# Correction to all footnotes on tary, pages 29 and 44.

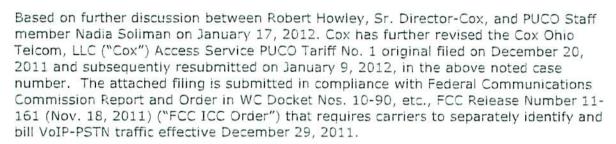
Via Electronic Filing

January 18, 2012

Public Utilities Commission of Ohio 180 E. Broad St., 3<sup>rd</sup> Floor Columbus, OH 43215-3793

RE: Case No. 11-6005-TP-ATA, Cox Ohio Telcom, L.L.C.

Attention: Docketing Division



Cox respectfully requests that revisions provided herewith become effective with the FCC's directive of December 29, 2011.

Your assistance in this matter is greatly appreciated. Please contact me if you have any questions regarding the tariff revisions.

Respectfully submitted,

Beth Carnes

Director, Regulatory Affairs Cox Communications, Inc.

404-847-6240

beth.carnes@cox.com

#### Attachments:

- Telecommunications Application Form for Routine Proceedings
- Exhibit A: Existing affected tariff pages
- Exhibit B: Proposed revised tariff pages
- Exhibit C: Summary of proposed

cc: Robert Howley, Cox Communications, Inc.
Nadia Soliman, PUCO Telecommunications Division

# The Public Utilities Commission of Ohio TELECOMMUNICATIONS APPLICATION FORM for ROUTINE PROCEEDINGS (Effective: 01/18/2008)

In the Matter of the Application of Cox Ohio Telcom, LLC to Public Utilities Commission of Ohio	TRF Docket No. 90 Case No. 11-6005-TP -ATA NOTE: Unless you have reserved a Case # or are fill Contract, leave the "Case No" fields BLANK.			
Name of Registrant(s): Cox Ohio Telcom, LLC				
DBA(s) of Registrant(s): Cox Communications				
Address of Registrant(s): 1400 Lake Hearn Drive, Roo	om 5EF. A	tlanta, GA 30319		
Company Web Address: www.cox.com/cleveland				
Regulatory Contact Person(s): Robert J. Howley		Phone: 860-432-2873	Fax:	401-615-1587
Regulatory Contact Person's Email Address: rob.how	lev@cox.c	com		
Contact Person for Annual Report: Robert J. Howley			Phone	: 860-432-2873
Address (if different from above): 170 Utopia Road, N	Mancheste	r, CT 06040		
Consumer Contact Information: Robert Howley			Phone	: 860-432-2873
Address (if different from above): 170 Utopia Road, N	Mancheste	r, CT 06040		
Motion for protective order included with filing? \( \subseteq \text{Yes} \subseteq				
Motion for waiver(s) filed affecting this case? \( \subseteq \text{Yes} \subseteq \text{N}		Waivers may toll any automatic	timefrar	ne.]

### Section I – Pursuant to Chapter 4901:11-6 OAC – Part I – Please indicate the Carrier Type and the reason for submitting this form by checking the boxes below. CMRS providers: Please see the bottom of Section II.

NOTES: (1) For requirements for various applications, see the identified section of Ohio Administrative Code Section 4901 and/or the supplemental application form noted.

(2) Information regarding the number of copies required by the Commission may be obtained from the Commission's web site at <u>www.puco.ohio.gov</u> under the docketing information system section, by calling the docketing division at 614-466-4095, or by visiting the docketing division at the offices of the Commission.

