

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

RE: tw telecom of ohio llc

P.U.C.O. Tariff No. 13 - Access

Dear Ms. McCauley:

Attached for filing please find the above referenced tariff filing and the Commission's Telecommunications Filing Form with exhibits submitted on behalf of **tw telecom of ohio llc**. The purpose of this filing is 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 25, 2012. The following tariff pages are included with this filing:

1st Revised Page 1 Updates Check Sheet 1<sup>st</sup> Revised Page 3 Updates Subject Index 1<sup>st</sup> Revised Pages 8, 11, 14 Revises and adds definitions 1<sup>st</sup> Revised Page 35 Revises text Introduces provisions for VoIP-PSTN Traffic, revises, relocates text 1<sup>st</sup> Revised Page 36 Introduces provisions for VoIP-PSTN Traffic Original Pages 36.1 - 36.2Introduces provisions for VoIP-PSTN Traffic, revises, relocates text Original Page 36.3 Revises text to incorporate VoIP-PSTN provisions 1<sup>st</sup> Revised Page 37 Introduces application of access charges to Toll VoIP-PSTN Traffic Original Page 45.1

Any questions you may have regarding this filing should be directed to my attention at 407-740-3002 or via email to cwightman@tminc.com. Thank you for your assistance in this matter.

Sincerely.

Connie Wightman

Consultant

cc: Tammy Chatfield - tw telecom file: tw telecom - Ohio - Access

tms: OHa1201

Enclosures CW/bc

# 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 tw telecom of ohio llc	) TRF Docket No. 90-9011-0	CT-TRF
to file an Access Services Tariff Revision	,	TPd a Case #, leave the "Case No" field
Name of Registrant(s) tw telecom of ohio llc		
DBA(s) of Registrant(s)		
Address of Registrant(s) 10475 Park Meadows Drive, Littlet	on, Colorado 80124	
Company Web Address www.twtelecom.com		
Regulatory Contact Person(s) Connie Whitman	Phone: <u>407-740-85</u>	75 Fax: 407-740-0613
Regulatory Contact Person's Email Address cwightman@tm	<u>inc.com</u>	
Contact Person for Annual Report Pamela Sherwood, tw teleco	m of ohio llc	Phone: <u>317-713-8977</u>
Address (if different from above)		
Consumer Contact Information Pamela Sherwood, tw telecom	of ohio Ilc	Phone: 317-713-8977
Address (if different from above)		
Motion for protective order included with filing?  Yes		
Motion for waiver(s) filed affecting this case?  Yes	No [Note: Waivers may toll any autom	natic 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)
В	The Tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked in the
	right margin.
С	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  Other (explain below)	)	For Prof	it ILEC	☐ Not For P	rofit ILEC	CL	EC
Change terms & conditions existing BLES		ATA <u>1-6</u> (Auto 30 day		ATA <u>1-6-</u> (Auto 30 days		AT (Auto 3	A <u>1-6-14(H)</u> 0 days)
Introduce non-recurring ch surcharge, or fee to BLES	arge,					AT (Auto 3	A <u>1-6-14(H)</u> 0 days)
Introduce or Increase Late	Payment	ATA <u>1-</u> (Auto 30 day	ys)	ATA <u>1-6</u> (Auto 30 days			A <u>1-6-14(I)</u> 0 days)
Revisions to BLES Cap.		☐ ZTA <u>1-6</u> (0 day Notic	e)				
Introduce BLES or expand service area (calling area)	local	ZTA <u>1-6</u> (0 day Notic		☐ ZTA <u>1-6-</u> (0 day Notice)		(0 day)	A <u>1-6-14(H)</u> Notice)
Notice of no obligation to facilities and provide BLE		ZTA <u>1-6</u> (0 day Notic		ZTA <u>1-6-</u> (0 day Notice			
Change BLES Rates		TRF <u>1-6</u> (0 day Notic		TRF <u>1-6-</u> (0 day Notice)		TR (0 day)	F <u>1-6-14(G)</u> Notice)
To obtain BLES pricing flo	exibility	BLS <u>1-6-</u> (C)(1)(c) (Auto 30 da	ıys)				
Change in boundary		ACB <u>1-6</u> (Auto 14 day		ACB <u>1-6-</u> (Auto 14 days			
Expand service operation a	rea						F <u>1-6-08(G)(</u> 0 day)
BLES withdrawal						(0 day	'A <u>1-6-25(B)</u> Notice)
Other* (explain) Access per FCC Toll VoIP PSTN							
Section I – Part II – Cu	stomer Not	ification Of	ferings Purs	suant to Chapt	er <u>4901:1-6-7</u>	OAC	
Type of Notice	Direc	t Mail	Bill	Insert	Bill Nota	ation	Electronic Mail
☐ 15-day Notice	[						
30-day Notice	[						
Date Notice Sent:							
Section I – Part III –IOS Offerings Pursuant to Chapter 4901:1-6-22 OAC							
IOS	Introdu	ice New	Tariff	Change	Price Ch	ange	Withdraw
☐ IOS							

