

FILE NC

15

The Public Utilities Commission of Ohio
TELECOMMUNICATIONS FILING FORM

(Effective: 01/20/2011)

This form is intended to be used with most types of required filings. It provides check boxes with rule references for the most common types of filings. It does not replace or supersede Commission rules in any way.

In the Matter of the Application of Windstream NuVox, Inc.)
to revise its access service tariff)

TRF Docket No. 90- 9095-TP-TRF

Case No. 12-0627-TP-ATA (07-464-TP-COI)

NOTE: Unless you have reserved a Case #, leave the "Case No" fields BLANK.

Name of Registrant(s) Windstream NuVox, Inc.

DBA(s) of Registrant(s) _____

Address of Registrant(s) 4001 N. Rodney Parham Road, Little Rock, AR. 72202

Company Web Address www.windstream.com

Regulatory Contact Person(s) Kathy Hobbs

Phone 614-228-9484

Fax 614-224-4433

Regulatory Contact Person's Email Address Kathy.Hobbs@windstream.com

Contact Person for Annual Report Lezlie Young

Phone 501-748-5150

Address (if different from above) _____

Consumer Contact Information Mollie Chewning

Phone 704-814-2531

Address (if different from above) 1720 Galleria Blvd., Charlotte NC. 28270

Motion for protective order included with filing? ☐ Yes ☒ No

Motion for waiver(s) filed affecting this case? ☐ Yes ☒ No [Note: Waivers may toll any automatic timeframe.]

Notes:

Section I and II are Pursuant to Chapter 4901:1-6 OAC.

Section III – Carrier to Carrier is Pursuant to 4901:1-7 OAC, and Wireless is Pursuant to 4901:1-6-24 OAC

Section IV – Attestation.

(1) Indicate the Carrier Type and the reason for submitting this form by checking the boxes below.

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

(3) Information regarding the number of copies required by the Commission may be obtained from the Commission's web site at www.puco.ohio.gov 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.

(4) An Incumbent Local Exchange Carrier (ILEC) offering basic local exchange service (BLES) outside its traditional service area should choose CLEC designation when proposing to offer BLES outside its traditional service area or when proposing to make changes to that service.

All Filings that result in a change to one or more tariff pages require, at a minimum, the following exhibits.

Exhibit	Description:
A	The tariff pages subject to the proposed change(s) as they exist before the change(s)
B	The Tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked in the right margin.
C	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).

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.

Technician re Date Processed FEB 10 2012

Section I – Part I - Common Filings

Carrier Type <input type="checkbox"/> Other (explain below)	<input type="checkbox"/> For Profit ILEC	<input type="checkbox"/> Not For Profit ILEC	<input type="checkbox"/> CLEC
Change terms & conditions of existing BLES	<input type="checkbox"/> ATA <u>1-6-14(H)</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-6-14(H)</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-6-14(H)</u> (Auto 30 days)
Introduce non-recurring charge, surcharge, or fee to BLES			<input type="checkbox"/> ATA <u>1-6-14(H)</u> (Auto 30 days)
Introduce or Increase Late Payment	<input type="checkbox"/> ATA <u>1-6-14(I)</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-6-14(I)</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-6-14(I)</u> (Auto 30 days)
Revisions to BLES Cap.	<input type="checkbox"/> ZTA <u>1-6-14(F)</u> (0 day Notice)		
Introduce BLES or expand local service area (calling area)	<input type="checkbox"/> ZTA <u>1-6-14(H)</u> (0 day Notice)	<input type="checkbox"/> ZTA <u>1-6-14(H)</u> (0 day Notice)	<input type="checkbox"/> ZTA <u>1-6-14(H)</u> (0 day Notice)
Notice of no obligation to construct facilities and provide BLES	<input type="checkbox"/> ZTA <u>1-6-27(C)</u> (0 day Notice)	<input type="checkbox"/> ZTA <u>1-6-27(C)</u> (0 day Notice)	
Change BLES Rates	<input type="checkbox"/> TRF <u>1-6-14(F)</u> (0 day Notice)	<input type="checkbox"/> TRF <u>1-6-14(F)(4)</u> (0 day Notice)	<input type="checkbox"/> TRF <u>1-6-14(G)</u> (0 day Notice)
To obtain BLES pricing flexibility	<input type="checkbox"/> BLS <u>1-6-14</u> <u>(C)(1)(c)</u> (Auto 30 days)		
Change in boundary	<input type="checkbox"/> ACB <u>1-6-32</u> (Auto 14 days)	<input type="checkbox"/> ACB <u>1-6-32</u> (Auto 14 days)	
Expand service operation area			<input type="checkbox"/> TRF <u>1-6-08(G)</u> (0 day)
BLES withdrawal			<input type="checkbox"/> ZTA <u>1-6-25(B)</u> (0 day Notice)
Other* (explain) _____			