Carrier Type  Other (explain below)	☐ ILEC		☐ CTS	AOS/IOS
Tier 1 Regulatory Treatment				
Change Rates within approved Range	TRF <u>1-6-04(B)</u> (0 day Notice)	TRF <u>1-6-04(B)</u> (0 day Notice)		
New Service, expanded local calling area, correction of textual error	TTA <u>1-6-04(B)</u> (0 day Notice)	TTA <u>1-6-04(B)</u> (0 day Notice)		
Change Terms and Conditions, Introduce non-recurring service charges	ATA <u>1-6-04(B)</u> (Auto 30 days)	(Auto 30 days)		_
Introduce or Increase Late Payment or Returned Check Charge	ATA <u>1-6-04(B)</u> (Auto 30 days)	ATA <u>1-6-04(B)</u> (Auto 30 days)		
Business Contract	CTR <u>1-6-17</u> (0 day Notice)	CTR <u>1-6-17</u> (0 day Notice)		
Withdrawal	Non-Auto)	ATW <u>1-6-12(A)</u> (Auto 30 days)		
Raise the Ceiling of a Rate	Not Applicable	SLF <u>1-6-04(B)</u> (Auto 30 days)		
Tier 2 Regulatory Treatment				
Residential - Introduce non-recurring service charges	☐ TRF <u>1-6-05(E)</u> (0 day Notice)	TRF <u>1-6-05(E)</u> (0 day Notice)		
Residential - Introduce New Tariffed Tier 2 Service(s)	TRF <u>1-6-05(C)</u> (0 day Notice)	TRF <u>1-6-05(C)</u> (0 day Notice)	TRF <u>1-6-05(C)</u> (0 day Notice)	
Residential - Change Rates, Terms and Conditions, Promotions, or Withdrawal	☐ TRF <u>1-6-05(E)</u> (0 day Notice)	☐ TRF <u>1-6-05(E)</u> (0 day Notice)	☐ TRF <u>1-6-05(E)</u> (0 day Notice)	
Residential - Tier 2 Service Contracts	CTR <u>1-6-17</u> (0 day Notice)	CTR <u>1-6-17</u> (0 day Notice)	CTR <u>1-6-17</u> (0 day Notice)	
Commercial (Business) Contracts	Not Filed	Not Filed	Not Filed	
Business Services (see "Other" below)	Detariffed	Detariffed	Detariffed	
Residential & Business Toll Services (see "Other" below)	Detariffed	Detariffed	Detariffed	

1

#### Section I - Part II - Certificate Status and Procedural

Certificate Status	ILEC	CLEC	CTS	AOS/IOS
Certification (See Supplemental ACE form)		ACE <u>1-6-10</u> (Auto 30 days)	ACE <u>1-6-10</u> (Auto 30 days)	ACE <u>1-6-10</u> (Auto 30 days)
Add Exchanges to Certificate	ATA <u>1-6-09(C)</u> (Auto 30 days)	AAC <u>1-6-10(F)</u> (0 day Notice)	CLECs must attach a c Exchange Listing Form	
Abandon all Services - With Customers	ABN <u>1-6-11(A)</u> (Non-Auto)	ABN <u>1-6-11(A)</u> (Auto 90 day)	ABN <u>1-6-11(B)</u> (Auto 14 day)	ABN <u>1-6-11(B)</u> (Auto 14 day)
Abandon all Services - Without Customers		ABN <u>1-6-11(A)</u> (Auto 30 days)	ABN <u>1-6-11(B)</u> (Auto 14 day)	ABN <u>1-6-11(B)</u> (Auto 14 day)
Change of Official Name (See below)	ACN <u>1-6-14(B)</u> (Auto 30 days)	ACN <u>1-6-14(B)</u> (Auto 30 days)	CIO <u>1-6-14(A)</u> (0 day Notice)	CIO <u>1-6-14(A)</u> (0 day Notice)
Change in Ownership (See below)	ACO <u>1-6-14(B)</u> (Auto 30 days)	ACO <u>1-6-14(B)</u> (Auto 30 days)	CIO <u>1-6-14(A)</u> (0 day Notice)	CIO <u>1-6-14(A)</u> (0 day Notice) (
Merger (See below)	AMT <u>1-6-14(B)</u> (Auto 30 days)	(Auto 30 days)	O day Notice)	CIO <u>1-6-14(A)</u> (0 day Notice)
Transfer a Certificate (See below)	ATC <u>1-6-14(B)</u> (Auto 30 days)	ATC <u>1-6-14(B)</u> (Auto 30 days)	O day Notice)	CIO <u>1-6-14(A)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business (See below)	ATR <u>1-6-14(B)</u> (Auto 30 days)	ATR <u>1-6-14(B)</u> (Auto 30 days)	O day Notice)	CIO <u>1-6-14(A)</u> (0 day Notice)
Procedural				
Designation of Process Agent(s)	TRF (0 day Notice)	TRF (0 day Notice)	TRF (0 day Notice)	TRF (0 day Notice)
Section II - Carrier to Carrier (Pursuan			(* 00) (1000)	(o day riolado)
Carrier to Carrier	ILEC	CLEC		
Interconnection agreement, or	☐ NAG <u>1-7-07</u>	☐ NAG <u>1-7-07</u>		
amendment to an approved agreement	(Auto 90 day)	(Auto 90 day)		
Request for Arbitration	☐ ARB <u>1-7-09</u> (Non-Auto)	ARB <u>1-7-09</u> (Non-Auto)		
Introduce or change c-t-c service tariffs,	☐ ATA <u>1-7-14</u> (Auto 30 day)	ATA <u>1-7-14</u> (Auto 30 day)		
Introduce or change access service pursuant to 07-464-TP-COI	ATA (Auto 30 day)			
Request rural carrier exemption, rural	UNC <u>1-7-04</u> or	☐ UNC <u>1-7-04</u> or		
carrier supension or modifiction	(Non-Auto) <u>1-7-05</u>	(Non-Auto) 1-7-05		
Pole attachment changes in terms and	UNC 1-7-23(B)	UNC <u>1-7-05</u>		
conditions and price changes.	(Non-Auto)	(Non-Auto)		
<u>CMRS Providers</u> See <u>4901:1-6-15</u>	RCC [Registration & Change ir (0 day)	n Operations]	NAG [Interconnection Agreer (Auto 90 days)	ment or Amendment]
Other* (explain)				
*NOTE: During the interim period between the	se affecting date of the ri	iles and an Applicant'	C Detariffing Filing	hanas ta mistina

