

**SPECIALIZED BROADBAND SERVICES**

**15.0 DESCRIPTIVE SUMMARY**

- A. Specialized Broadband Services consist of arrangements that are provided only to qualified customers located in an exchange area served by the Company.
- B. Arrangements terminating at a non-Company location will be provided pursuant to the regulations, rates and charges of the other Local Exchange Telephone Company (LEC) for the portion of the arrangement in the other LEC's territory terminating at the non-Company location.
- C. Arrangements jointly provided and consisting of interpositioned interoffice facilities where Company facilities are interpositioned between two meet-points with other LECs, will be provided on a meet-point bill basis.

**15.1 QUALIFIED CUSTOMERS**

- A. These services are offered only for the exclusive use and purchase by: any hospital as defined in K.S.A. 65-425 and amendments; any school accredited pursuant to K.S.A. 72-1101 and amendments; any public library; any state or local government agency; or any legally constituted consortium or group of entities listed in this paragraph.
- B. Notwithstanding the restricted availability of these services to certain qualified customers as described in 15.1, A., nothing shall preclude the provisioning of such services at the rates prescribed herein when ordered on behalf of a qualified customer by an authorized agent. Billing will be rendered to the qualified customer, who will continue to be responsible for payment of all billed amounts.

**15.2 PROVISION OF SERVICE**

- A. Specialized Broadband Services provided pursuant to Section 15 of this Guidebook may not be shared or resold to other customers except that such service may be used, resold to or shared among qualified customers as described in Section 15.1 pursuant to the rates, charges and regulations specified in Section 15.7 of this Guidebook.

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15.2 PROVISION OF SERVICE (Continued)

- B. Qualified Customers currently under existing contracts may rollover those contracts to equivalent services under this Guidebook without termination penalties. This provision applies only to contracts in effect as of the initial approval date of this Guidebook. Contracts entered into after the initial approval of this Guidebook may be rolled over subject to any applicable termination provisions.
- C. These services are only available for purchase by qualified Customers as specified in Section 15.1. No other Customers are authorized to purchase these services. Customers obtaining services under this Guidebook who are not qualified Customers are subject to having such services disconnected or to being charged standard rates in accordance with intrastate tariffs, guidebooks, contracts, rules and regulations.
- D. In those cases where an intraexchange service has a location in Kansas and a location in another state, the service is considered as jurisdictionally intrastate. The applications of charges are modified to apply the charges for that portion of the service located in the other state to be pursuant to that state's tariff and/or guidebook.
- E. The services offered in this Guidebook are only available on a point-to-point basis. Multi-point service is not available. Specialized Broadband Service is an intrastate service and, as such, cannot switch to another circuit by means of a router or other hardware for the purpose off accessing the Internet.<sup>(1)</sup>
- F. Specialized Broadband Services may be furnished or made available by the Company in its authorized territories within the state of Kansas. The rules, regulations, terms, conditions and rates contained in this Guidebook section are in addition to other rules, regulations, terms, conditions and rates specified in other Company tariffs and/or guidebooks and are hereby made part of this Guidebook. In the event of conflicting rules, regulations, terms or conditions, those of this Guidebook section shall be controlling.
- G. Rates for the services provided in Section 15 of this Guidebook are subject to increase based on increases in Company costs for the services specified in this section.

(1) The Federal Communications Commission (FCC) determined that wireline broadband telecommunications traffic delivered to an Internet Service Provider (ISP) for access to the Internet is an "information service" and is jurisdictionally interstate in nature. See Report and Order and Notice of Proposed Rulemaking, *In the Matters of Appropriate Framework for Broadband Access to the Internet over Wireline Facilities*, CC Docket No. 02-33, FCC 05-150, rel. Sept. 23, 2005, ¶¶ 9-17 (Wireline Broadband Report and Order); see also Declaratory Ruling and Notice of Proposed Rulemaking, *Inquiry Concerning High-Speed Access to the Internet Over Cable and Other Facilities*, GN Docket 00-185 & CS Docket 02-52, FCC 02-77, rel. Mar. 15, 2002, ¶ 59 (Cable Modem Declaratory Ruling), and Memorandum Opinion and Order, *In the Matter of GTE Telephone Operating Cos.*, CC Docket 98-79, FCC 98-292, rel. Oct. 30. 1998, ¶¶ 1, 26.

