

INTEREXCHANGE TELECOMMUNICATIONS SERVICES

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**ADOPTION NOTICE**

**ANPI, LLC**

ANPI, LLC hereby adopts, ratifies, and makes its own, in every respect as if the same had been originally filed by it, all schedules, rules notices, concurrences, schedule agreements, divisions, authorities or other instruments whatsoever, previously filed with the Missouri Public Service Commission, by Associated Network Partners, Inc.

By this notice it also adopts and ratifies all supplements or amendments to any of the above schedules, etc. which Associated Network Partners, Inc. has heretofore filed with, and which were approved by, said Commission.

## INTEREXCHANGE TELECOMMUNICATIONS SERVICES

## WAIVER OF RULES

This tariff contains the rules, regulations, descriptions and rates applicable to the furnishing of competitive interexchange telecommunications services offered by ANPI, LLC. This tariff is filed pursuant to Section 392.220 of the Public Service Commission Act. ANPI, LLC is a reseller of interexchange services. THIS TARIFF CONTAINS A BINDING ARBITRATION PROVISION WHICH MAY BE ENFORCED BY ANPI, LLC. (T)  
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STATUTES

Section 392.210.2	System of Accounts
Section 392.240.1	Rates-reasonable average return on investment
Section 392.270	Property valuation
Section 392.280	Depreciation rates
Section 392.290	Issuance of stocks and bonds
Section 392.300	Transfer of capital stock
Section 392.310	Issuance of stocks and bonds
Section 392.320	Issuance of stocks and bonds
Section 392.330	Issuance of stocks and bonds
Section 392.340	Reorganization

COMMISSION RULES

4 CSR 240-10.020	Income on depreciation fund investments
4 CSR 240-30.040	Uniform System of Accounts
4 CSR 240-3.550(4) and (5)(A)	Records and Reports
4 CSR 240-32.060	Engineering and Maintenance
4 CSR 240-32.070	Quality of Service
4 CSR 240-32.080	Service Levels
4 CSR 240-33.040(1)-(3) and (5)-(10)	Billing and Payment
4 CSR 240-33.045	Charge on Bills
4 CSR 240-33.080(1)	Billing
4 CSR 240-33.130(1), (4) and (5)	Operator Service

INTEREXCHANGE TELECOMMUNICATIONS SERVICE

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EXPLANATION OF SYMBOLS

- (C) to signify changes in regulation
- (D) to signify discontinued rate or regulation
- (I) to signify increase
- (M) to signify matter relocated without change
- (N) to signify new rate or regulation
- (R) to signify reduction
- (S) to signify reissued matter
- (T) to signify a change in text but no change in rate or regulation
- (Z) to signify a correction

**CONCURRING CARRIERS**

None

**CONNECTING CARRIERS**

None

**OTHER PARTICIPATING CARRIERS**

None

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1. **APPLICATION OF TARIFF**

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1.1 This tariff applies to specialized switching services furnished by ANPI, hereinafter referred to as the "Company", with its principle address at 2060 West Iles, Suite A, Springfield, Illinois 62704, for communications within the State of Missouri. Service is furnished by wire, cable, radio and/or a combination thereof.

1.2 This service is available only to interexchange carriers (IXCs) who have entered into binding contracts with ANPI.

1.3 When services and facilities are provided in part by the Company and in part by other Companies, the regulations of the Company apply to that portion of the service or facilities which it supplies.

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## INTEREXCHANGE TELECOMMUNICATIONS SERVICE

**RECEIVED**2. **DEFINITIONS**

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The following definitions apply for certain terms used generally throughout this tariff. MISSOURI  
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**Access Code:** A sequence of numbers that, when dialed, connect the caller to the provider of operator services associated with that sequence. These access codes include, but are not limited to, 950, 1-800 and 10XXX.

**Access Line:** A communication channel which is used for access to an Company service point.

**Accounting Code:** A multi-digit code which enables a Customer to allocate long distance charges to internal accounts.

**Accounting Code (ANPI Service):** Customer-defined, non-verified codes which can be used to identify a project or an account for allocating the cost of the long distance call. From a dedicated access line, an Accounting Code can consist of up to seven digits but when used with an ID Code (as defined herein), the total number of digits cannot exceed seven. From an appropriately equipped telephone number, an Accounting Code will consist of two digits, and cannot be dialed in conjunction with an ID Code.

**Aggregator:** Any person or entity, that is not an operator service provider and that in the ordinary course of its operations makes telephones available to the public or transient users of its premises, or university for telephone calls between points within this state that are specified by the user using an operator service provider.

**Answer Supervision:** An electrical signal fed back up the line by the local telco at the distant end of a long distance call to indicate positively the call has been answered by the called phone.

**Authorized User:** A person, firm, corporation, or other legal entity which is authorized by the Customer to be connected to the service of the Customer. An Authorized user(s) must be named in the application for service.

**Automatic Numbering Identification (ANI):** A type of signaling provided by a local exchange telephone Company which automatically identifies the local exchange line from which a call originates.

**Application for Service:** A standard order form which includes all pertinent billing, technical, and other descriptive information which will enable the carrier to provide the communication service as required.