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

C4:C4:	ILEC	CLEC	Carrier's Not	CESTC	CETC
Certification	(Out of Territory)		Offering BLES		
* See Supplemental	ACE <u>1-6-08</u>	☐ ACE <u>1-6-08</u>	ACE <u>1-6-</u> 08	☐ ACE <u>1-6-</u> 10	UNC <u>1-6-</u> 09
form	* (Auto 30- day)	*(Auto 30 day)	*(Auto 30 day)	(Auto 30 day)	*(Non-Auto)

<sup>\*</sup>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		ABN <u>1-6-26</u> (Auto 30 days)	ABN <u>1-6-26</u> (Auto 30 days)
Change of Official Name *	ACN <u>1-6-29(B)</u> (Auto 30 days)	ACN <u>1-6-29(B)</u> (Auto 30 days)	☐ CIO <u>1-6-29(C)</u> (0 day Notice)
Change in Ownership *	ACO <u>1-6-29(E)</u> (Auto 30 days)	ACO <u>1-6-29(E)</u> (Auto 30 days)	☐ CIO <u>1-6-29(C)</u> (0 day Notice)
Merger *	AMT <u>1-6-29(E)</u> (Auto 30 days)	AMT <u>1-6-29(E)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
Transfer a Certificate *	ATC <u>1-6-29(B)</u> (Auto 30 days)	ATC <u>1-6-29(B)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	ATR <u>1-6-29(B)</u> (Auto 30 days)	ATR <u>1-6-29(B)</u> (Auto 30 days)	☐ CIO <u>1-6-29(C)</u> (0 day Notice)

<sup>\*</sup> 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	☐ NAG <u>1-7-07</u>	☐ NAG <u>1-7-07</u>
an approved agreement	(Auto 90 day)	(Auto 90 day)
Request for Arbitration	☐ ARB <u>1-7-09</u> (Non-Auto)	☐ ARB <u>1-7-09</u> (Non-Auto)
Introduce or change c-t-c service tariffs,	☐ ATA <u>1-7-14</u> (Auto 30 day)	ATA <u>1-7-14</u> (Auto 30 day)
Request rural carrier exemption, rural carrier	UNC <u>1-7-04</u> or 05	
suspension or modification	(Non-Auto)	
Changes in rates, terms & conditions to Pole	☐ UNC 1-7-23(B)	
Attachment, Conduit Occupancy and Rights-	(Non-Auto)	1
of-Way.		
	RCC	NAG
Wireless Providers See 4901:1-6-24	[Registration &	[Interconnection
	Change in Operations]	Agreement or

# 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, <u>tw telecom of ohio llc</u> , 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) January 24, 2012 at (Location) Maitland, Florida  *(Signature and Title) (Date) January 24, 2012
Connie Wightman, Consultant to <b>tw telecom of ohio llc</b> • 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.
<u>VERIFICATION</u>
I. Connie Wightman, 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) (Date) January 24, 2012
Connie Wightman, Consultant to <b>tw telecom of ohio lic</b> *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

# tw telecom of ohio, llc

Exhibit A

Existing Affected Tariff Pages

#### **CHECK SHEET**

Pages of this tariff, as indicaed below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

PAGE	REVISION		PAGE	REVISION		PAGE	REVISION	
Title	Original	*	28	Original	*	56	Original	*
1	Original	*	29	Original	*	57	Original	*
2	Original	*	30	Original	*	58	Original	*
3	Original	*	31	Original	*	59	Original	*
4	Original	*	32	Original	*	60	Original	*
5	Original	*	33	Original	*	61	Original	*
6	Original	*	34	Original	*	62	Original	*
7	Original	*	35	Original	*	63	Original	*
8	Original	*	36	Original	*	64	Original	*
9	Original	*	37	Original	*	65	Original	*
10	Original	*	38	Original	*			
11	Original	*	39	Original	*			
12	Original	*	40	Original	*			
13	Original	*	41	Original	*			
14	Original	*	42	Original	*			
15	Original	*	43	Original	*			
16	Original	*	44	Original	*			
17	Original	*	45	Original	*			
18	Original	*	46	Original	*			
19	Original	*	47	Original	*			
20	Original	*	48	Original	*			
21	Original	*	49	Original	*			
22	Original	*	50	Original	*			
23	Original	*	51	Original	*			
24	Original	*	52	Original	*			
25	Original	*	53	Original	*			
26	Original	*	54	Original	*			
27	Original	*	55	Original	*			
						. 0111		