Section I – Part II – Customer Notification Offerings Pursuant to Chapter 4901:1-6-7 OAC

Type of Notice	Direct Mail	Bill Insert	Bill Notation	Electronic Mail
<input type="checkbox"/> 15-day Notice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> 30-day Notice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Date Notice Sent:				

Section I – Part III –IOS Offerings Pursuant to Chapter 4901:1-6-22 OAC

IOS	Introduce New	Tariff Change	Price Change	Withdraw
<input type="checkbox"/> IOS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section II – Part I – Carrier Certification - Pursuant to Chapter 4901:1-6-08, 09 & 10 OAC

Certification	ILEC (Out of Territory)	CLEC	Telecommunications Service Provider Not Offering Local	CESTC	CETC
* See Supplemental form	<input type="checkbox"/> ACE <u>1-6-08</u> * (Auto 30- day)	<input type="checkbox"/> ACE <u>1-6-08</u> *(Auto 30 day)	<input type="checkbox"/> ACE <u>1-6-08</u> *(Auto 30 day)	<input type="checkbox"/> ACE <u>1-6-10</u> (Auto 30 day)	<input type="checkbox"/> UNC <u>1-6-09</u> *(Non-Auto)

*Supplemental Certification forms can be found on the Commission Web Page.

Section II – Part II – Certificate Status & Procedural

Certificate Status	ILEC	CLEC	Telecommunications Service Provider Not Offering Local
Abandon all Services		<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)	<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)
Change of Official Name *	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Change in Ownership *	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Merger *	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transfer a Certificate *	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)

* Other exhibits may be required under the applicable rule(s). ACN, ACO, AMT, ATC, ATR and CIO applications see the 4901:1-6-29 Filing Requirements on the Commission's Web Page for a complete list of exhibits.

Section III – Carrier to Carrier (Pursuant to 4901:1-7), and Wireless (Pursuant to 4901:1-6-24)

Carrier to Carrier	ILEC	CLEC
Interconnection agreement, or amendment to an approved agreement	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)
Request for Arbitration	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)
Introduce or change c-t-c service tariffs,	<input type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)	<input checked="" type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC <u>1-7-04</u> or <u>05</u> (Non-Auto)	
Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights- of-Way.	<input type="checkbox"/> UNC <u>1-7-23(B)</u> (Non-Auto)	
Wireless Providers See <u>4901:1-6-24</u>	<input type="checkbox"/> RCC [Registration & Change in Operations]	<input type="checkbox"/> NAG [Interconnection Agreement or

Section IV. – Attestation

Registrant hereby attests to its compliance with pertinent entries and orders issued by the Commission.

AFFIDAVIT
Compliance with Commission Rules

I am an officer/agent of the applicant corporation,

, and am authorized to make this statement on its behalf.

Windstream Communications

(Name)

Please Check ALL that apply:

☒ I attest that these tariffs comply with all applicable rules for the state of Ohio. I understand that tariff notification filings do not imply Commission approval and that the Commission's rules 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 attest that customer notices accompanying this filing form were sent to affected customers, as specified in Section II, in accordance with Rule 4901:1-6-7, Ohio Administrative Code.

