

USE OF CUSTOMER-PROVIDED TERMINAL EQUIPMENT WITH THE COMPANY'S FACILITIES1. GENERAL

- 1.01 Equipment, apparatus, or devices provided by a customer may not be attached to, connected to, or used with the Company's facilities unless they are certified under Industry Canada's Terminal Attachment Programme, CP-01 Certification Procedure, and bear a label indicating compliance with the appropriate technical standards. In addition, the connection must comply with the installation requirements set out in the appropriate standards. Upon approval by the Commission, the Company may impose further requirements, if necessary, to ensure compatibility with its network.
- 1.02 Connection or use of approved equipment shall be made only with approved connecting equipment.
- C 1.03 The Company makes no claims or representations, and assumes no responsibility for the suitability, design, performance, installation, operation or maintenance of customer-provided equipment or inside wiring which is intended to be connected to the Company's network.
- 1.04 Subject to due notice as provided for in Industry Canada's Terminal Attachment Programme, CP-01 Certification Procedure, and Industry Canada Notices, the Company reserves the right to change, in whole or in part, the design, function, operation or layout of its network, as it considers necessary. The Company shall not be responsible to any customer or user for the customer where customer-provided equipment ceases to be compatible with the Company's facilities or network or becomes inoperative because of such changes.
- 1.05 The Company does not warrant or represent its facilities or network to be or to remain compatible with or to the use of customer-provided equipment, apparatus or devices notwithstanding its compliance with the above. The Company shall not be liable to the customer for any claims arising out of such incompatibility.
- 1.06 The Company may make such tests and inspections as it considers necessary to determine whether the customer is complying with any or all requirements herein. If, in the Company's judgement, such attachments or connections or use with the Company's facilities do not conform with these requirements, the Company may, at any time, take such action as necessary or remove the attachment or interrupt or terminate the connection or use with the Company's facilities.
- 1.07 When such attachment or connection to or use with the Company's facilities causes the Company to incur any unusual expense or any loss or damage it may recover any such unusual expense or any such loss or damage from the customer.

USE OF CUSTOMER-PROVIDED TERMINAL EQUIPMENT WITH THE COMPANY'S FACILITIES1. GENERAL (Cont'd)

1.08 The customer is responsible for the installation, operation and maintenance of equipment, apparatus or devices that the customer provides and which are attached to or connected to or used with the Company's network.

1.09 Subject to the preceding requirements, telephones provided by a customer may be connected to the Company's facilities in accordance with Items 2 and 3.

2. SINGLE LINE SERVICE

## 2.01 Individual Line Service

Individual line business and residential customers may provide and attach certified terminal equipment (item 1.08) at the demarcation point, which is on the customer's premises.

3. MULTI LINE SERVICE

3.01 Multi line customers may provide and attach to the Company's facilities certified terminal equipment. The equipment is connected at the demarcation point, which is on the customer's premises.

4. DIAGNOSTIC MAINTENANCE CHARGE

4.01 CRTC forbears from regulating NorthernTel's residential and business single-line inside wire services on the customer's side of the demarcation point.

If, at the time of reporting transmission problems, there is no jack-ended demarcation device in the customer's premises, the customer will not incur a charge for the diagnosis, maintenance, and repair of single-line inside wire.

USE OF CUSTOMER-PROVIDED TERMINAL EQUIPMENT WITH THE COMPANY'S FACILITIEST# 5. RESTRICTIONS ON THE USE OF AUTOMATIC DIALING-ANNOUNCING DEVICES(ADAD)AND CONDITIONS FOR UNSOLICITED LIVE VOICE AND FACSIMILE CALLS FOR THE PURPOSE OF SOLICITATION5.01 Restrictions on the use of ADADs

For the purpose of this tariff, an ADAD is defined as any automatic equipment incorporating the capability of storing or producing telephone numbers to be called, used alone or in conjunction with other equipment to convey a prerecorded or synthesized voice message to the telephone number called.

For the purpose of this tariff, solicitation is defined as the selling or promoting of a product or service, or the soliciting of money or money's worth, whether directly or indirectly and whether on behalf of another party.

## (a) Use of ADADs for purposes of solicitation

The use of ADADs to make unsolicited calls for the purpose of solicitation is prohibited.

Prohibited ADAD calls include calls made to solicit on behalf of a charity, the use of ADAD messages to request that a called party hold until an operator is available (when the purpose of the call is to solicit), activities such as radio station promotions, or ADAD calls referring the called party to a 900 or 976 Service number.

