



March 26, 2012  
Via Overnight Delivery

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

**RE: Bandwidth.com CLEC, LLC PUCO  
Amended Revision to PUCO Tariff No. 3 (Intrastate Access Services) Case No. 12-0918-TP-ATA**

Dear Ms. McCauley:

Enclosed for filing please find amended tariff pages submitted on behalf of Bandwidth.com CLEC, LLC. in the above referenced Case Number. This filing incorporates changes which were requested in a Data Request issued by Ms. Russell. Please substitute the enclosed pages for the tariff pages originally submitted on March 12, 2012 with an effective date of April 12, 2012.

The following amended tariff pages are included with this filing:

Original Pages 26.1-26.4

2<sup>nd</sup> Revised Page 31

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](mailto:stthomas@tminc.com). Thank you for your assistance in this matter.

Sincerely,

/s/Sharon Thomas

Sharon Thomas

Consultant to Bandwidth.com CLEC, LLC

cc: LJ Freeman, Bandwidth.com CLEC, LLC

file: Bandwidth.com CLEC - Ohio - Access

tms: OHa1201

Enclosures

ST/im

cc: Robbin Russell, Ohio PUC

Lisa Jill Freeman, Bandwidth

file: Bandwidth.com CLEC - Ohio - Access

tms: OHa1201a

Enclosures

ST/im

---

INTRASTATE ACCESS SERVICES

---

## SECTION 2 – RULES AND REGULATIONS, (CONT'D.)

## 2.9 OBLIGATIONS OF THE CUSTOMER, (CONT'D.)

## 2.9.8 Identification and Rating of VoIP-PSTN Access Traffic

(N)

## A. Scope

VoIP-PSTN Traffic is the traffic exchanged 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 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 "VoIP-PSTN Access Traffic") from the Customer's traditional intrastate access traffic, so that such VoIP-PSTN Access Traffic can be billed in accordance with the FCC Order.

This section of the tariff does not preclude the parties from negotiating different rates, terms and conditions governing reciprocal compensation for toll VoIP-PSTN traffic.

This tariff does not supersede rates, terms and conditions governing reciprocal compensation for toll VoIP-PSTN traffic existing interconnection agreements.

Rates, terms and conditions governing reciprocal compensation for toll VoIP-PSTN traffic in this tariff apply prospectively.

## B. Rating of VoIP-PSTN Access Traffic

The VoIP-PSTN Access Traffic identified in accordance with this tariff section will be billed at rates equal to the Company's applicable tariffed interstate switched access rates and as listed in the Ameritech Operating Companies Tariff F.C.C. No. 2 and Cincinnati Bell Telephone Tariff FCC No. 35.

(N)

---

INTRASTATE ACCESS SERVICES

---

## SECTION 2 – RULES AND REGULATIONS, (CONT'D.)

## 2.9 OBLIGATIONS OF THE CUSTOMER, (CONT'D.)

## 2.9.8 Identification and Rating of VoIP-PSTN Access Traffic (Cont'd.)

(N)

## C. Calculation and Application of Percent-VoIP-PSTN Usage Factor

The Company will determine the number of VoIP-PSTN Access Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection B., 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:

1. The Customer will calculate and furnish to the Company a factor (the "PVU-A") representing the whole number percentage of the total access MOU that the Customer exchanges with the Company in the State, that is sent to the Company and that originates 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.
2. Company will, likewise, calculate a factor (the "PVU-B") representing the percentage of the Customer's total access MOU in the State that the Company 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.

(N)

---

Issued: March 12, 2012

Effective: April 12, 2012

By: Lisa Jill Freeman, Vice President  
4001 Weston Parkway  
Cary, NC 27513

Case No. 12-0918-TP-ATA

---

INTRASTATE ACCESS SERVICES

---

## SECTION 2 – RULES AND REGULATIONS, (CONT'D.)

## 2.9 OBLIGATIONS OF THE CUSTOMER, (CONT'D.)

## 2.9.8 Identification and Rating of VoIP-PSTN Access Traffic (Cont'd.)

(N)

## C. Calculation and Application of Percent-VoIP-PSTN Usage Factor (Cont'd.)

3. 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 by the Customer and/or terminated by the Company in IP format. The effective 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).
4. The Company will apply the effective PVU factor to the total intrastate access MOU exchanged with the Customer to determine the number of VoIP-PSTN Access Traffic MOUs.