All Section I and II applications that result in a change to one or more tariff pages require, at a minimum, the following exhibits. Other exhibits may be required under the applicable rule(s). ACN, ACO, AMT, ATC, ATR and CIO applications see the 4901:1-6-14 Filing Requirements on the

Commission's Web Page for a complete list of exhibits.

Exhibit	Description:
Α	The tariff pages subject to the proposed change(s) as they exist before the change(s)
В	The Tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked in the right margin.
С	A short description of the nature of the change(s), the intent of the change(s), and the customers affected.
D	A copy of the notice provided to customers, along with an affidavit that the notice was provided according to the applicable rule(s).

<sup>\*</sup>NOTE: During the interim period between the effective date of the rules and an Applicant's Detariffing Filing, changes to existing business Tier 2 and all toll services, including the addition of new business Tier 2 and all new toll services, will be processed as 0-day TRF filings, and briefly described in the "Other" section above.

#### AFFIDAVIT

#### Compliance with Commission Rules and Service Standards

I am an officer/agent of the applicant corporation, Beth Carnes,

and am authorized to make this statement on its behalf.

(Name)

I attest that these tariffs comply with all applicable rules, including the Minimum Telephone Service Standards (MTSS) Pursuant to Chapter 4901:1-5 OAC for the state of Ohio. I understand that tariff notification filings do not imply Commission approval and that the Commission's rules, including the Minimum Telephone Service Standards, as modified and clarified from time to time, supersede any contradictory provisions in our tariff. We will fully comply with the rules of the state of Ohio and understand that noncompliance can result in various penalties, including the suspension of our certificate to operate within the state of Ohio.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on (Date): 01/18/2012

at (Location): 1400 Lake Hearn Drive, Atlanta, GA 30319

\*(Signature and Title):

(Date): 01/18/2012

Director-Regulatory Affairs

• This affidavit is required for every tariff-affecting filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.

#### VERIFICATION

I, <u>Ida Bourne</u>, verify that I have utilized the Telecommunications Application Form for Routine Proceedings provided by the Commission and that all of the information submitted here, and all additional information submitted in connection with this case, is true and correct to the best of my knowledge.

\*(Signature and Title)

Director-Regulatory Affairs (Date): 01/18/2012

\*Verification is required for every filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.

Send your completed Application Form, including all required attachments as well as the required number of copies, to:

Public Utilities Commission of Ohio Attention: Docketing Division 180 East Broad Street, Columbus, OH 43215-3793

Or

Make such filing electronically as directed in Case No 06-900-AU-WVR

### Exhibit A Tariff Pages Prior to Proposed Change

Cox Ohio Telcom, LLC Case No. 11-6005-TP-ATA Issued: January 18, 2012 (2nd reissue)

#### **CHECK SHEET**

All pages of this Tariff are effective as of the date shown. Original and revised pages, as named below, comprise all changes from the original Tariff in effect on the date indicated.

PAGE Title Page 2* 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26	REVISION Original  1st Revised Original	PAGE 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58	REVISION Original	PAGE 65 66 67 68 69 70 71 72 73 74 75 76 77*	REVISION Original
22	Original		Original		
			-		
27	Original	59	Original		
28	Original	60	Original		
29	Original	61	Original		
30	Original	62	Original		
31	Original	63	Original		
32	Original	64	Original		

#### Section 2 - Terms and Conditions, cont'd.

#### 2.4 Claims and Disputes, cont'd.

If Cox determines that the dispute is not valid and the Customer disagrees with the decision, the parties agree to meet in an attempt to reach an understanding of each party's position and recommendation for resolution by either or both sides and establish a series of follow-up meetings, if necessary. If, after sufficient informal meetings have occurred with no resolution in sight and the parties still disagree on the billing, the Customer and Cox will escalate the dispute as set forth in 2.4.1, following. If the Customer refuses to engage the dispute at its higher level, the Customer will be required to remit payment for the disputed charges, including late payment charges, to Cox by the next billing cycle, or Cox will escalate the dispute as outlined in 2.4.2, following.

