of the construction and removal of the line necessary in furnishing the service, less the salvage value of the material used.
- (C) If a subscriber maintains for thirty-six (36) consecutive months, a service installation which was originally established on a temporary or speculative basis, and if his/her business or operation, at the end of that time, has proven its permanency to the satisfaction of the Company, there will be refunded to the subscriber an amount equal to the difference between the payment made and the normal line extension charge which would have been applicable at the time the subscriber's service was installed.
- (D) In no event shall service installation be classified as temporary or speculative for more than three (3) years. Refund provisions apply at the end of not more than three (3) years.

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ID. PUC TARIFF NO. 3 SHEET NO. 63  
CANCELS ORIGINAL SHEET NO. 63  
REVISED NO. 1 SHEET NO. 63

## LOCAL EXCHANGE SERVICE

### 7. Construction Charges

#### 7.6 Special Service Arrangements

- (A) Arrangements on an individual case basis, other than provided for in this section, may be made in the following cases:
- (1) Where the applicant requests a particular type of construction or a specific route for extensions to meet the applicant's special requirements and where the construction or route so requested differs from the normal standards of the Company and is not required by law.
  - (2) Line extensions involving underground crossing of railroads, highway or power lines, submarine cable, or along river crossings.
  - (3) Where construction is required to provide service on a seasonal basis, or to meet other unusual conditions.
  - (4) Any other line extension and/or additions involving unusual or disproportionately large construction expenditures as compared to the usual line extension.
- (B) Special service arrangements provided hereunder are for regulated equipment and services only, and will only be provided in accordance with a contract to provide special services.
- (C) The Telephone Company will provide premises line extension service (both on and off premises extensions) in conjunction with Local Exchange Common Line Service or Special Service to end users residing within the exchange boundaries of the Telephone Company exchange, at the rates set forth in Section 9.5 below. Premises extension service will only be provided within the Local Exchange. Premises Extension Service will not be provided by the Telephone Company from the end user's side of the protector; it will only be provided from the Company's side of the protector. The end user shall pay the full construction cost for installation of the premises extension service, and it cannot be used in place of or as a substitute for basic local service.

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ID. PUC TARIFF NO. 3  
CANCELS NO. 1  
REVISED NO. 2

SHEET NO. 64  
SHEET NO. 64  
SHEET NO. 64

## LOCAL EXCHANGE SERVICE

### 7. Construction Charges, (Cont'd)

#### 7.7 Mobile Home Parks

A developer who prepares a tract of land for the purpose of parking mobile homes, needs to sign the Trailer Park Agreement for Underground Distribution System, and the mobile home developer is required to provide a trailer stake or pedestal post at the back side, between every two (2) mobile home parking lots for the purpose of attaching the protector on the trailer stake or pedestal post outside of the mobile home. In no case will telephone service be provided when the protector is attached to the mobile homes.

#### 7.8 Obligations of the End User

- (A) In all cases of construction, the end user is responsible to provide the trenching which is subject to Company approval. In the event the end user elects the Company to undertake the construction, both an appropriate hourly engineering and labor charge applies for the Company's supervision and completion of the project. The demarcation point shall generally be the building or premises receiving service.
- (B) Line extensions are payable in advance. In the event of overcharge, refunds to applicants will reflect the difference between the estimated cost and the actual cost of the line extension. In the event of undercharge, the Company shall bill the applicant for the actual amount construction costs exceeding the estimated extension costs beyond 10%. Any adjustments between the estimated costs advanced by the applicant and the reasonable actual cost shall be made, billed to or refunded to the applicant within ninety (90) days after completion of the extension.

#### 7.9 Payment Arrangements and Credit Allowances

Payment for Construction Charges is due in full at the estimated cost prior to the start of construction.

