

REGULATIONS RATES AND SCHEDULE
OF CHARGES APPLICABLE TO
INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

FURNISHED BY

VTX COMMUNICATIONS, L.P.

BETWEEN POINTS
WITHIN THE STATE OF TEXAS
FOR INTRASTATE COMMUNICATIONS SERVICES
FOR INTRASTATE CUSTOMERS
AS PROVIDED FOR HEREIN.

All material in this Tariff is new.

Service is provided by means of wire, radio, terrestrial, or satellite facilities or any combination thereof, as specified herein.

Issued: FEBRUARY 16, 2006

Effective: FEBRUARY 17, 2006

Issued by:

**Dave Osborn, General Manager
VTX Communications, L.P.
480 South 6th Street
Raymondville, Texas 78580**

INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

CHECK SHEET

The title page and pages 1 through 58 inclusive of this Tariff are effective as of the dates shown.

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CONCURRING CARRIERS

None

CONNECTING CARRIERS

None

OTHER PARTICIPATING CARRIERS

None

REGISTERED SERVICE MARKS

None

REGISTERED TRADEMARKS

None

EXPLANATION OF SYMBOLS

- (C) - To signify changed regulation
- (D) - To signify discontinued rate of regulation
- (I) - To signify increase
- (M) - To signify matter relocated without change
- (N) - To signify new rate or regulation
- (R) - To signify reduction
- (S) - To signify reissued matter
- (T) - To signify a change in text but no change in rate or regulation
- (Z) - To signify a correction

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

1. General1.1 Application of Tariff

1.1.A. This tariff contains the regulations and rates applicable to the provision of Intrastate Message Telecommunications Service, hereinafter referred to as "Service", by VTX Communications, L.P., hereafter referred to as the "Company", from its points of presence in the State of Texas to other points within the state, as specified herein. Service is furnished subject to the availability of facilities and subject to transmission, atmospheric and like conditions.

1.1.B. The provision of such Service by the Company as set forth in this Tariff does not constitute a joint undertaking with the Customer for the furnishing of any Service.

1.2 Definitions

Certain terms used throughout this Tariff are defined as follows:

1.2.A. Aggregator

Any person or entity that owns or otherwise controls telephones intended to be utilized by the public.

1.2.B. Application for Service

A standard order form which includes all pertinent billing, technical, and other descriptive information which will enable the Company to provide the Service as required.

1.2.C. Authorization Code

A numerical code, one or more of which may be assigned to a Customer to enable the Company to identify the origin of the user or individual users or groups of users on one account so that the Company may rate and bill the call.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

1. General (Cont'd)

1.2 Definitions (Cont'd)

1.2.D. Commission

The Public Utility Commission of Texas (PUC)

1.2.E. Company

VTX Communications, L.P., unless the context indicates otherwise.

1.2.F. Consumer

A person initiating any intrastate telephone call.

1.2.G. Customer

Any individual, partnership, association, trust, corporation, cooperative or governmental agency or other entity which utilizes the Services provided by the Company on a subscription basis. A Customer, as set forth herein, is responsible for the payment of charges and for compliance with all applicable terms of the Company's Tariff.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

1. General (Cont'd)1.2 Definitions (Cont'd)1.2.H. Customer Provided Equipment

Terminal and/or network equipment or facilities provided by persons other than the Company and connected to the Company's Services and/or facilities.

1.2.I. Dialed Access

An arrangement whereby a Customer uses the public switched network facilities of a local exchange telephone company to access the network of the Company.

1.2.J. Intrastate Message Telecommunications Service (MTS)

The term "Intrastate Message Telecommunications Service" denotes the furnishing of station-to-station direct dial intrastate switched network services to the Customer for the completion of long distance voice and dial up low speed data transmissions over voice grade channel from the Company's Points of Presence to intrastate points as specified herein.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

1. General (Cont'd)

1.2 Definitions (Cont'd)

1.2.K. Local Exchange Carrier (LEC)

A telephone company which furnishes local exchange services.

1.2.L. Measured Usage Charge or Measured Charge

A charge assessed on a per minute basis in calculating all or a portion of the charges due for a completed call over the Company's facilities.

1.2.M. Premises

The space designated by a Customer as its place or places of business for provision of Service or for its own communications needs.

1.2.N. Service

The offerings by the Company to the Customer under this Tariff.

1.2.O Subscriber

An Aggregator that selects the Company as the presubscribed provider of Operator Services for one or more locations within that Aggregator's control.

INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services2.1. Undertaking of the Company2.1.A. Scope

The Company is a carrier providing intrastate communications services to Customers for their direct transmission of voice, data and other types of telecommunications within the state of Texas as described in this Tariff.

2.1.B. Limitations

1. The services provided pursuant to this tariff are offered subject to the availability of facilities and the other provisions of this Tariff.
2. The Company does not undertake to transmit communications or messages, but rather furnishes facilities, Service and equipment for such transmissions by the Customer.
3. The Company retains the right to deny Service to any Customer which fails to comply with the rules and regulations of this Tariff, or other applicable rules, regulations or laws.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)**2.2. Obligations of the Customer**

- 2.2.A. All Customers assume general responsibilities in connection with the provision and use of the Company's Service. General responsibilities are described in this section. When facilities, equipment, and/or communication systems provided by others are connected to the Company's facilities, the Customer assumes the additional responsibilities as set forth in Section 2.2, herein.
- 2.2.B. The Customer is responsible for the payment of all charges for any and all Services or facilities provided by the Company to the Customer.
- 2.2.C. Subject to availability, the Customer may use specific codes to identify the users groups on its account and to allocate the cost of its service accordingly. The numerical composition of such codes shall be set forth by the Company to assure compatibility with the Company's accounting and automation systems and to avoid duplication of such specific codes.
- 2.2.D. The Company reserves the right to discontinue the use of any code provided to the Customer and to substitute another code for such Customer's use.
- 2.2.E. The Customer shall indemnify and save harmless the Company from and against all loss, liability, damage and expense, including reasonable counsel fees, due to claims for libel, slander, or infringement of copyright or trademark in connection with any material transmitted by the Customer using the Company's Services; and any other claim resulting from any act or omission of the Customer to the use of the Company's facilities.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.2. Obligations of the Customer (Cont'd)

