

MEMBER SERVICES TARIFF
GENERAL RULES AND REGULATIONS

CONTENTS

APPLICATION OF TARIFF	1
OBLIGATION AND LIABILITY OF COOPERATIVE	2
Availability of Facilities	2
Responsibility of the Cooperative	2
Service Interruptions	3
Undertaking of the Cooperative	3
Use of Connecting Company Lines	3
Defacement of Premises	3
CLASSIFICATIONS OF SERVICE	4
Business Classification	4
Residence Classification	5
MEMBER RELATIONS	7
Information to Members	7
Availability of Tariff	8
Member Complaints	8
APPLICATION FOR MEMBERSHIP AND SERVICE	9
Application and Requirements for Membership in the Cooperative	9
Application and Contracts for Service	9
Order of Precedence in Furnishing Telephone Service	11
Unusual Installation Costs	11
ESTABLISHMENT AND MAINTENANCE OF CREDIT	11
Conditions of Credit	11
Applicant Deposit	12
Deposit for Temporary or Seasonal Service and for Weekend Residences	14
Record of Deposits	14
Interest on Deposits	15
Refund of Deposit	15
Reestablishment of Credit	16
Complaint by Applicant or Member	16
REFUSAL OF SERVICE	16
Compliance by Applicant	16
Applicant's Recourse	17
Insufficient Grounds for Refusal of Service	17

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

CONTENTS

ESTABLISHMENT AND USE OF SERVICE AND FACILITIES	18	
Ownership and Use of Equipment	18	
Access to Member's Premises	18	
Resale of Services	19	
Installations at Hazardous Locations	19	
Telephone Numbers	19	
Alterations	20	
Maintenance and Repairs	20	
Unauthorized Attachments or Connections	21	
Use of Member Telephone Service	21	
General	21	
Unlawful Use of Service	22	
Use of Automatic Dial Announcing Devices	22	
Use of Profane Language or Impersonation of Another	22B	
Abusive or Fraudulent Use of Service	23	
Limited Communications	23	
Indemnification	23	
PAYMENT OF CHARGES FOR SERVICES AND FACILITIES	23	
Billing and Payment for Service	23	
Adjustment of Charges	25	
Adjustment of Charges for Service Interruptions	26	
SUSPENSION AND TERMINATION OF MEMBER SERVICE	26	
Suspension of Service by the Cooperative	27	
Reasons for Which Service May Not be Disconnected	29	
Suspension of Service by Member's Request	30	
Provision for Restoration of Service Charge	30	
Termination of Service	31	
Cooperative-Initiated Toll Blocking	31	
SPECIAL CHARGES, FEES, AND TAXES		
Municipal Franchise Fees	32	
Texas Universal Service Fund Surcharge	33	N

PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED

OCT 01 '06 CONTROL# DKT. NO. 32970

TARIFF CLERK

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

I. APPLICATION OF TARIFF

A. The rules and regulations specified herein apply to the intrastate services and facilities furnished by the Valley Telephone Cooperative, Inc., hereinafter referred to as the Cooperative, in the State of Texas and are in addition to those contained in the Long Distance Message Telecommunications Service Tariff, the Wide Area Telecommunications Service Tariff and the Private Line Services and Channels Tariff which Southwestern Bell Telephone Co. has on file with the Public Utility Commission of Texas.

When service and facilities are provided in part by the Cooperative and in part by other connecting companies, the regulations of the Cooperative apply to that portion of the service or facilities furnished by the Cooperative.

Failure on the part of the member to observe these rules and regulations of the Cooperative, after due notice of such failure, automatically gives the Cooperative the authority to discontinue the furnishing of service as hereinafter provided.

M
|
M

Issued July 15, 1982 Effective:

Issued By: Dave Osborn, General Manager
480 South 6th Street
Raymondville, TX 78580

Effective:

<p>PUBLIC UTILITY COMMISSION OF TEXAS APPROVED</p> <p>APR 06'00 CONTROL# <u>DKT. NO. 22182</u></p> <p>TARIFF CLERK</p>
--

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

I. APPLICATION OF TARIFF

B. In the event of a conflict between any rate, rule, regulation or provision contained in this Tariff and any rate, rule, regulation or provision contained in the Long Distance Message Telecommunications Service Tariff, the Wide Area Telecommunications Service Tariff, or the Private Line Services and Channels Tariff, the rate, rule, regulation or provision contained in the specific tariffs shall prevail.

C. These Tariffs cancel and supersede all other Tariffs of the Cooperative issued and effective prior to the effective date shown on the individual sheets of this Tariff.

D. Should there be any conflict between this Tariff and the Rules and Regulations of the Public Utility Commission of Texas, the Public Utility Commission rules shall apply unless otherwise established by the courts.

Additional rules and regulations affecting customers may be found in the Substantive Rules of the Commission, Chapter 26, Subchapter B titled "Customer Service and Protection." The Substantive Rules may be viewed on the Commission's website at <http://www.puc.state.tx.us>. Alternatively, the Cooperative shall provide a paper copy of the Commission's Substantive Rules to a customer, upon request, at a reasonable price.

M

M
N

N

Issued By: Dave Osborn, General Manager
480 South 6th Street
Raymondville, TX 78580

Effective:

**PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED**

APR 06'00 CONTROL# DKT. NO. 22182

TARIFF CLERK

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

II. OBLIGATION AND LIABILITY OF COOPERATIVE

A. Availability of Facilities

1. The Cooperative's obligation to furnish, or continue to furnish, telecommunications service is dependent upon its ability to obtain, retain, and maintain, without unreasonable expense, suitable rights and facilities, and to provide for the installation of those facilities required incident to the furnishing and maintenance of that service.

The charges specified in this Tariff do not contemplate work being performed by the Cooperative at a time when overtime wages apply, due to the request of the member, nor do they contemplate work once begun being interrupted by the member. If the member requests that overtime labor be performed or interrupts work once begun, an additional charge, based on the additional costs involved applies.

2. It shall be the intent of the Cooperative to provide one party telephone service as indicated in the loan contract with the Rural Electrification Administration, except in instances where facilities are not available. Where facilities are not available, party line service may be offered on a temporary basis until facilities become available. In no instance should the offering of one party telephone service hinder the operations of the Cooperative or require the use of General Funds in such a way that it would, in management's opinion, adversely affect the financial or operational condition of the Cooperative.

B. Responsibility of the Cooperative

The responsibility of the Cooperative is limited to furnishing and maintaining the facilities required to provide the telecommunications service needs of its members. In view of the possibility of errors and difficulties in the transmission of messages by telephone and the impossibility of fixing the causes thereof, the members assume all risks connected with the service as the Cooperative cannot guarantee the uninterrupted working of its facilities.

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

II. OBLIGATION AND LIABILITY OF COOPERATIVE (Continued)

C. Service Interruptions

The Cooperative shall make all reasonable efforts to prevent interruptions of service. When interruptions occur, the Cooperative shall reestablish service within the shortest possible time. The Cooperative shall make reasonable provisions to meet emergencies and in the event of national emergency or local disaster resulting in disruption of normal service the Cooperative may, in the public interest, interrupt service to other members to provide necessary service to Civil Defense or other emergency service agencies on a temporary basis until normal service to these agencies can be restored.

D. Undertaking of the Cooperative

The Cooperative does not undertake to relay, interpret, or transmit messages, but offers the use of its facilities, where available, for telecommunications between parties subject to the terms and conditions specified in these tariffs.

E. Use of Connecting Company Lines

When suitable arrangements, as determined by the Cooperative, can be made, facilities of other companies may be used in conjunction with the Cooperative's facilities in establishing connections to points not reached by the Cooperative's facilities. In establishing connections with facilities of other companies, the Cooperative is not responsible or liable for any action of the Connecting Company.

F. Defacement of Premises

The Cooperative shall exercise due care in all work done on member's premises. No liability shall attach to the Cooperative by reason of any defacement or damage to the member's premises resulting from the existence of the Cooperative's instruments, apparatus and associated wiring on such premises, or by the installation or removal thereof, unless such defacement or damage is the result of the sole negligence of the Cooperative or its employees.

