



March 19, 2012
Via Electronic Delivery

Ms. Betty McCauley, Commission Secretary
Ohio Public Utilities Commission
180 East Broad Street
Columbus, OH 43215

**RE: Orwell Telephone Company Revision to PUCO Tariff No. 8 (Intrastate Access Services)
 Case No. 12-1021-TP-ATA**

Dear Ms. McCauley:

Enclosed for filing please find the above referenced filing submitted on behalf of Orwell Telephone Company. This filing makes revisions to incorporate the requirements of the Federal Communications Commission Report and Order in WC Docket No. 10-90, et. al., FCC No. 11-161 (released Nov 18, 2011) ("FCC Order") regarding the treatment of Toll VoIP-PSTN traffic. These revisions do not impact retail customers and will result in lower rates to other carriers for certain access usage.

The following tariff pages are included with this filing:

Section 6

1 st Revised Sheet 1	Incorporates revision to description of Switched Access Rates
Original Sheets 16 - 19	Introduces Identification and Rating of VoIP-PSTN Traffic;

Please acknowledge receipt of this filing. Any questions you may have regarding this filing should be directed to my attention at 407-740-3031 or via email to stthomas@tminc.com.

Thank you for your assistance in this matter.

Sincerely,

/s/Sharon Thomas

Sharon Thomas

Consultant to Orwell Telephone Company

cc: Carole Williamson, Orwell Telephone Company
file: Orwell Telephone Company - Ohio - Access
tms: OHa1201

Enclosures
ST/im

The Public Utilities Commission of Ohio
TELECOMMUNICATIONS APPLICATION FORM for ROUTINE PROCEEDINGS
(Effective: 1/18/2008)

In the Matter of the Application of
Orwell Telephone Company
to Revise its Access Services Tariff PUCO Tariff No. 8

) **TRF Docket No. 90-5033 -TP-TRF**
) Case No. 12-1021-TP-ATA
)
) **NOTE: Unless you have reserved a Case # or are filing a Contract,**
) **leave the "Case No" fields BLANK**

Name of Registrant(s) Orwell Telephone Company
DBA(s) of Registrant(s) FairPoint Communications
Address of Registrant(s) 521 East Morehead Street, Suite 500, Charlotte, NC 28202
Company Web Address www.fairpoint.com
Regulatory Contact Person(s) Carole Williamson Phone 207.797.1190 Fax 207.797.1258
Regulatory Contact Person's Email Address Carole.williamson@fairpoint.com
Contact Person for Annual Report Angela Unruh Phone 207.797.1190 Fax 620.227.4400
Address (if different from above) 908 W. Frontview, Dodge City, KS 57801
Consumer Contact Information Dottie Nesmith, Manager, Regulatory Compliance Phone 800.437.6215
Address (if different from above) Same as Above
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.]

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 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.

