

ACCESS SERVICE

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.11 Determination of Intrastate Charges for Mixed Interstate and Intrastate Access Service

When mixed interstate and intrastate Access Service is provided, all charges (i.e., nonrecurring, monthly and/or usage) including optional features charges, will be prorated between interstate and intrastate. The percentage provided in the reports as set forth in 2.3.10(A) preceding will serve as the basis for prorating the charges. The percentage of an Access Service to be charged as intrastate is applied in the following manner:

- (A) For monthly nonrecurring chargeable rate elements, multiply the percent intrastate use times the quantity of chargeable elements times the state tariff rate per element.
- (B) For usage sensitive (i.e., access minutes and calls) chargeable rate elements, multiply the percent intrastate use times actual use (i.e., measured or Telephone Company assumed average use) times the stated tariff rate.

The intrastate percentage will change as revised usage reports are submitted as set forth in 2.3.10 preceding.

2.3.12 Identification and Rating of VoIP-PSTN Traffic

(N)

VoIP-PSTN Traffic is defined as traffic exchanged between a Company end user and the customer in Time Division Multiplexing (TDM) format that originates and/or terminates in Internet Protocol (IP) format. This section governs the identification of VoIP-PSTN Traffic that is required to be compensated at interstate access rates, unless the parties have agreed otherwise, by the FCC in its Report and Order in WC Dockets Nos. 10-90, etc., FCC Release No. 11-161 (November 18, 2011) (FCC Order) and Second Order on Reconsideration. Specifically, this section establishes the method of separating VoIP-PSTN Traffic from the customer's traditional intrastate access traffic, so that such VoIP-PSTN Traffic can be billed in accordance with the FCC Order.

Originating intrastate toll VoIP traffic will be billed the intrastate originating access rates. These rates apply regardless of whether the call originates in TDM or IP format.

(N)

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2. General Regulations (Cont'd)
2.3 Obligations of the Customer (Cont'd)

2.3.12 Identification and Rating of VoIP-PSTN Traffic (cont'd)

(N)

The relevant VoIP-PSTN Traffic identified in accordance with this tariff section that is originated on the Company's network that originates and/or terminates in IP format shall be billed at rates equal to the Company's applicable tariffed interstate originating switched access rates as specified in the Company's applicable federal access tariff.

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

- (1) The Company will determine the number of relevant VoIP-PSTN Traffic minutes of use (MOU) to which interstate rates will be applied under 2.3.12, preceding, by applying a Percent VoIP Usage (PVU) factor to the total terminating intrastate access MOU received by a Company end user and delivered to the customer.
- (2) The customer will calculate and furnish to the Company a PVU factor representing the percentage of the total intrastate access MOU that the customer terminates to the Company that was sent and originated in IP format.
- (3) The terminating PVU shall be based on information such as traffic studies, actual call detail or other relevant and verifiable information which will be provided to the Company upon request.
- (4) The Company will apply the PVU factor to the total terminating intrastate access MOU received from the customer to determine the number of relevant VoIP-PSTN Traffic MOUs.
- (5) If the customer does not furnish the Company with a PVU factor, the Company will utilize a PVU equal to zero.

(B) Initial PVU Factors

- (1) The PVU factor will be implemented when received for those Companies whose intrastate rates are higher than the interstate rates.

(N)

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.12 Identification and Rating of VoIP-PSTN Traffic (cont'd)

(N)

(C) PVU Factor Updates

The customer may update the PVU factors quarterly using the method set forth in (A)(2), 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 based on the updated PVU factors.

(D) PVU Factor Verification

- (1) Not more than twice in any year, the Company may request from the customer an overview of the process used to determine the PVU factors, 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 factors furnished to the Company in order to validate the PVU factors 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:
 - 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 or based on other relevant data.
 - A change in the reported PVU factor by more than five percentage points from the preceding quarter.

(N)

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2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.12 Identification and Rating of VoIP-PSTN Traffic (cont'd)

(N)

- (3) If after review of the data and information, the customer and the Company establishes revised PVU factors, the Company will begin using those revised PVU factors with the next bill period.
- (4) If the dispute is unresolved, the Company may initiate an audit. The Company shall limit audits of the customer's PVU factor 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.
 - 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.
 - During the audit, the most recent undisputed PVU factors from the previous reporting period will be used by the Company.
 - 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.
 - 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.

(N)

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12. Rates and Charges

All rates and charges for the services offered in this tariff are shown in this section. Reference is made for each rate element to the appropriate tariff paragraph where the application of the service is described.

12.1 Switched Access Service

(A) End Office

(1)	Directory Assistance Information Surcharge		6.1.4(B)(4)	
	(a)	Per 100 terminating access minutes		
		Effective July 1, 2013	.051300	
		Effective July 1, 2014	.000000	
	(b)	Per 100 originating access minute	.0513	
(2)	Local Switching		6.1.3(A)	
	(a)	Per terminating access minute	*, **	(C)
(3)	Local Transport			
	(a)	Per originating access minute	.03	
(4)	800 Series Database Access Queries			
		Per query		
	(a)	Basic	.0055	
	(b)	Vertical Feature	.0061	

*Composite local switching termination rates include information surcharge rate element.

** The rates, charges, and conditions for the provision of intrastate terminating Carrier Access Service are specified in the TCA Tariff F.C.C No. 1 as it now exists, and as it may be revised, added to, or supplemented. (N)
<https://apps.fcc.gov/etfs/public/lecTariffs.action?idLec=825>

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12. Rates and Charges, (Cont'd)12.1 Switched Access Service, (Cont'd)

(B)	Transport		
	(1) Local Transport Facility	I.C.B.	6.1.3(A)
	per access minute per mile		
	(2) Tandem Switched Transport		
	Tandem Switched Facility, per		
	access minute per mile		
	(a) terminating	**	(C)
	(3) Tandem Switched Termination		
	(a) per access minute per	**	(C)
	termination		
(C)	Installation Charge per installation	156.00	6.6.1(C)

** The rates, charges, and conditions for the provision of intrastate terminating Carrier Access Service are specified in the NECA Tariff FCC No. 5 as it now exists, and as it may be revised, added to, or supplemented. (N)
https://www.neca.org/Tariff_5.aspx