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

III. CLASSIFICATIONS OF SERVICE

Business and residence rates are applied in accordance with the character of use made of the service and facilities as indicated in this Tariff. This consideration is, in all cases, the basis upon which the rates for any particular service are classified, and any indices of such character of use should be applied with this primary definition in mind.

D

These classifications refer specifically to member services as distinguished from services that are either jointly provisioned to an end use customer or purchased for the purpose of providing service to an end use customer by a Telecommunications Provider, as that term is defined in TEX. UTIL. CODE ANN. § 51.002 or its successor, or by a provider of information services or enhanced services. Examples of such providers include Interexchange Carriers, Telecommunications Resellers, Pay Telephone Service Providers and Internet Service Providers, among others. Such services shall not be classified as business or residential, and therefore shall not be deemed member services.

T

T

The Cooperative reserves the right to classify any local service furnished a member as business or residence service, in compliance with this Tariff, as deemed necessary.

M

M

**PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED**
JULY 26 '05 CONTROL# DKT. NO. 31283
TARIFF CLERK

Issued By: Dave Osborn, General Manager
480 South 6th Street
Raymondville, TX 78580

Effective:

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

III. CLASSIFICATIONS OF SERVICE

M

A. Business Classification

Business rates apply whenever the use of the service is substantially of an occupational nature, including professional and institutional use as well as strictly commercial use. The readiest index of such use is the character of the location at which the service is furnished and in general, the use that may be assumed to be of an occupational or business nature.

Business rates apply at the following locations:

1. Offices, stores, factories, resorts, mines, and all other places of a strictly commercial, professional or business nature.

2. Residential locations when the member has no regular business telephone and the use of service either by himself, members of his household, or his guests, or parties calling him can be considered as more of a business than a residential nature, which fact might be indicated by advertising either by business cards, newspapers, handbills, billboards, circulars, motion pictures, screens, or other advertising matter, such as on vehicles, or when such business use is not such as commonly arises and passes over to residence telephone during the intervals when, in compliance with the law or established custom, business places are ordinarily closed.

M

Issued By: Dave Osborn, General Manager
480 South 6th Street
Raymondville, TX 78580

Effective:

PUBLIC UTILITY COMMISSION OF TEXAS APPROVED	
JULY 26 '05	CONTROL# <u>DKT. NO. 31283</u>
TARIFF CLERK	

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

III. CLASSIFICATIONS OF SERVICE (Continued)

A. Business Classification (Continued)

3. Locations in offices of federal, state, or other governments, libraries, institutions or agencies.

4. Residential locations (or residential premises at hotels, apartments, etc.) where an office is maintained within the premises or where an office, shop, or other place of business is adjacent to the residential premises with a connecting door or other opening between the two, or where the residence serves as a headquarters for a commercial, institutional, or professional pursuit.

5. When the telephone number is regularly advertised in connection with a business, business rates apply, except that where a business telephone number is advertised with a telephone number in a residence given as an alternate call number, other indices of the substantial character of use at the residence should be used.

6. Any important index of the character of use of the service is usually found in the application of the member as to the form of the directory listing desired. In most all cases where commercial or professional designations are desired, the use may be presumed to be of an occupational or business nature.

B. Residence Classification

Residence rates apply whenever the use of the service is of a social, and domestic nature and provided that the service is not used substantially for occupational or business purposes.

Residential Rates apply at the following locations:

1. Where the primary use of the service is of a domestic nature and where the business use, if any, is merely incidental and business listings are not provided.

2. In the place of residence of a clergyman or nurse and in the place of residence of a physician, surgeon or other medical practitioner, dentist or veterinarian, provided the member does not maintain an office in the residence.

(Continued next page)

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

III. CLASSIFICATIONS OF SERVICE (Continued)

B. Residence Classification (Continued)

3. In churches where the telephone is not accessible for public patronage, as in pastor's studies.

4. In quarters occupied by lodges, clubs and civic organizations where there is only an occasional use for the service, where the principal use is not for administrative purposes and the telephone is not available for use by the general public.

5. In Volunteer Fire Department meeting rooms or living quarters of Municipal Fire Departments where the telephone number is not published, and the telephone is not available for use by the general public.

6. Residential rates are applicable to all charitable organizations properly chartered by the State of Texas provided the service is listed in the name of such organization and is installed in a location other than a General Assembly area, President's office or other such location. Business rates will be applicable to telephone service installed in the General Assembly area, President's office or other such location. The applicant is responsible for furnishing proof of its charitable classification by the State of Texas.

7. Use of designations such as ranch, farm, lakehouse, or other similar designations in a member's listing may not clearly indicate occupational or business use of the service. If, after proper investigation, it is determined the service is not to be used substantially for business purposes, residence rates apply. Listings such as C-Bar-C Ranch where the member is engaged in the buying and selling of cattle and consistently uses the assigned telephone number in any form of advertising, the use is considered of a business or occupational nature and business rates shall apply.

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

IV. MEMBER RELATIONS

A. Information to Members

The Cooperative will maintain a current set of maps showing the physical locations of its facilities. All facilities shall be labeled to indicate the size, nominal capacity, or any pertinent information which will accurately describe the Cooperative's facilities. The maps, or such other maps as may be required by the Commission, shall be kept by the Cooperative, in the office of the Cooperative, and will be available for public or Commission inspection during normal working hours.

The business office shall have available up-to-date maps, plans or records of its immediate area, with such other information as may be necessary to enable the Cooperative to advise applicants, and others entitled to the information as to the facilities available for serving the locality.

1. Upon request of an applicant for residential service, the applicant shall be informed of the Cooperative's lowest-priced service alternatives available at the applicant's location giving full consideration to equipment options and installation charges, if any, incident thereto.

2. At the time service is initiated, the Cooperative will provide all new residential members a pamphlet, information packet or directory containing information describing customers rights to inspect and obtain copies of the tariff, the time allowed to pay outstanding bills, grounds for termination of service, steps the Cooperative must take to terminate service, how the member can resolve billing disputes with the Cooperative, alternative payment plans offered by the Cooperative, how to reconnect service, how to request a supervisory review with the Cooperative, or register a complaint with the Public Utility Commission, office hours address(es) and telephone number(s) of Cooperative payment office(s), information concerning deposit requirements, non-discrimination statement, and notice of any services for customers with special needs including but not limited to the telephone number of the teletypewriter for the deaf at the Public utility Commission.

3. The Cooperative will include a printed statement on each member's bill, or a bill insert, at six month intervals, advising members that the information concerning customer rights is included in directories.

4. The Cooperative will encourage members with physical disabilities to identify themselves to the Cooperative. Where necessary and appropriate, the Cooperative will take special action to inform these persons of their rights.

5. The Cooperative shall notify members affected by a change in rates or schedule of classification.

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

IV. MEMBERS RELATIONS (Continued)

A. Information to Members (Continued)

6. Notices are posted in each business office of the Cooperative where applications for service are received, informing the public that copies of the rate schedules and rules relating to the service of the Cooperative, as filed with the Commission, are available for inspection.

7. The Cooperative will furnish such additional information on rates and services as the member may reasonably request.

8. The information contained in this Member Services Tariff is a matter of public record and the Cooperative shall make available to the public at each of its business offices, all of its tariffs currently on file with the Commission. The Cooperative shall lend assistance to seekers of information therefrom and afford inquirers an opportunity to examine any of such tariffs upon request. The Cooperative shall provide copies of any portion of the tariffs at a reasonable cost to reproduce such tariff for a requesting party.

