

FACILITIES FOR INTRASTATE ACCESS

2. GENERAL REGULATIONS (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.14 Identification and Rating of Intrastate Toll VoIP-PSTN Traffic (Cont'd)

(A) Calculation and Application of Percent-VoIP-Usage Factor

- (1) The Company will determine the number of intrastate Toll VoIP-PSTN Traffic minutes of use (MOU) to which interstate rates will be applied by applying an originating Percent VoIP Usage (PVU) factor to the total intrastate access MOU originated by a Company end user and delivered to the customer and by applying a terminating PVU factor to the total intrastate access MOU terminated by the customer to the Company's end user. (T)
- (2) The customer will calculate and furnish to the Company, along with supporting documentation, an originating PVU factor representing the whole number percentage of the customer's total originating intrastate access MOU that the customer exchanges with the Company that is sent to the Company and which originated in IP format and that would otherwise be billed by the Company as intrastate access MOU. (T)
- (3) The customer will calculate and furnish to the Company, along with supporting documentation, a terminating PVU factor representing the whole number percentage of the customer's total terminating intrastate access MOU that the customer exchanges with the Company that is sent to the Company and which originated in IP format and that would otherwise be billed by the Company as intrastate access MOU.
- (4) At the present time, the Company neither originates calls from its customers nor terminates calls to its customers in IP format. At such time as the Company originates and/or terminates calls to its customers in IP format, it will calculate an originating and/or terminating PVU factor to apply, in conjunction with a customer's PVU factor(s), to develop the appropriate originating or terminating PVU factor to apply to the customer's originating or terminating intrastate Toll VoIP-PSTN Traffic. (T)
- (5) The customer shall not modify its reported PIU factor to account for Toll VoIP-PSTN Traffic.

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2. GENERAL REGULATIONS (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.14 Identification and Rating of Intrastate Toll VoIP-PSTN Traffic (Cont'd)

(A) Calculation and Application of Percent-VoIP-Usage Factor (Cont'd)

- (6) Both the customer provided originating and terminating PVU shall be based on relevant and verifiable information such as the number of the customer's retail VoIP subscriptions in the state (e.g. as reported on the FCC Form 477), traffic studies, actual call detail or other relevant and verifiable information which will be provided to the Company upon request. (T)
- (7) The customer shall retain the call detail work papers, and information used to develop the PVU factors for a minimum of one year. (T)
- (8) If the customer does not furnish the Company with a PVU factor, the Company will utilize a PVU equal to zero.
- (9) If the customer does not supply sufficient supporting documentation, the Company will not accept or apply a customer supplied originating or terminating PVU factor greater than the applicable State percentage as identified in Paragraph 963 of the FCC Order. (T)

(B) Initial Implementation of PVU Factors (T)

- (1) If the originating and terminating PVU factors cannot be implemented in the Company's billing for Toll VoIP-PSTN traffic delivered on and after July 1, 2014, once the factor can be implemented, the Company will adjust the customer's bills retroactive to July 1, 2014, provided that the customer provides the PVU factor to the Company prior to August 15, 2014. Otherwise, the Company will set the initial PVU factor as specified in (A) (8). (T)
- (2) In making retroactive adjustments to bills, the Company may choose to provide credits based on a quarterly basis or such other billing interval as is reasonable in the circumstances. (T)

FACILITIES FOR INTRASTATE ACCESS

2. GENERAL REGULATIONS (Cont'd)**2.3 Obligations of the Customer (Cont'd)****2.3.14 Identification and Rating of Intrastate Toll VoIP-PSTN Traffic (Cont'd)****(C) PVU Factor Updates**

The customer may update the originating and terminating PVU factors quarterly using the method set forth in (A) (2) and (A) (3), preceding. If the customer chooses to submit such updates, it shall forward to the Company, no later than 15 days after the first day of January, April, July and/or October of each year, revised PVU factors based on data for the prior three months, ending the last day of December, March, June and September, respectively. The revised PVU factors will serve as the basis for future billing and will be effective on the bill date of each such month and shall serve as the basis for subsequent monthly billing until superseded by new PVU factors. No prorating or back billing will be done on the updated PVU factors. (T)

(D) PVU Factor Verification

- (1) Not more than four times in any year, the Company may request from the customer an overview of the process used to determine the PVU factor, the call detail records, description of the method for determining how the end user originates and terminates calls in IP format, and other information used to determine the customer's PVU factor furnished to the Company in order to validate the PVU factor supplied. The customer shall comply, and shall reasonably supply the requested data and information within 15 days of the Company's request.
- (2) The Company may dispute the Customer's PVU factor based upon relevant and verifiable information, including, but not limited to, the following:
 - A review of the requested data and information provided by the customer.
 - The Company's reasonable review of other market information, FCC reports on VoIP lines, such as FCC Form 477 or state level results based on the FCC Local Competitor Report or other relevant data.
 - A change in the reported PVU factor by more than five percentage points from the preceding quarter.

