



December 28, 2011
Via Electronic Delivery

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

RE: Tariff Revision for Choice One Communications
P.U.C.O. Tariff No. 6

Dear Ms. McCauley:

Enclosed for filing please find the original and one (1) copy of the above referenced tariff filing and application submitted on behalf of Choice One Communications. 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.. The Company respectfully requests an effective date for this filing of January 1, 2012.

The following tariff pages are included with this filing:

1 st Revised Pages 1 & 2	Updates Check Sheet
1 st Revised Page 5	Updates Table of Contents
1 st Revised Page 12	Adds definitions, moves text
Original Page 12.1	Adds definitions, moves text
Original Pages 137-139	Adds VoIP-PSTN Traffic language

Any questions you may have regarding this filing should be directed to my attention at 407-740-3001 or via email to tforte@tminc.com. Thank you for your assistance in this matter.

Sincerely,

Thomas M. Forte
Consultant to Choice One Communications

cc: Mary Whiting (via Email) - EarthLink - Choice One
file: EarthLink - Choice One - Ohio - Access
tms: OHa1102

Enclosures
TF/mp

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 Choice One)
Communications of Ohio Inc. d/b/a EarthLink Business)
to provide services in the state of Ohio)

TRF Docket No. 90-9082

Case No. 11- 6075-TP-ATA

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

Name of Registrant(s) Choice One Communications of Ohio Inc.

DBA(s) of Registrant(s) EarthLink Business

Address of Registrant(s) 1375 Peachtree Street, Level A, Atlanta, Georgia 30309

Company Web Address www.earthlinkbusiness.com

Regulatory Contact Person(s) Mary Whiting, Director-Regulatory Compliance Phone 616-988-7028 Fax 616-988-0466

Regulatory Contact Person's Email Address mwhiting@corp.earthlink.com

Contact Person for Annual Report Mary Whiting, Director-Regulatory Compliance Phone 616-988-7028

Address (if different from above) 2610 Horizon Drive SE, Suite B, Grand Rapids, Michigan 49546

Consumer Contact Information Customer Support, Choice One Communications of Ohio Inc. Phone 800-962-2488

Address (if different from above) 100 Chestnut Street, Suite 800, Rochester, NY 14604

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 II – Part I – Carrier Certification - Pursuant to Chapter 4901:1-6-08, 09 & 10 OAC

Certification	ILEC (Out of Territory)	CLEC	Carrier's Not Offering BLES	CESTC	CETC
* See Supplemental form	<input type="checkbox"/> ACE <u>1-6-08</u> * (Auto 30- day)	<input type="checkbox"/> ACE <u>1-6-08</u> * (Auto 30 day)	<input type="checkbox"/> ACE <u>1-6-08</u> * (Auto 30 day)	<input type="checkbox"/> ACE <u>1-6-10</u> (Auto 30 day)	<input type="checkbox"/> UNC <u>1-6-09</u> * (Non-Auto)

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

Section II – Part II – Certificate Status & Procedural

Certificate Status	ILEC	CLEC	Carrier's Not Offering BLES
Abandon all Services		<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)	<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)
Change of Official Name *	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Change in Ownership *	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Merger *	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transfer a Certificate *	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (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 <u>1-7-07</u> (Auto 90 day)	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)
Request for Arbitration	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)
Introduce or change c-t-c service tariffs,	<input type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)	<input checked="" type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC <u>1-7-04 or 05</u> (Non-Auto)	
Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights- of-Way.	<input type="checkbox"/> UNC <u>1-7-23(B)</u> (Non-Auto)	
Wireless Providers See <u>4901:1-6-24</u>	<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 agent of the applicant corporation, Choice One Communications of Ohio, Inc. and am authorized to make this statement on its behalf.

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): December 28, 2011 at (Location): Maitland, Florida

/s/Thomas M. Forte

Consultant to Choice One Communications of Ohio Inc. December 28, 2011

*(Signature and Title)

(Date)

- *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, Thomas M. Forte 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.

/s/Thomas M. Forte

Consultant to Choice One Communications of Ohio Inc.

*(Signature and Title)

December 28, 2011

(Date)

**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

**Choice One Communications Of Ohio Inc.
d/b/a EarthLink Business**

EXHIBIT A

EXISTING TARIFF PAGES

P.U.C.O Tariff No. 6 (Access)

ACCESS SERVICES

CHECK SHEET

The pages of this tariff are effective as of the date shown. The original and revised sheets named below contain all changes from the original tariff and are in effect on the date shown.

