

PTI
MULTIPURPOSE EARTH SEGMENT SERVICES

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MULTIPURPOSE EARTH SEGMENT SERVICES

1. APPLICATION OF TARIFF

- 1.1 This tariff contains the regulations and rates applicable to multipurpose earth segment services furnished by PTI, Inc. (PTI). Multipurpose earth segment services are furnished subject to the availability of facilities and subject to transmission, atmospheric and like limitations.
- 1.2 Multipurpose earth segment services are furnished to customers in connection with establishment of communications channels by said customers for the transmission and/or reception of voice, record, data, and such other services as may be authorized.
- 1.3 Multipurpose earth segment services are furnished to foreign communications entities in connection with the establishment of communications channels by said entities between foreign points (i.e., transit service) when so authorized by the Federal Communications Commission.
- 1.4 The regulations and rates contained in this tariff apply only to the multipurpose earth segment services furnished by PTI and do not apply to the connecting channels facilities, or services provided by a foreign communications entity, by an other common carrier, or by any other entity utilizing PTI's services.
- 1.5 PTI's multipurpose earth segment services are not part of a joint undertaking with any other entity providing foreign or domestic channels, facilities, or services. All arrangements concerning such channels, facilities, or services, including hours of operation, shall be made by the customer with the foreign or domestic entity or entities providing them.

2. GENERAL REGULATIONS

2.1 Charges

2.1.1 Application of Charges

Charges, as specified in this tariff, apply to the multipurpose earth segment services furnished by PTI for use by the customer in the establishment of a through communications channel.

2.1.2 Computation of Charges

(A) Monthly Service

Except as otherwise specified in this tariff, charges for monthly service commence on the day after PTI notifies the customer that service is available in accordance with the customer's order and continue through the day service is

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discontinued. Charges for monthly service are computed on a calendar month basis except where fractional charges are applicable with respect to service connections or disconnections. The charge for service during a fractional part of a month is computed as a proportionate part of the monthly charge based on the actual number of days service is furnished. For the purpose of computing the charge for a fractional part of a month, every month is considered to have 30 days. In cases where monthly service is disconnected at the customer's request prior to the completion of the initial month (30 days) of service, fractional charges are not computed and the minimum charge for one month of service applies.

(B) Temporary Service

Charges for temporary service are computed on a daily basis for each day (24 consecutive hours starting at the time of day PTI notifies the customer that service is available to the customer) or fraction thereof service is furnished.

2.1.3 Payment of Charges

The customer is responsible for the payment of all charges incurred. Charges for monthly and Individual Case Basis (ICB) services are billed in advance. Charges for temporary services and termination charges are billed in arrears. All payments for bills rendered, including termination charges, are due in their entirety within 30 days of invoice date.

2.2 PTI Multipurpose Earth Segment Services

PTI multipurpose earth segment services are available to customers at Susupe, Saipan.

2.3 Connection with Facilities of Others

Facilities provided by a customer, an other common carrier, or a foreign communications entity, may be connected to the PTI's multipurpose earth segment services. such connections will take place on the premises of PTI.

2.4 Definitions

Duplex Channel

A channel capable of simultaneous transmission in both directions.

Earth Segment

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That portion of an international communications link provided

(1) from the point of receipt of a customer's circuits at an earth terminal up to and including the transmission of those circuits to an international satellite and (2) from the point of receipt of downlink carrier signals containing the customer's channels at an earth terminal up to and including the delivery of those channels to the customer at its interface with the earth terminal.

Foreign Communications Entity

A foreign administration or company furnishing telecommunications services to others.

Other Common Carrier (OCC)

A carrier other than PTI engaged in providing private line voice, data, audio or video services, or other services as such a carrier may be authorized by the Federal Communications Commission to provide.

Satellite System

The telecommunications satellites and the tracking, telemetry, command, control, monitoring and related facilities and equipment which are owned by the International Telecommunications Satellite Organization, "INTELSAT".

Simplex Channel

A channel capable of transmission in one direction only.

Standard B Earth Terminal

An earth terminal equipped for television carriers, single channel per carrier (SCPC), which operates in the 4 and 6 gigahertz frequency band, with a minimum gain-to-noise temperature ratio of 31.7 dB/k.

United States Mainland

The term "United States Mainland" as used herein means the 48 contiguous states and the District of Columbia.

2.5 Inspections

PTI may, upon not less than 24 hours notice, make such inspections as may be necessary to determine that requirements of this tariff are being complied with in the installation, operation and maintenance of customer-provided facilities connected to PTI's multipurpose earth segment services.

2.6 Interruption Allowances

2.6.1 Leased Voice Grade and Digital Service

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When use of a communications channel is interrupted for a period of 30 minutes or more due to failure or malfunction of PTI's multipurpose earth segment services, a credit is allowed on PTI's multipurpose earth segment services charges of an amount equal to the proportionate part of the customer's monthly or temporary service charges, in half-hour multiples for each half hour or major fraction thereof of interruption. No credit will be allowed for service interruptions which are caused by customer provided facilities or space segment services.

