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CONSTRUCTION CHARGES

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CONSTRUCTION CHARGES

A. GENERAL

The rates otherwise provided for in this Tariff are based on furnishing service immediately adjacent to existing lines and facilities of the Company and on the use of lines and facilities engineered and constructed according to common and accepted practices. When service is desired at points somewhat removed from existing lines and facilities, or when abnormal and unusual arrangements and installations are desired, such service and installations are subject to additional charges.

When a customer requests the installation of a cable containing a greater number of pairs than is necessary to meet service requirements, such cable may be installed, provided the customer pays the applicable annual charges on the excess capacity until it is required for the provision of service.

When circuitous routing or a special type of construction is provided at the customer's request or the service requirement is of a temporary nature, charges based on cost are applicable.

B. CONSTRUCTION ON PUBLIC RIGHT-OF-WAY

1. General

The Company determines the type of plant to be used.

In all cases of plant construction on public highways, ownership of the plant must be vested in either the Company or some company with which the Company has a joint use agreement.

The allowances, charges and regulations herein provided apply regardless of the type of construction or facilities used, including attachments to the plant of other utility companies.

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B. CONSTRUCTION ON PUBLIC RIGHT-OF-WAY

2. Charges

A monthly rate, based on the actual cost of construction less applicable allowances, will be contracted with the customer for up to a five year contract period of equal installments, for construction beyond existing facilities within the exchange in excess of the following allowance:

1/4 route mile of construction for each main service and each additional central office line to be furnished on a full year basis and;

1/10 route mile of construction for each main service and each additional central office line to be furnished for only part of a year.

The measurement of the route distance for these charges will be the shortest route over which the desired point can be reached by following public right-of-way or other vested right-of-way privileges which the Company may hold by reason of its franchise or charter. If the Company chooses to construct along a route other than the route determined above, the customer would not be billed for any additional charges resulting from the variation of routing.

Applicants are considered a group if there is not more than 500 feet between successive applicants. The construction allowances for each individual, as listed above, are combined and applied to the distance to be covered without charge to the group. Charges for construction in excess of the cumulative allowance are then divided equally among the individuals that form the group.

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B. CONSTRUCTION ON PUBLIC RIGHT-OF-WAY

2. Charges (cont'd)

If the dwellings of the members of a group are located in a development off the public highway where the facilities are being extended, the allowance is applied only to the construction along the public highway. Construction charges for the extension of facilities within this development are governed by rates and regulations as listed in residential subdivision construction as follows later in this section.

A customer who wishes to prepay all monthly payments or pay the remaining balance of payments at any time during the contract may do so. The total amount due at the time of payment is discounted 10%.

A customer paying the construction charge through monthly installments who discontinues service prior to the end of the contract period is required to pay a termination charge. The termination charge will be equal to the remaining unpaid balance of the charges. Charges to the other customers within the group are not affected. If service is connected at the same location by a new customer and the customer agrees in writing to assume responsibility for the remaining construction charges, the termination charge will not be applied.

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B. CONSTRUCTION ON PUBLIC RIGHT-OF-WAY

2. Charges (cont'd)

When customers are added to the group within the five-year contract, the charges are recomputed on a pro rata basis based on the larger number of customers in the group. If this re-computation results in a lower construction charge per customer, the monthly payments for the existing customers will be reduced for the remainder of the five-year contract. If a customer has prepaid the total amount due, the amount over paid is refunded. The refund will be discounted by the 10% discount originally given to the customer. The new customers are responsible for payment of construction charges only for the remaining portion of the original five-year contract.

No allowance is given for construction required for foreign exchange service since the Company is not required to expand facilities in order to provide this service.

C. CONSTRUCTION ON PRIVATE PROPERTY

1. General

In all cases of plant construction on private property for local exchange service, the Company will construct, own and maintain its facilities either wholly or jointly with another utility, subject to a construction charge based on cost less any applicable allowances. The Company will determine the type of plant to be used. If a customer requests a type of construction different from that selected by the Company, the customer agrees to pay a charge equal to the additional amount that it will cost the company to construct the requested facilities. If it is determined that the construction requested by the customer does not meet generally accepted requirements that insure the safety of the network, the Company is not required to construct the facilities.

