

**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 \_\_\_\_\_  
to \_\_\_\_\_

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

Case No. 12 - 663 - **TP** - ATA

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

Name of Registrant(s) XO Communications Services, Inc.

DBA(s) of Registrant(s) \_\_\_\_\_

Address of Registrant(s) 13865 Sunrise Valley Dr., Herndon, VA 20171

Company Web Address www.xo.com

Regulatory Contact Person(s) Kelly Faul

Phone 703-547-2536

Fax 703-547-2630

Regulatory Contact Person's Email Address Kelly.faul@xo.com

Contact Person for Annual Report Sharon Adams

Phone 703-547-2615

Address (if different from above) \_\_\_\_\_

Consumer Contact Information Teresa Miller

Phone 214-261-7509

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

Certification	ILEC (Out of Territory)	CLEC	Carrier's Not Offering BLES	CESTC	CETC
* See Supplemental form	<input type="checkbox"/> ACE <i>1-6-08</i> * (Auto 30- day)	<input checked="" type="checkbox"/> ACE <i>1-6-08</i> * (Auto 30 day)	<input type="checkbox"/> ACE <i>1-6-08</i> * (Auto 30 day)	<input type="checkbox"/> ACE <i>1-6-10</i> (Auto 30 day)	<input type="checkbox"/> UNC <i>1-6-09</i> * (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 <i>1-6-26</i> (Auto 30 days)	<input type="checkbox"/> ABN <i>1-6-26</i> (Auto 30 days)
Change of Official Name *	<input type="checkbox"/> ACN <i>1-6-29(B)</i> (Auto 30 days)	<input type="checkbox"/> ACN <i>1-6-29(B)</i> (Auto 30 days)	<input type="checkbox"/> CIO <i>1-6-29(C)</i> (0 day Notice)
Change in Ownership *	<input type="checkbox"/> ACO <i>1-6-29(E)</i> (Auto 30 days)	<input type="checkbox"/> ACO <i>1-6-29(E)</i> (Auto 30 days)	<input type="checkbox"/> CIO <i>1-6-29(C)</i> (0 day Notice)
Merger *	<input type="checkbox"/> AMT <i>1-6-29(E)</i> (Auto 30 days)	<input type="checkbox"/> AMT <i>1-6-29(E)</i> (Auto 30 days)	<input type="checkbox"/> CIO <i>1-6-29(C)</i> (0 day Notice)
Transfer a Certificate *	<input type="checkbox"/> ATC <i>1-6-29(B)</i> (Auto 30 days)	<input type="checkbox"/> ATC <i>1-6-29(B)</i> (Auto 30 days)	<input type="checkbox"/> CIO <i>1-6-29(C)</i> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	<input type="checkbox"/> ATR <i>1-6-29(B)</i> (Auto 30 days)	<input type="checkbox"/> ATR <i>1-6-29(B)</i> (Auto 30 days)	<input type="checkbox"/> CIO <i>1-6-29(C)</i> (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 <i>1-7-07</i> (Auto 90 day)	<input type="checkbox"/> NAG <i>1-7-07</i> (Auto 90 day)
Request for Arbitration	<input type="checkbox"/> ARB <i>1-7-09</i> (Non-Auto)	<input type="checkbox"/> ARB <i>1-7-09</i> (Non-Auto)
Introduce or change c-t-c service tariffs,	<input type="checkbox"/> ATA <i>1-7-14</i> (Auto 30 day)	<input checked="" type="checkbox"/> ATA <i>1-7-14</i> (Auto 30 day)
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC <i>1-7-04 or 05</i> (Non-Auto)	
Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights- of-Way.	<input type="checkbox"/> UNC <i>1-7-23(B)</i> (Non-Auto)	
Wireless Providers See 4901:1-6-24	<input type="checkbox"/> RCC [Registration & Change in Operations]	<input type="checkbox"/> NAG [Interconnection Agreement or

#### Section IV. – Attestation

Registrant hereby attests to its compliance with pertinent entries and orders issued by the Commission.

#### AFFIDAVIT *Compliance with Commission Rules*

I am an officer/agent of the applicant corporation, Kelly Faul, and am authorized to make this statement on its behalf.