<sup>\* -</sup> indicates those pages included with this filing

Issued: July 28, 2011 Effective: August 27, 2011

Issued By: Pamela Sherwood, Vice President, Regulatory Affairs

10475 Park Meadows Drive

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

Channel(s) - An electrical or, in the case of fiber optic-based transmission systems, a photonic communications path between two or more points of termination.

Commercial Mobile Radio Service (CMRS) - A wireless provider of telecommunications services.

Common Channel Signaling (CCS) - A high speed packet switched communications network which is separate (out of band) from the public packet switched and message networks. It is used to carry addressed signaling messages for individual trunk circuits and/or database related services between signaling points in the CCS network.

Communications System - Denotes channels and other facilities which are capable of communications between terminal equipment provided by an entity other than the Company.

Commission -Public Utilities Commission of Ohio.

Company - tw telecom of ohio llc, the issuer of this tariff.

Constructive Order - Delivery of calls to or acceptance of calls from the Company's end user locations over Company-switched local exchange services constitutes a Constructive Order by the Customer to purchase access services as described herein. Similarly the selection by a Company's end user of the Customer as the presubscribed IXC constitutes a Constructive Order of switched access by the Customer.

Customer - Any person, firm, corporation or other entity which orders or obtains service under this tariff and is responsible for the payment of charges.

Customer Agreement - The mutual agreement between the Company and the Customer for the provision of the Company's service.

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

Interstate - For purposes of this tariff, the term Interstate applies to the regulatory jurisdiction of services used for communications between locations located in different states within the United States or between one or more location in the United States and one or more international locations.

IntraMTA (Major Trading Areas) - For purposes of this tariff, IntraMTA refers to telecommunications traffic exchanged between a LEC or IXC and a CMRS, PCS or Wireless provider that originates or terminates within the same Major Trading Area as used by the FCC to define coverage for certain services.

Intrastate - For purposes of this tariff, the term Intrastate applies to the regulatory jurisdiction of services for communications between locations within the same state or services which are not jurisdictionally interstate.

Joint User - A person, firm or corporation designated by the Customer as a user of access facilities furnished to the Customer by the Company, and to whom a portion of the charges for such facilities are billed under a joint use arrangement.

LATA (Local Access and Transport Area) - A geographic area established pursuant to the Modification of Final Judgment entered by the United States District Court for the District of Columbia in Civil Action No. 82-0192 for the provision and administration of communications services.

Local Calling Area - A geographical area as defined in the Company's local or general exchange service tariff (s) in which an end user may complete a call without incurring toll usage charges.

Local Switching Center - The switching center where telephone exchange service Customer station channels are terminated for purposes of interconnection to each other and to interoffice trunks.

Message - A message is a Call as defined above.

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

Signaling Transfer Point Access - Allows the Customer to access a specialized switch which provides SS7 network access and performs SS7 messaging routing and screening.

Term Agreement - A method of purchasing the Company's services whereby the Customer agrees to purchase service between specific locations for a specified and mutually agreed upon length of time.

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

Terminating Direction - The use of Access Service for the completion of calls from an IXC or Carrier premises to an end user or Customer 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.

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#### SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

#### 2.17 Jurisdictional Reporting

#### 2.17.1 Switched Access Services

For purposes of determining the jurisdiction of Switched Access Services (originating toll free and terminating traffic), to the extent the Company receives sufficient call detail to permit it to determine the jurisdiction of some or all originating and terminating access minutes of use, the Company will use that call detail to render bills for those minutes. To the extent call detail is not available, the jurisdictional reporting requirements specified below will apply.

When a Customer orders Access Services, its projected Percent Interstate Usage (PIU) must be provided to the Company. Except to the extent the Company has sufficient call detail to determine the jurisdiction of the call, these percentages will be used by the Company to apportion the usage and/or charges between interstate and intrastate until a revised report is received as set forth herein.