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CONSTRUCTION CHARGES

C. CONSTRUCTION ON PRIVATE PROPERTY (cont'd)

1. General (cont'd)

The customer is required to obtain and furnish all necessary rights-of-way authorizing the Company to place its plant. The Company shall have access to all facilities at all times for maintenance purposes. All rights-of-way secured must include authorization for future maintenance. Any cost involved in securing and/or retaining such rights-of-way is not the responsibility of the Company and must be paid by the customer.

The customer is responsible for all tree trimming required to keep the private right-of-way in which the facilities are located clear and unobstructed. If the Company is forced to trim due to a customer's lack of trimming maintenance, the customer will be charged for the work at cost.

The customer is responsible for any expenses incurred in rearranging or changes involving relocation, removal or replacement of existing cable or wire facilities, either within or outside of buildings, including supporting structures such as poles and conduit, or trenches for buried cable that are required to provide the requested facilities. In the case of underground construction, the customer is responsible for the opening and closing of the trenches. The Company may perform the work required to open and close a trench at the customer's request. Charges for such work will be billed to the customer. The customer is also responsible for expenses incurred by the Company for any additional facilities required to provide, but not part of the actual facilities requested.

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C. CONSTRUCTION ON PRIVATE PROPERTY (cont'd)

2. Charges

A monthly rate, based on the actual cost of construction less applicable allowances, will be contracted with the customer for up to a five year contract period of equal installments, for construction beyond existing facilities within the exchange in excess of the following allowance:

500 feet of construction for service to be furnished on a full year basis and;

no allowance for a central office line to be furnished for seasonal or temporary service.

The measurement of the route distance for these charges will be the shortest route over which the desired point can be reached by following private right-of-way or other vested right-of-way privileges which the Company may hold by reason of its franchise or charter. If the Company chooses to construct along a route other than the route determined above, the customer would not be billed for any additional charges resulting from the variation of routing.

If a customer elects to prepay all charges at the end of construction, a discount of 10% will be applied to the balance due.

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C. CONSTRUCTION ON PRIVATE PROPERTY (cont'd)

2. Charges (cont'd)

A customer paying the construction charge through monthly installments who discontinues service prior to the end of the contract period is required to pay a termination charge. The termination charge will be equal to the remaining unpaid balance of the charges. Charges to the other customers within the group are not affected. If service is connected at the same location by a new customer and the customer agrees in writing to assume responsibility for the remaining construction charges, the termination charge will not be applied.

Applicants are considered a group if there is not more than 500 feet between successive adjacent applicants. Charges for construction in excess of the 500 foot allowance are divided equally among the individuals that for the group.

When customers are added to the group within the five-year contract, the charges are recomputed on a pro rata basis based on the larger number of customers in the group. If this re-computation results in a lower construction charge per customer, the monthly payments for the existing customers will be reduced for the remainder of the five-year contract. If a customer has prepaid the total amount due, the amount over paid is refunded. The refund will be discounted by the 10% discount originally given to the customer. The new customers are responsible for payment of construction charges only for the remaining portion of the original five-year contract.

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CONSTRUCTION CHARGES

C. CONSTRUCTION ON PRIVATE PROPERTY (cont'd)

3. Pole Line Construction

a. General

1. Poles on private property for telephone use only to serve the customer's principal location are furnished, owned and maintained by the Company subject to the allowance defined below and the cost of pole construction. The customer's dwelling is considered the principal location of residence service. In the case of business service the principal location is considered to be the main office on the premises of the customer, except that where customer provided equipment is furnished, the principal location is considered the building where the network interface or demarcation point is located.
2. Poles beyond the principal location on the customer's premises are the responsibility of the customer. The customer may furnish, erect, own and maintain these poles at his/her expense. Construction of such poles must meet the Company's approval based on industry-accepted standards. The Company will provide these poles at the customer's request. The customer will be billed for these facilities based on cost. Maintenance of these poles remains the responsibility of the customer. The Company may elect to retain ownership of the poles it installs. If the Company elects to retain ownership of the poles, the Company assumes all maintenance responsibility.

