D2. GENERAL REGULATIONS

LIST OF EFFECTIVE SHEETS

Sheets listed below are effective as of the date shown on each sheet.

Number of	
Revision_	Sheet
18th	CS A
$19 { m th}^1$	CS A
4th	ToC A
4th	ToC B
1st	1
$2nd^2$	2
Original	2.1
5th	3
6th	3.1
$3 \mathrm{rd}^1$	3.2
Original	3.3
8th	4
10th	4.1
$2nd^1$	4.2
Original ¹	4.3
Original ¹	4.4
Original ¹	4.5
2nd	5
Original	5.1
3rd	6

NOTE 1: Issued

NOTE 2: Advice Letter No. 16781 withdrawn June 27, 1995.

CC: 5170

Advice Letter No. 25333 Issued by Date Filed: Aug. 6, 2004

D2. GENERAL REGULATIONS

TABLE OF CONTENTS

	
	Sheet No.
2.1 RESERVED	
2.2 CATEGORY III SERVICES OF UTILITY	1
2.2.1 DESCRIPTION OF CATEGORY III SERVICES	1
2.2.2 APPLICATION FOR SERVICE	2
2.2.3 RATES AND CHARGES FOR CATEGORY III SERVICES	2 2 2
2.2.4 LIMITATION OF LIABILITY A. LIMITATIONS B. TEMPORARY SUSPENSION FOR REPAIRS C. PHONE NUMBERS AND DIRECTORY LISTINGS	3 3 3 3
2.2.5 INSTALLATION	3.1 (T)
2.3 PAYMENT ARRANGEMENTS AND CREDIT ALLOWANCE	3.2
2.3.1 ESTABLISHMENT AND REESTABLISHMENT OF CREDIT	3.2
2.3.2 ADVANCE PAYMENTS AND DEPOSITS	3.2
2.3.3 RENDERING AND PAYMENT OF BILLS	3.2
2.3.4 DISPUTED BILLS	3.3
2.3.5 INSTALLMENT BILLING	3.3 (T)
2.3.6 RETURNED CHECK CHARGE FOR CATEGORY III SERVICES CONTAINED IN SECTIONS D3.1 THROUGH D3.4	3.3 (T)
2.4 PROMOTIONAL OFFERINGS, SERVICE WARRANTIES, DISCOUNTED OFFERINGS, DONATED OFFERINGS AND PRICE GUARANTEES	4

Continued

Advice Letter No. 24212 Issued by Date Filed: Sept. 12, 2003

Decision No. Cynthia Wales Effective: Oct. 22, 2003

D2. GENERAL REGULATIONS

	TABLE OF CONTENTS		
		Sheet No.	
2.5	RELEASE OF MESSAGES, DATA, CREDIT AND CALLING RECORDS	4	
2.6	REFUSAL, TERMINATION OR DISCONTINUANCE OF CATEGORY III		
	SERVICES	4	(T)
A.	TERMINATION OR REFUSAL OF CATEGORY III SERVICES	4	
В.	DISCONTINUANCE OF CATEGORY III SERVICES	4	
С.	TERMINATION BY CUSTOMER	4.2	(T)
2.7	DISCONNECTION OF REGULATED EXCHANGE SERVICES	4.2	(T)
2.8	RESTRICTIONS ON CUSTOMER USE AND RESALE OF CATEGORY III		
	SERVICES	5	
A.	UNSOLICITED MARKETING	5	
В.	RESALE	5	
C.	UTILITY CONTENT POLICY	5	
D.	REGULATIONS AND CODES	5	
E.	FRAUDULENT USE	5	
F.	DIRECT SALE	5.1	
2.9	ASSIGNMENT	6	
A.	CUSTOMER ASSIGNMENT	6	
В.	UTILITY ASSIGNMENT	6	
2.10	EXISTING CUSTOMERS	6	
2.11	SPECIAL FEATURES	6	
2.12	EMERGENCY/DISASTER SERVICE OFFERINGS	6	

Advice Letter No. 24212 Issued by Date Filed: Sept. 12, 2003

Decision No. Cynthia Wales Effective: Oct. 22, 2003

D2. GENERAL REGULATIONS

- 2.1 DEFINITIONS RESERVED
- 2.2 CATEGORY III SERVICES OF UTILITY
- 2.2.1 DESCRIPTION OF CATEGORY III SERVICES

Category III Services are those services offered by Utility which the Public Utilities Commission of the State of California has designated as such.