For the purpose of computing such credit for monthly service, every month is considered to have 30 days. For temporary service, the number of days to be used in the credit computation is that number on which the customer was entitled to receive service under the applicable temporary service charge. In no case will the credit allowance for service interruptions exceed the applicable charges for the billing period during which the interruption occurred.

2.7 Liability of PTI

- 2.7.1 PTI's liability, if any for willful misconduct is not limited by this tariff. With respect to any other claim or suit by a customer for damages associated with the installation, provision, termination, maintenance, repair or restoration of service, and subject to Section 2.7.1 through 2.7.5 following, PTI's liability, if any, shall not exceed an amount equal to the proportionate charge for the service for the period during which the service was affected. This liability for damages shall be in addition to any amounts that may otherwise be due the customer for Interruption Allowance as provided in Section 2.6 of this tariff.
- 2.7.2 PTI shall not be liable for any act or omission of others providing a portion of a service, nor shall PTI, for its own act or omission, hold liable others providing a portion of a service.
- 2.7.3 PTI shall be indemnified, defended and held harmless by the customer against any claim, loss or damage arising from the use of service offered by this tariff, involving:
- (A) Claims for libel, slander, invasion of privacy, or infringement of copyright arising from any communications;
 - (B) Claims for patent infringement arising from combining or using the service furnished by PTI in connection with facilities or equipment furnished by others; or

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(C) All other claims arising out of any act or omission of others relating to service provided pursuant to this tariff.

2.7.4 No license under patents is granted by PTI or shall be implied or arise by estoppel, with respect to any service offered by this tariff.

2.7.5 PTI's failure to provide or maintain service under this tariff shall be excused by labor difficulties, government orders, civil commotions, acts of God and other circumstances beyond PTI's reasonable control, subject to the Interruption Allowance provisions of this tariff.

2.8 Testing and Adjusting

PTI may, upon not less than 24 hours notice, at a time mutually agreeable to PTI and the customer, make such tests and adjustments as may be necessary to maintain the services it furnishes satisfactory operating condition. No interruption allowance will be made to the customer for the time such tests and adjustments are made.

2.9 Use of the Services by the Customer

Where, pursuant to the conditions of this tariff, a customer-provided facility is connected to, or used in conjunction with PTI's multipurpose earth segment services, the customer-provided facility must not interfere with multipurpose earth segment services provided by PTI or the space segment services provided by COMSAT. Any protective equipment required to prevent such interference shall be provided by the customer or by PTI at the customer's expense.

Where a customer-provided facility causes interference to service over other earth and/or space segment channels, PTI may temporarily interrupt the customer's use of its equipment until such departure is corrected. Prior to any such interruption, PTI will notify the customer and will provide a reasonable time for the customer to take corrective action. However, when the interference is such that it prevents or substantially degrades service, and such prior notice is impractical, PTI may interrupt the customer's use of its equipment prior to notifying the customer. Prompt notice to the customer will be given of such interruption and the reasons therefor.

The customer shall not use PTI's services for any unlawful purpose.

2.10 Advance Payments and Deposits

2.10.1 Advance Payments

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PTI may, in order to safeguard its interests, require a customer or applicant to make an advance payment equal to (i) any installation charges, (ii) at least one month's charges in the case of monthly services and (iii) the entire amount ordered in the case of temporary or occasional services. The amount of the advance payment is credited to the customer's account as applying to any indebtedness of the customer for the service furnished.

In addition, where the furnishing of service involves an unusual investment, customers or applicants may be required to make payment in advance of such portion of the estimated cost of the installation or construction as is to be borne by them. Such cost of installation, or construction will be tariffed by the Company on a case-by-case basis once charges have been determined.

2.10.2 Deposits

PTI may, in order to safeguard its interests, require a customer or applicant to make a deposit to be held by PTI as a guarantee of the payment of charges. Such deposit shall not exceed the actual or estimated rates and charges for a three-month period.

The fact that a deposit has been made in no-way relieves the applicant or customer from complying with PTI's regulations as to the prompt payment of bills. At such time as the service is terminated, the amount of the deposit will be credited to the customer's account and any credit balance which may remain will be refunded. After the customer has established a one-year prompt payment record, such a deposit will be refunded or credited to the customer account at any time prior to the termination of service. In the case of a cash deposit, for the period the deposit is held by PTI, the customer will receive simple interest at rate of 2.5% per annum.

2.10.3 Payment for Early Cancellation of Service by the Customer

In the event the customer cancels an order for service prior to the initiation of service, the customer is liable for payment to PTI of all nonrecoverable costs borne by PTI on the customer's behalf in connection with preparing to implement service which the customer had requested and such charges will be tariffed on a case-by-case basis.

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2.11 Discontinuance of Service for Cause

Upon non-payment when due of any sum owing to PTI, or upon a violation of any of the provisions governing the furnishing of service under this tariff, PTI may, upon seven (7) days' written notice to the customer, without incurring any liability, forthwith discontinue the furnishing of said service until such violation or non-payment is rectified by the customer to PTI's satisfaction. If any service is discontinued for cause, the customer is liable for payment of all sums due, any specified termination charges and any costs which PTI may incur as a result of service termination.