To the extent that sufficient call detail is unavailable and the Customer has failed to provide its projected PIU, the Company shall allocate unidentifiable minutes subject to the PIU as 50 percent interstate traffic and 50 percent intrastate traffic.

Based on distribution of traffic (identifiable, Customer based PIU, Default PIU), the Company may derive an aggregated factor.

#### 2.17.2 IntraLATA Toll Usage

For purposes of determining the jurisdiction of IntraLATA Toll Usage termination, to the extent the Company receives sufficient call detail to permit it to determine the jurisdiction of some or all originating and terminating Intralata Toll minutes of use, the Company will use that call detail to render bills for those minutes. To the extent call detail is not available, the jurisdictional reporting requirements specified below will apply.

When a Customer terminates IntraLATA Toll Usage, its projected Percent Local Usage (PLU) must be provided to the Company. Except to the extent the Company has sufficient call detail to determine the jurisdiction of the call, these percentages will be used by the Company to apportion the usage and/or charges between IntraLATA Toll and local until a revised report is received as set forth herein.

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#### SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

#### 2.17 Jurisdictional Reporting, (Cont'd.)

#### 2.17.2 IntraLATA Toll Usage, (Cont'd.)

To the extent that sufficient call detail is unavailable and the Customer has failed to provide its projected PLU, the Company shall allocate unidentifiable minutes subject to the PLU as 50 percent IntraLATA Toll Usage traffic and 50 percent local traffic.

Based on distribution of traffic (identifiable, Customer based PLU, Default PLU), the Company may derive an aggregated factor.

#### 2.17.3 Jurisdictional Reporting Timelines

The Customer shall provide to the Company, to be received no later than 15 days after the end of each quarter, a revised report reflecting the aforementioned factors, as applicable, for the past 3 months, for each service arranged for use, based solely on the traffic originating from or terminating to the Company. The quarterly report will serve as the basis for the next three (3) months billing and will be effective on the bill date for that service. If the Customer does not supply the reports for services where reports are needed, the Company will assume the percentages to be the same as was previously provided in the most recent report(s).

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#### SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

#### 2.17 Jurisdictional Reporting, (Cont'd.)

#### 2.17.4 Jurisdictional Reports Verification

If a billing dispute arises or a regulatory commission questions any of the factors, the Customer will provide the data issued to determine the applicable factor. The Customer will supply the data within 30 days of the Company request.

The Customer shall keep records of call detail from which the appropriate jurisdiction can be ascertained and, upon request of the Company, shall make the records available for inspection as reasonably necessary for purposes of verification of the percentages. The Company reserves the right to conduct an audit, internally or with an external firm, at any time during the year. The Customer, at its own expense, has the right to retain an independent auditing firm.

In the event that an audit reveals that any Customer reported factor was incorrect, the Company shall apply the audit results to jurisdictionalize the usage, as applicable, affected by the audit. The Customer shall be back-billed or credited, for a period retroactive to the date that the incorrect percentage was reported, but not to exceed 18 months. Back-billed amounts are subject to a late payment penalty and payment shall be made in immediately available funds by the due date printed on the invoice.

Should an audit reveal that the misreported factors resulted in an underpayment of usage charges to the Company of five percent or more of the total usage charges, 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.

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.

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# tw telecom of ohio, llc

Exhibit B

Proposed Replacement Tariff Pages

#### **CHECK SHEET**

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

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Title	Original		28	Original		52	Original
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4	Original		32	Original		56	Original
5	Original		33	Original		57	Original
6	Original		34	Original		58	Original
7	Original		35	1 <sup>st</sup> Revised	*	59	Original
8	1 <sup>st</sup> Revised	*	36	1 <sup>st</sup> Revised	*	60	Original
9	Original		36.1	Original	*	61	Original
10	Original		36.2	Original	*	62	Original
11	1 <sup>st</sup> Revised	*	36.3	Original	*	63	Original
12	Original		37	1 <sup>st</sup> Revised	*	64	Original
13	Original		38	Original		65	Original
14	1 <sup>st</sup> Revised	*	39	Original			
15	Original		40	Original			
16	Original		41	Original			
17	Original		42	Original			
18	Original		43	Original			
19	Original		44	Original			
20	Original		45	Original			
21	Original		45.1	Original	*		
22	Original		46	Original			
23	Original		47	Original			
24	Original		48	Original			
25	Original		49	Original			
26	Original		50	Original			
27	Original		51	Original			
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<sup>\* -</sup> indicates those pages included with this filing

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

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Communications System - Denotes channels and other facilities which are capable of communications between terminal equipment provided by an entity other than the Company.