- 2.2.F. Nothing contained herein, or in any other provision of this Tariff, or in any marketing materials issued by the Company shall give any Customer or person any ownership interest or proprietary right in any particular code issued by Company; provided, however, that a Customer that continues to subscribe to Company's Services will be provided a replacement code in the event such Customer's initial code is canceled.
- 2.2.G. The Customer shall reimburse the Company for damages to the Company's facilities caused by any negligence or willful act or acts on the part of the Customer.
- 2.2.H. The Customer shall pay and hold the Company harmless from the payment of all charges for service ordered by the Customer from the Local Exchange Carriers or other entities for telecommunications services and/or facilities connecting the Customer and the Company.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)**2.2. Obligations of the Customer (Cont'd)**

- 2.2.I In the event a suit is brought by the Company, or an attorney is retained by the Company to collect any bill or enforce the terms of this Tariff against a Customer, that Customer shall be responsible for payment of all reasonable attorney's fees, court costs, costs of investigation and any and all other related costs and expenses incurred by the Company in connection therewith.
- 2.2.J. The Customer understands that the Services are furnished subject to the condition that there will be no abuse, fraudulent and/or illegal use thereof. Such activity includes, but is not limited to:
- 2.2.J.1. Using the Service for any purpose which is in violation of any law.
- 2.2.J.2. Obtaining or attempting to obtain services through any scheme, false representation and/or use of any fraudulent means or devices whatsoever with the intent to avoid payment, in whole or in part, of charges for services, or assisting any other person or firm in such regard.
- 2.2.J.3. Attempting to, or actually obtaining, accessing, altering, or interfering with the communications and/or information by rearranging, tampering with or making any connection with any facilities of the Company or assisting any other person or firm in such regard.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.2. Obligations of the Customer (Cont'd)

2.2.J. The Customer understands that the Services are furnished subject to the condition that there will be no abuse, fraudulent and/or illegal use thereof. Such activity includes, but is not limited to: (Cont'd)

2.2.J.4. Using the Services in a manner that interferes unreasonably with the use of Service by one or more other Customers.

2.2.J.5. Using the Service to convey information deemed to be obscene, salacious, or prurient, to impersonate another person with fraudulent or malicious intent, to call another person or persons so frequently, at such times, or in such a manner as to annoy, abuse, or harass, or to convey information of a nature or in a manner that renders such conveyance unlawful.

2.2.K. The Customer, not the Company, shall be responsible for compliance with P.U.C. SUBST. Rules and for all maintenance of such equipment and/or facilities.

2.3. Liabilities of the Company

2.3.A. Except as stated in this Section 2.3, the Company shall have no liability for damages of any kind arising out of or related to events, acts, rights or privileges contemplated in this Tariff.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.3. Liabilities of the Company (Cont'd)

- 2.3.B. The liability of the Company for damages resulting in whole or in part from or arising in connection with the furnishing of Service under this Tariff, including, but not limited to, mistakes, omissions, interruptions, delays, errors or other defects or misrepresentations shall not exceed an amount equal to the charges under this Tariff applicable to the specific call (or portion thereof) that was affected. No other liability shall attach to the Company.
- 2.3.C. The Company shall not be liable for any failure of performance hereunder due to causes beyond its control, including, but not limited to: (1) acts of God, fires, flood or other catastrophes; (2) any law, order, regulation, directive, action or request of the United States Government, or any other government, including state and local governments having jurisdiction over the Company, or of any department, agency, commission, bureau, corporation or other instrumentality of any one or more of said governments, or of any civil or military authority; or (3) national emergencies, insurrections, riots, wars or other labor difficulties.
- 2.3.D. The Company shall not be liable for any act or omission of any other entity furnishing facilities, equipment, or services used by a Customer, with the Company's Services. In addition, the Company shall not be liable for any damages or losses due to the failure or negligence of any Customer or due to the failure of Customer Provided Equipment, facilities or services.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.4. Service Orders

The Customer must place an Application for Service with the Company to initiate, cancel or change the Services provided pursuant to this Tariff. All Applications for Services must be in writing and provide, at a minimum, the following information:

- 2.4.A. Customer's name(s), telephone number(s) and address (es). In the case of a corporation or partnership, a designated officer or agent shall be named as the contact person for such corporation or partnership.
- 2.4.B. Name(s), address (es) and telephone number(s) of person(s) to whom notices from the Company to the Customer shall be addressed, if different from (A) above.
- 2.4.C. The amount of toll service usage the Customer was billed for the three (3) months immediately preceding the request for Service if such information is applicable and available.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.5. Charges and Payments for Service or Facilities2.5.A. Deposits

- 2.5.A.1. The Company may, in order to safeguard its interests, require a Customer to make a suitable deposit or provide a surety bond or letter of credit in the amount of the required deposit as a guarantee of the payment of charges. The Company shall have the right to require the Customer to make a deposit prior to or at any time after provision of any Service, not to exceed two (2) months estimated charges. The Company may increase the amount of the deposit to reflect increases to the Customer's annual bill. The Customer will receive a receipt for the deposit.
- 2.5.A.2. Any deposit as referred to in this Section shall be held by the Company to secure the payment of the Customer's bill. At the Company's option, the deposit may be refunded or credited to the Customer at any time prior to the termination of Service.
- 2.5.A.3. Interest will be paid by the Company on all sums held on deposit at the rate established annually by the Public Utility Commission of Texas for customer deposits. The interest will be accrued for the period during which the deposit is held by the Company.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.5. Charges and Payments for Service or Facilities (Cont'd)2.5.A. Deposits (Cont'd)

2.5.A.4. The fact that a deposit is made does not relieve the Customer from making advance payments or from complying with the Company's regulations for the payment of bills in accordance with the terms herein and does not constitute a waiver or modification of the regulations of the Company providing for the discontinuance of Service for nonpayment of any sums due the Company for Service rendered.

2.5.A.5. Upon termination of Service, and assuming deposits of the Customer are not applied as indicated in Section 2.5.A.2, the deposit will be credited to the Customer's account and any credit balance will be refunded after all amounts due the Company have been paid.

2.5.B. Description of Payment and Billing Periods

2.5.B.1. Service is provided and billed on a monthly basis. Service continues to be provided and billed on a monthly basis until canceled by the Customer through notice given to the Company.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.5. Charges and Payments for Service or Facilities (Cont'd)2.5.B. Description of Payment and Billing Periods (Cont'd)

2.5.B.2. When billing functions are performed by a Local Exchange Carrier (LEC), commercial credit card company or others, the payment conditions and requirements of such LECs apply, including any applicable interest.