(Name)

Please Check ALL that apply:

☒ I attest that these tariffs comply with all applicable rules for the state of Ohio. I understand that tariff notification filings do not imply Commission approval and that the Commission's rules as modified and clarified from time to time, supersede any contradictory provisions in our tariff. We will fully comply with the rules of the state of Ohio and understand that noncompliance can result in various penalties, including the suspension of our certificate to operate within the state of Ohio.

☒ I attest that customer notices accompanying this filing form were sent to affected customers, as specified in Section II, in accordance with Rule 4901:1-6-7, Ohio Administrative Code.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on (Date) 02/16/12

at (Location) Herndon, VA

\*(Kelly Faul, Regulatory Affairs Director)

(Date) 02/16/12

- *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, Kelly Faul 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.

\*(Kelly Faul – Regulatory Affairs Director)

(Date) 02/16/12

*\*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*

**EXHIBIT A**  
**Superseded Tariff Pages**

Case No. 11-5746-TP-ATA

## INTRASTATE ACCESS SERVICES

**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.

PAGE	REVISION		PAGE	REVISION		PAGE	REVISION
1	9th Rev.	*	26	Original		51	Original
2	7th Rev.	*	27	Original		52	Original
3	Original		28	1st Rev.	*	53	Original
4	Original		29	Original		54	Original
5	3 <sup>rd</sup> Rev.		30	Original		55	Original
6	1st Rev.		31	Original		56	Original
7	Original		32	Original		57	Original
8	Original		33	Original		58	Original
9	1st Rev.		34	Original		59	Original
10	Original		35	Original		60	Original
11	1st Rev.		36	Original		61	Original
12	Original		37	Original		62	Original
13	Original		38	1st Rev.		63	Original
14	Original		39	1st Rev.		64	Original
15	Original		40	1st Rev.		65	Original
16	Original		41	Original		66	2nd Rev.
17	Original		42	Original		67	Original
18	Original		43	Original		68	Original
19	Original		44	Original		69	1 <sup>st</sup> Rev.
20	Original		45	Original		70	1st Rev. *
21	Original		46	Original		71	Original
22	Original		47	Original		72	Original
23	Original		48	Original		73	Original
24	Original		49	Original		74	Original
25	Original		50	Original		75	Original

\* - indicates those pages included with this filing

Issued: November 11, 2011

Effective: December 12, 2011

Kelly Faul – Regulatory Affairs Director  
13865 Sunrise Valley Dr.  
Herndon, VA 20171

INTRASTATE ACCESS SERVICES

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**SECTION 1 - DEFINITIONS**

Access: A connection between a Customer Premises and a Point of Presence of an Interchange Company for the transmission of voice, data or video/image information.

Advance Payment: Part or all of a payment required before the start of service.

Automatic Number Identification (ANI): Allows the automatic transmission of a caller's billing account telephone number to a local exchange company, interexchange carriers, or a third party subscriber. The primary purpose of ANI is to allow for the billing of toll calls.

Bit: The smallest unit of information in the binary system of notation.

Company: XO Communications Services, Inc. the issuer of this tariff, which is a Delaware corporation.

Customer: The person, firm, corporation, government entity, or other entity which subscribes to or uses, and is therefore responsible for the payment of charges and compliance with the Company's regulations, the services offered under this tariff, including both Interexchange Carriers (IXCs) and End Users.

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Dedicated: A facility or equipment system or subsystem set aside for the sole use of a specific Customer.

Duplex Service: Service which provides for simultaneous transmission in both directions.

End User: Any customer of an intrastate communications service that is not a common carrier; provided that a common carrier other than a telephone company shall be deemed to be an "end user" when such common carrier uses a communications service for administrative purposes, and a person or entity that offers communications service exclusively as a reseller shall be deemed to be an "end user" if all resale transmissions offered by such reseller originate on the premises of such reseller.

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Fiber Optic Cable: A thin filament of glass with a protective outer coating through which a light beam carrying communications signals may be transmitted by means of multiple internal reflections to a receiver, which translates the message.

