

## Chapter I      General Provisions

## (Application of Articles of Agreement)

Article 1      1. Pursuant to the provisions of Paragraphs 2 and 7 of Article 33 of the Telecommunications Business Law (Law No. 86 of 1984; hereinafter referred to as the "Business Law"), Nippon Telegraph and Telephone East Corporation (hereinafter referred to as "NTT" in the Articles of Agreement issued by NTT-East) and Nippon Telegraph and Telephone West Corporation (hereinafter referred to as "NTT" in the Articles of Agreement issued by NTT-West) hereby establish these Articles of Agreement Concerning Interconnection (including the Tables of Charges and the Collection of Technical Conditions; hereinafter referred to as the "Articles of Agreement") with respect to interconnection between the designated telecommunications facilities of NTT and telecommunications facilities of any telecommunications carriers other than NTT (hereinafter referred to as "interconnection" and "other carriers," respectively). These Articles of Agreement specify the charges to be collected by NTT (hereinafter referred to as "interconnection charges") and the conditions of interconnection (these conditions will not be disadvantageous as compared to those applied to cases in which telecommunications facilities of NTT are connected to the designated telecommunications facilities of NTT), on the basis of which NTT will conclude Interconnection Agreements (hereinafter referred to as "Agreements") with other carriers concerning interconnection to said designated telecommunications facilities of NTT and execute interconnection to same.

2. In addition to the provisions of the preceding paragraph, NTT also specifies in these Articles of Agreement the conditions to smoothly execute interconnection to said designated telecommunications facilities of NTT.

3. Notwithstanding the provisions of the preceding two paragraphs, NTT includes non-designated telecommunications facilities that are functionally integrated with the designated telecommunications facilities of NTT in order to provide an interconnection function in the designated telecommunications facilities, and specifies interconnection charges and interconnection conditions for same in these Articles of Agreement.

4. Notwithstanding the provisions of Paragraphs 1 and 2, in the event any special circumstances make it difficult to comply with these Articles of Agreement, NTT may conclude an Agreement pursuant to the provisions of Paragraph 10 of Article 33 of the Business Law by which to execute interconnection to said designated telecommunications facilities of NTT.

## (Amendment of Articles of Agreement)

Article 2      NTT may amend these Articles of Agreement. In such event, the interconnection charges, conditions of interconnection and conditions for smoothly executing interconnection shall be in accordance with said amended Articles of Agreement.

## (Definitions of Terms)

Article 3      In these Articles of Agreement, the terms listed in the left column of the following table shall be used with the respective meanings listed in the right column.

Terms	Meaning
1. Telecommunications facilities	Equipment, instruments, lines and other electric facilities for telecommunications
2. Designated telecommunications facilities	Telecommunications facilities designated pursuant to Paragraph 1 of Article 33 of the Business Law (meaning telecommunications facilities defined as designated Type I telecommunications facilities under Paragraph 2 of the same Article)
3. Telecommunications service	Acting as the intermediary for other parties in carrying out telecommunications by using telecommunications facilities, or providing telecommunications facilities to be used for telecommunications by other parties
4. Point of interface (POI)	The interconnection point of telecommunications facilities with respect to interconnection pursuant to an Agreement between NTT and other carriers
5. Interconnection message	Communications between a POI and the terminal facilities of NTT users,

		reciprocal communications between POIs, rerouting communications, etc., (communications to be interconnected within the telephone network as provided in NTT's articles of agreement for telephone service or within the ISDN as provided in NTT's articles of agreement for ISDN service in accordance with indication signals such as rerouting signals, etc., from a contracting carrier), and interconnection communications for transmitting talkie announcements (communications using the telecommunications facilities of NTT during the transmission of talkie announcements under service of a contracting carrier) that go through the designated telecommunications facilities of NTT
6.	Other carrier's interconnection message	Communications between a POI and the terminal facilities of contracting-carrier users or reciprocal communications between POIs that go through the telecommunications facilities of a contracting carrier
7.	Region subject to interconnection	Region in which interconnection messages can be exchanged
8.	Handling office	NTT's head office or business office handling interconnection business activities
9.	Telecommunications carrier obtaining registration	A person who has obtained registration pursuant to Article 9 of the Business Law
10.	Telecommunications carrier submitting a notification	A person who has submitted a notification pursuant to Paragraph 1, Article 16 of the Business Law
11.	Telecommunications carrier	A telecommunications carrier obtaining registration or a telecommunications carrier submitting a notification
12.	Long-distance carrier	A telecommunications carrier providing domestic telecommunications service between POIs
13.	Mobile carrier	A telecommunications carrier providing telecommunications service by using telecommunications numbers as specified in Item 3, Article 9 of the Telecommunications Numbering Regulations (Ministerial Ordinance of the Ministry of Posts and Telecommunications, No. 82 of 1997)
14.	Local carrier	A telecommunications carrier providing domestic telecommunications service by using telecommunications facilities such as fixed subscriber transmission line facilities (meaning those provided under Item 1 (b), Article 14 of the Telecommunications Business Law Enforcement Regulations (Ministerial Ordinance of the Ministry of Post and Telecommunications, No. 25 of 1985; hereinafter referred to as the "Business Law Enforcement Regulations") connected to the user's terminal facilities
15.	PHS carrier	A telecommunications carrier providing telecommunications service by using telecommunications numbers as specified in Item 4, Article 9 of the Telecommunications Numbering Regulations
16.	PHS carrier (dependent-type)	A PHS carrier using NTT telecommunications facilities and their functions or those of the specified local carrier, such as a PHS-interface subscriber module and a PHS network control station
17.	PHS carrier (connective-type)	A PHS carrier other than a dependent-type PHS carrier
18.	Local carrier connecting with PHS carrier	A telecommunications carrier (other than the specified local carrier) interconnecting to telecommunications facilities of a PHS carrier (connective-type) and providing domestic fixed telecommunications service that controls pertinent communications and location information, etc.
19.	Subscriber line end interconnection carrier	A telecommunications carrier interconnecting at a point of interconnection as specified in (1) of the table in Paragraph 1, Article 5 (Standard Points of Interconnection)
20.	Paging carrier	A telecommunications carrier providing paging service pursuant to Article 49-5 of the Ordinance Regulating Radio Equipment (Radio Regulatory Commission Rules, No. 18 of 1950)
21.	Satellite communications	A telecommunications carrier providing international and domestic

carrier	mobile telecommunications service by using telecommunications numbers conforming to recommendations concerning the international public telecommunications numbering plan based on the International Telecommunication Union Treaty, and utilizing communications satellites
22. International carrier	A telecommunications carrier providing international telecommunications service
23. Contracting carrier with individual subscriber contracts	A contracting carrier that individually concludes a written contract, etc., with its subscribers to handle interconnection messages of other carriers
24. Contracting carrier with assumed individual subscriber contracts	A contracting carrier as specified in Paragraph 1, Article 89 of NTT's articles of agreement for telephone service, Paragraph 1, Article 67 of NTT's articles of agreement for ISDN service, or Paragraph 1, Article 43 of NTT's articles of agreement for VoIP network service
25. Contracting carrier	A telecommunications carrier concluding an Agreement with NTT
26. Specified local carrier	In the case of NTT-East's Articles of Agreement, Nippon Telegraph and Telephone West Corporation as specified in Paragraph 2, Article 1 of the Law Concerning Nippon Telegraph and Telephone Corporation, Etc. (Law No. 85; 1984)
	In the case of NTT-West's Articles of Agreement, Nippon Telegraph and Telephone East Corporation as specified in Paragraph 2, Article 1 of the Law Concerning Nippon Telegraph and Telephone Corporation, Etc. (Law No. 85; 1984)
27. Specified long-distance carrier	The company specified in Paragraph 2, Article 2 of the Supplementary Provisions of the Law Concerning Nippon Telegraph and Telephone Corporation, Etc. (Law No. 98; 1997)
28. Specified contracting carriers	The specified local carrier and the specified long-distance carrier
29. Applicant for interconnection	A telecommunications carrier applying for interconnection to the designated telecommunications facilities of NTT (including contracting carriers and persons expected to be telecommunications carriers at the time an Agreement is concluded)
30. Telephone service	Telecommunications service solely using telecommunications line facilities (meaning transmission line facilities interconnecting the transmitting site and the receiving site, switching facilities installed in conjunction with these facilities and their auxiliary facilities; hereinafter the same) to transmit or exchange mainly voice communications in accordance with NTT's articles of agreement for telephone service (hereinafter referred to as the "articles of agreement for telephone service")
31. ISDN (Integrated Services Digital Network) service	Telecommunications service to transmit and exchange codes, sounds or images in accordance with NTT's articles of agreement for ISDN service (hereinafter referred to as the "articles of agreement for ISDN service")
32. Leased line service	Telecommunications service to transmit codes, sounds or images using telecommunications lines installed by NTT (excluding those accommodated in local switching facilities related to telephone networks, etc.) in segments designated by contract applications, etc., in accordance with NTT's articles of agreement for leased line service (hereinafter referred to as the "articles of agreement for leased line service")
33. Data transmission service	Telecommunications service provided by using telecommunications line facilities to transmit and exchange codes for the principal purpose of being used for data communications in accordance with NTT's articles of agreement for data transmission service (hereinafter referred to as the "articles of agreement for data transmission service")
34. Articles of agreement	Articles of agreement and the tables of charges that are established by NTT or other carriers, which stipulate conditions for providing telecommunications services to their respective users
35. Articles of agreement,	Articles of agreement or a contract that is entered into by NTT or other

etc.	carriers with a party to whom telecommunications service is provided not pursuant to the articles of agreement
36. Subscriber (contracting user)	A person concluding a contract with NTT or other carriers pursuant to the articles of agreement, etc., of NTT or of other carriers
37. User	A person using telecommunications service provided by NTT or other carriers
38. User charge	Charge paid by users for the provision of telecommunications service
39. Service segment total charge	The user charge (limited to the communications or leased line charge) established by one specific carrier (from among NTT or contracting carriers) covering all service segments of the different telecommunications carriers, irrespective of which service segment is involved, for exchanging interconnection messages of NTT and other carriers
40. Service segment unit charge	The user charge established by NTT or contracting carriers for their respective service segments for exchanging interconnection messages of NTT and other carriers
41. Subscriber line number, etc.	Numbers or additional numbers to be assigned to each contracted subscriber line or each contracted subscriber line of other carriers at the time of providing telephone service or ISDN service by NTT or other carriers (excluding off-talk service).
42. Unit rate area	A unit area for measuring the distance between originating and terminating sites that serves as the basis for calculating communications charges as specified in NTT's articles of agreement for telephone service
43. Terminal facilities	Telecommunications facilities to be interconnected to one end of telecommunications line facilities, a part of which is established on the same premises (including areas regarded as the same premises) or in the same building where any other part thereof is also established
44. Customer-provided telecommunications facilities	Telecommunications facilities other than terminal facilities installed by any person other than a telecommunications carrier installing telecommunications line facilities
45. Subscriber line	A telecommunications line between the telecommunications facilities listed below and NTT telecommunications facilities a. Terminal facilities b. Customer-provided telecommunications facilities c. The telecommunications facilities of other carriers to be interconnected at a point equivalent to the terminal end of a telecommunications line for which terminal facilities or customer-provided telecommunications facilities are installed
46. Contracted subscriber line	A telecommunications line installed between NTT and a place designated by a subscriber pursuant to the articles of agreement, etc., for telephone service or ISDN service
47. Contracted subscriber line of contracting carrier	A telecommunications line installed between a contracting carrier and a place designated by a subscriber (including a mobile radio unit) pursuant to the articles of agreement, etc., of a contracting carrier for voice transmission service
48. Switching facilities	Facilities to establish interconnection channels to destination terminal facilities in response to requests for interconnection from various terminal facilities
49. Local switch	Switching facilities designated by NTT that accommodate contracted subscriber lines or subscriber lines (excluding those classified as contracted subscriber lines or leased circuits in this section) under telephone service or ISDN service
50. ISM (I-interface Subscriber Module)	Equipment designated by NTT as necessary to provide ISDN service
51. Leased circuit node equipment	Equipment designated by NTT that provides such functions as editing, route setup, or supervision/control for leased circuits
52. Tandem switch	Switching facilities designated by NTT that relay and exchange telephone service or ISDN service
53. IGS (Interconnecting	An NTT gateway switch connected to the NTT tandem switch for

Gateway Switch)	interconnection that provides such functions as establishing communications channels, transmitting inter-carrier charge settlement information, transmitting caller ID information, and other functions
54. Signaling tandem switch	Switching facilities designated by NTT for the exchange of signals used to control telecommunications service (hereinafter referred to as "signals")
55. Transmission line facilities	Telecommunications facilities used for transmitting electric or optical signals
56. Local transmission line facilities	Transmission line facilities between local switches
57. Interoffice transmission line facilities	Transmission line facilities between local switches and tandem switches, between leased circuit node equipment units, between leased circuit node equipment and the building in which NTT equipment accommodating subscriber lines used for leased line service is installed, or between signaling tandem switches
58. Trunk transmission line facilities	Transmission line facilities between tandem switches
59. Signal transmission line facilities	Transmission line facilities between local switches or tandem switches and signaling tandem switches
60. Common channel signaling network	Signaling tandem switches, interoffice transmission line facilities between signaling tandem switches, and signal transmission line facilities (including all such facilities that are installed by specified contracting carriers; excluding the section between facilities of the specified local carrier)
61. Communications circuit for public cell station	A subscriber line established between a PHS-interface subscriber module installed at an NTT communications building or a local switch designated by NTT and radio interconnection equipment installed by a PHS carrier (dependent-type) or transmission equipment installed by a PHS carrier (dependent-type) (limited to cases of interconnection to radio interconnection equipment through the NTT exclusive transmission function section and the PHS carrier (dependent-type) equipment section
62. PHS terminal	A mobile telephone terminal as specified in the Rules for Terminal Equipment, Etc. (Ministerial Ordinance of the Ministry of Posts and Telecommunications, No. 31 of 1985) that is used for PHS service
63. PHS-interface subscriber module	NTT equipment (including remote control equipment and transmission line facilities up to the remote control equipment) to realize interconnection control procedures particular to the PHS system such as location registration and simultaneous paging, and which is installed between the NTT local switch and the communications circuit for a public cell station
64. Service Control Point	Equipment having the function of authenticating PHS terminals and registering locations, or the control function to realize services under the articles of agreement, etc., of NTT or the specified local carrier.
65. Service Management System	Equipment that has the function of transferring subscriber information to the service control point for PHS (the service control point that is connected to the PHS-interface subscriber module through a local switch and the common-channel signaling network of NTT or the specified local carrier, or that is connected to the local switch designated by NTT or the specified local carrier through the common channel signaling network; hereinafter referred to as the "NSP for PHS"), collecting and totaling traffic information transmitted from the NSP for PHS, and transferring charge information to the NTT detailed billing center, or the management function to realize services under the articles of agreement, etc., of NTT or the specified local carrier, and that carries out control, etc., of the service control point.
66. PHS network control station	The NSP for PHS and the service management system for PHS (the service management system that is connected to the NSP for PHS; hereinafter referred to as the "NSSP for PHS")

67.	Communications building	The NTT building used for communications that houses a standard point of interconnection
68.	Telephone pole	Communications equipment used to support aerial cable
69.	Manhole	Underground communications facilities to execute works, maintenance, etc., of underground cable
70.	Conduit	Underground communications facilities installed to accommodate or protect underground cable and to connect manholes, etc. (excluding those classified as cable tunnel)
71.	Cable tunnel	Underground communications facilities having the form of a tunnel and used to accommodate underground cable
72.	DSLAM	Equipment with route-setting or monitoring/control functions to provide telecommunications using an asymmetric digital subscriber line system or a symmetric digital subscriber line system (such telecommunications hereinafter referred to as “DSL”)
73.	DSL line	NTT subscriber lines (limited to lines equivalent to telephone lines for analog signals) which provide DSL and are connected to telecommunications facilities of contracting carriers (there may be cases in which the transmission speed is lowered or communications becomes totally unavailable on the specific subscriber line depending on such factors as line distance, equipment status, signal leakage from telecommunications lines for other telecommunications, or the mode status of the equipment connected at the end of the subscriber line)
74.	DSL service	DSL service that is specified in the articles of agreement, etc., of NTT or contracting carriers
75.	Line sharing	A format in which telephone service signals and DSL service signals are transmitted and received through the same subscriber line
76.	User premises splitter	Equipment that is connected to a DSL line to multiplex or demultiplex signals under line sharing and is installed within the user premises (excluding terminal facilities and customer-provided telecommunications facilities)
77.	Communications building splitter	Equipment that accommodates DSL lines to multiplex or demultiplex signals under line sharing
78.	Circuit terminating equipment	Equipment installed by NTT at the end of the subscriber line (excluding terminal facilities and a user premises splitter)
79.	Change of line wires used	Changing the subscriber line wires used for the service specified in the articles of agreement, etc., of NTT or contracting carriers to other subscriber line wires
80.	Removal of bridge tap	Changing the transmission line equipment relating to the DSL line from a branched to unbranched status
81.	Circuit adjustment	Implementing a change of line wires used or the removal of a bridge tap
82.	Quad	Two subscriber line pairs are intertwined
83.	Spectral compatibility	Two or more transmission systems can coexist within the same cable with all maintaining satisfactory transmission characteristics by means of spectrum management (meaning the function to minimize the possibility of the occurrence of mutual interference between telecommunications lines within a telephone cable, thereby enabling effective use of power spectrums) of metallic subscriber line transmission systems (hereinafter referred to as “transmission systems”)
84.	Influence of signal leakage	Status caused by the leakage of signals from one subscriber line within the same quad in which transmission speeds are considerably lowered or communications is totally impossible in the DSL line, or in which substantial code errors occur in the subscriber lines other than DSL lines
85.	Category 1	Transmission systems that are classified in the Collection of Technical Conditions as transmission systems for which usage restrictions are not imposed in terms of accommodation within the cable or the converted line length (meaning the line length converted

		in accordance with the rules concerning ADSL as specified in the Collection of Technical Conditions; hereinafter the same)
86.	Category 2	Transmission systems that are classified in the Collection of Technical Conditions as transmission systems for which usage restrictions are imposed in terms of accommodation within the cable or the converted line length
87.	Number portability	In the event the user changes the telecommunications carrier from which service is received, this means receiving service from the post-change telecommunications carrier (the telecommunications carrier before change is hereinafter referred to as the “pre-change carrier” and the telecommunications carrier after change is hereinafter referred to as the “post-change carrier” ) without changing the telecommunications number for the relevant service that is assigned to the user
88.	Toll free number portability	Number portability relating to toll free service (hereinafter referring to the toll free service specified in the articles of agreement, etc., of NTT or contracting carriers) that uses the telecommunications numbers stipulated in Item 3, Article 10 of the Telecommunications Numbering Regulations
89.	Local number portability	Number portability from telephone service or ISDN service that uses the telecommunications numbers stipulated in Item 1, Article 9 of the Telecommunications Numbering Regulations to voice transmission service offered by contracting carriers by using the telecommunications numbers stipulated in Item 1, Article 9 of said regulations (limited to cases where the installation location of the subscriber line of a contracting carrier is not changed from the installation location of the NTT subscriber line, or cases where the contracting carrier changes the installation location of its subscriber line by receiving from NTT the same number relocation acceptance/refusal information (meaning information on whether it is possible to change the installation location of the subscriber line of the contracting carrier without changing the subscriber line number, etc. (i.e., the same information when the subscriber line of the contracting carrier is deemed as the NTT subscriber line); hereinafter the same; the information is limited to the same number relocation acceptance information in this section)
89-2	Mobile number portability	Number portability with respect to mobile telephone service that uses the telecommunications numbers stipulated in Item 3, Article 9 of the Telecommunications Numbering Regulations
90.	Optical subscriber line	A subscriber line for transmission of optical signals (some lines include and some lines do not include an outside optical splitter (meaning the equipment installed in sites other than communications buildings to multiplex and demultiplex optical signals); limited to the section where transmission equipment and related auxiliary facilities are not installed)
91.	Optical signal main subscriber line	A telecommunications line that is part of an optical subscriber line and that terminates in an outside optical splitter (limited to lines that are used jointly with one or more optical signal branch subscriber lines)
92.	Optical signal branch subscriber line	A telecommunications line which is part of an optical subscriber line and which is other than an optical signal main subscriber line (limited to lines that are used jointly with an optical signal main subscriber line)
93.	Optical distribution area	An area separately designated by NTT as that where optical signal branch subscriber lines can be accommodated by the same outside optical splitter
94.	Optical signal interoffice line	Transmission line facilities (limited to the section where transmission equipment and related auxiliary facilities are not installed) for the transmission of optical signals between NTT communications

		buildings (including those other than NTT buildings as separately designated by NTT)
95.	Optical intra-office transmission line	Transmission line facilities for the transmission of optical signals that are installed between the NTT optical main distributing boards, between the NTT optical main distributing board and telecommunications facilities of other carriers, or between telecommunications facilities of NTT and those of other carriers, and which are closed within the same communications building or within communications buildings in the same premises (limited to the section where transmission equipment and related auxiliary facilities are not installed)
96.	Optical line facilities	Optical subscriber lines or optical signal interoffice lines
97.	Central office router	Telecommunications facilities to exchange codes based on the Internet protocol that accommodate subscribers but do not have the function to apportion calls per carrier
98.	Switching office router	Telecommunications facilities to exchange codes based on the Internet protocol that are associated with central office routers
99.	IP communications network	Telecommunications line facilities of NTT to carry out the exchange and transmission of codes based on the Internet protocol mainly for data communications (limited to central office routers, switching-office routers, transmission line facilities linking these routers and switching facilities installed in conjunction with these facilities, including auxiliary facilities of these facilities)
100	<u>Fixed radio communications network</u>	<u>Telecommunications line facilities of NTT used to conduct exchange and transmission of codes based on the Internet protocol for data communications (limited to fixed radio base station transmission line accommodation equipment, fixed radio communications network terminating equipment (meaning equipment designated by NTT that is necessary to establish connection with the fixed radio communications network); hereinafter the same), transmission line facilities linking these equipment items, switching facilities installed in conjunction with these facilities and auxiliary facilities of these facilities) by means of the fixed radio access method (there may be cases in which the transmission speed is lowered or fluctuates, code errors occur, or communication becomes totally unavailable (including a state similar to total unavailability where extreme hindrance is caused to communications; hereinafter referred to as "phenomena attributable to the fixed radio access method") due to rainfall, snowfall, heavy fog or other bad weather conditions, obstacles, etc.)</u>
101	<u>Fixed radio base station transmission line</u>	<u>Telecommunications line facilities installed between fixed radio customer premises equipment (meaning equipment to conduct data communications with a fixed radio base station by means of fixed radio access method) and fixed radio base station transmission line accommodation equipment, and which consist of a fixed radio base station, an optical subscriber line and an optical/electroacoustic signal conversion equipment</u>
<u>100</u> <u>102</u>	<u>Directory information database</u>	<u>In the case of NTT-East's Articles of Agreement: Database facilities that are installed by the specified local carrier to store subscriber information that is necessary for telephone directory listing and directory information service, and their auxiliary facilities In the case of NTT-West's Articles of Agreement: Database facilities that are installed by NTT to store subscriber information that is necessary for telephone directory listing and directory information service, and their auxiliary facilities</u>
102-2	<u>Carrier registering information in directory information database</u>	<u>A contracting carrier registering the number information of its subscribers in the directory information database</u>
102-3	<u>Carrier using</u>	<u>A contracting carrier using the number information stored in the</u>



	<u>information in directory information database</u>	<u>directory information database</u>
101 103	Amount equivalent to consumption tax	The amount of consumption tax to be imposed pursuant to the provisions of the Consumption Tax Law (Law No. 108 of 1988) and the regulations thereunder, and the amount of local consumption tax to be imposed pursuant to the provisions of the Local Tax Law (Law No. 226 of 1950) and the regulations thereunder

(Charges and Technical Conditions, Etc., of Subscriber Line End Interconnection Carrier)

Article 4 1. Notwithstanding the provisions of Article 1 (Application of Articles of Agreement), in the event NTT establishes interconnection to a subscriber line end interconnection carrier and this pattern of interconnection is the same as the format used to connect an NTT subscriber, the provisions of the articles of agreement established by NTT for each service shall apply mutatis mutandis to the calculation and payment of charges concerning the pertinent interconnection, including interconnection charges (except those related to the directory assistance function, the inter-terminal transmission function, Item (7), 1.1.2.1.1.1 of the subscriber line transmission function and the expense for procedures related to the installation of the subscriber line transmission function), cancellation and suspension of function usage performed by NTT for each line and technical conditions (except those separately specified under Pattern 1 in the Collection of Technical Conditions) to the extent that said articles of agreement for the pertinent interconnected service specify such conditions (including optional monthly discounts on call charges, volume discounts on basic charges and the application of the basic charge specified for long-term continuous usage). Specifically, the tables of charges of the articles of agreement for the relevant service shall be applied mutatis mutandis to the charges for the period until NTT establishes discount rates for carriers and applies such discount rates after accepting an interconnection application from a contracting carrier, and the provisions of articles of agreement for the relevant service (including those relating to the bearing of differences in the facility installation fee; meaning the provisions concerning contract cancellation and usage suspension performed by NTT under the articles of agreement for the relevant service with respect to cancellation and suspension of function usage performed by NTT for each line) shall be applied mutatis mutandis to other conditions. In this case, the payment of the facility installation fee specified in the articles of agreement for leased line service is not required with respect to a leased line at one end of which is an NTT subscriber.

2. In the event NTT establishes interconnection to a subscriber line end interconnection carrier and this pattern of interconnection is the same as the format used to connect an NTT subscriber, and when this subscriber line end interconnection carrier requests the relocation of the pertinent interconnection POI, a temporary discontinuance of usage, usage suspension and/or the assignment of the portion of a status under an Agreement that relates to the pertinent interconnection, NTT shall handle such matters in accordance with the provisions of the articles of agreement for the pertinent interconnected service.

## Chapter II Scope of Facilities to be Interconnected

### Part 1: Standard Points of Interconnection

(Standard Points of Interconnection)

Article 5 1. Standard points of interconnection between the designated telecommunications facilities of NTT and telecommunications facilities of other carriers shall be as described below.

Standard Point of Interconnection	Contents
(1) Subscriber line end	The arrester or the terminal of the circuit terminating equipment on the other carrier side in case the arrester or the circuit terminating equipment is installed between the telecommunications facilities of other carriers and the NTT subscriber line; the distributing board terminal on the NTT side in case the distributing board is installed between telecommunications facilities of other carriers and the NTT subscriber line (excluding cases in which an arrester is simultaneously installed); or the terminal of the NTT

		distributing board on the NTT side in the case of leased lines terminating at an NTT communications building under leased line service.
(1)2	MDF or NTT's communications building splitter	The terminal on the other carrier side of the MDF (meaning the distribution frame designated by NTT that accommodates subscriber lines; hereinafter the same) installed between the communications building splitter or DSLAM installed by other carriers and the subscriber line (limited to that equivalent to a telephone line for analog signals; hereinafter the same in this section), or the connector on the other carrier side of the NTT distribution frame between the DSLAM of other carriers and the NTT communications building splitter
(1)3	Optical subscriber main distributing frame	The terminal on the other carrier side of the optical subscriber main distributing frame (meaning the distribution frame designated by NTT that accommodates Optical subscriber lines; hereinafter the same) installed within an NTT communications building, or the connector on the NTT side of telecommunications facilities of other carriers when an Optical intra-office transmission line is installed between the optical subscriber main distributing frame and the telecommunications facilities of other carriers
(2)	Transmission equipment accommodating subscriber line	The terminal or connector on the other carrier side of the NTT distribution frame installed between the transmission equipment (limited to that capable of transmission speed control) accommodating a subscriber line (hereinafter including telecommunications facilities related to the fixed radio communications network in this item) and switching facilities or related auxiliary facilities that are installed by other carriers; the terminal on the other carrier side of the relevant transmission equipment or the connector on the NTT side of the telecommunications facilities of other carriers in case the optical intra-office transmission line is installed between the transmission equipment accommodating a subscriber line and telecommunications facilities of other carriers
(2)2	Communications building splitter installed by other carrier for local switch	The terminal on the other carrier side of the MDF installed between the local switch or the subscriber accommodation equipment designated by NTT (meaning NTT's telecommunications facilities connected to a local switch by accommodating and multiplexing subscriber lines (limited to those transmitting and receiving electric signals)) and the communications building splitter installed by the other carrier
(2)3	Subscriber line side of ISM	The connector on the NTT side of the telecommunications facilities of other carriers (limited to those installed within a communications building where the ISM that provides the ISM loop back function specified in Attached Table 1 is installed), which are connected to the subscriber line accommodated by the ISM
(3)	Local switch or transmission equipment for local switch	The connector on the other carrier side of the NTT distribution frame of the local switch; the connector on the other carrier side of the NTT distribution frame of transmission equipment installed between the local switch and local transmission line facilities or interoffice transmission line facilities; or the connector on the NTT side of the telecommunications facilities of other carriers in case the optical intra-office transmission line is installed between the local switch and telecommunications facilities of other carriers
(4)	Tandem switch or transmission equipment for tandem switch	The connector on the other carrier side of the NTT distribution frame of the tandem switch; the connector on the other carrier side of the NTT distribution frame of transmission equipment

		installed between the tandem switch and trunk transmission line facilities or interoffice transmission line facilities; or the connector on the NTT side of the telecommunications facilities of other carriers in case the optical intra-office transmission line is installed between the tandem switch and telecommunications facilities of other carriers
(4) 2	Optical tandem main distributing frame	The terminal on the other carrier side of the optical tandem main distributing frame (meaning the distribution frame designated by NTT that accommodates optical interoffice lines; hereinafter the same), or the connector on the NTT side of the telecommunications facilities of other carriers when an optical intra-office transmission line is installed between the optical tandem main distributing frame and the telecommunications facilities of other carriers
(5)	Leased circuit node equipment or transmission equipment for leased circuit node equipment	The connector on the other carrier side of the NTT distribution frame of leased circuit node equipment; the connector on the other carrier side of the NTT distribution frame of transmission equipment installed between leased circuit node equipment and interoffice transmission line facilities; the connector on the other carrier side of the NTT distribution frame of transmission equipment installed on the other carrier side of interoffice transmission line facilities pertaining to the leased circuit node equipment; or the connector on the NTT side of the telecommunications facilities of other carriers in case the optical intra-office transmission line is installed between the leased circuit node equipment and telecommunications facilities of other carriers
(5) 2	Switching office cell relay equipment	The connector on the other carrier side of the NTT distribution frame of switching office cell relay equipment (meaning telecommunications facilities installed at NTT's communications building to exchange codes by means of the ATM method ;hereinafter the same); the connector on the other carrier side of the NTT distribution frame of transmission equipment installed on the other carrier side of interoffice transmission line facilities pertaining to the switching office cell relay equipment; or the connector on the NTT side of the telecommunications facilities of other carriers in case the optical intra-office transmission line is installed between the switching office cell relay equipment and telecommunications facilities of other carriers
(6)	Transmission equipment for signaling tandem switch	The connector on the other carrier side of the NTT distribution frame of transmission equipment installed between the signaling tandem switch and interoffice transmission line facilities
(7)	Switching office router	The port (meaning one unit that accommodates a telecommunications circuit to realize communications to the IP communications network; hereinafter the same) on the other carrier side of the IP communications network terminating equipment (meaning the equipment designated by NTT that is necessary to establish connection to the IP communications network and the equipment that consolidates the relevant equipment; hereinafter the same) in the switching office router; or the connector on the NTT side of the telecommunications facilities of other carriers in case the optical intra-office transmission line is installed between the relevant IP communications network terminating equipment and telecommunications facilities of other carriers
(8)	Central office router	The port (meaning the port on the side that does not correspond to the IP communications network terminating equipment) on

	the other carrier side of the IP communications network accommodating equipment (meaning the equipment designated by NTT that is necessary to accommodate subscribers of the IP communications network; hereinafter the same) in the central office router; or the connector on the NTT side of the telecommunications facilities of other carriers in case the optical intra-office transmission line is installed between the relevant IP communications network accommodating equipment and telecommunications facilities of other carriers
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2. Notwithstanding the provisions of the preceding paragraph, the point of interconnection between the designated telecommunications facilities of NTT and telecommunications facilities of other carriers shall be established at other than any of the points specified in the preceding paragraph in cases subject to Paragraph 5, Article 3 of the Collection of Technical Conditions.