Commission - Public Utilities Commission of Ohio.

Company - tw telecom of ohio llc, the issuer of this tariff.

Constructive Order - Delivery of calls to or acceptance of calls from the Company's end user locations over Company-switched local exchange services constitutes a Constructive Order by the Customer to purchase access services as described herein. Similarly the selection by a Company's end user of the Customer as the presubscribed IXC constitutes a Constructive Order of switched access by the Customer.

Customer - The person, firm, corporation or other entity which orders the Company's service or receives the Company's service, including but not limited to an Interexchange Carrier, End User, other telecommunications carrier, or provider originating or terminating Toll VoIP-PSTN traffic.

Customer Agreement - The mutual agreement between the Company and the Customer for the provision of the Company's service.

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

Internet Protocol (IP) - The method by which data is sent from one computer to another on the Internet.

(N)

Internet Protocol (IP) Signaling - A packet data-oriented protocol used for communicating call signaling information.

(N)

Interstate - For purposes of this tariff, the term Interstate applies to the regulatory jurisdiction of services used for communications between locations located in different states within the United States or between one or more location in the United States and one or more international locations.

IntraMTA (Major Trading Areas) - For purposes of this tariff, IntraMTA refers to telecommunications traffic exchanged between a LEC or IXC and a CMRS, PCS or Wireless provider that originates or terminates within the same Major Trading Area as used by the FCC to define coverage for certain services.

Intrastate - For purposes of this tariff, the term Intrastate applies to the regulatory jurisdiction of services for communications between locations within the same state or services which are not jurisdictionally interstate.

Joint User - A person, firm or corporation designated by the Customer as a user of access facilities furnished to the Customer by the Company, and to whom a portion of the charges for such facilities are billed under a joint use arrangement.

LATA (Local Access and Transport Area) - A geographic area established pursuant to the Modification of Final Judgment entered by the United States District Court for the District of Columbia in Civil Action No. 82-0192 for the provision and administration of communications services.

Local Calling Area - A geographical area as defined in the Company's local or general exchange service tariff (s) in which an end user may complete a call without incurring toll usage charges.

Local Switching Center - The switching center where telephone exchange service Customer station channels are terminated for purposes of interconnection to each other and to interoffice trunks.

Message - A message is a Call as defined above.

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

Signaling Transfer Point Access - Allows the Customer to access a specialized switch which provides SS7 network access and performs SS7 messaging routing and screening.

Term Agreement - A method of purchasing the Company's services whereby the Customer agrees to purchase service between specific locations for a specified and mutually agreed upon length of time.

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

Terminating Direction - The use of Access Service for the completion of calls from an IXC or Carrier premises to an end user or Customer premises.

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

Toll VoIP-PSTN Traffic – The traffic exchanged 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.

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.

VoIP Service – 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.

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

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#### SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

#### 2.17 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic

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#### 2.17.1 Switched Access Services

For purposes of determining the jurisdiction of Switched Access Services (e.g., originating toll free, terminating traffic and VoIP-PSTN traffic), to the extent the Company receives sufficient call detail to permit it to determine the jurisdiction of some or all originating and terminating access minutes of use, the Company will use that call detail to render bills for those minutes. To the extent call detail is not available, the jurisdictional reporting requirements specified below will apply.

When a Customer orders Access Services, its projected Percent Interstate Usage (PIU) must be provided to the Company. Except to the extent the Company has sufficient call detail to determine the jurisdiction of the call, these percentages will be used by the Company to apportion the usage and/or charges between interstate and intrastate until a revised report is received as set forth herein.

To the extent that sufficient call detail is unavailable and the Customer has failed to provide its projected PIU, the Company shall allocate unidentifiable minutes subject to the PIU as 50 percent interstate traffic and 50 percent intrastate traffic.

Based on distribution of traffic (identifiable, Customer based PIU, Default PIU), the Company may derive an aggregated factor.

#### 2.17.2 IntraLATA Toll Usage

For purposes of determining the jurisdiction of IntraLATA Toll Usage termination, to the extent the Company receives sufficient call detail to permit it to determine the jurisdiction of some or all originating and terminating Intralata Toll minutes of use, the Company will use that call detail to render bills for those minutes. To the extent call detail is not available, the jurisdictional reporting requirements specified below will apply.