2.2.2 APPLICATION FOR SERVICE

Applications for Category III Services will be accepted by Utility provided that the Category III Service is available and the Utility has no reason to believe applicant will not comply with the provisions of the tariff.

Utility, on its sole discretion, shall offer Category III Services in locations where technical capabilities exist and market conditions warrant. (N)

Additional requirements for application for service of Category III Services are as specified in Schedule Cal.P.U.C. No. A2.1.3,A.

Continued

Advice Letter No. 16574 Issued by Date Filed: May 27, 1993

Decision No. A. E. Swan Effective: May 28, 1993

D2. GENERAL REGULATIONS

- 2.2 CATEGORY III SERVICES OF UTILITY (CONT'D)
- 2.2.3 RATES AND CHARGES FOR CATEGORY III SERVICES
- A. RATES AND CHARGES
 - Rates and charges for Category III Services are set forth in the applicable product specific tariff sheets and in agreements. Rates and charges for Category III Services provided under agreement may not exceed the maximum level set forth in the applicable product specific tariff sheets.
 - 2. Customer may order multiple units of Category III Services. To receive (N) any applicable discount Customer must order a minimum number of units.

 If Customer later deletes units and uses less than the minimum number,

 Customer will be charged for the minimum number of units per order. (N)
- B. CHANGES TO RATES AND CHARGES
 - 1. Utility may adjust the current rates and charges for a Category III Service by filing revised tariff sheets. Provided these new rates and charges are below the approved maximum level, the tariff sheets will become effective upon the first calendar day after the filed date, and parties may not protest the adjustment. If the adjustment is greater than the maximum level, the revised tariff sheets will also adjust the maximum levels, pursuant to D2.2.3,B.2.
 - 2. Utility may change the maximum level by filing tariff sheets.
 - a. Revised tariff sheets which reduce the maximum level of rates and charges will become effective upon the first calendar day after the filed date. These reductions will be considered temporary tariffs. Absent a protest within the twenty calendar day period, the temporary status of the tariff will automatically become permanent. If a protest is filed, the tariff will remain a temporary tariff until the protest is either withdrawn or resolved by the Commission.
 - b. Revised tariff sheets which increase the maximum level of rates and charges by 5 percent or less will become effective upon the fifth calendar day from the filed date. These increases will be considered temporary tariffs. Absent a protest within the twenty calendar day period, the temporary status of the tariff will automatically become permanent. If a protest is filed, the tariff will remain a temporary tariff until the protest is either withdrawn or resolved by the Commission. Pacific will refund the difference between the current rate under a temporary tariff and the Commission-allowed maximum rate should a protest of the temporary tariff result in non-approval of the new proposed maximum level.

Continued

Advice Letter No. 16574 Issued by Date Filed: May 27, 1993

GENERAL REGULATIONS

- 2.2 CATEGORY III SERVICES OF UTILITY (CONT'D)
- 2.2.3 RATES AND CHARGES FOR CATEGORY III SERVICES (CONT'D)

D2.