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ID. PUC TARIFF NO. 3  
CANCELS NO. 1  
REVISED NO. 2

SHEET NO. 65  
SHEET NO. 65  
SHEET NO. 65

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LOCAL EXCHANGE SERVICE

7. Construction Charges, (Cont'd)

7.10 Rate Regulations

- (A) A flat fee charge shall apply for all extensions and additions to plant necessary to provide telephone service along existing exchange telephone circuits of this utility that are less than 500' as set forth in Section 9.7 below.
- (B) Construction costs for plant extensions will be paid by the applicant, per 7.7(B) above.
- (C) Costs for Special Service Arrangements shall be determined on an individual case basis (ICB).

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## LOCAL EXCHANGE SERVICE

### 8. Engineering and Labor Services

In this section, normally scheduled working hours are an employee's scheduled work period on any given business day, which totals eight (8) hours.

#### 8.1 Engineering Services

##### 8.1.1 Normal Engineering Services

Normal Engineering Services are provided when:

- (A) An end user orders service which requires the end user to pay Contributions in Aid to Construction and the Telephone Company is required to design the facilities for the end user.
- (B) A developer pays a pre-development fee and submits the required plot plan of present and future divisions of the subdivision and the Telephone Company designs the proposed layout of the telephone plant in the development area.
- (C) An end user constructs his/her own facilities and Telephone Company personnel inspect the installed facilities to determine if they meet the specifications of the Telephone Company prior to the provision of telephone service.

##### 8.1.2 Additional Engineering Services

Additional Engineering Services are provided when:

- (A) The end user or developer requests additional technical information after the Telephone Company has already provided the proposed layout of the telephone plant and provided the specification requirements.
- (B) Engineering time is spent by the Telephone Company to engineer an end user's or developer's request for a construction project that is customized (other than usual).

##### 8.1.3 Charges for Normal and Additional Engineering

The charges for Normal and Additional Engineering are the current Silver Star Communications labor rates.

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Freedom, WY 83120

ID. PUC TARIFF NO. 3  
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SHEET NO. 67  
SHEET NO. \_\_\_  
SHEET NO. \_\_\_

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LOCAL EXCHANGE SERVICE

8. Engineering and Labor Services

8.2 Normal and Additional Labor

8.2.1 Normal Labor Services

Normal Labor Services are provided when:

- (A) Labor is utilized to repair damages to Telephone Company facilities during normal business day hours and the damage was caused either accidentally or intentionally by an end user, contractor or any other person.
- (B) Labor is utilized to construct telephone facilities for a developer in a subdivision or mobile home park during normal business hours.

8.2.2 Additional Labor Services

Additional labor is that labor requested by the end user on a given service and agreed to by the Telephone Company. The Telephone Company will notify the end user that additional labor charges apply before any additional labor is undertaken. Additional labor charges apply when:

- (A) Installation of service is provided by the Telephone Company outside of the normally scheduled working hours.
- (B) Repair work is performed to repair damaged facilities caused either accidentally or intentionally by the customers, and either the end user or the Telephone Company determines that repair must be made outside of the normally scheduled working hours.

8.2.3 Normal and Additional Labor Charges

The charges for Normal and Additional Labor are the current Silver Star Communications labor rate.

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Diane M. Hanian Secretary

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ID. PUC TARIFF NO. 3  
 CANCELS NO. 1  
 REVISED NO. 2

SHEET NO. 68  
 SHEET NO. 68  
 SHEET NO. 68

LOCAL EXCHANGE SERVICE

9. Rates and Charges

All the rates and charges for the services offered in this tariff are shown in this section. Reference is made for each rate element to the appropriate tariff paragraph where the application of the service is described.