- **2.4.1** Resolution of the dispute, or a plan to resolve the dispute, is expected to occur at the first level of management within sixty (60) calendar days resulting in a recommendation for settlement of the dispute and closure of the issue. If the dispute is not resolved within the allotted time frame, the following resolutions procedure will be implements:
  - If the dispute is not resolved within sixty (60) calendar days of receipt of an
    acceptable documented claim, or ongoing meetings to settle the dispute are not
    occurring or are deemed non-productive, the dispute will be escalated to the
    Regulatory contact(s) for each of the respective parties for resolution. If the
    dispute is not resolved within thirty (30) calendar days after involvement of
    Regulatory, the dispute will be escalated to the next higher level of management
    for each of the respective parties for resolution.
  - Each party will provide to the other Party an escalation list for resolving billing disputes at the time of the dispute is escalated to their respective Regulatory departments. The escalation list will contain the name, title, phone number, fax number and email address for each escalation point identified in 2.4.1.1 preceding.
  - If the dispute is not resolved within sixty (60) days of receipt of an acceptable documented claim or if either Party is deemed to not be operating in good faith to resolve the dispute, the Formal Dispute Resolution process outlined in section 2.4.3, <u>Formal Dispute Resolution</u>, following may be invoked.

Issue Date: June 25, 2008 Effective Date: July 26, 2008

#### Section 3 - Switched Access Service, cont'd.

#### 3.6 Obligations of the Customer

The Customer has certain specific obligations pertaining to the use of Switched Access Service. These obligations are as follows:

#### 3.6.1 Report Requirements

Customers are responsible for providing the following reports to the Company, when applicable.

#### A. ASR Requirements

The Customer shall order all Switched Access as described in Section 2.2.9, <u>ASR</u> Requirements, preceding.

#### B. Jurisdictional Report Requirements

Provisions for Jurisdictional Report Requirements are as set forth in 2.2.10, <u>Jurisdictional Reports Requirements</u>, preceding.

#### C. Code Screening Reports

When a Customer orders service call routing, trunk access limitation or call gapping arrangements, the customer must report the number of trunks and/or the appropriate codes to be instituted in each end office or access tandem switch, for each of the arrangements ordered.

The Company will administer its network in such a manner that the impact of traffic surges due to peaked 900 Access Service traffic on other access service traffic is minimized. Network management controls as defined in Section 3.5.1, Network Management, may be implemented at the Company's option to ensure acceptable service levels.

#### 3.6.2 On and Off-Hook Supervision

The Customer's facilities shall provide the necessary on and off-hook supervision for accurate timing of calls.

Issue Date: June 25, 2008 Effective Date: July 26, 2008

## Exhibit B Tariff Pages Reflecting Proposed Change

Cox Ohio Telcom, LLC Case No. 11-6005-TP-ATA Issued: January 18, 2012 (2nd reissue)

#### **CHECK SHEET**

All pages of this Tariff are effective as of the date shown. Original and revised pages, as named below, comprise all changes from the original Tariff in effect on the date indicated.

PAGE Title Page 2* 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29*	REVISION Original 2 <sup>nd</sup> Revised Original	PAGE 33 34 35 36 37 38 39 40 41 42 43 44* 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61	REVISION Original	PAGE 65 66 67 68 69 70 71 72 73 74 75 76 77	REVISION Original
		61			
30	Original	62	Original		
31	Original	63	Original		
32	Original	64	Original		

#### Section 2 - Terms and Conditions, cont'd.

#### 2.4 Claims and Disputes, cont'd.

If Cox determines that the dispute is not valid and the Customer disagrees with the decision, the parties agree to meet in an attempt to reach an understanding of each party's position and recommendation for resolution by either or both sides and establish a series of follow-up meetings, if necessary. If, after sufficient informal meetings have occurred with no resolution in sight and the parties still disagree on the billing, the Customer and Cox will escalate the dispute as set forth in 2.4.1, following. If the Customer refuses to engage the dispute at its higher level, the Customer will be required to remit payment for the disputed charges, including late payment charges, to Cox by the next billing cycle, or Cox will escalate the dispute as outlined in 2.4.2, following.

