

CONSTRUCTION AND ATTACHMENT CHARGES

GENERAL

The rates otherwise provided for in this tariff are based on furnishing service immediately adjacent to existing lines and facilities of the Telephone 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 as prescribed hereunder.

CONSTRUCTION ON PUBLIC RIGHT-OF-WAY

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

When local exchange service is desired at a point outside the base rate area but within the exchange area more than 2,640 feet distant from then existing facilities, the applicant therefor may be required to pay for this construction or the use of another company's plant in lieu of such construction as follows:

For each 100 feet, or fraction thereof, required to make the necessary extension beyond the first 2,640 feet, route measurement, from the existing lines, a charge of \$10.00.

Measurement to be restricted to the shortest and most direct route over which the desired point can be reached by following public right-of-way or other vested right of-way privileges which the Telephone Company may hold by reason of its franchise or charter, including public thoroughfares such as highways, streets and public alleys.

CONSTRUCTION ON PRIVATE PROPERTY

In all cases of plant construction on private property, where the type of construction is selected by the telephone company, the Telephone Company will construct, own, and maintain its facilities, either wholly or jointly with an electric utility, subject to a construction charge based on route measurement as follows:

- First 500 feet of construction - No Charge.
- Each additional 100 feet or fraction thereof - \$10.00.

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CONSTRUCTION ON PRIVATE PROPERTY (cont'd)

Where the customer requests a type of construction different from that selected by the Telephone Company, a charge will be made to cover the excess cost of construction above that selected by the Telephone Company.

The Telephone Company shall have access to all facilities at all times for maintenance purposes.

Where applicant is so located that it is necessary to use a private right-of-way to furnish service, the subscriber is required to pay the entire cost involved in securing such right-of-way.

The customer is responsible for all tree trimming required to keep the private right-of-way, in which his terminal facilities are located, clear and unobstructed.

OTHER SPECIAL CONSTRUCTION

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

MINIMUM CONTRACT

New construction will be provided only where service is contracted for a minimum period of five years.

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(Continued)

REFUNDS

If at any time within three years from date of completed construction, pole lines for which a subscriber has paid a non-recurring charge are used for other purposes, such subscribers may be entitled to refunds as follows, provided they are still served by such construction:

If such lines are used to carry toll lines of the Telephone Company, the refund will be prorated to cover the unexpired portion of the original three year period for that part of the pole line so used.

When such lines are used to supply local exchange service to other subscribers, the refund will be the difference between the original charge and that subscriber's pro rata share of the total construction, allowing 2,640 feet for each main station for that pole line.

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UNDERGROUND SERVICE IN RESIDENTIAL DEVELOPMENTS (\$63.41)

(C)

(a) For the purpose of this section only, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

(1) **Applicant for telephone service** - The developer of a recorded plot plan consisting of five or more lots, or one or more five unit apartment houses.

(2) **Developer** - The party responsible for constructing and providing improvements in a development, that is, streets, sidewalks, and utility-ready lots.

(3) **Development** - A planned project which is developed by a developer/applicant for telephone service set out in a recorded plot plan of five or more adjoining unoccupied lots for the construction of single-family residences, detached or otherwise, mobile homes, or apartment houses, all of which are intended for year-round occupancy, if telephone service to the lots necessitates extending the utility's existing distribution lines.

(4) **Distribution line** - A main line facility directly or indirectly connecting the customers in a development to the telephone central office.

(5) **Service line** - A line from the distribution line to the residence of the subscriber.

(6) **Subdivider** - The party responsible for dividing a tract of land into building lots which are not to be sold as utility-ready lots.

(7) **Subdivision** - A tract of land divided by a subdivider into five or more adjoining unoccupied lots for the construction of single-family residences, detached or otherwise, or apartment houses, all of which are intended for year-round occupancy, if telephone service to the lots necessitates extending the utility's existing distribution lines.

(C) Indicates Change

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UNDERGROUND SERVICE IN RESIDENTIAL DEVELOPMENTS (cont'd) (C)

(b) Distribution and service lines, except pedestals, installed as the result of an application for telephone service within a development shall be installed underground; shall conform to the utility's construction standards; and shall be owned and maintained by the utility. Excavating and backfilling shall be performed by the applicant for telephone service or by another agent the applicant may authorize. All other installation shall be performed by the utility or by another agent the utility may authorize. The utility shall not be liable for injury or damage occasioned by the willful or negligent excavation, breakage or other interference with its underground lines occasioned by anyone other than its own employees or agent. Nothing in this section shall prohibit a utility from performing its own excavating and backfilling for greater system design flexibility. No charges other than those specified in subsection (c) and (d) shall be permitted.