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

Section I – Part II – Certificate Status and Procedural

Certificate Status	ILEC	CLEC	CTS	AOS/IOS
Certification (See Supplemental ACE form)		<input type="checkbox"/> ACE 1-6-10 (Auto 30 days)	<input type="checkbox"/> ACE 1-6-10 (Auto 30 days)	<input type="checkbox"/> ACE 1-6-10 (Auto 30 days)
Add Exchanges to Certificate	<input type="checkbox"/> ATA 1-6-09(C) (Auto 30 days)	<input type="checkbox"/> AAC 1-6-10(F) (0 day Notice)	CLECs must attach a current CLEC Exchange Listing Form	
Abandon all Services - With Customers	<input type="checkbox"/> ABN 1-6-11(A) (Non-Auto)	<input type="checkbox"/> ABN 1-6-11(A) (Auto 90 day)	<input type="checkbox"/> ABN 1-6-11(B) (Auto 14 day)	<input type="checkbox"/> ABN 1-6-11(B) (Auto 14 day)
Abandon all Services - Without Customers		<input type="checkbox"/> ABN 1-6-11(A) (Auto 30 days)	<input type="checkbox"/> ABN 1-6-11(B) (Auto 14 day)	<input type="checkbox"/> ABN 1-6-11(B) (Auto 14 day)
Change of Official Name (See below)	<input type="checkbox"/> ACN 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> ACN 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Change in Ownership (See below)	<input type="checkbox"/> ACO 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> ACO 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Merger (See below)	<input type="checkbox"/> AMT 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> AMT 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Transfer a Certificate (See below)	<input type="checkbox"/> ATC 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> ATC 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Transaction for transfer or lease of property, plant or business (See below)	<input type="checkbox"/> ATR 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> ATR 1-6-14(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)	<input type="checkbox"/> CIO 1-6-14(A) (0 day Notice)
Procedural				
Designation of Process Agent(s)	<input type="checkbox"/> TRF (0 day Notice)	<input type="checkbox"/> TRF (0 day Notice)	<input type="checkbox"/> TRF (0 day Notice)	<input type="checkbox"/> TRF (0 day Notice)

Section II – Carrier to Carrier (Pursuant to 4901:1-7), CMRS and Other

Carrier to Carrier	ILEC	CLEC		
Interconnection agreement, or amendment to an approved agreement	<input type="checkbox"/> NAG 1-7-07 (Auto 90 day)	<input type="checkbox"/> NAG 1-7-07 (Auto 90 day)		
Request for Arbitration	<input type="checkbox"/> ARB 1-7-09 (Non-Auto)	<input type="checkbox"/> ARB 1-7-09 (Non-Auto)		
Introduce or change c-t-c service tariffs,	<input checked="" type="checkbox"/> ATA 1-7-14 (Non-Auto)	<input type="checkbox"/> ATA 1-7-14 (Auto 30 day)		
Introduce or change access service pursuant to 07-464-TP-COI	<input type="checkbox"/> ATA (Auto 30 day)			
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC 1-7-04 or (Non-Auto) 1-7-05	<input type="checkbox"/> UNC 1-7-04 or (Non-Auto)		
Pole attachment changes in terms and conditions and price changes.	<input type="checkbox"/> UNC 1-7-23(B) (Non-Auto)	<input type="checkbox"/> UNC 1-7-05 (Non-Auto)		
CMRS Providers See 4901:1-6-15	<input type="checkbox"/> RCC [Registration & Change in Operations] (0 day)		<input type="checkbox"/> NAG [Interconnection Agreement or Amendment] (Auto 90 days)	
Other* (explain) _____				

*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.

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:
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).

Section III. – Attestation

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

AFFIDAVIT

Compliance with Commission Rules and Service Standards

I am an officer/agent of the applicant corporation, Sharon Thomas, Consultant to Orwell Telephone Company, and am authorized to make this statement on its behalf.

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 March 19, 2012 at Maitland, Florida 32751

/s/Sharon Thomas

March 19, 2012

Sharon Thomas, Consultant to
Orwell Telephone Company

Technologies Management, Inc.
2600 Maitland Center Parkway, Suite 300
Maitland, Florida 32750
Telephone: (407) 740-3031
Email: sthomas@tmic.com

- *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, Sharon Thomas, Consultant to Orwell Telephone Company 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.

/s/Sharon Thomas

March 19, 2012

Sharon Thomas, Consultant to Orwell Telephone Company

Technologies Management, Inc.
2600 Maitland Center Parkway, Suite 300
Maitland, Florida 32750
Telephone: (407) 740-3031
Email: sthomas@tmic.com

**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

ORWELL TELEPHONE COMPANY

EXHIBIT A

SUPERSEDED ACCESS TARIFF PAGES

ACCESS SERVICE

The Orwell Telephone Company ("Orwell") adopts and concurs in the tariff filed by the National Exchange Carrier Association, Inc. ("NECA") with the Federal Communications Commission ("F.C.C.") as TARIFF F.C.C. No. 5 dealing with rates and charges utilized by Orwell in providing access to interexchange carriers. The abovementioned tariff provides for interstate services, however, pursuant to orders and entries by this Commission on Case No. 83-464-TP-COI, Orwell hereby concurs, adopts and "mirrors" said tariff to apply toward intrastate services in all respects with the exception of Section 4, End User Charges. The rates, terms and conditions for Intrastate Carrier Common Line Access Service are set forth herein.