2.5.B.3. In the event a Local Exchange Carrier, commercial credit card company or others ceases efforts to collect any amounts associated with the Company's charges, the Company may bill the Customer or the called party directly, and may utilize its own billing and collection procedures which shall be consistent with all applicable statutes, rules and regulations.

2.5.C. Taxes, Gross Revenue, Gross Income, and Gross Earnings Surcharges

2.5.C.1. Sales tax is covered by state statute and other applicable taxes may be covered by state or federal statutes. Such taxes may be included on Customer bills in accordance with any applicable rules of the state or federal regulatory authority.

2.5.C.2. In addition to all recurring, non-recurring, minimum, usage, surcharges or special charges, the Customer identified in this Tariff shall also be responsible for and shall pay all applicable federal, state or local use, excise, gross receipts, sales or privilege taxes, duties, fees or similar liabilities (other than general income or property taxes). All such taxes shall be separately shown and charged on bills rendered by Company or its billing agent. Sales and use taxes shall be applied to all applicable charges.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.5. Charges and Payments for Service or Facilities (Cont'd)2.5.C. Taxes, Gross Revenue, Gross Income, and Gross Earnings Surcharges (Cont'd)

2.5.C.3. The Texas Universal Service Fund (TUSF) has been established by the State of Texas to insure that local phone rates are affordable for low income customers and customers in high cost rural areas, and to support programs for customers with disabilities. The TUSF Surcharge is intended to recover the cost of the TUSF assessment paid by the Company. The Company'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.

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, except Lifeline, Link Up, and Tel-Assistance, will be assessed a TUSF Surcharge, based on the TUSF assessment rate approved by Commission Order. The TUSF assessment rate may be changed periodically by the Commission.

2.5.D. Payment and Late Payment Charge

2.5.D.1. Payment will be due as specified on the Customer bill. Commencing after that due date, a late charge of up to the highest interest rate allowable by law will be applied to all amounts past due.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.5. Charges and Payments for Service or Facilities (Cont'd)2.5.D. Payment and Late Payment Charge (Cont'd)

2.5.D.2 Collection procedures and the requirement for a deposit are unaffected by the application of a late payment charge. The late payment charge does not apply to unpaid balances associated with disputed amounts. Undisputed amounts on the same bill are subject to the late payment charge if unpaid and carried forward to the next bill.

2.5.D.3. Service may be denied or discontinued at the Company's discretion for nonpayment of amounts due the Company past the due date as specified in 2.5.D.1. Restoration of Service will be subject to all applicable installation charges.

2.5.E. Returned Check Charge

In cases where the Company issues direct bills to Customers, and payment by check is returned for insufficient funds, or is otherwise not processed for payment, there will be a charge as set forth herein. Such charge will be applicable on each occasion when a check is returned or not processed.

2.5.F. Suspension or Termination for Nonpayment

In the event of nonpayment of any bill rendered or any required deposit, the Company may, after written notice, suspend Service to the Customer.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.5. Charges and Payments for Service or Facilities (Cont'd)2.5.G. Credit Allowances/Service Interruptions

- 2.5.G.1. Credit for failure of Service will be allowed only when failure is caused by or occurs in the Company's facilities or equipment owned, provided and billed for by the Company. A credit allowance is not applicable for any period during which Customer cannot utilize the Service, except for such period where the Service is interrupted by the Company for access to its facilities for the purposes of investigating and clearing troubles and/or maintenance.
- 2.5.G.2. Credit allowances for failure of Service or equipment starts when the Customer notifies the Company of the failure and ceases when the operation has been restored and an attempt has been made to notify the Customer by the Company.
- 2.5.G.3. The Customer shall notify the Company of failures of Service or equipment and make reasonable attempts to ascertain that the failure is not caused by Customer Provided Equipment or Customer provided facilities, any act, or omission of the Customer, or in wiring or equipment connected to the Customer's terminal.
- 2.5.G.4. Only those portions of the Service or equipment operation disabled will be credited.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.5. Charges and Payments for Service or Facilities (Cont'd)2.5.G. Credit Allowances/Service Interruptions (Cont'd)

2.5.G.5. Any credit provided to the Customer under this Tariff shall be determined in accordance with the provisions of Section 2.5.H.

2.5.H. Service Interruption Measurement

2.5.H.1. In the event of an interruption of Service that exceeds the minimum requirements set forth in this paragraph, the Company shall make a credit allowance at the Customer's request for a pro rata adjustment of all Service charges billed by the Company for Services rendered inoperative by the interruption. The credit allowance will be computed by dividing the duration of the service interruption measured in twenty-four (24) hour days, from the time the interruption is reported to the Company, by a standard thirty (30) day month, and then multiplying the result by the Company's fixed monthly charges for each interrupted Service.

A period of time less than twenty-four (24) hours shall not be credited, but an additional period of twelve (12) hours or more shall be considered an additional day. In no case shall the credit exceed the total monthly charges. No adjustments will be made by accumulating periods of non-continuous interruptions, and no other liability shall attach to the Company in consideration of such interruption to Service.

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2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.5. Charges and Payments for Service or Facilities (Cont'd)2.5.H. Service Interruption Measurement (Cont'd)

2.5.H.2. A credit allowance will not be given for interruptions caused by the negligence or willful act of the Customer, or interruptions caused by failure of equipment or service not provided by the Company.

2.6. Termination or Denial of Service by Company

2.6.A. The Company may, immediately and without notice to the Customer, and without liability of any nature, temporarily deny, terminate, or suspend Service to any Customer:

2.6.A.1. In the event such Customer or its agent: (a) willfully damages the Company equipment, interferes with use of the Company's Service by other Customers of the Company; (b) unreasonably places capacity demands upon the Company's facilities or Service; or (c) violates any statute or provision of law, or any rule or regulation of any state or federal regulatory agency relating to communications; or (d) otherwise fails to comply with the provisions of this Tariff or applicable law; or

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)

2.6. Termination or Denial of Service by Company (Cont'd)

2.6.A. The Company may, immediately and without notice to the Customer, and without liability of any nature, temporarily deny, terminate, or suspend Service to any Customer: (Cont'd)

2.6.A.2. In the event a Customer becomes insolvent, is the subject of any formal legal proceeding commenced in a court involving a voluntary or involuntary petition or proceeding in bankruptcy, seeks protection or relief from creditors in a formal legal proceeding after a filing for such relief, or executes an assignment for the benefit of creditors; or

2.6.A.3. In the event that the Company determines that any Service is being used fraudulently or illegally, whether by a Customer or its agent.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.7. Special Services2.7.A. General

For the purpose of this Tariff, Special Services are deemed to be any Service requested by the Customer and provided by the Company for which there is no prescribed rate in this Tariff. Special Services charges will be developed on an individual case basis (ICB) and may be established by contract between the Company and the Customer. Such contract or ICB rates will be filed with the Commission for its approval if required by applicable rules and regulations.