- B. CHANGES TO RATES AND CHARGES (CONT'D)
- 2. Utility may change the maximum level by filing tariff sheets. (Cont'd)
 - c. Revised tariff sheets which increase the maximum level of rates and charges by more than 5 percent will require the regular thirty calendar days notice period. Absent a protest, such tariffs will become effective upon the thirtieth calendar day after the filed date. If a protest is filed, the tariff will be considered a temporary tariff, effective upon the thirtieth calendar day after the filed date. When a protest is filed, the tariff will remain a temporary tariff until the protest is either with drawn or resolved by the Commission.
 - d. Utility may enter into contracts for Category III Services without prior Commission approval. Utility will file with the Commission advice letters for Category III Service contracts at least one day prior to putting those contracts into effect.
- 3. Utility may seek to change terms and conditions of the tariff other than rates and charges by filing revised tariff sheets. Such tariff sheets become effective on the first day after the filed date. These changes will be considered temporary tariffs. Absent a protest within the twenty calendar day period, the temporary status of the tariff will automatically become permanent. If a protest is filed, the tariff will remain a temporary tariff until the protest is either withdrawn or resolved by the Commission.

Continued

(N)

Advice Letter No. 16228D Issued by Date Filed: Apr. 17, 1992

Decision No. M. J. Miller Effective: May 25, 1993

D2. GENERAL REGULATIONS

2.2 CATEGORY III SERVICES OF UTILITY (Cont'd)

2.2.4 LIMITATION OF LIABILITY

A. LIMITATIONS

Limitations of liability for Category III Services are as specified in Schedule Cal.P.U.C. No. A2.1.14.

For Special Access Service in Schedule Cal.P.U.C. No. D12. of this tariff, Limitations of liability as set forth in Schedule Cal.P.U.C No. 175-T, Section 2.1.2 are applicable.

For Advanced Services in Schedule Cal.P.U.C. No. D13. of this tariff,
Limitations of liability as set forth in Schedule Cal.P.U.C. No. 175-T,
Section 2.1.2 are applicable.

(N)

B. TEMPORARY SUSPENSION FOR REPAIRS

Utility shall make necessary repairs, modifications, upgrades, or changes in its facilities at any time and may, without liability, suspend or interrupt services temporarily (generally, less than two hours for service during non-peak periods; if more than two hours customer may be notified in advance) for the purpose of making the necessary repairs, modifications, upgrades, or changes in its system. For information regarding unplanned outages, see Schedule Cal.P.U.C. No. A2.1.14.

For Special Access Service in Schedule Cal.P.U.C. No. D12. of this tariff, Limitations of liability as set forth in Schedule Cal.P.U.C. No. 175-T, Sections 2.1.1 and 2.1.11 are applicable.

For Advanced Services in Schedule Cal.P.U.C. No. D13. of this tariff,
Limitations of liability as set forth in Schedule Cal.P.U.C. No. 175-T,
Sections 2.1.2 and 2.1.11 are applicable.

(N)

C. PHONE NUMBERS AND DIRECTORY LISTINGS

The phone numbers or assigned numbers associated with Category III services are considered to be published telephone numbers, as defined in tariff Schedule A2.1.34. Directory listings, assignment and changing of numbers associated with Category III services are as specified in Schedule Cal.P.U.C. No. A2.1.17.

Material omitted now on Sheet 3.1.

Continued

Advice Letter No. 24212 Issued by Date Filed: Sept. 12, 2003

Decision No. Cynthia Wales Effective: Oct. 22, 2003

D2. GENERAL REGULATIONS

2.2 CATEGORY III SERVICES OF UTILITY (Cont'd)

(N)

2.2.5 INSTALLATION

(L)

(L)

Upon request, Customers will be given an estimated installation date. Utility is not liable if installation of the service is delayed. If Customer wants service installation to be expedited, Customer may be required to pay a special charge not to exceed \$100.00 per day in which the installation is expedited.

For Special Access Service in Schedule Cal.P.U.C. No. D12. of this tariff, Limitations of liability as set forth in Schedule Cal.P.U.C. No. 175-T, Section 5 are applicable.

For Advanced Services in Schedule Cal.P.U.C. No. D13. of this tariff,
Limitations of liability as set forth in Schedule Cal.P.U.C. No. 175-T,
Section 5 are applicable.

(N)

Material omitted now on Sheets 3.2 and 3.3

(L) Formerly on Sheet 3.