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INTRASTATE ACCESS SERVICES

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**SECTION 1 – DEFINITIONS, (CONT'D.)**

Individual Case Basic (ICB): Denotes service provided and performed by the Company involving special engineering, design, programming, development, or production activities to provide services not otherwise provided under this tariff. Rates and charges are developed based on the specific circumstances of the case.

IntraLATA Service: Service which originates and terminates within the same Local Access Transport Area (LATA).

InterLATA Service: Service which originates within one Local Access Area Transport Area (LATA) and terminates in a different LATA.

Kbps: kilobits per second, denotes thousand of bits per second.

LATA: A Local Access and Transport 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; or any other geographic area designated as a LATA in the National Exchange Carrier Association, Inc, tariff F.C.C. No. 4.

Local Access: Local Access means the connection between a Customer premises and Company Point of Presence.

Mbps: Megabits, denotes millions of bits per second.

Multi-Frequency or (MF): An intermachine pulse-type used for signaling between telephone switches or between telephone switches and PBX/Key systems.



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INTRASTATE ACCESS SERVICES

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**SECTION 1 – DEFINITIONS, (CONT'D.)**

Service Commencement Date: XO will notify the customer that the Services are installed or connected and available for use. The date of such notice shall be the "Service Commencement Date." Billing will begin on the Service Commencement Date. The parties may mutually agree upon a substitute Service Commencement Date. If Customer notifies XO in writing that it is not prepared to utilize the Services or facility after XO has notified the Customer that the requested Service or facility is ready for use, XO may begin billing the Customer on the Service Commencement Date. XO may bill the Customer for any costs it has incurred in provisioning the Services. Customer agrees to cooperate with XO to accomplish Service activation by providing reasonable access to Customer's premises and facilitating testing and Service delivery requirements and Customer agrees XO shall have reasonable access to Customer's premises to repair, maintain, or retrieve XO equipment. XO shall not be liable for any damages whatsoever resulting from delays in meeting Service delivery dates requested or specified by Customer or inability to provide Services. Customer may not cancel the Agreement if there is a delay in installation related to the Services unless such delay is solely due to XO and such delay is longer than 90 days beyond the parties agreed Service Commencement Date provided however, in no event may Customer cancel if XO has agreed to construct or is constructing Communication Facilities to provide Service to Customer.

Service Order: The written request for Network Services executed by the Customer and the Company in the format devised by the Company. The signing of a Service Order by the Customer and acceptance by the Company initiates the respective obligations of the parties as set forth therein and pursuant to this tariff, but the duration of the service is calculated from the Service Commencement Date.

Service: The Company's telecommunications access service offered on the Company's network.

Shared: A facility or equipment system or subsystem which can be used simultaneously by several Customers.

**EXHIBIT B**  
**Revised Tariff Pages**

Case No. 11-5746-TP-ATA

## INTRASTATE ACCESS SERVICES

## 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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5	3 <sup>rd</sup> Rev.		31.4	Original	*	59	Original
6	1st Rev.		31.5	Original	*	60	Original
7	Original		31.6	Original	*	61	Original
8	Original		32	Original		62	Original
9	2nd Rev.	*	33	Original		63	Original
10	1st Rev.	*	34	Original		64	Original
11	1st Rev.		35	Original		65	Original
12	1st Rev.	*	36	Original		66	2nd Rev.
13	Original		37	Original		67	Original
14	Original		38	1st Rev.		68	Original
15	Original		39	1st Rev.		69	1 <sup>st</sup> Rev.
16	Original		40	1st Rev.		70	1st Rev.
17	Original		41	Original		71	Original
18	Original		42	Original		72	Original
19	Original		43	Original		73	Original
20	Original		44	Original		74	Original
21	Original		45	Original		75	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			
28	1st Rev.		52	Original			
29	Original		53	Original			
30	Original		54	Original			

\* - indicates those pages included with this filing

Issued: February 16, 2012

Effective: March 17, 2012

Kelly Faul – Regulatory Affairs Director  
13865 Sunrise Valley Dr.  
Herndon, VA 20171

INTRASTATE ACCESS SERVICES

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**SECTION 1 - DEFINITIONS**

Access: A connection between a Customer Premises and a Point of Presence of an Interchange Company for the transmission of voice, data or video/image information.

