

**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 for Approval of a Negotiated )  
 Agreement between Germantown Independent Telephone )  
 Company and Orwell Telephone Company and Sprint )  
 Spectrum, LP, Nextel Communications of the Mid-Atlantic, )  
 Inc., Nextel of New York, Inc., Nextel West Corp. and )  
 NPCR, Inc. Pursuant to Section 252 of the )  
 Telecommunications Act of 1996 )

TRF Docket No. 90-\_\_\_\_\_

Case No. 12 - 2992 - **TP** - NAG

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

Name of Registrant(s) Germantown Independent Telephone Company and 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) Beth Westman

Phone 207-535-4249

Fax \_\_\_\_\_

Regulatory Contact Person's Email Address beth.westman@fairpoint.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) \_\_\_\_\_

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](http://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**

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

**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](#)**

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

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

**Section II – Part II – Certificate Status & Procedural**

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

| <b>Carrier to Carrier</b>   | <b>ILEC</b>   | <b>CLEC</b>  |
|---|---|--|
| Interconnection agreement, or amendment to an approved agreement                              | <input checked="" type="checkbox"/> NAG <a href="#">1-7-07</a><br>(Auto 90 day) | <input type="checkbox"/> NAG <a href="#">1-7-07</a><br>(Auto 90 day) |
| Request for Arbitration   | <input type="checkbox"/> ARB <a href="#">1-7-09</a><br>(Non-Auto)               | <input type="checkbox"/> ARB <a href="#">1-7-09</a><br>(Non-Auto)    |
| Introduce or change c-t-c service tariffs,  | <input type="checkbox"/> ATA <a href="#">1-7-14</a><br>(Auto 30 day)            | <input type="checkbox"/> ATA <a href="#">1-7-14</a><br>(Auto 30 day) |
| Request rural carrier exemption, rural carrier suspension or modification                     | <input type="checkbox"/> UNC <a href="#">1-7-04</a> or 05<br>(Non-Auto)         |  |
| Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights-of-Way. | <input type="checkbox"/> UNC <a href="#">1-7-23(B)</a><br>(Non-Auto)            |  |
| <b>Wireless Providers</b> See <a href="#">4901:1-6-24</a>                                     | <input type="checkbox"/> RCC<br>[Registration &<br>Change in Operations]        | <input type="checkbox"/> NAG<br>[Interconnection<br>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, Beth Westman, am an officer/agent of the applicant corporation, and am authorized to make this statement on its behalf.

Beth Westman /s/  
(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) 11/15/12 at (Location) Portland, ME

\*(Signature/Title) Beth Westman, State (Date) 11/15/12  
Government Affairs Manager /s/

- *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, Beth Westman 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) Best Westman, Manager/s/ (Date) 11/15/12

*\*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***

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of the :  
Germantown Independent Telephone Company :  
and Orwell Telephone Company and Sprint :  
Spectrum, LP, Nextel Communications of the : Case No. 12-2992-TP-NAG  
Mid-Atlantic, Inc., Nextel of New York, Inc. :  
Nextel West Corp. and NPCR, Inc. for Approval :  
Negotiated Agreement with Allied Wireless :  
Pursuant to Section 252 of the :  
Telecommunications Act of 1996 :

**APPLICATION FOR APPROVAL OF A NEGOTIATED AGREEMENT  
PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996**

Germantown Independent Telephone Company and Orwell Telephone Company hereby files the attached Interconnection Agreement dated August 10, 2012 (the "Agreement") between Germantown Independent Telephone Company and Orwell Telephone Company and Sprint Spectrum, LP, Nextel Communications of the Mid-Atlantic, Inc., Nextel of New York, Inc., Nextel West Corp., and NPCR, Inc. for review and approval by the Commission pursuant to the provisions of Section 252(e) of the Telecommunications Act of 1996, 47 USC § 252(e) (the "Act"). Columbus Grove Telephone Company requests that the Commission approve the Agreement in the form submitted.

Respectfully submitted,

Orwell Telephone Company

By: Beth Westman /s/  
Beth Westman, State Government Affairs Manager  
1 Davis Farm  
Portland, MD 04103  
207-535-4249

Date: November 15, 2012

**Amendment No. 1**

**To the**

**Interconnection Agreement**

**Between**

**The Germantown Independent Telephone Company &**

**Orwell Telephone Company**

**And**

**SPRINT SPECTRUM, LP,  
NEXTEL COMMUNICATIONS OF THE  
MID-ATLANTIC, INC., NEXTEL OF NEW YORK, INC., NEXTEL WEST CORP. & NPCR, INC.**

This Amendment No.1 (the "Amendment") to the Interconnection Agreement between The Germantown Independent Telephone Company & Orwell Telephone Company (hereafter "LEC"), Ohio corporations and Sprint Spectrum, LP, a Delaware limited partnership, as agent and General Partner for Wireless Co., LP, a Delaware limited partnership, and as agent for SprintCom, Inc., a Kansas corporation, all foregoing entities jointly d/b/a Sprint PCS; Nextel Communications of the Mid-Atlantic, Inc.; Nextel of New York, Inc.; Nextel West Corp.; and, NPCR, Inc. ("Nextel") ("CMRS Provider"), jointly as the "Parties."