Continued

Advice Letter No. 24212 Issued by Date Filed: Sept. 12, 2003

Decision No. Cynthia Wales Effective: Oct. 22, 2003

D2. GENERAL REGULATIONS

2.3 PAYMENT ARRANGEMENTS AND CREDIT ALLOWANCE

2.3.1 ESTABLISHMENT AND REESTABLISHMENT OF CREDIT

Establishment and reestablishment of credit for Category III Services shall be consistent with the applicable specifications in Schedule Cal.P.U.C. No. A2.1.6.

For Special Access Service in Schedule Cal.P.U.C. No. D12. of this tariff, Establishment of Credit regulations as set forth in Schedule Cal.P.U.C. No. 175-T, Section 2.4.1 are applicable.

For Advanced Services in Schedule Cal.P.U.C. No. D13. of this tariff, Establishment of Credit regulations as set forth in Schedule Cal.P.U.C. No. 175-T, Section 2.4.1 are applicable.

2.3.2 ADVANCE PAYMENTS AND DEPOSITS

Advance payments and deposits for Category III Services shall be consistent with the specifications in Schedule Cal.P.U.C. No. A2.1.7.

EXCEPTION: For Category III services contained in Sections D3.1 through D3.4, advance payments shall be based on a credit analysis obtained by an outside, independent credit rating agency. Customers may be required to prepay for service based on this analysis.

Customers may be required to prepay 25% when estimated non-recurring charges are over \$5,000; and 50% when estimated non-recurring charges are over \$10,000.

2.3.3 RENDERING AND PAYMENT OF BILLS

Rendering and payment of bills for Category III Services shall be specified in Schedule Cal.P.U.C. No. A2.1.9 with the exception of A2.1.9,I.1, A2.1.9,I.4.c and A2.1.9,I.5. The three (3) month limit to backbilling is not applicable to Category III Services. However, all provisions of A2.1.9 apply to Consumer and Small Business or Individual customers, including a 3 month limitation on backbilling, per D.04-05-057.

(T) (T) (N)

(N)

For Special Access Service in Schedule Cal.P.U.C. No. D12. of this tariff, Payment of Rates regulations as set forth in Schedule Cal.P.U.C. No. 175-T, Section 2.4.1 are applicable.

For Advanced Services in Schedule Cal.P.U.C. No. D13. of this tariff, Payment of Rates regulations as set forth in Schedule Cal.P.U.C. No. 175-T, Section 2.4.1 are applicable.

Continued

Advice Letter No. 25333 Issued by Date Filed: Aug. 6, 2004

Decision No. 04-05-057 Yvette Hogue Effective: Dec. 4, 2004

	CATEGORY III SERVICES D2. GENERAL REGULATIONS	
2.3 F	PAYMENT ARRANGEMENTS AND CREDIT ALLOWANCE (Cont'd)	(L) 2
2.3.4	DISPUTED BILLS	(L)
	Disputed bills for Category III Services shall be resolved as specified in Schedule Cal.P.U.C. No. A2.1.10,A.	
	For Special Access Service in Schedule Cal.P.U.C. No. D12. of this tariff, Payment of Rates regulations as set forth in Schedule Cal.P.U.C. No. 175-T, Section 2.4.1 are applicable.	(L)
	For Advanced Services in Schedule Cal.P.U.C. No. D13. of this tariff, Payment of Rates regulations as set forth in Schedule Cal.P.U.C. No. 175-T, Section 2.4.1 are applicable.	(N) (N)
2.3.5	INSTALLMENT BILLING	(L):
	When credit has been established as set forth in Schedule Cal.P.U.C. No. A2.1.6 and Customer agrees, a nonrecurring charge may be billed by the Utility for up to six consecutive monthly installments, without interest, for the Category III Services listed in Sections D3.1 through D3.4 when ordered with CPE purchased from Pacific Bell.	
	Not applicable to Special Services in Schedule Cal.P.U.C. No. D12. of this tariff.	(L):
	Not applicable to Advanced Services in Schedule Cal. P.U.C. No. D13. of this tariff.	(N) (N)
2.3.6	RETURNED CHECK CHARGE FOR CATEGORY III SERVICES CONTAINED IN SECTIONS D3.1 THROUGH D3.4	(L):
	A returned charge for Category III services contained in Sections D3.1 through D3.4 will be applicable to each check which is returned or dishonored by a customer's bank for any reason. Charges associated with returned checks will not exceed \$25.00.	(上):
	ormerly on Sheet 3.1. ormerly on Sheet 3.2.	

