Coin Usage Amendment/<u>AT&T-9STATE</u>

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Ernest Communications, Inc.

Version – 10/09/08

Amendment to the Agreement
Between
Ernest Communications, Inc.
and
BellSouth Telecommunications, Inc.
d/b/a AT&T Alabama, AT&T Florida, AT&T Georgia,
AT&T Kentucky, AT&T Louisiana, AT&T Mississippi,
AT&T North Carolina, AT&T South Carolina,
and AT&T Tennessee
Dated January 1, 2005

Pursuant to this Amendment, (the "Amendment"), Ernest Communications, Inc. ("CUSTOMER"), and BellSouth Telecommunications, Inc. d/b/a AT&T Alabama, AT&T Florida, AT&T Georgia, AT&T Kentucky, AT&T Louisiana, AT&T Mississippi, AT&T North Carolina, AT&T South Carolina, and AT&T Tennessee (hereinafter referred to "AT&T"), hereinafter referred to collectively as the "Parties", hereby agree to amend that certain Commercial Agreement between the parties dated January 1, 2005 ("Agreement") to be effective on November 1, 2008.

WHEREAS, AT&T and CUSTOMER entered into the Agreement on January 1, 2005, and;

**NOW THEREFORE**, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby covenant and agree as follows:

- 1. <u>AT&T-9STATE</u> is defined as AT&T in the states of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee.
- 2. Section 4.1.5 of Attachment 1 is hereby deleted in its entirety and replaced with the following:
  - 4.1.5 The rates for End Office Switching, Tandem Switching and Common Transport are applied based on their use in the transport of an originated or terminated call. Originated calls shall utilize these pricing elements until the terminating end office is reached for an AT&T or resale End User terminated call or until the call reaches the network of a third party on a third party terminated call.
- 3. The Parties agree to delete in entirety all rates associated with the USOC URECU identified as "DS0 Wholesale Local Platform Service (Coin) Usage (Flat Rate)" in Exhibit B of Attachment 1 of the Agreement and replace them with the rates set forth in Exhibit A attached hereto.
- 4. Except as modified herein, all of the other provisions of the Agreement, dated January 1, 2005, shall remain in full force and effect.
- 5. In entering into this Amendment, neither Party waives, and each Party expressly reserves, any rights, remedies or arguments it may have at law.
- 6. This Amendment shall not modify or extend the Effective Date or Term of the underlying Agreement, but rather, shall be coterminous with such Agreement.

**Ernest Communications, Inc.** 

By:

Name:

Title:

President

Date:

10/23/08

BellSouth Telecommunications, Inc. d/b/a AT&T Alabama, AT&T Florida, AT&T Georgia, AT&T Kentucky, AT&T Louisiana, AT&T Mississippi, AT&T North Carolina, AT&T South
Carolina and AT&T Tennessee by ATET Operations, Inc.,
its authorized agent

By:

Name:

Eddie A. Reed, Jr.

Title:

Director - Interconnection Agreements

Date:

12.4.08

	OCN#
Alabama	624A
FLORIDA	4198
GEORGIA	817A
KENTUCKY	626A
LOUISIANA	572A

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OCN# 9337 **MISSISSIPPI NORTH CAROLINA** 577A 8067 **SOUTH CAROLINA TENNESSEE** 579A

