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March 21, 2012

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Ms. Barcy F. McNeal
Secretary
Public Utility Commission of Ohio
180 East Broad Street
Columbus, Ohio 43266-0573

Re: *The Chillicothe Telephone Company*
VoIP-PSTN Tariff Filed March 12, 2012
Case No. 12-0920-TP-ATA

Dear Ms. McNeal:

On November 18, 2011, the Federal Communications Commission (“FCC”) issued a Report and Order reforming the universal service and intercarrier compensation systems on a nationwide basis (the “FCC Order”).¹ A number of local exchange carriers in Ohio have filed revisions to their intrastate switched access tariffs to reflect implementation of the FCC’s new “VoIP-PSTN” intercarrier compensation regime. The Chillicothe Telephone Company (“Chillicothe”) also filed revisions to its intrastate switched access tariff. However, Chillicothe’s tariff revisions are inadequate to enable those purchasing access services out of the tariff to understand how Chillicothe intends to implement the new FCC-ordered regime. Verizon asks the Commission to order Chillicothe to file a corrected version of its above-referenced tariff that contains the missing details.

The FCC Order establishes that, in the absence of an agreement between carriers, the current default intercarrier compensation rates for non-local VoIP-PSTN traffic will be equal to interstate access rates.² Other local exchange carriers filed tariff revisions to implement this requirement, explaining how they will identify and separate the relevant VoIP-PSTN traffic from traditional intrastate access traffic, so that such VoIP-PSTN traffic can be billed in accordance with the FCC Order. Indeed, the FCC expected and explicitly permitted carriers to incorporate terms in their intrastate tariffs to specify how VoIP-PSTN traffic would be identified for purposes of complying with the FCC’s compensation rule,³ and these terms are a key feature of

¹ *Connect America Fund*, WC Docket No. 01-90, *et al.*, Report and Order and Further Notice of Proposed Rulemaking (November 18, 2011), ¶¶ 933-975; 47 C.F.R. § 51.913(a).

² See, e.g., FCC Order at ¶ 933.

³ See FCC Order at ¶ 962-63.

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other carriers' tariffs. Many carriers' tariff revisions, for example, detail a process to develop and apply Percent VoIP Usage ("PVU") factors to identify and properly rate the relevant VoIP-PSTN traffic.

Chillicothe's tariff revisions do not contain an adequate explanation of how it will implement the FCC Order. Chillicothe's tariff repeats the FCC's requirement that intrastate VoIP-PSTN traffic will "be billed using interstate tariffed access rates."⁴ But Chillicothe does not sufficiently explain how it will identify that VoIP-PSTN traffic. It offers no clue as to how (or whether) Chillicothe will identify its own VoIP usage, or that of its access customers. Indeed, the tariff lacks any detail whatsoever on how Chillicothe intends to identify the intrastate VoIP-PSTN traffic that is subject to the FCC's new regime. This approach is inadequate to assure that VoIP-PSTN traffic will be properly identified and rated. Even if most intrastate traffic subject to the tariff is already billed at interstate rates (*see Chillicothe Tariff, § 1(C)*), not all of it is (*see id., § 2(8)(A)*). Moreover, the very purpose of the tariffing process is to establish some reasonably clear, uniform provisions for implementing the regulatory mandate, not simply to echo that mandate and suggest that customers figure it out from there. Chillicothe must explain **how** it will comply with FCC Order.

* * *

The Commission should order Chillicothe to refile a corrected tariff to ensure that it implements the VoIP-PSTN intercarrier compensation regime as the federal rules require.

Sincerely,



Barth E. Royer
Counsel for Verizon

cc: Jeff Blevins, on behalf of The Chillicothe Telephone Company
[\(jeff.blevins@horizontel.com\)](mailto:jeff.blevins@horizontel.com)

⁴ Chillicothe Tariff, § 1(B).