Advice Letter No. 24212 Issued by Date Filed: Sept. 12, 2003

Decision No. Cynthia Wales Effective: Oct. 22, 2003

Continued

(T)

(N)

(N)

CATEGORY III SERVICES

D2. GENERAL REGULATIONS

2.4 PROMOTIONAL OFFERINGS, SERVICE WARRANTIES, DISCOUNTED OFFERINGS, DONATED OFFERINGS, GIFTS AND PRICE GUARANTEES

Utility may offer promotional offerings (e.g., free installation, first month free, etc.), service warranties, discounted offerings, and donated offerings, and guaranteed pricing. Utility will notify the commission of such promotions, service warranties, discounted offerings, donations or guarantees; however, no such offerings require approval.

The Utility may occasionally give away promotional items at trade shows or other promotional events. The Utility may also conduct contests and/or sweepstakes with prizes funded by the Utility.

Utility may donate a reasonable amount of services to charities, community groups, educational institutions, and the like, which Utility is free to select.

From time to time, the Utility may offer complimentary gifts. The terms and conditions of such offers shall be specified in the offer. No telecommunication services provided by the Utility shall be offered as complimentary gifts. The Utility shall not fund these complimentary gifts from regulated accounts. For residential customers, the maximum value of any gifts shall not exceed \$250.00 per customer per offer. For business customers, the maximum value of any gifts shall not exceed \$500.00 per customer per offer. Prizes offered as part of contests and/or sweepstakes and rewards offered as part of customer loyalty programs are not subject to the maximum value caps.

2.5 RELEASE OF MESSAGES, DATA, CREDIT AND CALLING RECORDS

The release of messages, data, credit and calling records associated with Category III Services shall be consistent with the specifications in Schedule Cal.P.U.C. No. A2.1.35.

- 2.6 REFUSAL, TERMINATION OR DISCONTINUANCE OF CATEGORY III SERVICES
- A. TERMINATION OR REFUSAL OF CATEGORY III SERVICES

If Customer is in violation of any provision under this tariff, and such default continues after notice thereof is given by Utility, Utility may, without liability and without waiving any other remedies available to it, cease providing Category III Service(s) to Customer including any Category III residential and/or business services which Customer may subscribe to, until such default is remedied.

NOTE 1: Customer is in default and Utility disconnects Customer's Message

Center or Pacific Bell Voice Mail service, Customer's service may continue to accumulate messages pending resolution of customer's default.

Material omitted now on Sheet 4.1. Continued

Advice Letter No. 23764B Issued by Date Filed: May 12, 2003

Decision No. Cynthia Wales Effective: Aug. 21, 2003

(N)

(N)

CATEGORY III SERVICES

D2. GENERAL REGULATIONS

- 2.6 REFUSAL, TERMINATION OR DISCONTINUANCE OF CATEGORY III SERVICES (Cont'd)
- B. DISCONTINUANCE OF CATEGORY III SERVICES

Utility, on its sole discretion, may discontinue offering a Category III Service, in part or in its entirety, without liability to affected Customers and applicants.

Utility may file and make effective on one day's notice advice letters freezing and withdrawing Category III Service offerings. Category III Service offerings may be frozen as of the effective date of the advice letter. Category III Services to current customers may be withdrawn no sooner than the fortieth day after the advice letter is filed.