Example 1: The PVU-A is 40% and the PVU-B is 10%. 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-A is 0% and the PVU-B is 10%. The effective PVU factor is  $0\% + (10\% \times 100\%) = 10\%$ . 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-B is 100%. No matter what the PVU-A 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.

5. 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.
6. The Customer shall not modify their reported PIU factor to account for VoIP-PSTN Traffic.

(N)

---

Issued: March 12, 2012

Effective: April 12, 2012

By: Lisa Jill Freeman, Vice President  
4001 Weston Parkway  
Cary, NC 27513

Case No. 12-0918-TP-ATA

---

INTRASTATE ACCESS SERVICES

---

## SECTION 2 – RULES AND REGULATIONS, (CONT'D.)

## 2.9 OBLIGATIONS OF THE CUSTOMER, (CONT'D.)

## 2.9.8 Identification and Rating of VoIP-PSTN Traffic (Cont'd.)

(N)

## D. 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 effective 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 effective PVU equal to the PVU-B, as specified in subsection C.5., above.

## E. 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 C.1 or C.2, respectively, 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 effective PVU. The revised effective PVU factor will apply prospectively and serve as the basis for billing until superseded by a new effective PVU.

## F. 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 effective PVU factor. The Party requesting the verification will bear the expense. 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. The Customer shall retain the call detail, work papers, and/or other information used to develop the PVU factor for a minimum of one year. No prorating or back billing will be done based on updated PVU factors.

(N)

---

Issued: March 12, 2012

Effective: April 12, 2012

By: Lisa Jill Freeman, Vice President  
4001 Weston Parkway  
Cary, NC 27513

Case No. 12-0918-TP-ATA

---

 INTRASTATE ACCESS SERVICES
 

---

## SECTION 3 – SWITCHED ACCESS SERVICE

## 3.1 GENERAL

Switched Access Service involves the use of common terminating, switching and transport facilities. Switched Access Service provides the ability to originate or terminate calls between an End User's Premises or other user of the Company's services and a Customer's Premises.

Rates and charges are set forth in Section 9. The application of rates for Switched Access Service is described in Section 3.5. A Customer may order service either by (1) submitting an Access Service Request, as specified in the industry Access Service Order Guidelines, or (2) routing access traffic to the Company, or accepting access traffic from the Company. Where the Customer orders service via option (2), the Company may use information provided to the Company by the tandem provider or any other providers in the call stream to bill the Customer for the services provided.

3.1.1 The Company will assess and collect switched access rate elements under this tariff for access services, regardless of whether the Company itself delivers such traffic to the called party's premises or delivers the call to the called party's premises via contractual or other arrangements with an affiliated or unaffiliated provider of retail VoIP services that does not itself seek to collect switched access charges for the same traffic. The Company will not charge for functions not performed by the Company, its affiliated or unaffiliated provider of retail VoIP services. For purposes of this provision, functions provided by the Company as part of transmitting telecommunications between designated points using, in whole or in part, technology other than TDM transmission in a manner that is comparable to a service offered by a local exchange carrier constitutes the functional equivalent of carrier access service.

(N)  
|  
|  
|  
|  
|  
|  
|  
|  
|  
|  
(N)

## 3.2 PROVISION AND DESCRIPTION OF SWITCHED ACCESS SERVICE ARRANGEMENTS

## 3.2.1 Feature Group Access

Feature Group ("FG") Access provides trunk-side access to End Office Switches, for the Customer's use in originating and terminating communications. Basic FG Access service will be provided with Multi-Frequency In-Band Signaling (SS7 is also available, where capabilities exist). All traffic is routed to and from the Company's End Office Switch via the Customer's tandem provider or via end office trunking, where available.

## 3.2.2 Manner of Provision

Trunks used for Switched Access Service may be configured for one-way (either originating only or terminating only) or for two-way directionality.

---

 Issued: March 12, 2012

Effective: April 12, 2012

By: Lisa Jill Freeman, Vice President  
4001 Weston Parkway  
Cary, NC 27513

Case No. 12-0918-TP-ATA

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**3/26/2012 2:40:32 PM**

**in**

**Case No(s). 12-0918-TP-ATA**

Summary: Amended Application to Revise Carrier-to-Carrier Tariff electronically filed by Ms. Iris D. Mennens on behalf of Bandwidth.com CLEC, LLC