When a Customer terminates IntraLATA Toll Usage, its projected Percent Local Usage (PLU) must be provided to the Company. Except to the extent the Company has sufficient call detail to determine the jurisdiction of the call, these percentages will be used by the Company to apportion the usage and/or charges between IntraLATA Toll and local until a revised report is received as set forth herein.

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#### SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

#### 2.17 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.)

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#### 2.17.2 IntraLATA Toll Usage, (Cont'd.)

To the extent that sufficient call detail is unavailable and the Customer has failed to provide its projected PLU, the Company shall allocate unidentifiable minutes subject to the PLU as 50 percent IntraLATA Toll Usage traffic and 50 percent local traffic.

Based on distribution of traffic (identifiable, Customer based PLU, Default PLU), the Company may derive an aggregated factor.

(M) | | | | | (M)

#### 2.17.3 Identification of VoIP-PSTN Traffic

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This section governs the identification of Toll VoIP-PSTN Traffic that is required by the F.C.C. in its Report and Order in WC Dockets Nos. 10-90, etc., F.C.C. No. 11-161 (November 18, 2011) (F.C.C. Order) to be compensated at interstate access rates, unless the parties have agreed otherwise. Specifically, this section establishes the method of separating VoIP-PSTN Traffic from the Customer's traditional intrastate access traffic, so that VoIP-PSTN Traffic can be billed in accordance with the F.C.C. Order.

#### A. Calculation and Application of Percent-VoIP-PSTN-Usage Factors

The Company will determine the number of relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under Section 3.1.4, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU (however determined – either based on call detail information, access lines or PIU) exchanged between the Company and the Customer. The PVU will be derived and applied as follows:

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(M) – Certain material previously found on this page is now located on Page 36.3.

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#### SWITCHED ACCESS SERVICE

#### SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

- 2.17 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.)
  - 2.17.3 Identification of VoIP-PSTN Traffic, (Cont'd.)
    - A. Calculation and Application of Percent-VoIP-PSTN-Usage Factors, (Cont'd.)
      - 1. 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 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.
      - 2. Company will, likewise, calculate a factor (the "PVU-B") representing the percentage of the Company's total access MOU 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.
      - 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 and/or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends. 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 originating and/or terminating intrastate access MOU exchanged with the Customer to determine the number of relevant VoIP-PSTN Traffic MOUs.
        - Example 1: The PVU-B is 5% and the PVU-A is 10%. The effective PVU factor is equal to 14.5% PVU-A + (PVU-B x (1-PVU-A)) = PVU%. The Company will bill 14.5% of the Customer's intrastate access MOU in accordance with the Company's applicable interstate switched access tariff.

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#### SWITCHED ACCESS SERVICE

#### SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

- 2.17 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.)
  - 2.17.3 Identification of VoIP-PSTN Traffic, (Cont'd.)
    - A. Calculation and Application of Percent-VoIP-PSTN-Usage Factors, (Cont'd.)
      - 4. (Cont'd.)
        - Example 2: The PVU-B is 0% and the PVU-A is 10%. The effective PVU factor is 10% PVU-A + (PVU-B x (1- PVU-A)) = PVU%. 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-A is 100%. No matter what the PVU-B 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 a PVU equal to the PVU-B. For example, if the PVU-B factor is 0%, the Company will utilize a PVU equal to zero.
      - 6. The Customer shall not modify their reported PIU factor to account for VoIP-PSTN Traffic.
      - 7. The Customer shall retain the call detail, work papers, and information used to develop the PVU factors for a minimum of one year.
    - B. Initial Implementation of PVU Factors
      - 1. If the PVU factors cannot be implemented in the Company's billing systems by December 29, 2011, once the factors are available and can be implemented the Company will adjust the Customer's bills to reflect the PVU factors retroactively to December 29, 2011.
      - 2. The Company may choose to provide credits based on the reported PVU factors on a quarterly basis until such time as the billing system modifications can be implemented.

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#### SWITCHED ACCESS SERVICE

#### SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

- 2.17 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.)
  - 2.17.3 Identification of VoIP-PSTN Traffic, (Cont'd.)
    - C. PVU Factor Updates

The Customer may update the PVU-A factor quarterly. The Company may also update the PVU-B factor quarterly. The revised PVU factor will serve as the basis for future billing and will be effective on the bill date of each such month and shall serve as the basis for subsequent monthly billing until superseded by new PVU factors.