For Special Access Service in Schedule Cal.P.U.C. No. D12. of this tariff, regulations for Refusal and Discontinuance of Service as set forth in Schedule Cal.P.U.C. No. 175-T, Section 2.1.8 are applicable.

For Advanced Services in Schedule Cal.P.U.C. No. D13. of this tariff, regulations for Refusal and Discontinuance of Services are set forth in Schedule Cal.P.U.C. No. 175-T, Section 2.1.8 are applicable.

Material omitted now on Sheet 4.2.

Continued

Advice Letter No. 24212 Issued by Date Filed: Sept. 12, 2003

Decision No. Cynthia Wales Effective: Oct. 22, 2003

D2. GENERAL REGULATIONS

2.6 REFUSAL, TERMINATION OR DISCONTINUANCE OF CATEGORY III SERVICES (Cont'd)

C. TERMINATION BY CUSTOMER

Customer may order Category III Services on a long term basis, as opposed to month to month. If the Customer terminates service before the end of the term, Customer will give Utility thirty (30) days' prior written notice. Furthermore, Utility may charge Customer a termination fee. The termination fee will not exceed the monthly charge for the initial quantity of service ordered multiplied by the number of months remaining in the term.

If a customer had its non-recurring charges waived due to a promotion requiring a minimum service commitment (e.g., 1 year) and the customer subsequently disconnects prior to the completion of the agreed upon period, then the customer may be liable for the previously waived non-recurring charges.

Additional requirements for refusal, termination or discontinuance of Category III Services are as specified in Schedule Cal. P.U.C. No. A2.1.31.

For Special Access Service in Schedule Cal.P.U.C. No. D12. of this tariff following, Termination liability regulations as set forth in Schedule Cal.P.U.C. No. D12. of this tariff are applicable.

For Advanced Services in Schedule Cal.P.U.C. No. D13. of this tariff, Termination liability regulations as set forth in Schedule Cal.P.U.C. No. D13. of this tariff are applicable.

Material omitted now on Sheet 4.5.

Continued

Advice Letter No. 25333 Issued by Date Filed: Aug. 6, 2004

Decision No. 04-05-057 Yvette Hogue Effective: Dec. 4, 2004

D2. GENERAL REGULATIONS

- 2.6 REFUSAL, TERMINATION OR DISCONTINUANCE OF CATEGORY III SERVICES (Cont'd)
- D. SERVICE DISCONNECTION UNDER THE CONSUMER BILL OF RIGHTS

(N)

(N)

1. Definitions

Terms used in a section governed by D.04-05-057 shall have the meaning set forth in D.04-05-057 as it may be amended over time.

Access Line

For the purposes of the Consumer Protection Rules adopted in D.04-05-057, an Access Line is defined as a telephone line that is voice-grade or equivalent or has the capacity of not more than 64 kilobits per second that connects a customer premises to the Utility's serving wire.

Consumer

For the purposes of the Consumer Protection Rules adopted in D.04-05-057, Consumer means any individual or small business which purchases or subscribes to any product or service provided or billed by the Utility.

Small Business or Individual

For the purposes of the Consumer Protection Rules adopted in D.04-05-057, a Small Business is a business that subscribes to not more than twenty telephone access lines or one T-1 from the Utility, or an Individual who subscribes directly to not more than twenty access lines or one T-1 from the Utility for business use or combination business and personal use. Any business or individual subscribing to more than twenty telephone access lines or more than one T-1 line will not be considered a small business customer. For purposes of these rules, all entities other than individuals (e.g., government and quasi-governmental agencies, associations, etc.) meeting the twenty-access or one T-1 line limit are treated identically with small businesses. A business is defined by a billed account.

A billed account may consist of one or more billing telephone numbers associated by a unique identifier assigned by the Utility.

