

**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

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By: Mr. Justin Haynes  
Title: President

<b>PUBLIC UTILITY COMMISSION OF TEXAS</b> <b>APPROVED</b>
MAY 11' 2010 CONTROL# <u>DKT. NO. 38133</u>
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**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

**I. GENERAL PROVISIONS**

Terminal equipment, inside wiring and communications systems may be connected at the customer's premises to telecommunications services furnished by the Company in accordance with the provisions of this Section. Telecommunications services include local exchange service, Long Distance Message Telecommunications Service (LDMTS), Wide Area Telecommunications Service (WATS), and Access Service.

**A. Responsibility of the Customer**

1. The customer shall be responsible for the installation, operation and maintenance of any terminal equipment, inside wiring, or communications systems. No combinations of terminal equipment or communications systems shall require change in or alteration of the Company's equipment or services, cause electrical hazards to Company personnel, damage to Company equipment, malfunction of Company billing equipment, or degradation of service to persons other than the user of the subject terminal equipment or communications system. Upon notice from the Company that terminal equipment or communications systems are causing hazard, damage, malfunction or degradation of service, the customer shall make such changes as shall be necessary to correct the problem.
2. Service Charges
  - a. If a Company employee makes a repair visit to the customer's premises where the service difficulty may result from the use of terminal equipment, inside wiring or a communications system, the customer shall be responsible for payment of a Maintenance Service Charge as shown in Section 2 of this tariff.

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**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

**I. GENERAL PROVISIONS (Continued)**

**A. Responsibility of the Customer (Continued)**

- b. If customer-provided premises wiring or communications systems fail acceptance tests monitored by, or participated in by the Company, as provided in Section 68.215 of the Federal Communications Commission's (FCC) Code, and/or if the wiring has been shown to be not in conformance with the information provided in the affidavit as specified in Section 68.215, and/or if the wiring has caused harm to the network, the customer shall agree to pay the Company an amount based on the costs of activities performed by its employees.
3. The customer shall provide all electrical power necessary for the operation of terminal equipment, communications systems and associated wiring to the point of interconnection with the telephone network.
4. Customers providing their own premises equipment shall reimburse the Company for the cost of damages or changes requested by the customer to facilities or equipment of the Company caused by the negligence or willful act of the customer or resulting from improper use of Company facilities, or due to malfunction of any facilities or equipment provided by other than the Company.

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**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

**I. GENERAL PROVISIONS (Continued)**

**B. Responsibility of the Company**

1. The Company shall not be responsible for the installation, operation or maintenance of any terminal equipment, inside wiring or communications system. Telecommunications services are not represented as adapted to the use of terminal equipment or communications systems. Where terminal equipment or communications systems are used with telecommunications services, the responsibility of the Company shall be limited to the furnishing of service components suitable for telecommunications services and to the design, maintenance and operation of service components in a manner proper for such services. Subject to this responsibility, the Company shall not be responsible for (1) the through transmission of signals generated by the terminal equipment or communications systems or for the quality of, or defects in, such transmission, or (2) the reception of signals by terminal equipment or communications systems, (3) address signaling where such signaling is performed by signaling equipment, or (4) the dilution of service quality when the customer operates the equipment outside the manufacturer's recommended operating parameters.
2. The Company will, at the customer's request, provide information concerning interface parameters, including the number of ringers which may be connected to a particular telephone line, needed to permit terminal equipment to operate in a manner compatible with telecommunications services.
3. The Company may make changes in its telecommunications services, equipment, operations or procedures, where such action is not inconsistent with part 68 of the FCC Rules. If such changes can be reasonably expected to render any customer's premises equipment incompatible with telecommunications services, require modification or alteration of such premises equipment, or otherwise materially affect its use or performance, the customer will be given adequate notice, in writing, to allow the customer an opportunity to maintain uninterrupted service.

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**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

**I. GENERAL PROVISIONS (Continued)**

**C. Liability of the Company**

1. The Company will not be held responsible for any loss or damage, nor for any impairment or failure of service, arising from or in connection with the use of customer-provided premises equipment and not caused solely by the negligence of the Company.
2. The Company will not be held liable for damages arising out of injuries to persons or property from voltages or currents transmitted over the facilities of the Company caused by customer-provided premises equipment.

**D. Recording of Two-Way Telephone Conversations**

Telecommunications services are not represented as adapted to the recording of two-way telephone conversations. However, voice recording equipment may be directly, acoustically or inductively connected with telecommunications services under the following conditions:

1. all parties being recorded or monitored must hear a beep tone at regular intervals; or
2. all parties to the conversation must give prior consent for the recording of the conversation. The prior consent must be obtained in writing, or be part of and obtained at the start of the call by the recording party. The voice recording equipment shall be arranged so that it can be connected and disconnected from telecommunications services or switched on and off by the user. Exemptions to these provisions do exist under certain restrictions for commercial broadcast licensees, emergency reporting systems and law enforcement authorities.