2.7.B. When Applicable

Special Services rates apply in the following circumstances:

- 2.7.B.1. If at the request of the Customer, the Company obtains facilities not normally used by the Company to provide Service to its Customer;
- 2.7.B.2. If at the request of the Customer, the Company provides technical assistance not normally required to provide Service;
- 2.7.B.3. Where special signaling, conditioning, equipment, or other features are required to make Customer Provided Equipment compatible with the Company's Service;

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2. Rules and Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.7. Special Services (Cont'd)2.7.B. When Applicable (Cont'd)

2.7.B.4. When, at the specific request of the Customer, installation by the Company or its agent and/or routine maintenance is performed outside of the regular business hours.

2.7.B.5. If installation and/or routine maintenance is extended beyond normal business hours at the request of the Customer and these circumstances are not the fault of the Company, Special Service charges may apply. Such circumstances include, but are not limited to, stand-by in excess of one-hour, weekend, holiday or night time cut-over, and additional installation testing in excess of the normal testing required to provide Service.

2.7.C. Cancellation

If a Customer orders Service requiring special facilities dedicated to the Customer's use and then cancels its order before the Service begins, before completion of any minimum Service periods associated with such special facilities ordered by the Company or before completion of some other period mutually agreed upon by the Customer and the Company, a charge will be made to the Customer for the non-recoverable portions of expenditures or liabilities incurred expressly on behalf of the Customer by the Company and not fully reimbursed by installation and monthly charges. If, based on such an order, any construction has either begun or been completed, but no such Service provided, the non-recoverable cost of such construction shall be borne by the Customer.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)**2.8. Special Pricing Arrangements**

Customized Service packages and competitive pricing arrangements at negotiated rates may be furnished on a case-by-case basis in response to requests by Customers for proposals or for competitive bids. Special Pricing Arrangements offered under this Tariff will be provided to the Customer pursuant to contract. Unless otherwise specified, the regulations for such arrangements are in addition to the applicable regulations and prices in other sections of the Tariff. Specialized rates or charges will be made available to similarly situated Customers on a non-discriminatory basis. Such contracts will be filed with the Commission for approval if required by applicable rule or regulation.

2.9. Special Construction

All rates and charges quoted in this Tariff provide for the furnishing of a Service when suitable facilities are available or where the construction of the necessary facilities does not involve unusual costs. When the revenue to be derived from the Service does not warrant the Company assuming the unusual costs of providing the necessary construction, the Customer may be required to pay all or a portion of such costs and to contract for the service for a sufficient period to warrant the construction, depending upon the circumstances in each case. The Company's charges for such special construction shall follow the same guidelines for establishing charges for Special Services as described in Section 2.7 of this Tariff.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

2. Rules and Rules and Regulations - Intrastate Message Telecommunications Services (Cont'd)2.10. Inspection, Testing and Adjustment

2.10.A. The Company may, upon reasonable notice, make such tests and inspections as may be necessary to investigate the installation, operation or maintenance of the Customer's or the Company's equipment or connecting facilities. The Company may interrupt Service at any time, without penalty or liability to itself, where necessary to prevent improper use of Service, equipment, facilities, or connections.

2.10.B. Upon reasonable notice, the facilities and equipment provided by the Company shall be made available to the Company for such tests and adjustments as may be necessary for its maintenance in a condition satisfactory to the Company. No interruption allowance will be granted for the time during which such tests and adjustments are made, unless such interruption exceeds twenty-four (24) hours in length.

2.11. Operator Services

Operator services will not be furnished by the Company. Instead, customers will have access to operator services through a third party vendor at the rates and regulations set forth by that vendor.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

3. General Classification and Description of the Company's Service - Intrastate Message Telecommunications Services

3.1 Service Points

3.1.A. The Company provides originating Service from points within the state of Texas identified in this Tariff.

3.1.B. The Company provides terminating Service from points within the state of Texas identified in this Tariff.

3.2. Measurements

3.2.A. Time-of-Day Rate Period

Time-of-Day Rate Periods are reflected in the rates found in Section 4, herein.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

3. General Classification and Description of the Company's Service - Intrastate Message Telecommunications Services (Cont'd)

3.2. Measurements (Cont'd)

3.2.B. Availability of Service

The Service is available at the rates listed in Section 4, through subscription to any of the intrastate message telecommunication service offerings available from the Company. Each of these offerings utilizes the same rate schedules but have different rates and billing increments for each of the rate schedules.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

3. General Classification and Description of the Company's Service - Intrastate Message Telecommunications Services (Cont'd)**3.3 Timing of Calls**

- 3.3.A. Calls are timed by the Company in six (6) second increments unless otherwise stipulated by the Company in this Tariff. "Ring-busy" and "ring-no-answer" calls will not knowingly be charged to the Customer and if charged in error, will be credited by the Company to the Customer. Timing begins at the "starting event" and ends at the "terminating event," unless otherwise specified. Time between the starting event and the terminating event is the call duration. The minimum call duration for a completed call is sixty (60) seconds, unless otherwise specified.
- 3.3.B. The starting event occurs when the Company's terminal experiences an "Incoming Signaling Protocol Successful," i.e., upon the seizure of an inbound trunk.
- 3.3.C. The terminating event occurs when the Company's terminal receives a signal from the Local Exchange Carrier that either the calling party or the called party has hung up.
- 3.3.D. There shall be no charge for unanswered calls. Upon receiving reasonable and adequate notice of billing from a Customer for any such call, the Company may issue a credit in an amount equal to the charge for the call. Calls which are in progress longer than one minute will be presumed to have been answered.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

3. General Classification and Description of the Company's Service - Intrastate Message Telecommunications Services (Cont'd)

3.3 Timing of Calls (Cont'd)

3.3.E. Intrastate Message Telecommunications Service rates are quoted in terms of initial and additional minutes. The initial minute is the first minute or any fraction thereof after connection is made. The additional minute is each minute or any fraction thereof after the initial minute.

