

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 The Germantown)
Independent Telephone Company to Reduce Intrastate Rates)
in Accordance with FCC Requirements and PUCO Case No.)
10-2387-TP-COI

TRF Docket No. 90-5021-TP-TRF

Case No. 12 - 1427 - **TP** - ATA

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

Name of Registrant(s) The Germantown Independent Telephone Company
DBA(s) of Registrant(s) FairPoint Communications
Address of Registrant(s) 36 N. Plum Street, PO Box 157, Germantown, OH 45327
Company Web Address www.fairpoint.com
Regulatory Contact Person(s) Carolyn S. Flahive Phone 614-469-3294 Fax 614-469-3361
Regulatory Contact Person's Email Address Carolyn.Flahive@ThompsonHine.com
Contact Person for Annual Report Angela Unruh Phone 620-227-4400
Address (if different from above) 908 W. Frontview, Dodge City, KS 67801
Consumer Contact Information Beth Westman, Manager, Government Affairs Phone 207-535-4249
Address (if different from above) 1 Davis Farm Road, Portland, Maine 04103
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).

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 1-6-14(H) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-14(H) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-14(H) (Auto 30 days)
Introduce non-recurring charge, surcharge, or fee to BLES			<input type="checkbox"/> ATA 1-6-14(H) (Auto 30 days)
Introduce or Increase Late Payment	<input type="checkbox"/> ATA 1-6-14(I) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-14(I) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-14(I) (Auto 30 days)
Revisions to BLES Cap.	<input type="checkbox"/> ZTA 1-6-14(F) (0 day Notice)		
Introduce BLES or expand local service area (calling area)	<input type="checkbox"/> ZTA 1-6-14(H) (0 day Notice)	<input type="checkbox"/> ZTA 1-6-14(H) (0 day Notice)	<input type="checkbox"/> ZTA 1-6-14(H) (0 day Notice)
Notice of no obligation to construct facilities and provide BLES	<input type="checkbox"/> ZTA 1-6-27(C) (0 day Notice)	<input type="checkbox"/> ZTA 1-6-27(C) (0 day Notice)	
Change BLES Rates	<input type="checkbox"/> TRF 1-6-14(F) (0 day Notice)	<input type="checkbox"/> TRF 1-6-14(F)(4) (0 day Notice)	<input type="checkbox"/> TRF 1-6-14(G) (0 day Notice)
To obtain BLES pricing flexibility	<input type="checkbox"/> BLS 1-6-14(C)(1)(c) (Auto 30 days)		
Change in boundary	<input type="checkbox"/> ACB 1-6-32 (Auto 14 days)	<input type="checkbox"/> ACB 1-6-32 (Auto 14 days)	
Expand service operation area			<input type="checkbox"/> TRF 1-6-08(G) (0 day)
BLES withdrawal			<input type="checkbox"/> ZTA 1-6-25(B) (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 1-6-08 * (Auto 30- day)	<input type="checkbox"/> ACE 1-6-08 * (Auto 30 day)	<input type="checkbox"/> ACE 1-6-08 * (Auto 30 day)	<input type="checkbox"/> ACE 1-6-10 (Auto 30 day)	<input type="checkbox"/> UNC 1-6-09 * (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 1-6-26 (Auto 30 days)	<input type="checkbox"/> ABN 1-6-26 (Auto 30 days)
Change of Official Name *	<input type="checkbox"/> ACN 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> ACN 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)
Change in Ownership *	<input type="checkbox"/> ACO 1-6-29(E) (Auto 30 days)	<input type="checkbox"/> ACO 1-6-29(E) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)
Merger *	<input type="checkbox"/> AMT 1-6-29(E) (Auto 30 days)	<input type="checkbox"/> AMT 1-6-29(E) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)
Transfer a Certificate *	<input type="checkbox"/> ATC 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> ATC 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)
Transaction for transfer or lease of property, plant or business *	<input type="checkbox"/> ATR 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> ATR 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (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 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 (Auto 30 day)	<input type="checkbox"/> ATA 1-7-14 (Auto 30 day)
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC 1-7-04 or 05 (Non-Auto)	
Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights-of-Way.	<input type="checkbox"/> UNC 1-7-23(B) (Non-Auto)	
Wireless Providers See 4901:1-6-24	<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, The Germantown Independent Telephone Company, and am authorized to make this statement on its behalf.

(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) May 1, 2012 at (Location) Portland, ME

*(Signature and Title) /s/ Audrey Prior, Vice President Government Relations (Date) May 1, 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, Carolyn S. Flahive, 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) /s/ Carolyn S. Flahive, Esq. (Date) May 1, 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
(Current Tariff Sheets)

ACCESS SERVICE TARIFF
P.U.C.O. No. 1

1. Intrastate Carrier Access Service

A. This Company, hereinafter called the concurring company, assents to, adopts and concurs in the regulations, rates and charges for the provision of intrastate Carrier Access Service as specified in the Access Service Tariff, F.C.C. No. 5 filed with the Federal Communications Commission by the National Exchange Carrier Association ("NECA") as such tariff now exists, or as it may be revised, added to or supplemented by superseding sheets or issues; provided however, that the regulations, rates and charges specified in Section 4, End User Access Service, have been excluded from intrastate customers by order of the Public Utilities Commission of Ohio. The rates, terms, and conditions for Intrastate Carrier Common Line Access Service are set forth herein.