WHEREAS, the Parties, or their predecessors in interest previously entered into a interconnection Agreement (the "Agreement") in the state of Ohio pursuant to 47 USC 251/252; and

WHEREAS, the Federal Communications Commission, in an Order Released November 18, 2011<sup>1</sup> (the "FCC Order"), has provided that bill-and-keep shall be the default compensation arrangement between the parties for all traffic that originates and terminates within the same Major Trading Area ("IntraMTA Traffic"),<sup>2</sup> and that it is to be considered a change in law; and

WHEREAS, the FCC Order further provided, with respect to a rural, rate-of-return local exchange carrier ("Rural Carrier"), the Rural Carrier is only responsible for the transport of IntraMTA Traffic between the Rural Carrier and the CMRS Provider to the interconnection point, if it is within the Rural Carrier's service territory. If the interconnection point is outside the Rural Carrier's service territory, the Rural Carrier's transport and provisioning obligations stop at the meet point;<sup>3</sup> and

WHEREAS FairPoint has filed a petition with the FCC to convert from rate of return regulation to price cap regulation to be effective on or before January 1, 2013; and

WHEREAS, CMRS Provider elects to apply bill-and-keep reciprocal compensation arrangements solely to all IntraMTA Traffic between the Parties; and

---

<sup>1</sup> *In the Matter of Connect America Fund A National Broadband Plan for Our Future Establishing Just and Reasonable Rates for Local Exchange Carriers High-Cost Universal Service Support Developing an Unified Intercarrier Compensation Regime Federal-State Joint Board on Universal Service Lifeline and Link-Up Universal Service Reform – Mobility Fund* FCC Docket 11-161 Report and Order and Further Notice of Proposed Rulemaking (November 18, 2011).

<sup>2</sup> *Id.* at 994.

<sup>3</sup> *Id.* at 999.

WHEREAS, LEC, a Rural Carrier, wishes to amend the Agreement to clarify the provisioning and transport obligations for IntraMTA Traffic between the parties; and

WHEREAS, the Agreement contains a change of law provision that authorizes the Parties to amend the Agreement to comport with the change in law; and

WHEREAS, the Parties desire to amend the Agreement consistent with the change in law set forth in the FCC Order to provide for a bill-and-keep arrangement for all reciprocal compensation IntraMTA Traffic exchanged between the Parties and to clarify the provisioning and transport obligations of the Parties, for as long as these changes remain the law.

#### AGREEMENT

1. This Amendment shall be effective July 1, 2012.
2. This Amendment remains in effect until: 1) The Agreement is terminated or otherwise made ineffective; or 2) There is a subsequent change in law that would effect this Amendment.
3. From July 1, 2012 forward, the reciprocal compensation for all IntraMTA Traffic between the Parties shall be exchanged pursuant to a bill-and-keep arrangement.
4. From July 1, 2012 forward, LEC is only responsible for the transport of IntraMTA Traffic between the LEC and CMRS Provider to the interconnection point, if it is within the LEC's service territory. If the interconnection point is outside LEC's service territory, LEC's transport and provisioning obligations stop at the meet point. If the FCC grants FairPoint's request to convert from rate of return regulation to price cap regulation, FairPoint will immediately notify Sprint and amend the terms of this amendment as to the transport terms in this paragraph 4. Such amendment shall be effective as of the date FairPoint converts to price cap regulation.
5. Except as expressly set forth herein, the terms and conditions of the Agreement shall remain in full force and effect without change.

The Parties, intending to be legally bound, have executed this Amendment as of the dates set forth below, in multiple counterparts, each of which is deemed an original, but all of which shall constitute one and the same instrument.

Germantown Independent Telephone Company  
& Orwell Telephone Company

By: Michael T. Skrivan

Printed Name: Michael T. Skrivan

Title: Vice President Regulatory

Date: 8-10-2012

Sprint Spectrum L.P.  
d/ba Sprint PCS, Nextel Communications of the Mid-Atlantic,  
Inc., Nextel of New York, Inc., Nextel West Corp., NPCR, Inc.

By: R. D. Ratliff

Printed Name: Rick Ratliff

Title: Director, Switched Access Planning

Date: 8/7/12

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

**Commission of Ohio Docketing Information System on**

**11/16/2012 3:45:56 PM**

**in**

**Case No(s). 12-2992-TP-NAG**

Summary: Application for Approval of a Negotiated Agreement between Germantown Independent Telephone Company and Orwell Telephone Company and Sprint Spectrum LP, Nextel Communications of the Mid-Atlantic, Inc., Nextel of New York, Inc., Nextel West Corp and NPCR, Inc. Pursuant to Section 252 of the Telecommunications Act of 1996 electronically filed by Ms. Teresa L Thomas on behalf of Germantown Independent Telephone Co. and Orwell Telephone Company