B. Member Complaints

1. Upon complaint to the Cooperative by a member either at its office, by letter or by telephone, the Cooperative shall promptly make a suitable investigation and advise the complainant of the results thereof within 21 days. In the event the complainant is dissatisfied with the Cooperative's report, the Cooperative will advise the complainant of the Public Utility Commission complaint processes, and give the member the address and telephone number of the Public Information Division of the Commission. T

2. Upon receipt of a complaint, either by letter or by telephone, from the Commission on behalf of the member, the Cooperative shall make a suitable investigation and advise the Commission in writing of the results thereof within twenty-one (21) days after the complaint is forwarded to the Commission. The Commission encourages all member complaints to be made in writing to assist the Commission in maintaining records on the quality of service of the Cooperative. T

3. The Cooperative shall keep a record of all complaints which shall show the name and address of the complainant, the date and nature of the complaint and the adjustment or disposition thereof for a period of two years subsequent to the final settlement of the complaint. Complaints with reference to rates or charges which require no further action by the Cooperative will not be recorded.

<p>PUBLIC UTILITY COMMISSION OF TEXAS APPROVED</p> <p>APR 06'00 CONTROL# <u>DKT. NO. 22182</u></p> <p>TARIFF CLERK</p>

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

V. APPLICATION FOR MEMBERSHIP AND SERVICE

A. Application and Requirements for Membership in the Cooperative.

Any person, firm, association, corporation or body politic or subdivision thereof may become a member of the Valley Telephone Cooperative, Inc. by:

1. Making a written application for membership.
2. Agreeing to purchase a residential or business telephone service as specified in this Tariff from the Cooperative.
3. Agreeing to comply with and be bound by the Articles of Incorporation and By-Laws of the Cooperative and any rules and regulations adopted by the Board of Directors of the Cooperative.

Provided, however, that no person, firm, association, corporation, or body politic, or subdivision thereof shall become a member unless and until all qualifications or membership have been met and the applicant has been accepted for membership by the Board or the membership. No member may hold more than one membership in the Cooperative, and no membership shall be transferable, except as provided by the By-Laws of this Cooperative.

B. Applications for Contracts and Service

1. Application for service may be made orally or in writing. Acceptance of such application by authorized agents or employees of the Cooperative, or the establishing of the service covered by such application shall constitute a contract between the member and the Cooperative. Requests by the member for additional service or facilities in connection with the original contract may be made verbally, however, the Cooperative may, at its own discretion require a new contract. The Cooperative reserves the right to require application for service to be in writing on forms provided by it. (See Application Form, Exhibit A, Section 4). The Cooperative does not discriminate on the basis of race, nationality, color, religion, sex or marital status.

2. Applicants may be required to pay a membership fee and, if required, a deposit as necessary for establishment of credit in advance at the time application is made.

PUBLIC UTILITY COMMISSION OF TEXAS APPROVED	
JULY 26 '05	CONTROL# <u>DKT. NO. 31283</u>
TARIFF CLERK	

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

V. APPLICATION FOR MEMBERSHIP AND SERVICE (Continued)

B. Applications and Contracts for Service (Continued)

3. All charges for the first billing period for exchange service and equipment, service connection and installation charges and special charges, if applicable, may also be required to be paid in advance.

4. Except as specified elsewhere in this Tariff, the minimum contract period for service or equipment is one month at the same location from the date service or additions to service are established. The minimum charge is the authorized rate for the service for one month. For purposes of rate administration, each month is considered to have 30 days.

5. The Cooperative may require a contract period longer than one month or a termination agreement for unusual construction necessary to meet special demands involving extra costs. (See Termination Agreement Form, Exhibit B, Section 4.)

6. The terms and conditions specified in all contracts are subject to these General Rules and Regulations, and the Local Exchange Service Tariffs for the particular exchange from which service is to be furnished. Any changes in rates, rules, or regulations as approved by the Public Utility Commission of Texas shall act as a modification of the contract to that extent, without further notice.

7. A move from one geographic location to another (outside move) within the Cooperative's service area is not considered to terminate the contract and orders for such moves may be made orally.

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

V. APPLICATION FOR MEMBERSHIP AND SERVICE (Continued)

C. Order of Precedence in Furnishing Telephone Service.

Applications for service in a particular exchange will be completed in accordance with the chronological order of their receipt depending upon the availability of facilities. Where facilities are limited, the following order of precedence shall apply.

1. Cases of emergency involving the public welfare such as Civil Defense, fire, police, ambulance service, etc.

2. Application for new business service shall be given priority over applications for residence service.

3. All others.

D. Unusual Installation Costs

Where special conditions or special requirements of the member involves unusual construction or installation costs, the member may be required to pay a reasonable proportion of such costs as provided in Section 6, Charges Applicable Under Special Conditions.

VI. ESTABLISHMENT AND MAINTENANCE OF CREDIT

A. Conditions of Credit

The following conditions are applicable to the establishment of credit for permanent residential applicants:

1. The Cooperative may require a residential applicant for service to satisfactorily establish credit.

2. Credit worthiness established by spouses during shared service 12 months prior to divorce shall be applied equally for 12 months following divorce to a spouse or former spouse who shared the service.

T
|
T

<p>PUBLIC UTILITY COMMISSION OF TEXAS APPROVED</p> <p>APR 06'00 CONTROL# <u>DKT. NO. 22182</u></p> <p>TARIFF CLERK</p>

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VI. ESTABLISHMENT AND MAINTENANCE OF CREDIT (Continued)

B. Applicant Deposit

1. A residential applicant shall not be required to pay a deposit subject to the following rules:

a. If the residential applicant has been a customer of any telephone Cooperative for the same kind of service within the last two years and is not delinquent in payment of any such telephone service account and during the last twelve (12) consecutive months of service did not have more than one occasion in which a bill for such telephone service was paid after becoming delinquent and never had service disconnected for non-payment.

b. If the residential applicant furnishes in writing a satisfactory guarantee from a third party to secure payments of bills for service required, and provided:

(1) The third party guarantor must be a member of the Cooperative and must have been a member of the Cooperative for at least one year, and have established satisfactory credit in which no balance has been carried forward, and has not been disconnected for nonpayment of account.

(2) Unless otherwise agreed to by the guarantor, the guarantee shall be for the amount of the deposit the Cooperative would normally seek on the applicant's account. The amount of the guarantee shall be clearly indicated on any documents or letters of guarantee signed by the guarantor.

c. If the residential applicant demonstrates a satisfactory credit rating by appropriate means, including, but not limited to, the production of generally acceptable credit cards, letters of credit reference, the names of credit references which may be quickly and inexpensively contacted by the Cooperative, or ownership of substantial equity.

d. All applicants for permanent residential service who are sixty-five (65) years of age or older will be considered as having established credit if such applicant does not have an outstanding account balance with the Cooperative or another telephone Cooperative for the same service which accrued within the last two years. No cash deposit shall be required of such applicant under these conditions.

e. A deposit shall not be required of an eligible Lifeline applicant if the applicant chooses to subscribe to toll restriction.

(Continued next page)

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VI. ESTABLISHMENT AND MAINTENANCE OF CREDIT (Continued)

B. Applicant Deposit (Continued)

1. (Continued)

f. A deposit shall not be required for subscription to Prepaid Local Telephone Service.

2. An applicant for business service may be required to make a deposit if the credit of the applicant for service has not been established satisfactorily to the Cooperative.

3. If a permanent residential or business service applicant does not meet the provisions under Part VI., Paragraph B., 1 & 2, above, a deposit will be required by the Cooperative subject to the following rules:

a. Initial Deposit

(1) The total of all deposits shall not exceed an amount equivalent to one-sixth (1/6) of the estimated annual billing, except as provided in Sec. 11 relating to Prepaid Local Telephone Service. The estimated annual billings may include charges that are in the Cooperative's tariffs. For nonresidential applicants and customers, the deposit amount may include long distance charges only where the provider of basic local telephone service bills those charges to the customer.

(2) In determining the amount of any deposit permitted by this section, no revenue from non-tariffed products or services may be used.

(3) Estimated billings to determine the deposit amount shall not include long distance charges for residential applicants and customers.

(4) The Cooperative may require an initial deposit from residential members if the member has been delinquent in paying a bill for telephone service on more than one occasion during the last twelve consecutive months of service, or if the customer's service was disconnected for nonpayment. The member may furnish a satisfactory written guarantee to secure payment of bills, instead of a cash deposit.