#### Part 2: Point of Interface (POI)

##### (Purpose of Establishment of POI)

Article 6 NTT and an applicant for interconnection shall establish a POI as a boundary of responsibility for the provision of telecommunications service to subscribers by NTT or said applicant, and as a demarcation point of fixed assets and maintenance between NTT and said applicant.

##### (Location of Establishment of POI)

Article 7 NTT and an applicant for interconnection shall establish a POI at a standard point of interconnection specified in Article 5 (Standard Points of Interconnection) at the time of executing interconnection between the designated telecommunications facilities of NTT and the telecommunications facilities of said applicant.

However, NTT and the applicant for interconnection may establish a POI at any place other than a standard point of interconnection in accordance with the provisions of Paragraph 2, Article 10-3 (POI Survey) or Article 10-6 (Establishing POIs at Sites Other than NTT Communications Buildings).

##### (POI Establishment Range)

Article 8 1. In the event of establishing a POI at a standard point of interconnection specified in (1) of the table in Paragraph 1 of Article 5 (Standard Points of Interconnection), NTT and an applicant for interconnection shall establish a POI within an area designated by NTT (meaning a telephone subscription area or a central office area as specified in NTT's articles of agreement for telephone service, or an ISDN service area as specified in NTT's articles of agreement for ISDN service; hereinafter referred to as the "central office area, etc." in this paragraph) for each communications building (including buildings other than those of NTT that are separately designated by NTT; hereinafter the same). In this case, NTT shall consult with the relevant applicant if a POI is to be established outside the central office area, etc.

2. In the event of establishing a POI at a place other than the standard points of interconnection specified in (2) through (6) of the table in Paragraph 1 of Article 5 (Standard Points of Interconnection), NTT and an applicant for interconnection shall comply with the following provisions.

- (1) When a POI is to be established within an NTT communications building (including cable tunnels and manholes; hereinafter the same):

Within a transit area (meaning an area in which interoffice transmission line facilities are accommodated by a tandem switch designated by NTT) in which the relevant standard point of interconnection (as designated in (2) through (6) of the table in Article 5) is located.

- (2) When a POI is established at a place other than an NTT communications building:

Within a unit rate area in which the relevant standard point of interconnection (as designated in (2) through (6) of the table in Article 5) is located.

## Part 3: Region Subject to Interconnection

## (Region Subject to Interconnection by NTT)

Article 9 The region subject to interconnection by NTT shall be the service area for which registration or registration of change is obtained pursuant to the provisions of Article 9 or Article 13 of the Business Law (or an area designated by NTT (we will indicate these areas on our website) when interconnection is established to the optical signal transmission equipment (meaning the transmission equipment accommodating the optical signal main subscriber lines in which multiple optical main subscriber line accommodation units (meaning the device installed in the optical signal transmission equipment to accommodate the optical signal main subscriber lines; hereinafter the same) can be installed; hereinafter the same) or to the optical/electrical signal conversion equipment (meaning the transmission equipment (limited to that installed within the NTT communications building) that accommodates NTT's optical subscriber lines and performs the conversion between optical and electric signals; hereinafter the same) or to the fixed radio communications network at the site specified under (2) of the table in Paragraph 1, Article 5 (Standard Points of Interconnection); or to the optical signal main subscriber line at the site specified under (1)-3 of the table in Paragraph 1, Article 5; or to the IP communications network).

## Part 4: Functions Provided by Interconnection

## (Functions Provided by Interconnection)

Article 10 1. NTT shall provide through interconnection the interconnection functions specified in 1-1 (Interconnection Functions Other than Those under 1-2) of Attached Table 1 (Functions Provided by Interconnection).

2. NTT shall provide the functions to interconnect to the functions specified in 1-2 (Additional Service Interconnection Functions) of Attached Table 1 from among the additional service functions provided to NTT subscribers based on the articles of agreement for telephone service or ISDN service.

## Chapter II-2 Procedures for Installing POIs at NTT Communications Buildings, Etc.

## (Preliminary Inquiry)

Article 10-2 1. An applicant for interconnection may request information on the NTT communications building, the conduit or cable tunnel between this communications building and the nearest manhole where work is possible, etc., designated by NTT, or optical line facilities (including optical intra-office transmission lines; hereinafter the same in this chapter, Part 6-2 of the following chapter and in Attached Table 3), or the fixed radio communications network, etc. (meaning the fixed radio customer premises equipment, the fixed radio base station transmission line or the fixed radio communications network; hereinafter the same) by submitting Form 1 (Preliminary Inquiry Application) in Attached Table 3 (Forms) to the handling office designated by NTT. NTT shall accept an application when NTT confirms that the preliminary inquiry application form contains all required information.

2. The information provided by NTT in response to the inquiry made in accordance with the preceding paragraph shall be any of the following, as specified by the applicant for interconnection in the Preliminary Inquiry Application.

- (1) The location and dimensions (a drawing indicating these dimensions will be provided) of a site within the NTT communications building or a conduit or cable tunnel between this communications building and the nearest manhole where work is possible, etc., designated by NTT where the transmission equipment, cable or other equipment of other carriers that is necessary for interconnection (meaning the telecommunications facilities whose installation within the NTT communications building, etc., is reasonably considered necessary in view of technical and economic alternatives; hereinafter referred to as the "equipment, etc., necessary for interconnection" (including cases of interconnection through telecommunications facilities other than designated telecommunications facilities hereinafter the same) can be installed.
- (2) Information concerning power and air-conditioning facilities, raised floors and other peripheral facilities used in conjunction with installing the equipment, etc., necessary for interconnection (hereinafter referred to as "peripheral facilities, etc.") that are available for usage by the applicant for interconnection at the site specified in the preceding item. (Information to be provided

consists of the power capacity and the type of power source with respect to power facilities, the capacity of air-conditioning facilities and the availability of raised floors.)

- (3) The location (a drawing will be provided) of the MDF that can be used in installing the equipment, etc., necessary for interconnection at the communications building specified in Item (1), the number of all MDF terminals and the number of unused terminals; and the location (a drawing will be provided) of the optical main distributing board (meaning the optical subscriber main distributing frame and the optical tandem main distributing frame; hereinafter the same), the number of all optical main distributing board terminals and the number of unused terminals.
- (4) The number of all cores and the number of unused cores with respect to optical line facilities in the section designated by the applicant for interconnection.
- (5) The location of a termination site of transmission line facilities used to install optical subscriber lines in the section designated by the applicant for interconnection.
- (6) Whether it is possible to change the subscriber lines that include the optical fiber lines designated by the applicant for interconnection to metallic lines without changing the telephone numbers.
- (7) The available timing (there may be cases in which the requested interconnection cannot be provided at the notified timing if coordination between the applicant for interconnection and the superintendent of the user building concerning the installation, etc., of the optical subscriber line (including the coordination at the time of the entry into the relevant building by NTT to install the optical subscriber line; hereinafter the same) is not fully successful) of the optical subscriber line (in case of requesting the usage of the NTT indoor fiber line already installed as part of the optical subscriber line, such indoor fiber line is included; hereinafter the same in this Article and in Article 34-4) for which the usage section, the number of cores used and the requested interconnection start timing are designated by the applicant for interconnection, and the transmission loss (based on the calculated value).
- (8) Other information related to matters (excluding the matters described in the preceding item) that must be entered in the POI Survey Application specified in Form 3, Attached Table 3 (Forms), the Line Facility Survey Application specified in Form 7-2, Attached Table 3 (Forms), or the Optical Line Facility Interconnection Application specified in Form 7-4, Attached Table 3 (Forms) or the Interconnection Telecommunications Facilities Construction Application specified in Form 15-3, Attached Table 3 (Forms).

3. Upon receiving the request specified in Paragraph 1, NTT shall provide a response consisting of information relating to the relevant inquiry by using Form 2 in Attached Table 3 (Forms) within two weeks (within three weeks for matters specified in (7) of the preceding paragraph) from the date of receipt of an application (meaning the date when the application is received by the handling office designated by NTT; hereinafter the same). In such cases, however, we do not make reservations with respect to the unused site and the facilities that can be used by the applicant for interconnection at this site (meaning peripheral facilities, etc., unused MDF terminals, unused optical main distribution frame terminals and unused cores of optical line facilities (including the NTT indoor fiber line if the usage of such fiber line as part of the optical subscriber line is requested)) that are specified in the information provided.

4. In the case of the preceding paragraph, if special situations are involved such as those in which a large number of applications are simultaneously received or in which a large number of applications have already been received from other carriers, NTT may require a period of more than two weeks (three weeks for matters specified in (7), Paragraph 2) from the date of receipt of an application before providing a response. In case the applicant desires to use the NTT indoor fiber line already installed as part of the optical subscriber line and if time is required to conduct a survey on the relevant indoor wiring, the same shall apply with respect to the usage of the relevant indoor fiber line.

(POI Survey)

Article 10-3 1. In establishing interconnection to the designated telecommunications facilities of NTT, if an applicant for interconnection intends to establish a POI within an NTT communications building, said applicant is required to make an application for a survey on the possibility of establishing said POI

(including the designation of the NTT communications building in which a POI is scheduled to be established) to NTT by using Form 3 (POI Survey Application) in Attached Table 3 (Forms). NTT shall accept this POI Survey Application when NTT confirms that all necessary entries have been made. In such a case, it is not required for the applicant for interconnection to make an application for the preliminary survey specified in Article 11 (Application for Preliminary Survey) prior to making an application for this POI survey.

2. In case the provisions of the preceding paragraph apply, if the site at which a POI is to be established differs from a standard point of interconnection as specified in Paragraph 1 of Article 5 (Standard Points of Interconnection), NTT shall determine the site at which a POI is to be established upon consultation with the applicant for interconnection.

3. In the event the application specified in Paragraph 1 is made, NTT shall review the possibility of installing the equipment, etc., necessary for interconnection with respect to the requested communications building, conduit or cable tunnel between this communications building and the nearest manhole where work is possible, etc., designated by NTT, and a telephone pole within the premises of said communications building (hereinafter referred to as the "communications building, etc."). In this case, the applicant for interconnection is required to attach documentation to the POI Survey Application prescribed in Paragraph 1 specifying that the equipment, etc., to be installed is equipment, etc., necessary for interconnection.

4. In the case of the preceding paragraph, if NTT considers that the equipment, etc., to be installed by the applicant for interconnection is not that which is necessary for interconnection in light of the definition specified in Item 1, Paragraph 2, Article 10-2, NTT may request discussions with said applicant prior to the review stipulated in the preceding paragraph. If, as a result of such discussions, it becomes clear that the relevant equipment, etc., is not that which is necessary for interconnection, NTT may not accept the application specified in Paragraph 1. In this case, NTT shall provide written notice of the reasons why the relevant equipment, etc., is not that which is necessary for interconnection.

5. In the event that NTT determines from the review specified in Paragraph 3 that the subject case does not fall under any of the items listed below, NTT shall provide a written response by using Form 4 in Attached Table 3 (Forms) to the effect that a POI may be established within the requested communications building within two weeks from the date (hereinafter referred to as the "date of receipt" in this paragraph) when the application specified in Paragraph 1 is received with respect to cases in which the range under review is limited to that within a communications building and in which it is clear that there is no need for a study on the installation or modification (including increases or reductions in the number of facilities, or the abolition of any facilities; hereinafter the same) of peripheral facilities, etc., that can be used by the applicant for interconnection; within one month from the date of receipt with respect to cases in which the range under review is limited to that within a communications building and in which there is a need for a study on the installation or modification of peripheral facilities, etc., that can be used by the applicant for interconnection; and within one and a half months from the date of receipt with respect to other cases, unless special circumstances arise. In such case, the basic approach in selecting a site to install the equipment, etc., necessary for interconnection is to make it possible to minimize the costs incurred by the applicant for interconnection by securing the shortest possible distance between the POI and the site where the equipment, etc., necessary for interconnection is installed (within a range that does not hamper the provision of telecommunications service by NTT or carriers other than the applicant for interconnection) and by other methods based on the requirements of the applicant for interconnection. NTT shall not designate a site larger than the area needed for the installation of the equipment, etc., necessary for interconnection against the wishes of the applicant for interconnection.

- (1) There is no available space for the installation of the equipment, etc., necessary for interconnection within the requested communications building, etc. (meaning space, MDF terminals, the power reception capacity (meaning the power capacity of the power receiving equipment; hereinafter the same), and the power generation capacity (meaning the power capacity of the power generator; hereinafter the same) (space, MDF terminals, the power reception capacity and the power generation capacity are hereinafter referred to as "available space management items"); including space that may become available when removing the NTT telecommunications facilities that are not currently used or not planned to be used to provide NTT telecommunications service or for interconnection to telecommunications

facilities of other carriers; the power reception capacity and the power generation capacity mentioned above include those that can be expected to become available under the NTT power reception and generation equipment upgrade plans (limited to plans that have been formulated before the date of receipt of an application specified in Paragraph 1) within six months from the date of receipt of an application specified in Paragraph 1; hereinafter the same).

- (2) The installation of equipment, etc., necessary for interconnection within the requested communications building, etc., may likely cause considerable hindrance to the functions of NTT's communications building, etc., such as the need for renovating power receiving/generating equipment, exceeding the rated floor-load capacity, or the insufficiency of aseismatic reinforcement.
- (3) The installation of equipment, etc., necessary for interconnection within the requested communications building, etc., may likely result in electromagnetic interference to telecommunications facilities installed by NTT or carriers other than the applicant for interconnection.
- (4) The renovation or utilization plans prepared by NTT for communications buildings, etc., may likely be hindered.
- (5) The supply of electric power to the equipment, etc., necessary for interconnection results in or is likely to result in substantial changes in the contents of the electric power supply contract that has been concluded between NTT and the electric power company (meaning the company with whom NTT has entered into a supply contract from among the electric power companies stipulated in Item 8, Paragraph 1, Article 2 of the Electric Utility Industry Law (Law No. 170 of 1964)) with respect to the NTT communications building where such equipment, etc., necessary for interconnection is to be installed.
- (6) The installation of the equipment, etc., necessary for interconnection within the requested communications building violates or is likely to violate the Fire Services Act or other laws and ordinances.
- (7) In any other event in which the implementation of NTT's business activities may likely be hindered.

6. Notwithstanding the provisions of the preceding paragraph, when NTT determines that the subject case does not fall under (1) of the preceding paragraph and if the available space units (meaning the units that can be provided by NTT when NTT determines the subject case does not fall under (2) through (7) of the preceding paragraph) to install the equipment, etc., necessary for interconnection within the NTT communications building, etc., are below the standard management units (meaning 18 basic racks (the usage unit separately determined by NTT is called "one basic rack"; hereinafter the same) in the case of space, the number of terminals equivalent to 5,000 circuits in the case of MDF terminals, 72 kVA in the case of the power reception and generation capacities; hereinafter the same) (including cases in which the available space units become below the standard management units by providing a response to the effect that a POI may be established within the requested communications building with respect to an application for a POI survey (hereinafter the relevant POI survey application is referred to as the "application for the start of allocation management), NTT shall provide a response to the effect that a POI may be established in the requested communications building within the range (in the case of an application for the start of allocation management, this means the units as calculated by the following formula: "the available space units at the time of the relevant application – the standard management units + the maximum allocation units" (however, if the units under the application for the start of allocation management are less than the units as calculated by the above formula, this means the applied units)) of the maximum allocation units (two racks (space required to install the equipment, etc., necessary for one interconnection is referred to as "one rack," and one rack is limited to that does not exceed one basic rack; hereinafter the same) in the case of space, the number of terminals equivalent to 1,000 circuits in the case of MDF terminals, and 8 kVA in the case of the power reception and generation capacity; hereinafter the same) with respect to the available space management items that are below the standard management units, except for cases falling under each of the following items. In such case, NTT may request the applicant for interconnection requesting the



establishment of a POI within the NTT communications building to submit a written document that enables NTT to confirm that the relevant application for interconnection does not fall under any of the following items.

However, with respect to cases involving special situations such as those in which one rack under the POI survey application of the applicant for interconnection exceeds one basic rack, or in which it is not possible to avoid exceeding the maximum allocation units under the POI survey application relating to multiple types of telecommunications services that are provided by the applicant for interconnection, NTT may provide a response to the effect that a POI may be established within the requested communications building in excess of the range of the maximum allocation units upon consultation with the relevant applicant for interconnection. In such case, the relevant applicant for interconnection is required to submit a written document certifying that a special situation exists.

- (1) Available space units reserved by the applicant for interconnection within the relevant communications building exceed the maximum allocation units.
- (2) The MDF terminal usage rate (meaning the rate obtained by dividing the number of MDF terminals used by the applicant for interconnection for the DSL service provided by the applicant for interconnection by the total number of MDF terminals used and reserved by the applicant for interconnection for such DSL service) of the applicant for interconnection within the relevant communications building is less than 0.5.

7. In case of the preceding two paragraphs, if it is impossible to establish a POI within the requested communications building, NTT shall issue a written notice of the reasons therefor.

8. In the event NTT's DSLAM, communications building splitter, optical/electric signal converter, etc. [meaning the optical/electric signal converter (limited to the converter installed at the other end of the line connecting the circuit terminating equipment) and the router that is installed together with such converter, both of which are installed in order to provide a subscriber line in a communications building designated by NTT (this communications building can be viewed via the Internet) as an area where termination of the subscriber line (excluding those that terminate in a circuit accommodation part specified in NTT's articles of agreement for voice-use IP communications network services (hereinafter referred to as the "specified articles of agreement" in this Article)) for telecommunications services (limited to those specified in each of the following items) specified in NTT's articles of agreement for LAN communications network services is possible in the case said subscriber line is used as an interconnection subscriber line for Type 1 service stipulated in the specified articles of agreement; hereinafter the same in the following Article], or the router for IP telephony (meaning the central office router installed to exclusively provide Type 2 service stipulated in the specified articles of agreement; hereinafter the same in the following Article) is installed within the NTT communications building, the same procedures as those specified in each of the above paragraphs that are required for the installation of the equivalent facilities of other carriers in the said communications building shall be required.

(In the case of NTT East)

- (1) Category 1 services (limited to services falling under Type 2)
- (2) Category 2 services (limited to services falling under Class 1/Plan 1 at the speed of 100 Mb/s or services falling under Class 2/Plan 1 at the speed of 10 Mb/s or 100 Mb/s or services falling under Class 1/Plan 2 and Class 2/Plan 2 at speeds from 2 Mb/s to 100 Mb/s)

(In the case of NTT West)

- (1) Category 1 services (limited to services falling under Type 2 at the speed of 1Mb/s, 2Mb/s, 5Mb/s, 10Mb/s, or 100Mb/s)
- (2) Category 2 services (limited to services falling under Plan 1 at the speed of 100 Mb/s or services falling under Plan 2 at speeds from 1Mb/s to 100Mb/s)

(Application for Establishment of POI)

Article 10-4 1. Within one month (hereinafter referred to as the "POI installation application period" in this paragraph) after the receipt of the response specified in Paragraph 5 of the preceding Article, an applicant for interconnection is required to apply in writing to NTT by using Form 5 in Attached Table 3 (Forms) for the establishment of a POI within the communications building subject to NTT's response that

the establishment of a POI is possible. In such event, the response provided by NTT concerning the POI survey shall become invalid if the applicant does not apply within the POI installation application period.

However, in the event the applicant for interconnection applies to NTT in writing within this application period for an extension of the POI installation application period and attaches a reason therefor, NTT may approve an extension of the POI installation application period to a period of three months after the receipt of the response specified in Paragraph 5 of the preceding Article.

2. When NTT receives an application for the establishment of a POI from an applicant for interconnection pursuant to the provisions of the preceding paragraph, NTT shall reserve space for the establishment of a POI and the installation of equipment, etc., necessary for interconnection with respect to the relevant communications building, etc. In this case, NTT may request the applicant for interconnection to enter into consultations concerning the cancellation of the reserved space in light of the congestion or other usage conditions pertaining to a site, etc., in the relevant communications building, etc.

3. In the event the applicant for interconnection submits an application as specified in Paragraph 1 but does not initiate work to install the equipment, etc., necessary for interconnection (including work entrusted to NTT based on the contract specified in Item 1, Paragraph 1, Article 95; hereinafter the same in this paragraph) within six months (hereinafter referred to as the "POI installation work initiation period" in this paragraph) after the receipt of the response stipulated in Paragraph 5 of the preceding Article (any delays attributable to NTT shall be excluded), the response concerning the POI survey conducted by NTT shall become invalid and NTT shall cancel the space reservations for the POI and equipment, etc., necessary for interconnection at the communications building, etc. In the event the space units in which the installation of the equipment, etc., necessary for interconnection is initiated are smaller than the space units for which the application specified in Paragraph 1 has been submitted, the same shall apply to the remaining space. In this case, NTT shall deem that the applicant for interconnection cancelled the application specified in Paragraph 1 on the date when the space reservations are cancelled.

4. Notwithstanding the provisions of the preceding paragraph, in the event the applicant for interconnection applies to NTT within the POI installation work initiation period for an extension of work initiation by using Form 5-2 (POI Installation Work Initiation Extension Application) in Attached Table 3 (Forms), NTT may approve an extension of the POI installation work initiation period to a period of 12 months after the receipt of the response specified in Paragraph 5 of the preceding Article, except for cases in which special circumstances such as those attributable to the applicant for interconnection necessitate such extension. In this case, NTT shall deem that the usage of the space where the equipment, etc., necessary for interconnection is installed and used by the applicant carrier and the power reception and generation equipment is started on the day when six months have passed after the receipt of the response specified in Paragraph 5 of the preceding Article, and shall handle cases in which the installation work of the equipment, etc., necessary for interconnection is still not started even within the extended POI installation work initiation period in the same way as stipulated in the provisions of the preceding paragraph.

5. In the event the work period specified in Paragraph 3 (including cases in which such work initiation is extended in accordance with the provisions of the preceding paragraph) exceeds three months and when NTT considers it necessary, NTT may request the applicant for interconnection to enter into consultations regarding the contents of the relevant work, etc.

6. In the event NTT's DSLAM, communications building splitter, optical/electric signal converter, or router for IP telephony is installed within the NTT communications building, the same procedures as those specified in each of the above paragraphs that are required for the installation of equivalent facilities of other carriers in the said communications building shall be required.

(Entry to Installation Site of Equipment, Etc., Necessary for Interconnection by Applicant for Interconnection)

Article 10-5 1. In the event of establishing a POI within the NTT communications building subject to the response provided pursuant to Paragraph 5, Article 10-3 (POI Survey) that the establishment of a POI is possible, the applicant for interconnection or any person designated by the applicant for interconnection may enter the NTT communications building, etc., specified in the response in order to

confirm the contents of said response. In this case, the number of persons entering the building, etc., is limited to that necessary for the intended purposes.

2. In case of entry as stipulated in the preceding paragraph, the applicant for interconnection is required to notify the NTT handling office of the name of the relevant NTT communications building, etc., the date and time, the purposes and the names of the persons entering the building at least five business days prior to the planned entry date by using Form 6 in Attached Table 3 (Forms), and to receive approval for entry.

3. Unless a special situation is involved, NTT shall issue the approval stipulated in the preceding paragraph by using Form 7 in Attached Table 3 (or the specific reasons in case of not accepting the application by using a separate document) within two business days from the date of the notification specified in the preceding paragraph.

4. The provisions of the preceding three paragraphs shall apply mutatis mutandis to the notification provided pursuant to Paragraph 7, Article 10-3 when NTT deems that the requested application is subject to Item 1, Paragraph 5, Article 10-3 (POI Survey).

(Establishing POIs at Sites Other than NTT Communications Buildings)

Article 10-6 1. In the event an application is made by an applicant for interconnection for the establishment of a POI at a site other than an NTT communications building, NTT shall approve such application only when each of the items listed below is applicable:

- (1) The interconnection is made in such a way that clearly separates the responsibility of NTT and the applicant for interconnection for the provision of telecommunications service to subscribers, and which makes a clear distinction between the fixed assets and maintenance responsibilities of NTT and the applicant for interconnection.
- (2) The POI is established at a site where safety and security can be adequately maintained, including the prevention of unauthorized access to the site.
- (3) No significant hindrance is otherwise caused to NTT's business activities.

2. The provisions of Paragraph 7, Article 10-3 (POI Survey) shall be applied mutatis mutandis if NTT does not approve said application.

(Securing Site for POI Establishment)

Article 10-7 An applicant for interconnection is required to secure a site for the establishment of a POI when the POI is to be established at a subscriber line end specified in (1) of the table in Paragraph 1, Article 5 (Standard Points of Interconnection), or when it is to be established at a site other than an NTT communications building pursuant to the provisions of the preceding Article.

(Providing Information)

Article 10-8 The provisions of Paragraph 4, Article 11 (Application for Preliminary Survey) shall be applied mutatis mutandis to cases stipulated in Paragraphs 1 and 2, Article 10-3 (POI Survey) and Article 10-6 (Establishing POIs at Sites Other than NTT Communications Buildings).

## Chapter III Procedures, Etc., for Conclusion of Agreements

### Part 1: Preliminary Survey

(Application for Preliminary Survey)

Article 11 1. In the event an applicant for interconnection applies for interconnection between the designated telecommunications facilities of NTT and telecommunications facilities of said applicant, NTT shall conduct a review (hereinafter referred to as a "Preliminary Survey") of the interconnection feasibility, possible interconnection start timing, need for new installations or modifications to the designated telecommunications facilities of NTT (including software; hereinafter the same in this chapter (except for Part 2)), the calculation of estimated expenses concerning said interconnection, etc.

2. An applicant for interconnection is required to submit a preliminary survey application form (hereinafter referred to as the "Preliminary Survey Application") by using Form 8 in Attached Table 3 (Forms) to the handling office designated by NTT.

3. An applicant for interconnection shall complete this Preliminary Survey Application Form by providing an outline of interconnection, the requested interconnection timing, the POI location(s), the region subject to interconnection by NTT per each POI, technical conditions of interconnection, and matters for which NTT cooperation is requested. It is not necessary to state the region subject to interconnection by NTT per each POI if NTT establishes the user charges.

4. At the request of an applicant for interconnection, NTT shall provide a response indicating information on any matters that must be entered in the Preliminary Survey Application Form at an NTT handling office.

(Providing Information)

Article 11-2 The provisions of Paragraph 4 of the preceding Article shall be applied mutatis mutandis to cases stipulated in Paragraph 1, Article 34-2 (Line Facility Survey for Optical Interoffice Lines) and Paragraph 1, Article 34-4 (Application for Interconnection to Optical Subscriber Lines or Optical Intra-Office Transmission Lines).

(Acceptance of Application for and Order of Preliminary Survey)

Article 12 1. NTT shall accept a preliminary survey application when NTT confirms that the application form contains all required information.

2. When NTT has accepted a preliminary survey application, it shall notify the applicant for interconnection in writing of the date of acceptance, etc., by using Form 9 in Attached Table 3 (Forms).

3. If more than one application for interconnection requests the same interconnection start timing and/or interconnection to facilities installed within the same communications building, NTT shall conduct preliminary surveys in the order in which said applications are accepted.

(Preliminary Survey Response)

Article 13 1. NTT shall notify the applicant for interconnection in writing of the feasibility of interconnection within one month from the date of receipt of a preliminary survey application by using Form 10 in Attached Table 3 (Forms).

