

PTI  
INTERNATIONAL PACKET SWITCHED SERVICE

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Effective: July 31, 2001

I. GENERAL

This tariff contains regulations and rates applicable to International Packet Switching Service furnished between the Commonwealth of the Northern Mariana Islands (CNMI) and international points as indicated herein, by Micronesian Telecommunications Corporation, hereinafter referred to as the Company.

II. DEFINITIONS

Certain items used in this tariff are defined as follows:

Bit

A binary digit, the smallest unit of information in the binary system of notation.

Central Office

Denotes a local Company switching system where telephone exchange service customer station loops are terminated for purposes of interconnection to each other and to trunks.

Channel

Denotes an electrical or photonic (in the case of fiber optic based transmission systems) communications path between two or more points of termination.

Customer

Denotes any individual, partnership, association, joint stock company, trust, corporation, or governmental entity or any other entity, which subscribes to and is responsible for the payment of the services offered under this tariff.

Data Network Address (DNA)

Ten-digit address in accordance with CCITT recommendation X.121 used to identify terminations on a packet switching network.

Dial Access

Dial Access provides a group of shared dial access lines between the local telephone network and the packet switched network. Customers dial a published telephone number to access the packet switch.

International Point

Points in foreign countries or locations.

Internetworking

Internetworking enables communications between the Company's International Packet Switching Service common user network and other common user packet switched data networks. Internetworking calls use virtual connection capability software functions.

Kilopacket

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One thousand packets.

Kilosegment

One thousand segments.

Logical Channel

A communications channel which allows two-way simultaneous transmission of data packets through the network. No circuit capability is preassigned to a logical channel; capacity is made available as the data is transmitted. Each virtual circuit utilizes one logical channel.

Octet

Eight bits.

Packet

A packet is a continuous sequence of binary digits (bits) of information which is switched through the network as an integral unit. A packet consists of up to 1,024 bits of customer data plus additional transmission and error control information.

Packet Switch

A central office based switch that establishes a virtual connection between two DNAs for the transmission of discrete amounts of information.

Port

A communications interface located at a Company packet switching office through which the customer obtains access to the network.

Protocol

A set of rules governing the format to be followed when transmitting information between communicating devices.

Segment

A continuous sequence of binary bits of information within a packet. A segment has a billable length of 64 octets of customer data transmitted to or from a port.

Synchronous

A method of transmission in which information being transmitted over a line is controlled by a timing device.

Virtual Connection

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A logical channel resulting from call establishment to a DNA that exists until the call is terminated by either party.

X.25 Packet Mode Protocol

A synchronous network interface protocol as outlined by the CCITT for transmission within a packet switched network.

III. DESCRIPTION OF SERVICE

International Packet Switching Service (IPSS) combines packet switching technology and digital transmission facilities to provide a switched data transport service. IPSS is designed to provide economical usage sensitive data transport for a variety of interactive data applications.

With packet switching technology, data streams are divided into packets and moved through the network to their destination. The packet network examines routes and transports packets without maintaining a dedicated physical path between bursts of data. In this way, data may be transported through shared network transmission facilities and individual data packets can be sent on alternate routes as the need arises resulting in better system performance and higher network availability. The reduction in network facilities results in an efficient form of data transport for interactive applications.

IPSS is an internetworking service furnished for the switching and transmission of data packets at transmission speeds up to 9.6 Kbps between CNMI and the packet switches in Hawaii.

IV. REGULATIONS

A. Undertaking of the Company

IPSS permits the switching and transmission of communications between CNMI and the packet switches in Hawaii.

The Company does not create messages, however, the service it furnishes may be used to transmit messages.

B. Transmission Medium

The Company selects the channels and equipment used to provide IPSS. Any suitable technology or combination of technologies may be used to provide service. The Company reserves the right to modify or change the channels and equipment at any time following reasonable notice to the customer.

C. Scope

1. IPSS uses analog and digital channels for the transmission of information between customer locations subject to the regulations and rate schedules established in this tariff.

C. Scope (Continued)

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2. Access to the network is attained either through dedicated access or public dial access facility.
3. The furnishing of service under this tariff requires certain physical arrangements of the Company's facilities and is, therefore, subject to the availability of facilities.
4. The customer is responsible for obtaining X.25 access.

D. Availability of Service

IPSS is available 24 hours a day, 7 days a week, unless restricted by the overseas company or foreign administration. Calls to or from an international point are also subject to such restrictions as may be enforced from time to time by the authorities in that location.

Service is offered subject to the availability of the channels and equipment required to provide service. If a shortage of channels and equipment exists, the installation of the components required to furnish LDMTS will take precedence.

E. Billing

This Company and the overseas company or foreign administration will bill their customers for all calls that originate from their respective countries and for all calls for which their customers accept reverse charges.