T
TN
N
T

**PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED**
APR 06'00 CONTROL# DKT. NO. 22182
TARIFF CLERK

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VI. ESTABLISHMENT AND MAINTENANCE OF CREDIT (Continued)

B. Applicant Deposit (Continued)

3. (Cont'd)

b. Additional Deposit Requirements

(1) During the first twelve months of service, if actual usage is three times estimated usage (or three times average usage of most recent three bills) and current usage exceeds \$150 and 150% of the security held, a new deposit requirement may be calculated and an additional deposit may be required to be made within ten days after issuance of written notice of termination and requested additional deposit, or in lieu of additional deposit, the member may elect to pay current usage within ten days after issuance of written notice of termination and requested additional deposit.

(2) If actual use of a business service customer is at least twice the amount of the estimated billing, or actual use of a residential service member is at least twice the amount of the estimated billings after two billing periods and a suspension notice has been issued on a bill within the previous twelve month period, a new deposit requirement may be calculated and an additional deposit may be required to be made within ten days after issuance of written notice of termination and requested additional deposit. In lieu of additional deposit, the member may elect to pay the current bill by the due date, provided the member has not exercised this option in the previous twelve months. If such additional deposit is not made, the Cooperative may disconnect service under the standard disconnection procedure.

c. At the time a deposit is required, the Cooperative shall provide applicants or members written information about deposits which describes the circumstances under which a utility may require an initial or additional deposit, how a deposit is calculated, the amount of interest paid on a deposit and how this interest is calculated, and the time frame and requirement for return of the deposit to the customer.

d. In determining the amount of any deposit required, no revenue from estimated telephone directory advertising shall be used.

(Continued next page)

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VI. ESTABLISHMENT AND MAINTENANCE OF CREDIT (Continued)

B. Applicant Deposit (Continued)

3. (Continued)

e. The fact that a deposit has been made in no way relieves the applicant or member from complying with the Cooperative's regulations as to advance payments and the prompt payment of bills on presentation; nor constitute a waiver of modification of the regular practices for the discontinuance of service for nonpayment of any sums due the Cooperative for services rendered.

C. Deposit for Temporary or Seasonal Service and Weekend Residences

The Cooperative may require a deposit sufficient to reasonably protect it against the assumed risk for temporary or seasonal service and weekend residences in a uniform and nondiscriminatory manner.

These deposits shall be returned according to guidelines set out in subsection F below.

D. Record of Deposits

1. The Cooperative shall keep records to show:

- a. The name and address of each depositor;
- b. The amount and date of the deposit; and
- c. Each transaction concerning the deposit.

2. The Cooperative shall issue a receipt of deposit to each applicant from whom a deposit is received, and shall provide means whereby a depositor may establish claim if the receipt is lost.

(Continued next page)

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VI. ESTABLISHMENT AND MAINTENANCE OF CREDIT (Continued)

D. Record of Deposits (Continued)

3. A record of each unclaimed deposit shall be maintained for at least four years, during which time the Cooperative shall make a reasonable effort to return the deposit.

4. In the event of sale or transfer of the Cooperative, the Cooperative shall file with the Commission a list of the names and addresses of all members served by the Cooperative who have to their credit a deposit, the date such deposit was made, the amount thereof, and the unpaid interest thereon.

E. Interest on Deposits

The Cooperative shall pay interest on all deposits required to be made by its customers. The rate of interest to be paid on customer deposits in accordance with Tex. Rev. Civ. Stat. Ann. art. 1440a (Vernon 1989), is established annually on December 1, for the subsequent calendar year by the Commission. If refund of deposit is made within thirty (30) days of receipt of deposit, no interest payment is required. If the Cooperative retains the deposit more than thirty (30) days, a payment of interest shall be made retroactive to the date of the deposit.

1. Payment of the interest to the member shall be annually if requested by the member, or at the time the deposit is returned or credited to the member's account.

2. The deposit shall cease to draw interest on the date it is returned or credited to the member's account.

F. Refund of Deposit

1. If the service is not connected or after disconnection of service, the Cooperative shall promptly and automatically refund the member's deposit plus accrued interest or the balance, if any, in excess of the unpaid bills for service furnished. A transfer of service from one premise to another within the service area of the Cooperative shall not be deemed a disconnection within the meaning of these rules, and no additional deposit may be demanded unless permitted by these rules.

(Continued next page)

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VI. ESTABLISHMENT AND MAINTENANCE OF CREDIT (Continued)

F. Refund of Deposit (Continued)

2. When the member has paid bills for service for twelve (12) consecutive residential billings or for twenty-four (24) consecutive business billings without having service disconnected for nonpayment of bill and without having more than two occasions in which a bill was delinquent, and when the member is not delinquent in the payment of the current bills, the Cooperative shall promptly and automatically refund the deposit plus accrued interest to the member in the form of cash or credit to a member's bill or void any guarantee of payment. If the member does not meet these refund criteria the deposit and interest may be retained, in accordance with the provisions in Subsections b., 1., d., B., 3., and E. of this section.

G. Reestablishment of Credit

Every applicant who previously has been a member of the Cooperative and whose service has been discontinued for nonpayment of bills shall be required to pay all amounts due the Cooperative or execute a deferred payment agreement, if offered, and reestablish credit as provided in this Section, Part VI, Paragraphs, A, B, and C, before service is rendered.

H. Complaint by Applicant or Member

The Cooperative shall direct its personnel engaged in initial contact with an applicant or member for service, seeking to establish or reestablish credit under the provisions of these rules, to inform the member, if dissatisfaction is expressed with the Cooperative's decision, of the member's right to file a complaint with the Commission thereon.

VII. REFUSAL OF SERVICE

A. Compliance by Applicant

The Cooperative may decline to serve an applicant until such applicant has complied with the state and municipal regulations and approved rules and regulations of the Cooperative on file with the Commission governing the service applied for or for the following reasons:

1. If the applicant's installation or equipment is known to be hazardous or of such character that satisfactory service cannot be given.

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VII. REFUSAL OF SERVICE (Continued)

A. Compliance by Applicant (Continued)

2. The applicant fails to comply with the Cooperative's tariffs pertaining to operation of nonstandard equipment or unauthorized attachments which interfere with the service of others. The Cooperative will provide the applicant notice of refusal and allow the applicant a reasonable amount of time to comply with the Cooperative's tariffs.

3. The applicant has acted as a guarantor for another customer and fails to pay the guaranteed amount, where such guarantee was made in writing to the Cooperative and was a condition of service.

4. The applicant applies for service at a location where another customer received, or continues to receive, service and the utility bill is unpaid at that location and the utility can prove that the change in identity is made to avoid or evade payment of the Cooperative bill. An applicant may request a supervisory review if the Cooperative determines that the applicant intends to deceive the utility and refuses to provide service.

5. Except as provided in Section 11, subsection XX, of this tariff describing Prepaid Local Telephone Service, service may be refused, if the applicant for nonresidential service owes a debt to any utility for the same kind of service as that applied for, including long distance charges for nonresidential applicants where a provider of basic local telephone service bills those charges to the customer pursuant to its tariffs. If the applicant's indebtedness is in dispute, the applicant will be provided service upon complying with the Cooperative deposit requirements. Payment of long distance charges is not a condition of local exchange service for residential applicants.

6. For refusal to make a deposit if applicant is required to make a deposit under these rules.

N

N

TM
M

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VII. REFUSAL OF SERVICE (Continued)

B. Applicant's Recourse

In the event that the Cooperative shall refuse to serve an applicant under the provisions of these rules, the Cooperative will inform the applicant of the basis of its refusal and that the applicant may file a complaint with the Public Utility Commission of Texas thereon.

The Cooperative will inform applicants eligible for Prepaid Local Telephone Service (PLTS), that PLTS service is available if they are not eligible for standard local telephone service.