9.1	<u>General Regulations</u>	<u>Rate</u>	<u>Source</u>
	<u>Payment Related Charges</u>		
	<u>Driggs, Victor, Tetonia, Irwin, Wayan:</u>		
(1)	Deposit if required per end user	Two (2) Months Local & Toll Charges	2.4.1(A)
(2)	Return Check Charge	\$20.00	2.4.1(B)
9.2	<u>Exchange Ordering and Installation Service</u>		
	<u>Exchange Order Charge</u>		
	<u>Driggs, Victor, Tetonia, Irwin, Wayan:</u>		
(1)	Initial Order Charge per order	\$20.00	3.2.1(A)
(2)	Subsequent Exchange Order Charge per Order	\$12.00	3.2.1(B)
(3)	Premise Visit Charge Per premise visit*	**	3.3.1
(4)	Line Connection Charge per connection	\$20.00	3.3.2
9.3	<u>Local Exchange Service*</u>		
	<u>Irwin, Wayan:</u>		
(A)	Residential End User Service Per Month	\$25.76	5.2
	Business end User Service Per Month	\$42.00	
(B)	Residential Local Measured Service Per Month (including 240 minutes of local and EAS calling)	\$17.88	
	Per Minute (usage exceeding 240 minutes/month)	\$ .03	5.2

\*Up to 1 hour of travel time and labor, for greater than 1 hour see Section 3.3.1(A).

\*\*Company's current hourly rate.

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ID. PUC TARIFF NO. 3  
 CANCELS NO. 1  
 REVISED NO. 2

SHEET NO. 69  
 SHEET NO. 69  
 SHEET NO. 69

LOCAL EXCHANGE SERVICE

9.	<u>Rates and Charges</u>	<u>Rate</u>	<u>Source</u>
9.3	<u>Local Exchange Service (Cont'd)*</u>		
	<u>Driggs, Victor, Tetonia:</u>		
(A)	Residential End User Service Per Month	\$24.10	5.2
	Business End User Service Per Month	\$42.00	
(B)	Residential Safety Line Service Per Month (including 240 minutes of local and EAS calling)	\$17.88	
	Per Minute (usage exceeding 240 minutes/month)	\$ .03	5.2
9.4	<u>Local Exchange Special Service*</u>		6.7
	<u>Driggs, Victor, Tetonia</u>		
(A)	2 Wire Per Month	\$43.82	
	4 Wire Per Month	\$58.42	
	56kpbs	ICB	
	<u>Irwin, Wayan:</u>		
(A)	2 Wire Per Month	\$63.00	
	4 Wire Per Month	\$73.50	
	56kpbs	ICB	
9.5	<u>Premises Extension Service - (Per Month)*</u>		
	<u>Driggs, Victor, Tetonia:</u>		
	Premises Extension-per 100 feet or portion thereof	\$2.00	7.6(C)
	Off Premises Extension-per 1/4 mile or portion thereof	\$2.50	7.6(C)
	<u>Irwin, Wayan:</u>		
	Premises Extension-per 100 feet or portion thereof	\$1.25	7.6(C)
	Off Premises Extension-per 1/4 mile or portion thereof	\$2.50	7.6(C)

\*Applicable Exchange Order, Line Connection and Installation Charges Apply

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ID. PUC TARIFF NO. 3  
 CANCELS NO. 1  
 REVISED NO. 2

SHEET NO. 70  
 SHEET NO. 70  
 SHEET NO. 70

LOCAL EXCHANGE SERVICE

9.	<u>Rates and Charges</u>	<u>Rate</u>	<u>Source</u>
9.6	<u>Special Service Arrangements - Per month**</u>		
	<u>Driggs, Victor, Tetonia:</u>		
	Line Treatment	\$7.50	7.6
	Per Arrangement	ICB	7.6
	<u>Irwin, Wayan:</u>		
	Line Treatment	ICB	7.6
	Per Arrangement	ICB	7.6
9.7	<u>Plant Addition/Facilities Extension</u>		
	(A) One-time Charge, under 500'	\$350.00	8.2(C)
9.8	<u>Engineering and Labor Services</u>		
	(A) Engineering Services		
	(1) Normal Engineering Services-At Current Rate		8.1.3
	(2) Overtime Engineering Services-At Current Rate		8.1.3
	(3) Drop staking Fee-Refundable Upon Service		
	Two times the current normal engineering services		8.1.3
	Rate per hour		
	(B) Labor Services – Maintenance Visit		
	(1) Normal Labor Services-At Current Rate		8.2.3
	(2) Additional Labor Services-At Current Rate		8.2.3
9.9	<u>Digital Transport Service</u>		
	Each DTS circuit, monthly recurring	\$130.00	11.3

\* Applicable Exchange Order Charges apply.  
 \*\*Company's current hourly rate.