3.3.F. The time of day at the calling party rate center determines what Time-of-Day rate period applies.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

3. General Classification and Description of the Company's Service - Intrastate Message Telecommunications Services (Cont'd)3.4. Computation of Distance

- 3.4.A. All calls are rated on the basis of airline mileage locations of the caller and the called party, regardless of the call's routing.
- 3.4.B. Airline mileage is obtained by using the "V" and "H" coordinates assigned to each point and contained in the National Exchange Carrier Association's current Tariff F.C.C. No. 4 on file with the Federal Communications Commission. To determine the airline distance between any two cities, the airline mileage is determined as follows:
- 3.4.B.1. Obtain the "V" and "H" coordinates for each city. The "V" coordinate is the first four digits in the "VH" column. The "H" coordinate is the next four digits.
- 3.4.B.2. Obtain the difference between the "V" coordinates of each of the cities. Obtain the difference between the "H" coordinates.
- 3.4.B.3. Square each difference obtained in step 2, above.
- 3.4.B.4. Add the square of the "V" difference and the "H" difference obtained in step 3, above.
- 3.4.B.5. Divide the number obtained in step 4 by 10. Round to the next higher whole number if any fraction is obtained.
- 3.4.B.6. Obtain the square root obtained in step 5 of the whole number result obtained above. Round to the next higher whole number if any fraction is obtained. This is the airline mileage.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

3. General Classification and Description of the Company's Service - Intrastate Message Telecommunications Services (Cont'd)**3.5. Method of Applying Rates**

3.5.A. Calls that begin in one rate period and terminate in another will be billed for the entire call duration at the rate applicable at the commencement of the call.

3.5.B. Unless specified otherwise in this Tariff, the duration of each call for billing purposes will be rounded off to the nearest higher minute.

3.6. Promotional Discounts

The Company may from time to time offer promotional discounts. Such discounts will be for a specified period of time, will not exceed published rates, and will be offered to all qualifying Customers on a non-discriminatory basis, under any rules prescribed by the Commission.

3.7. Intrastate Message Telecommunications Services

3.7.A. Intrastate Message Telecommunications Services are measured use, full time services and are offered on a monthly basis, utilizing intrastate communications facilities. When appropriate access arrangements exist, these switched services are available on a pre-subscription (equal access) basis.

3.7.B. Depending upon the service option chosen by the Customer, the charges for the use of such intrastate communications facilities may be based upon the time of day, the total minutes of use and/or the distance of each call.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

3. General Classification and Description of the Company's Service - Intrastate Message Telecommunications Services (Cont'd)**3.8. 800 Service**

3.8.A 800 Service is a one-way inbound service originating on feature group facilities provided by the Company and terminating on a regular telephone line. The Customer is responsible for payment of all charges associated with such terminating calls terminated rather than the calling party.

3.9 Calling Card Service

3.9.A Calling Card Service permits Customers which have arranged for a Company-issued calling card to make calling card calls throughout all intrastate points through the use of a specific "1-800" telephone number provided by the Company. Calling Card Service calls are timed by the Company in six (6) second increments. "Ring-busy" and "ring-no-answer" calls will not knowingly be charged to the Customer and if charged in error, will be credited by the Company to the Customer. Timing begins at the "starting event" and ends at the "terminating event," unless otherwise specified. Time between the starting event and the terminating event is the call duration. The minimum call duration for a completed call is sixty (60) seconds, unless otherwise specified.

3.9.B It is the responsibility of the Customer to guard and protect against any unauthorized use of any company issued codes to which billing may be charged.

3.9.C The rates for this service are provided for in Section 4 herein.

3.10. RESERVED FOR FUTURE USE.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

4. Rates for Intrastate Message Telecommunications Service

4.1. Returned Check Charge

Customers whose payment by check is returned for insufficient funds, or is otherwise not processed for payment, may be subject to a returned check charge. Such charge may be applicable on each occasion when a check is returned or not processed.

Per Occasion\$25.00

4.2. Valley Plan III

4.2.A. The Valley Plan III applies to any 1+ direct dialed call to all domestic points.

4.2.B. These calls are billed in six (6) second increments and have a minimum call duration of sixty (60) seconds.

4.2.C. The rate periods for the Valley Plan III are as follows:

	Monday – Friday 7:00 a.m. – 6:59 p.m.*		Monday – Friday 7:00 p.m. – 6:59 a.m. All Other Days and Times*	
<u>RATE</u> <u>MILEAGE</u>	<u>INITIAL</u> <u>MINUTE</u>	<u>EACH</u> <u>ADD'L</u> <u>MINUTE</u>	<u>INITIAL</u> <u>MINUTE</u>	<u>EACH</u> <u>ADD'L</u> <u>MINUTE</u>
1-10	.1200	.1200	.1000	.1000
11-22	.1200	.1200	.1000	.1000
23-28	.1200	.1200	.1000	.1000
29-34	.0800	.0800	.0800	.0800
35-55	.1200	.1200	.1000	.1000
56-70	.1200	.1200	.1000	.1000
71-124	.1200	.1200	.1000	.1000
125-292	.1200	.1200	.1000	.1000
293-430	.1200	.1200	.1000	.1000
431-925	.1200	.1200	.1000	.1000
926-1910	.1200	.1200	.1000	.1000
1911-3000	.1200	.1200	.1000	.1000
3001-4250	.1200	.1200	.1000	.1000
4251-5750	.1200	.1200	.1000	.1000
5751-9999	.1200	.1200	.1000	.1000

*Holiday rates will apply on New Year’s Day, July 4th, Labor Day, Thanksgiving, Christmas. The evening rate will apply all day on these holidays on direct-dialed calls unless the night/weekend rate would normally apply.

*An additional 10% discount will apply to the evening rate to all calls placed on Mother’s Day that exceed 30 minutes in duration.