N
|
N

C. Insufficient Grounds for Refusal to Serve

The following shall not constitute sufficient cause for refusal of service to a present member or applicant:

1. Delinquency in payment for service by a previous occupant of the premises to be served;

2. Failure to pay for any charges not included in the Cooperative's tariffs;

T
T

3. Failure to pay a bill to correct previous underbilling due to misapplication of rates of more than six months unless the underbilling is the result of theft of service;

T
T

4. Violation of the Cooperative's rules pertaining to operation of nonstandard equipment or unauthorized attachments which interferes with the service of others, or other services such as communication services, unless the member has first been notified and afforded reasonable opportunity to comply with said rules;

(Continued next page)

PUBLIC UTILITY COMMISSION OF TEXAS APPROVED	
APR 06'00	CONTROL# <u>DKT. NO. 22182</u>
TARIFF CLERK	

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VII. REFUSAL OF SERVICE (Continued)

C. Insufficient Grounds for Refusal to Serve (Continued)

5. Failure to pay a bill of another member as guarantor thereof, unless the guarantee is made in writing to the Cooperative as a condition precedent to service;

6. Failure to pay the bill of another member at the same address except where the change of member identity is made to avoid or evade payment of a Cooperative bill. A member may request a supervisory review if the Cooperative determines that evasion has occurred and refuses to provide service; and

7. Failure of a residential applicant to pay for long distance charges.

N
N

VIII. ESTABLISHMENT AND USE OF SERVICE AND FACILITIES

A. Ownership and Use of Equipment

T
T

1. Ownership of Equipment and Facilities

All equipment and facilities furnished by the Cooperative on the premises of a member are the property of the Cooperative. In case of damage, loss or destruction of any of the Cooperative's property due to the negligence or willful act of the member and not due to ordinary wear and tear or to fire or other causes beyond control of the member, the member shall be responsible for the cost, replacement, or restoration to original condition.

2. Access to Member's Premises

The Cooperative's agents and employees shall have the right to enter said premises at any reasonable hour for the purpose of installing, inspecting, maintaining, or repairing the equipment and facilities or upon termination of the service, for the purpose of removing such equipment and facilities.

(Continued next page)

**PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED**
APR 06'00 CONTROL# DKT. NO. 22182
TARIFF CLERK

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VIII. ESTABLISHMENT AND USE OF SERVICE AND FACILITIES (Continued)

A. Ownership and Use of Equipment (Continued)

3. Resale of Services

Except as stipulated in this tariff or in the Cooperative's effective interconnection or resale agreements, the service and facilities furnished by the Cooperative shall not be used for any purpose for which a payment or other compensation shall be received by the member from any other person, firm, or corporation for such use, or in the collection, transmission or delivery of any communication for others.

T
T

4. Installations at Hazardous Locations

If the installation and maintenance of service are requested at locations which are or may be hazardous or dangerous to the Cooperative's employees or to the public or to property, the Cooperative may refuse to install and maintain such service. If such service is furnished, the Cooperative may require the member to install and maintain such service and may also require the member to indemnify and hold the Cooperative harmless from any claims, loss or damage by reason of the installation and maintenance of such service.

B. Telephone Numbers

1. The member has no property right in the telephone number or any right to continuance of service through any exchange or central office, and the Cooperative may change the telephone number, or the central office designation, or the exchange or all above indicated, of any member as is necessary in the conduct of its business to do so. At least thirty (30) days notice shall be given to all members so affected even though the addition or changes may be coincident with a directory issue.

2. Disconnected residence telephone numbers shall not be reassigned for thirty (30) days and disconnected business numbers shall not be reassigned, unless requested by the member, for thirty (30) days or the life of the directory, whichever is longer unless no other numbers are available for providing service to new members.

(Continued next page)

PUBLIC UTILITY COMMISSION OF TEXAS APPROVED	
JULY 26 '05	CONTROL# <u>DKT. NO. 31283</u>
TARIFF CLERK	

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VIII. ESTABLISHMENT AND USE OF SERVICE AND FACILITIES (Continued)

B. Telephone Numbers (Continued)

3. If a member's number is incorrectly listed in the directory and if the incorrect number is a working number and if the member to whom the incorrect number is assigned requests, the number shall be changed at no charge. If the incorrect number is not a working number and is a usable number, the member's number shall be changed to the listed number at no charge if requested.

C. Alterations

The member agrees to notify the Cooperative promptly whenever alterations or new construction on premises owned or leased by him will necessitate changes in the Cooperative's wiring or equipment; and the member agrees to pay the Cooperative's current charges for such change.

D. Maintenance and Repairs

1. All ordinary expense of maintenance and repair of services and facilities furnished by the Cooperative will be borne by the Cooperative, unless otherwise specified in this Tariff.

2. The member agrees to exercise normal care of the Cooperative's equipment and facilities on the member's premises. In the event of loss, damage or destruction of such equipment, caused by negligence of the member, the cost of restoring the equipment to its original condition will be billed to the member.

3. The member may not, nor permit others to, rearrange, disconnect or remove any equipment or wiring installed by the Cooperative except upon written consent of the Cooperative. If equipment or facilities are rearranged, disconnected or removed without such consent, cost for any restoration or repair work performed by the Cooperative as a result of such rearrangements, disconnection or removal will be billed to the Member.

(Continued next page)

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VIII. ESTABLISHMENT AND USE OF SERVICE AND FACILITIES (Continued)

E. Unauthorized Attachments or Connections

In case any unauthorized attachment is made, the Cooperative shall have the right to disconnect the same or to suspend the service during the continuance of said attachment or connection or to terminate the service, as provided by this tariff, Section 13, Part I, Paragraph H, or in accordance with the Rules and Regulations of the Federal Communications Commission or the Public Utility Commission of Texas, or as the Courts may determine.

F. Use of Member Telephone Service

1. General

a. Member telephone service, as distinguished in Subsection III, preceding, is furnished only for use by the member, his family, employees or business associates, or persons residing in the member's household, or as the use of the service may be extended to persons temporarily subleasing a member's residential premises. T T

b. The Cooperative shall have the right to refuse to install member service or to permit such service to remain on the premises of a public or semi-public character so that the general public or patrons of the member may make general use of the service. At such locations, however, the service may be installed provided the station instrument is located so that it is not accessible for public use.

c. The contract for service or rights acquired thereunder by the member may not be assigned or in any manner transferred.

d. The Cooperative may disconnect, with advance notice, the telephone service used by a member in connection with a plan or contrivance to secure a large volume of telephone calls to be directed to such member or the telephone of any designated member at or about the same time, resulting in preventing, obstructing or delaying phone service of others.

(Continued next page)

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VIII. ESTABLISHMENT AND USE OF SERVICE FACILITIES (Continued)

F. Use of Member Telephone Service (Continued)

2. Unlawful Use of Service

Services and facilities will not be furnished, or if being furnished by the Cooperative, will be discontinued to any person, firm or corporation, if any law enforcement agency, acting within its jurisdiction, advises that such service is being, or will be used in violation of the law.

3. Use of Automatic Dial Announcing Devices

a. An automatic dial announcing device is any automatic equipment capable of playing a recorded message when a connection is completed to a telephone number.

