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ACCESS SERVICE TARIFF

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## SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

## 2.17 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.)

## 2.17.2 IntraLATA Toll Usage

For purposes of determining the jurisdiction of IntraLATA Toll Usage termination, to the extent the Company receives sufficient call detail to permit it to determine the jurisdiction of some or all originating and terminating IntraLATA Toll minutes of use, the Company will use that call detail to render bills for those minutes. To the extent call detail is not available, the jurisdictional reporting requirements specified below will apply.

When a Customer terminates IntraLATA Toll Usage, its projected Percent Local Usage (PLU) must be provided to the Company. Except to the extent the Company has sufficient call detail to determine the jurisdiction of the call, these percentages will be used by the Company to apportion the usage and/or charges between IntraLATA Toll and local until a revised report is received as set forth herein.

To the extent that sufficient call detail is unavailable and the Customer has failed to provide its projected PLU, the Company shall allocate unidentifiable minutes subject to the PLU as 50 percent IntraLATA Toll Usage traffic and 50 percent local traffic.

Based on distribution of traffic (identifiable, Customer based PLU, Default PLU), the Company may derive an aggregated factor.

## 2.17.3 Identification of VoIP-PSTN Traffic

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This section governs the identification of Toll VoIP-PSTN Traffic that is required by the F.C.C. in its Report and Order in WC Dockets Nos. 10-90, etc., F.C.C. No. 11-161 (November 18, 2011) (F.C.C. Order) and Second Order on Reconsideration FCC 12-47 (April 25, 2012) ("Second Order") to be compensated at interstate access rates, unless the parties have agreed otherwise. Specifically, this section establishes the method of separating Toll VoIP-PSTN Traffic from the Customer's traditional intrastate access traffic, so that Toll VoIP-PSTN Traffic can be billed in accordance with the F.C.C. Order and Second Order.

## A. Calculation and Application of Percent-VoIP-PSTN-Usage Factors

The Company will determine the number of relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under Section 3.1.4, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU (however determined – either based on call detail information, access lines or PIU) exchanged between the Company and the Customer, until August 5, 2012 and after July 1, 2014. From August 5, 2012 through June 30, 2014, the PVU will be applied only to terminating intrastate access MOU, except as otherwise noted in 2.17.3.A.3 below. The PVU will be derived and applied as follows:

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## ACCESS SERVICE TARIFF

## SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

## 2.17 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.)

## 2.17.3 Identification of VoIP-PSTN Traffic, (Cont'd.)

## A. Calculation and Application of Percent-VoIP-PSTN-Usage Factors, (Cont'd.)

1. Except as otherwise noted in 2.17.3.A.3 below, the Customer will calculate and furnish to the Company a factor (the "PVU-A") representing the percentage of the total intrastate access MOU that the Customer exchanges with the Company in the State, that (a) is terminating access sent to the Company and that originates in IP format; or (b) is originating access received from the Company and terminates in IP format until August 5, 2012 and after June 30, 2014. This PVU-A shall be based on information such as the number of the Customer's retail VoIP subscriptions in the State (e.g., as reported on FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information. (T)
2. Except as otherwise noted in 2.17.3.A.3 below, the Company will, likewise, calculate a factor (the "PVU-B") representing the percentage of the Company's total intrastate access MOU in the State that the Company originates or terminates in IP format. From August 5, 2012 through June 30, 2014, the PVU-B will represent only terminating access MOU. This PVU-B shall be based on information such as the number of the Company's retail VoIP subscriptions in the State (e.g., as reported on FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information. (T)
3. The Company will use the PVU-A and PVU-B factors to calculate an effective PVU factor that represents the percentage of total intrastate access MOU exchanged between the Company and the Customer that is originated and/or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends. From August 5, 2012 through June 30, 2014, the PVU will represent only terminating intrastate access MOU. The effective PVU factor will be calculated as the sum of: (A) the PVU-A factor and (B) the PVU-B factor times (1.0 minus the PVU-A factor). (M)

*Note: PVU factors will not be provided or collected by the Company for the traffic period from July 1, 2013 through June 30, 2014. This represents the period during which the Company's terminating intrastate rate is equal to its terminating interstate rate and PVU is not applied to originating traffic. Traffic on or after July 1, 2014 will be subject to the most recently available PVU factor on file with the Company for application of charges to originating access traffic.*

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(M) – Certain material previously found on this page is now located on Page 36.2.

## ACCESS SERVICE TARIFF

## SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

## 2.17 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.)

## 2.17.3 Identification of VoIP-PSTN Traffic, (Cont'd.)

## A. Calculation and Application of Percent-VoIP-PSTN-Usage Factors, (Cont'd.)

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4. The Company will apply the effective PVU factor to the applicable intrastate access MOU exchanged with the Customer, as described above, to determine the number of relevant VoIP-PSTN Traffic MOUs.

Example 1: The PVU-B is 5% and the PVU-A is 10%. The effective PVU factor is equal to  $14.5\% \text{ PVU-A} + (\text{PVU-B} \times (1 - \text{PVU-A})) = \text{PVU}\%$ . The Company will bill 14.5% of the Customer's applicable intrastate access MOU in accordance with the Company's interstate switched access tariff.