2. When NTT has determined through the preliminary survey that no new installations or modifications to the designated telecommunications facilities of NTT are required, NTT shall issue to the applicant for interconnection, together with the notice specified in preceding paragraph, a notice of possible interconnection start timing and the estimated amount for works including the breakdown of such amounts, etc., if works specified in Article 37 (Request for Other Works) are necessary, and this notification shall be deemed to constitute a preliminary survey response.

3. When NTT has determined through the preliminary survey that new installations or modifications to the designated telecommunications facilities of NTT are necessary (including cases in which installations or modifications to the designated telecommunications facilities of NTT as specified in Paragraph 4, Article 3 of the Collection of Technical Conditions are necessary), NTT shall issue to the applicant for interconnection, together with the notice provided in Paragraph 1, a written notice of possible interconnection start timing and the estimated amounts including the breakdown of such amounts, etc., necessary for the installation or modification of such designated telecommunications facilities (including works, if works specified in Article 37 (Request for Other Works) are necessary) within four months from the date of receipt of a preliminary survey application, and such notification shall be deemed to constitute a preliminary survey response.

4. Notwithstanding the provisions of the preceding paragraph, in the event the scale of installation or modification of designated telecommunications facilities is large, the necessary period to provide the notification of an estimated amount and details thereof, etc., may exceed four months. In such case, this notification shall be deemed to constitute a preliminary survey response.

5. If possible interconnection start timing substantially exceeds a standard interconnection period as specified in Article 38 (Standard Interconnection Period), NTT shall notify the applicant for interconnection in writing of the reasons therefor.

Part 2: Consultation Concerning Software Development Costs

(Application, Etc., for Consultation Concerning Software Development Costs )

Article 14: An applicant for interconnection may apply for consultation concerning the costs incurred for installations or modifications to the designated telecommunications facilities of NTT (limited only to software; hereinafter the same in this Article and the following Article) by using Form 11 in Attached Table 3 (Forms) during the period from the submission of the preliminary survey application as stipulated in Article 11 (Application for Preliminary Survey) to the application for interconnection as stipulated in Article 21 (Application for Interconnection).

2. In the event of the application as specified in the preceding paragraph, NTT shall notify the applicant in writing of the development scale, the line unit cost, etc., pertaining to such installations or modifications to said designated telecommunications facilities as soon as the necessary preparations are made after providing the preliminary survey response as specified in Paragraph 3 of the preceding Article.

3. In the case of the preceding two paragraphs, the provisions of the preceding Article shall apply mutatis mutandis to the handling of the preliminary survey response excluding the matters specified in the preceding paragraph.

(Consultation Concerning Software Development Costs)

Article 15: The contents of the consultations carried out between NTT and the applicant for interconnection shall be as specified in each of the following items.

(1) The applicant for interconnection shall try to present the estimated amount, details, development scale, line unit cost, etc., when similar installations or modifications are made to its own telecommunications facilities with respect to the installations or modifications to the designated telecommunications facilities of NTT for which NTT received an application for a preliminary survey.

(2) NTT and the applicant for interconnection shall carry out consultations concerning information presented by each. However, if information as specified in the preceding item is not presented, consultations shall be carried out concerning the information presented by NTT.

(3) NTT shall endeavor to provide the information necessary for the applicant for interconnection to present the estimated amount, etc., as specified in Item 1 above.

Part 3: Deleted

Article 16 through Article 20: Deleted

Part 4: Application for Interconnection

(Application for Interconnection)

Article 21 1. An applicant for interconnection shall submit to NTT a written statement of its intention to apply for interconnection (hereinafter referred to as the "application for interconnection") by using Form 12 in Attached Table 3 (Forms) within one month after the receipt of the preliminary survey response. The acceptance of said written application by NTT shall be deemed to be an acceptance of an application for interconnection by NTT.

2. In making the application for interconnection as stipulated in the preceding paragraph, an applicant for interconnection is also required to submit appropriate applications as specified in any of the items listed below together with the application for interconnection specified in the preceding paragraph in the event any installations or modifications to designated telecommunications facilities as stipulated in any of the items below are found to be necessary as a result of NTT's preliminary survey response as stipulated in Article 13 (Preliminary Survey Response).

- (1) When the installation or modification of NTT's designated telecommunications facilities (excluding software) as specified in Paragraph 1, Article 23 (Application for Installation or Modification of Interconnection Facilities) is required:

An application for the installation or modification of NTT's interconnection facilities as stipulated in Article 23.

- (2) When the installation or modification of software with respect to NTT's designated telecommunications facilities is required:

An application for the development of interconnection software as stipulated in Article 30 (Application for Interconnection Software Development).

3. Notwithstanding the provisions of Paragraph 1, when an applicant for interconnection does not make an application for interconnection within one month after receiving a preliminary survey response, said preliminary survey response provided by NTT shall become invalid.

(Approval of Application for Interconnection)

Article 22 1. In the event an application for interconnection as stipulated in the preceding Article is made, NTT shall issue its approval by using Form 13 in Attached Table 3 (Forms) in the order in which such applications are accepted, except for the cases listed in each of the following items.

- (1) Cases raising any concern that the smooth provision of telecommunications service will be hindered (including cases in which the applicant for interconnection attempts to establish interconnection by a transmission system whose spectral compatibility is not confirmed by the Telecommunication Technology Committee (hereinafter referred to as the "TTC")).
- (2) Cases raising any concern that NTT's interests will be unduly damaged by the interconnection.
- (3) The applicant for interconnection has failed or is likely to fail to pay any amount payable with respect to interconnection (including cases in which any of the reasons stipulated in (1) through (5) or (8), Paragraph 1, Article 73-2 (Acceleration of Payment ) becomes applicable and excluding cases in which the payment of obligations payable by the applicant for interconnection with respect to interconnection is guaranteed; hereinafter the same in Article 77-2 (Deposits, Etc.) and Article 100 (Limitation of Approval)).
- (4) Cases in which the installation or modification of telecommunications line facilities to execute interconnection is extremely difficult from the technical or economic standpoints.

2. Any one of the items listed below must be applicable to the applicant for interconnection at the time of making an application for the usage of the inter-terminal transmission function or the function specified in (7), 1.1.2.1.1.1 of the subscriber line transmission function.

- (1) The applicant for interconnection is a telecommunications carrier providing universal telecommunications service, and has provided NTT with the current articles of agreement that were submitted to the competent minister.
- (2) The applicant for interconnection has a carrier identification code for settlement among carriers.
- (3) Telecommunications numbers have been assigned to the applicant for interconnection pursuant to the provisions of the Telecommunications Numbering Regulations.
- (4) The applicant for interconnection has obtained confirmation from a public utility corporation (meaning a corporation established pursuant to the provisions of Article 34 of the Civil Law) with respect to telecommunications business that is supervised by the competent authorities.

3. The provisions of Paragraph 7, Article 10-3 (POI Survey) shall be applied mutatis mutandis if NTT does not approve the relevant application for interconnection.

Part 5: Application for Installation or Modification of Interconnection Facilities

(Application for Installation or Modification of Interconnection Facilities)

Article 23 1. An applicant for interconnection (excluding contracting carriers that have already established interconnection at the sites specified under (3) or (4) of the table in Paragraph 1, Article 5 (Standard Points of Interconnection)) may make an application for the installation or modification of interconnection facilities listed below (in case of applications falling under (2) or (3), including applications for the installation, etc., of interconnection circuits for local switches, etc., (meaning work relating to the installation or abolition of circuits interconnecting to a local switch or tandem switch, or transmission equipment for these switches; hereinafter the same)) at a handling office designated by NTT.

However, an applicant for interconnection making an application falling under (2) through (5) is required to consult with NTT to optimize the usage efficiency, etc., of interconnection facilities before making an application on the basis of information, etc., concerning traffic, the number of circuits, and the accommodation status of transmission equipment, etc., that is reported to NTT by an applicant for interconnection pursuant to the provisions of Paragraph 2, Article 50 (Notification of Traffic, Number of Circuits, Etc.).

- (1) When interconnection is made at an end of subscriber line and the applicant for interconnection is a PHS carrier (dependent-type):

NTT's PHS-interface subscriber module or PHS network control station that becomes necessary for interconnection to telecommunications facilities of the applicant for interconnection.

- (2) In case of interconnection by local switch or transmission equipment for local switch

- a. When the applicant for interconnection is a telecommunications carrier other than b:

NTT's transmission equipment and auxiliary equipment (including the equipment to connect interconnection circuits to switches; hereinafter referred to as "transmission equipment, etc.") that become necessary for interconnection to telecommunications facilities of the applicant for interconnection.

- b. When the applicant for interconnection is a paging carrier:

NTT's transmission equipment, etc., or number transmitting equipment that becomes necessary for interconnection to telecommunications facilities of the applicant for interconnection.

- (3) In case of interconnection by tandem switch or transmission equipment for tandem switch:

NTT's transmission equipment, etc., that becomes necessary for interconnection to telecommunications facilities of the applicant for interconnection.

- (4) In case of interconnection by transmission equipment for signaling tandem switch:

NTT's transmission equipment, etc., for the signaling tandem switch that becomes necessary for interconnection to telecommunications facilities of the applicant for interconnection.

- (5) When interconnection is made at a standard point of interconnection other than those under (1) of the table in Paragraph 1 of Article 5 (Standard Points of Interconnection) and a POI is established at a site other than an NTT communications building:

NTT's transmission line between the pertinent standard point of interconnection and the site at which the POI is established.

- (6) In case of interconnection by the IP communications network terminating equipment:

NTT's IP communications network terminating equipment that is necessary for interconnection to the telecommunications facilities of the applicant for interconnection.

- (7) In case of interconnection by transmission equipment accommodating subscriber lines:

NTT's transmission equipment necessary for interconnection to telecommunications facilities of an applicant for interconnection (limited to optical transmission equipment or optical/electric signal conversion equipment).

- (8) In case of interconnection by fixed radio communications network terminating equipment:

NTT's telecommunications facilities necessary for interconnection to telecommunications facilities of an applicant for interconnection (limited to those relating to the fixed radio base station transmission line or the fixed radio communications network)

2. A contracting carrier may apply for the installation or modification of NTT's interconnection facilities through which interconnection has already been established at the standard points of interconnection stipulated in Article 5 (Standard Points of Interconnection) (in case of applications falling under (2) or (3) of the preceding paragraph as specified in (4) below, including applications for the installation, etc., of interconnection circuits for local switches, etc.) by the deadline provided in each of the items listed below.

However, a contracting carrier making an application falling under (4) is required to consult with NTT to optimize the usage efficiency, etc., of interconnection facilities before making an application on the basis of information, etc., concerning traffic, the number of circuits, and the accommodation status of transmission equipment, etc., that is reported to NTT by a contracting carrier pursuant to the provisions of Paragraph 2, Article 50 (Notification of Traffic, Number of Circuits, Etc.).

- (1) PHS-interface subscriber module specified in Item (1) of the preceding paragraph:
- a. With respect to the installation or modification of a PHS-interface subscriber module during the first half of the next fiscal year, the first business day of April in NTT's current fiscal year.
  - b. With respect to the installation or modification of PHS-interface subscriber module during the latter half of the next fiscal year, the first business day of October in NTT's current fiscal year.
- (2) PHS network control station specified in Item (1) of the preceding paragraph
- a. With respect to the installation or modification of a PHS network control station during the first half of the fiscal year that comes after the next fiscal year, the first business day of March in NTT's current fiscal year.
  - b. With respect to the installation or modification of a PHS network control station during the latter half of the next fiscal year, the first business day of September in NTT's current fiscal year.
- (3) Number transmitting equipment specified in Item (2) of the preceding paragraph:
- At any time.
- (4) Transmission equipment, etc., or a transmission line as specified in Items (2) through (5) of the preceding paragraph:



- a. With respect to transmission equipment, etc., or transmission lines for the first half of the next fiscal year, during October in the current fiscal year.
  - b. With respect to transmission equipment, etc., or transmission lines for the second half of the next fiscal year, during April in the next fiscal year.
- (5) IP communications network terminating equipment specified in Item (6) of the preceding paragraph or transmission equipment specified in Item (7) of the preceding paragraph or telecommunications facilities specified in Item (8) of the preceding paragraph:

At any time.

3. Notwithstanding the provisions of Paragraph 1, in the event an applicant for interconnection makes an application for the installation or modification of interconnection facilities that fall under Items (2) through (5) of Paragraph 1, the applicant for interconnection may at its option make an application for the installation or modification of the relevant interconnection facilities by the deadline specified in Item (4) of the preceding paragraph in accordance with the provision of the preceding paragraph.

4. Notwithstanding the provisions of Item (4) of Paragraph 2, a contracting carrier may make an application at any time for the installation or additional installation of interconnection facilities specified in Items (2) through (5) of Paragraph 1 only when it is likely that call loss (meaning the interruption of communications through the relevant transmission equipment, etc., or transmission lines due to the occurrence of calls that exceed the line capacity of the transmission equipment, etc., or transmission lines) may continuously occur due to rapid increases in the traffic of the contracting carrier; or for the reduction or abolition of such interconnection facilities installed only when it is likely that traffic of the contracting carrier may rapidly decrease.

However, such contracting carrier is required to consult with NTT to optimize the usage efficiency, etc., of interconnection facilities before making such application on the basis of information, etc., concerning traffic, the number of circuits, and the accommodation status of transmission equipment, etc., that is reported to NTT by the contracting carrier pursuant to the provisions of Paragraph 2, Article 50 (Notification of Traffic, Number of Circuits, Etc.). If a large number of such applications are made, NTT may handle all or part of such applications as those that come under the provisions of Item (4) of Paragraph 2.

(Submission of Materials Necessary for Application)

Article 24 An applicant for interconnection is required to submit the materials specified in each of the following items for the installation or modification of NTT's interconnection facilities:

- (1) Cases other than (2), (3), (4) and (5):

An application using Form 14 in Attached Table 3 (Forms) that specifies the location of the POI, the number of accommodated circuits per POI and the requested circuit opening time.

- (2) In case of a PHS carrier (dependent-type):

The facility construction application form by using Form 15 in Attached Table 3 (Forms) that specifies all pertinent details, including the service area, requested service start timing, the number of communications circuits for public cell stations per NTT communications building in which a PHS-interface subscriber module is installed and requested circuit opening time, traffic per communications building in which an NTT switch is installed, the number of registered contracts per PHS network control station, and requested timing for use of PHS numbers.

- (3) In case of a carrier establishing interconnection to the IP communications network terminating equipment:

The facility construction application form by using Form 15-1 in Attached Table 3 (Forms) that specifies all pertinent details, including the requested interconnection area, the name of the interconnection building, and the requested interconnection timing.

- (4) In case of a carrier establishing interconnection to the transmission equipment specified in Item (7), Paragraph 1 of the preceding Article:

The facility construction application form by using Form 15-2 in Attached Table 3 (Forms) that specifies all pertinent details, including the requested interconnection area, the name of the interconnection building, and the requested interconnection timing.

- (5) In case of a carrier establishing interconnection to the fixed radio communications network terminating equipment:

The facility construction application form by using Form 15-3 in Attached Table 3 (Forms) that specifies all pertinent details, including the requested interconnection area and the requested interconnection timing...

(Approval of Application for Installation or Modification of Interconnection Facilities)

Article 25 1. In the event that an application for the installation or modification of interconnection facilities as stipulated in Article 23 (Application for Installation or Modification of Interconnection Facilities) is made, NTT shall approve said application (including applications for work for the installation, etc., of interconnection circuits for a local switch, etc.), except for cases defined in each of the items below. (In case the installation or modification of interconnection facilities is not necessary, NTT will notify the applicant for interconnection (including contracting carriers; hereinafter the same in this part) to such effect.)

- (1) When the provisions of either Item (3) or (4), Paragraph 1, Article 22 (Approval of Application for Interconnection) are applicable.
- (2) When a large number of applications for the installation or modification of optical transmission equipment or optical/electric signal conversion equipment may have an impact on the stable procurement of the relevant devices.
- (3) When NTT does not newly install the specified local switch (meaning switches that can establish interconnection to the relevant interconnection transmission line facilities (limited to those that enable code transmission at 50Mbits/s or 150Mbits/s; hereinafter the same in this Article) without installing the transmission equipment between the relevant local switch and the interconnection transmission line facilities that are provided by a contracting carrier; hereinafter the same) at the communications building for which an application for the installation of the transmission equipment relating to the function specified in “a” of the function to use transmission equipment for local switch interconnection is made.
- (4) When NTT newly installs the specified local switch at the communications building for which an application for the installation of the transmission equipment relating to the function specified in “a” of the function to use transmission equipment for local switch interconnection is made, and when the number of unused cores of the interconnection transmission line facilities that are prepared or planned to be prepared by the applicant for interconnection (limited to those that have already established interconnection to the local switch or those that have prepared to establish interconnection to the local switch) is the same as or more than the number of cores necessary to establish interconnection to the specified local switch that is to be newly installed at the time such specified local switch is installed or information concerning the installation plan of the relevant specified local switch is reported to the applicant for interconnection in consideration of the optimization of total costs, etc., to be borne by NTT and the applicant for interconnection for the installation of telecommunications facilities.
- (5) When an application for the installation of the fixed radio base station transmission line or the fixed radio communications network is made and when there is no unused channel for

data communications by means of the fixed radio access method for the interconnection area requested by an applicant for interconnection or when usage is already planned that does not permit the usage involving such application with respect to the unused channel.

2. In the event the need arises for NTT to newly install a local switch or a tandem switch by accepting an application for the installation or modification of interconnection facilities in the case of establishing interconnection at the switch or the transmission equipment for the switch specified in (2) or (3), Paragraph 1 of Article 23, NTT may request consultation for the optimization of the usage efficiency, etc., of such interconnection facilities to all applicants for interconnection that have applied for the installation or modification of interconnection facilities to establish interconnection to the relevant switch or the relevant transmission equipment for the switch within the same communications building and all contracting carriers that have already established interconnection to the relevant switch or the relevant transmission equipment for the said switch.

3. When an application is made for the installation of the transmission equipment relating to the function specified in “a” of the function to use transmission equipment for local switch interconnection, NTT may request consultation in order to confirm the usage status and usage plans of the interconnection transmission line facilities that have been prepared or that are planned to be prepared by the applicant for interconnection.

4. The provisions of Paragraph 7, Article 10-3 (POI Survey) shall be applied mutatis mutandis if NTT does not approve the application.

(Conclusion of Individual Construction Contract)

Article 26 When NTT approves the application as stipulated in the preceding Article, NTT shall conclude an individual construction contract with the applicant for interconnection before the commencement of works related to the installation or modification of the pertinent interconnection facilities (excluding the transmission equipment specified in (7) or telecommunications facilities specified in (8), Paragraph 1 of Article 23 (Application for Installation or Modification of Interconnection Facilities); hereinafter the same in this Article). This contract specifies such matters as the region subject to interconnection per POI, the schedule and content of works with respect to the installation or modifications of interconnection facilities, the estimated amount of expenses to be borne by the applicant for interconnection, the work schedule chart, the planned month in which the use of said facilities will start, the estimated amount of expenses in case of using existing facilities, the maintenance of interconnection facilities, the sharing of expenses with respect to delays in interconnection, and other individual matters.

(Changes, Etc., in Installation or Modification of Interconnection Facilities)

Article 27 In the event an application for change is made by using Form 16 in Attached Table 3 (Forms) concerning the installation or modification of interconnection facilities before the completion of same, NTT shall approve said change application by using Form 17 in Attached Table 3, except for the cases listed in each of the following items.

- (1) When either Item (3) or (4), Paragraph 1, Article 22 (Approval of Application for Interconnection) is applicable.
- (2) When the application for change is made in accordance with the provisions stipulated in Item (4), Paragraph 2, Article 23 (Application for Installation or Modification of Interconnection Facilities), and when NTT determines the contents of the requested change are not minor changes (minor changes are limited to those in the planned work schedule or the planned timing to start the usage of facilities, etc., relating to the installation or modification of interconnection facilities that are stipulated in the individual construction contract as specified in Article 26 (Conclusion of Individual Construction Contract)).

2. The provisions of Paragraph 7, Article 10-3 (POI Survey) shall apply mutatis mutandis if NTT does not approve the application for change.

3. In the event an applicant for interconnection makes an application for cancellation by using Form 18 in Attached Table 3 with respect to the installation or modification of interconnection facilities before

the completion of same, NTT shall approve such application by using Form 19 in Attached Table 3 (Forms).

4. In the event the provisions of Paragraph 1 or the preceding paragraph apply, the applicant for interconnection is required to bear the expenses that will be newly incurred as a result of such change or cancellation and the expenses that have been so far incurred, plus an amount equivalent to the consumption tax (meaning the amount individually determined by consultation; in case of calculating the expenses in accordance with the provisions of an individual construction contract, the amount so calculated).

(Notice of Completion)

Article 28 NTT shall notify the applicant for interconnection by using Form 20 in Attached Table 3 (Forms) of the completion of the interconnection facilities after an inspection and test of such interconnection facilities.

(Application for Installation or Modification of Other Interconnection Facilities)

Article 29 In the event NTT provides a response indicating the need to install or modify interconnection facilities (hereinafter referred to as "other interconnection facilities") other than those specified in Article 23 (Application for Installation or Modification of Interconnection Facilities), an applicant for interconnection is required to apply for the installation or modification of other interconnection facilities. In such event, the provisions of Article 23 (Application for Installation or Modifications of Interconnection Facilities) through Article 28 (Notice of Completion) shall apply mutatis mutandis to an application for the installation or modification of other interconnection facilities.

#### Part 6: Application for Interconnection Software Development

(Application for Interconnection Software Development)

Article 30 When an applicant for interconnection applies to NTT for the development of the NTT interconnection software necessary for the relevant interconnection (including the installation or modification of facilities necessary for the development of the relevant interconnection software; hereinafter referred to as the "development of interconnection software") pursuant to the provisions of Paragraph 2, Article 21 (Application for Interconnection), it shall make such application together with the application for interconnection. In such event, when the possible timing for interconnection as announced pursuant to the provisions of Article 13 (Preliminary Survey Response) is the same with respect to more than one applicant for interconnection, NTT shall develop such interconnection software in the order of applications for interconnection as stipulated in Article 22 (Approval of Application for Interconnection).

(Approval of Application for Interconnection Software Development)

Article 31 In the event an application for the development of interconnection software as stipulated in the preceding Article is made by an applicant for interconnection, NTT shall approve said application.

(Conclusion of Interconnection Software Development Contract)

Article 32 1. When NTT approves the application as stipulated in the preceding Article, NTT shall conclude with the applicant for interconnection an interconnection software development contract that specifies the estimated amount of expenses to be borne by the applicant for interconnection, the scheduled completion time of the development of interconnection software, the maintenance of interconnection software, the settlement of payment amounts and other individual details before NTT initiates the development of said interconnection software.

2. In the event the provisions of the preceding paragraph apply, the ownership, copyright, patents or other intellectual property rights of the interconnection software to be developed shall belong to NTT or to a third party to whom the development of interconnection software is entrusted by NTT.

(Cancellation of Interconnection Software Development)

Article 33 1. In the event an application for the cancellation of interconnection software development is made by using Form 21 in Attached Table 3 (Forms) by an applicant for interconnection before the completion of same, NTT shall approve it by using Form 22 in Attached Table 3.

2. In the event the provisions of the preceding paragraph apply, the applicant for interconnection is required to bear the expenses that will be newly incurred as a result of such cancellation and the expenses

that have been so far incurred, plus an amount equivalent to the consumption tax (meaning the amount individually determined by consultation; in case of calculating the expenses in accordance with an interconnection software development contract, the amount so calculated).

(Notice of Completion)

Article 34 The provisions of Article 28 (Notice of Completion) shall apply mutatis mutandis to the development of interconnection software.

Part 6-2: Procedures for Interconnection to NTT's Optical Line Facilities

(Line Facility Survey for Optical Interoffice Lines)

Article 34-2 1. An applicant for interconnection to NTT's optical interoffice lines is required to submit an application (which includes a designation of the usage section of the optical interoffice line to which interconnection is planned, the number of cores to be used, and desired interconnection start timing) to NTT by using Form 7-2 (Line Facility Survey Application) in Attached Table 3 (Forms) to initiate a survey of optical line facilities. NTT shall accept this Line Facility Survey Application when NTT confirms that all necessary entries have been made. In this case, it is not required for the applicant for interconnection to make an application for the preliminary survey specified in Article 11 (Application for Preliminary Survey) prior to making an application for this line facility survey. Furthermore, the applicant for interconnection may concurrently make an application for the preliminary inquiry specified in Paragraph 1 of Article 10-2.

2. When NTT receives the application specified in the preceding paragraph and determines the subject application does not fall under any of the items listed below, NTT shall provide a written response by using Form 7-3 in Attached Table 3 (Forms) within three weeks after the receipt of the application with respect to the timing when the optical interoffice line in the usage section designated by the applicant for interconnection becomes available (meaning the timing within one and a half months from the date of receipt of an application specified in Paragraph 1 of the following Article for cases in which the optical interoffice line to be interconnected can be identified and there are optical interoffice lines already installed between the optical tandem main distribution frames unless special situations are involved, such as those in which a large number of applications are simultaneously received or in which a large number of applications have already been received from other carriers; meaning the period required to make the relevant optical interoffice line available from the date of receipt of an application specified in Paragraph 1 of the following Article for cases in which there are no optical interoffice lines already installed between the optical tandem main distribution frames or such special situations are involved; and meaning the timing when interconnection is expected to be available (this period does not include the time required for NTT to make the optical interoffice line available) for cases in which the optical interoffice line to be interconnected cannot be identified and in which there are plans to install optical interoffice lines in the usage section designated by the applicant for interconnection; hereinafter the same in this Article and the following Article).

- (1) There are no unused cores in the optical interoffice line in the section designated by the applicant for interconnection, nor are there any plans to install optical interoffice lines in the relevant section (including cases in which it is extremely difficult technically or economically to install optical interoffice lines; hereinafter the same in Item (2) below).
- (2) With respect to any unused cores in the optical interoffice line in the section designated by the applicant for interconnection, there are already usage plans that do not allow other usage applications and there are no plans to install optical interoffice lines in the relevant usage section.
- (3) Cases raising any concern that the smooth provision of telecommunications service by NTT may be hindered.
- (4) Cases raising any concern that NTT's interests may be unduly damaged by the interconnection.

3. In the case of the preceding paragraph, if special situations are involved such as those in which a large number of applications are simultaneously received or in which a large number of applications have

already been received from other carriers, NTT may exceed a period of three weeks from the date of receipt of an application before providing a response.

4. In the case of Paragraph 2, NTT shall provide a written notice specifying one or more of the reasons listed below if optical interoffice lines in the usage section designated by the applicant for interconnection cannot be made available by the desired interconnection start timing.

- (1) No unused cores in the optical interoffice line in the usage section designated by the applicant for interconnection are available.
- (2) Any of Items (2) through (5) of Paragraph 2 (limited to cases other than Item (1) above when a response indicating the available timing is not provided) is applicable.
- (3) The period required before interconnection is available exceeds the desired interconnection start timing (limited to cases other than Item (1) above when a response indicating the available timing is provided).

5. In the event of interconnecting NTT's telecommunications facilities to NTT's optical interoffice lines, the same procedures as those specified in the preceding paragraphs for cases in which telecommunications facilities of other carriers are interconnected to the relevant optical interoffice lines are required.

(Application for Interconnection to Optical Interoffice Lines)

Article 34-3 1. Within one month (hereinafter referred to as the "optical interoffice line interconnection application period" in this paragraph) after the receipt of the response specified in Paragraph 2 of the preceding Article, an applicant for interconnection is required to apply in writing to NTT by using Form 7-4 in Attached Table 3 (Forms) for interconnection to the optical interoffice line in the section for which NTT has provided a response indicating the available timing. The response provided by NTT concerning the line facility survey of the optical interoffice line shall become invalid if the applicant does not apply within the optical interoffice line interconnection application period. However, in the event the applicant for interconnection applies to NTT in writing within this optical interoffice line interconnection application period for an extension of said application period and attaches a reason therefor, NTT shall approve an extension of the optical interoffice line interconnection application period to a maximum period of three months after the receipt of the response specified in Paragraph 2 of the preceding Article.

2. In the event NTT provides a response indicating the available timing by identifying the optical interoffice line to be interconnected as stipulated in Paragraph 2 of the preceding Article, the applicant for interconnection is required to start interconnection by the date on which six months have passed after the receipt of the response specified in Paragraph 2 of the preceding Article or the date on which three months (any delays attributable to NTT shall be excluded) have passed from the available timing, whichever is later.

3. In the event NTT provides a response indicating the available timing without identifying the optical interoffice line to be interconnected as stipulated in Paragraph 2 of the preceding Article, NTT considers that an applicant for interconnection has made an application for the line facility survey specified in Paragraph 1 of the preceding Article at the time it becomes possible to identify the optical interoffice line in the usage section designated by the applicant, and shall provide a notice indicating the timing when NTT becomes ready to offer the relevant optical interoffice line for usage and the necessary information by using Form 7-3 in Attached Table 3 (Forms) to the applicant for interconnection without delay.

4. In the case of the preceding paragraph, the applicant for interconnection is required to start interconnection within three months (any delays attributable to NTT shall be excluded) from the timing when NTT becomes ready to offer the optical interoffice line in the usage section designated by the applicant. In this case, the applicant for interconnection is required to provide a notice concerning the interconnection start timing to NTT without delay.

5. In the event of interconnecting NTT's telecommunications facilities to NTT's optical interoffice lines, the same procedures as those specified in the preceding paragraphs for cases in which

telecommunications facilities of other carriers are interconnected to the relevant optical interoffice lines are required.