Advance Payment: Part or all of a payment required before the start of service.

Automatic Number Identification (ANI): Allows the automatic transmission of a caller's billing account telephone number to a local exchange company, interexchange carriers, or a third party subscriber. The primary purpose of ANI is to allow for the billing of toll calls. The Multi-frequency (MF) parameter that identifies the billing number of the calling party.

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Bit: The smallest unit of information in the binary system of notation.

Calling Party Number (CPN) – The SS7 signaling parameter that identifies the subscriber line number or directory number of the calling party.

(N)

Charge Number (CN) – The SS7 signaling parameter that identifies the billing telephone number of the calling party.

(N)

Company: XO Communications Services, Inc. the issuer of this tariff, which is a Delaware corporation.

Customer: The person, firm, corporation, government entity, or other entity which subscribes to or uses, and is therefore responsible for the payment of charges and compliance with the Company's regulations, the services offered under this tariff, including both Interexchange Carriers (IXCs) and End Users, and other carriers or providers that originate or terminate Toll VoIP-PSTN traffic or otherwise exchange Toll VoIP-PSTN Traffic with the Company..

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Dedicated: A facility or equipment system or subsystem set aside for the sole use of a specific Customer.

Duplex Service: Service which provides for simultaneous transmission in both directions.

End User: Any customer of an intrastate communications service that is not a common carrier; provided that a common carrier other than a telephone company shall be deemed to be an "end user" when such common carrier uses a communications service for administrative purposes, and a person or entity that offers communications service exclusively as a reseller shall be deemed to be an "end user" if all resale transmissions offered by such reseller originate on the premises of such reseller.

Fiber Optic Cable: A thin filament of glass with a protective outer coating through which a light beam carrying communications signals may be transmitted by means of multiple internal reflections to a receiver, which translates the message.

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INTRASTATE ACCESS SERVICES

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**SECTION 1 – DEFINITIONS, (CONT'D.)**

Individual Case Basic (ICB): Denotes service provided and performed by the Company involving special engineering, design, programming, development, or production activities to provide services not otherwise provided under this tariff. Rates and charges are developed based on the specific circumstances of the case.

InterLATA Service: Service which originates within one Local Access Area Transport Area (LATA) and terminates in a different LATA.

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

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IntraLATA Service: Service which originates and terminates within the same Local Access Transport Area (LATA).

Kbps: kilobits per second, denotes thousand of bits per second.

LATA: A Local Access and Transport 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; or any other geographic area designated as a LATA in the National Exchange Carrier Association, Inc, tariff F.C.C. No. 4.

Local Access: Local Access means the connection between a Customer premises and Company Point of Presence.

Mbps: Megabits, denotes millions of bits per second.

Multi-Frequency or (MF): An intermachine pulse-type used for signaling between telephone switches or between telephone switches and PBX/Key systems using the same voice band channel used for voice.

(C)

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INTRASTATE ACCESS SERVICES

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**SECTION 1 – DEFINITIONS, (CONT'D.)**

Service Commencement Date: XO will notify the customer that the Services are installed or connected and available for use. The date of such notice shall be the "Service Commencement Date." Billing will begin on the Service Commencement Date. The parties may mutually agree upon a substitute Service Commencement Date. If Customer notifies XO in writing that it is not prepared to utilize the Services or facility after XO has notified the Customer that the requested Service or facility is ready for use, XO may begin billing the Customer on the Service Commencement Date. XO may bill the Customer for any costs it has incurred in provisioning the Services. Customer agrees to cooperate with XO to accomplish Service activation by providing reasonable access to Customer's premises and facilitating testing and Service delivery requirements and Customer agrees XO shall have reasonable access to Customer's premises to repair, maintain, or retrieve XO equipment. XO shall not be liable for any damages whatsoever resulting from delays in meeting Service delivery dates requested or specified by Customer or inability to provide Services. Customer may not cancel the Agreement if there is a delay in installation related to the Services unless such delay is solely due to XO and such delay is longer than 90 days beyond the parties agreed Service Commencement Date provided however, in no event may Customer cancel if XO has agreed to construct or is constructing Communication Facilities to provide Service to Customer.