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**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

**I. GENERAL PROVISIONS (Continued)**

**E. Violation of Regulations**

When any premises equipment is used with telecommunications services in violation of any of the provisions in this Section, the Company will take such immediate action as necessary for the protection of the telecommunications network and its employees and will promptly notify the customer of the violation. The customer shall discontinue such use of the premises equipment or correct the violation and shall confirm in writing to the Company within 10 days, following the receipt of written notice from the Company, that such use has ceased or that the violation has been corrected. Failure of the customer to discontinue such use, to correct the violation or to give the required written confirmation to the Company within the allotted time shall result in suspension of the customer's service until such time as the customer complies with this provision of the tariff.

**II. CONNECTIONS OF REGISTERED EQUIPMENT**

**A. Registered Terminal Equipment, Registered Protective Circuitry and Registered Communications Systems**

Registered terminal equipment, protective circuitry, and communications systems may be directly connected at the customer's premises to the telecommunications network, subject to Part 68 of the FCC Rules, Part I, as set forth in the Section preceding, and the following:

1. All combinations of registered equipment and associated nonregistered terminal equipment (including, but not limited to, wiring) shall be installed, operated and maintained so that the requirements of Part 68 of the FCC Rules are continually satisfied.

The Company may discontinue service or impose other remedies, as provided for in Part 68, for failure to comply with these provisions.

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**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

**II. CONNECTIONS OF REGISTERED EQUIPMENT (Continued)**

**A. Registered Terminal Equipment, Registered Protective Circuitry and Registered Communications Systems (Continued)**

2. The customer shall not connect registered equipment to a Company line if:
  - a. the ringer equivalence of such equipment in combination with the total ringer equivalence of other equipment connected to the same line exceeds the allowable ringer equivalence as determined by the Company; or
  - b. the ringer type is not a ringer type designated by the Company, as suitable for that particular line.
3. Unless the FCC grants a specific waiver or the equipment is located in hazardous or inaccessible locations (the exception described in Part II, Paragraph A.4. following), all connections of registered equipment to the Company-provided services shall be made through FCC registered standard jacks. However, in the case of registered communications systems, standard jacks may be wired in a nonstandard manner if wired in such a manner as to prevent hazard, damage, malfunction or degradation of service.
4. The required use of standard jacks is waived for registered equipment which is located in hazardous or inaccessible locations.

**B. Premises Wiring Associated With Registered Communications Systems**

Premises Wiring is wiring which connects separately-housed equipment entities or system components to one another, or wiring which connects an equipment entity or system component with the Company's point of interconnection located at the customer's premises and not within an equipment housing.

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**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

**II. CONNECTIONS OF REGISTERED EQUIPMENT (Continued)**

**B. Premises Wiring Associated With Registered Communications Systems  
(Continued)**

1. Fully-protected premises wiring is premises wiring which is either:
  - a. no greater than 25 feet in length (measured linearly between the points where it leaves equipment or connector housings) and registered as a component of and supplied to the user with the registered terminal equipment or protective circuitry with which it is to be used;
  - b. a cord which complies with Paragraph a. preceding and which is extended once by a registered extension cord. Extension cords may not be used as substitute for wiring which for safety reasons should be affixed to or embedded in a building's structure;
  - c. wiring located in an equipment room with restricted access, provided that this wiring remains exposed for inspection and is not concealed or embedded in the building's structure, and that conforms to Part 68 of the FCC Rules; or
  - d. electrically behind registered equipment, system components or protective circuitry which assure that electrical contact between the wiring and commercial power wiring or earth ground will not result in hazardous voltages or excessive longitudinal imbalance at the telephone network interface.
2. Protected premises wiring requiring acceptance testing for imbalance is premises wiring which is electrically behind registered equipment, system components or circuitry which assure that electrical contact between the wiring and commercial power wiring will not result in hazardous voltages to the Company's facilities.

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**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

**II. CONNECTIONS OF REGISTERED EQUIPMENT (Continued)**

**B. Premises Wiring Associated With Registered Communications Systems  
(Continued)**

3. Unprotected premises wiring is all other premises wiring. Customers who intend to connect premises wiring other than fully-protected premises wiring to the telephone network shall give advance notice to the Company and comply with the procedures specified in Part 68 of the FCC Rules, or as otherwise authorized by the FCC.
4. The Company may invoke extraordinary procedures as specified in Part 68 of the FCC Rules where one or more of the following conditions are present:
  - a. information provided in the installation supervisor's affidavit gives reason to believe that a violation of Part 68 is likely;
  - b. a failure has occurred during acceptance testing for imbalance; or
  - c. harm has occurred, and there is reason to believe that this harm was a result of wiring operations performed under Part 68.
5. In addition, the Company may monitor or participate in acceptance testing for imbalance, or may inspect other than fully-protected premises wiring installations as set forth in Part 68 of the FCC Rules.

**C. Connections Involving National Defense and Security**

In certain cases, Part 68 of the FCC Rules permits the connection of unregistered terminal equipment or communications systems to the telecommunications network, provided that the Secretary of Defense, the head of any other governmental department (having requisite FCC approval), or their authorized representative certifies in writing to the Company that:

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**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

**II. CONNECTIONS OF REGISTERED EQUIPMENT (Continued)**

**C. Connections Involving National Defense and Security (Continued)**

1. the connection is required in the interest of national defense and security;
2. the equipment to be connected either complies with the technical requirements of Part 68 or will not cause harm to the telecommunications network or the Company's employees; and
3. the work is supervised by an installation supervisor who meets the qualifications stated in Part 68.