2.17.4 Jurisdictional Reporting Timelines

The Customer shall provide to the Company, to be received no later than 15 days after the end of each quarter, a revised report reflecting the aforementioned factors, as applicable, for the past three (3) months, for each service arranged for use, based solely on the traffic originating from or terminating to the Company. The quarterly report will serve as the basis for the next three (3) months billing and will be effective on the bill date for that service. If the Customer does not supply the reports for services where reports are needed, the Company will assume the percentages to be the same as was previously provided in the most recent report(s).

(M) – Certain material found on this page was previously located on Page 36.

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#### SWITCHED ACCESS SERVICE

#### SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

- 2.17 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.)
  - 2.17.5 Jurisdictional Reports and VoIP-PSTN Factors Verification

If a billing dispute arises or a regulatory commission questions any of the factors, the Customer will provide the data issued to determine the applicable factors. The Customer will supply the data within 30 days of the Company request.

The Customer shall keep records of call detail, description of the method for determining how end users originate and terminate calls in IP format, and other information from which the appropriate factors can be ascertained and, upon request of the Company, shall make the records available for inspection as reasonably necessary for purposes of verification of the factors. The Company reserves the right to conduct an audit, internally or with an external firm, at any time during the year. The Customer, at its own expense, has the right to retain an independent auditing firm.

In the event that an audit reveals that any Customer reported factors are incorrect, the Company shall apply the audit results to all usage affected by the audit. The Customer shall be back-billed or credited, for a period retroactive to the date that the incorrect percentage was reported, but not to exceed 12 months (or to December 29, 2011 for PVU factors). Back-billed amounts are subject to a late payment penalty and payment shall be made in immediately available funds by the due date printed on the invoice.

Should an audit reveal that the misreported factors resulted in an underpayment of usage charges to the Company of five percent or more of the total usage charges, 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.

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.

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#### SWITCHED ACCESS SERVICE

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

- 3.1 General, (Cont'd.)
  - 3.1.4 Application of Access Charges to Toll VoIP-PSTN Traffic
    - A. Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Company's applicable Interstate Switched Access Tariff rates. Current and pending interstate access rates for the Company located at http://fjallfoss.fcc.gov/cgi-bin/ws.exe/prod/ccb/etfs/mainmenu.hts.
    - B. The Company shall 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 VoIP service 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 VoIP service. 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.

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### tw telecom of ohio, llc

#### Exhibit C

This filing incorporates 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. See attached FCC Tariff No. 1 Facilities for Interstate Access Tariff pages for the Company's interstate rates.

Effective Date: September 24, 2011 Issue Date: September 23, 2011

### FACILITIES FOR INTERSTATE ACCESS

### SECTION 4 - RATES AND CHARGES, (CONT'D.)

- Switched Access Service, (Cont'd.) 4.1
  - 4.1.5 Switching, Transport and Network Elements, (Cont'd.)
    - End Office Local Switching, (Cont'd.) A.

	<b>EO Local Switching</b>		EO Local Switching	
	Originating		Terminating	
Locality	Per Minute of Use		Per Minute of Use	
Raleigh, NC	\$0.0028445	(R)	\$0.0028445	(R)
Jersey City, NJ	\$0.0038520		\$0.0038520	
Albuquerque, NM	\$0.0027210		\$0.0027210	
Las Vegas, NV	\$0.0044930		\$0.0044930	
Albany, NY	\$0.0040770		\$0.0040770	
Buffalo, NY	\$0.0040770		\$0.0040770	
Binghamton, NY	\$0.0040770		\$0.0040770	
Manhattan, NY	\$0.0040770		\$0.0040770	
Rochester, NY	\$0.0036516		\$0.0036516	
Syracuse, NY	\$0.0040770		\$0.0040770	
Cincinnati, OH	\$0.0047745		\$0.0047745	
Columbus, OH	\$0.0034970		\$0.0034970	
Dayton, OH	\$0.0035094		\$0.0035094	
Tulsa, OK	\$0.0039589		\$0.0039589	
Portland, OR	\$0.0026841		\$0.0026841	
Charleston, SC	\$0.0028890	(R)	\$0.0028890	(R)
Columbia, SC	\$0.0028890	(R)	\$0.0028890	(R)
Greenville, SC	\$0.0028890	(R)	\$0.0028890	(R)
Spartenburg, SC	\$0.0028890	(R)	\$0.0028890	(R)
Chattanooga, TN	\$0.0028890	(R)	\$0.0028890	(R)
Memphis, TN	\$0.0028890	(R)	\$0.0028890	(R)
Nashville, TN	\$0.0028890	(R)	\$0.0028890	(R)
Armarillo, TX	\$0.0034630		\$0.0034630	
Austin, TX	\$0.0034718		\$0.0034718	