A. Access Charge Rates

Carrier Common Line Access Service rates moved to Sheet 15 herein.

Switched Access Rates

Local switched access rates applied to the intrastate jurisdiction shall remain at the levels existing on December 31, 1997.

ORWELL TELEPHONE COMPANY

EXHIBIT B

PROPOSED ACCESS TARIFF REVISION

ACCESS SERVICE

The Orwell Telephone Company (“Orwell”) adopts and concurs in the tariff filed by the National Exchange Carrier Association, Inc. (“NECA”) with the Federal Communications Commission (“F.C.C.”) as TARIFF F.C.C. No. 5 dealing with rates and charges utilized by Orwell in providing access to interexchange carriers. The abovementioned tariff provides for interstate services, however, pursuant to orders and entries by this Commission on Case No. 83-464-TP-COI, Orwell hereby concurs, adopts and “mirrors” said tariff to apply toward intrastate services in all respects with the exception of Section 4, End User Charges. The rates, terms and conditions for Intrastate Carrier Common Line Access Service are set forth herein.

A. Access Charge Rates

Carrier Common Line Access Service rates moved to Sheet 15 herein.

Switched Access Rates

Local switched access rates applied to the intrastate jurisdiction shall remain at the levels existing on December 31, 1997, except as specified in the Section Switched Access Charges Assessable to VoIP-PSTN Traffic.

(N)
(N)

ACCESS SERVICE TARIFF (Continued)

Switched Access Charges Assessable to VoIP-PSTN Traffic

1. Identification and Rating of VoIP-PSTN Traffic

(N)

- 1.1 Scope - VoIP-PSTN Traffic is the traffic exchanged in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. Traffic originates and/or terminates in IP format if it originates from and/or terminates to an end user customer of a service that requires Internet protocol compatible customer premises equipment.

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 Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90 et. al., FCC No. 11-161 (November 18, 2011) ("FCC Order"). Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Relevant VoIP-PSTN Traffic") from the Customer's traditional intrastate access traffic, so that such Relevant VoIP-PSTN Traffic can be billed in accordance with the FCC Order.

- 1.2. Rating of VoIP-PSTN Traffic - The Relevant VoIP-PSTN Traffic identified in accordance with this tariff section will be billed in accordance with the applicable interstate switched access rates applicable to the Company as set forth in the National Exchange Carrier Association (NECA) Access Service Tariff F.C.C. No. 5, which is posted at <http://svartifoss2.fcc.gov/cgi-bin/ws.exe/prod/ccb/etfs/webpublic/selectlec.hts>.

(N)

ACCESS SERVICE TARIFF (Continued)

Switched Access Charges Assessable to VoIP-PSTN Traffic

1.1 Identification and Rating of VoIP-PSTN Traffic (Cont'd)

(N)

1.3 Calculation and Application of Percent-VoIP-Usage Factor - The Company will determine the number of Relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection 1.2, above, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU (however determined – either based on call detail information or PIU) exchanged between the Company and the Customer. The PVU will be derived and applied as follows:

- (A) The Customer will calculate and furnish to the Company a factor (the "PVU-A") representing the percentage of the total intrastate and interstate access MOU that the Customer exchanges with the Company in the State, that (a) is sent to the Company and that originates in IP format; or (b) is received from the Company and terminates in IP format. 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.
- (B) Company will, likewise, calculate a factor (the "PVU-B") representing the percentage of the Company's total access MOU in the State that the Company originates or terminates in IP format. 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.
- (C) The Company will use the PVU-A and PVU-B factors to calculate an effective PVU factor that represents the percentage of total access MOU exchanged between the Company and the Customer that is originated or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends. The 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).