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**INTEREXCHANGE TELECOMMUNICATIONS SERVICE**

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2. **DEFINITIONS** (Cont'd)

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Calling Card Call: A call for which charges are billed, not to the originating telephone number, but to the telephone calling card issued by a local exchange or long distance telephone Company for this purpose.

Carrier: An entity which provides telecommunications services by means of a tariff to end users under authority granted it by the FCC.

Channel: The path for electrical transmission between two or more points.

Commission: The Missouri Public Service Commission.

Company: ASSOCIATED NETWORK PARTNERS, INC. (ANPI)

Connecting Carrier: A telecommunications Company, which may be either an interexchange or a local exchange carrier, that supplies the Company with facilities to originate or terminate the Company's long distance services.

Consumer: The term consumer means a person initiating any telephone call using operator services.

Customer: The Customer is a Carrier which orders, cancels or amends service; is responsible for the payment of charges; and is responsible for compliance with all the Company tariff regulations.

Customer Dialed Calling Card Call: A Calling Card Call which does not require intervention by an attended operator position to complete.

Dedicated Access Service: The generic term for a service in which the Customer's traffic passes over an access line connecting the Customer's premise to a Company switch, which is used solely for that Customer's traffic.

End User: An individual or entity designated by the consumer to be responsible for the payment of calls placed using the Company's Services.

Equal Access Office: Switch operated by the Company equipped with the hardware and software required to allow the customers to presubscribe to the interexchange carrier of their choice.

FCC: Federal Communications Commission.

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**Hertz:** Is a unit of frequency equal to one cycle per second.

**ID Code (ANPI Service):** A customer defined, verified code used to identify the user making an ANPI call. From a dedicated access line, an ID Code can consist of up to seven digits, but when used with a non-verified Accounting Code (as defined herein), the total number of digits cannot exceed seven. From an ANPI Dial "1" telephone number, an ID Code will consist of two digits and cannot be dialed in conjunction with an Accounting Code.

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**Intrastate Telecommunications Service:** The term "Intrastate Telecommunications Service" denotes the furnishing of direct dial and operator assisted domestic interstate switched network services to the Customer for the completion of long distance voice and dial up low speed data transmissions over voice grade channel between and among point within the State of Missouri.

**Line Haul Mileage:** Denotes mileage distance between the Company Terminal Office Cites.

**Local Exchange Area:** The term "Local Exchange Area" denotes a unit established by the company for the administration of communications services in a specified area which usually embraces a city, town, or village and its environs. Specific definitions of the Company local exchange areas are available upon request.

**Local Exchange Carrier (LEC):** A Company which provides telecommunications service within a local exchange area.

**Local Time:** The time observed, standard or daylight savings, at the rate center associated with the originating point of the call.

**Measured Charge:** A charge assessed on a per minute basis in calculating a portion of the charges due for a completed Operator Assisted, Direct Dial Call, Credit Card or Third Party Call.

**Message:** Represents an interexchange toll call for which appropriate charges shall be assessed.

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**INTEREXCHANGE TELECOMMUNICATIONS SERVICE**

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2. **DEFINITIONS** (Cont'd)

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Operator Assisted Call: An intrastate telephone connection completed Company's Operator Services.

Operator Service Charge: A non-measured (fixed) surcharge which is added to a measured charge in calculating the total tariff charges due for a completed Operator Assisted Call.

Operator Services: Any telecommunications service that includes, as a component, any automated or live assistance afforded to a consumer to arrange for the billing and/or completion, of a telephone call that are specified by the user through a method other than:

- \* Automatic Completion with billing to the telephone from which the call originated;
- \* Completion through an access code or a proprietary account number used by the consumer, with billing to an account previously established with the carrier by the consumer; or
- \* Completion in association with directory assistance services

Premises: All buildings occupied by the Customer and/or his authorized user on a contiguous property (except railroad right of way, etc.) not intersected by a public road.

Service: Intrastate telecommunications service is offered to Customers of the Company to provide Direct Dial and Operator Assisted Calls placed in the state of Missouri.

Special Services: Denotes service provided and performed by the Company involving special engineering, design, programming, development or production activities to provide services requested by a Customer to meet special needs not otherwise provided under this tariff.

Station: Any location from which a message can be originated or received.

Subscriber: A firm or other entity that selects a telecommunications Company to be the Presubscribed Provider of Services for one or more locations within that person or entity's control.

Switch: A local Telephone Company switching system where Telephone Exchange Service customer station loops are terminated for purposes of interconnection to each other and to trunks through electronic services which are used to provide circuit routing and control.

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2. **DEFINITIONS** (Cont'd)

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Telecommunications: The transmission of voice communications or, subject to the transmission capabilities of the service, the transmission capabilities of the service, the transmission of data, facsimile, signaling, metering, or any other form of intelligence over dedicated or switched facilities.

Third Party Call: A call for which charges are billed, not to the originating telephone number, but to a third party telephone number which is neither the originating nor the terminating telephone number.

Voice-Grade Channel: Denotes a communications channel with a nominal bandwidth of 4,000 hertz.

Weekday: One of the normal business days of the week, Monday through Friday, excluding Holidays and Weekend periods.

