



March 8, 2012
Via Electronic Delivery

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

**RE: Talk America Inc. d/b/a Cavalier Telephone d/b/a PAETEC Business Services
d/b/a Cavalier Telephone and TV
Amended Revision to Ohio PUCO Tariff No. 3 (Switched Access Services)
Case No. 12-0570-TP-ATA**

Dear Ms. McCauley:

Enclosed for filing please find amended pages to the access tariff revision submitted on behalf of Talk America Inc. d/b/a Cavalier Telephone d/b/a PAETEC Business Services d/b/a Cavalier Telephone and TV in the above referenced docket number. Please substitute the enclosed pages 45.2, 45.3 and 45.4 for the pages originally submitted on February 7, 2012. This filing is dated with an effective date of March 8, 2012.

Please acknowledge receipt of this filing. Any questions you may have pertaining to this filing may be directed to me at (407) 740-3031 or via email at stomas@tminc.com.

Thank you for your assistance.

Sincerely,

/s/Sharon Thomas
Sharon Thomas
Consultant to Talk America Inc.
d/b/a Cavalier Telephone

ST/im.

copy: K. Hoagland, Talk (*Cover Letter Only*)
File: Talk OH Access
TMS: OHa1102a

CARRIER-TO-CARRIER SERVICES

SECTION 2 - RULES AND REGULATIONS *continued*

2.3 Obligations of the Customer *continued*

2.3.4 Identification and Rating of VoIP-PSTN Traffic *continued*

(N)

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

The Telephone Company will determine the number of toll VoIP traffic minutes of use (“MOU”) to which it will apply its interstate rates under subsection B., above, by applying an originating Percent VoIP Usage (“OPVU”) factor to the total intrastate access MOU originated by the customer end user in IP format and delivered to the Telephone Company and by applying a terminating Percent VoIP Usage (“TPVU”) factor to the total intrastate access MOU terminated by the Telephone Company in IP format. The OPVU and TPVU will be derived and applied as follows:

1. The customer will calculate and furnish to the Telephone Company an OPVU factor, along with supporting documentation, representing a whole number percentage based on total intrastate traffic originated by the customer’s end users in IP format and delivered to the Telephone Company in the State divided by the Telephone Company’s total terminated intrastate access MOU terminated by the customer in the State.
2. The Telephone Company will calculate and make available to the customer a TPVU factor, along with supporting documentation, representing the whole number percentage of the customer’s total terminating intrastate access MOU that the customer exchanges with the Telephone Company in the State that is sent to the Telephone Company and terminated in IP format.
3. The OPVU and supporting documentation shall be based on information that is verifiable by the Telephone Company including but not limited to 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. The customer shall not modify its reported PIU factor to account for VoIP-PSTN traffic.

(N)

CARRIER-TO-CARRIER SERVICES

SECTION 2 - RULES AND REGULATIONS *continued*

2.3 Obligations of the Customer *continued*

2.3.4 Identification and Rating of VoIP-PSTN Traffic *continued*

(N)

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

4. After the Telephone Company verifies the OPVU provided by the customer the Telephone Company will apply the OPVU factor as well as the TPVU developed by the Telephone Company to the terminating intrastate access MOU as indicated in Sections D. and/or E. below.

In the event that the Telephone Company can not verify the customer's OPVU, the Telephone Company will request additional information to support the OPVU, during this time no changes will be made to the existing OPVU. The customer shall supply the requested additional information within 15 days of the Telephone Company's request or no changes will be made to the existing OPVU. If after review of the additional information, the customer and Telephone Company establish a revised and mutually agreed upon OPVU factor, the Telephone Company will begin using the new factor with the next bill period.

If the dispute is unresolved the customer may request that verification audits be conducted by an independent auditor, at customer's sole expense. During the audit, the most recent undisputed OPVU factor will be used by the Telephone Company.

(N)

CARRIER-TO-CARRIER SERVICES

SECTION 2 - RULES AND REGULATIONS *continued*

2.3 Obligations of the Customer *continued*

2.3.4 Identification and Rating of VoIP-PSTN Traffic *continued*

(N)

D. Initial OPVU and TPVU Factor

In calculating the initial OPVU and TPVU factor(s), the Telephone Company will take the factor(s) provided by the customer and/or developed by the Telephone Company into account retroactively to January 1, 2012, provided that the factor(s) and supporting documentation are provided as specified in subsection C. above to the Telephone Company no later than 15 days after the effective date of this tariff. Within 15 days of receiving the customers OPVU factor the Telephone Company will verify and either request additional information or apply the OPVU and associated Telephone Company developed TPVU. At the same time the customer submits the OPVU factor the customer may request from the Telephone Company supporting documentation for the TPVU factor, which will be provided by the Telephone Company within 15 days of request. If the customer does not furnish the Telephone Company with a OPVU factor pursuant to the preceding subsection C., the initial OPVU factor will be zero.

E. OPVU and TPVU Factor Updates

The customer may update the OPVU factor semi-annually using the method set forth in subsection C., above. If the customer chooses to submit such updates, it shall forward to the Telephone Company, no later than 15 days after the first day of January and/or July of each year, a revised OPVU factor and supporting documentation based on data for the prior three months, ending the last day of December and/or June, respectively. If the customer submits a OPVU factor update the Telephone Company will, within 15 days of receipt of such request, provide and updated TPVU factor with supporting documentation to the customer. Within 15 days of receiving the customers revised OPVU factor the Telephone Company will verify and either request additional information or apply the OPVU and associated Telephone Company developed TPVU. Once verified by the Telephone Company the revised OPVU factor along with the revised Telephone Company developed TPVU will apply prospectively and serve as the basis for billing until superseded by a new verified factor.

(N)

Issued: February 7, 2012

Effective:

March 8, 2012

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 12-0570-TP-ATA

Summary: Amended Application Revision to Ohio PUC Tariff No. 3 (Switched Access Services) electronically filed by Ms. Iris D. Mennens on behalf of Talk America Inc.