Persons who resell Centrex service must make all reasonable efforts to ensure that the end-user does not employ the service to transmit unsolicited ADAD calls other than those made for public service reasons.

## (b) Use of ADADs for purposes other than solicitation

The use of ADADs to make unsolicited calls for purposes other than solicitation (herein referred to as permitted unsolicited calls) are subject to the following conditions:

**EXCEPTION:** These conditions do not apply to calls made for public service reasons including calls made for emergency and administration purposes by police and fire departments, schools, hospitals or similar organizations.

- (1) Permitted unsolicited ADAD calls must not be placed to emergency lines or healthcare facilities.

USE OF CUSTOMER-PROVIDED TERMINAL EQUIPMENT WITH THE COMPANY'S FACILITIES5. AUTOMATIC DIALING-ANNOUNCING DEVICES (ADAD) (Cont'd)

- (2) Unless otherwise provided by law, permitted unsolicited ADAD calls may only be placed between 9:30 a.m. and 8:00 p.m. Monday to Friday, between 10:30 a.m. and 5:00 p.m. on Saturday and between 12:00 noon and 5:00 p.m. on Sunday.
- (3) Permitted unsolicited ADAD calls shall begin with a clear message identifying the person on behalf of whom the call is being made. This identification message is to include: (1) a mailing address and (2) a telephone number at which the called party can reach, at no charge, a responsible individual representing the originator of the message. If the actual message exceeds 60 seconds, the identification message must be repeated at the end of the call. Where the person making the call is conducting a survey on behalf of a client, either the survey research organization or the client on whose behalf the call is made must be identified in accordance with the requirements of this section.
- (4) Permitted unsolicited ADAD calls must display the originating calling number or an alternate number at which the call originator may be reached, except where number display is unavailable for technical reasons.
- (5) Sequential dialing is prohibited.
- (6) Random dialing for permitted unsolicited ADAD calls, as well as calls to non-published numbers are allowed.
- (7) An ADAD user must make all reasonable efforts to ensure that their equipment disconnects within 10 seconds of the called party hanging up.
- (8) The rates specified for a business individual lines in Item 70.2(h) apply to the Central Office line or Centrex local to which an ADAD is connected. C

5.02 Conditions for unsolicited live voice and facsimile calls including calls made on behalf of charitable institutions) for the purpose of solicitation

**EXCEPTION:** These conditions do not apply to live voice and facsimile calls that do not solicit, including calls for emergency purposes, calls for account collection and market and survey research.

- (a) Persons placing unsolicited live voice or facsimile calls to solicit are to ensure that a customer's request not to be called again is respected and that the customer's name and telephone number are removed from calling lists within 7 days of the request for unsolicited facsimile calls and 30 days of the request for unsolicited live voice calls. A customer's "do not call" request is to remain active for three years.

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- (b) Persons placing unsolicited live voice calls to solicit are to identify the person on behalf of whom the call is made and provide, upon request, the caller's telephone number and the name and address of a responsible party to whom the called party can write.
- (c) Persons placing unsolicited facsimile calls to solicit are to identify the person on behalf of whom the call is made as well as the caller's telephone number, facsimile number and the name and address of a responsible party to whom the called party can write.

When the unsolicited live voice or fax call is placed by a professional calling organization on behalf of another organization, the professional calling organization must also provide the information set out in (b) and (c) above with respect to itself.

- (d) Unless otherwise provided by law, unsolicited facsimile calls may only be placed between 9.00 a.m. and 9:30 p.m. Monday to Friday and between 10:00 a.m. and 6:00 p.m. on Saturday and Sunday. The permitted calling hours identified are those of the called party.
- (e) Unsolicited live voice or facsimile calls to solicit must display the originating calling number or an alternate number at which the call originator can be reached, except where number display is unavailable for technical reason.
- (f) Sequential dialing for unsolicited live voice and facsimile calls for the purpose of solicitation is prohibited.
- (g) Unsolicited live voice and facsimile calls must not be placed to any emergency line or healthcare facility.
- (h) Persons who resell Centrex service must make all reasonable efforts to ensure that the end-user does not employ the Centrex call transfer feature to transmit unsolicited live voice or facsimile calls for the purpose of solicitation.

5.03 Enforcement

Telephone service to all lines used in connection with the placing of calls which contravenes the conditions of this tariff may be suspended or terminated two business days after notice from the Company.

6. RESERVED FOR FUTURE USE

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