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

Executed on (Date) 2-10-2012

at (Location) Columbus, Ohio 43215

*(Signature and Title)

Kathy E. Hobbs, VP-State Government Affairs

(Date) 2-10-2012

- 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, Kathy E. Hobbs verify that I have utilized the Telecommunications Filing Form for most 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) Kathy E. Hobbs, VP-State Government Affairs

(Date) 2-10-2012

*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

Existing Affected Tariff Pages

Attached is a copy of the current tariff pages of Windstream NuVox Ohio, Inc., Access Service Tariff, P.U.C.O. No. 2.

ACCESS SERVICES TARIFF

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.8 Customer Provided Reports

Customers may be required to provide the following reports in connection with the provision of Dedicated or Switched Access Services. The specific requirements are provided in other sections of this tariff as set forth following.

<u>Customer Provided Reports</u>	<u>Tariff Section No.</u>
Percentage of Interstate Use (PIU)	2.3.10
Dedicated Service Jurisdiction Reports	2.3.11
Media Stimulated Mass Calling Events	2.3.12

ISSUED: March 22, 2000

EFFECTIVE: March 30, 2000

By: Jerry Howe, President
16090 Swingley Ridge Road
Chesterfield, MO 63017

ACCESS SERVICES TARIFF

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.12 Media Stimulated Mass Calling Events

- (A) When Access Service is utilized to provide services for which a substantial traffic Volume is anticipated during short periods of time (e.g., 800, opinion polls, calls placed in response to television and radio advertising, Web Site advertisement, Streaming Video and Audio events), the customer shall provide notification of such event to the Company at least 24 hours in advance of peak period. Such notification shall include the nature, time, duration, and the frequency of the event, as well as estimated volume to be expected.
- (B) The Company will utilize such information to administer its network in a manner that minimizes the impact of traffic surges due to media stimulated mass calling events. Failure to provide such notification may cause excessive network congestion which could result in a complete loss of service to the customer. If the Company has not received required notification at least 24 hours in advance of the event, and a service interruption occurs, a credit allowance as specified in 2.4.5 will not apply.

ACCESS SERVICES TARIFF

2. General Regulations (Cont'd)2.5 Definitions (Cont'd)Premises

A building or a portion of a building in a multi-tenant building, or buildings on a continuous property (except Railroad Right-of-way, etc.) not separated by a public highway.

Serving Wire Center

The end office from which the customer designated premises would normally obtain dial tone from an Incumbent Local Exchange Carrier for local Exchange Service purposes.

Shortage of Facilities or Equipment

A condition which occurs when the Company does not have appropriate cable, switching capacity, or terminal equipment necessary to provide the Dedicated or Switched Access Services requested by the customer.

Synchronous

The type of data transmission where the characters of bits are sent at a fixed rate, with the transmitting and receiving devices synchronized, so that start and stop bits are not required.

V and H Coordinates Method

A method of computing airline miles between two points by utilizing an established formula, which is, based on the vertical (V) and horizontal (H) coordinates of the two points.

Virtual Circuit

A communication path established to transmit data. This path is established for the duration of the session. A virtual circuit is the packet network equivalent of a physical circuit and maintains the sequence of information.

EXHIBIT B

Revised Tariff Pages

**Attached is a copy of original tariff pages of Windstream NuVox Ohio, Inc.,
Access Service Tariff, P.U.C.O. No. 2.**

ACCESS SERVICES TARIFF

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.8 Customer Provided Reports

Customers may be required to provide the following reports in connection with the provision of Dedicated or Switched Access Services. The specific requirements are provided in other sections of this tariff as set forth following.

<u>Customer Provided Reports</u>	<u>Tariff Section No.</u>	
Percentage of Interstate Use (PIU)	2.3.10	
Dedicated Service Jurisdiction Reports	2.3.11	
Media Stimulated Mass Calling Events	2.3.12	
Percentage of VoIP Use (PVU)	2.3.13	(N)

ISSUED: February 10, 2012

EFFECTIVE: March 11, 2012

By: Cesar Caballero, Vice President
4001 Rodney Parham Road
Little Rock, AR 72212

ACCESS SERVICES TARIFF

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.12 Media Stimulated Mass Calling Events