Service Order: The written request for Network Services executed by the Customer and the Company in the format devised by the Company. The signing of a Service Order by the Customer and acceptance by the Company initiates the respective obligations of the parties as set forth therein and pursuant to this tariff, but the duration of the service is calculated from the Service Commencement Date.

Service: The Company's telecommunications access service offered on the Company's network.

Shared: A facility or equipment system or subsystem which can be used simultaneously by several Customers.

Toll VoIP-PSTN Traffic –Interexchange voice traffic that (1) is exchanged with the Company in Time Division Multiplexing ("TDM") format over Public Switched Telephone Network ("PSTN") facilities and (2) originates and/or terminates in IP format when it originates from and/or terminates to an end user of a service that requires IP-compatible customer premises equipment.

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INTRASTATE ACCESS SERVICES

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**SECTION 2 - REGULATIONS, (CONT'D.)****2.3     Obligations to the Customer, (Cont'd.)****2.3.4   Identification and Rating of Toll VoIP-PSTN Traffic****A.   Scope**

1. Toll VoIP-PSTN Traffic is a Customer's interexchange voice traffic that (1) is exchanged with the Company in Time Division Multiplexing ("TDM") format over Public Switched Telephone Network ("PSTN") facilities and (2) originates and/or terminates in Internet Protocol (IP) format. Toll VoIP-PSTN Traffic originates and/or terminates in IP format when it originates from and/or terminates to an end user of a service that requires IP-compatible customer premises equipment.
2. In the absence of an agreement between the Company and the Customer specifying the treatment of Toll VoIP-PSTN Traffic, this section governs the treatment of Toll VoIP-PSTN Traffic pursuant to the Federal Communications Commission's Part 51 Interconnection Rules and in compliance with the Federal Communications Commission's Report and Order and Further Notice of Proposed Rulemaking in CC Docket Nos. 96-45 and 01-92; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135 and 10-90; and WT Docket No. 10-08, adopted October 27, 2011 and released November 18, 2011 ("FCC 11-161")
3. This section will be applied to identify intrastate Toll VoIP-PSTN Traffic exchanged with a Customer that is a local exchange carrier only to the extent that the Customer has also implemented billing for intrastate Toll VoIP-PSTN Traffic in accordance with FCC 11-161.

**B.   Rating of Toll VoIP-PSTN Traffic**

As of December 29, 2011, all interstate Toll VoIP-PSTN Traffic and any intrastate Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Company's interstate switched access rates as provided in sections 5 and 6 of Tariff FCC No. 1.

**C.   Calculation and Application of Percent-VoIP-Usage Factor**

The Company will determine the number of intrastate Toll VoIP-PSTN Traffic minutes of use ("MOU") to which interstate switched access rates will be applied under section 2.3.4.B, above, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU exchanged between the Company and the Customer. The PVU will be derived and applied as follows:

## INTRASTATE ACCESS SERVICES

## SECTION 2 - REGULATIONS, (CONT'D.)

2.3 Obligations to the Customer, (Cont'd.)2.3.4 Identification and Rating of Toll VoIP-PSTN Traffic (Cont'd)C. Calculation and Application of Percent-VoIP-Usage Factor (Cont'd)

1. The Customer will calculate and furnish to the Company a factor (the "PVU-C") representing the percentage of the total intrastate and interstate switched access MOU that the Customer exchanges with the Company in the state, that (a) is sent to the Company and that originated in IP format; or (b) is received from the Company and terminated in IP format. This PVU-C 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. The Company will, likewise, calculate a factor (the "PVU-X") representing the percentage of the Company's total intrastate and interstate access MOU in the state that the Company originates or terminates on its network in IP format. This PVU-X 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-C and PVU-X factors to calculate a PVU factor that represents the percentage of total intrastate and interstate access MOU 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-C factor and (B) the PVU-X factor times (1.0 minus the PVU-C factor).
4. The Company will apply the PVU factor to the total intrastate access MOU exchanged with the Customer in order to determine the number of intrastate Toll VoIP-PSTN Traffic MOU.

Example 1: The PVU-C is 40% and the PVU-X is 10%. The PVU factor is equal to  $40\% + (10\% \times 60\%) = 46\%$ . The Company will bill 46% of the Customer's intrastate access MOU at the Company's tariffed interstate switched access rates.

