

A4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

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A4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.1 GENERAL

Construction charges, where applicable, are in addition to the established nonrecurring charges and monthly rates for the furnishing of service to the customer.

4.2 CONSTRUCTION ON PUBLIC HIGHWAYS OR OTHER EASEMENTS

The normal method of constructing distribution facilities, i.e., aerial or underground, will be determined by the Company according to the conditions in each case, except as provided for under "Extensions for New Real Estate Additions" in A4.4.1 following.

The ownership of poles used in the provision of telephone service is vested either in the Company or in some other company with which the Company has a joint use agreement.

Normally, no charges apply for extending telephone plant along public roads, highways, rights-of-way or easements, except for Conditions Involving Special Consideration as described in A4.6 following.

4.3 CONSTRUCTION ON PRIVATE PROPERTY

4.3.1 SERVICE ENTRANCE FACILITIES

A. GENERAL

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VERIZON NEW JERSEY INC.
TARIFF B.P.U.-N.J.-NO. 2
EXCHANGE AND NETWORK SERVICES
ISSUED: MARCH 16, 2005

SECOND REVISED PAGE 3
CANCELS FIRST REVISED PAGE 3
BY BRUCE D. COHEN, GENERAL COUNSEL
EFFECTIVE: MARCH 20, 2005

A4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.3.1 SERVICE ENTRANCE FACILITIES (Cont'd)
A. GENERAL (Cont'd)

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A4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.3.1 SERVICE ENTRANCE FACILITIES (Cont'd)

A. GENERAL (Cont'd)

1. Charge Treatment for Construction Required for Changes to Existing Service Entrance Facilities *

a. Change in Aerial Service Connection (*)

Where it is necessary to remove or relocate the pole at which an aerial service connection terminates, the service connection will be re-established by the Company by the most practicable method, i.e., aerial or underground or a combination of both. Charges based on cost may apply for the work to be done except in those cases where the reason for the change is beyond the control of the customer and the service connection is re-established by the most practicable method. In this event, the service connection is normally re-established at no charge to the customer.

b. Change in Underground Service Connection (*)

Where it is necessary to remove or relocate the manhole at which an underground service connection terminates, the service connection will be re-established by the Company by the most practicable method, i.e., aerial or underground or a combination of both. Charges based on cost may apply for the work to be done except in those cases where the reason for the change is beyond the control of the customer and the service connection is re-established by the most practicable method. In this event, the service connection is normally re-established at no charge to the customer.

c. Change from Aerial to Underground or Underground to Aerial Construction at the Customer's Request (*)

The charge treatment is based on cost plus in all cases the charge applicable to a new service connection of the facilities. *

4.3.2 CONSTRUCTION REQUIRED FOR SERVICE TO AN ADDITIONAL TERMINATION POINT (ATP)

A. GENERAL

1. A customer's main telephone billing number must terminate at the customer's RDP. A customer's RDP and ATP must be located on the same property. Only supplemental services, billed to the main billing number or billed separately to the same customer at the same address, may be terminated at an ATP.

2. A customer may request multiple ATPs on the same or different floors in a single or multi-tenant building or in the same or different buildings on a single or multi-tenant campus.

A4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.3.5 MAINTENANCE AND REPAIR (Cont'd)

Circuits on private property, up to and including the RDP, are maintained and replaced at the expense of the Company except that:
(Cont'd)

- Where wire is buried in a trench provided by the customer, and the customer renders access to the circuits unusually expensive, e.g., lays a concrete walk or driveway over the circuits or places expensive shrubbery over them, he/she will be required to bear the unusual expense incurred in opening and closing the trench in connection with maintenance of the circuits, or if he/she desires, the Company will establish service by means of the normal method of construction at the normal construction charge treatment. In the latter event, the charge applicable to a new service connection of facilities also applies.
- In connection with wire buried by the Company, where repairs or replacements are made necessary under circumstances similar to those in the preceding paragraph, such repairs or replacements will be made by the most practicable method, i.e., buried or aerial, as the case may be. If the most practicable method is aerial and the customer desires underground, he/she must open and close the trench. Except where the customer opens and closes the trench, the charge applicable to a new service connection of the facilities also applies.