B. Sections of the NECA Access Service Tariff, F.C.C. No. 5, to be concurred in are as follows:

Section 1	Application of Tariff
Section 2	General Regulations
Section 3	(Carrier Common Line Access Service rates moved to page 17 herein.)
Section 5	Access Ordering
Section 6	Switched Access Service

Germantown Exchange: Switched access rates applied to the intrastate jurisdiction shall remain at the levels existing on December 31, 1997.

Edge Out Exchanges (as set forth in Section 6 of the Company's PUCO Tariff No. 7): Pursuant to the Commission's Opinion and Order issued August 22, 2007 in Case No. 06-1344-TP-ORD, the Company shall, over a 3-year period, reduce its intrastate access rates annually by one-third of the difference between the rates charged in the Germantown Exchange (as "frozen" in 1997) and the current switched access rates set forth in NECA Tariff FCC No. 5. Therefore, the intrastate switched access rates in the Company's Edge Out exchanges shall be calculated as follows:

- Effective September 21, 2008: $\frac{2}{3}$ (Germantown 1997 "frozen" rates minus current NECA switched access rates) plus then-current NECA switched access rates.
- Effective September 21, 2009: $\frac{1}{3}$ (Germantown 1997 "frozen" rates minus NECA switched access rates effective September 21, 2008) plus NECA switched access rates effective September 21, 2008.
- Effective September 21, 2010: Equal to then-current NECA switched access rates.

The Germantown Independent Telephone Company is a rural ILEC competing with a nonrural ILEC in a rural area.

VoIP-PSNT Traffic – The application of access charges to VoIP-PSTN traffic is as specified herein in the Section for Switched Access Charges Assessable to VoIP-PSTN traffic.

(N)
|
(N)

Section 7	Special Access Service
Section 9	Directory Assistance Service
Section 10	Special Federal Government Access Services
Section 11	Special Facilities Routing of Access Services
Section 12	Specialized Services or Arrangements
Section 13	Additional Engineering, Additional Labor and Miscellaneous Services
Section 14	Exceptions to Access Service Offerings

ACCESS SERVICE TARIFF
P.U.C.O. No. 1

INTRASTATE
ACCESS SERVICE TARIFF
REGULATIONS, RATES AND CHARGES

Intrastate Carrier Common Line Access Service Reference Tariff (Continued)

8. Rates *

Intrastate carrier common line access service charges shall be as follows:

Premium Access, per minute

	<u>Germantown Exchange</u>	<u>Edge Out Exchanges**</u>	(T)
Terminating	\$0.0428	Effective September 21, 2008: \$.028533 Effective September 21, 2009: \$.014267 Effective September 21, 2010: \$.0	(N) (N) (N)
Originating	\$0.0150	Effective September 21, 2008: \$.010 Effective September 21, 2009: \$.005 Effective September 21, 2010: \$.0	(N) (N) (N)

** Pursuant to the Commission's Opinion and Order issued August 22, 2007 in Case No. 06-1344-TP-ORD, the Company shall, over a 3-year period, reduce its intrastate access rates annually by one-third of the difference between the rates charged in the Germantown Exchange and the current rates set forth in NECA Tariff FCC No. 5 (the "NECA Tariff"). The carrier common line access service charge ("CCL") was eliminated from the NECA Tariff in 2003. Therefore, as of the Effective Date below, the CCL in the Company's Edge Out exchanges shall be reduced by one-third. The CCL shall be reduced by two-thirds on the anniversary of the Effective Date below and reduced to \$0 on the second anniversary of the Effective Date below. Germantown Independent Telephone Company is a rural ILEC competing with a nonrural ILEC in a rural area. (N)

* Rates previously appeared on page 1 of Company's Intrastate Access Service Tariff.

Issued: August 21, 2008

Effective: September 22, 2008

In Accordance with Case No. 08-994-TP-ATA
Issued by the Public Utilities Commission of Ohio
Susan L. Sowell, Vice President & Assistant General Counsel
Germantown, Ohio

EXHIBIT B
(Proposed Tariff Sheets)

