

5. Billing and Payment

5.1 Billing Procedure

Within a reasonable time after the first day of each month, the Distribution Provider shall submit an invoice to the Distribution Customer for the charges for all services furnished under the Tariff during the preceding month. The invoice shall be paid by the Distribution Customer within twenty (20) days of receipt. All payments shall be made in immediately available funds payable to the Distribution Provider, or by wire transfer to a bank named by the Distribution Provider.

5.2 Interest on Unpaid Balances

Interest on any unpaid amounts (including amounts placed in escrow) shall be calculated in accordance with the methodology specified for interest on refunds in the Commission's regulations at 18 C.F.R. § 35.19a(a)(2)(iii). Interest on delinquent amounts shall be calculated from the due date of the bill to the date of payment. When payments are made by mail, bills shall be considered as having been paid on the date of receipt by the Distribution Provider.

5.3 Customer Default

In the event the Distribution Customer fails, for any reason other than a billing dispute as described below, to make payment to the Distribution Provider on or before the due date as described above, and such failure of payment is not corrected within thirty (30) calendar days after the Distribution Provider notifies the Distribution Customer to cure such failure, a default by the Distribution Customer shall be deemed to exist. Upon the occurrence of a default, the Distribution Provider may initiate a proceeding with the Commission to terminate service but shall not terminate service until the Commission so approves any such

request. In the event of a billing dispute between the Distribution Provider and the Distribution Customer, the Distribution Provider will continue to provide service under the Service Agreement as long as the Distribution Customer (i) continues to make all payments not in dispute, and (ii) pays into an independent escrow account the portion of the invoice in dispute, pending resolution of such dispute. If the Distribution Customer fails to meet these two requirements for continuation of service, then the Distribution Provider may provide notice to the Distribution Customer of its intention to suspend service in sixty (60) days, in accordance with Commission policy.

5.4 (Not Used)