Example 2: The PVU-C is 0% and the PVU-X is 10%. The PVU factor is equal to  $0\% + (10\% \times 100\%) = 10\%$ . The Company will bill 10% of the Customer's intrastate access MOU at the Company's tariffed interstate switched access rates.

Example 3: The PVU-C is 100%. No matter what the PVU-X factor is, the PVU is 100%. The Company will bill 100% of the Customer's intrastate access MOU at the Company's tariffed interstate switched access rates.



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INTRASTATE ACCESS SERVICES

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## SECTION 2 - REGULATIONS, (CONT'D.)

2.3 Obligations to the Customer, (Cont'd.)2.3.4 Identification and Rating of Toll VoIP-PSTN Traffic (Cont'd)C. Calculation and Application of Percent-VoIP-Usage Factor (Cont'd)

5. The Customer shall not modify its reported PIU factor to account for Toll VoIP-PSTN Traffic.
6. The Customer shall retain any call detail, work papers and information used to develop the PVU-C factor for a minimum of one year.
7. If the Customer does not furnish the Company with a PVU-C pursuant to section 2.3.4.C.1, above, the Company will utilize a PVU-C equal to zero.

D. Initial PVU factor

1. If the PVU factor cannot be implemented in the Company's billing systems by December 29, 2011, once the factor can be implemented, the Company will adjust the Customer's bills to reflect the PVU factor retroactively to December 29, 2011. In calculating the initial PVU, the Company will take the Customer-specified PVU-C into account retroactively to December 29, 2011, provided that the Customer provides the PVU-C factor to the Company no later than April 15, 2012; otherwise, the Company will set the initial PVU-C equal to zero and calculate the PVU accordingly.
2. The Company may choose to provide credits based on the PVU-C and PVU-X factors on a quarterly basis until such time as billing system modifications can be implemented.

E. PVU Factor Updates

1. The Customer may update the PVU-C factor quarterly using the method set forth in section 2.3.4.C.1, above. If the Customer chooses to submit such updates, it shall provide 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-C factor based on data for the prior three months, ending the last day of December, March, June, and September, respectively.
2. The Company may, likewise, update the PVU-X factor quarterly based on data for the prior three months.
3. The Company will use any revised PVU-C and/or PVU-X factors to calculate a revised PVU that will apply prospectively and serve as the basis for subsequent billing until superseded by a new PVU. No prorating or backbilling will be done based on the updated PVU-C or PVU-X factors.

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INTRASTATE ACCESS SERVICES

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**SECTION 2 - REGULATIONS, (CONT'D.)**

2.3 Obligations to the Customer, (Cont'd.)

2.3.4 Identification and Rating of Toll VoIP-PSTN Traffic (Cont'd)

F. PVU Factor Verification

1. Not more than twice in any year, the Company may request from the Customer an overview of the process used to determine the PVU-C factor, the call detail records, description of the method for determining how the end user originates or terminates calls in IP format, and other information used to determine the Customer's PVU-C factors furnished to the Company in order to validate the PVU-C factor supplied. The Customer shall supply the requested data and information within 30 days of the Company's request.
2. The Company may dispute the Customer's PVU-C factor based upon:
  - (a) A review of the requested data and information provided by the Customer.
  - (b) The Company's review of other market information, FCC reports on VoIP lines, such as FCC Form 477 or state level results based on FCC Local Competition Report or other relevant data.
  - (c) A change in the reported PVU-C factor by more than five percentage points from the preceding quarter.
3. If, after review of the data and information, the Customer and the Company agree upon a revised PVU-C factor, the Customer and the Company will begin using that revised PVU-C factor with the next bill period.

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INTRASTATE ACCESS SERVICES

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SECTION 2 - REGULATIONS, (CONT'D.)