(Application for Interconnection to Optical Subscriber Lines or Optical Intra-Office Transmission Lines)

Article 34-4 1. An applicant for interconnection to NTT's optical subscriber lines or optical intra-office transmission lines is required to submit an application (that includes a designation of the usage section of the optical subscriber line or the optical intra-office transmission line to which interconnection is planned, the number of cores to be used, and the desired interconnection start timing (this timing must be a day within six months from the date of said application); that includes an application for optical signal branch subscriber line interconnection work if applying for interconnection to the optical signal branch subscriber line; that includes an application for optical signal branch subscriber line accommodation cabinet installation work, etc., and an application for the implementation of work to install the optical signal branch subscriber line or other related work during daytime on Saturdays, Sundays or holidays if such work is requested by a contracting carrier) to NTT for interconnection to optical subscriber lines or optical intra-office transmission lines by using Form 7-4 (Optical Line Facility Interconnection Application) in Attached Table 3 (Forms). NTT shall accept this Application when NTT confirms that all necessary entries have been made in the Optical Line Facility Interconnection Application. In this case, it is not required for the applicant for interconnection to make an application for the preliminary survey specified in Article 11 (Application for Preliminary Survey) prior to making this application. Furthermore, the applicant for interconnection may concurrently make an application for the preliminary inquiry specified in Paragraph 1 of Article 10-2.

2. When NTT receives the application specified in the preceding paragraph and determines the subject application does not fall under any of the items specified in Paragraph 2 of Article 34-2 (Line Facility Survey for Optical Interoffice Lines), NTT shall provide a written response within three weeks after the receipt of the application with respect to the timing when the optical subscriber line in the usage section designated by the applicant for interconnection become available (meaning the timing within one month from the date of receipt of the application for cases in which the optical subscriber line to be interconnected can be identified and there are optical subscriber lines already installed up to the optical termination frame in the user building unless special situations are involved such as those in which a large number of applications are simultaneously received or in which a large number of applications have already been received from other carriers (in case of requesting the usage of NTT indoor wiring already installed as part of the optical subscriber line and if time is required for preparations to make the relevant indoor wiring available, this one-month period from the receipt of the application may be exceeded); meaning the period required for NTT to make the relevant optical subscriber line available from the date of receipt of the application for cases in which there are no optical subscriber lines already installed up to the optical termination frame in the user building or such special situations are involved; and meaning the timing when interconnection is expected to be available (this period does not include the time required for NTT to make the optical subscriber line available) for cases in which the optical subscriber line to be interconnected cannot be identified and in which there are plans to install optical subscriber lines in the usage section designated by the applicant for interconnection; there may be cases in which the optical subscriber line cannot be provided at the indicated timing if coordination between the applicant for interconnection and the superintendent of the user building concerning the installation, etc., of the optical subscriber line is not fully successful; hereinafter the same in this Article).

3. In the case of the preceding paragraph, if special situations are involved such as those in which a large number of applications are simultaneously received or in which a large number of applications have already been received from other carriers, NTT may exceed a period of three weeks from the date of receipt of the application before providing a response. In the case of requesting the usage of NTT indoor wiring already installed as part of the optical subscriber line and if time is required to conduct a survey on the relevant indoor wiring, the same shall apply with respect to the usage of the relevant indoor wiring.

4. In the case of Paragraph 2, when NTT provides a response indicating the available timing of the optical subscriber line, NTT shall provide information on the relevant optical subscriber line (including the floor where the optical subscriber main distribution frame is installed, the floor where the optical termination frame is installed, the type of a connector (meaning the connector installed in the NTT communications building or the user building), the type of fiber and the transmission loss (based on the calculated value) by the interconnection start timing.

5. In the event the application specified in Paragraph 1 is made and NTT determines that said application does not fall under any of the items specified in Paragraph 2, Article 34-2 (Line Facility Survey for Optical Interoffice Lines) (the phrase “optical interoffice lines” in these items shall read “optical intra-office transmission lines”), NTT shall make efforts to complete the interconnection preparations within one and half months from the date when the facilities at the both ends of the section to which interconnection via the optical intra-office transmission line is desired are defined.

However, there may be cases in which interconnection preparations cannot be completed within one and half months from the date when the facilities at the both ends of the section to which interconnection via the optical intra-office transmission line is requested are identified if special situations are involved, such as those in which a large number of applications are simultaneously received or in which a large number of applications have already been received from other carriers. In such case, NTT shall provide a written response indicating the available timing (meaning the period required for NTT to make the relevant optical intra-office transmission line available from the date when the facilities at both ends of the section to which interconnection is requested are identified) of the optical intra-office transmission line in the usage section designated by the applicant for interconnection.

6. In the case of Paragraph 2 or Paragraph 5, if the optical subscriber line or the optical intra-office transmission line in the usage section designated by the applicant for interconnection cannot be provided by the requested interconnection start timing, NTT shall provide a notice specifying one or more of the reasons listed in Paragraph 4, Article 34-2 (Line Facility Survey for Optical Interoffice Lines) (the phrase “optical interoffice lines” in these items shall read “optical subscriber lines or optical intra-office transmission lines”).

(Entry in Case No Unused Cores are Available in Optical Line Facilities)

Article 34-5 1. In the event NTT provides the notice specified in Item (1), Paragraph 4 of Article 34-2 (Line Facility Survey for Optical Interoffice Lines) or the notice specified in the same that is applied by making the necessary changes in accordance with Paragraph 6, Article 34-4 (Application for Interconnection to Optical Subscriber Lines or Optical Intra-Office Transmission Lines), the applicant for interconnection receiving this notice or any person designated by this applicant may enter the NTT communications building subject to such notice where the optical main distribution frame related to this notice is installed in order to confirm the contents of said notice. In this case, the number of persons entering the building shall be limited to that necessary for the intended purposes.

2. In case of entry as stipulated in the preceding paragraph, the applicant for interconnection is required to notify the NTT handling office of the name of the relevant NTT communications building, the date and time, the purposes and the names of the persons entering the building at least five business days prior to the planned entry date by using Form 6 in Attached Table 3 (Forms), and to receive approval for said entry.

3. Other than in special situations, NTT shall issue the approval stipulated in the preceding paragraph by using Form 7 in Attached Table 3 (or specify the reasons for not accepting the application by using a separate document) within two business days from the date of the notification specified in the preceding paragraph.

(Handling of Optical Signal Lead-In Facilities)

Article 34-6 1. When a contracting carrier ceases interconnection to an optical signal branch subscriber line, NTT shall reserve optical signal lead-in facilities for said optical signal branch subscriber line (optical signal lead-in facilities mean NTT’s telecommunications line facilities that are used as part of an optical signal branch subscriber line and that principally consist of a single core and are directly connected to an optical signal branch subscriber line accommodation cabinet, etc., installed at a user building (including an optical terminating panel to terminate an optical signal branch subscriber line; hereinafter the same); hereinafter the same) simultaneously with such interconnection cessation, except in cases in which interconnection is started by NTT in response to an application submitted by an applicant for interconnection to an optical signal branch subscriber line by using said optical signal lead-in facilities (cases where said optical signal branch subscriber line is used for telecommunications services for which NTT determines user charges are hereinafter included; start of interconnection by NTT in response to an application submitted by an applicant for interconnection to an optical signal branch subscriber line by using optical signal lead-in facilities is hereinafter referred to as “re-use by using optical signal lead-in facilities”), or in which NTT removed said optical signal lead-in facilities without re-using them.



2. When NTT is holding optical signal lead-in facilities in accordance with the provisions of the preceding paragraph and if said contracting carrier in the preceding paragraph requests the termination of such reservation, NTT shall remove such optical signal lead-in facilities, except in cases in which said optical signal lead-in facilities could be re-used.

3. When NTT is holding optical signal lead-in facilities in accordance with the provisions of Paragraph 1 and if NTT intends to re-use the optical signal branch subscriber line by using said optical signal lead-in facilities, NTT may terminate such reservation of said optical signal lead-in facilities. In this case, NTT shall provide a notification of whether NTT could re-use the optical signal branch subscriber line by using said optical signal lead-in facilities to the contracting carrier specified in Paragraph 1. If such re-use is not possible, NTT may remove said optical signal lead-in facilities (NTT assumes no responsibility to the contracting carrier for any damage caused by such removal).

4. Any renovation, etc. (including relocation due to changes in land usage purposes, etc., not attributable to NTT; hereinafter the same) of optical signal lead-in facilities to enable NTT to smoothly provide telecommunications services shall not be treated as removal. In this case, the starting point in calculating the age of said optical signal lead-in facilities shall remain the same.

5. When land and a building and other structure constructed on such land (hereinafter referred to as "land, etc.") of a third party (including a user of telecommunications service using the relevant optical signal lead-in facilities; hereinafter the same in this Article) are used to install optical signal lead-in facilities and if NTT is requested by such third party to remove said optical signal lead-in facilities, NTT shall remove said optical signal lead-in facilities. In this case, NTT shall provide a notification of such removal to the contracting carrier specified in Paragraph 1 (NTT assumes no responsibility to the contracting carrier for any damage caused by such removal).

#### Part 7: Defects

##### (Defects)

Article 35 If a defect attributable to NTT is found within one year after completion with respect to interconnection facilities installed or modified by NTT or interconnection software developed by NTT, NTT shall remedy such defect at its own expense. However, this shall not apply when the expenses necessary to remedy same are extremely large in comparison to the significance of such defect.

#### Part 8: Upgrades or Usage Cancellation of NTT's Telecommunications Facilities or Software

##### (Upgrades of Telecommunications Facilities or Software by NTT)

Article 36 Pursuant to the provisions of each item listed below, NTT shall upgrade (meaning the usage start by newly installing, modifying or developing telecommunications facilities or software relating to the functions listed in Attached Table 1 (Functions Provided by Interconnection) in place of the existing telecommunications facilities or software relating to the relevant functions) the facilities subject to individual management (meaning telecommunications facilities or software relating to the functions listed in 1.2.1.1, 1.2 (Network Modification Charges), Table 1, Tables of Charges and excluding telecommunications facilities (excluding transmission equipment) or software relating to the functions to use transmission line facilities in (49) (47) in the same table; hereinafter the same), or the optical transmission equipment or the optical/electric signal conversion equipment.

- (1) When such facilities subject to individual management have not yet reached their legal years of life, NTT shall determine the possibility of upgrades, upgrade timing and a method to share expenses, etc., upon consultation with the contracting carrier.
- (2) When facilities subject to individual management have reached their legal years of life or when the optical transmission equipment or the optical/electric signal conversion equipment is upgraded, NTT shall notify the contracting carrier in writing one year before upgrades. In such case, NTT shall determine a method to share expenses for the relevant facilities subject to individual management, etc., upon consultation with the contracting carrier.

(Usage Cancellation, Etc., of Facilities Subject to Individual Management Through Application by a Contracting Carrier)

Article 36-2 1. A contracting carrier planning to cancel the usage of facilities subject to individual management (meaning the cancellation of the usage of telecommunications facilities or software relating to the functions listed in Attached Table 2 (Functions Provided by Interconnection); hereinafter the same) is required to submit an application to the handling office designated by NTT in writing by using Form 22-2 in Attached Table 3 (Forms).

2. In the case of the preceding paragraph, when one or more contracting carriers make applications for the cancellation of usage with respect to facilities subject to individual management that are being used by multiple contracting carriers, NTT shall promptly notify the other contracting carriers that are using the relevant facilities of the names, etc., of the contracting carriers that have made applications for the cancellation of usage of the relevant facilities.

3. When a contracting carrier intends to upgrade facilities subject to individual management, the steps needed to be taken include the cancellation of the usage of the facilities subject to individual management that are being used pursuant to the preceding paragraph and a usage re-start by newly installing, modifying or developing facilities subject to individual management in accordance with the provisions of Article 23 (Application for Installation or Modification of Interconnection Facilities), Article 29 (Application for Installation or Modification of Other Interconnection Facilities), or Article 30 (Application for Interconnection Software Development).

(Disposal or Diversion for Other Purposes of Facilities Subject to Individual Management)

Article 36-3 1. When NTT accepts the cancellation of the usage of facilities subject to individual management in case a contracting carrier has made an application as specified in Paragraph 1 of the preceding Article (limited to cases in which all contracting carriers simultaneously have submitted applications for the cancellation of usage of the relevant facilities if multiple contracting carriers (NTT may be included) are using the facilities subject to individual management), NTT shall discontinue the usage of the relevant facilities and remove such facilities (meaning the removal of telecommunications facilities or software relating to the functions listed in Attached Table 1 (Functions Provided by Interconnection); hereinafter the same in this Article and in Article 66 (Obligation to Pay Network Modification Charges)).

2. In the case of the preceding paragraph, if NTT determines that the diversion for other purposes of the facilities subject to individual management to be removed (meaning the re-use of telecommunications facilities removed before reaching their legal years of life for usage by other contracting carriers; hereinafter the same) is not possible, NTT shall dispose of the relevant facilities (meaning the discarding of the removed telecommunications facilities or software). If NTT determines that the diversion for other purposes of the relevant facilities is possible, NTT shall use such facilities for other purposes.

3. NTT shall provide a response indicating the estimated expenses to be incurred as a result of the removal, disposal or the diversion for other purposes as specified in the preceding two paragraphs and information relating to the possibility of the diversion for other purposes of the relevant facilities to the contracting carrier(s) submitting the application(s) specified in Paragraph 1 of the preceding Article within two weeks of the date of receipt of such application(s). In cases involving special situations such as those in which a large number of applications specified in Paragraph 1 of the preceding Article are simultaneously received or in which it is difficult to indicate the estimated expenses for the relevant work within two weeks as there is no experience in carrying out removal work involving the same contents in the past with respect to the facilities subject to individual management under the relevant application(s), NTT may be unable to provide a response indicating the information concerning the estimated expenses within two weeks of the date of receipt of such application.

Part 9: Request for Other Works, Etc.

(Request for Other Works)

Article 37 1. In the event an application for works (hereinafter referred to as "other works") other than the installation or modification of interconnection facilities stipulated in Article 23 (Application for Installation or Modification of Interconnection Facilities) is made by an applicant for interconnection by using Form 23 in Attached Table 3 (Forms), NTT shall approve said application by using Form 24 in Attached Table 3, except for cases separately specified by NTT. In such event, with respect to other works

specified in Paragraph 2, Article 13 (Preliminary Survey Response), an application shall be deemed as having been made together with the application stipulated in Paragraph 1, Article 21 (Application for Interconnection), and with respect to other works specified in Paragraph 3, Article 13, an application shall be deemed as having been made together with the application stipulated in Paragraph 1, Article 23.

2. In the event an application for the communications circuit for a public cell station is made by a PHS carrier (dependent-type), NTT shall approve said application except when the number of communications circuits exceeds that designated in the application made in advance per each NTT communications building where a PHS-interface subscriber module is installed.

(Circuit Adjustment Work for DSL Lines)

Article 37-2 1. In the event a request for circuit adjustment work with respect to a DSL line is made by a contracting carrier (limited to contracting carriers setting user charges for DSL communications; hereinafter the same in this Article) under the work stipulated in Paragraph 1 of the preceding Article, NTT shall implement circuit adjustment work for the DSL line designated by the contracting carrier.

2. In the cases specified in each of the following items and if the other subscriber line in the quad in which the relevant DSL line is installed is in use, NTT shall change line wires used for the relevant DSL line in order to prevent any impact caused by the leakage of signals. In such case, it shall be deemed that the request is made by the contracting carrier for the circuit adjustment work (limited to the change of line wires used; hereinafter the same in this paragraph and the following paragraph) for the relevant DSL line .

(1) When an application is made by the contracting carrier for the installation of a DSL line using a Category-2 (limited to those on which usage restrictions are imposed in terms of accommodation; hereinafter the same in this Article) transmission system or for the change to a DSL line using a Category-2 transmission system (limited to cases in which specific contents (meaning those specified in Attachment 4 to Form 8 in Attached Table 3 (Forms)) of technical conditions of the DSL line are to be changed).

(2) Pursuant to the provisions of Paragraph 4 of Article 52 (Responsibility of Contracting Carrier to Identify Faulty Sections), when the contracting carrier providing DSL service by using a system subject to ex post measures stipulated in the Collection of Technical Conditions (hereinafter referred to as "systems subject to ex post measures") has taken ex post measures (limited to measures of notifying NTT that it handles lines subject to ex post measures stipulated in the Collection of Technical Conditions (hereinafter referred to as "lines subject to ex post measures") as lines using a Category-2 transmission system); this case is hereinafter referred to as a "case of being handled as Category 2".

3. In the case of the preceding paragraph, when the planned date for circuit adjustment work cannot be determined because the cooperation of the contracting carrier cannot be obtained, NTT may implement the change of the line wires used by notifying the contracting carrier of the planned work date designated by NTT in order to prevent any impact caused by the signal leakage.

4. In the case of the preceding three paragraphs, NTT makes no guarantee that communications will be enabled at certain transmission speeds as a result of the implementation of the circuit adjustment work for the DSL line, and may not be able to implement the requested work if there are no unused subscriber line wires in the event of a change of line wires used (including cases in which there are no unused lines meeting usage restrictions in terms of accommodation).

(Request for Installation, Etc., of a DSL Line with Usage Restrictions in Terms of Converted Line Length)  
Article 37-3 When an application is made for the installation or the relocation of a DSL line that uses a Category-2 (limited to those on which usage restrictions in terms of converted line length are imposed; hereinafter the same in this Article) transmission system or for a change to a DSL line that uses a Category-2 transmission system (limited to cases in which the specific contents of the technical conditions of the DSL line are to be changed), NTT shall accept such application except in cases in which the relevant DSL line does not meet usage restrictions in terms of converted line length.

(Circuit Adjustment Work, Etc., for Optical Subscriber Lines)

Article 37-4 In the event a request for circuit adjustment work, etc., with respect to an optical subscriber line (limited to an optical signal main subscriber line or an optical signal branch subscriber line; hereinafter the same in this Article) is made by a contracting carrier under the work stipulated in Paragraph 1, Article 37 (Request for Other Works), NTT shall implement circuit adjustment work, etc., for the optical subscriber line designated by the contracting carrier. In this case, NTT does not guarantee that communications at a certain transmission speed will become possible by the implementation of circuit adjustment work, etc., for the optical subscriber line.

#### Chapter IV Standard Interconnection Period

(Standard Interconnection Period)

Article 38 1. In the event NTT has accepted the application stipulated in Article 21 (Application for Interconnection), NTT shall endeavor to complete the preparations for interconnection within a period specified in each item listed below unless special circumstances arise:

- (1) In the event the provisions of Paragraph 2, Article 13 (Preliminary Survey Response) apply:  
 Within six months from the date of receipt of an application for works specified in Article 37 (Request for Other Works).
- (2) In the event the provisions of Paragraph 3 or Paragraph 4, Article 13 apply, and an individual construction contract as stipulated in Article 26 (Conclusion of Individual Construction Contract) is concluded (including cases to which the provisions in Article 26 are applied mutatis mutandis under Article 29 (Application for Installation or Modification of Other Interconnection Facilities)):  
 Within one year after the conclusion of an independent construction contract.
- (3) In the event the provisions of Paragraph 3 or Paragraph 4, Article 13 apply, and an individual construction contract as stipulated in Article 26 is not concluded (including cases to which the provisions in Article 26 are applied mutatis mutandis under Article 29):
  - a. In case the optical/electric signal conversion equipment is installed or modified:  
 Within four months from the date of receipt of an application for installation or modification of interconnection facilities.
  - b. In case the optical signal transmission equipment is installed or modified:  
 Within five months from the date of receipt of an application for installation or modification of interconnection facilities.
  - c. Telecommunications facilities specified in (8), Paragraph 1, Article 23 (Application for Installation or Modification of Interconnection Facilities):  
Within seven months from the date of receipt of an application for installation or modification of interconnection facilities.
- (4) In the event the provisions of Paragraph 3 or 4, Article 13 apply, and an interconnection software development contract as stipulated in Article 32 (Conclusion of Interconnection Software Development Contract) is concluded:  
 The development of any interconnection software pursuant to an interconnection software development contract shall start in July or January and shall be completed within one year after the commencement of said development.

2. Notwithstanding the provisions of Item (4) of the preceding paragraph, if a plan concerning a change or addition of functions to designated telecommunications facilities is not submitted to the Minister of Public Management, Home Affairs, Posts and Telecommunications pursuant to the provisions of Item 2, Paragraph 1, Article 24-2 of the Business Law Enforcement Regulations, or if there is a need to newly develop interconnection facilities, or if any hindrance is caused to the implementation of plans to develop

NTT interconnection software, the time to start the development of interconnection software or the standard interconnection period may differ from the provisions of Item (4) of the preceding paragraph.

3. In the event the provisions of Paragraph 1 apply, any period required by a contracting carrier for study, or any delays resulting from any force majeure such as a natural disaster or any other reason not attributable to NTT shall not be included in the period specified in each item of the said paragraph.

(Period Calculation)

Article 39 The provisions of Paragraph 3 of the preceding Article shall apply mutatis mutandis to cases under Paragraph 3 of Article 10-2 (Preliminary Inquiry), Paragraph 5 of Article 10-3 (POI Survey), Paragraph 1, Paragraph 3 or Paragraph 4 of Article 13 (Preliminary Survey Response), Paragraph 2 or Paragraph 3 of Article 34-2 (Line Facility Survey for Optical Interoffice Lines), Paragraph 2, Paragraph 3 or Paragraph 5 of Article 34-4 (Application for Interconnection to Optical Subscriber Lines or Optical Intra-Office Transmission Lines), Paragraph 3 of Article 36-3 (Disposal or Diversion for Other Purposes of Facilities Subject to Individual Management), Paragraph 1 of Article 95-4 (Standard Period for Installation of Equipment, Etc., Necessary for Interconnection), Article 99-3 (Provision of Information Relating to DSL Lines, Etc.) and Article 99-6 (Provision of Information Relating to Optical Line Facilities).

## Chapter V Conclusion, Cancellation, Etc., of Agreement

(Unit of Agreement)

Article 40 NTT shall conclude one Agreement per carrier.

However, this shall not apply to cases in which NTT may conclude multiple Agreements with the same carrier by proxy in the case of a pattern of interconnection involving three carriers or more.

(Assignment of Status under Agreement)

Article 41 1. In the event a contracting carrier intends to assign its status under the Agreement by transferring its entire telecommunications business to any third party, such assignment shall not become effective without NTT's approval.

2. In applying for approval of the transfer of status under an Agreement, a contracting carrier is required to submit documentation evidencing the execution of such assignment to a handling office designated by NTT.

3. When approval of the transfer of status under an Agreement is requested pursuant to the provisions of the preceding paragraph, NTT shall approve it except for the cases listed in each of the following items.

- (1) A person intending to assume the transfer of status under an Agreement falls under Item (3), Paragraph 1, Article 22 (Approval of Application for Interconnection).
- (2) When a notification has not been submitted to the Minister for Public Management, Home Affairs, Posts and Telecommunications in connection with the assignment of all telecommunications business operations.
- (3) When a contracting carrier is a telecommunications carrier obtaining registration and a person intending to assume the transfer of status under an Agreement falls under the proviso provisions of Paragraph 1, Article 17 of the Business Law.

(Succession of Status under Agreement)

Article 42 1. In case of the succession of status under an Agreement by the merger of corporations or the breakup (limited to breakups in which a successor succeeds to all telecommunications business operations; hereinafter the same), the surviving corporation after the merger, a corporation established by the merger or the breakup, or a corporation succeeded to the telecommunications business by breakup is required to provide notification thereof to a handling office designated by NTT, together with documentation giving evidence of such merger or breakup.

However, if a notification has not been submitted to the Minister for Public Management, Home Affairs, Posts and Telecommunications with respect to the merger or breakup of a corporation that is a telecommunications carrier and if a contracting carrier is a telecommunications carrier obtaining

registration, the status under an Agreement shall not be succeeded if a person intending to be a successor of the status under an Agreement falls under the proviso provisions of Paragraph 1, Article 17 of the Business Law.

2. In case of the succession of status under an Agreement by inheritance, a successor (in case of multiple successors, the one determined by consultation among them to assume the relevant telecommunications business; hereinafter the same) is required to provide notification to a handling office designated by NTT, together with documentation evidencing such succession.

However, the status under an Agreement shall not be succeeded if a successor is a telecommunications carrier obtaining registration and falls under the proviso provisions of Paragraph 1, Article 17 of the Business Law.

(Amendment of Agreement)

Article 43 NTT and a contracting carrier may change any Agreement concluded on the basis of these Articles of Agreement whenever the need arises. In such event, interconnection to the designated telecommunications facilities of NTT shall be in accordance with the Agreement so changed.

(Cancellation of Agreement by Contracting Carrier)

Article 44 When a contracting carrier intends to cancel the Agreement, it shall provide written notification to a handling office designated by NTT no later than one year before such cancellation.

(Cancellation of Agreement by NTT)

Article 45 1. NTT may cancel the Agreement when a contracting carrier with whom interconnection was suspended pursuant to the provisions of Article 60 (Suspension of Interconnection) has not yet eliminated the cause for such suspension.

2. Notwithstanding the provisions of the preceding paragraph, NTT may cancel the Agreement without the suspension of interconnection when a contracting carrier falls under the provisions of Article 60 (Suspension of Interconnection), and it is deemed that the cause for such suspension will particularly and substantially hinder the implementation of NTT's business activities.

3. NTT shall provide prior notice when it cancels an Agreement pursuant to the provisions of Paragraph 1.

(Termination of Agreement)

Article 46 An Agreement shall be terminated if any of the following applies.

- (1) When a contracting carrier discontinues its entire telecommunications business;
- (2) When a contracting carrier is a corporation and this corporation is dissolved;
- (3) When a party serving as a contracting carrier dies without a successor, or when a successor falls under the proviso provisions of Paragraph 1, Article 17 of the Business Law; or
- (4) When a contracting carrier is a telecommunications carrier obtaining registration and the business registration thereof has been revoked or withdrawn (excluding cases in which a telecommunications carrier obtaining registration becomes a telecommunications carrier submitting a notification).

## Chapter VI Obligations

### Part 1: Obligations

(Confidentiality Obligation)

Article 47 NTT and a contracting carrier shall strictly keep confidential all technical, business or any other information of either party that is not made publicly available and which either party may come to know in connection with interconnection, and shall not use same for other than the intended purpose.

However, this shall not apply in case of any of the following items.

- (1) When disclosure is required by law or regulation.
- (2) When written consent of the other party is obtained.
- (3) When reporting is required by competent authorities.
- (4) When disclosing the names of other applicants for interconnection or other contracting carriers in response to an inquiry from an applicant for interconnection or a contracting carrier in relation to local number portability.
- (5) When disclosing the name, etc., of a contracting carrier pursuant to the provisions of Paragraph 2, Article 36-2 (Usage Cancellation, Etc., of Facilities Subject to Individual Management Through Application by a Contracting Carrier).
- (6) When disclosing to the contracting carrier that made an application (including cases where the contracting carrier is NTT; hereinafter the same in this item) pursuant to the provisions of Paragraph 3, Article 52 (Responsibility of Contracting Carrier to Identify Faulty Sections), the name of the contracting carrier that uses the other DSL line (limited to circuits subject to ex post measures) installed in the same quad to provide DSL service as that in which the subscriber line used by the contracting carrier making such application is installed, the name of the transmission system used for the said DSL line, and the identification code to specify the said DSL line (such information is hereinafter referred to as the "contracting carrier name, etc." in Paragraphs 3 and 4 of Article 52 and (17), Paragraph 1 of Article 68 (Obligation to Pay Expenses for Procedures).
- (7) When disclosing the names, etc., of carriers using information in the directory information database (including carriers using the number information stored in the directory information database based on a contract other than the Agreement and applicants for interconnection; hereinafter the same in this Article) to carriers registering information in the directory information database (including applicants for interconnection; hereinafter the same in this Article) or disclosing the names, etc., of carriers registering information in the directory information database to carriers using information in the directory information database.

(Notification of Necessary Matters)

Article 48 NTT and an applicant for interconnection shall notify each other in writing with respect to the matters provided in any of the items listed below:

- (1) Change of name, address or representative of a corporation.
- (2) Suspension or discontinuation of telecommunications business or dissolution of a corporation.
- (3) Cancellation of registration of telecommunications business or registration of any change thereto, or in case of falling under the proviso provisions of Paragraph 1, Article 17 of the Business Law, to such effect.
- (4) A partial suspension of telecommunications business as stipulated in Paragraph 2, Article 8 of the Business Law.
- (5) Additions, changes or abolition of a POI and region subject to interconnection.
- (6) Changes, additional installations or abolishment of telecommunications facilities, which will affect interconnection conditions.
- (7) Changes in the work method or the maintenance and operation method with respect to interconnection.
- (8) In case any of the reasons specified in (2) through (4), Paragraph 1 of Article 73-2 (Acceleration of Payment) becomes applicable, to such effect.
- (9) Any other matters necessary for interconnection.

## (Confirmation of Service Provision)

Article 48-2 In cases where NTT deems it necessary, NTT may request a contracting carrier using the inter-terminal transmission function, etc., or the function specified in (7), 1.1.2.1.1.1 of the subscriber line transmission function to submit a written document that will enable NTT to confirm that such contracting carrier continues to provide service to its subscribers. In this case, NTT shall notify the relevant contracting carrier of the reasons for such request in writing.

## (Mutual Cooperation)

Article 49 NTT and a contracting carrier shall mutually cooperate with respect to interconnection business operations in order to increase user convenience and secure the smooth operation of telecommunications business pertaining to interconnection.

## (Notification of Traffic, Number of Circuits, Etc.)

Article 50 An applicant for interconnection shall cooperate by notifying NTT of traffic, the number of circuits, etc., in response to requests made by NTT to each applicant for interconnection, including traffic and the number of circuits per POI and per switch, traffic per each unit rate area, traffic per local exchange number and information on the accommodation status of transmission equipment, etc. However, this shall not apply when NTT establishes user charges.