**III. CONNECTIONS OF GRANDFATHERED TERMINAL EQUIPMENT AND GRANDFATHERED COMMUNICATIONS SYSTEMS**

**A. Direct Connections**

Grandfathered terminal equipment and communications systems, including protective circuitry, may remain directly connected and be moved and reconnected to the telecommunications network for the life of the equipment without registration and may be modified only in accordance with Part 68 of the FCC Rules, subject to the following conditions:

1. The customer shall notify the Company when such grandfathered terminal equipment or communications systems are to be connected and shall notify the Company when such grandfathered terminal equipment or communications systems are to be permanently disconnected. Such notification shall include a description of the equipment including the manufacturer's name, model number, and type of equipment.
2. All such connections are made through FCC registered standard jacks.

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**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

**III. CONNECTIONS OF GRANDFATHERED TERMINAL EQUIPMENT AND GRANDFATHERED COMMUNICATIONS SYSTEMS (Continued)**

**A. Direct Connections (Continued)**

3. All such connections shall comply with the minimum protection criteria set forth in Part 68 of the FCC Rules.
4. Premises wiring shall conform to Part 68 of the FCC Rules.
5. No changes may be made to equipment so connected except by the manufacturer thereof, or a duly authorized agent of the manufacturer.
6. Additions to grandfathered communications systems may be made without registration of any additional equipment involved if:
  - a. equipment to be added is being reconnected, i.e., was previously directly connected prior to January 1, 1980, in accordance with the Company's tariffs, and
  - b. such additions comply with the provisions of Part III, Paragraph A.1. through 5. preceding.
7. Additions of registered equipment to grandfathered communications systems are subject to the provisions of Part II preceding.

**B. Connections Through Grandfathered Connecting Arrangements**

1. Grandfathered connections of terminal equipment and communications systems (as defined in Section 8) may remain connected and may be moved and reconnected for the life of the equipment and may be modified only in accordance with Part 68 of the FCC Rules.

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By: Mr. Bill Golden  
Title: President

Effective: March 1, 1992

**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

**III. CONNECTIONS OF GRANDFATHERED TERMINAL EQUIPMENT AND  
GRANDFATHERED COMMUNICATIONS SYSTEMS (Continued)**

**B. Connections Through Grandfathered Connecting Arrangements  
(Continued)**

2. All terminal equipment and communications systems must comply with the following minimum protection criteria:
  - a. To prevent excessive noise and crosstalk in the network, it is necessary that the power of the signal at the central office not exceed 12db below one milliwatt when averaged over any three second interval. To insure that this limit is not exceeded, the power of the signal which may be applied by the equipment to the Company's point of interconnection located on the customer's premises will be specified for each customer location, but in no case shall it exceed one milliwatt.
  - b. To protect other services, it is necessary that the signal which is applied by the equipment to the Company's point of interconnection located on the customer's premises comply with the limits specified in Part 68 of the FCC Rules.

**C. Modifications To Systems and Installations Involving Unregistered  
Equipment Are Covered As Follows:**

The use of other than fully-protected premises wiring is considered a modification under Part 68 of the FCC Rules. As an exception to the general requirement that no modification is permitted to unregistered equipment whose use is permitted under Part 68, certain modifications are authorized by Part 68. Other than fully-protected premises wiring may be used if it is qualified in accordance with the procedures and requirements specified in Part 68.

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-----FOR COMMISSION STAMP-----

By: Mr. Bill Golden  
Title: President

Effective: March 1, 1992

**CONNECTIONS OF CUSTOMER-PROVIDED PREMISES EQUIPMENT**

**III. CONNECTIONS OF GRANDFATHERED TERMINAL EQUIPMENT AND GRANDFATHERED COMMUNICATIONS SYSTEMS (Continued)**

**C. Modifications To Systems and Installations Involving Unregistered Equipment Are Covered As Follows: (Continued)**

Existing separate, identifiable and discrete protective apparatus may be removed, or replaced with apparatus of lesser protective function, provided that any premises wiring to which the telephone network is thereby exposed conforms to FCC requirements. Minor modifications to existing unregistered equipment are authorized to facilitate installation of premises wiring, so long as these minor modifications are performed under the responsible supervision and control of a person who complies with the FCC requirements.

**IV. CONNECTIONS OF EQUIPMENT NOT SUBJECT TO PART 68 OF THE FCC RULES**

Terminal equipment and communications systems not registered nor grandfathered in accordance with Part 68 of the FCC Rules and Regulations may be connected to the network pursuant to the tariff provisions in effect prior to October 17, 1977, requiring the use of a network control signaling unit and connecting arrangement, or customer-provided protective circuitry registered in accordance with Part 68 of the FCC Rules and Regulations.

The terminal equipment and communications systems must comply with the minimum protection criteria set forth in Part 68 of the FCC Rules.

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