PAGE	REVISION		PAGE	REVISION		PAGE	REVISION	
Title	Original	*	31	Original	*	61	Original	*
1	Original	*	32	Original	*	62	Original	*
2	Original	*	33	Original	*	63	Original	*
3	Original	*	34	Original	*	64	Original	*
4	Original	*	35	Original	*	65	Original	*
5	Original	*	36	Original	*	66	Original	*
6	Original	*	37	Original	*	67	Original	*
7	Original	*	38	Original	*	68	Original	*
8	Original	*	39	Original	*	69	Original	*
9	Original	*	40	Original	*	70	Original	*
10	Original	*	41	Original	*	71	Original	*
11	Original	*	42	Original	*	72	Original	*
12	Original	*	43	Original	*	73	Original	*
13	Original	*	44	Original	*	74	Original	*
14	Original	*	45	Original	*	75	Original	*
15	Original	*	46	Original	*	76	Original	*
16	Original	*	47	Original	*	77	Original	*
17	Original	*	48	Original	*	78	Original	*
18	Original	*	49	Original	*	79	Original	*
19	Original	*	50	Original	*	80	Original	*
20	Original	*	51	Original	*	81	Original	*
21	Original	*	52	Original	*	82	Original	*
22	Original	*	53	Original	*	83	Original	*
23	Original	*	54	Original	*	84	Original	*
24	Original	*	55	Original	*	85	Original	*
25	Original	*	56	Original	*	86	Original	*
26	Original	*	57	Original	*	87	Original	*
27	Original	*	58	Original	*	88	Original	*
28	Original	*	59	Original	*	89	Original	*
29	Original	*	60	Original	*	90	Original	*
30	Original	*						

* - indicates those pages included with this filing

Issued: November 4, 2011

Effective: December 4, 2011

By: Vice President, Tax
1375 Peachtree Street, Level A
Atlanta, Georgia 30309

ACCESS SERVICES

CHECK SHEET (CONT'D.)

PAGE	REVISION		PAGE	REVISION	
91	Original	*	118	Original	*
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95	Original	*	122	Original	*
96	Original	*	123	Original	*
97	Original	*	124	Original	*
98	Original	*	125	Original	*
99	Original	*	126	Original	*
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101	Original	*	128	Original	*
102	Original	*	129	Original	*
103	Original	*	130	Original	*
104	Original	*	131	Original	*
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106	Original	*	133	Original	*
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115	Original	*			
116	Original	*			
117	Original	*			

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ACCESS SERVICES

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1375 Peachtree Street, Level A
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ACCESS SERVICES

SECTION 1 - GENERAL REGULATIONS (CONT'D.)

1.2 DEFINITIONS (Cont'd)

POINT OF TERMINATION - The point of demarcation within a customer-designated premises at which the Company's responsibility for the provision of access service ends. The point of demarcation is the point of interconnection between Company communications facilities and customer-provided facilities as defined in Part 68 of the Federal Communications Commission's Rules and Regulations.

PREMISES - A building or buildings on contiguous property, not separated by a public highway or right-of-way.

SERVING WIRE CENTER - The wire center from which the Customer-designated premises normally obtains dial tone from the Company.

SPECIAL ACCESS CIRCUIT - The physical pathway for transmission of information between a dedicated originating point and a dedicated terminating point.

TERMINATING DIRECTION - The use of Switched Access Service for the completion of calls from a carrier's premises to an End User premises.

TRANSMISSION PATH - An electrical path capable of transmitting signals within the range of the service offering. A transmission path is comprised of physical or derived facilities consisting of any form or configuration of plant used in the telecommunications industry.

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.

WIRE CENTER - A physical location in which one or more central offices, used for the provision of exchange services, are located.

**Choice One Communications Of Ohio Inc.
d/b/a EarthLink Business**

EXHIBIT B

PROPOSED REVISED TARIFF PAGES

P.U.C.O. Tariff No. 6 (Access)

ACCESS SERVICES

CHECK SHEET

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10	Original		41	Original	71	Original
11	Original		42	Original	72	Original
12	1 st Rev.	*	43	Original	73	Original
12.1	Original	*	44	Original	74	Original
13	Original		45	Original	75	Original
14	Original		46	Original	76	Original
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26	Original		58	Original	88	Original
27	Original		59	Original	89	Original
28	Original		60	Original	90	Original
29	Original					
30	Original					

* - indicates those pages included with this filing

Issued: December 28, 2011

Effective: January 27, 2012

By: Vice President, Tax
1375 Peachtree Street, Level A
Atlanta, Georgia 30309

ACCESS SERVICES

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101	Original	128	Original
102	Original	129	Original
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104	Original	131	Original
105	Original	132	Original
106	Original	133	Original
107	Original	134	Original
108	Original	135	Original
109	Original	136	Original
110	Original	137	Original *
111	Original	138	Original *
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By: Vice President, Tax
1375 Peachtree Street, Level A
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ACCESS SERVICES

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ACCESS SERVICES

SECTION 12 – VOIP-PSTN TRAFFIC

(N)

12.1 Identification and Rating of VoIP-PSTN Traffic

- 12.1.1 Scope - 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, etc., FCC Release No. 11-161 (Nov. 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.
- 12.1.2 Rating of VoIP-PSTN Traffic - The Relevant VoIP-PSTN Traffic identified in accordance with this Section will be billed at rates equal to those tariffed for the Company's interstate switched access services as described in Section 3 of the Company's FCC access services tariff. Consistent with the FCC Order, charges are assessed by the Company for services provided by the Company and/or by any of its VoIP Provider Partner(s).
- 12.1.3 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 (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 for traffic 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 for traffic 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 consistent with the FCC Order.
- B. Company will, likewise, calculate a factor (the "PVU-B") representing the percentage of the Company's total access MOU for traffic 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 consistent with the FCC Order.

