



April 24, 2012
Via Electronic Delivery

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

**RE: Bandwidth.com CLEC, LLC PUCO
Amended Revision to PUCO Tariff No. 3 (Intrastate Access Services)
Case No. 12-0918-TP-ATA / - TRF # 90-9338**

Dear Ms. McCauley:

Enclosed for filing please find the final tariff filing submitted on behalf of Bandwidth.com CLEC, LLC. in the above referenced Case Number. This filing is dated with an effective date of April 24, 2012.

Please acknowledge receipt of this filing. Any questions you may have regarding this filing should be directed to my attention at 407-740-3031 or via email to stthomas@tminc.com. Thank you for your assistance in this matter.

Sincerely,

/s/Sharon Thomas

Sharon Thomas

Consultant to Bandwidth.com CLEC, LLC

cc: Robbin Russell, Ohio PUC
Lisa Jill Freeman, Bandwidth
file: Bandwidth.com CLEC - Ohio - Access
tms: OHa1201c

Enclosures
ST/im

INTRASTATE ACCESS SERVICES

CHECKSHEET

PAGE	REVISION	PAGE	REVISION	PAGE	REVISION
1	Original	27	Original	53	Original
2	1 st Revised	28	Original	54	Original
3	1 st Revised	29	1 st Revised	55	1 st Revised
4	2 nd Revised *	30	Original	56	Original
5	Original	31	2 nd Revised *	57	Original
6	Original	32	1 st Revised	58	Original
7	Original	33	Original	59	Original
8	1 st Revised	34	Original	60	1 st Revised
9	2 nd Revised *	35	Original	61	Original
10	1 st Revised	36	1 st Revised	62	Original
11	2 nd Revised *	36.1	Original	63	Original
12	Original	36.2	Original	64	Original
13	1 st Revised	36.3	Original	65	Original
14	Original	36.4	Original	66	Original
15	Original	36.5	Original	67	Original
16	Original	37	1 st Revised	68	Original
17	Original	38	1 st Revised	69	Original
18	Original	39	1 st Revised	70	Original
19	Original	40	1 st Revised	71	Original
20	1 st Revised	41	1 st Revised	72	Original
21	Original	42	1 st Revised	73	Original
22	Original	43	1 st Revised	74	1 st Revised
23	Original	44	1 st Revised	75	1 st Revised
24	Original	45	1 st Revised	76	1 st Revised
25	Original	46	1 st Revised	77	1 st Revised
26	Original	47	1 st Revised	78	Original
26.1	Original *	48	1 st Revised	79	Original
26.2	Original *	49	1 st Revised	80	Original
26.3	Original *	50	1 st Revised		
26.4	Original *	51	1 st Revised		
		52	1 st Revised		

* - indicates those pages included with this filing

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By: Lisa Jill Freeman, Vice President
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INTRASTATE ACCESS SERVICES

SECTION 1 – DEFINITIONS, (CONT'D.)

CUSTOMER - The person, firm, corporation or other entity that orders Service and is responsible for the payment of charges and for compliance with the Company's tariff regulations. The Customer could be an End User, interexchange carrier, a wireless provider, other telecommunications carriers or providers originating or terminating VoIP-PSTN Access Traffic or any other carrier authorized to operate.

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CUSTOMER DESIGNATED PREMISES - The premises specified by the Customer for termination of Access Services.

DUAL TONE MULTIFREQUENCY (DTMF) - Tone signaling, also known as touch tone signaling.

END OFFICE SWITCH - A Company switching system where exchange service customer station loops are terminated for purposes of interconnection to each other and to trunks.

END USER - Any individual, association, corporation, governmental agency or any other entity subscribing to intrastate service provided by an Exchange Carrier where such individual, association, corporation, governmental agency or other entity is not a Customer, as defined in this tariff, utilizing the Company's services to provide telecommunications service (as defined by applicable law) to its own customers.

ENTRY SWITCH - First point of switching.

EXCHANGE - A group of lines in a unit generally smaller than a LATA established by the Company for the administration of communications service in a specified area. An Exchange may consist of one or more central offices together with the associated facilities used in furnishing communications service within that area.

EXCHANGE CARRIER – Any individual, partnership, association, joint-stock company, trust, governmental entity or corporation engaged in the provision of local exchange telephone service.

FACILITIES - Denotes any cable, poles, conduit, carrier equipment, wire center distribution frames, central office switching equipment, etc., utilized to provide the service offered under this tariff.