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### **15.3 GENERAL**

- A. This Section 15 concurs with Section 15, Operational Territory of the Telephone Company, in SWBT Tariff FCC No. 73, relative to Special Access Services, as well as Sections 7 and 20 rules and regulations applicable to the services specified in this Guidebook.
- B. The Special Access Surcharge, as specified in Section 7 of this Guidebook, does not apply to the services specified in Section 15 of this Guidebook.

### **15.4 DEFINITIONS**

**DS1 Channel** - Denotes a channel for the transmission of isochronous serial digital data at a rate of 1.544 Mbps.

**DS3 Channel** - Denotes a channel for the transmission of isochronous serial digital data at a rate of 44.736 Mbps.

### **15.5 SERVICES**

Services available under the terms of Section 15 of this Guidebook include DS1 (High Capacity Service) and DS3 (MegaLink Custom), as described in Sections 7 and 20 of the SWBT Tariff FCC No. 73.

The services, rates and charges specified in this section apply only to those arrangements where 100% of the capacity of the DS1 or DS3 service is dedicated to a single qualified customer, as defined in Section 15.1 or 15.2A of this Guidebook.

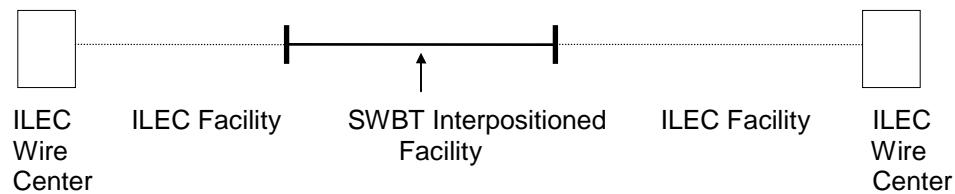
### **15.6 RATE REGULATIONS**

- A. DS1 Without Interoffice rates and charges apply per location to those arrangements that do not include any interoffice facilities, and is the provisioning equivalent to a High Capacity Channel Termination as specified in Section 7 of this Guidebook.
- B. DS3 Without Interoffice rates and charges apply per location to those arrangements that do not include any interoffice facilities, and is the provisioning equivalent to a MegaLink Custom Channel Termination, as specified in Section 20 of SWBT Tariff FC. No. 73.
- C. DS1 With Interoffice rates and charges apply per location to those arrangements which include interoffice facilities, including joint provisioned interoffice facilities.

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15.6 RATE REGULATIONS (Continued)

- D. DS3 With Interoffice rates and charges apply per location to those arrangements which include interoffice facilities, including joint provisioned interoffice facilities.
- E. DS1 Interpositioned Facility rates and charges apply for DS1 facilities interpositioned between two meet-points with other LECs, as diagrammed in 15.6.G, following.
- F. DS3 Interpositioned Facility rates and charges apply for DS3 facilities interpositioned between two meet-points with other LECs, as diagrammed in 15.6.G, following.
- G. Interpositioned Facility Diagram



## SPECIALIZED BROADBAND SERVICES

## 15.7 RATES AND CHARGES

## 15.7.1 DS1

	<u>USOC</u>	<u>Monthly Rate</u>	<u>Nonrecurring Charge</u>	
			<u>First Circuit</u>	<u>Additional Circuit</u>
A. DS1 Without Interoffice -Per location	VHB	\$99.00	\$695.00	\$392.00
B. DS1 With Interoffice -Per location	VHN	152.00	695.00	392.00
C. DS1 Interpositioned Facility -Per DS1 Interpositioned	VHZ	25.00	695.00	392.00
	<u>USOC</u>	<u>Monthly Rate</u>	<u>Nonrecurring Charge</u>	
			<u>First Circuit</u>	<u>Additional Circuit</u>
D. Optional Features - Clear Channel Capability (Per location)	CLR3X	\$0.00	\$100.00	
- Extended Superframe format	SF16X	0.00	0.00	
- Power Over the Interface	PW13X	0.00	0.00	

## 15.7.2 DS3

	<u>USOC</u>	<u>Monthly Rate</u>	<u>Nonrecurring Charge</u>	
			<u>First Circuit</u>	<u>Additional Circuit</u>
A. DS3 Without Interoffice -Per location	VHB	\$1,850.00	\$867.00	\$451.00
B. DS3 With Interoffice -Per location	VHN	2,348.00	867.00	451.00
C. DS3 Interpositioned Facility -Per DS3 Interpositioned	VHZ	551.00	867.00	451.00