2. In the event of making an application for the installation or modification of interconnection facilities specified in (2) through (5), Paragraph 1, Article 23 (Application for Installation or Modification of Interconnection Facilities), an applicant for interconnection is required to report traffic and the number of circuits per POI and per switch as defined in each of the following items (limited to traffic and the number of circuits relating to the relevant application (in case of an application for interconnection facilities specified in (2), Paragraph 1, Article 23, including traffic and the number of circuits relating to existing interconnection facilities specified in (3), Paragraph 1, Article 23; in case of an application for interconnection facilities specified in (3), Paragraph 1, Article 23, including traffic and the number of circuits relating to existing interconnection facilities specified in (2), Paragraph 1, Article 23)), and information, etc., concerning the accommodation status of transmission equipment, etc., by the deadline stipulated in each of the following items.

- (1) August in the current fiscal year (in case of making an application by the deadline specified in “a,” (4), Paragraph 2, Article 23):

Estimated traffic and the estimated number of circuits as of the end of September and the end of March in the next fiscal year, and actual traffic from May to July in the current fiscal year.

- (2) February in the current fiscal year (in case of making an application by the deadline specified in “b,” (4), Paragraph 2, Article 23):

Estimated traffic and the estimated number of circuits as of the end of March in the next fiscal year and as of the end of September in the fiscal year following the next fiscal year, and actual traffic from November to January in the current fiscal year.

- (3) At any time (in case of making an application specified in Paragraph 1 or Paragraph 4, Article 23):

Estimated traffic and the estimated number of circuits as of the end of the fiscal half-year that includes the requested usage start month for interconnection facilities under the relevant application, as of the end of the next fiscal half-year and as of the end of the fiscal half-year following the next fiscal half-year, and actual traffic for the past three months from the month that includes the relevant application date.

Article 50-2 Deleted.

## (Notification of Transmission Systems for DSL Lines)

Article 50-3 1. In the event of making an application for the installation or change of a DSL line (limited to cases in which the specific contents of technical conditions of a DSL line are changed), a



contracting carrier is required to notify NTT of the transmission system for each of the relevant lines at the time of making such application.

2. Notwithstanding the provisions of the preceding paragraph, no notification shall be required in case NTT determines that notification is not necessary.

#### Part 2: Maintenance

(Responsibility for Maintenance)

Article 51 1. NTT and a contracting carrier shall not cause each other any congestion, obstruction or other damage to telecommunications facilities through interconnection, and shall endeavor not to obstruct the provision of telecommunications service to users.

2. NTT and a contracting carrier shall maintain telecommunications facilities to be interconnected so as to comply with the Business Use Telecommunications Facilities Regulations (Ministerial Ordinance of the Ministry of Posts and Telecommunications, No. 30 of 1985) and the technical conditions specified by NTT for each point of interconnection.

(Responsibility of Contracting Carrier to Identify Faulty Sections, Etc.)

Article 52 1. When a contracting carrier becomes unable to use facilities interconnected to NTT because of substantial hindrance to interconnection messages or for any other reason related to interconnection to telecommunications facilities of NTT, said contracting carrier may request NTT to repair same after confirming that no fault exists in the telecommunications facilities of said contracting carrier.

2. In case the cause of a fault is found in telecommunications facilities of the contracting carrier as a result of the dispatch of NTT personnel per the request made in accordance with the provisions of the preceding paragraph, said contracting carrier is required to pay NTT the expenses incurred in such dispatch. In such event, the amount of such expenses shall be the amount incurred in such dispatch plus an amount equivalent to the consumption tax.

3. In the event the other contracting carrier that uses the other subscriber line installed in the same quad as that in which the DSL line used for DSL service of a contracting carrier (including cases in which this contracting carrier is NTT; hereinafter the same in this Article) is installed, submits a notification (limited to those attaching the report from users) to the effect that interference is caused by signal leakage from the relevant DSL line to the other subscriber line, NTT shall examine whether the relevant DSL line is a line subject to ex post measures and the name, etc., of the contracting carrier that uses the relevant DSL line (limited to cases in which it is found that the relevant DSL line is a line subject to ex post measures) and shall notify the contracting carrier that reported said interference (hereinafter referred to as the "reporting carrier") of the results of such examination within three business days from the date of receipt of said notification unless a special situation is involved.

4. A carrier subject to ex post measures shall promptly take ex post measures (meaning measures of making an application for a change of the relevant DSL line to that using a transmission system other than a system subject to ex post measures (including an application for the abolition of the relevant DSL line) or notifying NTT that it shall handle the relevant DSL line as a line using a Category-2 transmission system on which usage restrictions in terms of accommodation are imposed after receiving the following notification) in the event the other contracting carrier that uses the other subscriber line installed in the same quad as that in which the DSL line used for its own DSL service (limited to lines that are lines subject to ex post measures and cases in which the name, etc., of the contracting carrier that uses the said DSL line is notified pursuant to the provisions of the previous paragraph) is installed submits a notification to the effect that interference is caused by signal leakage from the relevant DSL line to the other subscriber line.

5. NTT shall stipulate specific matters with respect to the maintenance of facilities in the Particulars on Operation, Administration and Maintenance to be determined upon consultation with the contracting carrier.

#### Part 3: Approval, Etc., of Assignment, Etc.

(Approval of Assignment Concerning Roaming, Etc.)

Article 53 1. When a mobile carrier or PHS carrier handling interconnection messages intends to transfer its accounts receivable with respect to communications to another mobile carrier or PHS carrier in accordance with the articles of agreement of the relevant carrier, NTT shall approve such assignment.

2. The provisions of the preceding paragraph shall apply mutatis mutandis to the assignment by a long-distance carrier of its accounts receivable with respect to communications to a PHS carrier (dependent-type) and the assignment by a local carrier of its accounts receivable with respect to communications to a PHS carrier (connective-type).

(Assignment, Etc., of Accounts Receivable to Third Party)

Article 53-2 When a contracting carrier intends to transfer accounts receivable from NTT to a third party or use the same as security, prior consultation with NTT shall be required.

## Chapter VII Patterns of Interconnection

(Patterns of Interconnection)

Article 54 Patterns of interconnection between the designated telecommunications facilities of NTT and telecommunications facilities of a contracting carrier shall be as specified in Attached Table 2 (Patterns of Interconnection).

## Chapter VIII Handling of Important Communications

### Part 1: Measures to Secure Important Communications

(Interruption of Interconnection Messages)

Article 55 NTT may interrupt or discontinue interconnection messages in the same way as stipulated in the provisions concerning the interruption of service in NTT's articles of agreement for telephone service or the provisions concerning the limitations on the usage of leased lines in NTT's articles of agreement for leased line service.

(Restriction on Interconnection Messages)

Article 56 1. When not all communications can be interconnected due to extreme communications congestion, NTT may restrict interconnection messages in the same way as stipulated in the provisions concerning restrictions on the use of service or communications in the articles of agreement for telephone service or ISDN service.

2. In addition to the cases specified in the preceding paragraph, when communications is extremely congested, NTT may restrict service hours of interconnection messages or communications to NTT's contracted subscriber lines, etc., in a specific area in the same way as stipulated in the provisions with respect to restrictions on service hours, etc., in the articles of agreement for telephone service.

3. NTT shall endeavor to secure maximum communications traffic when it restricts interconnection messages in accordance with the preceding two paragraphs. In such event, NTT shall handle interconnection messages and other communications equally.

4. When a contracting carrier restricts interconnection messages on its own telecommunications facilities, it shall endeavor to secure maximum communications traffic and handle interconnection messages and other communications equally.

5. NTT and a contracting carrier shall cooperate on the basis of the Particulars on Operation, Administration and Maintenance to be determined upon consultation with said carrier when either party restricts interconnection messages.

(Identification of Priority Communications)

Article 57 1. At the time of interconnection to a long-distance carrier, a local carrier, a mobile carrier, a local carrier connecting with a PHS carrier, or an international carrier, NTT shall transmit to the relevant contracting carrier signals indicating the need for priority handling (meaning priority signals specified in the Collection of Technical Conditions; hereinafter the same) together with communications

originated from subscriber lines determined by NTT upon consultation with NTT subscribers, public telephones installed by NTT or subscriber lines designated by NTT.

2. When the contracting carrier as specified in the preceding paragraph receives priority signals, it is required to give priority to communications with such priority signals.

3. When NTT receives communications with priority signals from a long-distance carrier, a local carrier, a mobile carrier, a PHS carrier (dependent-type), a local carrier connecting with a PHS carrier, or an international carrier, NTT shall give priority in handling such communications and transmit priority signals together with the relevant communications in relaying such communications to a long-distance carrier, a local carrier, a mobile carrier, a local carrier connecting with a PHS carrier, or an international carrier.

## Part 2: Handling Interconnection to Telephones for Emergency Calls

(Handling Interconnection to Telephones for Emergency Calls)

Article 58 1. In the event an application for interconnection is made from a contracting carrier listed in each of the following items, NTT shall approve interconnection through telecommunications facilities of NTT to a police organization, a fire fighting organization or a maritime safety organization by using the telephone numbers for emergency calls specified in the articles of agreement for telephone service.

- (1) a PHS carrier (dependent-type)
- (2) a contracting carrier that is a subscriber line end interconnection carrier and which installs public telephones
- (3) a long-distance carrier with telecommunications numbers stipulated in Paragraph 1, Article 5 of the Telecommunications Numbering Regulations

2. The contracting carrier specified in the preceding paragraph is required to consult in advance with a police organization, fire fighting organization or maritime safety organization with respect to a method of interconnection to these organizations and other necessary matters.

## Chapter IX Temporary Discontinuance, Suspension and Discontinuance of Interconnection, Etc.

(Temporary Discontinuance of Interconnection)

Article 59 1. NTT may temporarily discontinue interconnection in the cases listed in each of the following items.

- (1) When it is unavoidable in terms of maintenance or works involving NTT's telecommunications facilities.
- (2) When NTT restricts interconnection messages in accordance with the provisions of Article 56 (Restriction on Interconnection Messages).
- (3) When line wires used are changed pursuant to the provisions of Paragraph 2 or Paragraph 3, Article 37-2 (Circuit Adjustment Work for the DSL Line).

2. When NTT temporarily discontinues interconnection in accordance with the provisions of the preceding paragraph, NTT shall provide prior notice to such effect to a contracting carrier. However, this shall not be applicable when it is urgent and unavoidable.

(Suspension of Interconnection)

Article 60 1. When a contracting carrier is subject to any of the items in the left column of the following table, NTT may suspend interconnection established under the Agreement concluded pursuant to these Articles of Agreement during the period provided in the right column.

Classification	Period
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(1)	When charges and other obligations of interconnection (meaning charges of interconnection, expenses concerning works or procedures, the amount to be borne under a Facility Construction Contract, the amount to be borne under an Entrusted Maintenance Contract for Collocation, etc., the amount to be borne for optical signal lead-in facilities and other obligations such as additional charges, all of which are to be paid in accordance with these Articles of Agreement; hereinafter the same) have not yet been paid after the due dates	Period up to payment of such charges or other obligations
(2)	In case of a violation of the provisions of Article 47 (Confidentiality Obligation) or Article 51 (Responsibility for Maintenance) or other provisions of these Articles of Agreement	Period up to correction of such violation

2. In the event NTT suspends interconnection in accordance with the provisions of the preceding paragraph, NTT shall notify a contracting carrier in writing of the reasons therefor and the starting date and period of suspension no later than 30 days before suspension. However, in the event a contracting carrier's whereabouts are unknown (meaning a status in which it is impossible to make contact with a contracting carrier by telephone, postal mail and even by an on-site survey; hereinafter the same), it shall be deemed that a notification has been provided by again sending a written notice by postal mail to the address, etc., provided by the relevant contracting carrier to NTT.

3. In the event interconnection is suspended pursuant to the provisions of Paragraph 1, NTT shall promptly remove such interconnection suspension (there may be cases in which a certain period is required depending on the pattern or scale of interconnection; there shall be no reasons attributable to NTT for requiring such a period) when the reason for such interconnection suspension is eliminated.

4. In the event interconnection is suspended pursuant to the provisions of Paragraph 1, NTT shall compensate the contracting carrier for damage incurred by such interconnection suspension if the reason for such interconnection suspension is totally attributable to NTT, such as that the facts underlying the reason did not actually exist.

(Discontinuance of Interconnection)

Article 61 1. In the event it becomes possible to replace the existing technical conditions specified in Paragraph 3, Article 3 of the Collection of Technical Conditions by new technical conditions in accordance with Article 83 (Technical Conditions), and when the continuation of interconnection under these existing technical conditions is extremely difficult in economic terms or when such continuation makes NTT's telecommunications facilities extremely inefficient, NTT may discontinue interconnection under such technical conditions upon consultation with the relevant contracting carrier.

2. In the event NTT discontinues interconnection based on the provisions of the preceding paragraph, NTT shall notify the contracting carrier in writing of the reason therefor and the planned date of discontinuing the existing interconnection no later than one year before submitting an application for approval of a change in technical conditions pertaining to the discontinuation of said interconnection.

3. NTT discontinues interconnection when removing the subscriber transmission line facilities that include the DSL line (hereinafter referred to as the "subscriber transmission line facilities" in this Article) in the event a contracting carrier establishes interconnection with DSL lines. In this case NTT shall provide information on the removal of the subscriber transmission line facilities to the contracting carrier no later than four years (in the event this period is reviewed, the period after review will be stipulated in these Articles of Agreement) before the start of such removal, and in removing DSL lines, NTT shall make it possible for the contracting carrier to immediately provide new alternative services, etc., (hereinafter referred to as "alternative services" in this Article) that use subscriber lines (limited to those using an optical signal system), which subscribers consider as equivalent to or better in terms of charges, quality, etc., than the DSL service that was used before removal.

However, this shall not apply in the event any of the items listed below is applicable.

- (1) Cases in which, when NTT removes subscriber transmission line facilities, arrangements have already been made for the contracting carrier to immediately provide alternative

services, and in which information on the removal of subscriber transmission line facilities has been provided more than one year prior to such removal.

- (2) Cases in which NTT decides to install transmission line facilities using an optical signal system (hereinafter referred to as “optical fiber”) in place of subscriber transmission line facilities that were substantially damaged by a natural disaster, incident or other emergency, and information on the removal of the relevant facilities has been promptly provided, together with a clear explanation of the reasons and grounds therefor.
- (3) Cases other than those stipulated in Items (1) and (2) and in which NTT must urgently remove subscriber transmission line facilities and for which discussions concerning the removal of the subscriber transmission line facilities are successfully concluded between NTT and the contracting carrier whose facilities are interconnected to the relevant subscriber line (including cases where agreement cannot be reached in discussions and the removal of the relevant transmission line facilities is deemed appropriate by a decision of the Minister of Public Management, Home Affairs, Posts and Telecommunications pursuant to the provisions of Article 35 of the Business Law or by an arbitration decision by the Telecommunications Business Dispute Settlement Committee (hereinafter referred to as the “Committee”) pursuant to the provisions of Article 155 of the said law ).

4. In changing the line wires used for the DSL lines pursuant to the provisions of Paragraphs 2 or Paragraph 3, Article 37-2 (Circuit Adjustment Work for DSL Lines), NTT may discontinue interconnection of the relevant DSL line in case the other subscriber line is not available (including cases in which the other subscriber line does not meet usage restrictions in terms of accommodation). In this case, NTT shall issue a notification to such effect that includes an explanation of the grounds to the contracting carrier prior to such discontinuance.

5. When the inter-terminal transmission function, etc., or the function specified in (7), 1.1.2.1.1.1, of the subscriber line transmission functions is provided and when any of the items listed below is applicable, NTT may discontinue the relevant interconnection relating to such inter-terminal transmission function, etc., or such function specified in (7), 1.1.2.1.1.1 of the subscriber line transmission functions upon consultation with the contracting carrier.

- (1) Cases in which none of the items listed in Paragraph 2, Article 22 (Approval of Application for Interconnection) continues to apply to the contracting carrier.
- (2) When the documentation required under the provisions of Article 48-2 (Confirmation of Service Provision) is not submitted as required, and no appropriate reason is provided therefor.
- (3) When NTT confirms that the contracting carrier is not continuing to provide service to its subscribers by using the inter-terminal transmission function, etc., or the function specified in (7), 1.1.2.1.1.1 of the subscriber line transmission functions.

6. When the function specified in “b” (3), 1.1.2.1.1.2 (Subscriber Line Transmission Functions) is provided and if this function becomes unavailable due to the relocation of fixed radio customer premises equipment or a fixed radio base station or due to obstacles, etc., NTT may discontinue interconnection to each fixed radio customer premises equipment item using such function.

(Suspension and Discontinuation of Work or Procedures, Etc.)

Article 61-2 1. If a situation that is likely to cause significant hindrance to the implementation of NTT’s business activities due to the reason attributable to an applicant for interconnection occurs, or if any of the reasons stipulated in (1) through (5) or (8), Paragraph 1 of Article 73-2 (Acceleration of Payment) becomes applicable (excluding cases in which the payment of liabilities payable by an applicant for interconnection with respect to interconnection is guaranteed), NTT may suspend work or procedures, etc., (meaning work or procedures, installation or modification of interconnection facilities, development of interconnection software, installation or entrusted maintenance of equipment, etc., necessary for interconnection, or installation or modification of peripheral facilities, etc., relating to the installation of equipment, etc., necessary for interconnection; hereinafter the same) requested by an applicant for interconnection. In this case, NTT shall notify the applicant for interconnection in writing of the reason therefor prior to such suspension.

2. In the event work or procedures, etc., are suspended pursuant to the provisions of the preceding paragraph, NTT shall promptly remove such suspension of work or procedures, etc. (there may be cases in which a certain period is required depending on the content or scale of work or procedures, etc.; there shall be no reasons attributable to NTT for requiring such a period) when the reason for such suspension of work or procedures, etc., is eliminated.

3. In the event work or procedures, etc., are suspended pursuant to the provisions of Paragraph 1, NTT may discontinue such work or procedures, etc., if the status caused by the reason for such suspension of work or procedures is not corrected even after reasonable time has passed since a notice requesting the correction of the said status was issued from NTT to the applicant for interconnection.

4. In the event the provisions of Paragraph 1 or the preceding paragraph apply, the applicant for interconnection is required to bear the expenses that will be newly incurred as a result of such suspension or discontinuation and the expenses that have been so far incurred, plus an amount equivalent to the consumption tax (meaning the amount individually determined by consultation; in case of calculating the expenses in accordance with the provisions of an individual contract, the amount so calculated).

5. The provisions of Paragraph 4 of Article 60 (Suspension of Interconnection) shall apply *mutatis mutandis* to the cases specified in Paragraph 1 or Paragraph 3.

## Chapter X Charges, Etc.

### Part 1: Charges and Expenses Concerning Works or Procedures

(Charges, Etc.)

Article 62 1. Interconnection charges to be established by NTT shall include charges and expenses concerning works or procedures.

2. Charges to be established by NTT shall be interconnection charges as specified in Table 1 (Interconnection Charges) in the Tables of Charges and shall be classified into access charges and network modification charges.

3. Expenses concerning works or procedures necessary for interconnection that are to be established by NTT shall be work expenses or procedure expenses as specified in Table 2 (Expenses for Works and Procedures) in the Tables of Charges.

(Functional Classification of Interconnection Charges)

Article 63 NTT shall specify interconnection charges in Table 1 (Interconnection Charges) in the Tables of Charges per each function of the designated telecommunications facilities of NTT (including cases in which such function is provided through interconnection between NTT and specified contracting carriers) as specified in Attached Table 1 (Functions Provided by Interconnection).

### Part 2 Obligation to Pay Interconnection Charges

(Obligation to Pay Flat-Rate Access Charges)

Article 64 1. A contracting carrier is required to pay the charges required on a monthly basis (hereinafter referred to as "flat-rate access charges") from among the access charges specified in Item 1 (Access Charges), Table 1 in the Tables of Charges in accordance with the provisions specified in each item below.

(1) Cases other than (2) and (3) below:

For the period starting from the month that includes the start date of a function stipulated in the preceding Article and ending in the month before the month that includes the termination date of interconnection to the designated telecommunications facilities of NTT because of the cancellation or termination of an Agreement or a change of interconnection (when the month including the start date of a function is the same as the month including the termination date of interconnection, the period shall be one month).

- (2) Cases using the exclusive transmission function, etc. (meaning the subscriber line transmission functions (limited to those specified in "a" and "b" of (2), (3), (6) and (8), 1.1.2.1.1.1), the optical signal interoffice transmission function, the exclusive transmission function, , the data transmission function, the optical signal intra-office transmission function and the inter-terminal transmission function, etc.: hereinafter the same):

By applying mutatis mutandis the provisions concerning the payment obligations for leased line charges under the articles of agreement for leased line service, for the period starting from the date on which the usage of the relevant function is started and ending on the date before the date on which the usage of the relevant function is cancelled (hereinafter referred to as "cancellation, etc.," in this paragraph) due to the cancellation of the contract for leased line service or the discontinuance, etc., (including the suspension of interconnection for the interconnecting leased circuit specified in the articles of agreement for leased line service) of the branch line (meaning the section between a site within the main line and the site designated by an NTT subscriber where the exclusive transmission function, etc., is installed; hereinafter the same) (if the date when the provision of the relevant function is started is the same as the date of cancellation, etc., the period shall be one day).

- (3) Cases using the functions specified in "c" or "d" of (2), (4), (5), or (7), 1.1.2.1.1.1 of the subscriber line transmission functions, the ISM loop-back function, the optical/electric signal conversion function, the optical signal multiplexing and demultiplexing functions, the optical signal branch subscriber line management function (limited to per-line charges), the DSL line management function (limited to per-line charges), the DSL line fault handling function, the subscriber line transmission management function (limited to per-line charges), the optical line facility management function (limited to per-line charges), the optical signal intra-office line management function (limited to per-line charges), the IP communications network line management function (limited to per-line charges), the fixed radio customer premises equipment management function, the wavelength multiplexing function or the routing transmission function:

For the period starting from the date on which the usage of the relevant function is started (meaning the date indicated in the completion notice specified in Article 28 (Notice of Completion) with respect to the functions specified in "c" or "d" of (2), 1.1.2.1.1.1 of the subscriber line transmission functions (including "a." (3), 1.1.2.1.1.2 of the subscriber line transmission functions) and the optical/electric signal conversion function) and ending on the day before the day on which interconnection to the designated telecommunications facilities of NTT is terminated because of the cancellation or termination of an Agreement or a change of interconnection (if the date when the provision of the relevant function is started is the same as the date of interconnection termination, the period shall be one day).

2. The provisions of the minimum usage period under the articles of agreement for leased line service (the "cancellation of a leased line service contract" in these provisions shall read "the cancellation of a leased line service contract or the suspension of interconnection for the interconnecting leased line," and excluding the provisions related to the circuits for which charges are set by other carriers) shall be applied mutatis mutandis to the functions specified in "c" (excluding additional charges specified in "a" (2), 1.1.2.1.1.2: hereinafter the same in this paragraph) or "d" (2), 1.1.2.1.1.1 of the subscriber line transmission functions, the optical/electric signal conversion function, the optical signal multiplexing and demultiplexing functions, the exclusive-use interoffice transmission function, the exclusive transmission function, etc., (excluding additional charges specified in "a" (2), 1.1.2.1.1.2: hereinafter the same in this paragraph) and/or the wavelength multiplexing function that are stipulated in Item 1 (Access Charges), Table 1 in the Tables of Charges. In this case, the provisions for high-speed digital transmission service stipulated in the articles of agreement for leased line service shall be applied mutatis mutandis to the subscriber line transmission functions (limited to those specified in "c" or "d" (2), (6) and (8), 1.1.2.1.1.1), the optical/electric signal conversion function, the optical signal multiplexing and demultiplexing functions, the exclusive-use interoffice transmission function, the optical signal interoffice transmission function, the data transmission function, the optical signal intra-office transmission function and/or the wavelength multiplexing function.

3. When a state in which a function cannot be used (including cases similar to total unavailability because of extreme hindrance to such function; ~~excluding cases in which the function specified in “b” (3) of 1.1.2.1.1.2 (Subscriber Line Transmission Functions) becomes totally unavailable due to phenomena attributable to the fixed radio access method~~) occurs during the period specified in Paragraph 1 for any of the reasons listed below, a contracting carrier is not required to pay flat-rate access charges for the number of days as calculated by dividing the hours (only multiples of 24 hours) from the time NTT becomes aware of such unavailability and for the time such unavailability continues by 24 hours. In such event, the provisions concerning the payment obligation of leased line charges under the articles of agreement for leased line service shall be applied mutatis mutandis to calculate access charges for the hours of unavailability with respect to the subscriber line transmission function (limited to those specified in (3), 1.1.2.1.1.1), the exclusive transmission function, and the inter-terminal transmission function. The provisions concerning the payment obligation of leased line charges for high-speed digital transmission service under the articles of agreement for leased line service shall be applied mutatis mutandis to calculate access charges for the hours of unavailability with respect to the exclusive-use interoffice transmission function. The provisions concerning the payment obligation of basic charges and communications charges under the articles of agreement for data transmission service shall be applied mutatis mutandis to calculate access charges for the hours of unavailability with respect to the subscriber line transmission function (limited to those specified in (8), 1.1.2.1.1.1) and the data transmission function. The payment of access charges for the hours of unavailability thus calculated is not required.

- (1) When interconnection has been suspended for a reason attributable to NTT.
- (2) When NTT has ceased telecommunication business.
- (3) When telecommunications facilities for interconnection cannot be used for any other reasons attributable to NTT.

4. If charges not required have been already paid, NTT shall return such charges.

(Obligation to Pay Usage-Sensitive Access Charges)

Article 65 1. Telecommunications carriers required to pay usage-sensitive access charges (meaning any access charges other than flat-rate access charges; hereinafter the same) for interconnection to the designated telecommunications facilities of NTT shall be as specified in Column 4 (Carriers Paying Usage-sensitive Access Charges) in the Attached Table 2 per each pattern of interconnection specified in Article 54 (Patterns of Interconnection). However, this shall not apply to the signal transmission function, the local switch menu usage function, the carrier pre-subscription function, ~~the directory information database registration function, the directory information database usage function,~~ the rerouting function, the redirection function (tandem switch interconnection roaming type), the redirection function (local switch interconnection roaming type), the redirection function (tandem switch utilization roaming type), the billing information transmission function, and the PHS remote registration function.

2. A contracting carrier required to pay in accordance with the provisions of the preceding paragraph is required to pay usage-sensitive access charges calculated in accordance with the provisions of Article 70 (Method of Calculation of Usage-sensitive Access Charges) per each function specified in Article 63 (Functional Classification of Interconnection Charges) to be used for interconnection messages.

3. When usage-sensitive access charges cannot be accurately calculated because of NTT equipment faults or other reasons, a contracting carrier shall pay charges as calculated by the method described in each of the following items. In such event, NTT shall consult with the contracting party if any special circumstances exist.

- (1) When the contracting carrier records the number of communications connections or communications hours.

An amount calculated based on the number of communications connections or communications hours recorded by the contracting carrier and the provisions of Item 1 (Access Charges), Table 1 in the Tables of Charges.

- (2) Cases other than (1)



A daily average of the number of communications connections or communications hours shall be calculated on the basis of recognizable actual results (meaning the total of the number of communications connections or communications hours during the maximum period of twelve calendar months preceding a calendar month (meaning a calendar month specified in Article 70 (Method of Calculation of Usage-sensitive Access Charges); hereinafter the same in this Article) that includes the first day when accurate calculations cannot be made due to equipment faults, etc. (when such first day is not determinable, the day when such equipment faults, etc., are deemed to have occurred by comprehensively considering all factors)). The amount shall be calculated based on such average multiplied by the number of days during which calculations cannot be made and in accordance with the provisions of Item 1 (Access Charges), Table 1 in the Tables of Charges.

(Obligation to Pay Network Modification Charges)

Article 66 1. A contracting carrier is required to pay the network modification charges specified in Item 2 (Network Modification Charges), Table 1 in the Tables of Charges during a period starting from the month that includes the date specified in each item listed below and ending in the month that includes the date of removal of telecommunications facilities concerning the relevant function (in case of diversion for other purposes, the month immediately preceding the month that includes the date of diversion) (when the month including such date specified in each item listed below and the month including the date of such removal or diversion are the same, such period shall be one month).

- (1) With respect to interconnection facilities or interconnection software, the date stated in the notice of completion stipulated in Article 28 (Notice of Completion) or Article 34 (Notice of Completion) (when network modification charges are proportionally divided, the date stated in the notice specifying the amount to be borne under such apportionment).
- (2) With respect to any interconnection charges other than access charges and network modification charges stipulated in the preceding item, the date stated in the notice permitting the use of the relevant function.

2. When the facilities subject to individual management are upgraded pursuant to the provisions of Article 36 (Upgrades of Telecommunications Facilities or Software by NTT), a contracting carrier is required to pay network modification charges for the new upgraded facilities subject to individual management in accordance with the provisions of the preceding paragraph as applied mutatis mutandis.

3. In the event NTT or a contracting carrier upgrades or cancels the use of facilities subject to individual management in accordance with the provisions of Article 36 (Upgrades of Telecommunications Facilities or Software by NTT) or Paragraph 1, Article 36-2 (Usage Cancellation, Etc., of Facilities Subject to Individual Management Through Application by a Contracting Carrier), a contracting carrier is required to pay the network modification charges specified in 1.2.2.1-2, 1.2.2 (Charge Amounts), 1.2 (Network Modification Charges), Table 1 in the Tables of Charges, except for cases specified in the following paragraph.

4. In the event one or more contracting carriers cancel the usage of facilities subject to individual management that are being used by multiple contracting carriers (NTT may be included) in accordance with the provisions of Paragraph 1, Article 36-2 (Usage Cancellation, Etc., of Facilities Subject to Individual Management Through Application by a Contracting Carrier), the contracting carrier that cancels such usage is required to pay network modification charges specified in 1.2.2.1-3, 1.2.2 (Charge Amounts), 1.2 (Network Modification Charges), Table 1 in the Tables of Charges.

