



April 2, 2012
Via Electronic Delivery

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

RE: **Case No. 12-903-TP-ATA**
VoIP-PSTN Application / Tariff Revision for **Access Point, Inc.**

Dear Ms. McCauley:

Enclosed for filing please find the original copy of the amended tariff pages for Ohio Tariff No. 4 (Access Services) submitted on behalf of Access Point, Inc. This supplement filing is submitted in response to the Data Request issued by staff in the above-referenced application / tariff filing.

Please acknowledge receipt of this filing via return email confirmation.

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

Sincerely,

/s/ Thomas M. Forte
Thomas M. Forte
Consultant to Access Point, Inc.

cc: Kate Stem (Email Only) - Access Point
file: Access Point - Ohio - Access
tms: OHa1201a

Enclosure
TF/mw

Access Point, Inc.

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

(N)

A. Scope

Toll VoIP-PSTN Traffic is the traffic exchanged in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. This section governs the identification of VoIP-PSTN Traffic that is required to be compensated at interstate access rates (unless the parties have agreed otherwise) by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90 et. al., FCC No. 11-161 (November 18, 2011) ("FCC Order"). Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Toll VoIP-PSTN Traffic") from the Customer's traditional intrastate access traffic, so that such Toll VoIP-PSTN Traffic can be billed in accordance with the FCC Order.

This section of the tariff does not preclude carriers from negotiating different rates, terms and conditions governing compensation for Toll VoIP-PSTN Traffic. It does not supersede rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic in existing interconnection agreements. The rates, terms and conditions governing compensation for toll VoIP-PSTN traffic in this tariff applies prospectively unless specifically stated in this tariff.

B. Rating of Toll VoIP-PSTN Traffic

The Toll VoIP-PSTN Traffic identified in accordance with this Section will be billed at rates equal to those tariffed for the Company's interstate switched access services as described in Section 3.1 of the Company's FCC access services tariff. Consistent with the FCC Order, charges are assessed by the Company for services provided by the Company and/or by any of its VoIP Provider Partner(s).

(N)

Issued: March 9, 2012

Effective: April 8, 2012

Issued By:

Manager of Tax & Regulatory Affairs
1100 Crescent Green, Suite 109
Cary, NC 27518

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Access Point, Inc.

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

(N)

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

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

1. The Customer will calculate and furnish to the Company a factor (the "PVU-A") representing the percentage of the total intrastate access MOU for traffic that the Customer exchanges with the Company in the State, that (a) is sent to the Company and that originates in IP format; or (b) is received from the Company and terminates in IP format. This PVU-A shall be based on information such as the number of the Customer's retail VoIP subscriptions in the state (e.g., as reported on FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information consistent with the FCC Order.
2. Company will, likewise, calculate a factor (the "PVU-B") representing the percentage of the Company's total intrastate access MOU for traffic in the State that the Company originates or terminates in IP format. This PVU-B shall be based on information such as the number of the Company's retail VoIP subscriptions in the state (e.g., as reported on FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information consistent with the FCC Order.
3. The Company will use the PVU-A and PVU-B factors to calculate an effective PVU factor that represents the percentage of total intrastate 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).

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

(N)

D. Initial PVU Factor

If the PVU factor is not available and/or cannot be implemented in the Company's billing systems by December 29, 2011, once the factor is available and can be implemented the Company will adjust the Customer's bills to reflect the PVU retroactively to December 29, 2011. In calculating the initial PVU, the Company will take the Customer-specified PVU-A into account retroactively to December 29, 2011, provided that the Customer provides the factor to the Company no later than within 30 days of the approval of this tariff; otherwise, it will set the initial PVU equal to the PVU-B, as specified in subsection C.5, above.

E. PVU Factor Updates

The Customer may update the PVU-A factor or the Company may update the PVU-B quarterly using the method set forth in subsection C.1 or C.2, respectively, above. If the Customer chooses to submit such updates, it shall forward to the Company, no later than 15 days after the first day of January, April, July and/or October of each year, a revised PVU-A factor based on data for the prior three months, ending the last day of December, March, June and September, respectively. The Company will use the revised PVU-A to calculate a revised PVU. The revised PVU factor will apply prospectively and serve as the basis for billing until superseded by a new PVU.

The Company may update the PVU-B factor quarterly using the method set forth in subsection C.2 above. If the Company chooses to submit such updates, it shall forward to the Customer no later than 15 days after the first day of January, April, July and/or October of each year, a revised PVU-B factor based on data for the prior three months, ending the last day of December, March, June and September, respectively. The Company will use the revised PVU-B to calculate a revised PVU. The revised PVU factor will apply prospectively and serve as the basis for billing until superseded by a new PVU.

After the new calculations are completed the Company will use the new PVU-A and PVU-B to create a new revised composite PVU factor.

(N)

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Summary: Tariff filing of amended tariff pages in reponse to Staff's Data Request.
electronically filed by Mr. Thomas M Forte on behalf of Access Point, Inc.