

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 1,320 feet distant from then existing facilities, the applicant therefore may be required to pay for this construction or the use of another company's plant in lieu of such construction as follows:

For any additional construction required to make the necessary extension beyond the first 1,320 feet, route measurement, from then existing lines, the charge will be actual cost.

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.

UNDERGROUND CONSTRUCTION - SPECIFIC DEVELOPMENTS

The Telephone Company will provide within a general exchange area, underground mainline facilities for specific housing developments subject to the following regulations:

A written agreement is required between the developer and the Telephone Company.

The developer is responsible to pay to the Telephone Company the difference in costs between underground construction, where the total cost including excavation for the buried facilities exceeds the estimated cost for the aerial facilities.

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UNDERGROUND CONSTRUCTION (Cont'd)

The developer must provide suitable right-of-way easements to the Telephone Company at his cost and permit extension of the facilities to adjoining areas served, or to be served, by the Telephone Company.

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 200 feet of construction - No Charge.
Additional construction beyond 200 feet - Actual cost.

Where the customer requests or a governmental authority, by legislation, regulation, or otherwise, requires 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.

Where a customer requests or a governmental authority requires that existing facilities be changed to another type of construction, the customer shall be charged an amount based on the costs of the new construction and the removal of the old, if such removal is required.

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.

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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

In cases where the Telephone Company jointly shares a trench provided by another utility for underground service to a subscriber, the following conditions apply in addition to the above:

The trench provided must conform to Telephone Company standards.

The customer is responsible for all trenching cost exceeding the standard cost to the Telephone Company, based on route measurement per foot, applicable to the entire distance of the joint trench.

The customer is required to sign an agreement provided by the Telephone Company.

INSIDE WIRING

The provision of wiring, beyond the Rate Demarcation Point, is the responsibility of the customer.

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CONSTRUCTION FOR SHORT PERIODS OF KNOWN DURATION

When private facilities are required for a short period of known duration, a charge applies based on the cost of furnishing, erecting and removing the facilities including the necessary wires or cable, less the salvage value and the mileage revenue from the constructed facilities for the period service is desired.

MINIMUM CONTRACT

New construction will be provided only where service is contracted for a minimum of one year.

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 1,320 feet for each Rate Demarcation Point associated with that pole line.

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UNDERGROUND SERVICE IN RESIDENTIAL DEVELOPMENTS

- A. For the purpose of this section only, the following words and terms shall have the following meaning, 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, street, 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 home, or apartment houses, all of which are intended for year-around 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 - The facility(s) from the distribution line to the Rate Demarcation Point as covered in Section 3, part. B1.
 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-around occupancy, if the telephone service to the lots necessitates extending the utility's existing distribution lines.

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UNDERGROUND SERVICE IN RESIDENTIAL DEVELOPMENTS (Cont'd)

- 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 employee 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. (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 Telephone Company may require, the following charges:
 - (i) A prepayment in aid of construction in an amount not in excess of 60% of the Telephone 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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- 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 4360-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 under-grounding requirements of this section by following the procedure set forth in S57.86 (relating to exceptions).
- I. Exceptions, as granted by the Commission for electric distribution lines under S57.86 (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.