- (A) When Access Service is utilized to provide services for which a substantial traffic Volume is anticipated during short periods of time (e.g., 800, opinion polls, calls placed in response to television and radio advertising, Web Site advertisement, Streaming Video and Audio events), the customer shall provide notification of such event to the Company at least 24 hours in advance of peak period. Such notification shall include the nature, time, duration, and the frequency of the event, as well as estimated volume to be expected.
- (B) The Company will utilize such information to administer its network in a manner that minimizes the impact of traffic surges due to media stimulated mass calling events. Failure to provide such notification may cause excessive network congestion which could result in a complete loss of service to the customer. If the Company has not received required notification at least 24 hours in advance of the event, and a service interruption occurs, a credit allowance as specified in 2.4.5 will not apply.

2.3.13 Identification and Rating of VoIP-PSTN Traffic

(N)

- (A) Scope
- (1) VoIP-PSTN traffic is defined as traffic exchanged over the public switched telephone network ("PSTN") facilities that originates and/or terminates in Internet protocol ("IP") format. This section governs the identification of toll VoIP-PSTN ("toll VoIP") traffic that in the absence of an interconnection agreement will be subject to interstate switched access rates in accordance with the Federal Communications Commission Report and Order in WC Docket Nos. 10-90, etc., FCC No. 11-161 released (Nov. 18, 2011) ("FCC Order") as it may hereinafter be amended or clarified. Specifically, this section establishes the method of distinguishing toll VoIP traffic from the customer's total intrastate access traffic, so that toll VoIP traffic will be billed in accordance with the FCC Order. Nothing in this section will supersede any current interconnection agreement governing the identification and rating of VoIP-PSTN traffic.
- (2) This section will be applied to the billing of switched access charges to a customer that is a local exchange carrier only to the extent that the customer has also implemented billing of interstate access charges for VoIP-PSTN Traffic in accordance with the FCC Order.
- (B) Rating of toll VoIP-PSTN traffic
- The Telephone Company will bill toll VoIP-PSTN traffic which it identifies in accordance with this tariff section at rates equal to the Telephone Company's applicable tariffed interstate switched access rates.

(N)

ACCESS SERVICES TARIFF

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.13 Identification and Rating of VoIP-PSTN Traffic (Cont'd)

(N)

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

The Telephone Company will determine the number of toll VoIP traffic minutes of use ("MOU") to which it will apply its interstate rates under subsection (B), above, by applying an originating Percent VoIP Usage ("OPVU") factor to the total intrastate access MOU originated by the Telephone Company end user and delivered to the customer and by applying a terminating PVU ("TPVU") factor to the total intrastate access MOU terminated by the Telephone Company and originated by the customer. The OPVU and TPVU will be derived and applied as follows:

- (1) The Telephone Company will calculate and implement an OPVU factor representing a whole number percentage based on total traffic originated by Telephone Company end users in IP format and delivered to the customer in the State divided by the Telephone Company's total originated intrastate access MOU delivered to the customer in the State.
- (2) The customer will calculate and furnish to the Telephone Company a TPVU factor, along with supporting documentation, representing the whole number percentage of the customer's total terminating intrastate access MOU that the customer exchanges with the Telephone Company in the State that is sent to the Telephone Company and originated in IP format.
- (3) The TPVU and supporting documentation shall be based on information that is verifiable by the Telephone Company including but not limited to 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. The customer shall not modify its reported PIU factor to account for VoIP-PSTN traffic.
- (4) After the Telephone Company verifies the TPVU provided by the customer the Telephone Company will apply the TPVU factor as well as the OPVU developed by the Telephone Company to the respective terminating and originating intrastate access MOU as indicated in Sections (D) and/or (E) below.

In the event that the Telephone Company can not verify the customer's TPVU, the Telephone Company will request additional information to support the TPVU, during this time no changes will be made to the existing TPVU. The customer shall supply the requested additional information within 15 days of the Telephone Company's request or no changes will be made to the existing TPVU. If after review of the additional information, the customer and Telephone Company establish a revised and mutually agreed upon TPVU factor, the Telephone Company will begin using the new factor with the next bill period.

