



September 24, 2012
Via Web Filing

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

RE: ACN Communication Services, Inc.
Final Tariff Pages for P.U.C.O. Tariff No. 3 (Access)
Case No. 12-2273-TP-ATA / TRF No. 90-9227_TP-TRF

Dear Ms. McCauley:

Attached for filing please find the above-referenced tariff filing submitted on behalf of ACN Communication Services, Inc. This filing, made pursuant to correspondence from Robbin Russel requesting filing of final tariff pages, updates the issued and effective dates.

The following tariff pages are included with this filing:

1 st Revised Title Sheet	Updates Company Address on Title Page
5 th Revised Sheet 2	Updates Check Sheet
1 st Revised Sheet 12	Adds Definitions
1 st Revised Sheet 24	Adds Identification and Rating of Toll VoIP-PSTN Access Traffic, Moves Text
Original Sheets 24.1 – 24.4	Adds Identification and Rating of Toll VoIP-PSTN Access Traffic
Original Sheet 24.5	Moves Text

Any questions you may have regarding this filing should be directed to my attention at 407-740-3031 or via email to stthomas@tmnc.com. Thank you for your assistance in this matter.

Sincerely,

/s/ Sharon Thomas

Sharon Thomas
Consultant to ACN Communication Services, Inc.

cc: Legal Department - ACN
file: ACN - Ohio - Access
tms: OHa1203b

Enclosures
ST/sp

CARRIER-TO-CARRIER TARIFF

ACN Communication Services, Inc.

ACCESS SERVICES TARIFF

Case No.: 90-9227-TP-TRF

Regulations and Schedule of Intrastate Access Rates

This tariff includes the rates, charges, terms and conditions of service for the provision of intrastate access telecommunications services by ACN Communication Services Inc. This tariff is available for public inspection during normal business hours at the main office of ACN Communication Services, Inc. at 1000 Progress Place NE, Concord, North Carolina 28025.

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CARRIER-TO-CARRIER TARIFF

CHECK SHEET

The sheets listed below of this tariff are effective as of the date shown. Revised sheets contain all changes from the original tariff that are in effect as of the date indicated.

SHEET	REVISION		SHEET	REVISION		SHEET	REVISION
Title	1 st Revised	*	24.4	Original	*	48	Original
2	5 th Revised	*	24.5	Original	*	49	1 st Revised
3	Original		25	Original		49.1	Original
4	Original		26	1 st Revised		50	1 st Revised
5	Original		27	Original		50.1	Original
6	2 nd Revised		28	1 st Revised		50.2	Original
7	Original		29	1 st Revised		51	Original
8	Original		30	1 st Revised		52	Original
9	Original		31	Original		53	Original
10	Original		32	Original		54	Original
11	Original		33	Original		55	Original
12	1 st Revised	*	34	Original		56	Original
13	Original		35	1 st Revised		57	Original
14	Original		36	Original		58	Original
15	Original		37	Original		59	Original
16	Original		38	Original		60	1 st Revised
17	1 st Revised		39	Original		61	1 st Revised
18	1 st Revised		40	Original		62	2 nd Revised
19	1 st Revised		41	Original		63	2 nd Revised
20	Original		42	Original		64	Original
21	Original		43	Original		65	Original
22	1 st Revised		44	Original		66	1 st Revised
23	Original		45	1 st Revised		67	1 st Revised
24	1 st Revised	*	46	1 st Revised		68	Original
24.1	Original	*	47	Original			
24.2	Original	*					
24.3	Original	*					

* - Indicates pages included with this filing.

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CARRIER-TO-CARRIER TARIFF

SECTION 1 - DEFINITIONS AND ABBREVIATIONS, (CONT'D)

Tandem Switch - See Access Tandem.

Terminal Equipment - Telecommunications devices, apparatus and associated wiring on the Customer-designated premises.

Terminating Direction - The use of Switched Access Service for the completion of calls from a Customer's Point of Presence to an End User Premises.

Time Division Multiplexing ("TDM") - A method of transmitting and receiving voice signals over the Public Switched Telephone Network (PSTN). (N)
(N)

Toll VoIP-PSTN Access Traffic - Access traffic exchanged between the Company and the Customer 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. (N)
|
|
(N)

Trunk - A communications path connecting two switching systems in a network, used in the establishment of an end-to-end connection.

Trunk Group - A set of trunks which are traffic engineered as a unit for the establishment of connections between switching systems in which all of the communications paths are interchangeable.

V & H Coordinates - Geographic points which define the originating and terminating points of a call in mathematical terms so that the airline mileage of the call may be determined. Call mileage may be used for the purpose of rating calls.

VoIP - Voice over Internet Protocol - Transmission of communication by aid of wire, cable, radio, or other like connection using Voice Over Internet Protocol that is originated or terminated in Internet Protocol (IP) format. VoIP services are those services that require the use of IP compatible customer premises equipment. (N)
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(N)

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CARRIER-TO-CARRIER TARIFF

SECTION 2 - RULES AND REGULATIONS, (CONT'D)

2.9 Obligations of the Customer (Continued)

2.9.2 (continued)

D. Jurisdictional Audits (continued)

- (4) Should an audit reveal that the misreported percentage(s) of use has resulted in an underpayment of access charges to the Company of five percent or more of the total Switched Access Services bill, the customer shall reimburse the Company for the cost of the audit. Proof of cost shall be the bills, in reasonable detail submitted to the Company by the auditor.
- (5) Within 15 days of completion of the auditor's report, the Company will furnish a copy of the audit results to the person designated by the customer to receive such results.