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**Jan Noriyuki Secretary**

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## LOCAL EXCHANGE SERVICE

### 10. Telephone Service Assistance

Assistance to qualifying low-income subscribers for the provision of telephone service is available through joint Federal and State Programs that make funds available to qualifying individuals for discounted telephone service. The State Program is called the Idaho Telephone Service Assistance Program (ITSAP) and provides a \$2.50 per month credit to qualifying subscribers. The Federal Program, called Lifeline, provides a monthly credit to be applied to qualified subscriber bills.

#### 10.1 Idaho Telephone Service Assistance Program (ITSAP)

- (A) The program is administered by the Idaho Department of Health and Welfare in accordance with Idaho Code Section 56-901.
- (B) Telecommunication Carriers providing basic local exchange service shall provide assistance in the form of a monthly discount to eligible subscribers of basic local exchange service of \$2.50.
- (C) In no case will the discount exceed the rate charged for the grade of basic local exchange service subscribed to by such eligible individual subscriber.
- (D) ITSAP will only be used to provide for a single basic local service at the principal residence of the eligible subscriber. A residence shall consist of that portion of a building occupied by a single family or individuals functioning as one domestic unit.
- (E) Eligibility
  - (1) To be eligible, the applicant must be head of a household.
  - (2) Eligible Households are those whose income is at or below 135% of the Federal Poverty Guidelines or those who participate in certain federal assistance programs.
  - (3) Households may apply at any Idaho Department of Health and Welfare office or at their local community action partnership office.
  - (4) Credit is effective beginning on the date of Health and Welfare's approval of Subscriber's status (Decision Date).

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ID. PUC TARIFF NO. 3 SHEET NO. 72  
CANCELS ORIGINAL SHEET NO. 72  
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## LOCAL EXCHANGE SERVICE

### 10. Telephone Service Assistance

#### 10.1 Idaho Telephone Service Assistance Program (ITSAP) (Cont'd)

##### (F) Recovery

A monthly surcharge will be assessed on each business and residential end user's basic local service that will be sufficient to reimburse each carrier for the total amount of assistance discounts and the administrator's expenses, as determined annually by the Idaho Public Utilities Commission. The surcharge shall be explicitly stated on end user billings but shall not be imposed on eligible subscribers.

#### 10.2 Lifeline

(A) Lifeline assistance is a federally funded program providing a credit for qualifying low-income consumers toward basic local service charges.

(B) The monthly reduction is determined by the FCC, as periodically adjusted. A portion of the Federal lifeline reduction may be used to waive the consumer's Federal End-User Common Line Charge or Subscriber Line Charge.

(C) In no case will the discount exceed the rate charged for the service subscribed to by such eligible individual.

(D) The following services are included:

- (1) Single party, voice grade access to the Public Switched Network
- (2) Access to emergency services
- (3) Access to operator services
- (4) Access to interexchange services, unless toll blocking is chosen
- (5) Toll Blocking

(D) Eligibility

(1) An applicant must meet certain eligibility criteria as specified by the FCC in order to qualify for Lifeline assistance.

(2) The customer must be recertified annually.

(3) Households in a multi-family residence may be eligible for lifeline assistance.