3. VOICE GRADE SERVICE

3.1 Terms and Conditions

A. Duplex Service

Voice Grade service is two-way service provided in conjunction with a satellite

B. Foreign Coordination

Customers must make arrangements with overseas points for the provision of like earth segment channels to match the earth segment channels supplied by PTI.

C. Minimum Service Period

Voice Grade Service is furnished on full-time (monthly) and temporary (daily) basis. The minimum period for Full-Time Service is one month (30 consecutive days) and for Temporary Service, one day (24 consecutive hours).

D. Channel Alignment

On an as available basis, two or more contiguously aligned earth segments channels will be provided as a single channel of continuous bandwidth with said bandwidth approximately equivalent to the sum of the individual earth segment channels furnished. The single earth channel may be utilized by the customer to accommodate wideband channel requirements and alternatively may be subdivided by the customer into individual voice grade channels.

E. Channel Combination

A customer may combine two or more earth segment voice grade channels if suitable facilities are available and if such combination does not interfere with the operation of PTI's facilities. Such combination of channels shall not be undertaken until PTI has been notified and has determined that technical compatibility of the proposed combination with the operation of its

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facilities. PTI will undertake to make such determination promptly. If PTI determines a particular combination is not technically compatible, it will so notify the customer.

F. Channel Derivation

A customer may create from earth segment voice grade channels additional channels or additional capacity for alternate or simultaneous voice and non-voice communications.

G. Shared Use of a Channel

Two or more customers may share the use of earth segment voice grade channels if they are able to obtain requisite foreign coordination as indicated in 3.1.B. The charge for a shared channel will be the same as the charge applicable if the channel were not shared.

Each customer sharing the use of an earth segment channel must be identified in the order for service and shall be jointly and severally liable for payment of PTI's total charge for the channel. One of the customers sharing the channel shall be designated in the order for service as billing agent for all of the customers and as billing agent shall be responsible for collection of the payments due from each customer. The customers named in the order shall be responsible for determining how the use of the channel shall be shared among themselves and for providing all of the equipment required to enable such sharing. The customer designated in the order as billing agent shall also be responsible to PTI for participating customers and shall be deemed to have been authorized in their behalf to receive notices from PTI and to respond to any inquiries from PTI.

A foreign communications entity may participate with one or more customers in the simultaneous shared use of earth segment voice grade channels. However, such foreign entity may not be designated as the billing agent.

3.2 Rates

For PTI's earth terminal specified in 2.2. the rates are as follows:

	Monthly	
3.2.1 <u>Full-Time Service</u>		<u>Rate</u>
	Rate Per Channel	\$540.00
3.2.2 <u>Temporary Service</u>		
	(A) <u>Service on Consecutive Days</u>	

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The charge per channel for each of the first two days or fraction thereof of Temporary Service is ten percent of the monthly rate for each, five percent per day or fraction thereof for the next eight days, and four percent per day or fraction thereof for each day thereafter.

(B) Maximum Charge for Service on Consecutive Days

The maximum charge for Temporary Service furnished only on consecutive days during one month is equal to the rate for Full-Time Service.

(C) Service on Non-Consecutive Days

When service within a month is furnished on non-consecutive days, the charge is that which applies for continuous service from the first day to the close of the last day during which the two or more periods of Temporary Service were furnished if such charge is less than the sum of the charges for the individual periods, determined in accordance with (A) preceding, but excluding the provisions of (B) preceding.

3.3 Service Points

Monthly and temporary service points are as follows:

(A) Saipan earth terminal and:

Guam
Hawaii
Japan
Korea
Marshall Islands
Palau
Philippines
U. S. Mainland

4. DIGITAL SERVICE

4.1 Terms and Conditions

A. IDR Service

IDR (International Digital Route) is a two-way digital service that provides users with access to a transponder on individually assigned carriers of predefined data rates.

B. Space Segment and Foreign Coordination

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Customers must make arrangements with overseas points for the provision of like earth segment channels to match the earth segment channels supplied by PTI. In addition, customers will be responsible to obtain the space segment directly from COMSAT/INTELSAT.

C. Minimum Service Period

IDR service is furnished on a full-time (monthly) basis. The minimum period for Full-Time Service is one month (30 consecutive days).

4.2 Rates

4.2.1 Full-Time Service

Individual Case Basis Rates and Charges

<u>Customer Termination</u> <u>Name</u> <u>Period</u>	<u>Description</u> <u>and Location</u>	<u>MTL/NRC</u> <u>MRC</u>	<u>Liability</u>
IT&E 1993. for in	Provision of an IDR earth segment with a transmission capacity of 1.544 Mbps via the Standard A earth station located in Susupe.	MTL: \$12,000 NRC: \$ 1,105 MRC: \$22,200	5 Years Beginning October 4, Reduces 1/60 each month service.