

GENERAL

Item

13 USE OF THE COMPANY'S FACILITIES

RESTRICTIONS ON THE USE OF AUTOMATIC DIALING-ANNOUNCING DEVICES (ADADs) AND CONDITIONS FOR UNSOLICITED LIVE VOICE AND FACSIMILE CALLS FOR THE PURPOSE OF SOLICITATION

C

A. DEFINITIONS

An ADAD is 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.

Solicitation is 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 the ADAD user or of another party. This includes ADAD 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.

B. RESTRICTIONS ON THE USE OF AUTOMATIC DIALING-ANNOUNCING DEVICES (ADADs)

1. Use of ADADs for Purposes of Solicitation

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

2. Use of ADADs for Purposes Other Than Solicitation

Other than calls made for public service reasons including calls made for emergency and administration purposes by police and fire departments, schools, hospitals or similar organizations, the use of ADADs to make unsolicited calls for purposes other than solicitation (permitted unsolicited calls) is subject to the following:

- a) Permitted unsolicited ADAD calls must not be placed to emergency lines or healthcare facilities.
- b) Unless otherwise provided by law, permitted unsolicited ADAD calls may only be placed between 9:30 a.m. and 8:00 p.m. Monday through 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.
- c) 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.
- d) 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.
- e) Sequential dialing is prohibited.
- f) Random dialing for permitted unsolicited ADAD calls, as well as calls to non-published numbers are allowed.
- g) An ADAD user must make all reasonable efforts to ensure that their equipment disconnects within 10 seconds of the called party hanging up.
- h) The rates specified for a Small Business Multi-line in Item 32 apply to the jack-ended two-wire analogue facility between the Company's serving central office and the ADAD.

See Page 41 for explanation of symbols.

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GENERAL

Item

13 USE OF THE COMPANY'S FACILITIES (Continued)

C. UNSOLICITED LIVE VOICE AND FACSIMILE CALLS

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.

1. Persons placing unsolicited live voice and 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 seven (7) days of the request for unsolicited fax calls. A customer's "do not call" request is to remain active for three (3) years.
2. 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.
3. 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.
4. Professional calling organizations placing unsolicited live voice or facsimile calls to solicit are also to provide the same information set out in 2. and 3. above with respect to itself.
5. Persons placing unsolicited live voice and facsimile calls to solicit must display the C originating calling number or an alternate number at which the call originator can be reached, except where number display is unavailable for technical reason.
6. Sequential dialing for unsolicited live voice and facsimile calls for the purpose of C solicitation is prohibited.
7. Random dialing of unsolicited live voice and facsimile calls to non-published numbers is C allowed. However, calls may not be placed to any emergency line or healthcare facility. |
8. Persons who resell the Company's services must make all reasonable efforts to ensure that N the end-user, who may employ the service to transmit unsolicited live voice or facsimile calls for the purpose of solicitation, adheres to the conditions of this tariff. |
9. Unless otherwise provided by law, permitted unsolicited live voice and facsimile calls may C only be placed between 9:00 a.m. - 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.

D. 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 (2) business days after F notice from the Company.