FIRST POINT OF SWITCHING - The first Company location at which switching occurs on the terminating path of a call proceeding from the Customer premises to the terminating end office and, at the same time, the last Company location at which switching occurs on the originating path of a call proceeding from the originating end office to the Customer premises.

INTRASTATE ACCESS SERVICES

SECTION 1 – DEFINITIONS, (CONT'D.)

SPECIAL ACCESS CIRCUIT - The physical pathway for transmission of information between a dedicated originating point and a dedicated terminating point.

TDM: Time Division Multiplexing – a method of transmitting and receiving voice signals over the Public Switched Telephone Network (PSTN). (N)
(N)

TERMINATING DIRECTION - The use of Switched Access Service for the completion of calls from a carrier's premises to an End User premises.

TOLL FREE 8YY DATA BASE ACCESS SERVICE - The term "Toll Free 8YY Data Base Access Service" denotes a toll-free originating Trunk side Access Service when the 8YY Service Access Code (i.e., 800, 822, 833, 844, 855, 866, 877, or 888 as available) is used.

TRANSMISSION PATH - An electrical path capable of transmitting signals within the range of the service offering. A transmission path is comprised of physical or derived facilities consisting of any form or configuration of plant used in the telecommunications industry.

TRUNK - A communications path connecting two switching systems in a network, used in the establishment of an end-to-end connection.

TRUNK GROUP - A set of trunks which are traffic engineered as a unit for the establishment of connections between switching systems in which all of the communications paths are interchangeable.

VOIP-PSTN ACCESS TRAFFIC - VoIP-PSTN Access Traffic is the access traffic exchanged between the Company and the Customer in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. Traffic originates and/or terminates in IP format if it originates from and/or terminates to an end user customer of a service that requires Internet protocol compatible customer premises equipment. (N)
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(N)

VoIP - Voice over Internet Protocol. Transmission of communication by aid of wire, cable, radio, or other like connection using Voice Over Internet Protocol that is originated or terminated in Internet Protocol (IP) format. VoIP services are those services that require the use of IP compatible customer premises equipment. (N)
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(N)

WIRE CENTER - A physical location in which one or more central offices, used for the provision of exchange services, are located.

INTRASTATE ACCESS SERVICES

SECTION 2 – RULES AND REGULATIONS, (CONT'D.)

2.9 OBLIGATIONS OF THE CUSTOMER, (CONT'D.)

2.9.8 Identification and Rating of VoIP-PSTN Access Traffic

(N)

A. Scope

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 "VoIP-PSTN Access Traffic") from the Customer's traditional intrastate access traffic, so that such VoIP-PSTN Access Traffic can be billed in accordance with the FCC Order.

This section of the tariff does not preclude the parties from negotiating different rates, terms and conditions governing reciprocal compensation for toll VoIP-PSTN traffic.

This tariff does not supersede rates, terms and conditions governing reciprocal compensation for toll VoIP-PSTN traffic existing interconnection agreements.

Rates, terms and conditions governing reciprocal compensation for toll VoIP-PSTN traffic in this tariff apply prospectively.

B. Rating of VoIP-PSTN Access Traffic

The VoIP-PSTN Access Traffic identified in accordance with this tariff section will be billed at rates equal to the Company's applicable tariffed interstate switched access rates and as listed in the Ameritech Operating Companies Tariff F.C.C. No. 2 and Cincinnati Bell Telephone Tariff FCC No. 35.

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INTRASTATE ACCESS SERVICES

SECTION 2 – RULES AND REGULATIONS, (CONT'D.)

2.9 OBLIGATIONS OF THE CUSTOMER, (CONT'D.)

2.9.8 Identification and Rating of VoIP-PSTN Access Traffic (Cont'd.)

(N)

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

The Company will determine the number of VoIP-PSTN Access 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 whole number percentage of the total access MOU that the Customer exchanges with the Company in the State, that is sent to the Company and that originates 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.
2. Company will, likewise, calculate a factor (the "PVU-B") representing the percentage of the Customer's total access MOU in the State that the Company 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.

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SECTION 2 – RULES AND REGULATIONS, (CONT'D.)

2.9 OBLIGATIONS OF THE CUSTOMER, (CONT'D.)

2.9.8 Identification and Rating of VoIP-PSTN Access Traffic (Cont'd.)

(N)

C. Calculation and Application of Percent-VoIP-PSTN Usage Factor (Cont'd.)

3. The Company will use the PVU-A and PVU-B factors to calculate an effective PVU factor that represents the percentage of total access MOU exchanged between the Company and the Customer that is originated by the Customer and/or terminated by the Company in IP format. 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).
4. The Company will apply the effective PVU factor to the total intrastate access MOU exchanged with the Customer to determine the number of VoIP-PSTN Access Traffic MOUs.