Issue Date: August 1, 2011

# Effective Date: August 2, 2011

### FACILITIES FOR INTERSTATE ACCESS

# SECTION 4 - RATES AND CHARGES, (CONT'D.)

#### Switched Access Service, (Cont'd.) 4.1

#### Switching and Transport Rate Elements, (Cont'd.) 4.1.6

	Tandem Switching		Transport	
Locality	Per Minute of Use		Per Minute of Use	
Rochester, NY	\$0.0001100		\$0.0011900	
Syracuse, NY	\$0.0015740	(R)	\$0.0000020	
Cincinnati, Off	\$0.0021246		\$0.0006968	
Columbus, OH	\$0.0018394	(R)	\$0.0001185	
Dayton, OH	\$0.0018665	(R)	\$0.0001129	
Tulsa, OK	\$0.0003498	(R)	\$0.0001447	
Portland, OR	\$0.0034549	(I)	\$0.0001303	(I)
Charleston, SC	\$0.0015250	(R)	\$0.0001880	
Columbia, SC	\$0.0015250	(R)	\$0.0001880	
Greenville, SC	\$0.0015250	(R)	\$0.0001880	
Spartenburg, SC	\$0.0015250	(R)	\$0.0001880	
Chattanooga, TN	\$0.0015250	(R)	\$0.0001880	
Memphis, TN	\$0.0015250	(R)	\$0.0001880	
Nashville, TN	\$0.0015250	(R)	\$0.0001880	
Armarillo, TX	\$0.0003350	(R)	\$0.0000560	
Austin, TX	\$0.0003522	(R)	\$0.0000553	
Corpus Christi, TX	\$0.0004093	(R)	\$0.0000528	
Dallas, TX	\$0.0005780	(R)	\$0.0000454	
El Paso, TX	\$0.0003350	(R)	\$0.0000560	
Fort Worth, TX	\$0.0003350	(R)	\$0.0000560	
Houston, TX	\$0.0003629	(R)	\$0.0000701	(R)
San Antonio, TX	\$0.0003350	(R)	\$0.0000560	
Virginia	\$0.0015740	(R)	\$0.0000020	
Seattle, WA	\$0.0032712		\$0.0000801	
Spokane, WA	\$0.0022880		\$0.0002700	
Milwaukee, WI	\$0.0018180	(R)	\$0.0001230	

Issue Date: May 24, 2011 Effective Date: May 25, 2011

### FACILITIES FOR INTERSTATE ACCESS

### SECTION 4 - RATES AND CHARGES, (CONT'D.)

### 4.1 Switched Access Service, (Cont'd.)

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4.1.7 8XX Data Base Access Service, (Cont'd.)

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Locality	Per Query
Rochester, NY	\$0.00938
Syracuse, NY	\$0.00938
Cincinnati, OH	\$0.00938
Columbus, OH	\$0.00938
Dayton, OH	\$0.00938
Tulsa, OK	\$0.00938
Portland, OR	\$0.00938
Charleston, SC	\$0.00938
Columbia, SC	\$0.00938
Greenville, SC	\$0.00938
Spartenburg, SC	\$0.00938
Chattanooga, TN	\$0.00938
Memphis, TN	\$0.00938
Nashville, TN	\$0.00938
Armarillo, TX	\$0.00938
Austin, TX	\$0.00938
Corpus Christi, TX	\$0.00938
Dallas, TX	\$0.00938
El Paso, TX	\$0.00938
Fort Worth, TX	\$0.00938
Houston, TX	\$0.00938
San Antonio, TX	\$0.00938
Virginia	\$0.00938
Seattle, WA	\$0.00938
Spokane, WA	\$0.00938
Milwaukee, WI	\$0.00938

# tw telecom of ohio, llc

Exhibit D

Customer Notice and Affidavit

N/A

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 12-0433-TP-ZTA

Summary: Tariff tw telecom of ohio Ilc, PUCO Tariff No. 13 - Access Revision, Transmittal, Telecommunications Filing Form. electronically filed by Mrs. Barbara E. del Castillo on behalf of tw telecom of ohio Ilc