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C. CONSTRUCTION ON PRIVATE PROPERTY (cont'd)

3. Pole Line Construction (cont'd)

a. General (cont'd)

3. For all new construction to a customer's principal location, the Company will install all necessary poles. The cost for these facilities will be included in the calculation of the construction charges as outlined above. Existing customer-owned poles may be used for the construction of facilities to a customer's principal location if they meet the Company's standards. Maintenance of customer-owned poles that serve only the customer's principal location is the responsibility of the customer. At the customer's request, the Company will replace customer-owned poles with new poles at cost and assume ownership of the poles. It will then become the responsibility of the Company for maintenance of the pole. The customer must provide, at their expense, the necessary rights-of-way.
4. Where the customer requests Company owned poles to be relocated, such relocation of poles will be made by the Company at the customer's expense.
5. Where additional pole facilities are necessary to properly attach a drop line to the premises, the Company will supply those facilities. The customer will be billed for the additional facilities based on cost. The responsibility for maintenance of those facilities is then the Company's.

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C. CONSTRUCTION ON PRIVATE PROPERTY (cont'd)

3. Pole Line Construction (cont'd)

b. Charges

Construction required for private lines, teletypewriter services, leased channels, extension lines, turret lines and tie lines is furnished at charges based on cost.

For main exchange telephone service to the principal location of a customer, the Company will furnish the poles deemed necessary by the Company for the distance associated with the allowance previously specified.

D. BURIED AND UNDERGROUND CONSTRUCTION

1. When a customer or any other party in interest (including the applicant for service, or the owner or operator of a building or premises where service is or is to be provided) desires, or where local, municipal, or county law, ordinance or regulation specifies that circuits be placed underground between a building to be served and the Company's general distributing plant, and the undergrounding of utility plant is not otherwise required by state law, ordinance or regulation, the customer or any other party in interest is responsible for either reimbursing the Company its excess costs of placing underground facilities or for providing, without expense to the Company, the opening and closing of any trench and placing of any manholes and conduit, which are determined to be necessary by the Company for the placing of underground facilities from the building to be served to a point of connection to the distribution facilities designated by the Company. The Company will make every reasonable effort to locate this point so as to be mutually acceptable to both the customer and the Company. The Company will provide conduit material, manhole covers and frames regardless of which party opens and closes the trench and places manholes and conduit.

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D. BURIED AND UNDERGROUND CONSTRUCTION (cont'd)

2. Where existing distribution facilities are aerial, the Company will designate the pole, which will be the point of connection to the distribution facilities.
3. Where existing distribution facilities are underground, the Company will designate the point on the customer's property line, which will be the point of connection to the distribution facilities.
4. Where the customer requests underground instead of aerial, the customer must reimburse the Company its excess costs of placing underground facilities instead of aerial. The Company will furnish the customer or other party in interest an estimate of the excess costs of undergrounding.
5. The excess costs of placing underground facilities shall be computed by subtracting from the total cost of placing such facilities from the point of connection to the distribution facilities, the cost of providing equivalent aerial facilities, including poles and anchors. Where the building or premises is served by adequate existing aerial facilities, the excess cost of placing underground facilities shall be computed by subtracting the net salvage, if any, from the total cost of undergrounding and the cost of removal of the aerial facilities. The Company shall determine the requirements and design of facilities for the underground and aerial plant.
6. If the point of connection to the general distribution plant is changed, at the request of the customer, for any reason, the Company shall provide service by a temporary connection until a permanent connection can be furnished. Charges based on cost shall apply for providing such temporary connection. Provision of a permanent service connection shall be in accordance with the regulations of this Tariff.