Continued

Advice Letter No. 25333 Issued by Date Filed: Aug. 6, 2004

Decision No. 04-05-057 Yvette Hogue Effective: Dec. 4, 2004

D2. GENERAL REGULATIONS

- 2.6 REFUSAL, TERMINATION OR DISCONTINUANCE OF CATEGORY III SERVICES (Cont'd)
- D. SERVICE DISCONNECTION UNDER THE CONSUMER BILL OF RIGHTS (Cont'd)

(N)

2. Regulations

For the purposes of the Consumer Protection Rules adopted in D.04-05-057, any Individual or Small Business may cancel service for any new tariffed service or any new contract or promotion for service within 30 calendar days after the new service is initiated. However, the customer will be responsible for all costs and charges incurred as follows:

- a. For service taken under a term plan agreement or other arrangement that requires the customer to keep the service for longer than one month in order to receive the benefit of discounts, e.g., waived installation charges or discounted rates, the customer shall pay:
 - (1) All waived and/or unpaid nonrecurring charges at the applicable rate(s) or charge(s) in effect when service was installed.
 - (2) Any recurring non-usage rates at the effective rate under the term plan or other agreement in accordance with the service's minimum service period regulations.
 - (3) All charges for usage-sensitive services at the effective rate under the term plan or other agreement for any actual usage.
- b. For new tariffed service the customer shall pay:
 - (1) All nonrecurring charges at the applicable rate(s) or charge(s) in effect when service was installed.
 - (2) Any recurring non-usage rates at the effective month-to-month rates in accordance with the service's minimum service period regulations.
 - (3) All charges for usage-sensitive services at the applicable effective rates for any actual usage.
- c. For all services, the customer shall return any other benefits, credits, or discounts that may have been received.

An individual or small business seeking to disconnect service under this regulation must continuously meet the definitions and requirements from when the new service is installed until it is disconnected, whichever is shorter. Changing to or from a term plan for an existing service is not considered to be a new service for the purpose of this regulation.

When service is terminated under this regulation, other minimum period, promotion cancellation, or early termination regulations shall not apply. (N)

Advice Letter No. 25333 Issued by Date Filed: Aug. 6, 2004

Decision No. 04-05-057 Yvette Hogue Effective: Dec. 4, 2004

D2. GENERAL REGULATIONS

2.7 DISCONNECTION OF REGULATED EXCHANGE SERVICES

Utility will not temporarily or permanently disconnect Customer's regulated exchange or private line service solely for non-payment of charges for a Category III Service.

| (上)

(N)

(N)

(L)

In accordance with D.04-05-057, the Utility may not disconnect a Consumer or Small Business customer's basic residential or single-line business service, either flat rate or measured rate, as defined in D.96-10-066, for nonpayment of any charge other than recurring rates or nonrecurring charges for that same service, including government mandated fees and taxes calculated on that service that are remitted to the government.

(L) Formerly on Sheet 4.2.

Decision No. 04-05-057

Continued

Advice Letter No. 25333 Issued by Date Filed: Aug. 6, 2004

Yvette Hogue Effective: Dec. 4, 2004

(T)

CATEGORY III SERVICES

D2. GENERAL REGULATIONS

2.8 RESTRICTIONS ON CUSTOMER USE AND RESALE OF CATEGORY III SERVICES

A. UNSOLICITED MARKETING

No Customer is permitted to use Category III Services for unsolicited marketing announcement services, or in a way that may jeopardize the Category III Service network or other Customers' use of any Utility service. Utility will investigate any abusive or unsolicited marketing (whether voice, facsimile or electronic image) and take appropriate action, including possible referral to law enforcement agencies or discontinuance of Customer's Category III Services. Category III Services will be reinstated only after Customer agrees to Utility's terms and conditions for the use of each such Category III Service. Notwithstanding the above, the tariff sheets or agreements for a specific Category III Service may provide that a particular Category III Service may be used for unsolicited marketing, so long as such use is consistent with any applicable law.

B. RESALE

No Customer may resell a Category III Service without the express written permission of Utility.

C. UTILITY CONTENT POLICY

Customer shall use Category III Services in a manner consistent with Utility's Content Policy. Customer shall indemnify, and hold Utility harmless from and against any and all liability, claims, damages, fines or penalties (including attorney fees) that may be sustained by reason of Customer's failure to comply with such Content Policy.