*Call charges will change if the call continues into the next rate period.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

4. Rates for Intrastate Message Telecommunications Service (Cont'd)4.2. Rate Schedules for Dialed Message Telecommunications (Cont'd)

4.2.D. Monthly Volume discounts are as follows:

<u>Amount</u>	<u>Discount Percentage</u>
\$0 - \$40	3%
\$40.01 - \$100	5%
\$100.01 - \$200	8%
\$200.01 and over	10%

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

4. Rates for Intrastate Message Telecommunications Service (Cont'd)

4.3. 800 Service

4.3.A Monthly Recurring Charge

In addition to the Usage Charge described in this Section, there shall be assessed a monthly charge of \$2.50 per line for each 800 Service terminating line.

4.3.B. Payphone Origination Charge

For calls originating at a pay telephone and terminating with the 800 Service subscriber line, a \$0.30 Payphone Origination Charge will apply per call.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

4. Rates for Intrastate Message Telecommunications Service (Cont'd)4.3. 800 Service (cont'd)4.3.C Usage ChargeRATE SCHEDULE

<u>WEEKDAY RATE</u> 8am - 5pm <u>Mon thru Fri</u> <u>Per Minute</u>	<u>EVENING RATE</u> 5pm-11pm <u>Except Sat</u> <u>Per Minute</u>	<u>NIGHT/WEEKEND RATE</u> 11pm to 8am + all day <u>Sat/Sun until 5 pm</u> <u>Per Minute</u>
\$0.10	\$0.10	\$0.10

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

4. Rates for Intrastate Message Telecommunications Service (Cont'd)

4.4 Valley Plan II

- 4.4.A. The Valley Plan II applies to any 1+ direct dialed call to all intrastate points.
- 4.4.B. These calls are billed in six (6) second increments and have a minimum call duration of sixty (60) seconds.
- 4.4.C. The rate periods for the Valley Plan II are as follows:

	<u>Per Minute</u>
Monday—Friday, 7:00 a.m.-6:59 p.m.	\$0.069
Monday—Friday, 7:00 p.m.-6:59 a.m.	\$0.069
All other days and times	\$0.069

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Call charges will change if the call continues into the next rate period.

- 4.4.D. A monthly recurring service charge of \$1.95 applies to all residential Valley Plan II participants.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

4. Rates for Intrastate Message Telecommunications Service (Cont'd)4.5 Direct 800 Inbound Service

- 4.5.A. Applies to all 800 terminating calls to customer.
- 4.5.B. These calls are billed in six (6) second increments. A sixty (60) second minimum is required for all completed calls.
- 4.5.C. Service is dependent upon customer obtaining circuits from customer's premises to VTX's point of presence. *
- 4.5.D. Rate periods for all calls are the same.
- 4.5.E. VTX Gold Plan is available for customers with under 25,000 terminating minutes-of-use per month.
- 4.5.F. VTX Platinum Plan is available for customers with a minimum of 25,000 terminating minutes-of-use per month.
- 4.5.G. Per-minute Rates:

VTX Gold Plan	\$.07
VTX Platinum Plan	\$.06

- * Customer may order these circuits from the local exchange provider. At the customer's request VTX may order these circuits from the local exchange carrier or VTX may opt to provide its own facilities from the Customer's premises to VTX's point of presence. In either case, the circuits will be priced on an individual case basis.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

4. Rates for Intrastate Message Telecommunications Service (Cont'd)4.6 Direct Outbound Service

- 4.6.A. Applies to all 1+ direct dialed calls to all domestic points.
- 4.6.B. These calls are billed in six (6) second increments. A sixty (60) second minimum is required for all completed calls.
- 4.6.C. Service is dependent upon customer obtaining circuits from customer's premises to VTX's point of presence. *
- 4.6.D. Rate periods for all calls are the same.
- 4.6.E. VTX Gold Plan is available for customers with under 25,000 minutes-of-use per month.
- 4.6.F. VTX Platinum Plan is available for customers with a minimum of 25,000 minutes-of-use per month.
- 4.6.G. Per-minute Rates:

VTX Gold Plan	\$.06
VTX Platinum Plan	\$.05

- * Customer may order these circuits from the local exchange provider. At the customer's request VTX may order these circuits from the local exchange carrier or VTX may opt to provide its own facilities from the Customer's premises to VTX's point of presence. In either case, the circuits will be priced on an individual case basis.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

4. Rates for Intrastate Message Telecommunications Service (Cont'd)4.7 VTX Business Plan A

4.7.A. The VTX Business Plan A applies to any 1+ direct dialed call to all intrastate points.

4.7.B. The VTX Business Plan A is only available to business customers.

4.7.C. These calls are billed in six (6) second increments. A sixty (60) second minimum is required for all completed calls.

4.7.D. To qualify for this plan the business customer must have a minimum of 1,500 minutes of use per month. If the business customer does not meet the 1,500 minute minimum, a monthly recurring service charge of \$5.95 will apply.

4.7.E. Rate:

Per Minute \$0.095

4.8 Calling Card Service

4.8.A. The monthly recurring charge for Calling Card Service is \$1.00.

4.8.B. The Calling Card Service rate per minute of use is \$0.12.

4.8.C. For Calling Card calls originating at a pay telephone, a \$0.30 Payphone Origination Charge will apply per call.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

5. Directory Assistance

Available to All Intrastate Points:

Residential: \$1.40 per call

Business: \$1.40 per call

Directory Assistance service charge for completed calls made to all intrastate points:

Residential: \$0.50 per completed call

Business: \$0.50 per completed call

6. Telecommunications Relay Service (TRS)

Telecommunications Relay Service permits a Company Communications Assistant to complete a call and provide translation assistance between persons with hearing and/or speech disabilities who use a Text Telephone (TT) or its equivalent, and hearing persons who use an ordinary telephone. Dial Station rates found in this tariff apply to TRS calls except when additional operator assistance or special billing (e.g., collect, calling card, 3rd number billing) is requested. In those cases, the applicable class of service, e.g., Customer Dialed Calling Card, Operator Dialed Calling Card Station, Operator Station or Person-to-Person, rates apply. In addition, all other calling cards including credit/charge cards, and prepaid calling cards may be used for TRS calls. These calls will be rated using the schedules specified in this tariff.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

7. Frame Relay

Frame Relay is a packet data service accessible at speeds of up to 12.288 Mbps, which provides customers with a capability to connect locations via Permanent Virtual Circuits (PVCs) or Switched Virtual Circuits (SVCs) for data transmission. Service elements for Frame Relay are (i) access facilities, (ii) ports, and (iii) PVCs and/or SVCs, as specified below.