D
|
D

b. Requirements for Use

The following requirements are imposed on the user of an automatic dial announcing device:

(1) The user must obtain a permit from the Public Utility Commission as written notice specifying the type of device to be connected, and the may request a copy from the Commission;

T
T

(2) The device may not be used for random number dialing or to dial numbers by successively increasing or decreasing integers and may not simultaneously engage two or more lines of a multi-line business;

T
T

(3) The message conveyed by the device, or a message delivered by a human, must be in a single language and must state within the first 30 seconds the nature of the call and the name, address, and call-back telephone number other than the ADAD number of the person, company, or organization making the call;

T
|
T

(4) The device must disconnect from the called person's line not later than 5 seconds after either party hangs up or if the device cannot disconnect in that period, a live operator must introduce the call and receive the called party's consent;

T
|
T

**PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED**
OCT 11 '02 CONTROL# DKT. NO. 26605
TARIFF CLERK

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VIII. ESTABLISHMENT AND USE OF SERVICE FACILITIES (Continued)

F. Use of Member Telephone Service (Continued)

3. Use of Automatic Dial Announcing Devices (Continued)

b. Requirements for Use (Continued)

(5) No calls shall be made by the device to emergency telephone numbers of hospitals, fire departments, law enforcement offices, medical physician or service offices, health care facilities, poison control centers, "911" lines, other entities providing emergency service, any guest room or patient room of a hospital, health care facility, elderly home, or similar establishment, any telephone numbers assigned to paging service, cellular telephone service, specialized mobile radio service, or other radio common carrier, or any service for which the called party is charged for the call;

(6) For calls terminating in the State of Texas, the device is not to be used to make a call;

a. on a Sunday before noon or after 9 p.m., or before 9 a.m. or after 9 p.m. on a weekday or a Saturday, when the device is used for solicitation, or;

b. at any hour that collection calls would be prohibited under the Federal Fair Debt Collection Practices Act, 15 United States Code, Section 1692 et seq., when the device is used for collection purposes; and

(7) If during a call, a cross-promotion or reference is made to any sponsor-provided service where the caller will incur a charge to place the call, the estimated time and rate must be stated.

(8) A violation of any portion of this section shall subject the user to prosecution for a Class A misdemeanor as set forth in the Public Utility Regulatory Act, § 55.138 and subject to administrative penalties by the Commission.

c. Disconnection of Automatic Dial Announcing Devices

The Cooperative may disconnect or refuse to connect service to a person using or intending to use an automatic dial announcing device if the Cooperative determines that the device is causing network harm.

(Continued next page)

<p>PUBLIC UTILITY COMMISSION OF TEXAS APPROVED OCT 11 '02 CONTROL# <u>DKT. NO. 26605</u> TARIFF CLERK</p>

Replacing Original Page 22B

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

VIII. ESTABLISHMENT AND USE OF SERVICE FACILITIES (Continued)

F. Use of Member Telephone Service (Continued)

3. Use of Automatic Dial Announcing Devices (Continued)

c. Disconnection of Automatic Dial Announcing Devices
(Continued)

The Cooperative shall disconnect service to a person upon a determination and notice by the Commission that the person is violating this section. Where the Telephone Cooperative receives Commission notice that a court or qualified agency has suspended a permit as allowed in state-issued licenses for failure to pay child support, the Telephone Cooperative shall in these instances disconnect immediately. The Cooperative may reconnect service to the person only upon a determination by the Commission that the person will comply with the Commission's rules as set forth in this section.

Except for immediate disconnection as noted above, the Cooperative shall give written notice, by mailing or hand delivery, if practicable, to the person using the device, of its intent to disconnect service not later than the third day before the date of the disconnection, except that if the device is causing network congestion or blockage, the notice may be given by telephone or hand delivery, if practicable, on the day before the date of disconnection.

d. These provisions do not apply to the use of an automatic dial announcing device when the call is used for an emergency or public service approved by a county's emergency management coordinator in the county where the call is received or where a public or private primary or secondary school system attempts to account for truant students.

e. Information regarding permits for automatic dial announcing devices may be obtained from the Public Utility Commission of Texas, 1701 North Congress Avenue, Austin, Texas 78701.

f. Anyone applying for a permit to use one or more automatic dial announcing devices shall use a Commission form and pay the Commission-prescribed fee.

g. Upon receipt of an ADAD-related complaint, the Cooperative will record and forward the complaint to the Commission within 3 business days and so inform the complainant.

4. Use of Profane Language or Impersonation of Another

The Cooperative may suspend or terminate telephone service to any persons, firm, or corporation who, over the facilities furnished by the Cooperative, uses or permits to be used foul, abusive, obscene or profane language, or impersonates or permits others to impersonate any other individual with fraudulent or malicious intent, or uses or permits their telephone to be used to make nuisance calls.

PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED
OCT 11 '02 CONTROL# DKT. NO. 26605
TARIFF CLERK

**MEMBER SERVICES TARIFF
GENERAL RULES AND REGULATIONS**

VIII. ESTABLISHMENT AND USE OF SERVICE FACILITIES (Continued)

F. Use of Member Telephone Service (Continued)

5. Abusive or Fraudulent Use of Service

The Cooperative may suspend or terminate telephone service to any persons, firm, or corporation who, obtains, attempts to obtain, or assists another to obtain local or long distance message telecommunications service; by rearranging, tampering with, or making connection with any facilities of the Cooperative by any trick, scheme, false representation, or false credit device; or by or through any other fraudulent means or device whatsoever, with intent to avoid the payment in whole or in part, of the regular charge for such service.

6. Limited Communications

The Cooperative reserves the right to limit the length of communications when necessary because of a shortage of facilities caused by emergency conditions.

M

G. Indemnification

The member indemnifies and saves harmless the Cooperative against claims, losses, suits for injury to or death of any persons, or damage to any property which arises from the use, placement or presence of Cooperative facilities on the member's premises and further, the member indemnifies and saves harmless the Cooperative against claims for libel, slander or the infringement of copyright arising directly or indirectly from the material transmitted over the facilities of the Cooperative or the use thereof by the member; against claims for infringement of patents arising from combining with or using in connection with facilities furnished by the Cooperative, and apparatus, equipment and systems provided by the member; and against all other claims arising out of any act of omission of the member in connection with the services of facilities provided by the Cooperative.

IX. PAYMENT OF CHARGES FOR SERVICES AND FACILITIES

A. Billing and Payment for Service

1. The member is responsible for payment of all charges for exchange service and equipment furnished the member and toll messages (including special service billing charges) originating at the member's station, and for all toll messages received at the member's station on which charges have been reversed with consent of the person called.

2. The services and facilities furnished by the Cooperative may be suspended for failure of the member to pay any sum due as set forth below.

(Continued next page)

<p>PUBLIC UTILITY COMMISSION OF TEXAS APPROVED</p> <p>OCT 11 '02 CONTROL# <u>DKT. NO. 26605</u></p> <p>TARIFF CLERK</p>
--

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

IX. PAYMENT OF CHARGES FOR SERVICES AND FACILITIES (Continued)

A. Billing and Payment for Service (Continued)

3. The member shall pay all charges for local services and facilities monthly in advance and shall pay for toll message service (including charges for special billing services), teletypewriter exchange service messages and service charges when billed (see Paragraph 5 of this Section). Departments, administrations and agencies of Federal, State, County, Township or Municipal Governmental agencies may be exceptions to this rule.

4. Bills for telephone service shall normally be rendered monthly, shall show the period of time covered by the billings, and shall show a clear listing of all charges due and payable. The Cooperative shall provide the member with an itemization of local service charges upon written request. Itemized toll statements shall be included in each bill. Member billings sent through the United States mail shall be sent in an envelope.

5. All bills for local, toll and miscellaneous services are due and payable at the office of the Cooperative in Raymondville, Willacy County, Texas, on or before the due date which is sixteen (16) days after issuance. A bill for telephone service is delinquent if unpaid by the due date. The postmark, if any, on the envelope of the bill, or an issuance date on the bill, if there is no postmark on the envelope, shall constitute proof of the date of issuance. If the due date falls on a holiday or weekend, the due date for payment purposes shall be the next work day after the due date.

6. A one-time penalty not to exceed five percent (5%) may be made on delinquent commercial or industrial bills; however, no such penalty shall apply on residential bills.

7. If a member has not fulfilled the terms of a deferred payment agreement, the Cooperative shall have the right to disconnect pursuant to disconnection rules herein and under such circumstances, may, but shall not be required to, offer subsequent negotiation of a deferred payment agreement prior to disconnection.

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

IX. PAYMENT OF CHARGES FOR SERVICES AND FACILITIES (Continued)

A. Billing and Payment for Service (Continued)

8. If the Cooperative institutes a deferred payment plan, it shall not refuse a member participation in such a program on the basis of race, color, creed, sex, or marital status.

9. Failure to receive a bill and disconnect notice does not relieve the Member of the responsibility for payment in accordance with the provisions set forth herein.