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D. BURIED AND UNDERGROUND CONSTRUCTION (cont'd)

7. Where a customer or any other party in interest requires or it is otherwise necessary that circuits be placed under-ground between points or buildings on the same premises of the customer or any other party in interest, the customer or any other party in interest is responsible and shall, without expense to the Company, provide for opening and closing of the necessary trench and, where manholes and conduit are required by the Company, for furnishing such manholes and conduit satisfactory to the Company.
8. Where underground conduit, which is satisfactory to the Company, exists and can be made available to it without expense on the part of the Company, such conduit may be used.
9. For any repairs, maintenance or replacement of the underground cable or conduit for any reason not directly caused by the company, the customer or any other party in interest is responsible for opening and closing a trench (and associated restoration work), to the point of connection to the distribution facilities or between points or buildings on the same premises, to facilitate repairs, and for repair or replacement of the conduit, if required. In addition, for any repairs, maintenance or replacement of the underground cable necessitated by damage caused by the customer or any other party in interest, the customer or any other party in interest is responsible for reimbursing the Company its costs of maintaining, repairing or replacing the cable. If the customer or any other party in interest is unable or unwilling to open and close the trench, the Company may perform such work and the customer or other party in interest shall reimburse the Company its associated costs.

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D. BURIED AND UNDERGROUND CONSTRUCTION (cont'd)

10. For any rearrangement or relocation of the underground cable or conduit initiated by the customer or any other party in interest, the customer or any other party in interest is responsible for opening and closing the necessary trench, and for reimbursing the Company its costs of rerouting or rearranging facilities, except for the costs of additional capacity, if any.
11. Trench or conduit utilized by the Company shall not be used by others for any purpose without the approval of the Company.
12. The customer or any other party in interest is required to obtain and furnish any and all necessary permits and rights-of-way authorizing the placing and maintaining of the underground facilities.
13. The customer agrees to open and close all trenches for initial and maintenance work or, if the Company is able to perform the work, to pay for the trenching costs associated with running a drop from the main line to the premises.

E. UNDERGROUND EXTENSIONS FOR NEW RESIDENTIAL SUBDIVISIONS

1. General

All telephone service shall be placed underground in residential developments of five or more adjoining lots in a recorded plan for the construction of single-family residence (detached or otherwise) including mobile homes intended for year-around occupancy, or one or more adjoining lots for the construction of one or more apartment houses containing an aggregate of five or more family units, if telephone service to each residential or apartment house lots necessitates extending the Company's existing distribution lines.

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E. UNDERGROUND EXTENSIONS FOR NEW RESIDENTIAL SUBDIVISIONS (cont'd)

1. General (cont'd)

All telephone service shall be placed underground in residential developments of five or more adjoining lots in a recorded plan for the construction of single-family residence (detached or otherwise) including mobile homes intended for year-around occupancy, or one or more adjoining lots for the construction of one or more apartment houses containing an aggregate of five or more family units, if telephone service to each residential or apartment house lots necessitates extending the Company's existing distribution lines.

Where any distribution lines for providing electric service within the subdivision are installed overhead, the Company may install overhead distribution lines necessary to furnish permanent telephone service within that subdivision. Applicants requesting buried telephone facilities when the electric system is overhead must agree to reimburse the Company for the cost of construction. Construction will not be delayed by the utility so that the applicant will be delayed in the sale or other disposal of the buildings, except where such delay is caused by strikes, fire, flood, inclement weather, unavailability of materials, civil disorders, or other conditions beyond the control of utility. No overhead circuits shall thereafter be installed by a utility within a subdivision having underground telephone lines.

All distribution and service lines, except pedestals, installed within a development shall be installed underground; shall conform to the Company's construction standards and shall be owned and maintained by the Company. Such installations shall be performed by the Company or by such other entity as the Company may authorize to do the work. The company shall not be liable for injury or damage occasioned by the willful or negligent excavation, breakage or other interference with its underground lines by other than its own employees or agents.