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2. GENERAL REGULATIONS (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.14 Identification and Rating of Intrastate Toll VoIP-PSTN Traffic (Cont'd)

(D) PVU Factor Verification (Cont'd)

- (3) If after review of the data and information, the customer and the Company agree to establish revised PVU factors, the Company will begin using those revised PVU factors with the next bill period. (T)
(T)
- (4) If the dispute is unresolved, the Company may initiate an audit. The Company shall limit audits of the customer's PVU factors to no more than twice per year. The customer may request that the audit be conducted by an independent auditor. In such cases, the associated auditing expenses will be paid by the customer. (T)
 - In the event that the customer fails to provide adequate records to enable the Company or an independent auditor to conduct an audit verifying the customer's PVU factors, the Company will bill the usage for all contested periods using the most recent undisputed PVU factors reported by the customer. These PVU factors will remain in effect until the audit can be completed. (T)
(T)
(T)
 - During the audit, the most recent undisputed PVU factors from the previous reporting period will be used by the Company. (T)
 - The Company will adjust the customer's PVU factors based on the results of the audit and implement the revised PVU in the next billing period or quarterly report date, whichever is first. The revised PVU factors will apply for the next two quarters before new factors can be submitted by the customer. (T)
(T)
(T)
 - If the audit supports the customer's PVU factors, the usage for the contested periods will be adjusted to reflect the customer's audited PVU factors. (T)
(T)

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2. GENERAL REGULATIONS (Cont'd)**2.3 Obligations of the Customer (Cont'd)****2.3.14 Identification and Rating of Intrastate Toll VoIP-PSTN Traffic (Cont'd)****(E) Rate Categories (Cont'd)****(2) Billing of Transport for Toll VoIP-PSTN Traffic**

The Toll VoIP-PSTN Traffic Tandem Switched Facility rate recovers a portion of the costs of transmission facilities, including intermediate transmission circuit equipment, between the end points of interoffice circuits. The Toll VoIP-PSTN Traffic Tandem Switched Facility rate specified in 4.63(0)(3) following, is applied on a per access minute per mile basis for all originating and terminating minutes of use routed over the facility. (T)

The Toll VoIP-PSTN Traffic Tandem Switched Termination rate recovers a portion of the costs of the circuit equipment necessary for the termination of each end of each measured segment of the Toll VoIP-PSTN Traffic Tandem Switched Facility. The Toll VoIP-PSTN Traffic Tandem Switched Termination rate specified in 4.6.3(0)(3) following, is applied on a per access minute basis (for all originating and terminating minutes of use routed over the facility) at each end of each measured segment of the Toll VoIP-PSTN Traffic Tandem Switched Facility (e.g., at the end office, Feature Group A dial tone office, host office, and the access tandem). When the Toll VoIP-PSTN Traffic Tandem Switched Facility mileage is zero, neither the Toll VoIP-PSTN Traffic Tandem Switched Facility rate nor the Toll VoIP-PSTN Traffic Tandem Switched Termination rate will apply. (T)

FACILITIES FOR INTRASTATE ACCESS

4. SWITCHED ACCESS (Cont'd)

4.6 Rates and Charges (Cont'd)

4.6.4 Toll VoIP-PSTN

(A) Toll VoIP-PSTN Traffic

Rates

(1) Local Switching

(a) Originating,
 Per Access Minute

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(T) (R)

(b) Terminating,
 Per Access Minute

**

(2) Information Surcharge

(a) Per Originating 100,
 Access Minute

**

(T) (R)

(b) Per Terminating 100,
 Access Minute

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(3) Tandem Switched Transport

(a) Tandem Switched Facility
 -Per Originating Access,
 Minute, Per Mile

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(T)

-Per Terminating Access,
 Minute, Per Mile

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(a) Tandem Switched Termination
 -Per Originating
 Access Minute

**

(T)

-Per Terminating
 Access Minute

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(D)

** The Company concurs in its interstate access rate for this rate element found in the Company's Interstate Access Tariff FCC No. 1, which can be viewed at <http://svartifoss2.fcc.gov/cgi-bin/ws.exe/prod/ccb/etfs/mainmenu.htm>