D. REGULATIONS AND CODES

Customer shall comply with all applicable federal, state and local laws, regulations and codes, including, but not limited to, the procurement of permits, certificates and licenses when needed in the provisioning and use of Category III Services. Customer shall indemnify and hold Utility harmless from and against any and all liability, claims, damages, fines or penalties (including attorney fees) that may be sustained by reason of Customer's failure to comply with such federal, state and local laws, regulations and codes.

E. FRAUDULENT USE

Customer may not charge any calls to the service access number or mailbox number, or otherwise use a Category III Service in a fraudulent manner. Utility is not liable for any such charges.

Continued

Advice Letter No. 18963 Issued by Date Filed: Jul 31 1997

Decision No. A.E. Swan Effective:

(N)

(N)

CATEGORY III SERVICES

D2. GENERAL REGULATIONS

2.8 RESTRICTIONS ON CUSTOMER USE AND RESALE OF CATEGORY III SERVICES (Cont'd)

F. DIRECT SALE

Pacific Bell Information Services (PBIS) will sell its Category III residential and small/mid-sized business voice mail products to retail customers of a Competitive Local Exchange Carrier (CLC) upon request of either the end user customer of the CLC or, when acting as the end user customer's agent, the CLC itself. This offering is only applicable on a Pacific Bell (PB) resold line and is not an option for facilities-based CLCs or CLCs purchasing UNEs. All Category III residential and small/midsized business voice mail products will be sold to CLC end user customers with identical terms, conditions and prices offered to PB and PBIS customers.

Continued

Resolution No.

Advice Letter No. 19778 Date Filed: Oct. 26, 1998 Issued by

A.E. Swan Effective: Dec. 5, 1998 Decision No. 98-10-020 **Executive Director**

D2. GENERAL REGULATIONS

2.9 ASSIGNMENT

A. CUSTOMER ASSIGNMENT

Customer may not assign its rights or delegate its obligations and duties regarding the provisioning of Category III Services to Customer, without the prior written consent of Utility.

B. UTILITY ASSIGNMENT

Utility may, at any time, assign any and all of its rights and delegate its duties under this tariff to (i) any present or future affiliate, or (ii) any other company, if such assignment will, in Utility's opinion, assist in the implementation of any law or ruling issued by any judicial or other governmental authority. In the event Utility withdraws a Category III Service offering, in whole or in part, Utility may assign any and all of its rights and delegate its duties for such Service under this tariff to (i) any present or future affiliate, or (ii) any other company. Any of the assignees described above will not be bound by the terms and conditions of this tariff, and are free to offer such Category III Services under new terms and conditions.

2.10 EXISTING CUSTOMERS

The terms and conditions of this tariff supersede all contracts with customers for Category III Services, which became effective on or before the date of this tariff; provided, however, that all mutually executed agreements for Category III Services, which were in effect on or before the effective date of this tariff, shall remain in full force and effect to the extent they are consistent with the terms and conditions of this tariff.

2.11 SPECIAL FEATURES

From time to time, customers may request features which are not described in this tariff. These special feature requests will be dealt with on an individual case basis and provided under contract.

2.12 EMERGENCY/DISASTER SERVICE OFFERINGS

In the event of an emergency or disaster, such as an earthquake, flood, fire, civil disturbance, or other similar catastrophe, Utility may, at its sole discretion, for a period of not more than ninety days, elect to provide specified Category III services at no charge to Customers affected by the emergency/disaster.

2.13 TEMPORARY SERVICE, SPECULATIVE PROJECTS AND RISK SERVICES

Category III Services which are temporary, speculative or risk type services will be provided as set forth in Schedule Cal. P.U.C. A2.1.13.A.1.

Continued

(T)

(T)

(N)

(N)

Advice Letter No. 18207 Issued by Date Filed: Apr. 30, 1996

Decision No. A. E. Swan Effective: May 1, 1996