Weekend: The period from 11 p.m. Friday to, but not including 8 a.m. Monday.

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3. DESCRIPTION OF SERVICES

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3.1 The Company acts as an aggregator by consolidating MTS traffic from a number of IXC's and contracting with an underlying national carrier or carriers to originate and terminate the toll calls. The Company is owned and managed collectively by these IXC's.

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3.2 The customers have two service options. They may choose either switched or dedicated service. With dedicated service, the customer bears the responsibility to deliver the originating traffic to a certain point specified by ANPI and pay the tariffed LEC originating access charges. With switched service, ANPI will arrange with the underlying carrier to pick up originating traffic and the customer will not be responsible for any of the LEC's access charges.

3.3 MESSAGE TELECOMMUNICATIONS SERVICE

3.3.1 MTS - This service arrangement allows an End user to originate calls in areas with Equal Access capabilities served by the Company by presubscribing to the Service. Calls are billed in six (6) second increments after an initial minimum billable period of eighteen (18) seconds. A Customers minimum monthly bill shall not be less than \$500.00.

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INTEREXCHANGE TELECOMMUNICATIONS SERVICE**RECEIVED**3. DESCRIPTION OF SERVICES (Cont'd)

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3.4 CALLING CARDMISSOURI  
Public Service Commission3.4.1 Calling Card

3.4.1.1 Calling Card Service is a one-way, dial-in - dial-out multipoint service. Calling Card customers may originate calls from, and terminate calls to every city within the State of Missouri. Subscribers who originate calls can access the Company via Company provided facilities by dialing a toll free access number. Pricing for both charges and surcharges is applicable. Subscribers may originate calls from either tone generating or rotary phones. Calls originating from rotary phones will be completed with the assistance of operators, and rated as though they were placed as an interstate Toll Free Number access "intra-LATA" Calling Card Call.

3.4.1.2 Calling Card Service may be provided as a Standalone Service or as an Enhanced Service. If a customer subscribes solely to the Credit Card Service the customer will be designated as a Standalone Calling Card Customer. A Customers minimum monthly bill shall not be less than \$500.00. If a customer chooses Calling Card in conjunction with, or as an enhancement to, his or her existing Company Service, he or she will be designated as an Enhanced Calling Card customer. All calling card calls are rounded to the next higher full minute.

3.4.1.3 Collection and remittance of taxes are the responsibility of the customer.

3.4.2 Calling Card Optional Features

3.4.2.1 Authorization Codes - As a nonchargeable optional feature, ANPI offers 14 digit authorization codes for customers to make available to their end users.

3.4.2.2 Surcharge - ANPI will bill a surcharge on all calling card which varies dependent upon the originating and terminating location

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3. DESCRIPTION OF SERVICES (Cont'd)

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3.4 CALLING CARD (Cont'd)

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3.4.2 Calling Card Optional Features (Cont'd)

3.4.2.3 Call Records on Magnetic Tape - ANPI charges both recurring and non-recurring charges to companies who order call records on magnetic tape.

3.5 OPERATOR SERVICES

3.5.1 Operator Services will be offered in accordance with the appropriate rules and regulations as prescribed for "Operator Service Providers", as amended.

3.5.2 Description - Operator Services will be offered to the Company's Customers served from equal access offices, and to users accessing the company's services through public payphones or Customer provided stations. Billing procedures will be established for each Customer.

Operator Service rates will apply to the following types of calls.

(1) Customer Dialed Calling Card Station - Calls completed without the assistance of a Company operator when the charges are billed to a calling card account entered by the calling party.

(2) Station to Station - Calls completed with the assistance of a Company operator on a station-to-station basis. Charges may be billed to the customer's calling card account, or to the calling station, called station or a designated third party station.

(3) Person-to-Person - Calls completed with the assistance of a Company operator to a particular person, station, department or PBX extension specified by the calling party. Charges may be billed to the customer's calling card account, or to the calling station, called station or a designated third station.

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3. DESCRIPTION OF SERVICES (Cont'd)

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3.5 OPERATOR SERVICES (Cont'd)

(4) Operator Dialed - Calls completed by the Company operator by physically dialing the telephone number. Charges may be billed to the customer's calling card account, or to the calling station, called station or a designated third station and may be in addition to other service charges listed above.

3.5.3 Usage Charges - The charges for Operator Services will be the usage rates in the Company-Customer contracts plus a per call charge dependent upon the type of operator service provided. In addition, an Operator Dialed Surcharge will apply on a per call basis when the Customer has the capability of dialing all the digits necessary to complete the call, but elects to dial only the operator code and requests the operator to dial the called station. Discounts are available off of the above cited rates based on volume and minimum contractual periods to be determined.

3.5.4 In providing operator services, ANPI agrees that:

(A) ANPI will not knowingly bill for incomplete calls and will remove any charge(s) for incomplete calls upon subscriber notification or carrier's knowledge of the charge(s) for incomplete calls.

(B) ANPI will advise the caller and billed party (if different from the end user) that ANPI is the operator service provider at the time of the initial contact.

(C) ANPI will provide rate quotes, including all rate components and any additional charges, upon request, at no charge.