2.3 Obligations to the Customer, (Cont'd.)

2.3.4 Identification and Rating of Toll VoIP-PSTN Traffic (Cont'd)

F. PVU Factor Verification (Cont'd)

4. If the dispute is unresolved, the Company may initiate an audit. The Company shall limit audits of the Customer's PVU-C factor to no more than two times per year. The Customer may request that the audit be conducted by an independent auditor. In such cases, the associated auditing expenses will be paid by the Customer.
  - (a) In the event that the Customer fails to provide adequate records to enable the Company or an independent auditor to conduct an audit verifying the Customer's PVU-C factor, the Company will bill the usage for all contested periods using the most recent undisputed PVU-C factors reported by the Customer. This PVU-C factor will remain in effect until the audit can be completed.
  - (b) The Company will adjust the Customer's PVU-C factor based on the results of the audit and implement the revised PVU-C in the next billing period or quarterly report date, whichever is first. The revised PVU-C factor will apply for the next two quarters before new factors can be submitted by the Customer.
  - (c) If the audit supports the disputed PVU-C factor submitted by the Customer, the usage for the contested periods will be adjusted to reflect such PVU-C factor.

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INTRASTATE ACCESS SERVICES

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## SECTION 2 - REGULATIONS, (CONT'D.)

2.3 Obligations to the Customer, (Cont'd.)2.3.5 Call Signaling

Depending on the signaling system used by the Customer in its network, the Customer's facilities shall transmit the following call signaling information, consistent with the requirements of 47 C.F.R. § 64.1600 et seq, as may be amended by the Federal Communications Commission, to the Company on traffic the Customer's end users originate which is handed off for termination on the Company's network.

A. Signaling System 7 (SS7) Signaling

When the Customer uses SS7 signaling, it will transmit the Calling Party Number (CPN) or, if different from the CPN, the Charge Number (CN) information in the SS7 signaling stream.

B. Multi-Frequency (MF) Signaling

When the Customer uses MF signaling, it will transmit the number of the calling party or, if different from the number of the calling party, the Charge Number (CN) information in the MF Automatic Number Identification (ANI) field.

C. Internet Protocol (IP) Signaling

When the Customer uses IP signaling, it will transmit the telephone number of the calling party or, if different from the telephone number, the billing number of the calling party.

**EXHIBIT C**  
**Transmittal**

**VIA ELECTRONIC FILING**

February 16, 2012

Public Utilities Commission of Ohio  
Attention: Docketing Division  
180 East Broad Street  
Columbus, Ohio 43215-3793

**Re: XO Communications Services, Inc, P.U.C.O. Tariff No. 3 Revisions**

To Whom It May Concern:

Please find enclosed an electronic copy of revisions to XO Communications Services, Inc. ("XO"), P.U.C.O. Tariff No. 3. This filing introduces tariff language for treatment of Toll VoIP-PSTN Traffic pursuant to the Federal Communications Commission's Part 51 Interconnection Rules and in compliance with the Federal Communications Commission's Report and Order and Further Notice of Proposed Rulemaking in CC Docket Nos. 96-45 and 01-92; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135 and 10-90; and WT Docket No. 10-208, adopted October 27, 2011 and released November 18, 2011 ("FCC 11-161"). This filing also includes the addition of tariff language to specify the call signaling information the Customer is required to transmit on traffic handed off to the Company for termination.

The following revised pages have been included with this filing:

<b>10th Revised Page 1</b>	<b>Original Page 31.1</b>
<b>2nd Revised Page 9</b>	<b>Original Page 31.2</b>
<b>1st Revised Page 10</b>	<b>Original Page 31.3</b>
<b>1st Revised Page 12</b>	<b>Original Page 31.4</b>
	<b>Original Page 31.5</b>
	<b>Original Page 31.6</b>

This tariff is being filed with an issued date of February 16, 2012 and an effective date of March 17, 2012.

If you have any questions, please contact me at 703-547-2615 or [sharon.e.adams@xo.com](mailto:sharon.e.adams@xo.com).

Sincerely,

/s/

Sharon Adams  
Senior Regulatory Analyst

Enclosures

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

**Commission of Ohio Docketing Information System on**

**2/16/2012 3:54:02 PM**

**in**

**Case No(s). 12-0663-TP-ATA**

Summary: Transcript introduces tariff language for Toll VoIP-PSTN Traffic and Call Signaling electronically filed by Sharon Adams on behalf of XO Communications Services, Inc./ Nextlink Wireless, Inc.