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CONSTRUCTION CHARGES

E. UNDERGROUND EXTENSIONS FOR NEW RESIDENTIAL SUBDIVISIONS (cont'd)

2. Responsibility of the Developer

The developer shall:

- a. At his own cost, provide the Company with easements satisfactory to the Company for occupancy and maintenance of distribution and service lines and related facilities except in the public ways which the Company has the legal right to occupy.
- b. At his own cost, clear the ground in which the aforesaid line and related facilities are to be laid, of trees, stumps and other obstructions and backfill within six inches of final grade or pay such related costs. Developer may be responsible for additional costs associated with trenching if the trenching requirements are beyond the normal requirements as determined by a joint agreement between the Company and the developer. Absent such agreement, the Company is responsible.
- c. Request the installation of distribution and service lines at such time that the lines may be installed before curbs, pavements and sidewalks are laid; keep the route of lines clear of machinery and other obstructions when the line installation crew is scheduled to appear; and otherwise cooperate with the Company to avoid unnecessary costs. At the request of the Company, the applicant shall provide a survey map certified to by a licensed professional engineer or land surveyor or and certified to as final by the applicant showing the location of each lot, sidewalk and roadway and, prior to and during construction by the Company shall place and maintain survey stakes indicating grade and property lines. A map showing all other existing and proposed underground facilities shall be furnished to the Company by the applicant as soon as the location of such facilities shall be known.

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E. UNDERGROUND EXTENSIONS FOR NEW RESIDENTIAL SUBDIVISIONS (cont'd)

2. Responsibility of the Developer (cont'd)
 - d. If the developer fails to comply with Paragraph 2.b. or 2.c. or changes the plot plan after installation of the Company's lines has begun, or otherwise necessitates additional costs by his act or failure to act, such additional costs shall be borne by the developer or his agent.
3. The connection from the underground distribution lines installed within the applicant's subdivision to the existing telephone distribution system shall be made in accordance with the following requirements:
 - a. The Company will install underground, without contribution from the applicant, an amount of supply circuit from the boundary line of the subdivision equal to 25 route feet per dwelling unit or 200 feet, whichever is greater, but, except as otherwise ordered by the Public Service Commission, the Company will not be required to provide more than 500 feet without contribution by the applicant.
 - b. The Company may, at its discretion and expense, place underground additional portions of such connecting supply circuit.

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E. UNDERGROUND EXTENSIONS FOR NEW RESIDENTIAL SUBDIVISIONS (cont'd)

3. The connection from the underground distribution lines...(cont'd)
 - c. Any distribution or feeder facility necessary to furnish permanent telephone service to one or more multiple occupancy buildings (including four or more dwelling units) shall be installed underground and any such facility necessary to furnish permanent telephone service within a subdivision in which it is planned to build five or more new residential buildings shall be installed underground if:
 1. The subdivision will require no more than 200 trench feet of facilities per dwelling unit planned within the subdivision; or
 2. The Company's tariff provides for such underground service without contribution; or
 3. A governmental authority with jurisdiction to do so has required undergrounding; or
 4. An applicant requests undergrounding.
 - d. The number of dwelling units is the criterion to be used to determine whether installation is required to be underground. In order to ascertain the number of dwelling units, it is necessary to consult the approved subdivision map to determine how many dwelling units are planned. Each lot shown on the map should, in the case of a single-family dwelling, be considered to contain one dwelling unit unless there is sufficient contrary evidence to render it unlikely that each lot will contain a separated dwelling unit (e.g., a foundation is constructed occupying two lots). The measurement of trench footage should be the shortest distance required to serve the homes within the subdivision, consistent with the utility's obligation to provide safe and adequate service.

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E. UNDERGROUND EXTENSIONS FOR NEW RESIDENTIAL SUBDIVISIONS (cont'd)

3. The connection from the underground distribution lines...(cont'd)
 - e. After distribution or feeder facilities are installed underground in a residential subdivision; no overhead circuits shall be installed by a utility within such subdivision.
 - f. The Company may install overhead distribution or feeder facilities in a residential subdivision or a section thereof otherwise required to have underground distribution facilities in accordance with subdivision (c) of this section when:
 1. The developer of the subdivision is not primarily engaged in the construction of dwelling units within the subdivision.
 2. No governmental authority having jurisdiction to do so has required underground installation; andEither:
 - a. Five years have elapsed from the sale of the first lot within the subdivision to the first application for service and the utility has no indication that there will be new requests for service in the subdivision within six months.
 - b. Five years have elapsed from the date of the final approval of the subdivision or section thereof, and less than 25 percent of the lots have been sold in the subdivision and every section thereof, except where ten percent or more of the lots in the subdivision or any section thereof have been sold within the last two years.