(D) ANPI will allow only tariff charges approved by the Commission, or otherwise allowed by law for the provision of operator services, to appear on billings rendered by local exchange companies (LECs) on behalf of carrier and will not collect location surcharges imposed by traffic aggregators.

(E) ANPI will arrange for listing of its name on a LEC's billing of ANPI's charges, if the LEC has multi-carrier bill listing capability.

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3. DESCRIPTION OF SERVICES (Cont'd)

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3.5 OPERATOR SERVICES (Cont'd)

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(F) ANPI will employ reasonable calling card verification procedures which are acceptable to the companies issuing the calling cards. In order to control fraud, ANPI may refuse to accept calling cards which it determines to be invalid or cards which it is unable to verify.

(G) ANPI will direct all "00" emergency calls to the LEC at no charge.

(H) ANPI's contracts with traffic aggregators will contain provision which:

(1) Prohibit the blocking of access to an end user's interchange carrier of choice;

(2) Provide for the prominent posting or display, on or near the telephones to be utilized by end users, of material setting forth the name of the carrier, complaint procedures, instructions on reaching the LEC operator as well as other interexchange carriers and procedures for emergency calls.

3.6 TOLL FREE NUMBER SERVICES

3.5.1 The Company Toll Free Number Service is an inbound voice service which permits calls to a subscriber's station in one location from stations located in other exchanges, and in which the subscriber is billed for the calls rather than the call originators. All Toll Free Number Service type calls are subject to an 18-second minimum initial period and additional 6-second increments. All Toll Free Number Service type calls are rounded to the next higher 6-second increment.

3.5.2 The Company reserves the right to require an applicant for the Company Toll Free Number Service to supply the following calling pattern information when requesting service: an initial traffic forecast, identification of anticipated busy hour, identification of its geographical marketing target areas, and a schedule of marketing and promotional activities. The Company may also require that a new traffic forecast be submitted by the Customer quarterly after service is initiated.

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3. DESCRIPTION OF SERVICES (Cont'd)3.6 TOLL FREE NUMBER SERVICES (Cont'd)**MISSOURI  
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3.5.3 The Company's Toll Free Number Service is furnished upon condition that the Customer contracts for adequate facilities to permit the use of this service without injurious effect upon it or any service rendered by the Company. The Company may terminate or refuse to furnish Toll Free Number Service to any applicant, without incurring any liability and without notice to the Customer, if the use of the service would interfere with or impair any service rendered by the Company.

3.5.4 The Customer must ensure that the subscriber obtains an adequate number of access lines for the Company Toll Free Number Services to handle the Customer's expected demand in order to prevent interference or impairment of this service or any other service provided by the Company considering: (1) total call volume; (2) average call duration; (3) time-of-day characteristics; and (4) peak calling period. The Company, without incurring any liability and without notice to the Customer, may disconnect or refuse to furnish the Company Toll Free Number Service to any Customer that fails to comply with these conditions.

3.5.5 Use of numbers; Each Toll Free Number Service telephone number must be placed in actual and substantial use by the Customer. "Substantial use" shall mean a pattern of use that demonstrates an intent on the Customer's part to employ the number for the purpose for which it was intended; namely, to allow callers to reach the Subscriber, as indicated, for example, by at least 30 average monthly minutes of use or more. Any Toll Free Number telephone number associated with the Company Toll Free Number Service that has not been placed in actual and substantial use during the first sixty (60) day period after service activation may be redesigned as a spare number in the Company Toll Free Number database by the Company upon written notice to the Customer.

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3.6 TOLL FREE NUMBER SERVICES (Cont'd)**MISSOURI  
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3.5.6 If the Customer requests assignment of a specific Toll Free Number Service telephone number, the Company may require the Customer to submit a number reservation agreement form to the Company. At no time may a Customer have more than ten (10) numbers reserved. Any reservation shall be for no more than sixty (60) days and shall be subject to a reservation fee which will be credited to Customer's unpaid balance after the Company Toll Free Number Service has been in actual and substantial use for a consecutive sixty (60) day period.

3.5.7 Nothing in this Section, or in any other provision of this tariff, or in any marketing materials issued by or on behalf of the Company, shall give any person, including prospective Customers who have reserved Toll Free Number telephone number hereunder or Customers who subscribe to and use the Company Toll Free Number Service or their transferee or assigns, any ownership interest or proprietary right in any particular Toll Free Number; however, upon placing a number actually and substantially in use, as defined above, the Company Toll Free Number Service Customers do have a controlling interest in the Toll Free Number(s). The Company's Toll Free Number Service Customer may retain the use of their Toll Free Number assignments, even following changes in their Toll Free Number Service carrier and/or Resp. Org.

3.5.8 If a Customer places an order for the Company to carry Customer's already existing Toll Free number service, the Customer shall provide to the Company the contact names, telephone number and address of the Customer's Responsible Organization (Resp. Org.). Upon subscription to the Company Toll Free Number Service, the Customer may execute a Letter of Authorization to transfer Resp. Org. responsibility of its Toll Free number(s) to the Company Resp. Org. in writing within 48 hours of the change. The Customer is responsible for all outstanding indebtedness for services provided by a previous Resp. Org. or Toll Free Number service carrier. The Company assumes no responsibility or liability with respect to any obligations of Customer to such previous service providers existing at the time of transfer to the Company.