UNBU	JNDLE	NETWORK ELEMENTS - Alabama												Α	ttachment: 1		Exhibit: A
САТЕ	EGORY	RATE ELEMENTS	Interi m	Zone	BCS	USOC			RATES (\$)				Submitted Manually	Incremental Charge - Manual Svc Order vs. Electronic- 1st	Charge - Manual Svc Order vs.	Order vs. Electronic-	Charge - Manual Svc Order vs.
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DS0 W	holesale	Local Voice Platform Services															
	ADDITIO	ONAL UNE COIN PORT/LOOP (RC)															
		UNE Coin Port/Loop Combo Usage (Flat Rate)			UEPCO	URECU	0.00										
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UNBL	JNDLE	NETWORK ELEMENTS - Florida												Α	ttachment: 1		Exhibit: A
CATE	EGORY	RATE ELEMENTS	Interi m	Zone	BCS	USOC			RATES (\$)			Submitted Elec	Submitted	Charge - Manual Svc Order vs. Electronic-	Charge - Manual Svc Order vs.	Order vs. Electronic-	Charge -
							Rec	Nonred First	curring Add'l	Nonrecurring First	Disconnect	SOMEC	SOMAN	OSS F	RATES (\$)	SOMAN	SOMAN
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DS0 W	holesale	Local Voice Platform Services															
	ADDITIO	ONAL UNE COIN PORT/LOOP (RC)															
		UNE Coin Port/Loop Combo Usage (Flat Rate)			UEPCO	URECU	0.00										
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UNBUN	DLED	NETWORK ELEMENTS - Georgia												A	ttachment: 1		Exhibit: A
CATEGO	ORY	RATE ELEMENTS	Interi m	Zone	BCS	usoc			RATES (\$)			Submitted Elec	Svc Order Submitted	Charge - Manual Svc Order vs.	Charge - Manual Svc Order vs.	Electronic-	Charge - Manual Svc Order vs.
							Rec	Nonrec		Nonrecurring					RATES (\$)		
<u> </u>				-				First	Add'l	First	Add'l	SOMEC	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
DS0 Whol	lesale	Local Voice Platform Services															
ΑE		ONAL UNE COIN PORT/LOOP (RC)															
		UNE Coin Port/Loop Combo Usage (Flat Rate)			UEPCO	URECU	0.00										
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UNBUNDLE	NETWORK ELEMENTS - Kentucky												A	ttachment: 1		Exhibit: A
CATEGORY	RATE ELEMENTS	Interi m	Zone	BCS	usoc			RATES (\$)			Submitted Elec	Svc Order Submitted	Charge - Manual Svc Order vs.	Charge - Manual Svc Order vs.	Electronic-	Charge - Manual Svc Order vs.
						Rec	Nonrec		Nonrecurring					RATES (\$)		
							First	Add'l	First	Add'l	SOMEC	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
	Local Voice Platform Services															
	ONAL UNE COIN PORT/LOOP (RC)															
	UNE Coin Port/Loop Combo Usage (Flat Rate)			UEPCO	URECU	0.00		<u> </u>		<u> </u>						
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UNBL	JNDLE	NETWORK ELEMENTS - Louisiana												A	ttachment: 1		Exhibit: A
CATE	EGORY	RATE ELEMENTS	Interi m	Zone	BCS	USOC			RATES (\$)			Submitted Elec	Submitted	Incremental Charge - Manual Svc Order vs. Electronic- 1st	Charge - Manual Svc Order vs.	Charge - Manual Svc Order vs. Electronic-	Incremental Charge - Manual Svc Order vs. Electronic- Disc Add'l
							Rec	Nonred First	curring Add'l	Nonrecurring First	Disconnect	SOMEC	SOMAN	OSS F	RATES (\$)	SOMAN	SOMAN
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DS0 W	holesale	Local Voice Platform Services															
	ADDITIO	ONAL UNE COIN PORT/LOOP (RC)															
		UNE Coin Port/Loop Combo Usage (Flat Rate)			UEPCO	URECU	0.00										
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UNBUNI	DLED	NETWORK ELEMENTS - Mississippi												A	ttachment: 1		Exhibit: A
CATEGO	ORY	RATE ELEMENTS	Interi m	Zone	BCS	usoc			RATES (\$)			Submitted Elec	Svc Order Submitted	Charge - Manual Svc Order vs.	Charge - Manual Svc Order vs.	Electronic-	Charge - Manual Svc Order vs.
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DS0 Who	lesale	Local Voice Platform Services															
Al		ONAL UNE COIN PORT/LOOP (RC)															
		UNE Coin Port/Loop Combo Usage (Flat Rate)			UEPCO	URECU	0.00	•	•		•			•			
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UNBUNI	DLED	NETWORK ELEMENTS - North Carolina												A	ttachment: 1		Exhibit: A
CATEGO	ORY	RATE ELEMENTS	Interi m	Zone	BCS	usoc			RATES (\$)			Submitted Elec	Svc Order Submitted	Charge - Manual Svc Order vs.	Charge - Manual Svc Order vs.	Order vs. Electronic-	Charge - Manual Svc Order vs.
							Rec	Nonrec		Nonrecurring					RATES (\$)		
<b>—</b>								First	Add'l	First	Add'l	SOMEC	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
DS0 Whol	lesale	Local Voice Platform Services															
ΑI	DDITIO	ONAL UNE COIN PORT/LOOP (RC)															
		UNE Coin Port/Loop Combo Usage (Flat Rate)			UEPCO	URECU	0.00	•	•		•			•	•		
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UNBUNE	DLED	NETWORK ELEMENTS - South Carolina												A	ttachment: 1		Exhibit: A
CATEGO	DRY	RATE ELEMENTS	Interi m	Zone	BCS	usoc			RATES (\$)			Submitted Elec	Svc Order Submitted	Charge - Manual Svc Order vs.	Charge - Manual Svc Order vs.	Electronic-	Charge - Manual Svc Order vs.
							Rec	Nonrec		Nonrecurring					RATES (\$)		
<u> </u>								First	Add'l	First	Add'l	SOMEC	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
DS0 Whole	esale	Local Voice Platform Services															
ΑC	DDITIO	ONAL UNE COIN PORT/LOOP (RC)															
		UNE Coin Port/Loop Combo Usage (Flat Rate)			UEPCO	URECU	0.00	•	•		•			•			
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UNBU	NDLED	NETWORK ELEMENTS - Tennessee												A	ttachment: 1		Exhibit: A
CATE	GORY	RATE ELEMENTS	Interi m	Zone	всѕ	USOC			RATES (\$)				Svc Order Submitted Manually	Charge - Manual Svc Order vs.	Charge - Manual Svc Order vs.	Electronic-	Charge -
							Rec	Nonred	curring	Nonrecurring		•			RATES (\$)		
								First	Add'l	First	Add'l	SOMEC	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
DS0 Wh	olesale	Local Voice Platform Services															
	ADDITIO	ONAL UNE COIN PORT/LOOP (RC)															
		UNE Coin Port/Loop Combo Usage (Flat Rate)			UEPCO	URECU	0.00				<u> </u>						
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