2. In case of the preceding paragraphs, with respect to the handling of payment obligations, Paragraphs 3 and 4, Article 64 (Obligation to Pay Flat-rate Access Charges) shall apply mutatis mutandis and "flat-rate access charges" specified in Paragraph 3 of said Article shall be deemed to read "network modification charges".

Part 3: Obligation to Pay Expenses for Works and Procedures, Etc.

(Obligation to Pay Expenses for Works)

Article 67 1. When a contracting carrier (including an applicant for interconnection; hereinafter the same in this Article and the following Article) receives approval of an application for local-switch interconnection line installation work, etc., specified in Article 23 (Application for Installation or Modification of Interconnection Facilities) or work specified in Article 37 (Request for Other Works), Article 37-2 (Circuit Adjustment Work for DSL Lines) or Article 37-4 (Circuit Adjustment Work for Optical Subscriber Lines), it is required to pay expenses for works specified in Item 2.1 (Expenses for Works), Table 2 in the Tables of Charges.

However, this shall not apply when the relevant Agreement has been canceled or expired or the request for works has been canceled before the start of works. In such event, if such expenses for works have been paid, NTT shall return them.

2. Notwithstanding the provisions of the preceding paragraph, when the request for works has been cancelled after the start but before the completion of works, a contracting carrier is required to bear the expenses that will be newly incurred as a result of such cancellation and the expenses that have been so far incurred, plus an amount equivalent to the consumption tax (meaning the amount individually determined by consultation; in case of calculating the expenses in accordance with the provisions of an individual contract, the amount so calculated).

(Obligation to Pay Expenses for Procedures)

Article 68 A contracting carrier is required to pay expenses for the procedures specified in Item 2 (Expenses for Procedures), Table 2 in the Tables of Charges in case of any of the items listed below.

- (1) When NTT has conducted the POI survey specified in Article 10-3 (POI Survey).
- (2) The relevant contracting carrier has received approval of an application for the communications circuit for a public cell station as specified in Paragraph 2, Article 37 (Request for Other Works).
- (3) When NTT has conducted billing reconciliation work as specified in Paragraph 3, Article 77 (Handling of Discrepancies in Billed Amounts).
- (4) When the contracting carrier becomes a carrier setting user charges under Column 2, Attached Table 2 (Patterns of Interconnection) or when NTT and the contracting carrier become the carriers setting user charges, and when NTT becomes a carrier billing user charges under Column 3 of said Attached Table, and when NTT bills and collects user charges in accordance with the provisions of Article 90 (Billing of User Charges).
- (5) When NTT bills and collects charges pertaining to the additional function utilization, etc., as specified in the articles of agreement, etc., of the specified long-distance carrier.
- (6) When NTT bills and collects user charges that should be billed and collected by a contracting carrier in accordance with the provisions of Article 81 (Billing and Collecting User Charges on Behalf of Other Carrier).
- (7) When the contracting carrier has received approval of a request for telephone directory listing as stipulated in Article 96 (Telephone Directory Listing of Contracting Carrier Subscriber Line Numbers, Etc.).
- (8) Deleted.

When the contracting carrier has requested that information submitted in a paper format be registered in the directory information database as specified in the proviso of Paragraph 1 of Article 97-2 (Directory Information Database Registration) and NTT has carried out such registration.

- (9) When the contracting carrier receives subscriber information as specified in the provisions of Article 98 (Providing Subscriber Information to Contracting Carrier with Individual

Subscriber Contracts) or Article 99 (Providing Subscriber Information to Contracting Carrier with Assumed Individual Subscriber Contracts).

- (10) When the conclusion of subscriber telephone contracts or ISDN service contracts between NTT and its subscribers is assumed to represent the conclusion of telecommunications service contracts between such subscribers and the relevant contracting carrier.
- (11) When the contracting carrier receives information concerning the NTT communications building where a POI is to be installed, or concerning a conduit or cable tunnel between the section from this communications building to the nearest manhole where work is possible as designated by NTT, or concerning optical line facilities (including optical intra-office transmission lines) or a fixed radio communications network, etc., in accordance with the provisions of Article 10-2 (Preliminary Inquiry).
- (12) When the contracting carrier installs the equipment, etc., necessary for interconnection at the NTT communications building, etc., and when NTT conducts such work as wiring and other equipment design up to a site where the equipment, etc., necessary for interconnection is installed; work coordination with respect to other work that is planned in the same period at the communications building relating to such installation; the confirmation of the results of the installation of the equipment, etc., necessary for interconnection by the contracting carrier; and other work related to the installation of the equipment, etc., necessary for interconnection.
- (13) When the person designated by NTT is physically present when the contracting carrier enters the NTT communications building, etc., for the installation or maintenance of the equipment, etc., necessary for interconnection pursuant to the provisions of Paragraph 1, Article 95-3 (Entry When an Applicant for Interconnection Undertakes Installation or Maintenance of Equipment, Etc., Necessary for Interconnection).
- (14) When the contracting carrier receives the information stipulated in Article 99-3 (Providing Information Concerning the DSL Line, Etc.) (however, NTT shall consult with the contracting carrier concerning the amount to be borne by the contracting carrier for the provision of the information described in Item 3 of said Article).
- (15) When the contracting carrier receives approval of an application for the installation (including cases involving a change in the charge amount with respect to the line using the function specified in (7), 1.1.2.1.1.1 of the subscriber line transmission functions) of a DSL line (limited to the line using the function specified in (4), 1.1.2.1.1.1 of the subscriber line transmission functions) or a line using the function specified in (5) or (7), 1.1.2.1.1.1 of the subscriber line transmission functions (hereinafter referred to as the “subscriber line transmission function line”).
- (16) In cases where the contracting carrier makes an application for the installation or relocation of a DSL line using a Category-2 transmission system or for change to a DSL line using a Category-2 transmission system (limited to changes in the specific contents of technical conditions of the DSL line), or in cases where the DSL line now installed by the contracting carrier is treated as falling under Category 2 and when NTT conducts a survey on the accommodation status of the other subscriber line installed in the same quad as for the relevant DSL line (limited to those using a Category-2 transmission system with usage restrictions in terms of accommodation; in the case of changing the quad accommodating the relevant line, meaning the line after change) or on the converted line length of the relevant DSL line (limited to those using a Category-2 transmission system with usage restrictions in terms of converted line length).
- (17) In cases where the other contracting carrier that uses the other subscriber line installed in the same quad as that in which the DSL line used for DSL service of a contracting carrier (including cases in which this contracting carrier is NTT; hereinafter the same in this Article) is installed submits a notification to the effect that interference is caused by signal leakage from the relevant DSL line to the other subscriber line, and when NTT conducts a survey for

the reporting contracting carrier on whether the relevant DSL line is a line subject to ex post measures and the name, etc., of the contracting carrier that uses the relevant DSL line.

- (18) When NTT registers the carrier identification code (meaning the telecommunications number stipulated in Article 5 of the Telecommunications Numbering Regulations) of the contracting carrier relating to the carrier pre-subscription function (the carrier identification code of the contracting carrier relating to the carrier pre-subscription function is hereinafter referred to as the “carrier pre-subscription number”) at the NTT local switch in accordance with the handling of pre-subscription connections stipulated in articles of agreement for telephone service and ISDN service.
- (19) When the contracting carrier receives the information specified in Article 99-6 (Providing Information Concerning Optical Line Facilities).
- (20) When the contracting carrier receives approval of an application for the installation of an optical subscriber line (limited to a line using the function specified in “a” (6), 1.1.2.1.11 of the subscriber line transmission functions), an optical interoffice line (limited to a line using the optical signal interoffice transmission function), an optical signal intra-office line (limited to a line using the optical signal intra-office transmission function), or a line using the routing transmission (hereinafter referred to as the “IP communications network line”).
- (21) When the contracting carrier receives information concerning the optical interoffice line specified in Article 34-2 (Line Facility Survey for Optical Interoffice Lines).
- (22) When the contracting carrier receives approval of an application for the installation of a line relating to additional charges specified in (2)a, 1.1.2.1.1.2 (Subscriber Line Transmission Functions)
- (23) When the contracting carrier receives approval of an application for the installation of fixed radio customer premises equipment relating to the function specified in “b” (3), 1.1.2.1.1.2 (Subscriber Line Transmission Functions)
- (23)(24) When NTT accepts an application for routing number registration work or routing number deletion work, (hereinafter such work is referred to as “routing number registration work, etc.”) through the telecommunications line facilities designated by NTT
- (24)(25) When the contracting carrier receives the same number relocation acceptance/refusal information

2. Notwithstanding the provisions of (15) of the preceding paragraph, when an un-established link status stipulated in the articles of agreement for leased line service (meaning a status attributable to a DSL system where communications are totally unavailable between the modem connected to the end of the leased line (hereinafter referred to as the “DSL modem) and the DSLAM installed by the contracting carrier vis-à-vis such DSL modem ) occurs for a DSL line and when the contracting carrier submits a written document reporting such status to NTT (limited to cases in which a subscriber of the leased line service for DSL connection, etc., stipulated in the articles of agreement for leased line service cancels the relevant leased line service contract) within 20 days from the date on which the usage of the functions relating to the relevant DSL line is started, the contracting carrier is not required to pay the expenses for procedures.

3. In the event the expenses for procedures whose payment is not required have already been paid, NTT will return such expenses for procedures.

4. Notwithstanding the provisions of Paragraph 1, when the request for procedures has been cancelled after the start but before the completion of procedures, a contracting carrier is required to bear the expenses that will be newly incurred as a result of such cancellation and the expenses that have been so far incurred, plus an amount equivalent to the consumption tax (meaning the amount individually determined by consultation; in case of calculating the expenses in accordance with the provisions of an individual contract, the amount so calculated).

(Obligation to Pay Amounts to be Borne for Optical Signal Lead-In Facilities)

Article 68-2 1. Pursuant to the provisions of Paragraph 1, Article 34-6 (Handling of Optical Signal Lead-In Facilities), a contracting carrier is required to pay the amount to be borne that is stipulated in 4.1 (Amounts to be Borne for Reservation, Etc., of Optical Signal Lead-In Facilities), Table 4 (Amounts to be Borne for Optical Signal Lead-In Facilities) in the Tables of Charges for the period from the day of starting to hold optical signal lead-in facilities to the day before the day of canceling such reservation (meaning the day on which relevant optical signal lead-in facilities are re-used or removed; hereinafter the same) (if the day on which reservation, etc., of optical signal lead-in facilities is started is the same as the date of cancellation, the period shall be one day).

2. If a state where NTT is unable to reserve optical signal lead-in facilities due to the suspension of telecommunications business by NTT or due to any reason attributable to NTT occurs during the period specified in the preceding paragraph, a contracting carrier is not required to pay the amount to be borne that is stipulated in 4.1 (Amounts to be Borne for Reservation, Etc., of Optical Signal Lead-In Facilities), Table 4 (Amounts to be Borne for Optical Signal Lead-In Facilities) in the Tables of Charges for the number of days as calculated by dividing the hours (only multiples of 24 hours) from the time NTT becomes aware of such unavailability and for the time such unavailability continues by 24 hours.

3. NTT shall make per diem calculations of the amount to be borne that is stipulated in 4.1 (Amounts to be Borne for Reservation, Etc., of Optical Signal Lead-In Facilities), Table 4 (Amounts to be Borne for Optical Signal Lead-In Facilities) in the Tables of Charges in accordance with the number of calendar days during which such facilities are reserved. In this case, in calculating the amount to be borne that is stipulated in the preceding paragraph, 24 hours as a unit for the calculation of the number of days shall be deemed as the calendar day that includes the starting time of such 24 hours.

4. When NTT removes optical signal lead-in facilities in accordance with the provisions of Paragraph 1, 2, 3 or 5 of Article 34-6 (Handling of Optical Signal Lead-In Facilities), a contracting carrier is required to pay the amount to be borne that is stipulated in 4.2 (Amounts to be Borne for Removal of Optical Signal Lead-In Facilities), Table 4 (Amounts to be Borne for Removal of Optical Signal Lead-In Facilities) in the Tables of Charges.

#### Part 4: Calculation and Payment of Charges

(Method of Calculation of Flat-Rate Access Charges and Network Modification Charges)

Article 69 1. NTT shall calculate flat-rate access charges and network modification charges in accordance with calendar months.

2. Only when the provisions of Item 2 or 3 of Paragraph 1, Paragraph 2 or 3, Article 64 (Obligation to Pay Flat-Rate Access Charges) or Paragraph 5, Article 66 (Obligation to Pay Network Modification Charges) apply, NTT shall make per diem calculations of flat-rate access charges or network modification charges in accordance of the number of calendar days of use.

In such event, in calculating charges stipulated in Paragraph 3, Article 64 or Paragraph 5, Article 66, 24 hours as a unit for the calculation of the number of days shall be deemed as the calendar day that includes the starting time of such 24 hours.

(Method of Calculation of Usage-Sensitive Access Charges)

Article 70 NTT shall calculate usage-sensitive access charges each calendar month with respect to communications completed between 00:00 of the first day of every month and 24:00 of the last day of said month, in accordance with the accumulated number of communications connections or accumulated communications hours to be measured as per the provisions of the following Article, and pursuant to the provisions of Item 1 (Access Charges), Table 1 in the Tables of Charges.

(Measurement of Communications Hours, Etc.)

Article 71 1. The number of communications connections shall be accumulated by regarding each time a connect signal is received by NTT's telecommunications facilities as one connection (when the directory assistance function is used, each time NTT transmits a charging signal; and when the operator assistance service function is used, each time communications becomes available by interconnection of

subscriber lines, etc., of both NTT and a contracting carrier), and said number shall be measured by NTT's equipment.

However, this shall not apply to the signal transmission function, the local switch menu usage function, the directory information database registration function and the directory information database usage function.

2. Communications hours shall be the period from the time a connect signal is received by NTT's telecommunications facilities to the time a disconnect signal is received by NTT's telecommunications facilities, and shall be measured by NTT's equipment.
3. Notwithstanding the provisions of the preceding two paragraphs, NTT shall not measure the number of communications connections or communications hours for the communications listed below.
  - (1) Communications to telecommunications circuits established by NTT for business reasons to which users are not required to pay charges for communications.
  - (2) Communications for testing (limited to communications using testing numbers established by NTT or a contracting carrier).
  - (3) Communications encountering equipment faults, etc., that affect billing.
  - (4) Communications interconnected in accordance with the provisions of Article 58 (Handling Interconnection to Telephones for Emergency Calls).

(Payment of Charges, Etc.)

Article 72 1. A contracting carrier is required to pay charges, etc. (meaning interconnection charges, expenses for works or procedures, amounts to be borne under the facility construction contract, amounts to be borne under the entrusted maintenance contract, etc., amounts to be borne for optical signal lead-in facilities, additional charges, penalties or arrearage interest; hereinafter the same) by the due dates specified by NTT at a financial institution, etc., designated by NTT.

2. The method for the billing or payment of charges, etc., shall be stipulated in the Particulars on Settlement of Expenses for Interconnection to be determined by NTT upon consultation with a contracting carrier, the Individual Construction Contract or the Interconnection Software Development Contract.

(Deferred Lump-Sum Payment of Charges)

Article 73 In case of special circumstances, NTT may request the lump-sum payment of charges, etc., for two or more months by the due dates specified by NTT (excluding cases where there is a reason attributable to NTT) with the prior approval of a contracting carrier.

(Acceleration of Payment)

Article 73-2 1. If any of the reasons listed below becomes applicable (in the case where (4), (6), or (7) is applicable, cases in which an applicant for interconnection proves that there is no possibility of failure to pay any amount payable with respect to interconnection are excluded), an applicant for interconnection shall naturally forfeit any grace period with respect to charges and other obligations payable to NTT in relation to interconnection and shall immediately pay such charges and other obligations to NTT.

- (1) When an applicant for interconnection declares insolvency with respect to all or part of obligations payable
- (2) When a petition is submitted against an applicant for interconnection for bankruptcy, the commencement of any company reorganization or civil rehabilitation procedures, or any other liquidation procedures pursuant to laws and ordinances
- (3) In case of suspending payment on or dishonoring any bills or checks issued by an applicant for interconnection

- (4) When a petition is submitted for compulsory procedures for liquidation of the assets of an applicant for interconnection pursuant to laws and ordinances, or in case of provisional seizure, provisional disposition or penalties for nonpayment of taxes, etc.
- (5) When the whereabouts of an applicant for interconnection are unknown
- (6) When the registration of telecommunications business for an applicant for interconnection is revoked (excluding cases in which a telecommunications carrier obtaining registration becomes a telecommunications carrier submitting a notification)
- (7) When an applicant for interconnection discontinues all telecommunications business operations
- (8) In case a state that is likely to cause significant hindrance to the continuation of business by an applicant for interconnection occurs, and when the applicant for interconnection is unlikely to pay obligations payable

2. NTT may include any amount to be paid in advance [limited to those payable by an applicant for interconnection if the Agreement is terminated when an applicant for interconnection forfeits any grace period (including access charges payable by an applicant for interconnection for the remaining period in accordance with the provisions of the minimum usage period that are applied mutatis mutandis pursuant to Paragraph 2, Article 64 (Obligation to Pay Flat-Rate Access Charges) and network modification charges payable by an applicant for interconnection in accordance with the provisions of Paragraph 3 or Paragraph 4, Article 66 (Obligation to Pay Network Modification Charges)); such amount shall be calculated by NTT and billed by NTT to an applicant for interconnection] in obligations that an applicant for interconnection shall immediately pay to NTT pursuant to the provisions of the preceding paragraph.

(Settlement of Access Charges, Etc.)

Article 74 When NTT changes access charges, NTT shall settle with a contracting carrier half of the difference between access charges with respect to the relevant function before changes and those after changes (meaning those calculated by using the actual cost in accordance with the provisions of Paragraph 2, Article 9 of the Interconnection Charge Regulations (Ministerial Ordinance of the Ministry of Posts and Telecommunications, No. 64 of 2000; excluding the functions stipulated in Paragraph 5, Article 33 of the Business Law that are specified in Paragraph 2, Article 9 of the Interconnection Charge Regulations)(except for the functions for which the cost calculation method stipulated in Paragraph 3, Article 8 of said regulations is used); however, in case the provisions of Paragraph 9 of Article 11, Article 12 and Article 13 of said regulations apply, those calculated by applying the same rate as that used for the calculation of access charges before the change) that is multiplied by the actual demand for such function in the previous fiscal year, per each function specified in Article 63 (Functional Classification of Interconnection Charges).

However, this shall not apply to access charges calculated by applying mutatis mutandis the proviso of Paragraph 2, Article 8 of said regulations and access charges calculated in accordance with the provisions of Article 10 of said regulations from among access charges before change.

2. When NTT changes the amount to be borne for the management of optical signal lead-in facilities, NTT shall settle with a contracting carrier half the difference between the amounts to be borne for such function before and after change that is multiplied by the actual demand for such function in the previous fiscal year.

(Settlement Based on Actual Results of Interconnection Charges, Etc.)

Article 74-2 1. When NTT has calculated the actual demand and the number of requests received for the relevant fiscal year (hereinafter referred to as the “actual results for the current fiscal year”) with respect to access charges for the subscriber line transmission function specified in (3)(4)a, 1.1.2.1.1.2, the optical/electrical signal conversion functions specified in (2), the local switch menu usage function, the carrier pre-subscription function, the optical signal interoffice transmission function specified in (1), 1.1.2.5.3.2, the optical signal intra-office transmission function specified in (a) or the wavelength multiplexing function, or expenses for procedures related to providing address information concerning assumed subscribers (limited to per-case charges), or expenses for procedures for carrier pre-subscription,

expenses for procedures specified in “c” of expenses for line condition surveys for optical line facilities or expenses for procedures for optical distribution area information survey, NTT shall settle with a contracting carrier the difference between these access charges and expenses for procedures and the access charges and expenses for procedures calculated for settlement purposes based on the actual results for the current fiscal year that is multiplied by the actual results for the current fiscal year.

2. When NTT has calculated the number of information provision incidents (one information provision incident per telecommunications number per case; hereinafter the same) for the relevant fiscal year with respect to expenses for procedures for the same number relocation acceptance/refusal information survey expense specified in “a,” NTT shall settle with a contracting carrier the difference between the total amount of expenses for procedures that are applied for the relevant fiscal year and that are paid by each contracting carrier in each calendar month, and the amount obtained by multiplying the total amount of expenses for procedures for the relevant fiscal year by the rate calculated as follows. This rate is calculated by dividing the number of incidents in which information is provided to each contracting carrier in the relevant fiscal year by the total number of incidents in which information is provided to contracting carriers in the relevant year (including the number of incidents in which information is provided for NTT’s VoIP network service that uses the mechanism of local number portability).

(Retroactive Application of Interconnection Charges, Etc.)

Article 75 When NTT changes charge amounts specified in Table 1 (Interconnection Charges), Table 2 (Expenses for Works and Procedures), Table 3 (Amount to be Borne under Entrusted Maintenance Contract for Collocation) and Table 4 (Amounts to be Borne for Optical Signal Lead-In Facilities) in the Tables of Charges, NTT shall apply the charge amount so changed retroactively to April 1 of the fiscal year immediately following the fiscal year relating to costs for the charge amount so changed (excluding the functions for which the cost calculation method stipulated in Paragraph 3, Article 8 of the Interconnection Charge Regulations is used.)

Part 5: Deleted

Article 76 Deleted

Part 6: Handling of Discrepancies in Billed Amounts

(Handling Discrepancies in Billed Amounts)

Article 77 1. In case of notification from a contracting carrier of inconsistencies with the billing materials recorded by said contracting carrier with respect to usage-sensitive access charges billed by NTT, NTT shall carry out billing reconciliation in accordance with the Particulars on Settlement of Expenses for Interconnection to be determined upon consultation with the contracting carrier.

2. When NTT is billed by a contracting carrier for access charges pertaining to said contracting carrier and if there are inconsistencies with the billing materials recorded by NTT, NTT shall request said contracting carrier to carry out billing reconciliation.

3. When NTT has requested billing reconciliation and has received a response asking NTT to carry out billing reconciliation because the relevant contracting carrier is unable to carry out same, NTT shall carry out such reconciliation.

4. If NTT finds through billing reconciliation any errors in billing materials recorded by one party, NTT shall treat billing materials recorded by the other party as correct and, in the absence of finding any cause for such inconsistency, NTT shall determine the amount of access charges upon consultation with the contracting carrier.

Part 6-2: Deposits, Etc.

(Deposits, Etc.)

Article 77-2 In the event an applicant for interconnection fails or is likely to fail to pay any amount payable with respect to interconnection, NTT may request consultation with an applicant for interconnection in order to secure a guarantee of the payment of obligations such as through making



deposits within the range necessary to secure the payment of any amount payable by an applicant for interconnection with respect to interconnection.

#### Part 7: Additional Charges, Penalties and Arrearage Interest

##### (Additional Charges)

Article 78 When a contracting carrier unlawfully evades payment of charges, etc. (excluding additional charges and arrearage interest in this Article), the said contracting carrier is required to pay an amount equal to twice the evaded amount (before adding an amount equivalent to the consumption tax) plus an amount equivalent to the consumption tax as an extra charge in addition to said evaded amount by a method separately specified by NTT.

##### (Penalties Concerning Procedures for Interconnection to Optical Interoffice Lines)

Article 78-2 When an applicant for interconnection makes an application specified in Paragraph 1, Article 34-3 (Application for Interconnection to Optical Interoffice Lines) and when the said applicant cancels such application during a period before the start of the relevant interconnection (excluding cases attributable to NTT and including cases of partial cancellation), the applicant for interconnection is required to pay an amount equivalent to the charge amounts (limited to those relating to the canceled portion in the application) for the optical signal interoffice transmission function for a period from the date of receipt of the application to the date of the application cancellation plus an amount equivalent to consumption tax as penalties by a method separately stipulated by NTT.

##### (Penalties Concerning Procedures for the POI Installation, Etc., in NTT Communications Buildings, Etc.)

Article 78-3 In the event an applicant for interconnection submits an application as specified in Paragraph 1, Article 10-4 (Application for POI Installation) and when this applicant for interconnection cancels such application in writing before the completion of the installation work of the equipment, etc., necessary for interconnection (excluding cases attributable to NTT; including cases of partial cancellation; and including cases in which an application is deemed to be cancelled in accordance with the provisions of Paragraph 3, Article 10-4 (including cases in which these provisions are applied mutatis mutandis to Paragraph 4) or Paragraph 4, Article 95 (Contract Concerning Installation or Maintenance of Equipment, Etc., Necessary for Interconnection)), the applicant for interconnection is required to pay an amount equivalent to the expenses (limited to those relating to the cancelled portion of the application) for the equipment usage charges (limited to those relating to the power reception and generation equipment) for a period from the date the application is received to the date the application is cancelled plus an amount equivalent to the consumption tax as a penalty. Said payment method shall be separately specified by NTT.

However, if the applicant for interconnection bears the expenses (limited to those relating to the cancelled portion of the application) for the equipment usage charges (limited to those relating to the power reception and generation equipment) in accordance with the provisions of Paragraph 2, Article 95, the amount of such expenses plus an amount equivalent to the consumption tax shall be deducted from the penalties.

##### (Arrearage Interest)

Article 79 In case a contracting carrier fails to pay charges, etc. (excluding arrearage interest in this Article) even after due dates, it is required to pay as arrearage interest an amount calculated at the rate of 14.5 percent per annum for the number of days between the day immediately following due dates, and the day immediately preceding payment dates, by the method separately specified by NTT.

#### Part 8: Assumption of Accounts Receivable

##### (Assumption of Accounts Receivable)

Article 80 1. With respect to communications originated from NTT and interconnected to a paging carrier by using the numbers stipulated in Item 5, Article 9 of the Telecommunications Numbering Regulations from among the patterns of interconnection specified in Article 54 (Patterns of Interconnection), NTT shall assume all claims for charges to be paid by subscribers for the service segment of the paging carrier from the terminating contracting carrier.

2. NTT may assume claims for charges with respect to additional function utilization charges, etc., as specified in the articles of agreement, etc., of the specified long-distance carrier.

## Part 9: Charge Billing and Collection on Behalf of Other Carriers

### (Billing and Collecting User Charges on Behalf of Other Carriers)

Article 81 1. Notwithstanding the provisions of Article 90 (Billing of User Charges), NTT may handle the billing and receipt by means of an NTT invoice issued to a user as an agent of a contracting carrier with respect to user charges that should be billed and collected by said contracting carrier only in cases where the contracting carrier requests NTT to perform such work at the request of its subscriber (limited to cases in which such subscriber is an NTT subscriber; hereinafter the same in this Article).

2. In the event said subscriber fails to pay any user charges that NTT has billed in accordance with the provisions of the preceding paragraph after the due date separately designated by NTT, NTT discontinues such handling specified in the preceding paragraph.

3. When NTT deems it necessary, NTT may request the contracting carrier to certify that the request has been made by said subscriber.

4. In the event of any complaint, claim, etc., from said subscriber when NTT carries out the billing and receipt of user charges, the relevant contracting carrier shall respond to same at its own responsibility, and NTT shall assume no responsibility in such case.

## Part 10: Handling of Fractions

### (Handling of Fractions)

Article 82 In case of any fractions of less than one yen resulting from the calculation of charges, etc., or other calculations, NTT shall discard such fractions unless otherwise stipulated separately.

## Chapter XI Technical Conditions

### (Technical Conditions)

Article 83 NTT shall stipulate the technical conditions at a standard point of interconnection as specified in Paragraph 1 of Article 5 (Standard Points of Interconnection) in the Collection of Technical Conditions.

## Chapter XII Damage Compensation

### (Limitation of Responsibility)

Article 84 1. NTT or a contracting carrier shall not claim compensation from the other party with respect to lost profits resulting from failures of interconnection or expenses ordinarily required in handling the payment of damages to a subscriber.

2. Notwithstanding the provisions of the preceding paragraph, when user charges constitute service segment total charges and NTT or a contracting carrier pays damages to subscribers in accordance with its respective articles of agreement, etc., for reasons attributable to the other party (excluding cases of interconnection failure attributable to the equipment of other contracting carriers such as the user premises splitter, communications building splitter or wiring facilities), they shall discuss the sharing of the expenses.

3. When user charges constitute service segment unit charges and the other party does not perform the interconnection for reasons not attributable to a subscriber, NTT or a contracting carrier shall not require the subscriber to pay charges pertaining to its telecommunications service in accordance with its respective articles of agreement, etc. In such event, NTT or the contracting carrier shall not claim compensation from the other party with respect to the amount of charges for which payment is not required.

~~4. In case of any damage to a contracting carrier due to errors or the improper usage of the number information registered in the directory information database, NTT shall assume no responsibility to the contracting carrier, except for cases attributable to NTT.~~

(Handling in Case of Cancellation, Etc.)

Article 85 1. In case of the cancellation or termination of an Agreement, NTT or a contracting carrier may claim damages [including the expenses that will be newly incurred (including the expenses required to restore to the original state with respect to NTT's telecommunications facilities and peripheral facilities, etc., in the case the other party responsible for causing cancellation or termination is a contracting carrier) and the expenses that have been so far incurred, plus an amount equivalent to the consumption tax (meaning the amount individually determined by consultation; in case of calculating the expenses in accordance with the provisions of an individual construction contract, the amount so calculated)] resulting from such cancellation or termination from the other party responsible for causing same.

2. The provisions of the preceding paragraph shall apply mutatis mutandis if NTT or a contracting carrier violates the Agreement and damages are incurred by the other party.

(Handling in Case of Business Suspension)

Article 86 When user charges constitute service segment unit charges and the other party suspends its business, NTT or a contracting carrier shall not require the subscriber to pay the charges pertaining to its telecommunications service in accordance with its respective articles of agreement, etc. In such event, NTT or the contracting carrier may claim compensation from the other party with respect to the amount of charges for which payment is not required.

