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January 30, 2012

Ms. Betty McCauley
Secretary
Public Utility Commission of Ohio
180 East Broad Street
Columbus, Ohio 43266-0573

PUCO

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RECEIVED-DOCKETING DIV

Re: *Global Crossing Local Services, Inc.*
VoIP-PSTN Tariff Filed January 17, 2012
Case No. 12-0332-TP-ATA

Level 3 Communications, LLC
VoIP-PSTN Tariff Filed January 20, 2012
Case No. 12-0393-TP-ATA

Broadwing Communications, LLC
VoIP-PSTN Tariff Filed January 24, 2012
Case No. 12-0424-TP-ATA

Dear Ms. McCauley:

On January 19, 2012, January 24, 2012 and January 17, 2012, respectively, Level 3 Communications, LLC ("Level 3") and its affiliates Broadwing Communications, LLC ("Broadwing") and Global Crossing Local Services, Inc. ("Global Crossing") filed tariff revisions intended to reflect implementation of the intercarrier compensation regime for certain VoIP-PSTN traffic mandated (absent agreement by the affected companies) by the Federal Communications Commission ("FCC") in its November 18, 2011 Report and Order and Further Notice of Proposed Rulemaking in WC Dockets No. 10-90, etc. ("Order"). (See above-referenced Level 3 P.U.C.O. Tariff No. 2 at Sections 1 and 3.4.6 – 3.4.10; Broadwing P.U.C.O. Tariff No. 2 at Sections 1 and 2.3.3; and Global Crossing P.U.C.O. Tariff No. 4 at Sections 1 and 2.24.1.)

The FCC's Order requires application of rates not higher than interstate switched access rates to both originating and terminating VoIP-PSTN traffic. (See, e.g., FCC Order, ¶ 961 ("We therefore permit LECs to file tariffs that provide that, in the absence of an interconnection agreement, toll VoIP-PSTN traffic will be subject to charges not more than originating and

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Bell & Royer Co., L.P.A.

January 30, 2012

Page 2

terminating interstate access rates.”) The tariff revisions of many other companies properly reflect application of interstate switched access rates to both originating and terminating VoIP-PSTN traffic.

Level 3’s, Broadwing’s, and Global Crossing’s tariffs properly account for traffic that the companies’ respective customers either originate or terminate in IP format. However, none of those tariffs take into account traffic that is originated or terminated on the carrier’s own network in IP format. This may be because none of these companies currently provides VoIP services to its retail customers. If so, they should be required to certify to that fact to prevent subsequent misunderstandings and unnecessary disputes. But, in any event, each tariff should provide for separate carrier and customer PVU factors – and thus take into account explicitly the manner in which calls are originated or terminated by Level 3’s, Broadwing’s or Global Crossing’s own end-user customers – since such an approach would not require any tariff amendments (just factor changes) if and when these companies begin providing VoIP-based end-user services. This is the approach taken in the tariffs that were filed by a number of other carriers.

The Level 3, Broadwing and Global Crossing tariffs also unfairly delay the implementation of the FCC’s rate regime for VoIP-PSTN traffic. The tariffs filed by many other carriers allow the customer until April 15, 2012 to submit an initial customer PVU factor, and apply that factor retroactively. On the other hand, although Section 3.4.8(a) of the Level 3 tariff, Section 2.3.3.I.(3)(a) of the Broadwing tariff, and Section 2.24.1.C. of the Global Crossing tariff, also allow the customers to submit factors by April 15, 2012, each tariff provides that those factors will apply prospectively only. The approach of other carriers more reasonably balances the need to comply with the FCC’s VoIP-PSTN compensation regime as of its effective date with the reality that carriers will need time to calculate factors that they have not had to use in the past. The Level 3, Broadwing and Global Crossing approach, on the other hand, violates the FCC Order, is unjust and unreasonable, and should be rejected by the Commission.

* * *

Level 3, Broadwing and Global Crossing cannot deviate from the VoIP-PSTN compensation regime ordered by the FCC (regardless of their tariff terms). Verizon, therefore, asks the Commission to require Level 3, Broadwing and Global Crossing to modify their respective tariffs as set forth above.

Sincerely,



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Counsel for Verizon

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January 30, 2012

Page 3

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