- 2.4.2 Resolution of the dispute, or a plan to resolve the dispute, is expected to occur at the first level of management within sixty (60) calendar days resulting in a recommendation for settlement of the dispute and closure of the issue. If the dispute is not resolved within the allotted time frame, the following resolutions procedure will be implements:
  - 4. If the dispute is not resolved within sixty (60) calendar days of receipt of an acceptable documented claim, or ongoing meetings to settle the dispute are not occurring or are deemed non-productive, the dispute will be escalated to the Regulatory contact(s) for each of the respective parties for resolution. If the dispute is not resolved within thirty (30) calendar days after involvement of Regulatory, the dispute will be escalated to the next higher level of management for each of the respective parties for resolution.
  - 5. Each party will provide to the other Party an escalation list for resolving billing disputes at the time of the dispute is escalated to their respective Regulatory departments. The escalation list will contain the name, title, phone number, fax number and email address for each escalation point identified in 2.4.1.1 preceding.
  - 6. If the dispute is not resolved within sixty (60) days of receipt of an acceptable documented claim or if either Party is deemed to not be operating in good faith to resolve the dispute, the Formal Dispute Resolution process outlined in section 2.4.3, Formal Dispute Resolution, following may be invoked.
  - 7. For identification and rating of Toll VoIP-PSTN traffic, if a dispute is unresolved, the Customer or Cox may request that verification audits be conducted by an independent auditor, at the requesting entities' sole expense. During the audit, Cox's most recent undisputed originating Percent VoIP Usage ("OPVU") and/or the customer's terminating PVU ("TPVU") factor(s) will be used by Cox. 1

(N)

(N)

(N)

(N)

<sup>&</sup>lt;sup>1</sup> For rate application purposes, per FCC mandate, the rates referenced in this section of the tariff apply to toll VoIP-PSTN traffic exchanged starting December 29, 2011.

(N)

(N)

(N)

(N)

#### ACCESS SERVICE

#### Section 3 - Switched Access Service, cont'd.

#### 3.6 Obligations of the Customer

The Customer has certain specific obligations pertaining to the use of Switched Access Service. These obligations are as follows:

#### 3.6.2 Report Requirements

Customers are responsible for providing the following reports to the Company, when applicable.

#### D. ASR Requirements

The Customer shall order all Switched Access as described in Section 2.2.9, <u>ASR Requirements</u>, preceding.

#### E. Jurisdictional Report Requirements

Provisions for Jurisdictional Report Requirements are as set forth in 2.2.10, <u>Jurisdictional Reports Requirements</u>, preceding.

#### F. Code Screening Reports

When a Customer orders service call routing, trunk access limitation or call gapping arrangements, the customer must report the number of trunks and/or the appropriate codes to be instituted in each end office or access tandem switch, for each of the arrangements ordered.

The Company will administer its network in such a manner that the impact of traffic surges due to peaked 900 Access Service traffic on other access service traffic is minimized. Network management controls as defined in Section 3.5.1, Network Management, may be implemented at the Company's option to ensure acceptable service levels.

#### 3.6.2 On and Off-Hook Supervision

The Customer's facilities shall provide the necessary on and off-hook supervision for accurate timing of calls.

#### 3.7.3 Identification of Toll VoIP-PSTN Traffic 1

Toll VoIP-PSTN Traffic is defined as traffic exchanged between a Cox 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 Toll VoIP-PSTN Traffic that is required to be compensated at interstate access rates equal to Cox's Tariff FCC 4 by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov.18, 2011) ("FCC Order") (paragraphs 960-964). This tariff does not supersede any existing interconnection agreement.

Issued: January 18, 2012 Effective: December 29, 2011

For rate application purposes, per FCC mandate, the rates referenced in this section of the tariff apply to toll VoIP-PSTN traffic exchanged starting December 29, 2011.

#### Exhibit C Description of Change

Cox Ohio Telcom, LLC Case No. 11-6005-TP-ATA Issued: January 18, 2012 (2nd reissue)

This filing is submitted in compliance with Federal Communication Commission Report and Order in WC Docket Nos. 10-90, etc. FCC Release Number 11-161 (Nov. 18, 2011) ("FCC ICC Order") that requires carriers to separately identify and bill VoIP-PSTN traffic effective December 29, 2011.

The following tariff pages are revised

Page Number	Description
2	Revise Check Sheet
29	Add new terms for disputes over VoIP-PSTN traffic added to page 44
44	Add new terms for identification and billing of VoIP-PSTN traffic

This foregoing document was electronically filed with the Public Utilities

**Commission of Ohio Docketing Information System on** 

1/18/2012 3:51:12 PM

in

Case No(s). 11-6005-TP-ATA

Summary: Application Further revision to add footnote on tariff pages 29 and 44 in re FCC mandated effective date of change electronically filed by Mrs. Ida M Bourne on behalf of Carnes, Beth Ms.