F. Liability of the Company

1. The Company's liability, if any, for its willful misconduct is not limited by this tariff. With respect to any other claim or suit, by a customer or by any others for damages associated with the installation, provision, termination, maintenance, repair or restoration of service, and subject to the provisions of 2. through 4. following, the Company's liability, if any, shall not exceed an amount equal to the proportionate charge for the service provided for under this tariff for the period during which the service was affected.
2. The Company is not liable for damages associated with service, channels or equipment which it does not furnish.
3. The Company shall be indemnified, defended and held harmless by the customer against all claims, losses or damages arising from the use of service furnished pursuant to this tariff, involving:
  - a. Claims for libel, slander, invasion of privacy, or infringement or copyright arising from any communication;

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- b. Claims for patent infringement arising from combining or using the service furnished by the Company in connection with facilities or equipment furnished by others; or
  - c. All other claims arising out of any act or omission of others relating to service provided pursuant to this tariff.
- 4. The Company's failure to provide or maintain service under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, acts of God and other circumstances beyond the Company's reasonable control, subject to the credit allowances for interruptions provisions of this tariff.
  - 5. No license under patents (other than the limited license to use) is granted by the Company or shall be implied or arise by estoppel, with respect to any service, channels or equipment offered under this tariff.

G. Responsibilities of the Customer

1. Placement of Orders, Payment of Bills and Compliance With Regulations

The customer is responsible for placing all orders, complying with tariff regulations and payment for service. The customer may appoint an agent to act on its behalf, as specified in b. following.

a. Information the Customer Must Provide

When a customer places an order for IPSS, the following information must be provided to the Company:

- Billing name and address,
- The packet switch locations to which service is desired,
- The name and telephone number of a person who will act as the customer's agent, if applicable.

b. Agency Agreement

The Company will accept an order for service from an agent appointed by the customer. An agency appointment must be sent to the Company in writing. If directed by the customer, the bill for service will be sent to the agent. The bill will be issued in the name of the customer, in care of the agent.

The customer retains the responsibility for compliance with Company regulations and any act or omission of the agent, regardless of any limitations the customer may place on the agent's authority.

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c. Allocation of Usage or Charges

The Company will not allocate the usage of IPSS or the charges for such usage and is not responsible for the way the customer allocates such usage.

G. Responsibilities of the Customer (Continued)

1. Placement of orders, payment of bills and compliance with regulations (Continued)

d. Availability for Maintenance, Testing or Modifications

The customer must make IPSS available for maintenance, testing, or implementation of changes it has ordered, at any reasonable, mutually agreeable time. Occasionally an impairment may only be evident at certain times (e.g., a certain hour of the day). In such cases, IPSS must be made available for testing during the same time periods if the trouble condition is to be corrected.

e. Damage to IPSS

The customer must pay the Company for replacement or repair of IPSS when damage results from:

- Negligence or willful acts,
- Improper use of the service, or
- Any use of equipment or system provided by the customer.

After receipt of payment for the damages, the Company will cooperate with the customer in its claim against any third party causing the damage.

V. RATES

There are two types of charges applicable for IPSS.

A. Data Transport Charges

These charges apply to customer-generated data transmitted or received at a port through which a call is originated or at the terminating port when reverse charging applies. IPSS transported data is billed either as kilopackets or kilosegments, depending on the agreement with the foreign terminating administration. Rates are specific to each overseas company or foreign administration.

The minimum service period for usage per kilopacket or kilosegment is one kilopacket or kilosegment. The data transport charge will apply to customers with monthly usage of twenty or more kilosegments.

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B. Call Duration Charges

These charges apply to each call from the time the customer-generated call request packet is originated until the termination of the call, or the denial of the call by the called station. Chargeable time is accumulated for each call on a per minute basis of usage for each 60 seconds or fraction thereof, and rounded up to the next whole minute.

A minimum period of one minute applies to all customer-generated call request packets attempted, unless the call does not complete because of a failure of a Company packet switching service component, or the portion of IPSS which is provided by the overseas company or foreign administration.

The charges per call are calculated by multiplying the fractional hour(s) of usage (i.e., the number of minutes of chargeable time per call divided by 60) by the per hour rate.

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The charges per call are calculated by multiplying the fractional hour(s) of usage (i.e., the number of minutes of chargeable time per call divided by 60) by the per hour rate.

C. Rate Tables

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1. Calls Between the Commonwealth of the Northern Mariana Islands and International Points

<u>International Points Hour</u>	<u>Data Transport Duration Charge</u>		<u>Call</u>
	<u>per Kilosegment</u>	<u>per Kilopacket</u>	<u>Charge per</u>
Guam	\$ 6.00	--	\$ 2.50
Hawaii	6.00	--	2.50
United States Mainland (excluding Alaska)	6.00	--	2.50