2.9.3 Identification and Rating of Toll VoIP-PSTN Access Traffic

(N)

A. Scope

Toll VoIP-PSTN Traffic is the interexchange traffic exchanged in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. This section governs the identification of intrastate Toll 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") and the FCC's Second Order on Reconsideration (April 25, 2012) ("Second Order"). Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Toll VoIP-PSTN Access Traffic") from the Customer's traditional intrastate access traffic, so that such Toll VoIP-PSTN Access Traffic can be billed in accordance with the FCC Order and Second Order.

This section of the tariff does not preclude carriers from negotiating difference rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic.

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

(N)

Some material previously found on this sheet now found on Original Sheet 24.5

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CARRIER-TO-CARRIER TARIFF

SECTION 2 - RULES AND REGULATIONS, (CONT'D)

2.9 Obligations of the Customer (Continued)

2.9.3 Identification and Rating of Toll VoIP-PSTN Access Traffic (Continued)

(N)

B. Rating of Toll VoIP-PSTN Access Traffic

The Company will bill Toll VoIP-PSTN traffic identified in accordance with this tariff Section as follows:

- Between December 29, 2011 and September 21, 2012, the applicable rate elements used in providing access for Toll VoIP PSTN Traffic that originates on the Company's network for termination to the Customer's end users (originating traffic) will be billed at interstate access rates, located at <https://apps.fcc.gov/etfs/public/lecTariffs.action?idLec=279>.
- Beginning September 22, 2012 through June 30, 2014, the applicable rate elements used in providing access for Toll VoIP PSTN Traffic that originates on the Company's network for termination to the Customer's end users (originating traffic) will be billed at intrastate access rates, as set forth in Section 4 following.
- Beginning July 1, 2014 the applicable rate elements used in providing access for Toll VoIP PSTN Traffic that originates on the Company's network for termination to the Customer's end users (originating traffic) will be billed at interstate access rates, located at <https://apps.fcc.gov/etfs/public/lecTariffs.action?idLec=279>.
- Beginning December 29, 2011, the applicable rate elements used in providing access for Toll VoIP PSTN Traffic that originates from the Customer's end users and terminates on the Company's network (terminating traffic) will be billed at interstate access rates located at <https://apps.fcc.gov/etfs/public/lecTariffs.action?idLec=279>.

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CARRIER-TO-CARRIER TARIFF

SECTION 2 - RULES AND REGULATIONS, (CONT'D)**2.9 Obligations of the Customer (Continued)****2.9.3 Identification and Rating of Toll VoIP-PSTN Access Traffic (Continued)****(N)****C. Calculation and Application of Percent-VoIP-PSTN Usage Factor**

The Company will determine the number of Toll VoIP-PSTN Access Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection 2.9.3.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 until September 22, 2012 and after June 30, 2014. From September 22, 2012 through June 30, 2014, the PVU will be applied to only the terminating intrastate access MOU. 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 intrastate access MOU that the Customer exchanges with the Company in the State, that (a) is terminating access sent to the Company and that originates in IP format; or (b) is originating access received from the Company and terminates in IP format until September 22, 2012 and after June 30, 2014. From September 22, 2012 through June 30, 2014, the PVU will represent only the terminating intrastate access MOU. 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 Company's total intrastate access MOU in the State that the Company originates or terminates in IP format until September 22, 2012 and after June 30, 2014. From September 22, 2012 through June 30, 2014, the PVU will represent only the terminating intrastate access MOU. 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.

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CARRIER-TO-CARRIER TARIFF

SECTION 2 - RULES AND REGULATIONS, (CONT'D)**2.9 Obligations of the Customer (Continued)****2.9.3 Identification and Rating of Toll VoIP-PSTN Access Traffic (Continued)****(N)****C. Calculation and Application of Percent-VoIP-PSTN Usage Factor (Continued)**

3. The Company will use the PVU-A and PVU-B factors to calculate an effective PVU factor that represents the percentage of total intrastate access MOU exchanged between the Company and the Customer that is originated or/or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends until September 22, 2012 and after June 30, 2014. From September 22, 2012 through June 30, 2014, the PVU will represent only the relevant terminating intrastate access MOU. 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 applicable 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 applicable intrastate access MOU in accordance with the Company's 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 applicable intrastate access MOU in accordance with the Company's 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 A., 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 Toll VoIP-PSTN Traffic.

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SECTION 2 - RULES AND REGULATIONS, (CONT'D)**2.9 Obligations of the Customer (Continued)****2.9.3 Identification and Rating of VoIP-PSTN Access Traffic (Continued)****(N)****D. Initial PVU Factor**

Until the Company receives a PVU-A from the Customer, the Company will set the PVU equal to the PVU-B, as specified in 2.9.3.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 2.9.3.C.1 or 2.9.3.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 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.

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SECTION 2 - RULES AND REGULATIONS, (CONT'D)**2.10 Billing and Payment For Service****(M)****2.10.1 Responsibility for Charges**

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer for transmission of calls via the Company. In particular and without limitation to the foregoing, the Customer is responsible for any and all cost(s) incurred as the result of:

- (a) any delegation of authority resulting in the use of Customer's communications equipment and/or network services which result in the placement of calls via the Company;
- (b) any and all use of the service arrangement provided by the Company, including calls which the Customer did not individually authorize;
- (c) any calls placed by or through the Customer's equipment via any remote access feature(s).

(M)

Material now found on this sheet previously found on Original Sheet 24

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Summary: Tariff Revision Final Tariff Pages for P.U.C.O. Tariff No.3 (Access) electronically filed by Ms. Suzanne Pagana on behalf of ACN Communication Services, Inc.