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E. UNDERGROUND EXTENSIONS FOR NEW RESIDENTIAL SUBDIVISIONS (cont'd)

3. The connection from the underground distribution lines...(cont'd)

f. The Company may install overhead distribution...(cont'd)

In cases where overhead installation would be permissible in accordance with condition (3) above, except that less than five years have elapsed and the Company has reason to believe that the subdivision will not be developed sufficiently soon to permit the orderly utilization of underground facilities installed to serve the initial subscriber(s), the Company may petition the Commission to allow overhead installation, which petition shall set forth the relevant economic, engineering and environmental factors.

If the Company receives an application for service within a residential subdivision which is governed by the provisions of this section and the per foot cost of installing the necessary distribution or feeder facilities will be greater than two times the cost per foot of installing overhead distribution or feeder facilities, the Company or applicant may petition the Secretary of the Public Service Commission to allow overhead installation, which petition shall set forth the relevant economic, engineering and environmental factors..

The petition shall be reviewed by Staff. Staff shall notify the petitioner within 60 days of receipt of the petition either that the petition is granted or that Staff objects to it. If Staff objects to the petition, the petition shall be referred to the Commission for further review. The petition shall be granted or denied based on economic, engineering or environmental factors. If the necessary facilities are proposed to be in a VSR, the procedures set forth in Paragraph E.6. of this tariff shall apply. If the residential subdivision is located within the Adirondack Park, the utility shall send a copy of the petition to the Adirondack Park Agency.

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E. UNDERGROUND EXTENSIONS FOR NEW RESIDENTIAL SUBDIVISIONS (cont'd)

3. The connection from the underground distribution lines...(cont'd)
 - g. Where any part of a feeder facility in excess of that required is to be placed overhead, the applicant must submit a written application to the utility at least 75 days prior to the projected commencement of construction of the feeder facility and the Company must report such projected construction to the Commission no later than 45 days before such construction commenced, the Commission reserving the right to require the underground installation of particular facilities on basis of the relevant economic, engineering or environmental factors.
 - h. In the event the Company places its facilities underground at its discretion or is required to do so at an applicant's residential subdivision, it shall inform the electric company and cable television company serving the area in which the subdivision is located. If a new common access route from existing systems to the subdivision will be used, the connecting facilities of the utility, the electric company and cable television company shall be placed underground.
 - i. Deposits By Applicant

In order to guarantee performance, the Company may require from the applicant before construction is commenced, a deposit equal to the estimated cost of construction. This deposit is in addition to the applicant's payment of its share of costs for installation. This deposit shall be returned to the applicant, with interest at the rate specified in Paragraph H.2. of Section 1 of this Tariff, on a pro rata basis as dwelling units are certified for occupancy. Any portion of the deposit remaining unrefunded five years from the date the Company is first ready to render service from the underground telephone distribution lines shall be retained by the Company. Upon the mutual agreement of both the Company and the applicant, a bond may be posted in lieu of any deposit.

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E. UNDERGROUND EXTENSIONS FOR NEW RESIDENTIAL SUBDIVISIONS (cont'd)

3. The connection from the underground distribution lines...(cont'd)

j. Special Conditions

In unusual circumstances when the application of these rules appears impracticable or unjust to either party, or discriminatory to other customers, the Company or applicant may refer the matter to the Public Service Commission of New York State for special ruling or for the approval of special conditions which may be mutually agreed upon, prior to commencing construction.

