

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 McClure Telephone)
 Company to Revise its Intrastate Access Tariff to add VoIP-)
 PSTN Provisions)

TRF Docket No. 90-5026-TP-TRF

Case No. 12 - 1292 - **TP** - ATA

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

Name of Registrant(s) McClure Telephone Company

DBA(s) of Registrant(s) _____

Address of Registrant(s) 311 East Street, McClure, OH 43534

Company Web Address _____

Regulatory Contact Person(s) Carolyn S. Flahive Phone 614-469-3294 Fax 614-469-3361

Regulatory Contact Person's Email Address Carolyn.Flahive@ThompsonHine.com

Contact Person for Annual Report Duane Schroeder, General Manager Phone 419-748-8008

Address (if different from above) _____

Consumer Contact Information Duane Schroeder, General Manager Phone 419-748-8008

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

Carrier Type <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 1-6-14(H) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-14(H) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-14(H) (Auto 30 days)
Introduce non-recurring charge, surcharge, or fee to BLES			<input type="checkbox"/> ATA 1-6-14(H) (Auto 30 days)
Introduce or Increase Late Payment	<input type="checkbox"/> ATA 1-6-14(I) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-14(I) (Auto 30 days)	<input type="checkbox"/> ATA 1-6-14(I) (Auto 30 days)
Revisions to BLES Cap.	<input type="checkbox"/> ZTA 1-6-14(F) (0 day Notice)		
Introduce BLES or expand local service area (calling area)	<input type="checkbox"/> ZTA 1-6-14(H) (0 day Notice)	<input type="checkbox"/> ZTA 1-6-14(H) (0 day Notice)	<input type="checkbox"/> ZTA 1-6-14(H) (0 day Notice)
Notice of no obligation to construct facilities and provide BLES	<input type="checkbox"/> ZTA 1-6-27(C) (0 day Notice)	<input type="checkbox"/> ZTA 1-6-27(C) (0 day Notice)	
Change BLES Rates	<input type="checkbox"/> TRF 1-6-14(F) (0 day Notice)	<input type="checkbox"/> TRF 1-6-14(F)(4) (0 day Notice)	<input type="checkbox"/> TRF 1-6-14(G) (0 day Notice)
To obtain BLES pricing flexibility	<input type="checkbox"/> BLS 1-6-14(C)(1)(c) (Auto 30 days)		
Change in boundary	<input type="checkbox"/> ACB 1-6-32 (Auto 14 days)	<input type="checkbox"/> ACB 1-6-32 (Auto 14 days)	
Expand service operation area			<input type="checkbox"/> TRF 1-6-08(G) (0 day)
BLES withdrawal			<input type="checkbox"/> ZTA 1-6-25(B) (0 day Notice)
Other* (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"/>
Date Notice Sent:				

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	Telecommunications Service Provider Not Offering Local	CESTC	CETC
* See Supplemental form	<input type="checkbox"/> ACE 1-6-08 *(Auto 30- day)	<input type="checkbox"/> ACE 1-6-08 *(Auto 30 day)	<input type="checkbox"/> ACE 1-6-08 *(Auto 30 day)	<input type="checkbox"/> ACE 1-6-10 (Auto 30 day)	<input type="checkbox"/> UNC 1-6-09 *(Non-Auto)

*Supplemental Certification forms can be found on the Commission Web Page.

Section II – Part II – Certificate Status & Procedural

Certificate Status	ILEC	CLEC	Telecommunications Service Provider Not Offering Local
Abandon all Services		<input type="checkbox"/> ABN 1-6-26 (Auto 30 days)	<input type="checkbox"/> ABN 1-6-26 (Auto 30 days)
Change of Official Name *	<input type="checkbox"/> ACN 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> ACN 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)
Change in Ownership *	<input type="checkbox"/> ACO 1-6-29(E) (Auto 30 days)	<input type="checkbox"/> ACO 1-6-29(E) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)
Merger *	<input type="checkbox"/> AMT 1-6-29(E) (Auto 30 days)	<input type="checkbox"/> AMT 1-6-29(E) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)
Transfer a Certificate *	<input type="checkbox"/> ATC 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> ATC 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (0 day Notice)
Transaction for transfer or lease of property, plant or business *	<input type="checkbox"/> ATR 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> ATR 1-6-29(B) (Auto 30 days)	<input type="checkbox"/> CIO 1-6-29(C) (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 1-7-07 (Auto 90 day)	<input type="checkbox"/> NAG 1-7-07 (Auto 90 day)
Request for Arbitration	<input type="checkbox"/> ARB 1-7-09 (Non-Auto)	<input type="checkbox"/> ARB 1-7-09 (Non-Auto)
Introduce or change c-t-c service tariffs,	<input checked="" type="checkbox"/> ATA 1-7-14 (Auto 30 day)	<input type="checkbox"/> ATA 1-7-14 (Auto 30 day)
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC 1-7-04 or 05 (Non-Auto)	
Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights-of-Way.	<input type="checkbox"/> UNC 1-7-23(B) (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, McClure Telephone Company, 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) April 19, 2012 at (Location) McClure, Ohio