(c) The applicant for telephone service to a development shall do the following:

(1) At its own cost, provide the utility with a copy of the recorded development plot plan identifying property boundaries, and with easements satisfactory to the utility for occupancy and maintenance of distribution and service lines and related facilities.

(2) At its own cost, clear the ground in which the service lines and related facilities are to be laid of trees, stumps and other obstructions, provide the excavating and backfilling according to utility specifications and subject to the inspection and approval of the utility, and backfill within 6 inches of final grade. Utility specifications for excavating and backfilling shall be set forth by the utility in written form and presented to the applicant at the time of application for the service and presentation of the plot plan to the utility. If the utility's specifications have not been met by the applicant's excavating and backfilling, the excavating and backfilling shall be corrected or redone by the applicant or its authorized agent. Failure to comply with the utility's construction standards and specifications permits the utility to refuse utility service until the standards and specifications are met.

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UNDERGROUND SERVICE IN RESIDENTIAL DEVELOPMENTS (cont'd) (C)

(c) (cont'd)

(3) Request the installation of distribution and service lines at such time that the lines may be installed before curbs, pavements and sidewalks are laid; carefully coordinate scheduling of the utility's line and facility installation with the general project construction schedule including coordination with any other utility sharing the same trench; 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 utility to avoid unnecessary costs and delay.

(4) Place with the telephone company, in advance or upon such other terms as the company may require, the following charges:

(i) A prepayment in aid of construction in an amount not in excess of 60% of the company's costs of the distribution line for the development.

(ii) The prepayment in aid of construction will be refunded on a proportionate basis for each contract for telephone service rendered. The basis for total refund shall be 100% refund upon receipt of telephone contracts for telephone service from 50% of the total development within a 10 year period.

(d) If the applicant changes the plot plan after installation of the telephone utility's lines has begun, or requests deviation from the utility's established underground construction practices, the additional costs shall be borne by the applicant. No charges other than those described in this subsection and in subsection (c) shall be borne by the applicant for telephone service or by another utility sharing the same trench, even if the utility elects to perform its own excavating and backfilling.

(e) The Commission believes that there should be joint use of trenches whenever economically and technologically feasible. However, the Commission realizes that the economic advantages which can result from the joint use of trenches may at time be obviated by the technological disadvantages of joint occupancy. Therefore, the Commission will not make the joint use of trenches mandatory but will require the joint use of trenches whenever the circumstances indicate that the use would be feasible and all parties agree thereto.

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UNDERGROUND SERVICE IN RESIDENTIAL DEVELOPMENTS (cont'd) (C)

(f) This section shall apply to all requests for distribution facilities for telephone service to developments which are filed after June 9, 1984.

(g) Amounts the public utility receives under subsection (c)(4)(i) shall be credited to Accounts 174-Other deferred credits.

(h) Whenever the public utility or an affected person believes that the application of the tariff rule works an undue hardship, involves a physical impossibility, or is otherwise inappropriate, the utility or person may request an exception from the undergrounding requirements of this section by following the procedure set forth in §57.86 (relating to exceptions).

(i) Exceptions, as granted by the Commission for electric distribution lines under §57.86 (relating to exceptions) shall also apply to telephone facilities. If an exception request, initiated by an applicant for telephone service is granted and the applicant thereafter desires underground service, then this section shall apply as if no exception had been granted.

(j) Telephone utilities shall file a tariff supplement adding this section to its tariff. The tariff supplement shall become effective on the date filed.

(k) Telephone utilities shall file undergrounding construction and specification standards and revisions thereto with the Commission's Bureau of Safety and Compliance.

(l) Underground facilities in new residential developments are only required by this section when a bona fide developer exists, that is only when utility-ready lots are provided by the developer. A mere subdivision is not required to have underground service. However, should the lot owner in a subdivision desire underground service, the service shall be provided by the utility if the lot owner, at his option either complies with subsection (c) or pays to the utility the charges that are contained in the utility's tariff for underground telephone service not required by this title.

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TAXES ON CONTRIBUTIONS IN AID OF CONSTRUCTION AND CUSTOMER ADVANCES (C)

Any contribution in aid of construction (CIAC), customer advance or other like amounts received from the customer which shall constitute taxable income as defined by the Internal Revenue Service will have the income taxes segregated in a deferred account for inclusion in rate base in a future rate case proceeding. Such income taxes associated with a CIAC or customer advance will not be charged to the specific contributor of the capital.

(C) Indicates Change

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