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3. DESCRIPTION OF SERVICES (Cont'd)

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3.6 TOLL FREE NUMBER SERVICES (Cont'd)

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3.5.9 In the event that a Customer cancels its Toll Free Number service, the Customer may elect to retain the Company's Resp. Org. Where media Toll Free Number Service Customer, a charge for Resp. Org. Service will apply as set forth in this Tariff.

3.5.10 It is the Customer's responsibility to provide answer supervision back to the Company point of connection even when the Company Toll Free Number Service is connected to switching equipment or a Customer-provided communications system. In such case, the equipment or system must provide appropriate supervision so that the measure of chargeable time begins upon delivery of the call to the Customer's switching equipment or communications system and ends upon termination of the call.

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4. **RULES AND REGULATIONS**

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4.1 **GENERAL**

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4.1.1 This tariff provides rules and regulations for the sale of interexchange services to interexchange carriers who will in turn resell this service to end user customers.

4.1.2 The services furnished herein are for the transmission and reception of voice, data and other types of communications. Services provided pursuant to this tariff may be utilized only for the transmission of communications by Customers consistent with the terms of this tariff, and the rules and regulations of the State of Missouri.

4.1.3 Subject to unavoidable network interruptions, the Company shall endeavor to provide services and facilities 24 hours a day, 7 days a week.

4.1.4 Service is offered subject to the availability of the necessary facilities and/or equipment of the Company and/or the Inter-exchange Carrier, (IXC), serving the Customer. It is offered only also contingent on the attainment of prescribed volume thresholds and minimum service period commitments by the Customer. A Customers minimum monthly bill shall not be less than \$500.00. The Company reserves the right to provide services to and from locations where the necessary facilities and/or equipment are available.

4.1.5 The Company reserves the right to suspend service or delay service installation until sufficient network facilities are available to meet the anticipated traffic demand, or terminate a service request with a full refund of any charges billed to the Customer if satisfactory arrangements cannot be concluded within what the Company determines to be a reasonable amount of time.

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INTEREXCHANGE TELECOMMUNICATIONS SERVICE **RECEIVED**

4. **RULES AND REGULATIONS (Cont'd)**

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4.2 **CUSTOMER CONDITIONS**

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4.2.1 Subject to exceptions contained within this tariff, rules and regulations shall be dictated by contracts between the Company and the Customer.

4.2.2 Only companies entering into binding contracts with and purchasing stock of the Company may purchase services pursuant to this tariff.

4.2.3 No restrictions apply on sharing or resale of services. The Customer remains liable for all obligations under this tariff notwithstanding such sharing or resale and regardless of the Company's knowledge of same.

4.2.4 Use of the services herein in a manner that could interfere with the services provided to other Customers, harm the facilities of the Company or others is prohibited.

4.2.5 In the event that the Company determines, based upon its sole judgment, that there is fraudulent use of either the services furnished by the Company or the Company's network, the Company will without liability to the Customer discontinue service and/or seek legal recourse to recover from the Customer all costs involved in enforcement of this provision.

4.2.5.1 Service may be discontinued by the Company, without notice to the Customer, by blocking traffic to or from certain cities, or NXX exchanges, or by blocking calls using certain Customer authorization codes, such as calling card codes, which the Company deems, in its sole judgment, is necessary to take such action to prevent unlawful use of its services. The Company will restore service as soon as it can be provided without undue risk.

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4. RULES AND REGULATIONS (Cont'd)

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4.2 CUSTOMER CONDITIONS (Cont'd)

**MISSOURI  
Public Service Commission**

4.2.5.2 Without incurring any liability, the Company may discontinue the furnishing of service(s) to a Customer immediately and without notice if the Company deems, in its sole judgment, that such action is necessary to prevent or protect against fraud or to otherwise protect its personnel, agents, facilities or services.

4.3 CUSTOMER OBLIGATIONS

4.3.1 The collection and remittance of end user applied state and local taxes to the appropriate taxing authority are the sole responsibility of the Customer purchasing services from this tariff.

4.3.2 Services furnished by the Company may not be used for any unlawful purpose.

4.3.3 The Customer shall be responsible for damages to the Company's facilities or that of its network providers caused by the act or omission of the Customer, its authorized users, officers, directors, employees, agents, contractors, licensees or invitees or any person or entity who gains access to the service at the customer through the negligence of the customer.

4.3.4 The Customer may not assign or transfer to a third party, whether by operation of law or otherwise, the right to use the services provided under this tariff, provided however, that where there is not interruption of use or relocation of the services, such assignment or transfer may be made to the following:

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4. RULES AND REGULATIONS (Cont'd)

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4.3 CUSTOMER OBLIGATIONS (Cont'd)

**MISSOURI  
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(a) Another Customer of the Company, provided that the assignee or transferee assumes all accrued and unpaid obligations of the transferring Customer including, but not limited to, all indebtedness for such services, and the unexpired portion of the minimum period and the termination liability applicable to such services if any; or

(b) A court-appointed receiver, trustee or other person acting pursuant to the laws of bankruptcy, receivership, reorganization, insolvency, liquidation or other similar proceedings, provided that the assignee or transferee assumes all accrued and unpaid obligations of the transferring Customer including, but not limited to, all indebtedness for such services, and the unexpired portion of the minimum period and the termination liability applicable to such services, if any.