4. Responsibility of Applicant

- a. All reasonable and necessary rights-of-way and easements suitable to the Company for the extension of telephone distribution lines must be furnished by the applicant in reasonable time to meet service requirements. Where such lines are required to be underground in accordance with Paragraph I1 or I3 or at the request of an applicant, rights-of-way and easements must be cleared of tree stumps, brush and other obstructions at no charge to the Company and must be graded to within six inches of final grade by the applicant before the Company will commence construction. Such clearance and grading must be maintained by the applicant during construction by the Company.

Date Issued: July 31, 2003
Issued By: Robert R. Puckett, President
100 State Street, Albany NY, 12207

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P.S.C. No. 2 - Telephone

New York State Telecommunications Association, Inc.

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CONSTRUCTION CHARGES

E. UNDERGROUND EXTENSIONS FOR NEW RESIDENTIAL SUBDIVISIONS (cont'd)

4. Responsibility of Applicant

- b. At the request of the Company, the applicant shall provide a survey map certified to by a licensed professional engineer or land surveyor and certified to as final by the applicant showing the location of each lot, sidewalk and roadway and, prior to and during construction by the Company shall place and maintain survey stakes indicating grade and property lines. A map showing the location of all other existing and proposed underground facilities shall be furnished to the Company by the applicant as soon as the location of such facilities shall be known.
- c. The Company may require that all sewers, water facilities, drainage facilities and curbs be installed before it commences construction.

F. OTHER SPECIAL CONSTRUCTION

When some special or abnormal installation or arrangement of facilities is desired, the applicant may be required to furnish at his own expense all necessary conduits, outlets and other fixtures. The Company will install and maintain its facilities in such conduits and fixtures, provided they are constructed in such a manner as to meet the Company's needs and approval.

G. POLE ATTACHMENTS

1. Regulations

- a. Cables, equipment, wireless antennas, and facilities attached to utility owned pole shall be placed and maintained in accordance with the requirements and specifications stipulated in the Pole Attachment Agreements which are consummated between the attacher and the utility. (C)

Issued in compliance with Order in Case No. 16-M-0330, dated March 14, 2019.

Date Issued: June 12, 2019

Date Effective: August 1, 2019

Issued By: Caroline Hill, Regulatory & Member Services Director
4 Tower Place, 2nd Floor, Albany, NY 12203

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New York State Telecommunications Association, Inc.

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CONSTRUCTION CHARGES

G. POLE ATTACHMENTS (cont'd)

1. Regulations (cont'd)
 - b. Such pole attachments shall be negotiated between the utility and the attacher upon request. (C)
 - c. The utility reserves the right to deny attachment if general company specifications are not met or if sufficient space is not available. (C)
2. Rates for each pole attachment are on an annual basis and are listed in the concurring Company's tariff, Section 3, Group 3.
 - a) Wireline rates are computed using the PSC approved FCC cable rate formula 1
 - b) Wireless rates are computed using the PSC approved FCC cable rate formula, using 7.4% space factor applied to the adjusted pole cost to produce a per foot attachment rate. The application of this rate will be based on the overall length of the equipment, including any mounting equipment plus six inches rounded up to the next foot regardless of where the equipment is installed and the area of the pole it occupies. (ex. A wireless attachment that is 3'6" would occupy 4' of useable space, whereas, a wireless attachment that is 3'8" in length would occupy 5' of usable space) (N)

H. CANCELLATION OR CHANGE OF APPLICATION J

When an application for facilities and service is canceled in whole or in part prior to completion of the construction, the applicant is required to pay to the Company, upon demand, the total costs and expenses in connection with providing and removing such facilities involved not to exceed the applicable minimum and termination charges specified in this Tariff.

When a customer requests a change in the location of all or part of the facilities covered by the customer's application prior to completion of the construction thereof, the customer is required to pay the difference between the total costs and expenses incurred by the Company in completing the construction and that which would have been incurred had the final location of facilities been specified initially in the application.

When an application is canceled in whole or in part after completion of the construction but prior to the establishment of service the customer is required to pay to the Company, upon demand, the applicable connection and construction charges as well as the monthly rate, as specified in this Tariff, for the service for the minimum service period.

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CONSTRUCTION CHARGES

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RESERVED FOR FUTURE USE

(D)

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