ACCESS SERVICE TARIFF
P.U.C.O. No. 1

1. Intrastate Carrier Access Service

- A. This Company, hereinafter called the concurring company, assents to, adopts and concurs in the regulations, rates and charges for the provision of intrastate Carrier Access Service as specified in the Access Service Tariff, F.C.C. No. 5 filed with the Federal Communications Commission by the National Exchange Carrier Association ("NECA") as such tariff now exists, or as it may be revised, added to or supplemented by superseding sheets or issues; provided however, that the regulations, rates and charges specified in Section 4, End User Access Service, have been excluded from intrastate customers by order of the Public Utilities Commission of Ohio. The rates, terms, and conditions for Intrastate Carrier Common Line Access Service are set forth herein.
- B. Sections of the NECA Access Service Tariff, F.C.C. No. 5, to be concurred in are as follows:
- | | | |
|-----------|--|-----|
| Section 1 | Application of Tariff | |
| Section 2 | General Regulations | |
| Section 3 | (Effective July 1, 2012, revised Carrier Common Line Access Service rates are as set forth on page 17 herein.) | (T) |
| Section 5 | Access Ordering | |
| Section 6 | Switched Access Service | |
- Germantown Exchange: Switched access rates applied to the intrastate jurisdiction shall remain at the levels existing on December 31, 1997.
- Edge Out Exchanges (as set forth in Section 6 of the Company's PUCO Tariff No. 7): Pursuant to the Commission's Opinion and Order issued August 22, 2007 in Case No. 06-1344-TP-ORD, the Company shall, over a 3-year period, reduce its intrastate access rates annually by one-third of the difference between the rates charged in the Germantown Exchange (as "frozen" in 1997) and the current switched access rates set forth in NECA Tariff FCC No. 5. Therefore, the intrastate switched access rates in the Company's Edge Out exchanges shall be calculated as follows:
- Effective September 21, 2008: $\frac{2}{3}$ (Germantown 1997 "frozen" rates minus current NECA switched access rates) plus then-current NECA switched access rates.
 - Effective September 21, 2009: $\frac{1}{3}$ (Germantown 1997 "frozen" rates minus NECA switched access rates effective September 21, 2008) plus NECA switched access rates effective September 21, 2008.
 - Effective September 21, 2010: Equal to then-current NECA switched access rates.
- The Germantown Independent Telephone Company is a rural ILEC competing with a nonrural ILEC in a rural area.
- VoIP-PSTN Traffic - The application of access charges to VoIP-PSTN traffic is as specified herein in the Section for Switched Access Charges Assessable to VoIP-PSTN traffic.
- | | | |
|------------|---|--|
| Section 7 | Special Access Service | |
| Section 9 | Directory Assistance Service | |
| Section 10 | Special Federal Government Access Services | |
| Section 11 | Special Facilities Routing of Access Services | |
| Section 12 | Specialized Services or Arrangements | |
| Section 13 | Additional Engineering, Additional Labor and Miscellaneous Services | |
| Section 14 | Exceptions to Access Service Offerings | |

Issued: May 1, 2012

Effective: June 1, 2012

In Accordance with Case No. 12-1427-TP-ATA
Issued by the Public Utilities Commission of Ohio
Susan L. Sowell, Vice President & Assistant General Counsel
Germantown, Ohio

ACCESS SERVICE TARIFF
P.U.C.O. No. 1

INTRASTATE
ACCESS SERVICE TARIFF
REGULATIONS, RATES AND CHARGES

Intrastate Carrier Common Line Access Service Reference Tariff (Continued)

8. Rates

Intrastate carrier common line access service charges shall be as follows:

Premium Access, per minute

	<u>Germantown Exchange</u>	<u>Edge Out Exchanges**</u>
Terminating	\$.018519 (R)	Effective September 21, 2008: \$.028533 Effective September 21, 2009: \$.014267 Effective September 21, 2010: \$.0
Originating	\$.0150	Effective September 21, 2008: \$.010 Effective September 21, 2009: \$.005 Effective September 21, 2010: \$.0

** Pursuant to the Commission's Opinion and Order issued August 22, 2007 in Case No. 06-1344-TP-ORD, the Company shall, over a 3-year period, reduce its intrastate access rates annually by one-third of the difference between the rates charged in the Germantown Exchange and the current rates set forth in NECA Tariff FCC No. 5 (the "NECA Tariff"). The carrier common line access service charge ("CCL") was eliminated from the NECA Tariff in 2003. Therefore, as of the Effective Date below, the CCL in the Company's Edge Out exchanges shall be reduced by one-third. The CCL shall be reduced by two-thirds on the anniversary of the Effective Date below and reduced to \$0 on the second anniversary of the Effective Date below. Germantown Independent Telephone Company is a rural ILEC competing with a nonrural ILEC in a rural area.

(D)

EXHIBIT C

The Applicant hereby modifies its intrastate access service tariff in accordance with the FCC's Report and Order and Further Notice of Proposed Rulemaking, WC Docket Nos. 10-90, et al., FCC No. 11-161 (released November 18, 2011), as well as the Commission's February 29, 2012 Entry in Case No. 10-2387-TP-COI with respect to intercarrier compensation.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

5/1/2012 12:44:43 PM

in

Case No(s). 90-5021-TP-TRF, 12-1427-TP-ATA

Summary: Application to Reduce Intrastate Rates electronically filed by Carolyn S Flahive on behalf of The Germantown Independent Telephone Company