If the Customer wishes to assign or transfer the right to use services provided under this tariff, written consent of the Company is required prior to such assignment or transfer which consent may be granted or withheld in the sole discretion of the Company. 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 transferor from remaining jointly and severally liable with the assignee or transferee for any obligations existing at the time of the assignment or transfer.

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4. RULES AND REGULATIONS (Cont'd)

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4.4 COMPANY OBLIGATIONS

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4.4.1 LIABILITY

Except as provided in this Section, the Company's sole liability for any claim, loss, expense or damages of any kind, whether direct, indirect, special or consequential, arising from, or in any way attributable to, acts or omissions of the Company relating to the installation, provision, termination, maintenance, repair, restoration, or billing of any service, feature or option available under this tariff shall not exceed an amount equal to the charges by the Company to the Customer for the period in question.

4.4.1.1 The Company's liability for its willful misconduct is not limited by this tariff.

4.4.1.2 The Company is not liable for any failure of facilities or performance of services due to causes beyond its control, including, not limited to, civil disorder, fire, flood, storm or other natural or man-made disasters or elements, labor problems or regulations issued by or action taken by any government agency having jurisdiction over the Company or its services or equipment.

4.4.1.3 The Company shall have no liability to any person or entity other than its Customer.

4.4.1.4 The Company shall not be liable for, and shall be fully indemnified and held harmless by the Customer against the following:

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4. **RULES AND REGULATIONS** (Cont'd)

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4.4 **COMPANY OBLIGATIONS** (Cont'd)

**MISSOURI  
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4.4.1 **LIABILITY** (Cont'd)

.1 Any claim, loss, expense or damage (including, but not limited to, reasonable attorney's fees and expenses) for engaging in a criminal enterprise defamation, libel, slander, invasion of privacy, infringement of copyright or patent, arising from, or in connection with, the material, data, information, or other content transmitted over the services or facilities furnished by the Company.

.2 Any claim, loss, expense or damage (including, but not limited to reasonable attorney's fees and expenses) for any act or omission of the Customer or its agents and contractors, or due to the failure of Customer-provided equipment, facilities, systems or services.

.3 Any claim, loss, expense or damage (including, but not limited to, reasonable attorney's fees and expenses) for personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use or removal of equipment or wiring provided by the Company, if not caused by negligence of the Company; and/or

.4 Any use by the Customer of the Company's products or services which use has been restricted or limited by action of a government agency having jurisdiction over the Customer, the Company or its products or services.

4.4.1.5 All or a portion of the service provided pursuant to this tariff may be provided over facilities of third parties, and the Company shall not be liable to the Customer or any other person, firm or entity in any respect whatsoever arising out of errors or defects caused by such third parties.

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4. RULES AND REGULATIONS (Cont'd)

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4.4 COMPANY OBLIGATIONS (Cont'd)

MISSOURI  
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4.4.1 LIABILITY (Cont'd)

4.4.1.6 The Company shall not be liable for the use, misuse or abuse of a Customer's service by third parties, including, without limitation, the Customer's employees or members of the public who dial the Customer's telephone number in error. Compensation for any injury the Customer may suffer due to the fault of others must be sought from such other parties.

4.4.1.7 Notwithstanding Section 4.4.1.5, in the event that the Company causes the misrouting of calls, the Company's sole liability shall be to provide a credit equal to the charges for the affected calls.

4.4.1.8 The Company is not liable for any damages, including toll usage charges, the Customer may incur as a result of the unauthorized use of its telephone facilities. This unauthorized use of the Customer's facilities includes, but is not limited to, the placement of calls from the Customer-provided equipment which are transmitted or carried on the Company network or the network over which its traffic is carried. The Company may work with Customers to recommend possible solutions to reduce unauthorized use of their facilities. However, the Company does not warrant or guarantee that its recommendations will prevent all unauthorized use, and the Customer is responsible for controlling access to, and use of, its own telephone facilities.

4.4.2 The Company may, but is not required to, advise the Customer of abnormal calling patterns or other possible unauthorized use of facilities or calling cards assigned to the Customer. Additionally, the Company may, but is not required to, block calls on authorization codes which the Company believes to be unauthorized or fraudulent.