(Handling in Case of Discrepancies in Traffic or the Number of Circuits)

Article 87 In case of any extreme excess or deficiency in interconnection facilities or designated telecommunications facilities other than interconnection software in the cases provided in each of the items listed below, NTT may demand the sharing of expenses required to make adjustments for such excess or deficiency upon consultation with a contracting carrier.

- (1) In case of any significant discrepancy between the submitted forecasts for traffic or the number of circuits and the actual results due to the willful intent or gross negligence of the contracting carrier.
- (2) When cooperation is refused without the presentation of reasonable grounds with respect to notification of traffic, the number of circuits, etc., in accordance with the provisions of Article 50 (Notification of Traffic, Number of Circuits, Etc.).

(Exemptions)

Article 88 1. When NTT has caused damage to the land, buildings or other fixtures, etc., of a contracting carrier (including an applicant for interconnection; hereinafter the same in this Article ) during the course of works of the installation, removal, repair or restoration of interconnection facilities or other telecommunications facilities due to unavoidable reasons, NTT shall not pay damages.

2. When the remodeling or change (hereinafter referred to as "remodeling, etc." in this Article ) of telecommunications facilities of a contracting carrier or NTT's interconnection facilities or interconnection software (hereinafter referred to as "telecommunications facilities, etc., of a contracting carrier" in this Article ) is required as a result of changes made pursuant to these Articles of Agreement or an Agreement, NTT shall not bear the expenses required for such remodeling, etc.

However, if any of the expenses required for remodeling, etc., of telecommunications facilities, etc., of the contracting carrier are incurred for reasons attributable to NTT, NTT shall consult with the contracting carrier with respect to the sharing of that portion.

3. When the remodeling, etc., of telecommunications facilities of NTT or the contracting carrier is required as a result of the discontinuation of interconnection as specified in Article 61 (Discontinuance of Interconnection), neither NTT nor the contracting carrier shall bear any expenses required for such remodeling, etc., with respect to telecommunications facilities of the other party.

However, if any of the expenses required for remodeling, etc., of telecommunications facilities, etc., of the contracting carrier are incurred for reasons attributable to NTT, NTT shall consult with the contracting carrier with respect to the sharing of that portion.

4. When NTT upgrades the optical signal transmission equipment or the optical/electric signal conversion equipment in accordance with the provisions of Article 36 (Upgrades of Telecommunications Facilities or Software by NTT) and even if damage is caused due to the upgrades, etc., of the customer premises optical/electric signal conversion equipment (meaning a device that converts between optical and electric signals, and which is installed in the user premises in relation to the optical signal transmission equipment or the optical/electric signal conversion equipment) that is procured by the contracting carrier, NTT shall assume no responsibility to the contracting carrier. However, in case there is any reason attributable to NTT, NTT shall consult with the contracting carrier with respect to the sharing of that portion.

5. When the function specified in “b” (3), 1.1.2.1.1.2 (Subscriber Line Transmission Functions) is provided and even if damage is caused because this function becomes totally unavailable due to the phenomena attributable to the fixed radio access method or that interconnection for such function is discontinued in accordance with the provisions of Paragraph 6, Article 61 (Discontinuance of Interconnection), NTT assumes no responsibility to the contracting carrier.

### Chapter XIII Matters Concerning Responsibility to Users

#### (Setting User Charges)

Article 89 1. User charges (limited to communications charges or leased line charges; hereinafter the same in this Chapter) with respect to interconnection messages of NTT and other carriers shall constitute either service segment total charges or service segment unit charges.

2. Telecommunications carriers setting user charges shall be as listed in Column 2 (Carriers Setting User Charges) of Attached Table 2, per pattern of interconnection specified in Article 54 (Patterns of Interconnection).

#### (Billing of User Charges)

Article 90 With respect to user charges for interconnection messages of NTT and other carriers, telecommunications carriers billing charges to users and collecting such charges shall be as listed in Column 3 (Carriers Billing User Charges) of Attached Table 2, per pattern of interconnection specified in Article 54 (Patterns of Interconnection).

#### (Special Rules Concerning Roaming, Etc.)

Article 91 1. Under the patterns of interconnection from among those specified in Article 54 (Patterns of Interconnection) in which a mobile carrier or PHS carrier becomes the originating telecommunications carrier, when the relevant mobile or PHS carrier transfers the accounts receivable pertaining to its communications in accordance with its articles of agreement, etc., to other mobile or PHS carriers, the telecommunications carrier that bills and collects user charges pertaining to such communications shall be the assignee telecommunications carrier of such accounts receivable, notwithstanding the provisions of the preceding Article.

2. The provisions of the preceding paragraph shall apply mutatis mutandis in case of a transfer by a long-distance carrier of an account receivable pertaining to its communications to a PHS carrier (dependent-type).

#### (User Charge Calculation)

Article 92 1. A telecommunications carrier as stipulated in Article 90 (Billing of User Charges) shall carry out user-charge calculations for interconnection messages of NTT when user charges constitute service segment unit charges, and user-charge calculations for interconnection messages of NTT and other carriers when user charges constitute service segment total charges.

However, in case of communications from NTT to a mobile carrier using an operator-assisted collect service handling function and communications for interconnection from NTT to a paging carrier using the numbers specified in Item 5, Article 9 of the Telecommunications Numbering Regulations, NTT shall carry out user-charge calculations, and in case of communications with a PHS carrier (dependent-type), NTT may carry out user-charge calculations. In case of communications with an international carrier, a local carrier or a long-distance carrier, such carrier may carry out user-charge calculations.

2. A telecommunications carrier calculating user charges shall carry out such calculations based on charging information, etc., collected by its own equipment.

However, from among the patterns of interconnection specified in Article 54 (Patterns of Interconnection), with respect to communications originating from NTT and terminating at a PHS carrier (connective-type), communications originating from NTT and terminating at a mobile carrier, communications originating from NTT and terminating at an international carrier (excluding cases specified in the proviso to the preceding paragraph), and communications originating from NTT by using the numbers specified in Item 5, Paragraph 9 of the Telecommunications Numbering Regulations and terminating at a paging carrier, when NTT receives charging information, etc., from a terminating telecommunications carrier, NTT shall calculate user charges on behalf of a contracting carrier based on such information, etc.

(Responses to Complaints or Requests for Fault Repairs, Etc., from Users)

Article 93 1. A telecommunications carrier setting user charges is required to accept inquiries or other complaints from users concerning communications charges or service contents and respond to them.

However, in case of the patterns of interconnection from among those specified in Article 54 (Patterns of Interconnection) in which a carrier setting user charges and a carrier billing user charges are different, the carrier billing user charges is required to accept complaints concerning user charges and respond to them.

2. NTT or a contracting carrier shall accept requests from users for fault repairs, etc., pertaining to interconnection and a telecommunications carrier having responsibility for causing such fault shall carry out repairs and other measures. In such event, NTT shall specify detailed matters concerning the response to requests for fault repairs, etc., in the Particulars on Operation, Administration and Maintenance to be determined upon consultation with the contracting carrier.

3. In case of complaints, claims, etc., from a subscriber in registering or using the number information, a carrier registering information in the directory information database or a carrier using information in the directory information database shall assume full responsibility to resolve such issues, except for cases attributable to NTT....

(Conditions for Providing NTT Subscriber Lines, Etc.)

Article 94 The availability of interconnection to telecommunications facilities of a contracting carrier for communications originated from NTT subscriber lines, the availability of termination at NTT subscriber lines for communications interconnected from telecommunications facilities of a contracting carrier, or the availability of interconnection to telecommunications facilities of a contracting carrier for each type of communications under NTT's ISDN service shall be as specified in the Collection of Technical Conditions.

#### Chapter XIV Cases in which POIs are Established within NTT Communications Buildings

(Contract Concerning Installation or Maintenance of Equipment, Etc., Necessary for Interconnection)

Article 95 1. When NTT establishes a POI within the communications building for which NTT provided a response that the establishment of a POI was possible pursuant to the provisions of Article 10-3 (POI Survey) (including cases in which the usage of the space to install the equipment, etc., necessary for interconnection is started (hereinafter referred to as "usage start by work initiation" in this Article) by initiating work to install or remove the equipment, etc., necessary for interconnection within six months after receiving the response specified in Paragraph 5 of Article 10-3 and cases in which the usage is deemed to be started pursuant to the provisions of Paragraph 4, Article 10-4 (Application for Establishment of POI); hereinafter the period from the date of usage start by work initiation to the date before the day on which the equipment, etc., necessary for interconnection is offered for use is referred to as the "non-use period of the equipment, etc., necessary for interconnection; the period from the date on which usage is deemed to be started pursuant to the provisions of Paragraph 4, Article 10-4 to the date before the day on which the equipment, etc., necessary for interconnection is offered for use is referred to as the "assumed non-use period of the equipment, etc., necessary for interconnection; and the period from the date on which the equipment, etc., necessary for interconnection is offered for use (in the case of work entrusted to NTT in accordance with the contract specified in Item 1, this means the planned work completion date announced by NTT to the applicant for interconnection or the date on which preparations for NTT's power

facilities are completed, whichever is later; in the case of work conducted by the applicant for interconnection to install the equipment, etc., necessary for interconnection in an NTT communications building, etc., (hereinafter referred to as “self-undertaken work”) and when the applicant for interconnection does not start the usage of new power facilities, this means the planned work completion date indicated by the applicant for interconnection in the Self-Undertaken Work Application (Form 25) in Attached Table 3 (Forms) or the date on which self-undertaken work is completed, whichever is earlier; and in the case where the applicant for interconnection starts the usage of new power facilities, this means the requested power facility usage start date indicated by the applicant for interconnection in the Self-Undertaken Work Application or the date on which preparations for NTT’s power facilities are completed, whichever is later) to the date on which the usage of the communications building, etc., necessary for interconnection ceases is referred to as the “use period of the equipment, etc., necessary for interconnection”), NTT shall conclude a contract in accordance with the definitions specified below with the relevant applicant for interconnection. However, this shall not apply when NTT is unable to install or carry out maintenance for the equipment, etc., necessary for interconnection with respect to cases to which Item 1 or 2 is applicable, or in the event of any other specific reason.

- (1) When NTT receives the equipment, etc., necessary for interconnection from an applicant for interconnection and installs this equipment, etc., in the NTT communications building, etc., or when an applicant for interconnection installs the equipment, etc., necessary for interconnection in the NTT communications building, etc., and entrusts part of such installation work to NTT:  
A contract concerning the full or partial entrustment of the installation of the equipment, etc., necessary for interconnection (hereinafter referred to as an “Entrusted Construction Contract”).
- (2) When NTT receives the equipment, etc., necessary for interconnection from an applicant for interconnection and installs or provides maintenance for this equipment, etc., at the NTT communications building, etc. (including the non-use period of the equipment, etc., necessary for interconnection):  
A contract concerning entrusted maintenance, etc., for the equipment, etc., necessary for interconnection (hereinafter referred to as an “Entrusted Maintenance Contract”).
- (3) When an applicant for interconnection installs or provides maintenance for the equipment, etc., necessary for interconnection at the NTT communications building, etc. (including the non-use period of the equipment, etc., necessary for interconnection):  
A contract concerning the usage of space equivalent to that required for the installation of the equipment, etc., necessary for interconnection (including maintenance space; hereinafter the same) (hereinafter referred to as a “Collocation Space Usage Contract”).

2. In the case of the preceding paragraph, an applicant for interconnection is required to bear the expenses that are specified in each item below. In this case, NTT shall indicate in the contract specified in the preceding paragraph or other documents the expense for each item of the calculation formulas (including itemized expenses for the amount to be borne under an Entrusted Construction Contract by separating the amount into work expenses and material expenses) that are specified in Table 2-2 (Amount to be Borne Under Entrusted Construction Contract) or Table 3 (Amount to be Borne Under Entrusted Maintenance Contract, Etc.) in the Tables of Charges.

- (1) Cases in which an Entrusted Construction Contract is concluded:  
Relevant expenses from among those specified in Table 2-2 (Amount to be Borne Under Entrusted Construction Contract) in the Tables of Charges are applied.
- (2) Cases in which an Entrusted Maintenance Contract is concluded:  
Relevant expenses from among those specified in Table 3 (Amount to be Borne Under Entrusted Maintenance Contract, Etc.) in the Tables of Charges are applied during the use period of the equipment, etc., necessary for interconnection.

However, expenses are limited to housing charges specified in “a,” (1), 3.1.1 (Calculation Formula), 3.1 (Amount to be Borne for Communications Buildings) of the same table with respect to the non-use period of the equipment, etc., necessary for interconnection. With

respect to the assumed non-use period of the equipment, etc., necessary for interconnection, expenses are limited to housing charges specified in “a,” (1), 3.1.1 (Calculation Formula), 3.1 (Amount to be Borne for Communications Buildings) of the same table and equipment usage charges (limited to those relating to power reception and generation equipment).

- (3) Cases in which a Collocation Space Usage Contract is concluded:  
Relevant expenses from among those specified in Table 3 (Amount to be Borne Under Entrusted Maintenance Contract, Etc.) in the Tables of Charges (excluding the equipment maintenance charge with respect to expenses specified in 3.1 (Amount to be Borne for Communications Buildings) of the same table are applied during the use period of the equipment, etc., necessary for interconnection.

However, expenses are limited to housing charges specified in “a,” (1), 3.1.1 (Calculation Formula), 3.1 (Amount to be Borne for Communications Buildings) of the same table with respect to the non-use period of the equipment, etc., necessary for interconnection. With respect to the assumed non-use period of the equipment, etc., necessary for interconnection, expenses are limited to housing charges specified in “a,” (1), 3.1.1 (Calculation Formula), 3.1 (Amount to be Borne for Communications Buildings) of the same table and equipment usage charges (limited to those relating to power reception and generation equipment).

3. In the case of Paragraph 1, when an applicant for interconnection implements self-undertaken work, said applicant for interconnection is required to make an application to NTT for self-undertaken work by using Form 25 (Self-Undertaken Work Application) in Attached Table 3 (Forms). In the event the period from the planned work initiation date indicated in the Self-Undertaken Work Application to the planned work completion date (limited to cases in which the applicant for interconnection does not start the usage of new power facilities) or the requested power facility usage start date (limited to cases in which the applicant for interconnection starts the usage of new power facilities) exceeds three months, the applicant for interconnection is required to indicate the reason therefor in the Self-Undertaken Work Application and submit it to NTT. NTT shall accept such self-undertaken work application except in cases of special circumstances such as those attributable to the applicant for interconnection. In this case, NTT shall enter into a contract with the relevant contracting carrier concerning the self-undertaken work for all or part of the installation of the equipment, etc., necessary for interconnection.

4. In the event the applicant for interconnection cancels the application for work based on the contract specified in Item 1, Paragraph 1, or the application for self-undertaken work specified in the preceding paragraph, it shall be deemed that the applicant for interconnection cancels the application (limited to those portions for which the work application is canceled) specified in Paragraph 1, Article 10-4 on the date of the cancellation of such work application.

(Entry for Attendance Purposes by Applicant for Interconnection, Etc.)

Article 95-2 1. When NTT receives the equipment, etc., necessary for interconnection from an applicant for interconnection and installs or provides maintenance for this equipment, etc., at the NTT communications building, etc., under an Entrusted Construction Contract or an Entrusted Maintenance Contract, the applicant for interconnection or the person(s) designated by the applicant for interconnection may enter the NTT communications building, etc., to be physically present during said installation or maintenance. In this case, the number of persons entering the building shall be limited to that necessary for the intended purposes.

2. The provisions of Paragraphs 2 and 3, Article 10-5 (Entry to Installation Site of Equipment, Etc., Necessary for Interconnection by Applicant for Interconnection) shall apply mutatis mutandis to the cases specified in the preceding paragraph. In this case, “by using Form 6 in Attached Table 3 (Forms)” in Paragraph 2 of said Article shall be read as “by using Form 26 in Attached Table 3 (Forms)” and “by using Form 7 in Attached Table 3 (Forms)” in Paragraph 3 of said Article shall be read as “by using Form 27 in Attached Table 3 (Forms).”

3. Notwithstanding the provisions of the preceding paragraph, when entry is to be made for attendance during maintenance as specified in Paragraph 1 and such maintenance is to be provided for repairs of a fault in the equipment, etc., necessary for interconnection or other emergency and unavoidable reasons, the notice required under Paragraph 2, Article 10-5 that is applied mutatis mutandis in accordance with the

preceding paragraph can be provided on the same day of entry. Unless a special situation is involved, NTT shall promptly issue its approval as specified in Paragraph 2, Article 10-5 that is applied mutatis mutandis in accordance with the preceding paragraph.

(Entry When an Applicant for Interconnection Undertakes Installation or Maintenance of Equipment, Etc., Necessary for Interconnection)

Article 95-3 1. An applicant for interconnection or the person(s) designated by the applicant for interconnection as those responsible for carrying out the installation or maintenance of the equipment, etc., necessary for interconnection (limited to employees of an organization that satisfies the standards that are separately stipulated by NTT concerning organizations qualified to carry out work or maintenance at NTT communications buildings, etc., in case of conducting work for facilities other than the equipment, etc., necessary for interconnection) may enter the NTT communications building, etc., for the installation or maintenance of the equipment, etc., necessary for interconnection. In this case, the number of persons entering the building, etc., shall be limited to that necessary for such installation or maintenance of the equipment, etc., necessary for interconnection. In the event any of the items described below is applicable, a person designated by NTT must be physically present.

- (1) Deleted.
- (2) In the event of moving relevant equipment, etc., into or out of the NTT communications building during work for such installation or maintenance; when the relevant equipment is connected to or disconnected from NTT's telecommunications facilities or power facilities; or cases in which work that may otherwise cause hindrance to telecommunications facilities of NTT or carriers other than the applicant for interconnection is carried out.
- (3) In the event of entering a site where NTT's power generation facilities, power reception facilities or storage batteries are installed.
- (4) At the time the applicant for interconnection initiates such installation or maintenance, when an explanation is required about the working environments at the communications building and the site where installation or maintenance is carried out; or when confirmation or coordination with NTT is required about work contents.
- (5) When the NTT communications building in which such installation or maintenance is carried out is a building at which maintenance personnel for NTT's designated telecommunications facilities are not always in attendance and where an automatic entry/exit management system is not installed.
- (6) When the organization employing the person(s) carrying out the work for such installation or maintenance has no experience in conducting work or maintenance at the NTT communications building, etc., and there are fears of causing hindrance to the telecommunications facilities installed by NTT or carriers other than the applicant for interconnection through performing such installation or maintenance work.
- (7) When such attendance is requested by the applicant for interconnection upon consultation with the applicant for interconnection.

2. The provisions of Paragraphs 2 and 3 of Article 10-5 (Entry to Installation Site of Equipment, Etc., Necessary for Interconnection by Applicant for Interconnection) and the provisions of Paragraph 3 of the preceding Article shall apply mutatis mutandis to the preceding paragraph. In this case, ““by using Form 6 in Attached Table 3 (Forms)” in Paragraph 2 of said Article shall be read as “by using Form 28 in Attached Table 3 (Forms)””; “by using Form 7 in Attached Table 3 (Forms)” in Paragraph 3 of said Article shall be read as “by using Form 29 in Attached Table 3 (Forms)””; “for attendance during maintenance” in Paragraph 3 of the preceding Article shall be read as “to carry out maintenance””; and “applied mutatis mutandis in accordance with the preceding paragraph” in the same paragraph shall be read as “applied mutatis mutandis in accordance with Paragraph 2, Article 95-3 (Entry When an Applicant for Interconnection Undertakes Installation or Maintenance of Equipment, Etc., Necessary for Interconnection).”



(Standard Lead-Time for the Installation of Equipment, Etc., Necessary for Interconnection)

Article 95-4 1. In the event of installing a POI within the communications building that is specified in the response that POI installation is possible pursuant to the provisions of Article 10-3 (POI Survey), NTT shall complete the preparations within the periods specified in each item below. However, there may be cases in which the periods specified in each item below may be exceeded in the event special work is required, such as when the installation or modification of power facilities, storage battery facilities or power reception/generation facilities is required because the existing capacity of such facilities is exceeded if power is supplied to the equipment, etc., necessary for interconnection in installing such equipment, etc., or when the scale of work under the Entrusted Construction Contract is extensive in cases in which such contract is concluded with NTT (meaning cases requiring entrusted work expenses of ¥5 million or more from among the amounts to be borne under the Entrusted Construction Contract at the relevant POI), or in the event of any situation that requires an urgent response.

- (1) The period from the date of receipt of the application specified in Paragraph 1, Article 10-4 to the date on which the installation of the equipment, etc., necessary for interconnection is initiated:
  - a. Cases in which an Entrusted Construction Contract is not concluded with NTT
    - (a) In the event of installing the equipment, etc., necessary for interconnection or any related equipment of the applicant for interconnection at the site where relevant equipment, etc., has already been installed by the applicant and when there is no need for the installation or modification of peripheral facilities, etc., that can be used by the applicant for interconnection: Within two weeks
    - (b) Cases other than (a) and (c): Within one month
    - (c) In the event of installing or modifying the raised floor at the site where the equipment, etc., necessary for interconnection and related equipment of the applicant for interconnection are installed upon the request of the applicant for interconnection or due to other reasons: within 1.5 months
  - b. Cases other than “a”: Within two months
- (2) The period from the date on which NTT initiates the work entrusted by the applicant for interconnection based on the Entrusted Construction Contract to the date on which such work is completed:
  - a. Cases in which work is implemented within the NTT communications building only
    - (a) In the event the equipment, etc., necessary for interconnection is connected at the site specified in (1)2 in the table of Paragraph 1, Article 5 (Standard Points of Interconnection): Within one month
    - (b) Cases other than (a): 1.5 months
  - b. Cases other than “a”: Within three months

2. The period specified in each item of the preceding paragraph does not include any period required by an applicant for interconnection for study; the time required to secure a road occupancy permit or road usage permit or the time from taking the necessary procedures such as making an application by NTT for the required measures to the completion of these measures if such measures by the government or local municipalities are required to install the equipment, etc., necessary for interconnection; or any time that elapses due to force majeure (such as natural disasters) or otherwise due to reasons not attributable to NTT.

(Restrictions on Work, Etc.)

Article 95-5 1. In the event any of the following items is applicable, NTT may restrict entry into the NTT communications building, etc., or may impose necessary conditions during a reasonable period

required to secure communications. In this case, NTT shall issue a written notification of the reasons therefor.

- (1) In the event of conducting inspections of electrical facilities for business use that are installed in the NTT communications building, etc., pursuant to the safety regulations in Paragraph 1, Article 42 of the Business Law.
- (2) In the event a natural disaster, incident or other emergency causes any damage to the NTT communications building, etc.
- (3) When it is necessary to give priority to communications relating to disaster prevention, securing relief, transportation, communications, power supplies, or the maintenance of order, or communications specified in Article 55 of the Business Law Enforcement Regulations in the event of a natural disaster, incident or other emergency, or the fear of same.
- (4) When requests are made by the government or local public entities concerning the securing of communications.
- (5) In the event of an election under the Public Offices Election Law (Law No. 100 of 1950)
- (6) In the event of a summit meeting among advanced countries or other important international meetings equivalent to such a meeting.
- (7) In the event the heads (or persons of equivalent standing) of international organizations, organizations of other countries or other important organizations visit Japan.
- (8) When important events that are equivalent to those specified in the preceding three items are conducted by the government or local public entities.

#### Chapter XIV-2 Settlement by Mediation or Arbitration

(Settlement by Mediation or Arbitration)

Article 95-6 1. When negotiations with other carriers fail to come to an agreement, NTT or a contracting carrier (including an applicant for interconnection; hereinafter the same in this Article) may resolve such matters by mediation as specified in Article 154 of the Business Law or Article 157 of the said law, arbitration as specified in Article 155 of the said law or Article 157 of the said law, or other appropriate methods.

2. When another carrier submits an application for arbitration as specified in Paragraph 1, Article 155 of the Business Law or Paragraph 3, Article 157 of the said law to the Committee, NTT or a contracting carrier shall issue a notification to the other carrier whether or not an application relating to the said application is submitted by NTT or a contracting carrier within one week after the receipt of a notice from the Committee by NTT or a contracting carrier to the effect that the said application for arbitration has been submitted by the other carrier. Moreover, if NTT or a contracting carrier intends to submit an application for arbitration concerning the contents of the said application, it shall submit an application within two weeks.

Chapter XIV-3 Deleted.

Article 95-7 Deleted.

Chapter XV Telephone Directory Listing and Directory Assistance for Contracting Carrier Subscriber Line Numbers, Etc., and Directory Information Database Registration and Directory Information Database Usage

(Telephone Directory Listing of Contracting Carrier Subscriber Line Numbers, Etc.)

Article 96 Upon request from a contracting carrier, NTT shall list individual or corporate names, subscriber line numbers, etc., and their terminal locations, etc., for subscribers of the contracting carrier in a Japanese language telephone directory (i.e., white pages) or a classified telephone directory (i.e., yellow

pages) published by NTT, except for the cases listed in each of the following items. Moreover, NTT may also list such information in a telephone directory in which the items included in a Japanese language telephone directory or a classified telephone directory are listed (including those in which such items are handled by magnetic or other media) in accordance with the provisions separately stipulated by NTT.

- (1) When the names, etc., to be listed in a telephone directory do not conform to the entry standards separately prescribed by NTT.
- (2) When the contracting carrier fails to register the subscriber information necessary for telephone directory listing and directory assistance in the directory information database.

(Directory Assistance for Contracting Carrier Subscriber Line Numbers, Etc.)

Article 97 1. Upon request from a contracting carrier, NTT shall provide directory assistance service for subscriber line numbers, etc., of subscribers of the contracting carrier under NTT's directory assistance service, except for the cases listed in each of the following items.

- (1) When the contracting carrier has not provided data for listing in an NTT telephone directory as specified in the preceding Article.
- (2) When the contracting carrier fails to register the subscriber information necessary for telephone directory listing and directory assistance in the directory information database.

2. Upon request from a contracting carrier, NTT shall provide directory assistance service for subscriber line numbers, etc., of the contracting carrier which are not listed in an NTT telephone directory under NTT's directory assistance service, except for the cases listed in each of the following items.

- (1) When the names, etc., to be registered in a telephone directory database do not conform to the standards as stipulated in Item 1 of the preceding Article.
- (2) When the contracting carrier fails to register the subscriber information necessary for telephone directory listing and directory assistance in the directory information database.

(Directory Information Database Registration)

Article 97-2 1. Upon the request of a contracting carrier, NTT shall carry out the registration (including new registration, changes in and deletions of registered contents; hereinafter the same in this article) of subscriber number information (limited to that separately specified by NTT within the extent necessary for telephone directory listing or directory assistance in compliance with laws and ordinances such as the Law Concerning the Protection of Personal Information (Law No. 57, 2003) and the Guidelines Concerning the Protection of Personal Information in Telecommunications Business (Notification No. 695 of the Ministry of Internal Affairs and Communications, 2004) (hereinafter referred to as the "Personal Information Protection Guidelines, etc.")). by means of connection to the NTT directory information database via online linkages or magnetic media, except for the cases in which the contracting carrier fails or is likely to fail to comply with any matters listed below in handling subscriber information to be registered.

However, the contracting carrier may request the registration of subscriber number information submitted in a paper format as an alternative means to online linkages or magnetic media.

- (1) The contracting carrier shall provide its subscribers with an option not to list their numbers in the telephone directory or not to provide directory assistance for their numbers (in this case, the contracting carrier can provide its subscribers with an option to select directory assistance only).
- (2) In the event a subscriber elects not to list its number in the telephone directory or not to provide directory assistance for its number, the contracting carrier shall not request NTT to register the relevant number.
- (3) In the event a subscriber elects to provide directory assistance only, the contracting carrier shall request NTT to register the relevant number only for the purpose of directory assistance.

- (4) In the event the contracting carrier is requested by its subscriber to register the number information of such subscriber, the contracting carrier shall request NTT to register same in the NTT directory information database without delay.
- (5) The contracting carrier shall comply with the Personal Information Protection Guidelines, etc.

2. The carrier registering information in the directory information database may request NTT to suspend the provision of number information relating to its subscribers to a carrier using information in the directory information database by submitting a written document certifying that said carrier using information in the directory information database is in violation of the Personal Information Protection Guidelines, etc. However, in the event of any complaints or claims from the carrier using information in the directory information database in relation to the suspension of the provision of the number information as specified in Paragraph 2 of Article 97-3, the carrier registering information in the directory information database shall assume full responsibility to resolve such issues, except for cases attributable to NTT.

(Directory information database Usage)

Article 97-3 1. Upon the request of the contracting carrier (including carriers using subscriber number information stored in the directory information database based on a contract other than the Agreement; hereinafter the same in this Article), NTT shall provide subscriber number information stored in the NTT directory information database via online linkages or magnetic media, except for the cases in which the contracting carrier fails or is likely to fail to comply with any matters listed below in handling subscriber information that is provided.

- (1) When the contracting carrier receives subscriber number information (limited to cases using the function described in “b.” Item (5), 1.1.2.8 (Directory Assistance Function), 1.1 (Access Charges), Table 1 in the Tables of Charges, the contracting carrier shall update its database (including other than the electronic database) without delay.
- (2) The rights and interests of subscribers of the carrier registering information in the directory information database shall not be improperly infringed [this includes the requirement that the same format as that used for the paper-based telephone directory arranged in the order of the Japanese syllabary must be used in providing information listed in the telephone directory through coordination of magnetic records or other methods (including technical measures necessary to prevent the usage of reverse search functions (meaning searches other than for the subscriber line number, etc., by designating the name of the subscriber (including the designation of a site, etc., at which the subscriber line terminates; hereinafter the same in this Article)) and download functions (meaning the extraction of subscriber line numbers, etc., without designating the name of a specific subscriber)].
- (3) The contracting carrier shall use the number information registered in the directory information database only for the purpose of carrying out telephone directory listing and directory assistance (including cases in which such work is entrusted to other parties).
- (4) In the event subscriber line information is registered in the NTT directory information database only for the purpose of directory assistance in accordance with “c.” (2), Paragraph 1 of the preceding Article, the contracting carrier shall use such number information only for the purpose of directory assistance.
- (5) The contracting carrier shall comply with the Personal Information Protection Guidelines, etc.