The minimum service requirement is one-month for domestic service. For the purposes of this option, the Standard Install Interval for access at speeds up to and including 1.344/1.536 Mbps is not less than 22 business days during which service elements are installed. The Standard Install Interval for access at speeds greater than 1.344/1.536 Mbps is not less than 45 business days.

7.1 Access

Access to Frame Relay can be made using one of the following methods provided by either the Company or a local exchange carrier. For each access facility used, one port is required for access to Frame Relay. For each port used, the speed selected must be equal to or greater than the PVC and SVC speed for each PVC or SVC connected to the port.

- 56/64 kbps Hubless Digital Access;
- 56 kbps DDS Access;
- T-1 Digital Access (including Fractional T-1 Access options);
- Digital Private Line Inter-Office Service at speeds of multiples of 56 or 64 kbps; and,
- Enterprise Digital Subscriber Line (DSL) Access.

7.2 Ports

A frame relay port connection provides the physical interface into the network and provides the logical termination of PVCs and SVCs assigned to that port. Port capacity or speed represents the highest attainable data rate into or out of the location at any point in time. Port speeds of 2.688/3.072 Mbps and higher may not be available from every point of presence.

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INTRASTATE MESSAGE TELECOMMUNICATIONS SERVICE

7. Frame Relay (Cont'd)7.2 Ports (Cont'd)

7.2.A Port Charges

Non-Recurring Charges: A non-recurring charge of \$300 per port will apply for each 1.344/1.536 Mbps or lower speed port for installation and de-installation. A non-recurring charge of \$1500 per port will apply for each 2.688/3.072 Mbps or higher speed port for installation and de-installation.

A non-recurring charge of \$150 will apply for each 1.344/1.536 Mbps or lower speed port order placed and canceled prior to installation. A non-recurring charge of \$1000 will apply for each 2.688/3.072 Mbps or higher speed port order placed and canceled prior to installation.

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7. Frame Relay (Cont'd)7.2 Ports (Cont'd)

7.2.B Monthly Recurring Charges: The following monthly recurring charges apply per port. The charges are determined based upon the port speed and origination point.

<u>Speed (kbps)</u>	<u>Monthly Charge</u>
56/64	\$ 281.00
128	506.00
256	731.00
384	921.00
512	1,135.00
768	1,399.00
1024	1,910.00
1536	2,443.00
3072	3,842.00
4608	4,539.00
6144	5,101.00
7680	5,804.00
9216	6,725.00
10752	7,420.00
12288	8,114.00

Native Mode SDLC Ports: Native Mode SDLC (NM-SDLC) is a frame relay port with specialized functionality enabling it to transmit and receive native Synchronous Data Link Control (SDLC) protocol. This port can connect to a System Network Architecture (SNA) Physical Unit Type 2.0 or 4.0 device on a customer's premises. An NM-SDLC port can be configured to support point-to-point or multi-drop communications. For multi-drop communications, all drops are served by the nearest frame relay switch supporting NM-SDLC ports. NM-SDLC ports are available at speeds of 9.6 and 56 kbps. An NM-SDLC port can communicate with another NM-SDLC port or frame relay port using PVCs.

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7. Frame Relay (Cont'd)7.2 Ports (Cont'd)

7.2.B Monthly Recurring Charges (Cont'd):

The following non-recurring and monthly recurring charges will apply for NM-SDLC ports:

Speed (kbps)	Non- Recurring	Monthly Recurring
9.6	\$300.00	\$105.00
56	300.00	281.00

7.3 Virtual Circuits

Upon enrollment the customer may choose to subscribe to use service provided by (i) a Permanent Virtual Circuit (PVC) or (ii) a Switched Virtual Circuit (SVC).

Permanent Virtual Circuit (PVC): A PVC is a logical customer dedicated communications path defined between two port connections. Each PVC is assigned a committed information rate (CIR), which is the average minimum data rate the network will allocate to the PVC under normal operating conditions. Customers who subscribe to ports at speeds higher than 1.536 Mbps are required to subscribe to a CIR of no less than 70 percent of the port subscription rate. Data sent across a virtual connection in excess of that connection's CIR will be marked by the network as being discard eligible (DE) in the event of network congestion, and will be delivered only if the instantaneous demand for output on a transmission channel is equal to or less than the capacity of the queue for that channel.

PVCs are simplex (one-directional). Duplex (two-way) traffic requires the use of two PVCs; however, it is not required that they be of equal speeds. Customers may not mix simplex Zero CIR PVCs with either Usage or Fixed PVCs to create a duplex PVC (see domestic recurring charges options below).

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7. Frame Relay (Cont'd)7.3 Virtual Circuits (Cont'd)

PVC Charges:

Non-Recurring Charges: A non-recurring charge of \$15 each for installation, de-installation and reconfiguration per PVC applies.

Recurring Charges: A customer must choose from among one of the pricing plans described below for each PVC ordered. The recurring charges apply per PVC. The charges are determined based upon the Committed Information Rate.

Fixed PVC Rates: Customers electing this option will be subject to a monthly recurring charge per PVC as follows. For speeds higher than 1536 kbps, customers must choose speeds at multiples of 1536 kbps.

<u>CIR (kbps)</u>	<u>Monthly Charge</u>
16	\$14.75
32	29.50
48	44.25
64	59.00
Greater than 64	59.00 for the first 64 kbps plus \$14.75 for every additional 16 kbps increment above 64 kbps.

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7. Frame Relay (Cont'd)7.3 Virtual Circuits (Cont'd)

PVC Charges (Cont'd):

Usage CIR PVC Rates: Customers electing this option will be subject to usage charges as follows but in no case will the monthly charge be less than the applicable monthly minimum or greater than the monthly maximum charges per PVC as follows: Per megabyte of data delivered:

Non-Discard Eligible: \$ 0.055
Discard Eligible: 0.045

<u>CIR (kbps)</u>	<u>Monthly Minimum Usage Charge</u>	<u>Monthly Maximum Usage Charge</u>
16	\$5	\$ 18.50
32	5	37.00
48	5	55.50
64	5	74.00
Greater than 64	5	74.00 for the first 64 kbps plus \$18.50 for every additional 16 kbps increment above 64 kbps.