4.4 SERVICE ENTRANCE FACILITIES

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4.4.1 EXTENSIONS TO SERVE NEW CUSTOMERS

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A. DESCRIPTION/REGULATIONS

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1. Applicant, as used herein, means the subdivider, developer, builder or owner applying for the construction of a telephone distribution system to serve one or more new customers. **
2. Extension means the construction or installation of plant and/or facilities by the Company to provide service from existing plant and/or facilities to one or more new customers, and also means the plant and/or facilities themselves. This term includes all plant and/or facilities for transmission and/or distribution, whether located on a public street or right of way, or on private property, including the wire, cable, pipe, conduit or other means of conveying a service from existing plant and/or facilities to each unit or structure to be served. The extension ends at the point where the service connects to the RDP. *
3. The Company is not required to construct, own, operate or maintain an extension on any property unless the Company is legally authorized to do so, for example through an easement or right-of-way. The applicant shall ensure that the Company is provided with such legal authority, at no cost to the Company and with no requirement for condemnation of the property. *
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A4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.4.1 EXTENSIONS FOR NEW REAL ESTATE ADDITIONS (Cont'd)

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*

A. DESCRIPTION/REGULATIONS (Cont'd)

4. In constructing and operating an extension, the Company shall use equipment and practices that meet all applicable requirements which are consistent with industry best practices and standards and the Company's minimum system design standards, unless requested otherwise by the applicant. *
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5. Connections from the existing telephone distribution system to the underground system installed within the applicant's subdivision are made by an extension of existing facilities in the normal method of construction along the established route which will serve the subdivision. Where the electric utility involved provides such an extension by means of overhead facilities, the Company's facilities may also be provided by means of overhead construction. (*)
6. The Company, customers, applicants, developers, builders, municipal bodies and other persons shall cooperate fully in order to facilitate construction of an extension at the lowest reasonable cost consistent with system reliability and safety. This includes sharing trenches where practicable, and coordinating scheduling and other aspects of construction to minimize delays and to avoid difficult conditions such as frozen or unstable soils. **
*
7. If an applicant requests an extension that will serve both a designated growth area and an area not designated for growth, the Company will pay for, or financially contribute to, the portion of the extension that is necessary to serve a designated growth area, except as provided for herein. The Company will not pay for or contribute financially to the portion of the extension that will serve an area not designated for growth unless the area was determined to be exempt under N.J.A.C. 14:3-8.2.
8. The Company is eligible to apply for cost recovery under a Targeted Revitalization Incentive Program (TRIP) charge in accordance with N.J.A.C. 14:3-10.
9. The applicant shall furnish the items listed below without charge and in sufficient time in the judgment of the Company for it to meet service requirements:
 - Rights-of-way and easements suitable to and without cost to or condemnation by the Company;
 - The preliminary or tentative subdivision map which has been submitted to and approved by the appropriate authorities, showing the full layout of the subdivision to be developed in order to facilitate planning for the cables;
 - The final subdivision map of the section of the subdivision which has received final approval of the appropriate authorities and which the applicant proposes to develop in the immediate future. The map shall be furnished in both paper and electronic (CADD) format; *
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A4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.4.1 EXTENSIONS TO SERVE NEW CUSTOMERS (Cont'd)

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*

A. DESCRIPTION/REGULATIONS (Cont'd)

9. The applicant shall furnish the items listed below without charge and in sufficient time in the judgment of the Company for it to meet service requirements: (Cont'd)
- A written estimate of the date on which telephone service will initially be required and the time schedule for the full development of the section; and
 - Documentation, which includes the development depicted on a copy of the most current State Plan Policy map prepared by the State Planning Commission, indicating that the development is an "area designated for growth" as defined in N.J.A.C. 14:3-8.2, or is in an area not designated for growth but has been determined to be exempt and eligible for the same treatment as an area designated for growth.
10. An extension to non-residential development shall be made underground if the development does not have service and the extension is located in an area where local government or the Company requires the extension to be underground. It is the property owners' responsibility to provide a suitable path or two (2) four-inch conduits and associated structures in accordance with the Company's layout design and specifications from the public road into the building(s).

The applicant or the Company may request a special exemption from the Board of Public Utilities if this requirement will result in a hardship, inequity, or will be discriminatory to other affected parties.

11. An extension serving a residential development of three or more units shall be underground if the development does not have service and the extension will be placed along streets that are not already served by overhead facilities. It is the property owners' responsibility to provide a suitable path or two (2) four-inch conduits and associated structures in accordance with the Company's layout design and specifications from the public road into the building(s).

The applicant or the Company may request a special exemption from the Board of Public Utilities if this requirement will result in a hardship, inequity, or will be discriminatory to other affected parties.

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A4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.4.1 EXTENSIONS TO SERVE NEW CUSTOMERS (Cont'd)

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A. DESCRIPTION/REGULATIONS (Cont'd)

12. The Company will start construction only after all of the following conditions have been executed and met:

- a. advanced construction payment and assigned contract of work,
- b. the rights-of-way or easements specified preceding are cleared of trees, tree stumps and other obstructions above or below grade at no charge to the Company to a width sufficient in its judgment to permit the use of machinery and equipment, and graded to within six inches of final grade by the applicant. Such clearance and grading must be maintained by the applicant during construction by the Company, and
- c. in a buried environment, furnish a trench meeting the standards and requirements of the Company. Should the applicant want to perform this work prior to the Company's scheduled construction start date, it must (i) obtain approval from the Company, and (ii) provide two (2) four-inch conduits and associated structures in accordance with the Company's layout design and specifications for the Company's use. The applicant will maintain the trench until all utilities have been installed, after which time the applicant is required to backfill the trench.

