**Section 732.10 Definitions**

When used in this Part, the listed terms will have the definitions given in this Section.

"Act" means the Public Utilities Act [220 ILCS 5].

*"Alternative telephone service" means, except where technically impracticable, a wireless telephone capable of making local calls, and may also include, but is not limited to, call forwarding, voice mail, or paging services.* [220 ILCS 5/13-712(b)(1)]

"Appointment" means an arrangement made by a telecommunications carrier to meet a customer within an agreed 4 hour window.

*"Basic local exchange service" means residential and business lines used for local exchange telecommunications service as defined in Section 13-204 of the Act*, *excluding: services that employ advanced telecommunications capability as defined in* *section* *706(c)(1) of the federal Telecommunications Act of 1996; vertical services; company official lines; and records work only*. [220 ILCS 5/13-712(b)(2)]

"Basic local exchange service installation" means the installation of basic local exchange service whereby the physical connecting and diagnostic testing of a local loop results in the provisioning of dial tone to the requesting customer's network interface device. It includes move orders and orders for additional lines.

"Commission" means the Illinois Commerce Commission.

"Customer" means any person, building owner, firm, partnership, corporation, municipality, cooperative, organization, governmental agency, etc., provided with local exchange carrier telecommunications services as defined in Section 13-204 of the Act. "Customer" may also be referred to as "end user".

"Emergency situation" means a single event that causes an interruption of service or installations affecting end users of a local exchange carrier. The emergency situation shall begin with the first end user whose service is interrupted by the single event and shall end with the restoration or installation of the service of all affected end users. The term "single event" shall include:

a declaration made by the applicable State or federal governmental agency that the area served by the local exchange carrier is either a State or federal disaster area; or

an act of third parties, including acts of terrorism, vandalism, riot, civil unrest, or war, or acts of parties that are not agents, employees or contractors of the local exchange carrier; or

a severe storm, tornado, earthquake, flood or fire, including any severe storm, tornado, earthquake, flood or fire that prevents the local exchange carrier from restoring service due to impassable roads, downed power lines, or the closing off of affected areas by public safety officials.

The term "emergency situation" shall not include:

a single event caused by high temperature conditions alone; or

a single event caused, or exacerbated in scope and duration, by acts or omissions of the local exchange carrier, its agents, employees or contractors or by the condition of facilities, equipment, or premises owned or operated by the local exchange carrier; or

any service interruption that occurs during a single event listed above, but are not caused by those single events; or

a single event that the local exchange carrier could have reasonably foreseen and taken precaution to prevent; provided, however, that in no event shall a local exchange carrier be required to undertake precautions that are technically infeasible or economically prohibitive.

This Part shall be construed as being content neutral as to whether a strike or other work stoppage is an "emergency situation". In the event of a strike or other work stoppage, the local exchange carrier's obligation to pay customer credits shall, in the absence of a decision by a court of competent jurisdiction, be determined by the Commission on a case-by-case basis based upon the individual factual circumstances of each strike or other work stoppage. In making such a determination, and notwithstanding the definition of "emergency situation" above, the Commission shall not presume that a strike or other work stoppage is an act of an employee or of the local exchange carrier.

*"Link Up" means the Link Up Assistance program defined and established at 47* *CFR* *54.411 et seq., as amended.* [220 ILCS 5/13-712(b)(3)]

"Monthly recurring charge" means monthly access/usage rate, end user common line charge, and tariffed vertical services.

"Out of service" means that, after reporting an out of service condition to the local exchange carrier, the customer still has no dial tone, cannot be called, or cannot call out. This defined term excludes call blocking or any other intentional alteration to an end user's calling or call receiving ability.

"Repair" means the restoration of out of service conditions as well as correction of service-affecting conditions.

"Telecommunications carrier" or "carrier" means a telecommunications carrier as that term is defined in Section 13-202 of the Act [220 ILCS 5/13-202] that is providing local exchange telecommunications service as defined in Section 13-204 of the Act.

(Source: Amended at 35 Ill. Reg. 6334, effective April 1, 2011)