Zero CIR PVC Rates: Customers electing this option will be subject to usage charges as follows: Per megabyte of data delivered: \$0.045 Monthly minimum charge per PVC: \$5.00

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7. Frame Relay (Cont'd)7.3 Virtual Circuits (Cont'd)

Switched Virtual Circuit (SVC): A SVC is a logical communication path between any two port connections which are set up and torn down dynamically by the Frame Relay network. SVCs are virtual circuits which are used on a temporary basis, enabling ports to interconnect via virtual circuits without pre-defined PVCs. Each SVC is assigned a committed information rate (CIR) which is the average minimum data rate the network will allocate to the SVC under normal operating conditions. The data transmission rate for an SVC connection can be greater than the CIR when excess capacity is available on the port and on the network. When this excess capacity exists, an average data rate above the CIR may be achieved up to the port capacity. Data sent across a virtual connection in excess of that connection's CIR will be marked by the network as being discard eligible (DE) in the event of network congestion, and will be delivered only if the instantaneous demand for output on a transmission channel is equal to or less than the capacity of the queue for that channel. SVCs are simple (one-directional). Duplex traffic requires the use of two SVCs. It is not required that they be of equal speed.

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7. Frame Relay (Cont'd)7.3 Virtual Circuits (Cont'd)

SVC Charges:

Non-Recurring Charges: A non-recurring charge of \$15 for installation, deinstallation, and reconfiguration per SVC applies.

Recurring Charges: Charges for SVCs apply per SVC and are determined based upon the maximum Committed Information Rate that can be supported by the port for SVC connections.

Fixed SVC Rates: Customers will be subject to a monthly recurring charge per SVC as follows:

<u>CIR (kbps)</u>	<u>Monthly Charge</u>
16	\$ 36.75
32	73.50
48	110.25
64	147.00
Greater than 64	147.00 for the first 64 kbps plus \$36.75 for every additional 16 kbps increment above 64 kbps.

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7. Frame Relay (Cont'd)7.4 Frame Relay Network Pricing Plans (FRNPP)

Frame Relay Network Pricing Plans are pricing plans available at a customer's option and, when selected, will be provided in lieu of all other tariffed term plans other than Access Pricing Plans. A customer must commit to a separate term and volume commitment for each plan, and will be subject to underutilization and early termination charges separately for each. The discounts described herein will apply to each plan separately. Customers who elect to enroll in an FRNPP will be subject to the following conditions:

12.4.A Term Commitment: A customer must commit to a Term of Service of either one, two, three, four, or five years. The term of the FRNPP will commence on the first day of the first full calendar month following VTX's acceptance of the customer's enrollment in the FRNPP. At any time in a multi-year agreement, the customer may increase its volume commitment. The terms and conditions at the new higher volume commitment level will then apply. Unless the customer provides written notification to renew the original FRNPP to VTX in writing, which must be received by VTX no less than 30 days prior to the expiration of the original FRNPP, upon expiration of the term, the customer will automatically receive service on a month-to-month basis and will be charged standard tariffed charges. Upon expiration of the renewal period, the customer will receive standard undiscounted tariffed rates for Frame Relay until the customer provides VTX with at least 30 days written notice of intent to terminate service.

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7. Frame Relay (Cont'd)7.4 Frame Relay Network Pricing Plans (FRNPP) (Cont'd)

7.4.B Volume Commitment: A customer must commit to a Monthly Minimum of either \$100, \$250, \$500, \$1,000, \$2,000, \$3,000, \$4,000, \$5,000, \$7,000, \$10,000, \$15,000, \$25,000, \$50,000, or \$100,000 for a FRNPP. The Monthly Minimum includes recurring charges for ports, PVCs and SVCs only. The Monthly Minimum also includes recurring charges for local loops. Taxes, tax-related surcharges, access charges, access coordination charges, network management, and charges for non-tariffed services and products will not be included in determining if the Monthly Minimum has been satisfied.

For FRNPPs entered, the monthly minimum commitment must be satisfied by the customer's net billing after the application of FRNPP discounts.

7.4.C Underutilization Charges: Beginning with the fourth full monthly billing cycle, if a customer does not satisfy its Monthly Minimum, the customer must pay the difference between the selected Monthly Minimum amount and the customer's actual recurring PVC and/or SVC and port charges; and local loops.

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7. Frame Relay (Cont'd)7.4 Frame Relay Network Pricing Plans (FRNPP) (Cont'd)

- 7.4.D Early Termination Charges: Customers who discontinue service under the FRNPP prior to the expiration of the committed term will be billed and required to pay a charge in an amount equal to (i) the Underutilization Charge for the monthly period of termination, (ii) the customer's FRNPP Monthly Minimum for each month remaining in the annual period of termination, and (iii) 50 percent of the customer's FRNPP Monthly Minimum for each monthly period remaining in the unfulfilled term of service.

Early termination charges will not apply if the customer enrolls in a new Frame Relay FRNPP with an equal or greater term and greater or equal monthly volume commitment. In such a case, the original FRNPP will terminate on the start date of the new FRNPP.

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7. Frame Relay (Cont'd)7.4 Frame Relay Network Pricing Plans (FRNPP) (Cont'd)

7.4.E Discounts: The following discounts apply to monthly recurring PVC, SVC and port charges for FRNPPs. Discounts do not apply to charges for network management, access, access coordination, non-tariffed services and products, taxes or associated surcharges.

Monthly Minimum	Term of Service				
	1-Year	2 Years	3 Years	4 Years	5 Years
\$ 100	1%	2%	3%	4%	5%
\$ 250	1%	2%	3%	4%	5%
\$ 500	1%	2%	3%	4%	5%
\$ 1,000	2%	3%	4%	5%	6%
\$ 2,000	5%	6%	7%	8%	9%
\$ 3,000	6%	7%	9%	10%	12%
\$ 4,000	7%	8%	10%	12%	14%
\$ 5,000	8%	10%	12%	14%	16%
\$ 7,000	9%	11%	14%	16%	18%
\$ 10,000	12%	14%	17%	19%	21%
\$ 15,000	13%	15%	18%	20%	22%
\$ 25,000	14%	17%	20%	23%	25%
\$ 50,000	16%	19%	22%	25%	27%
\$ 100,000	18%	21%	24%	27%	30%

7.5 Availability

Tariffed Frame Relay service elements may not be available at or between all service points.

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