*(Signature and Title) /s/ Duane Schroeder, General Manager (Date) April 19, 2012

- *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, Carolyn S. Flahive, 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) /s/ Carolyn S. Flahive, Esq. (Date) April 19, 2012

**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
(Current Tariff Sheets – Not Applicable)

EXHIBIT B
(Proposed Tariff Sheets)

P.U.C.O. No.1

INTRASTATE
ACCESS SERVICE TARIFF
REGULATIONS, RATES AND CHARGES

(N)

Toll VoIP-PSTN Traffic

1. The term "Toll VoIP -PSTN Traffic" denotes a Customer's interexchange voice traffic exchanged with the Company in Time Division Multiplexing format over PSTN facilities, which 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 customer of a service that requires IP-compatible customer premises equipment.
2. Identification and rating of Toll VoIP-PSTN Traffic
 - 2.1 Scope
 - A. This section governs the identification of Toll 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, etc., FCC Release No. 11-161 (November 18, 2011)("FCC Order").
 - B. This section establishes the method of separating Toll VoIP-PSTN Traffic from the customer's traditional intrastate access traffic, so that Toll VoIP-PSTN Traffic can be billed in accordance with the FCC Order.
 - C. This section of the tariff does not preclude customers from negotiating different rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic.
 - D. This tariff does not supersede rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic in existing interconnection agreements. Rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic in this tariff apply prospectively.

(N)

P.U.C.O. No.1

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(N)

2.2 Rates

Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Telephone Company's applicable tariffed interstate switched access rate as specified in the National Exchange Carrier Association Tariff F.C.C. No.5, or the interstate switched access tariff in which the Company concurs.

2.3 Calculation and Application of Percent-VoIP-Usage Factors

- A. The Company will determine the number of Toll VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under 2.2 preceding, by applying the Percent VoIP Usage ("PVU") factor to the total intrastate access MOU originated by the Customer's end user in IP format and delivered to the Company end user and terminated by the Company in IP format.
- B. The Company will calculate and make available to the Customer a Percent VoIP Usage ("PVU-T") factor representing the whole number percentage of the Company's total intrastate access MOU that the customer exchanges with the Company in the state that is terminated in IP format and that would be billed by the Company as intrastate access MOU.
- C. The customer will calculate and furnish to the Company a Percent VoIP Usage-Customer ("PVU-C") factor representing the whole number percentage of the customer's total intrastate access MOU that the customer exchanges with the Company in the state that is sent to the Company and which originated in IP format and that would be billed by the Company as intrastate access MOU.

(N)

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(N)

2.3 Calculation and Application of Percent-VoIP-Usage Factors (cont')

- D. The Company will use the PVU-C and PVU-T factors to calculate a PVU factor that represents the percentage of total intrastate access MOU exchanged between the Company and the customer that is originated in IP format by the customer and/or terminated by the Company in IP format.
- E. The Company will apply the PVU factors to the intrastate access MOU exchanged with the customer to determine the number of Toll VoIP-PSTN MOU.

Example 1: The PVU calculation is applied to the customer's intrastate MOU.

$$PVU = PVU-C + (PVU-T \times (1 - PVU-C))$$

The customer reported that their PVU-C as 15%. The Company's PVU-T is 6%. This results in the following:

$$PVU = 15\% \text{ plus } (6\% \text{ times } (1 - 15\%)) = 20\%$$

This means that 20% of the Customer's terminating Intrastate MOU will be rated at Interstate rates.