10. Where the Cooperative is in receipt of a partial payment from a residential customer, the payment shall first be allocated to basic local telephone service. The charge for basic local telephone service, if combined as part of a bundled package of services and subscribed to be a customer, will be the stand-alone rate for basic service according to the Cooperative tariffs.

N
|
N

B. Adjustment of Charges

If billings for telephone services are found to differ from the Cooperative's lawful rates for the services being purchased by the member, a billing adjustment shall be calculated by the Cooperative.

If the member is due a refund, an adjustment shall be made for the entire period of overcharges. If an overcharge is adjusted by the Cooperative within three (3) billing cycles of the bill in error, interest shall not accrue. Unless otherwise provided in this Section, if an overcharge is not adjusted by the Cooperative within three (3) billing cycles of the bill in error, interest shall be applied to the amount of the overcharge at the rate set by the Commission. The rate of interest to be paid on overbillings or underbillings in accordance with Commission rules, is established annually on December 1 for the subsequent calendar year by the Commission.

T
TD

Interest charges on overcharges that are not adjusted by the Cooperative within (3) billing cycles of the bill in error shall accrue from the date of payment.

**PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED**
APR 06'00 CONTROL# DKT. NO. 22182
TARIFF CLERK

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

IX. PAYMENT OF CHARGES FOR SERVICES AND FACILITIES (Continued)

B. Adjustment of Charges (Continued)

If the customer was undercharged, the Cooperative may back bill the customer for a period not to exceed six (6) months, unless the underbilling is the result of theft of service. Except in cases of theft of service, service may not be disconnected for charges incurred six months prior to the date the Cooperative initially notifies the customer of the amount of undercharge and the total additional amount that will be due. If the underbilling is \$50.00 or more, the Cooperative shall offer to such customer a deferred payment plan option, for the same length of time as that of the underbilling, unless the underbilling is the result of theft of service.

**PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED**

APR 06'00 CONTROL# DKT. NO. 22182

TARIFF CLERK

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

IX. PAYMENT OF CHARGES FOR SERVICES AND FACILITIES (Continued)

C. Adjustments of Charges for Service Interruptions

In the event a member's service is interrupted other than by the negligence or willful act of the member, and it remains out of order for 24 (24) hours or longer, after access to the premises is made available, and after being reported to be out of order, appropriate adjustment or refunds shall be made to the member. The amount of adjustment or refund shall be determined on the basis of the known period of interruption, generally beginning from the time the service interruption is first reported. The refund to the member shall be the pro rate part of the month's flat rate charges for the period of days and that portion of the service facilities rendered useless or inoperative. The refund may be accomplished by a credit on a subsequent bill for telephone service.

X. SUSPENSION AND TERMINATION OF MEMBER SERVICE

In the event of failure by the member or those otherwise responsible to pay any regular bill or any part thereof, the Cooperative may discontinue service as provided under Section 3, Part IX, Payment of Charges for Services and Facilities. Subject to the rules of this Tariff, service will not be restored unless or until all amounts due on the due date are paid in full including restoration of service charges as provided in Section 5, Part VII, Paragraph A, 1, or a deferred payment plan entered into.

The member is responsible for all collection costs including attorney's fees incurred by the Cooperative to effect collection as a result of any breach of contract by the member.

Any member or applicant for service requesting the opportunity to dispute any action or determination of the Cooperative under the member service rules of the Commission shall be given the opportunity for a supervisory review by the Cooperative. If the Cooperative is unable to provide a supervisory review immediately following the member's request for such review, arrangements for the review shall be made for the earliest possible date. Service shall not be disconnected pending completion of the review. If the member chooses not to participate in such review or to make arrangements for such review to take place within five days after requesting it, the Cooperative may disconnect service providing notice has been issued under standard disconnect procedures. Any member who is dissatisfied with the review by the Cooperative must be informed of their right to file a complaint and/or request a hearing before the Public Utility Commission. The results of the supervisory review will be provided within ten days of the review, if requested by the member.

(Continued next page)

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

X. SUSPENSION AND TERMINATION OF MEMBER SERVICE (Continued)

A. Suspension of Service by the Cooperative

A member's telephone service may be disconnected if the bill has not been paid or a deferred payment agreement entered into within twenty-six (26) days from the date of issuance and if proper notice has been given. Proper notice shall consist of a separate mailing or hand delivery at least ten (10) days prior to a stated date of disconnection, with the words "termination notice" or similar language prominently displayed on the notice. The information shall be in English and Spanish as necessary to adequately notify the member. A statement shall be attached to, or shall appear on the face of, the termination notice informing members in need of assistance with payment of their bill, or who are ill and unable to pay their bill, that they may be eligible for alternative payment programs, and that they should contact the Cooperative's business office for more information. If mailed, the cut-off day may not fall on a holiday or weekend, but shall fall on the next working day after the tenth day.

Payment at a Cooperative authorized payment agency is considered payment to the Cooperative. Late notices or disconnect notices shall not be issued earlier than the first day the bill becomes delinquent to allow a reasonable length of time to ascertain receipt of payment by mail or at an authorized payment agency.

When members contact the Cooperative to discuss their inability to pay a bill, or indicate that they are in need of assistance with their bill payment, the Cooperative shall inform the customer of all alternative payment and payment assistance programs available from the Cooperative, such as deferred payment plans or disconnection moratoriums for the ill, as applicable, and of the eligibility requirements and procedures for applying for assistance.

(Continued next page)

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

X. SUSPENSION AND TERMINATION OF MEMBER SERVICE (Continued)

A. Suspension of Service by the Cooperative (Continued)

1. The Cooperative may disconnect telephone service after giving ten (10) days written notice to the member for:

a. failure to pay a bill for charges that are in the Cooperative's tariffs, including long distance charges for nonresidential customers only where the Cooperative bills those charges to the customer pursuant to Cooperative tariffs, or make deferred payment arrangements by the date of suspension or disconnection.

ND
|
N

b. Failure to establish and maintain credit, as set forth within this tariff within sixteen (16) days after the Cooperative has served or mailed notice requiring the member to do so.

c. Failure of the member to reimburse, or make good, to the Cooperative a check or moneys not honored by the bank on which issued.

d. Violation of the Cooperative's rules as set forth in Section 3, Part VIII, F, pertaining to the use of service in a manner which interferes with the service of others, or the operation of nonstandard equipment, if a reasonable attempt has been made to notify the member and the member is provided with a reasonable opportunity to remedy the situation.

e. Failure to pay an underbilling or comply with deposit or guarantee arrangements where required as set forth within this Tariff.

T

f. Failure to pay the account of another member as guarantor thereof if the member has signed a guarantee as a precedent to service.

g. Avoidance of toll blocking by incurring long distance charges after toll blocking was implemented for the residential customer by the Cooperative due to nonpayment of long distance charges.

N
|
N

Issued By: Dave Osborn, General Manager
480 South 6th Street
Raymondville, TX 78580

Effective:

**PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED**
APR 06'00 CONTROL# DKT. NO. 22182
TARIFF CLERK

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

X. SUSPENSION AND TERMINATION OF MEMBER SERVICE (Continued)

A. Suspension of Service by the Cooperative (Continued)

2. The Cooperative may disconnect telephone service without prior notice to the member:

a. Where a known dangerous condition exists for as long as the condition exists. Where reasonable, a written statement providing notice of disconnection and the reason therefore shall be posted at the place of common entry or upon the front door of each affected residential unit as soon as possible after service has been disconnected.

b. For tampering with the Cooperative's equipment, evidence of theft of service, or other acts to defraud the Cooperative.

M
|
T
MT

(Continued next page)

**PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED**
APR 06'00 CONTROL# DKT. NO. 22182
TARIFF CLERK

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

X. SUSPENSION AND TERMINATION OF MEMBER SERVICE (Continued)

A. Suspension of Service by the Cooperative (Continued)

2. The Cooperative may disconnect telephone service without prior notice to the member: (Continued)

c. Where service is connected without authority by a person who has not made application for service or who has reconnected service without authority following termination of service for nonpayment.