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ID. PUC TARIFF NO. 3 SHEET NO. 73  
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LOCAL EXCHANGE SERVICE

10. Telephone Service Assistance

10.2 Lifeline

- (E) The Lifeline program credit will begin with the next billing cycle of the Company following the date the Company receives a valid application from the customer.
- (F) The Lifeline program credit will be subject to the following restrictions:
  - (1) Lifeline credit will only be provided to the applicant's principal residence.
  - (2) Lifeline credit will not be furnished on a Foreign Exchange (FEX) basis.
  - (3) Lifeline service shall not be disconnected for non-payment of toll charges.
  - (4) If the consumer chooses "toll blocking", the Company will not charge a service deposit, and no toll blocking charges will be assessed to Lifeline subscribers.
- (G) The Company will offer Lifeline only during such periods as reimbursement of the discount is available to the Company from Federal revenue sources.

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## LOCAL EXCHANGE SERVICE

### 11. Digital Transport Service

#### 11.1 General

Digital Transport Service (DTS) is a digital connection from the company's wire center to the customer's premises. The service involves a high capacity DS-1 interface through which the customer performs the channelization function. DTS includes a DS-1 facility, common equipment and local switching. The customer supplies the customer premise equipment (CPE) necessary to derive up to 24 voice-grade channels or utilize the full available bandwidth.

#### 11.2 Terms and Conditions

- (A) DTS is provided subject to the availability of Company facilities.
- (B) Each DTS facility enables the customer to configure up to a maximum of 24 channels. The CPE necessary to channelize the service is the sole responsibility of the customer.
- (C) The customer is responsible for utilizing CPE that is compatible with Company equipment.
- (D) In conformance with NECA's FCC Tariff No. 5, DTS may be assessed five (5) Multi-line Business End User Common Line charges, regardless of the number of activated channels, depending upon system configuration.
- (E) The customer is required to provide muxing/demuxing at the customer premises, if necessary.
- (F) The customer is responsible for channel assignments on the DS-1 facility.
- (G) The customer is responsible for placement, installation, operation, maintenance, repair and replacement of the inside wire not owned by the Company and the CPE that the customer uses in connection with the service. Customer premises wiring must be compatible with the Company's provision of the service.

#### 11.3 Rates

Each DTS circuit	Monthly recurring	\$130.00
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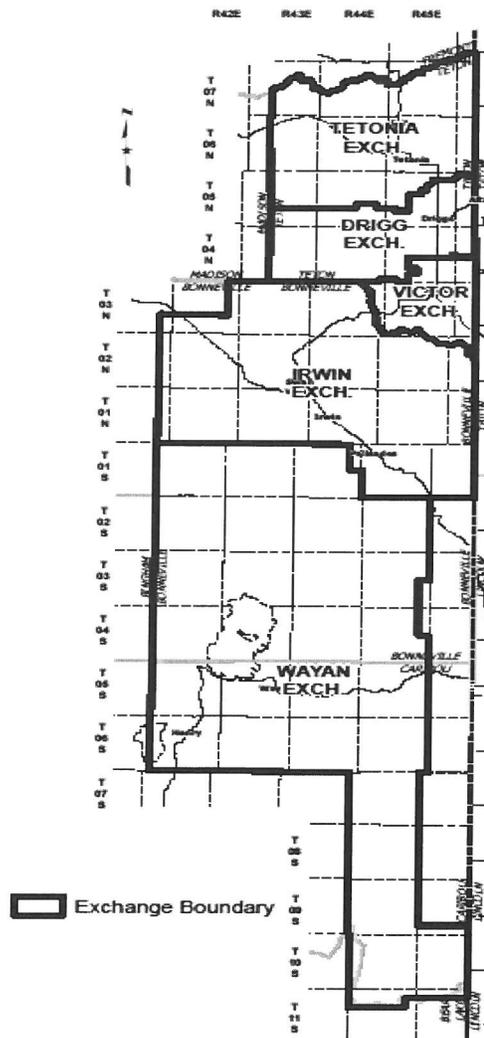
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### LOCAL EXCHANGE SERVICE

12. Exhibits  
12.1 Exchange Area Map



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