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Example 2: The PVU-B is 0% and the PVU-A is 10%. The effective PVU factor is  $10\% \text{ PVU-A} + (\text{PVU-B} \times (1 - \text{PVU-A})) = \text{PVU}\%$ . The Company will bill 10% of the Customer's applicable intrastate access MOU in accordance with the Company's interstate switched access tariff.

Example 3: The PVU-A is 100%. No matter what the PVU-B factor is, the effective PVU is 100%. The Company will bill 100% of the Customer's applicable intrastate access MOU in accordance with the Company's interstate switched access tariff.

5. If the Customer does not furnish the Company with a PVU-A pursuant to the preceding paragraph 1, the Company will utilize a PVU equal to the PVU-B. For example, if the PVU-B factor is 0%, the Company will utilize a PVU equal to zero.
6. The Customer shall not modify their reported PIU factor to account for Toll VoIP-PSTN Traffic.
7. The Customer shall retain the call detail, work papers, and information used to develop the PVU factors for a minimum of one year.

## B. Initial Implementation of PVU Factors

1. The PVU factors were implemented in the Company's billing system on May 15, 2012. Usage billed after May 15, 2012 will be processed pursuant to paragraph 2.17.3.A.5 above and 2.17.4 below.

(M) – Certain material found on this page was previously located on Page 36.1.

## ACCESS SERVICE TARIFF

## SECTION 4 - RATES AND CHARGES

## 4.1 Switched Access Service

## 4.1.1 Service Implementation

Terminating switched access is assessed at interstate rates and rate structure pursuant to the Company's Federal Access Tariff, FCC Tariff No. 1, as amended from time to time. (T)  
 The rates reflected here are the current applicable interstate rates. (T)

## Installation Charge (Per Trunk)

<u>Installation Charge (per channel)</u>	<u>Entrance Facility</u>	<u>Nonrecurring Charge</u>	
2-wire		\$337.33	(I)
each additional 2-wire		\$132.14	
4-wire		\$360.75	
each additional 4-wire		\$150.69	
first DS1		\$767.15	
each additional DS1		\$414.44	
first DS3		\$902.03	(I)
each additional DS3		\$374.69	(R)

## 4.1.2 Change Charges (per order)

Terminating switched access is assessed at interstate rates and rate structure pursuant to the Company's Federal Access Tariff, FCC Tariff No. 1, as amended from time to time. (T)  
 The rates reflected here are the current applicable interstate rates. (T)

<u>Charge per Occurrence</u>	<u>Nonrecurring Charge</u>	
Service Date Change Charge	\$10.00	
Design Change Charge	\$25.00	
Expedited Order Charge	\$100.00	
Service Order Charge	\$50.00	(I)
Access Carrier Name Abbreviation (ACNA) Change (per trunk)	\$170.00	
Billing Account Number (BAN) Change	\$170.00	
Customer Circuit Identification (CKR) Change	\$22.00	(I)

ACCESS SERVICE TARIFF

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## SECTION 4 - RATES AND CHARGES, (CONT'D.)

## 4.1 Switched Access Service, (Cont'd.)

## 4.1.3 Cancellation Charges (per order)

Cancellation charge

ICB

## 4.1.4 Direct Connect Charges:

Terminating switched access is assessed at interstate rates and rate structure pursuant to the Company's Federal Access Tariff, FCC Tariff No. 1, as amended from time to time. The rates reflected here are the current applicable interstate rates.

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Entrance FacilityMonthly Recurring Charge

2-wire

\$25.00

4-wire

\$45.00

(R)

per DS1

\$150.00

(C)

per DS3

\$2,130.00

(C)

## ACCESS SERVICE TARIFF

## SECTION 4 - RATES AND CHARGES, (CONT'D.)

## 4.1 Switched Access Service, (Cont'd.)

## 4.1.5 Switching, Transport and Network Elements

Terminating switched access is assessed at interstate rates and rate structure pursuant to the Company's Federal Access Tariff, FCC Tariff No. 1, as amended from time to time. (T)  
 The terminating rates reflected here are the current applicable interstate rates. (T)

<u>Rate Element</u>	<u>Access Rate Per Minute of Use</u>	
Carrier Common Line (Originating)	\$0.00838500	
Carrier Common Line (Terminating)	N/A	
Local Switching (Originating)	\$0.00822200	
Local Switching (Terminating)	\$0.00346300	(R)

## 4.1.6 Switching and Transport Elements

Terminating switched access is assessed at interstate rates and rate structure pursuant to the Company's Federal Access Tariff, FCC Tariff No. 1, as amended from time to time. (T)  
 The terminating rates reflected here are the current applicable interstate rates. (T)

	<u>Access Rate Per Minute of Use</u>		
	<u>Originating</u>	<u>Terminating</u>	
<u>Transport</u>			
- Termination (each), per minute	\$0.0000560	\$0.0000560	(R)
- Facility, per minute per mile	\$0.0000000	\$0.0000000	
Interconnection Charge	This element is not applicable		
Tandem Switching, per minute	\$0.0003350	\$0.0003350	(I)

## 4.1.7 Direct-Trunked Transport

Refer to the Company's Private Line Tariff for full descriptions and rates associated with Dedicated Capacity Services.