B. Telephone service may not be disconnected for any of the following reasons:

1. Failure to pay for any charges not included in the Cooperative's tariffs;

2. Failure to pay for a different type or class of Cooperative service unless fee for such service is included on the bill at the time service is initiated;

3. Failure to pay the account of another member as guarantor thereof, unless the Cooperative has in writing the guarantee as a condition precedent to service;

4. Failure to pay charges arising from an underbilling occurring due to any misapplication of rates of more than six months prior to the current billing, unless the underbilling is a result of theft of service.

5. Failure of a customer receiving Lifeline to pay charges incurred for toll service while the customer is receiving Lifeline Service.

6. Failure to pay charges for calls to pay-per-call information services, as described in Section 11 of this Member Services Tariff.

7. Failure to pay disputed charges until a determination is made on the accuracy of the charges; or

8. Failure of a residential customer to pay long distance charges.

ND
T
T
T
T
T
T
T
N
N

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

X. SUSPENSION AND TERMINATION OF MEMBER SERVICE (Continued)

B. Telephone service may not be disconnected for any of the following reasons: (Continued)

9. Where a delinquent customer at a permanent residence has established that such action will prevent the customer from summoning emergency medical help for someone seriously ill residing at that residence and the customer has complied with the following:

a. Each time a customer seeks to avoid suspension or disconnection of service under this subsection, the customer before the date of suspension or disconnection must:

(1) have the person's attending physician (the term "physician" means any public health official, including, but not limited to, medical doctors, doctors of osteopathy, nurse practitioners, registered nurses, and any other similar public health official) contact the Cooperative by the stated date of disconnection;

(2) have the person's attending physician submit a written statement to the Cooperative; and

(3) enter into a deferred payment plan.

The prohibition against suspension or disconnection is effective sixty-three (63) days from the issuance of the Cooperative's bill or a shorter period agreed upon by the Cooperative and the customer or physician.

N

N

**PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED**
APR 06'00 CONTROL# DKT. NO. 22182
TARIFF CLERK

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

X. SUSPENSION AND TERMINATION OF MEMBER SERVICE (Continued)

C. Unless a dangerous condition exists, or unless the member requests disconnection, service shall not be disconnected on a day, or on a day immediately preceding a day, when personnel of the Cooperative are not available to the public for the purpose of making collections and reconnecting service.

A customer who reports an unauthorized charge on their bill may not be disconnected for nonpayment of an unauthorized charge. The Company will not file an unfavorable credit report against a customer who has not paid charges that were alleged to be unauthorized unless the dispute regarding these charges is resolved against the customer.

N
|
N

D. Suspension of Service by Member's Request

Temporary suspension of service for vacation purposes will be made upon request from members having telephone service for a period of one month or more. See Section 11, Temporary Suspension, Vacation Rate.

E. Provisions for Restoration of Service Charge

Restoration of Service Charge in Section 5, Part VII, Paragraph A, is applicable where service has been discontinued for failure to establish credit or for failure to pay a regular bill. The Cooperative may request the member to submit cash, money order or cashier's check in payment of bill and reconnection charges and not accept a personal check or moneys not guaranteed when the history of a member account warrants such action.

1. If the member's service has been terminated and his deposit applied to the balance of his account, he is no longer a member of the Cooperative and it will be necessary to reapply for telephone service as a new applicant and member.

2. No allowance will be made for loss of service during the period service is disconnected for nonpayment, if payment is made and service reconnected before the completion of an order to terminate the service. Subsequent to the completion of an order to terminate service, it may, at the option of the Cooperative, be reestablished only on the basis of a new application.

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

X. SUSPENSION AND TERMINATION OF MEMBER SERVICE (Continued)

E. Provisions for Restoration of Service Charge (Continued)

3. Restoration of Service Charge will be made for reconnecting service temporarily suspended at a member's request.

4. For charges for dishonored checks, See Section 5, Returned Check Handling Charge.

F. Termination of Service

Service may be terminated prior to the expiration of the initial contract period upon notice being given to the Cooperative, and upon payment of the termination charges given below, in addition to all charges due for service which has been furnished.

1. In the case of service for which the initial contract period is one month, the charges are due for the balance of initial month.

2. Service may be terminated after the expiration of the initial contract period, upon the Cooperative being notified, and upon payment of charges due to the date of termination of the service as provided elsewhere in this Tariff.

G. Cooperative-Initiated Toll Blocking

1. The Cooperative will block a residential customer's access to long distance services for the nonpayment of long distance charges at the request and expense of a long distance carrier due to the nonpayment of long distance charges. The charge to the long distance carrier will be not more than \$10.00 for one-time installation and not more than \$1.50 per month for toll blocking.

2. Where technically capable, the Cooperative will provide toll blocking to allow the residential customer access to toll-free numbers. The Cooperative will not apply toll blocking in an unreasonably preferential, prejudicial, or discriminatory manner. The Cooperative will notify the customer within 24 hours of initiating toll blocking.

**PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED**
APR 06'00 CONTROL# DKT. NO. 22182
TARIFF CLERK

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

XI. Special Charges, Fees, and Taxes

A. Municipal Franchise Fees

Residential, non-residential and point-to-point access lines provided pursuant to this tariff are subject to a municipal franchise fee as established for the city in which the end user of the access lines is located. Effective with the charges billed on or after March 1, 2000, the monthly recurring municipal charge will be equal to a monthly amount developed using criteria as recommended by your local municipality with information supplied by this local certificated telecommunications provider (CTP). The fee should be assessed as a per-line-charge on the end user bill. This municipal charge results from implementation of House Bill 1777 - Telecommunications Franchise Law which allows all municipalities to be compensated by CTPs for right-of-way usage. The fee has been developed and/or allocated across rate classifications according to local municipal guidelines.

N

N

MEMBER SERVICES TARIFF

GENERAL RULES AND REGULATIONS

XIII. Special Charges, Fees, and Taxes

A. Texas Universal Service Fund (TUSF) Surcharge

1. The purpose of the Texas Universal Service Fund (TUSF) is to implement a competitively neutral mechanism that enables all residents of Texas to obtain basic telecommunications services. Because targeted financial support may be needed in order to provide and price basic telecommunications services in a manner to allow accessibility by consumers, the TUSF will assist local exchange companies (LECs) in providing these services at reasonable rates in high cost rural areas. In addition, the TUSF will reimburse the following entities: qualifying local exchange companies for revenues lost as a result of providing Lifeline and Link-Up America services to qualifying low-income consumers under the Public Utility Regulatory Act; telecommunications carriers providing statewide telecommunications relay service; qualified vendors providing specialized telecommunications device distribution service for the hearing-impaired and speech-impaired; and the Texas Department of Human Services, the Texas Department for the Deaf and Hard of Hearing, the Texas Universal Service Fund administrator, and the Public Utility Commission for the costs incurred in implementing the provisions of the Public Utility Regulatory Act, Chapter 56 (relating to Telecommunications Assistance and the Universal Service Fund.)

2. The TUSF Surcharge is for recovery of the Cooperative's TUSF assessment. The Cooperative's TUSF Surcharge amount is determined by applying the TUSF assessment rate, as determined by the Commission, to actual rates for services that are considered "intrastate telecommunications services receipts," as that term has been defined by the Commission.

3. The TUSF Surcharge will be identified on the retail customer's bill as the "Texas Universal Service." Effective September 1, 2004, charges for all eligible intrastate taxable telecommunications services receipts on a retail customer's bill, excluding Lifeline and Link-Up America services, will be assessed a TUSF surcharge based on the TUSF assessment rate approved by Commission Order. The TUSF Surcharge assessment percentage may be changed periodically by the Commission.

Issued By: Dave Osborn, General Manager
480 South 6th Street
Raymondville, TX 78580

Effective:

**PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED**
OCT 01 '06 CONTROL# DKT. NO. 32970
TARIFF CLERK

TARIFF CLERK

N

N

N