(N)

By: Cesar Caballero, Vice President
4001 Rodney Parham Road
Little Rock, AR 72212

ACCESS SERVICES TARIFF

2. General Regulations (Cont'd)2.3 Obligations of the Customer (Cont'd)2.3.13 Identification and Rating of VoIP-PSTN Traffic (Cont'd)

(N)

If the dispute is unresolved the customer may request that verification audits be conducted by an independent auditor, at customer's sole expense. During the audit, the most recent undisputed TPVU factor will be used by the Telephone Company.

(D) Initial OPVU and TPVU Factor

In calculating the initial OPVU and TPVU factor(s), the Telephone Company will take the factor(s) provided by the customer and/or developed by the Telephone Company into account retroactively to January 1, 2012, provided that the factor(s) and supporting documentation are provided as specified in subsection (C) above to the Telephone Company no later than 15 days after the effective date of this tariff. Within 15 days of receiving the customers TPVU factor the Telephone Company will verify and either request additional information or apply the TPVU and associated Telephone Company developed OPVU. At the same time the customer submits the TPVU factor the customer may request from the Telephone Company supporting documentation for the OPVU factor, which will be provided by the Telephone Company within 15 days of request. If the customer does not furnish the Telephone Company with a TPVU factor pursuant to the preceding subsection (C), the initial TPVU factor will be zero.

(E) OPVU and TPVU Factor Updates

The customer may update the TPVU factor semi-annually using the method set forth in subsection (C), above. If the customer chooses to submit such updates, it shall forward to the Telephone Company, no later than 15 days after the first day of January and/or July of each year, a revised TPVU factor and supporting documentation based on data for the prior three months, ending the last day of December and/or June, respectively. If the customer submits a TPVU factor update the Telephone Company will, within 15 days of receipt of such request, provide and updated OPVU factor with supporting documentation to the customer. Within 15 days of receiving the customers revised TPVU factor the Telephone Company will verify and either request additional information or apply the TPVU and associated Telephone Company developed OPVU. Once verified by the Telephone Company the revised TPVU factor along with the revised Telephone Company developed OPVU will apply prospectively and serve as the basis for billing until superseded by a new verified factor.

(N)

ISSUED: February 10, 2012

EFFECTIVE: March 11, 2012

By: Cesar Caballero, Vice President
4001 Rodney Parham Road
Little Rock, AR 72212

ACCESS SERVICES TARIFF

2. General Regulations (Cont'd)2.5 Definitions (Cont'd)Premises

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Serving Wire Center

The end office from which the customer designated premises would normally obtain dial tone from an Incumbent Local Exchange Carrier for local Exchange Service purposes.

Shortage of Facilities or Equipment

A condition which occurs when the Company does not have appropriate cable, switching capacity, or terminal equipment necessary to provide the Dedicated or Switched Access Services requested by the customer.

Synchronous

The type of data transmission where the characters of bits are sent at a fixed rate, with the transmitting and receiving devices synchronized, so that start and stop bits are not required.

Toll VoIP-PSTN Traffic

The term "Toll VoIP-PSTN Traffic" denotes a customer's interexchange voice traffic exchanged with the Telephone Company in Time Division Multiplexing format over PSTN facilities, which originates and/or terminates in Internet Protocol (IP) format. "Toll VoIP-PSTN Traffic" originates and/or terminates in IP format when it originates from and/or terminates to an end user customer of a service that requires IP-compatible customer premises equipment.

(N)

(N)

V and H Coordinates Method

A method of computing airline miles between two points by utilizing an established formula, which is, based on the vertical (V) and horizontal (H) coordinates of the two points.

Virtual Circuit

A communication path established to transmit data. This path is established for the duration of the session. A virtual circuit is the packet network equivalent of a physical circuit and maintains the sequence of information.

EXHIBIT C

Description and Rationale for Proposed Tariff Changes

With this filing, Windstream NuVox Ohio, Inc., proposes to add language to the tariff for the identification and rating of Toll VOIP-PSTN traffic per the Federal Communications Commission Report and Order in WC Docket Nos. 10-90, etc., FCC No. 11-161 released (Nov. 18, 2011).