- F. The customer shall not modify their reported PIU factor to account for Toll VoIP-PSTN traffic.

(N)

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(N)

2.3 Calculation and Application of Percent-VoIP-Usage Factors (cont')

- G. The customer provided 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 which will be provided to Company upon request.
- H. The customer shall retain the call detail, work papers and information used to develop the PVU-C factors for a minimum of one year.
- I. If the customer does not furnish the Company with a PVU-C factor, the Company will utilize a PVU-C of 0% and the PVU will be equal to the Telephone Company's PVU-T.

2.4 Initial Implementation of PVU Factors

- A. 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 factors retroactively to January 1, 2012, if the PVU-C factors are provided by the customer to the Company no later than April 15, 2012.
- B. The Company shall provide credits based on the reported PVU-C factors on a quarterly basis until such time as the billing system modifications can be implemented.

(N)

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(N)

2.5 PVU Factor Updates

- A. The customer and the Company may update the PVU-C factors quarterly using the method set forth in 2.3(B) and (C) preceding. If the customer chooses to submit such updates, it shall forward to the Company, no later than 15 days after the first of January, April, July and/or October of each year, revised PVU-C factors based on data for the prior three months, ending the last day of December, March, June and September, respectively.
- B. The revised PVU-C factors will serve as the basis for future billing and will be effective on the next bill date, and shall serve as the basis for subsequent monthly billing until superseded by new PVU-C factors.
- C. No prorating or backbilling will be done based on the updated PVU-C factors.
- D. If the customer does not supply the revised reports, the Company will assume the PVU-C percentages to be the same as those provided in the last quarterly report. For those cases in which a quarterly report or an initial PVU-C has never been received from the customer, the Company will assume the PVU-C percentages to be 0% as set forth in 2.3(I) above.
- E. At such time that the Company offers VoIP service, the Company's PVU-T factor may be updated in the same manner as set forth above for customers.

2.6 PVU Factor Verification

- A. Not more than twice in any year, the Company may request from the customer an overview of the process used to determine the PVUC factors, 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 factors supplied. The customer shall comply, and shall reasonably supply the requested data and information within 15 days of the Company's request.

(N)

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(N)

2.6 PVU Factor Verification (Cont'd)

- B. The Company may dispute the customer's PVU-C factor based upon:
1. A review of the requested data and information provided by the customer.
 2. The Company's reasonable 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.
 3. A change in the reported PVU-C factor by more than five percentage points from the preceding quarter.
- C. If after review of the data and information, the customer and the Company establishes revised PVU-C factors, the customer and the Company will begin using those revised PVU-C factors with the next bill period.
- D. 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 twice 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.
1. 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 factors, the Telephone Company will bill the usage for all contested periods using the most recent undisputed PVU-C factors reported by the customer. These PVU-C factors will remain in effect until the audit can be completed.
 2. During the audit, the undisputed PVU-C factors from the previous reporting period will be used by the Company.

(N)

Issued: April 19, 2012

Effective: May 21, 2012

In Accordance with Case No. 12-1292-TP-ATA
Issued by the Public Utilities Commission of Ohio
Lance Miller, President
McClure, Ohio

P.U.C.O. No.1

INTRASTATE
ACCESS SERVICE TARIFF
REGULATIONS, RATES AND CHARGES

2.6 PVU Factor Verification (Cont'd)

3. 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.
4. If the audit supports the customer's PVU-C factors, the usage for the contested periods will be adjusted to reflect the customer's audited PVU-C factors.
5. If as a result of the audit, the customer is found to have over-stated its PVU-C factor by 20 percentage points or more, the Company shall require reimbursement from the customer for the cost of such audit. Such bills shall be due and paid in immediately available funds within 30 days from receipt and shall carry a late payment penalty as set forth in the Company's Intrastate Tariff if not paid within the 30 days.

(N)

(N)

EXHIBIT C

The Applicant proposes to modify its Intrastate Access Service Tariff to add VoIP-PSTN provisions in accordance with the Federal Communications Commission's Report and Order and Further Notice of Proposed Rulemaking, WC Docket Nos. 10-90, et al., FCC No. 11-161 (Released Nov. 18, 2011) with respect to intercarrier compensation.

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in

Case No(s). 12-1292-TP-ATA, 90-5026-TP-TRF

Summary: Application to Revise Intrastate Access Tariff