(N)

Issued: December 28, 2011

Effective: January 27, 2012

By: Vice President, Tax
1375 Peachtree Street, Level A
Atlanta, Georgia 30309

ACCESS SERVICES

SECTION 12 – VOIP-PSTN TRAFFIC (CONT'D.)

(N)

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

12.1.3 (Cont'd.)

- C. The Company will use the PVU-A and PVU-B factors to calculate an over-all PVU factor that represents the percentage of total access MOU for service 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).
- D. The Company will apply the over-all PVU factor to the total service intrastate access MOU exchanged with the Customer to determine the number of Relevant VoIP-PSTN Traffic MOUs for service.

Examples for PVU Factor Calculations:

(The calculation elements in these examples are generic.)

Example 1: The PVU-B is 10% and the PVU-A is 40%. The over-all PVU factor is equal to $40\% + (10\% \times 60\%) = 46\%$. The Company will bill 46% of the Customer's intrastate access MOU as VoIP-PSTN Traffic, pursuant to this Section of this Tariff.

Example 2: The PVU-B is 10% and the PVU-A is 0%. The over-all PVU factor is $0\% + (100\% \times 10\%) = 10\%$. The Company will bill 10% of the Customer's intrastate access MOU as VoIP-PSTN Traffic, pursuant to this Section of this Tariff.

Example 3: The PVU-A is 100%. No matter what the PVU-B factor is, the over-all PVU is 100%. The Company will bill 100% of the Customer's intrastate access MOU as VoIP-PSTN Traffic, pursuant to this Section of this Tariff.

Default PVU Factors

If the Customer does not furnish the Company with a PVU factor pursuant to the preceding paragraph 12.1.3.A of this Section, the Company will utilize a PVU equal to the Company's PVU-B factor.

(N)

ACCESS SERVICES

SECTION 12 – VOIP-PSTN TRAFFIC (CONT'D.)

(N)

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

12.1.4 Initial PVU Factors - If the PVU factors are not available and/or cannot be implemented in the Company's billing systems by January 1, 2012, once the factors are available and can be implemented the Company will adjust the Customer's bills to reflect the PVUs retroactively to January 1, 2012. In calculating the initial PVUs, the Company will take the Customer-specified PVU-A into account retroactively to January 1, 2012, 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 12.13.B, above.

12.1.5 PVU Factor Updates - The Customer may update the PVU-A factor quarterly using the method set forth in subsection 12.1.3.A, 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.

12.1.6 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 factor.

(N)

Choice One Communications Of Ohio Inc.
d/b/a EarthLink Business

EXHIBIT C

CURRENT INTERSTATE RATES

The Choice One Companies
d/b/a EarthLink Business
Issued by: Vice President, Tax
1375 Peachtree Street, Level A
Atlanta, Georgia 30309

FCC Tariff No. 5
1st Revised Page 114
Cancels Original Page 114

Issued: December 16, 2011

Transmittal No. 107

Effective: December 31, 2011

ACCESS SERVICES

SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.8 Rates And Charges (Cont'd.)

3.8.1 Usage Sensitive Charges (Cont'd.)

J. Ohio (All Switches)

Element	Rate	
Local Transport Termination - per access minute	\$0.000105	
Local Transport Facility - per access minute per mile	\$0.000014	
Common Multiplexing - per access minute	\$0.000018	
Tandem Switching - per access minute	\$0.001120	
End Office Switching - per access minute	\$0.003116	(T)
End Office Trunk Port - per access minute	\$0.000371	
FGD Network Blocking Charge - per call blocked	\$0.001088	
800 Data Base - per query	\$0.0100	

**Choice One Communications of Ohio Inc.
d/b/a EarthLink Business**

EXHIBIT D

DESCRIPTION OF CHANGES AND 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.

**Choice One Communications of Ohio Inc.
d/b/a EarthLink Business**

EXHIBIT E

CUSTOMER NOTICE

Not applicable.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/28/2011 3:52:52 PM

in

Case No(s). 11-6075-TP-ATA

Summary: Tariff Revision electronically filed by Ms. Margeaux Pennywell on behalf of Choice One Communications of Ohio, Inc. d/b/a EarthLink Business