Example 1: The PVU-A is 40% and the PVU-B is 10%. The effective PVU factor is equal to $40\% + (10\% \times 60\%) = 46\%$. The Company will bill 46% of the Customer's intrastate access MOU in accordance with the Company's applicable interstate switched access tariff.

Example 2: The PVU-A is 0% and the PVU-B is 10%. The effective PVU factor is $0\% + (10\% \times 100\%) = 10\%$. The Company will bill 10% of the Customer's intrastate access MOU in accordance with the Company's applicable interstate switched access tariff.

Example 3: The PVU-B is 100%. No matter what the PVU-A factor is, the effective PVU is 100%. The Company will bill 100% of the Customer's intrastate access MOU in accordance with the Company's applicable interstate switched access tariff.

5. If the Customer does not furnish the Company with a PVU-A pursuant to the preceding paragraph 1, the Company will utilize an effective PVU equal to the PVU-B.
6. The Customer shall not modify their reported PIU factor to account for VoIP-PSTN Traffic.

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INTRASTATE ACCESS SERVICES

SECTION 2 – RULES AND REGULATIONS, (CONT'D.)

2.9 OBLIGATIONS OF THE CUSTOMER, (CONT'D.)

2.9.8 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 effective 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 30 days from the effective date of this tariff; otherwise, it will set the initial effective 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 effective PVU. The revised effective PVU factor will apply prospectively and serve as the basis for billing until superseded by a new effective PVU.

F. PVU Factor Verification

Not more than twice in any year, the Company may ask the Customer to verify the PVU-A factor furnished to the Company and Customer may ask the Company to verify the PVU-B factor and the calculation of the effective PVU factor. The Party requesting the verification will bear the expense. The party so requested shall comply, and shall reasonably provide the records and other information used to determine the respective PVU-A and PVU-B factors. The Customer shall retain the call detail, work papers, and/or other information used to develop the PVU factor for a minimum of one year. No prorating or back billing will be done based on updated PVU factors.

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INTRASTATE ACCESS SERVICES

SECTION 3 – SWITCHED ACCESS SERVICE

3.1 GENERAL

Switched Access Service involves the use of common terminating, switching and transport facilities. Switched Access Service provides the ability to originate or terminate calls between an End User's Premises or other user of the Company's services and a Customer's Premises.

Rates and charges are set forth in Section 9. The application of rates for Switched Access Service is described in Section 3.5. A Customer may order service either by (1) submitting an Access Service Request, as specified in the industry Access Service Order Guidelines, or (2) routing access traffic to the Company, or accepting access traffic from the Company. Where the Customer orders service via option (2), the Company may use information provided to the Company by the tandem provider or any other providers in the call stream to bill the Customer for the services provided.

3.1.1 The Company will assess and collect switched access rate elements under this tariff for access services, regardless of whether the Company itself delivers such traffic to the called party's premises or delivers the call to the called party's premises via contractual or other arrangements with an affiliated or unaffiliated provider of retail VoIP services that does not itself seek to collect switched access charges for the same traffic. The Company will not charge for functions not performed by the Company, its affiliated or unaffiliated provider of retail VoIP services. For purposes of this provision, functions provided by the Company as part of transmitting telecommunications between designated points using, in whole or in part, technology other than TDM transmission in a manner that is comparable to a service offered by a local exchange carrier constitutes the functional equivalent of carrier access service.

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3.2 PROVISION AND DESCRIPTION OF SWITCHED ACCESS SERVICE ARRANGEMENTS

3.2.1 Feature Group Access

Feature Group ("FG") Access provides trunk-side access to End Office Switches, for the Customer's use in originating and terminating communications. Basic FG Access service will be provided with Multi-Frequency In-Band Signaling (SS7 is also available, where capabilities exist). All traffic is routed to and from the Company's End Office Switch via the Customer's tandem provider or via end office trunking, where available.

3.2.2 Manner of Provision

Trunks used for Switched Access Service may be configured for one-way (either originating only or terminating only) or for two-way directionality.

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Summary: Tariff - Final Tariff Pages electronically filed by Ms. Iris D. Mennens on behalf of
Bandwidth.com CLEC, LLC