(N)

ACCESS SERVICE TARIFF (Continued)

Switched Access Charges Assessable to VoIP-PSTN Traffic

1.1 Identification and Rating of VoIP-PSTN Traffic (Cont'd)

(N)

1.3 (Cont'd)

- (D) The Company will apply the effective PVU factor to the total intrastate access MOU exchanged with the Customer to determine the number of Relevant VoIP-PSTN Traffic MOUs.

Example 1: The PVU-B is 10% and the PVU-A is 40%. The effective PVU factor is equal to $40\% + (10\% \times 60\%) = 46\%$. The Company will bill 46% of the Customer's intrastate access MOU in accordance with the Company's applicable interstate switched access tariff.

Example 2: The PVU-B is 10% and the PVU-A is 0%. The effective PVU factor is $0\% + (100\% \times 10\%) = 10\%$. The Company will bill 10% of the Customer's intrastate access MOU in accordance with the Company's applicable 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 intrastate access MOU in accordance with the Company's applicable interstate switched access tariff.

- (E) If the Customer does not furnish the Company with a PVU-A pursuant to the preceding paragraph 1, the Company will utilize an effective PVU equal to the PVU-B.

- 1.4 Initial PVU Factor - If the PVU factor is not available and/or cannot be implemented in the Company's billing systems by December 29, 2011, once the factor is available and can be implemented the Company will adjust the Customer's bills to reflect the PVU retroactively to December 29, 2011. In calculating the initial PVU, the Company will take the Customer-specified PVU-A into account retroactively to December 29, 2011, provided that the Customer provides the factor to the Company no later than April 15, 2012; otherwise, it will set the initial PVU equal to the PVU-B, as specified in subsection 1.3, above.

(N)

ACCESS SERVICE TARIFF (Continued)

Switched Access Charges Assessable to VoIP-PSTN Traffic

1.1 Identification and Rating of VoIP-PSTN Traffic (Cont'd)

- 1.5 PVU Factor Updates - The Customer may update the PVU-A factor or the Company may update the PVU-B quarterly using the method set forth in subsection 1.3., above. 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, a revised PVU-A factor based on data for the prior three months, ending the last day of December, March, June and September, respectively. The Company will use the revised PVU-A to calculate a revised PVU. The revised PVU factor will apply prospectively and serve as the basis for billing until superseded by a new PVU.
- 1.6 PVU Factor Verification - Not more than twice in any year, the Company may ask the Customer to verify the PVU-A factor furnished to the Company and Customer may ask the Company to verify the PVU-B factor and the calculation of the PVU factor. The party so requested shall comply, and shall reasonably provide the records and other information used to determine the respective PVU-A and PVU-B factors.

(N)

(N)

ORWELL TELEPHONE COMPANY

EXHIBIT C

DESCRIPTION AND TYPE OF CUSTOMERS AFFECTED

This filing makes revisions to incorporate the requirements of the Federal Communications Commission Report and Order in WC Docket No. 10-90, etc., FCC No. 11-161 (released Nov 18, 2011) ("FCC Order") regarding the treatment of Toll VoIP-PSTN traffic and to mirror other terms and conditions included in the Company's interstate access tariff filed with the FCC.

ORWELL TELEPHONE COMPANY

EXHIBIT D

CUSTOMER NOTICE

Not Applicable to Carrier to Carrier Services.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

3/19/2012 3:09:02 PM

in

Case No(s). 12-1021-TP-ATA

Summary: Application To Revise Carrier to Carrier Tariff PUC No. 8 (Access Services)
electronically filed by Ms. Iris D. Mennens on behalf of The Orwell Telephone Company