2. In the event a request as specified in Paragraph 2 of the preceding Article is made and such request is considered reasonable, NTT shall suspend providing the number information relating to subscribers of the contracting carrier making such request after issuing a notification to this effect to the carrier using information in the directory information database subject to such request for suspension.

## Chapter XVI Miscellaneous

(Providing Subscriber Information to Contracting Carriers with Individual Subscriber Contracts)

Article 98 1. When a request is made by a contracting carrier (limited to a long-distance carrier and an international carrier that have telecommunications numbers stipulated in Paragraph 1, Article 5 of the Telecommunications Numbering Regulations; hereinafter the same in this Article) for providing information on a telephone service or ISDN service subscriber relative to the subscriber line number, etc. (excluding additional numbers; hereinafter the same in this Article) that is designated by the contracting carrier by using the Customer Information Referral Form (hereinafter “information on a telephone service or ISDN service subscriber” is referred to as “subscriber information” in this article, Item 9, Paragraph 1 of Article 68 (Obligation to Pay Expenses for Procedures), and 2.2 (Expenses for Procedures), Table 2 (Expenses for Works and Procedures), Tables of Charges), NTT shall provide a response, only if all of the following provisions are applicable, by using the Customer Information Referral Form, that indicates subscriber information, such as the name and address of the person to which an NTT bill for user charges is sent and the address, etc. of the relevant subscriber (including reasons for a change and the change date (if the designated subscriber line number, etc. or its installation location, etc. is changed, information on the post-change subscriber line number, etc. or its installation location, etc. is included; if usage is suspended, information on the address of the relevant subscriber that NTT knows at the time the provision of subscriber information is requested is included); hereinafter the same in Paragraph 3, Article 99 (Providing Subscriber Information to Contracting Carriers with Assumed Individual Subscriber Contracts)).

- (1) The subject subscriber whose information is provided (hereinafter referred to as the “subject subscriber” in this chapter) is a subscriber of telecommunications service (limited to that which involves other carrier’s interconnection message) of the relevant contracting carrier (hereinafter referred to as the “subscriber of other carrier service” in this chapter).
- (2) The name and subscriber line number, etc. of the subscriber of other carrier service designated by the Customer Information Referral Form correspond to the name and subscriber line number, etc. of the subject subscriber at the date designated in such form.
- (3) The relevant contracting carrier has obtained consent in writing or by other means from the subject subscriber concerning the provision of subscriber information on the subject subscriber to the relevant contracting carrier by NTT.
- (4) There is no doubt that the relevant contracting carrier will comply with the matters listed below in handling the provided subscriber information:
  - a. The provided subscriber information shall be used only for purposes specifically necessary to implement business operations, such as billing and collecting user charges for telecommunications service provided by the relevant contracting carrier, and shall not be used for other purposes such as sales activities.
  - b. The contracting carrier shall use the provided subscriber information by itself (including cases in which business operations are entrusted to other parties), and shall not provide such information to any third party.
  - c. The provided subscriber information shall be deleted without delay after the purpose is achieved.
  - d. The rights and interests of the subject subscriber shall not be unduly damaged.
  - e. The contracting carrier shall otherwise comply with the laws and ordinances such as the Law Concerning the Protection of Personal Information (Law No. 57, 2003) and the Guidelines Concerning the Protection of Personal Information in Telecommunications Business (Notification No. 695 of the Ministry of Internal Affairs and Communications; August 31, 2004) (hereinafter referred to as the “Personal Information Protection Guidelines, etc.”).

(5) The implementation of NTT's business activities will not otherwise be hindered by providing such subscriber information.

2. In the event of the request specified in the preceding paragraph, if NTT does not provide subscriber information, NTT will notify the contracting carrier of the reason therefore (if NTT does not provide subscriber information on the grounds that the contracting carrier does not conform to Item 3 or Item 4 of the preceding paragraph, the provisions specified in Paragraphs 3 through 5 shall apply). In such case, NTT shall assume no responsibility for compensation for damage incurred by the contracting carrier by not providing subscriber information, except for cases where there are reasons attributable to NTT.

3. NTT may request a contracting carrier to submit the document evidencing that the consent of the subject subscriber whose subscriber information is to be provided has been obtained if NTT deems it necessary in providing subscriber information. In this case, said contracting carrier is required to submit such document to NTT.

4. If there is any doubt that the contracting carrier will fail to comply with the matters listed in Item 4, Paragraph 1, and if NTT deems it necessary, NTT shall be able to request the relevant contracting carrier to submit a report on the results of the survey on compliance of the matters listed in Item 4, Paragraph 1. Said contracting carrier is required to promptly submit the report on the survey results to NTT.

5. In the event of the preceding two paragraphs, NTT may suspend the provision of subscriber information upon notifying the contracting carrier of the reason for such suspension, the suspension date and period until the document evidencing that the consent of the subject subscriber has been obtained is submitted by the contracting carrier, or until it becomes clear based on the survey results submitted by the contracting carrier that there is no doubt that the contracting carrier will comply with the matters listed in Item 4, Paragraph 1. In such case, NTT shall assume no responsibility for compensation for damage incurred by the contracting carrier by suspending the provision of subscriber information, except for cases where there are reasons attributable to NTT.

6. If a complaint and/or litigation, etc. is initiated by the subject subscriber in connection with the provision of subscriber information to the contracting carrier, the contracting carrier shall respond accordingly at its responsibility. In such case, NTT shall assume no responsibility for the subject subscriber, except for cases where there are reasons attributable to NTT. The contracting carrier shall assume such responsibility.

7. Detailed matters related to the provision of subscriber information shall be specified in the Particulars on Settlement of Expenses for Interconnection to be determined upon consultation between NTT and a contracting carrier.

(Providing Subscriber Information to Contracting Carriers Receiving the Carrier Pre-subscription Function)  
Article 98-2 In the event of the designation (including change and cancellation) of the carrier pre-subscription number by an NTT subscriber in accordance with the handling of pre-subscription connections specified in the articles of agreement for telephone service and ISDN service, NTT shall provide the subscriber information specified in Item 3 below concerning said subscriber to the contracting carrier receiving the carrier pre-subscription function only if the provisions of both Items 1 and 2 are applicable.

- (1) There is no doubt that the relevant contracting carrier will comply with the matters listed below in handling the provided subscriber information.
  - a. The provided subscriber information shall be used only for the purpose of quickly responding to fault inquiries from a user, etc. and/or for purposes specifically necessary to implement business operations, such as preventing the payment of unnecessary user charges for telecommunications service provided by the relevant contracting carrier, and shall not be used for sales activities.
  - b. The contracting carrier shall use the provided subscriber information by itself (including cases in which business operations are entrusted to other parties), and shall not provide such information to any third party.

- c. The provided subscriber information shall be deleted without delay after the purpose is achieved.
  - d. The rights and interests of the subject subscriber shall not be unduly damaged.
  - e. The contracting carrier shall otherwise comply with the personal information protection guidelines, etc.
- (2) The implementation of NTT's business activities will not otherwise be hindered by providing such subscriber information.
  - (3) Subscriber information provided:
    - a. The subscriber line number, etc. (excluding additional numbers)
    - b. The subscriber name
    - c. The telephone number, name and address of an applicant
    - d. Call category
    - e. Category of pre-subscription connection
    - f. Registration work implementation date (including planned date)
    - g. Cancellation work implementation date

2. The provisions of Paragraph 2 and Paragraphs 4 through 7 of Article 98 (Providing Subscriber Information to Contracting Carriers with Individual Subscriber Contracts) shall be applied mutatis mutandis to the preceding paragraph. In this case, "the preceding paragraph" indicated in Paragraph 2 of said Article shall read "Paragraph 1 of Article 98-2 (Providing Subscriber Information to Contracting Carriers Receiving the Carrier Pre-subscription Function);" "Item 3 or Item 4 of the preceding paragraph" shall read "Item 1, Paragraph 1 of Article 98-2;" "Items 3 through 5" shall read "Items 4 and 5 of Article 98 that are applied mutatis mutandis based on the provisions of Paragraph 2 of Article 98-2;" "Item 4, Paragraph 1" indicated in Items 4 and 5 of Article 98 shall read "Item 1, Paragraph 1 of Article 98-2;" and "in the event of the preceding two paragraphs, (omitted) until the document evidencing that the consent of the subject subscriber has been obtained is submitted by the contracting carrier, or" shall read "in the event of Paragraph 4 of Article 98 that is applied mutatis mutandis based on the provision of Paragraph 2 of Article 98-2."

(Providing Subscriber Information to Contracting Carriers with Assumed Individual Subscriber Contracts)  
 Article 99 When a request is made by a contracting carrier with assumed individual subscriber contracts (excluding contracting carriers specified in Paragraph 1, Article 43 of NTT's articles of agreement for VoIP network service; hereinafter the same in this and following paragraphs) for providing subscriber information on subscribers with assumed contracts (meaning subscribers who are assumed to have concluded contracts with contracting carriers with assumed individual subscriber contracts) relative to subscriber line numbers, etc. designated by the contracting carrier with assumed individual subscriber contracts by means of magnetic medium, NTT shall provide a response by means of magnetic medium that indicates subscriber information such as the name and address of a person to whom an invoice for NTT's user charges is sent, and the name, address, etc. of the relevant subscriber, only if all of the following provisions are applicable.

- (1) The subject subscriber is a subscriber of other carrier service.
- (2) The subscriber line number, etc. of a subscriber of other carrier service designated by magnetic medium corresponds to the subscriber line number, etc. of the subject subscriber during the usage period designated by such medium.
- (3) The subject subscriber is not a person (hereinafter referred to as the "NTT subscriber not concluding a contract with another carrier") who expressed, by the start date of the usage period designated by the contracting carrier with assumed individual subscriber contracts, the intention not to conclude a contract with said contracting carrier based on the proviso of Paragraph 1, Article 89 of NTT's articles of agreement for telephone service or the proviso of Paragraph 1, Article 67 of NTT's articles of agreement for ISDN service.

- (4) There is no doubt that the relevant contracting carrier with assumed individual subscriber contracts will comply with the matters listed below in handling the provided subscriber information.
- a. The provided subscriber information shall be used only for the purposes of billing and collecting user charges (limited to those equivalent to call charges stipulated in Tables of Charges in NTT's articles of agreement for telephone service and communications charges stipulated in Tables of Charges in NTT's articles of agreement for ISDN service) for telecommunications services stipulated in the articles of agreement of the relevant contracting carrier with assumed individual subscriber contracts, and shall not be used for other activities such as sales activities.
  - b. The contracting carrier shall use the provided subscriber information by itself (including cases in which business operations are entrusted to other parties), and shall not provide such information to any third party.
  - c. The provided subscriber information shall be deleted without delay after the purpose is achieved.
  - d. The rights and interests of the subject subscriber shall not be unduly damaged.
  - e. The contracting carrier shall otherwise comply with the personal information protection guidelines, etc.
- (5) The implementation of NTT's business activities will not otherwise be hindered by providing such subscriber information.

2. When a request is made by a contracting carrier with assumed individual subscriber contracts for providing information on the existence of the reason for a change (meaning the transfer of the telephone subscription right or usage right as specified in NTT's articles of agreement for telephone service or ISDN service, usage suspension of a subscriber line, contract cancellation, etc.; hereinafter the same in this Article) with respect to an NTT subscriber not concluding a contract with another carrier or a subscriber with suspended usage of other carrier service (meaning a subscriber with an assumed contract for whom the usage of other carrier service is temporarily suspended (meaning the status where telecommunications service of the contracting carrier with assumed individual subscriber contracts is temporarily suspended; hereinafter the same in this paragraph)) relative to the subscriber line number, etc. designated by the contracting carrier with assumed individual subscriber contracts by means of magnetic medium (the requested information shall be limited to that available after the designated date (meaning the date on which said NTT subscriber not concluding a contract with another carrier or said subscriber with suspended usage of other carrier service expressed its intention of not concluding a contract with the relevant contracting carrier or of suspending the usage of other carrier service; hereinafter the same in this paragraph)), NTT shall provide a response, by means of magnetic medium, that indicates information on the existence of the reason for a change relative to said subscriber line number, etc. (including "subscriber information" in this Article, in Item 9, Paragraph 1 of Article 68 (Obligation to Pay Expenses for Procedures), and in (8), 2.2.2.1 (Expenses for Procedures), 2.2.2 (Amount of Expenses for Procedures), 2.2 (Expenses for Procedures), Table 2 (Expenses for Works and Procedures), Tables of Charges), only if all of the following provisions are applicable.

- (1) The subscriber line number, etc. designated by magnetic medium corresponds to the subscriber line number, etc. of the subject subscriber at the designated date.
- (2) With respect to the provision of information on the existence of the reason for a change relative to the subject subscriber (limited to the NTT subscriber not concluding a contract with another carrier) by NTT to the relevant contracting carrier, the relevant contracting carrier has obtained the consent of said subject subscriber in writing or in other methods (NTT approval must be secured in advance concerning the contents of such consent).
- (3) The contracting carrier shall use the provided information on the existence of the reason for a change only for the purpose of determining whether the subscriber line number, etc.



designated by magnetic medium is continuously handled as the subscriber line number, etc. of an NTT subscriber not concluding a contract with another carrier or a subscriber with suspended usage of other carrier service, and shall not use it for other activities such as sales activities.

- (4) All of the provisions of Items 1, 3, 4 (excluding “a”) and 5 of Paragraph 1 shall be applicable (with respect to Items 1 and 3 of Paragraph 1, the subject subscriber is limited to a subscriber with suspended usage of other carrier service).

3. When a request is made by a contracting carrier with assumed individual subscriber contracts for providing subscriber information on subscribers with assumed contracts (meaning subscribers who are assumed to have concluded contracts with contracting carriers with assumed individual subscriber contracts) relative to the subscriber line number, etc. designated by said contracting carrier by using the Customer Information Referral Form, NTT shall provide a response, by using the Customer Information Referral Form, that indicates subscriber information such as the name and address of a person to whom an invoice for NTT’s user charges is sent, and the address, etc. of NTT’s subject subscriber, only if all of the following provisions are applicable.

- (1) The subscriber line number, etc. of a subscriber of other carrier service designated by the Customer Information Referral Form corresponds to the subscriber line number, etc. of the subject subscriber on the designated date.
- (2) All of the provisions of Item 1 and Items 3 through 5 of Paragraph 1 shall be applicable (in this case, the provisions of the proviso of Paragraph 1, Article 43 of NTT’s articles of agreement for VoIP network service shall be included in the provisions of Item 3 of Paragraph 1, and charges equivalent to communications charges stipulated in Tables of Charges of NTT’s articles of agreement for VoIP network service shall be included in user charges specified in “a,” Item 4 of Paragraph 1).

4. The provisions of Paragraph 2 and Paragraphs 4 through 7 of Article 98 (Providing Subscriber Information to Contracting Carriers with Individual Subscriber Contracts) shall be applied mutatis mutandis to the preceding three paragraphs, and the provisions of Paragraph 3 of Article 98 shall be applied mutatis mutandis to Paragraph 2 above. In this case, “the preceding paragraph” in Paragraph 2 of Article 98 shall read “Paragraphs 1 through 3 of Article 99 (Providing Subscriber Information to Contracting Carriers with Assumed Individual Subscriber Contracts);” “Item 3 or Item 4 of the preceding paragraph” shall read “Item 4, Paragraph 1 of Article 99, Item 2, Item 3 or Item 4 (limited to the provisions relative to Item 4, Paragraph 1 of Article 98), Paragraph 2 of Article 99, or Item 2 (limited to the provisions relative to Item 4, Paragraph 1 of Article 98), Paragraph 3 of Article 99;” “Paragraphs 3 through 5” shall read “Paragraphs 3 through 5 of Article 98 that are applied mutatis mutandis based on the provisions of Paragraph 4 of Article 99;” “subject subscriber” specified in Paragraph 3 of Article 98 shall read “subject subscriber (limited to the NTT subscriber not concluding a contract with another carrier;” “Item 4, Paragraph 1” specified in Paragraphs 4 and 5 of Article 98 shall read “Item 4, Paragraph 1 of Article 99, Item 3 or Item 4 (limited to the provisions relative to Item 4, Paragraph 1 of Article 98), Paragraph 2 of Article 99, or Item 2 (limited to the provisions relative to Item 4, Paragraph 1 of Article 98), Paragraph 3 of Article 99;” and “in the event of the preceding two paragraphs” specified in Paragraph 5 of Article 98 shall read “in the event of Paragraph 3 or Paragraph 4 of Article 98 that is applied mutatis mutandis based on the provisions of Paragraph 4 of Article 99.”

(Providing Information Concerning the Availability of Unused Space, Etc., in Communications Building)  
Article 99-2 NTT shall make it possible for contracting carriers to view information via telecommunications lines on the availability of unused space (this information will be provided in a range separately stipulated by NTT for each unused space management item and updated monthly; however this information will be updated promptly if such unused space units are below the standard management units or the norm (meaning the threshold of unused space management items separately stipulated by NTT in case unused space units are extremely limited in number) where the equipment, etc., necessary for interconnection can be installed within an NTT communications building, the name and address of such communications building, the specifications of racks where the equipment, etc., necessary for interconnection is installed, the fact that MDFs are installed on a distributed basis within the communications building or within multiple communications buildings if applicable, the fact that a local

switch is not installed within the communications building if applicable and other information. In this case, viewing this information does not require the payment of any expenses. However, there may be change(s) in the event any information that can be viewed is subject to variation in terms of availability and other conditions depending on the survey timing.

(Providing Information Concerning the DSL Line, Etc.)

Article 99-3 In the event a contracting carrier providing DSL service requests the provision of information on the DSL line managed by NTT that is specified in each item below, NTT shall provide a response indicating such information within three business days (within two weeks when the information specified in Item (3) is requested) from the date of receipt of this application unless a special situation is involved.

- (1) Line conditions for each DSL line used by DSL service subscribers (meaning the line distance length from the NTT communications building where the MDF is installed to the end of the DSL line, transmission loss, DC resistance, the number of hand-twisted joints, the converted line length of outside cable (meaning metallic cable from an MDF to the pole nearest to the DSL line end) and transmission loss (all of which are based on calculations), plus the insulation type, wire diameter, and the status of bridge taps with respect to the relevant DSL line; hereinafter the same in Table 1 in the Tables of Charges)
- (2) The accommodation status of each DSL line to which a connection is made by the contracting carrier (meaning the status in which each DSL line is accommodated in the same quad, adjacent quad, or every second quad, or in the subunit (meaning a unit consisting of five quads in the plastic-insulated cable); hereinafter the same) at the time of usage start by the DSL service subscriber, at the time of a DSL line fault and after circuit coordination.
- (3) Noise characteristics of the DSL line at the time of usage start by the DSL service subscriber and transmission loss at the time of circuit adjustment (however, NTT shall consult with the contracting carrier about the method of providing information specified in this item)

(Providing Other Information Relating to Interconnection to the DSL Line)

Article 99-4 NTT shall make it possible for applicants for interconnection to view online the information specified in each item below. In this case, viewing this information does not require the payment of any expenses. However, there may be change(s) in the event any information that can be viewed is subject to variation in terms of availability and other conditions depending on the survey timing.

- (1) The number of subscriber lines providing telephone service, ISDN service and DSL service (including the breakdown for the number of lines in which optical fiber is installed in some portions and the number of subscriber lines in which electric signals are transmitted and received throughout the entire portion (including the breakdown for business-use and residential-use lines) with respect to telephone service and ISDN service. The number obtained by deducting the number of subscriber lines providing DSL service through line sharing from the total of these lines is regarded as the total number of terminals at the MDF), and the number of unused terminals at the MDF (the number of terminals is provided within a specified range rather than on an individual basis).
- (2) NTT's current status of optical fiber installation and future plans.
- (3) The name and location information (meaning the address, specific administrative area names of accommodation areas; hereinafter the same) of NTT communications buildings in which the removal of subscriber lines (limited to those equivalent to telephone lines for analog signals) is completed, and the subscriber line removal plans.
- (4) The number of contracting carriers per NTT communications building where the equipment, etc., necessary for interconnection is installed.
- (5) The range of telephone numbers accommodated per NTT communications building, the possibility of shifting from ISDN service to telephone service without changing the telephone number, and the status of optical fiber installation in terms of telephone numbers.

(Forms)

Article 99-5 Applications from applicants for interconnection and responses to such applications from NTT pursuant to the provisions of these Articles of Agreement shall use the forms specified in Attached Table 3 (Forms). However, if no form is stipulated in Attached Table 3, any format can be used to make applications and/or provide responses.

2. The provisions of Forms 7-2, 7-3 and 7-4, Attached Table 3 (Forms) shall be applied with respect to the procedures for interconnecting NTT's telecommunications facilities to NTT's optical interoffice lines as specified in Paragraph 5, Article 34-2 and Paragraph 5, Article 34-3.

(Providing Information Concerning Optical Line Facilities, Etc.)

Article 99-6 When a request is made by a contracting carrier providing service through interconnection to NTT's optical line facilities (including optical intra-office transmission lines) to provide information on optical line facilities managed by NTT that is specified in each item below, NTT shall provide a response indicating such information within two weeks from the date of receipt of this application, unless a special situation is involved.

- (1) Per-line transmission loss of optical line facilities (based on measured values) in the usage section designated by the contracting carrier or pulse measurement results (meaning the results of the measurement of the reflection volume of optical signals in the relevant section by introducing measurement light into the relevant optical line facility)
- (2) Age of optical line facilities (excluding optical signal branch subscriber lines) for the usage section designated by the contracting carrier

2. When a request is made by a contracting carrier to provide information on the estimated available timing (meaning information based on the facility situation that does not take into account information on unused optical subscriber lines; there may be cases where the relevant line cannot be provided at the announced timing if coordination between the contracting carrier and the superintendent of the user building concerning the installation, etc., of the optical subscriber line is not fully successful) of the optical subscriber line in the usage section designated by the contracting carrier, NTT shall provide a response indicating such information.

3. When a request is made by a contracting carrier to provide information on the range of an optical distribution area, NTT shall provide a response for each NTT communications building designated by the contracting carrier.

(Providing Other Information Relating to Interconnection to Optical Line Facilities)

Article 99-7 NTT shall make preparations to enable applicants for interconnection to view online the information specified in each item below. In this case, viewing this information does not require the payment of any expenses. However, there may be changes in the event any information that can be viewed is subject to modifications in terms of availability and other conditions depending on the survey timing.

- (1) The type of optical line facilities and the type of connectors.
- (2) Areas where optical subscriber lines are available.
- (3) The total number and unused number of cores of optical interoffice lines in each section (the number of cores is provided within a specified range rather than on an individual basis), and the section length.
- (4) Optical line facility installation plans.
- (5) The name and location information of the communications building where optical subscriber lines are accommodated.
- (6) The number of contracting carriers per NTT communications building where the equipment, etc., necessary for interconnection is installed.

(Providing Information Concerning Interconnection Procedures and Basis of Calculations)

Article 99-8 With respect to information concerning interconnection consultations, etc., NTT shall publicly announce such information by the issuance of a booklet, and at the same time shall make preparations to enable applicants for interconnection to view the relevant information online. Moreover,

NTT shall also make preparations to enable applicants for interconnection to view online information concerning the basis of cost calculations with respect to charges and expenses that are stipulated in the Articles of Agreement, such as interconnection charges, work expenses, and expenses relating to installations in NTT communications buildings, conduits, cable tunnels, etc.

(Providing Information Relating to Customer Premises Optical/Electric Signal Conversion Equipment)  
Article 99-9 1. NTT shall provide a contracting carrier that uses the function specified in “c” (2), 1.1.2.1.1.1 (subscriber line transmission functions) or the optical/electric signal conversion function with the information necessary for such contracting carrier to procure and install the customer premises optical/electric signal conversion equipment, and shall provide a contracting carrier that uses the function specified in “a” of the routing transmission function with the information necessary for such contracting carrier to procure and install the subscriber side network terminating equipment (meaning telecommunications facilities (limited to those designated by NTT) of a contracting carrier to conduct exchange and transmission of codes based on the Internet protocol mainly for data communications).

2. NTT shall provide the information necessary to procure and install the customer premises optical/electric signal conversion equipment that is used vis-à-vis the post-upgrade optical signal transmission equipment or the optical/electric signal conversion equipment to contracting carriers that use the functions specified in (2)d or (2)c, 1.1.2.1.1.1 of the subscriber line transmission functions or the optical/electric signal conversion function no later than five months prior to the date of installation of the post-upgrade optical signal transmission equipment in the event NTT plans to upgrade the optical signal transmission equipment pursuant to the provisions of Article 36 (Upgrades of Telecommunications Facilities or Software by NTT); and no later than four months prior to the date of installation of the post-upgrade optical/electric signal conversion equipment in the event NTT plans to upgrade the optical/electric signal conversion equipment in accordance with the provisions of the same Article.

(Providing Information Relating to the Introduction of New Network Functions by the Equipment Subject to the Provision of Information on Network Functions)

Article 99-10 1. In the event NTT plans to introduce new network functions (meaning changes or additions of functions that will have an impact on the telecommunications facilities of contracting carriers (including applicants for interconnection; hereinafter the same in this and the following Articles); hereinafter the same) by the tandem office router, the central office router, or the optical/electric signal conversion equipment (hereinafter referred to as the “equipment subject to the provision of information on network functions” in this and the following Articles), NTT shall make it possible for contracting carriers to view the information (limited to that concerning changes or additions as a result of the introduction of new network functions) specified in each of the following items below via telecommunications line facilities. In this case, the payment of expenses is not required to view such information.

- (1) Physical specifications (including information concerning selective conditions if applicable) of interfaces between NTT telecommunications facilities and telecommunications facilities of a contracting carrier and between NTT telecommunications facilities and user terminal facilities.
- (2) Information concerning communications protocols (including information concerning selective conditions if applicable).
- (3) Methods and information concerning the authentication of user terminal facilities (including information concerning selective conditions if applicable).
- (4) Planned timing, planned areas and assumed usage formats or patterns of interconnection.

2. With respect to information specified in (2) and (3) in the preceding paragraph, only information relating to the tandem office router and the central office router is provided.

(Providing Other Information Relating to the Introduction of New Network Functions by the Equipment Subject to the Provision of Information on Network Functions)

Article 99-11 1. In the event NTT plans to introduce new network functions by the equipment subject to the provision of information on network functions, NTT shall provide a response indicating the information relating to the introduction of new network functions that is specified in each of the following items below at the request of a contracting carrier.

- (1) Information concerning the effective speeds of data transferred from the NTT telecommunications facilities to the telecommunications facilities of a contracting carrier (meaning the number of simultaneous connection sessions per hour and transmitted and received data volume).
- (2) The names and addresses of communications buildings where a contracting carrier can establish interconnection in order to use new network functions.
- (3) Whether or not it is necessary to bear expenses for the usage of the equipment subject to the provision of information on network functions and the estimated amounts of such expenses to be borne (including information concerning the estimated amount of the initial cost of the relevant equipment and the proposed method for bearing expenses).

2. With respect to the information specified in (1) in the preceding paragraph, NTT shall provide actual data relating to the tandem office router only after the interconnection start date. In the event it is not possible to measure the relevant data due to the suspension of data collection, such as because of a fault in NTT telecommunications facilities or the suspension of operations as necessitated by work, etc., or congestion, NTT shall not provide such information.

(Limitation of Approval)

Article 100 Unless otherwise stipulated in these Articles of Agreement, when NTT is requested by an applicant for interconnection to undertake works or procedures, etc., and if hindrance is likely to be caused to the implementation of NTT's business activities such as that it is difficult to accept such a request from a technical standpoint or that it becomes extremely difficult to carry out maintenance by accepting such a request, or if an applicant for interconnection fails or is likely to fail to pay any amount payable with respect to interconnection, NTT may decline to approve such a request. In such event, NTT shall provide written notification of the reasons therefor to the applicant for interconnection.

(Reciprocal Conditions)

Article 101 1. When a contracting carrier concludes an Agreement with NTT, it may conclude an Agreement with NTT on a reciprocal basis under the same terms as those specified in Article 9 (Region Subject to Interconnection by NTT), Article 23 (Application for Installation or Modification of Interconnection Facilities) through Article 33 (Cancellation of Interconnection Software Development), Article 35 (Defects), Article 41 (Assignment of Status under Agreement), Article 42 (Succession of Status under Agreement), Article 45 (Cancellation of Agreement by NTT), Article 50 (Notification of Traffic, Number of Circuits, Etc.), Article 52 (Responsibility of Contracting Carrier to Identify Faulty Sections), Article 53-2 (Assignment, Etc., of Accounts Receivable to Third Party), Article 55 (Interruption of Interconnection Messages), Article 59 (Temporary Discontinuance of Interconnection), Article 60 (Suspension of Interconnection), Article 61 (Discontinuance of Interconnection), Article 61-2 (Suspension and Discontinuance of Work or Procedures, Etc.), Article 73-2 (Acceleration of Payment), Article 78 (Additional Charges), Article 79 (Arrearage Interest), Article 87 (Handling in Case of Discrepancies in Traffic or the Number of Circuits), Article 88 (Exemptions) and Article 100 (Limitation of Approval) of these Articles of Agreement. In this case, in the event the contracting carrier is a telecommunications carrier submitting a notification, "the service area for which registration or registration of change is obtained pursuant to the provisions of Article 9 or Article 13 of the Business Law" as stipulated in Article 9 (Region Subject to Interconnection by NTT) shall read "the service area for which notification is submitted pursuant to the provisions of Article 16 of the Business Law."

2. A contracting carrier shall provide notification of the estimated amount required for the installation or modification of its telecommunications facilities and the details thereof, etc., in a manner similar to the provisions of Paragraph 3, Article 13 (Preliminary Survey Response).