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AUG 15 1997

4.5 RATE REGULATIONS**MISSOURI  
Public Service Commission**

4.5.1 When a distance sensitive offering is made by the Company, the mileage to which mileage sensitive rates apply will be calculated in the following fashion. For the purpose of determining the airline mileage of a call, the Company will utilize the vertical ("V") and horizontal ("H") coordinates of the rate centers of the originating and terminating points of the call. For purposes of billing, the Company references "V" and "H" coordinates provided by Bell Communications Research. Calls originated by dialing a local exchange number or a 950-type number using an authorization code, the originating point will be the rate center in which the switched access facilities are located. For calls originated via equal access connections, WATS access lines or dedicated access lines, the originating point will be the rate center in which the Customer is located. The terminating point will be determined by the rate center of the called number. The formula to determine airline miles is as follows:

$$\frac{\sqrt{(V1-V2)^2 + (H1-H2)^2}}{10}$$

4.5.2 Rate periods apply, unless noted otherwise, as indicated below and are based on the time in which a call is established local time. In cases where a call begins in one rate period and continues into another, the rate in effect in each period will apply to the portion of the call occurring within the applicable rate period.

a. Peak rates apply from 8:00 a.m. to, but not including, 5:00 p.m. Monday through Friday excluding Holidays.

b. Off Peak Rates apply from 5 p.m. to, but not including, 8:00 a.m. Sunday through Friday, from, but not including 5:00 p.m. Friday, to, but not including 8:00 a.m. Monday, and from 12:00 a.m. to 12:00 p.m. on Holidays.

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**INTEREXCHANGE TELECOMMUNICATIONS SERVICE**

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4. **RULES AND REGULATIONS** (Cont'd)

**MISSOURI  
Public Service Commission**

4.5 **RATE REGULATIONS** (Cont'd)

4.5.3 For the purpose of this tariff, a Special Service is deemed to be any service requested by the Customer for which there is no prescribed rate in this tariff. Special Services charges will be developed on an individual case basis and filed in this tariff.

Special Service charges will be based on the estimated cost of furnishing such services including the cost of operating and maintaining such a service, the cost of equipment and materials used in providing such a service, the cost of installation including engineering, labor supervision, transportation, and the cost of any other specific item associated with the particular Special Service request.

4.5.4 **Dispute Resolution:** Except as otherwise provided herein, any claims arising out of or related to this Tariff, shall be made within one hundred and twenty (120) days of their occurrence. If such claims cannot be resolved by negotiation, they shall be settled by binding arbitration in accordance with the rules contained in ANPI Tariff FCC No. 2 ("Arbitration Rules"). Neither party may seek injunctive relief of any kind prior to the confirmation of an arbitration award, except that ANPI may seek injunctive relief against the Customer for violation of Section 4.5.4 (a), (b), and (c) below. Any claims made after one hundred and twenty (120) days of the occurrence giving rise to such claims shall be barred. The costs of the arbitration, including the fees and expenses of the arbitrator, shall be shared equally by the parties unless the arbitration award provides otherwise. Each party shall bear the cost of preparing and presenting its case. In no event shall the arbitrator have the authority to make any award that provides for punitive or exemplary damages.

- a) The Customer shall comply with Section 64.1100<sup>1</sup> of the FCC's Rules and Regulations, as well as other applicable laws or regulations pertaining to the sale and delivery of telecommunications service(s) to Customer's customer,

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<sup>1</sup> 64.1100 Relates to verification of orders for long distance service generated by telemarketing. **MO. PUBLIC SERVICE COMM**

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4. **RULES AND REGULATIONS** (Cont'd)

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4.5 **RATE REGULATIONS** (Cont'd)

MISSOURI  
Public Service Commission

4.5.4 **Dispute Resolution:** (Cont'd)

- b) The Customer will obtain and maintain any and all regulatory approvals to resell ANPI Carrier Network Service from the FCC and the Commission, including requirements imposed by Section 214 of the Communications Act of 1934, as amended, and state regulatory bodies, and
- c) The Customer agrees to sell and bill ANPI Carrier Network Service under a name, identity or mark, other than ANPI's name, identity or mark and further agrees not to reference ANPI's name or marks in any context involving its furnishing of service(s) to the public.

4.5.5 In the event the Company incurs fees or expenses, including attorney's fees, court costs, costs of investigation and related expenses in collecting, or attempting to collect, any charges owed to the Company, the Customer will be liable to the Company for the payment of all such fees and expenses reasonably incurred.

4.5.6 In cases involving toll fraud, the Company may backbill for one and one-half (1 1/2) years from the point when such fraud was detected and/or quantified.

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INTEREXCHANGE TELECOMMUNICATIONS SERVICE

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5. **SERVICE CHARGES**

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5.1 **MESSAGE TELECOMMUNICATIONS SERVICE**

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5.1.1 **Basic MTS**

5.1.1.1 **Usage Charges**

1. Switchless Resale

a. Rates applicable from 8 a.m. - 5 p.m. weekdays, excluding holidays:

<u>Miles</u>	<u>Initial 18 Seconds</u>	<u>Additional 6 Seconds</u>
0-292	\$0.0686	\$0.0229
293-430	\$0.0749	\$0.0250
431+	\$0.0833	\$0.0278

b. Rates applicable at all other times:

<u>Miles</u>	<u>Initial 18 Seconds</u>	<u>Additional 6 Seconds</u>
0-292	\$0.0549	\$0.0183
293-430	\$0.0600	\$0.0200
431+	\$0.0666	\$0.0222

.2 Dedicated Facilities

a. Rates applicable from 8 a.m. - 5 p.m. weekdays, excluding holidays:

<u>Miles</u>	<u>Initial 18 Seconds</u>	<u>Additional 6 Seconds</u>
0-292	\$0.0410	\$0.0137
293-430	\$0.0467	\$0.0156
431+	\$0.0553	\$0.0184

b. Rates applicable at all other times:

<u>Miles</u>	<u>Initial 18 Seconds</u>	<u>Additional 6 Seconds</u>
0-292	\$0.0307	\$0.0102
293-430	\$0.0350	\$0.0117
431+	\$0.0415	\$0.0138

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5. **SERVICE CHARGES** (Cont'd)

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5.2 **CALLING CARD**

**MISSOURI  
Public Service Commission**

5.2.1 **Usage Charges**

a. **Per Minute Rates**

Mileage	<u>Day</u>		<u>Evening</u>		<u>Night/Weekend</u>	
	<u>1st Minute</u>	<u>Add'l Minute</u>	<u>1st Minute</u>	<u>Add'l Minute</u>	<u>1st Minute</u>	<u>Add'l Minute</u>
1 - 10	\$.1100	\$.0899	\$.0879	\$.0719	\$.0714	\$.0584
11 - 14	.1500	.1299	.1199	.1039	.0974	.0844
15 - 18	.1800	.1599	.1439	.1279	.1169	.1039
19 - 23	.2000	.1699	.1559	.1359	.1429	.1104
24 - 28	.2300	.1759	.1858	.1599	.1779	.1299
29 - 33	.2300	.1922	.1918	.1759	.1809	.1429
34 - 40	.2600	.2322	.1998	.1838	.1824	.1559
41 - 50	.2600	.2322	.1998	.1838	.1824	.1559
51 - 60	.2700	.2422	.2078	.1898	.1839	.1689
61 - 80	.2800	.2522	.2083	.1978	.1904	.1729
81 - 100	.2900	.2572	.2218	.1983	.1934	.1744
101 - 125	.3200	.2722	.2268	.2219	.1934	.1874
126 - 150	.3300	.2922	.2398	.2383	.2049	.2004
151 - 190	.3400	.3022	.2478	.2459	.2114	.2064
191 - 300	.3500	.3122	.2558	.2539	.2179	.2134
301 - 430	.4000	.3622	.3158	.2838	.2754	.2464
431 - 9,999	.4000	.3622	.3158	.2838	.2754	.2474

b. **Calling Card Locations**

Calls originating within the State of Missouri

c. **Optional Features**

Authorization Codes (14 Digit)  
Call Records on Magnetic Tape

No Charge  
\$100/Account

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ASSOCIATED NETWORK PARTNERS, INC.

P.S.C. MO. CC NO. 1  
ORIGINAL PAGE NO. 30

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5. SERVICE CHARGES (Cont'd)

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5.2 CALLING CARD (Cont'd)

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Public Service Commission

5.2.1 Usage Charges (Cont'd)

c. Optional Features (Cont'd)

Surcharge \$1.25/call

d. Non-Recurring Charges

Set-up Charges:

Call Records on Magnetic Tape \$500/Account

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5. SERVICE CHARGES (Cont'd)

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5.3 OPERATOR SERVICES

**MISSOURI  
Public Service Commission**

5.3.1 Usage Charges

a. Per Minute Rates

<u>Mileage</u>	<u>Day</u>		<u>Evening</u>		<u>Night/Weekend</u>	
	<u>1st Minute</u>	<u>Add'l Minute</u>	<u>1st Minute</u>	<u>Add'l Minute</u>	<u>1st Minute</u>	<u>Add'l Minute</u>
1 - 10	\$.1100	\$.0899	\$.0879	\$.0719	\$.0714	\$.0584
11 - 14	.1500	.1299	.1199	.1039	.0974	.0844
15 - 18	.1800	.1599	.1439	.1279	.1169	.1039
19 - 23	.2000	.1699	.1559	.1359	.1429	.1104
24 - 28	.2300	.1759	.1858	.1599	.1779	.1299
29 - 33	.2300	.1922	.1918	.1759	.1809	.1429
34 - 40	.2600	.2322	.1998	.1838	.1824	.1559
41 - 50	.2600	.2322	.1998	.1838	.1824	.1559
51 - 60	.2700	.2422	.2078	.1898	.1839	.1689
61 - 80	.2800	.2522	.2083	.1978	.1904	.1729
81 - 100	.2900	.2572	.2218	.1983	.1934	.1744
101 - 125	.3200	.2722	.2268	.2219	.1934	.1874
126 - 150	.3300	.2922	.2398	.2383	.2049	.2004
151 - 190	.3400	.3022	.2478	.2459	.2114	.2064
191 - 300	.3500	.3122	.2558	.2539	.2179	.2134
301 - 430	.4000	.3622	.3158	.2838	.2754	.2464
431 - 9,999	.4000	.3622	.3158	.2838	.2754	.2474

b. Per Call Charges

Customer Dialed Calling Card Station	\$0.80
Station to Station	\$2.50
Person-to-Person	\$3.50
Operator Dialed	\$1.00

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5. SERVICE CHARGES (Cont'd)

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5.4 TOLL FREE NUMBER SERVICES

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5.4.1 Usage Charges

Per Minute of Use Charges

Peak	\$ .2548
Off-Peak	\$ .2548

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