13. Where practicable, as determined by the Company and the electric utility involved, electric and telephone facilities may be placed in the same trench. Where joint use of a trench is practical, the Company will not commence work on an underground system unless and until the applicant has satisfied all conditions precedent to the obligation of the electric utility as well as the Company to commence work on their respective underground systems.

14. The charges specified in B. following are based on the premise that each applicant shall agree to cooperate with the Company in an effort to keep the cost of construction and installation of the underground telephone communication system as low as possible. This includes the scheduling of construction to preclude the necessity for trenching in frozen soils, or in land fill operations before soils have become stabilized.

Should unusual circumstances arise which would unreasonably delay underground service, temporary wires may be installed in whatever manner is most practical under the circumstances, provided, however, that such temporary wires shall be replaced as soon as practicable with a permanent underground service.

Upon approval by the Board of Public Utilities, excess costs, if any, due to temporary installations will be charged to the applicant.

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A4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.4.1 EXTENSIONS FOR NEW REAL ESTATE ADDITIONS (Cont'd)

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B. CHARGE TREATMENT

1. Schedule of Charges

- a. The costs of an extension are the actual costs incurred to construct and install the extension, including materials and labor employed in the design, purchase, constructions, and/or installation of the extension, including overhead directly attributable to the work, as well as overrides or loading factors such as those for back-up personnel for mapping, records, clerical, supervision or general office functions.
- b. The estimated cost of each extension is prepared in the Contract of Work and determined on an individual case basis using the most recent costs. Where pavement cutting and restoration, rock removal, blasting, difficult digging conditions or special back fill is required, charges based on the costs involved may apply.
- c. The charges herein are in addition to the charges shown elsewhere in this Tariff for the furnishing of the Company's services.

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A4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.4.1 EXTENSIONS FOR NEW REAL ESTATE ADDITIONS (Cont'd)

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B. CHARGE TREATMENT (Cont'd)

2. Advance Construction Payments

An applicant will be required to pay deposits contained in the Contract of Work in the form of advance construction payments based on estimated costs. Such deposits will be held without payment of interest. In addition, in all cases, the applicant will be responsible for actual costs in excess of the advance construction payments. In the event that actual costs are less than any advance construction payments, the difference will be refunded to the applicant upon completion of the extension.

Where an applicant plans construction of a development in phases, the applicant shall indicate which phases are to be treated as separate development for the purposes of determining the amount of deposit and calculating any applicable refund formula. The deposit required for each phase of the extension shall be the cost of the extension required to serve that phase of the development.

There are two types of advance construction payments that may be required of an applicant:

a. Type 1 Deposits - are for extensions in "areas designed for growth" as defined in N.J.A.C. 14:3-8.2, or has been determined to be exempt and eligible for the same treatment as areas designed for growth. Type 1 Deposits may be required by the Company and are subject to a 10-year refund formula. Any portion of a Type 1 Deposit remaining unrefunded 10 years from the date the Company is first ready to render service from the extension involved will be retained by the Company. In no event shall the Company refund more than the total Type 1 Deposit amount to the applicant. The following portions of Type 1 Deposits are not refundable:

- For any extension, the cost of extra service or of extra work required to provide standard service. If an applicant requests service that costs more than that which is standard, or if an extension presents an unusual situation in which providing standard service is substantially more expensive than usual, the Company may charge the applicant or the customer the extra expense.
- For any extension, the cost of the portion of the extension from the boundary of the property on which the new customers to be served are located (that is from the subdivision gate, or for an individual lot, from the curb of the lot) to the point where the service connects to the building.

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A4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.4.1 EXTENSIONS FOR NEW REAL ESTATE ADDITIONS (Cont'd)

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B. CHARGE TREATMENT (Cont'd)

2. Advance Construction Payments (Cont'd)

a. Type 1 Deposits (Cont'd)

- For an underground extension, the additional cost for underground service over and above the amount it would cost to serve those customers' overhead.

- b. Type 2 Deposits - are for extensions in areas not designated for growth and not exempt under N.J.A.C. 14:3-8.2. Type 2 Deposits are required from the applicant for the estimated cost and no portion of the deposit is subject to a refund; provided, however, in the event that actual costs are less than any advance construction payments, the difference will be refunded to the applicant upon completion of the extension as set herein.

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