April 25, 2012

Public Utilities Commission of Ohio Attention: Docketing Division 180 East Broad Street Columbus, OH 43215-3793

# RE: Armstrong Telecommunications, Inc., 12-0948-TP-ATA

Dear Docketing Division:

On behalf of Armstrong Telecommunications, Inc. (ATI), enclosed are final revised pages to its Ohio P.U.C.O. Tariff No. 3 for the above Case Number.

The following tariff pages are included:

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2	28.1	Original
2	28.2	Original
2	28.3	Original
2	29	First
9	83	Original
9	84	Original

If there are any questions, I can be reached at 704.782.7738 or 704.699.9451 (cell).

Sincerely,

/s/ Jerry Weikle

Jerry Weikle Consultant to Armstrong Telecommunications, Inc.

cc: James D. Mitchell

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#### ISSUED: March 14, 2012

Effective: April 14, 2012

(N)

Issued under authority of the Public Utilities Commission of Ohio in Case No. 06-417-TP-ACE.

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32	Original	58	Original	82	1st	
33	Original	59	Original	83	Original *	
34	1st	60	Original	84	Original *	
35	1st	61	Original			
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ISSUED: March 14, 2012

Effective: April 14, 2012

Issued under authority of the Public Utilities Commission of Ohio in Case No. 06-417-TP-ACE.

### 2.9 OBLIGATIONS OF THE CUSTOMER (CONT'D)

2.9.7 Mixed Interstate and Intrastate Access Service (CONT'D)

When mixed interstate and intrastate Access Service is provided, all charges, including nonrecurring charges, usage charges, and optional features, will be prorated between interstate and intrastate. The percentage provided in the reports as set forth in 2.9.7 will serve as the basis for prorating the charges. The percentage of an Access Service to be charged as intrastate is applied in the following manner:

- a. For nonrecurring chargeable rate elements, multiply the percent intrastate use times the quantity of chargeable elements times the state tariff rate per element.
- b. For usage sensitive chargeable rate elements, multiply the percent intrastate use times actual use (measure or Company assumed average use) times the stated rate.

#### 2.9.8 Identification and Rating of Toll VoIP-PSTN Traffic

(A) <u>Scope</u>

This section governs the identification and billing of Toll VoIP-PSTN Traffic, unless the parties have agreed otherwise, pursuant to the Federal Communications Commission Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (November 18, 2011) ("FCC November 18<sup>th</sup> Order"). This section of the tariff does not preclude carriers from negotiating different rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic. 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, as of December 29, 2011.

(1) For purposes of this tariff section, "VoIP-PSTN Traffic" is defined, consistent with 47 C.F.R. § 51.701 (b)(3), as interexchange (access) telecommunications traffic exchanged between Telephone Company and another telecommunications carrier in Time Division Multiplexing ("TDM") format that originates and/or terminates in IP format and that otherwise meets the definitions in 47 C.F.R. § 51.701 (b)(1) or (b)(2). Telecommunications 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. The Telephone Company does not originate or terminate traffic in IP format.

ISSUED: March 14, 2012

EFFECTIVE: April 14, 2012

Issued under authority of the Public Utilities Commission of Ohio in Case No. 06-417-TP-ACE. Dru A. Sedwick, Secretary Armstrong Telecommunications, Inc. One Armstrong Place Butler, Pennsylvania 16001 (N)

## 2.9 OBLIGATIONS OF THE CUSTOMER (CONT'D)

- 2.9.8 Identification and Rating of Toll VoIP-PSTN Traffic (CONT'D)
  - (B) Interstate Rates Apply

(1) Intrastate, interexchange 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 Section 17.2 of the Telephone Company's Tariff F.C.C. No. 1.

(2) The application of originating interstate access rates to Toll VoIP-PSTN traffic is the subject of reconsideration by the FCC and, in the event that the FCC modifies its November 18, 2011 Order to exclude originating traffic, these charges for originating Toll VoIP-PSTN traffic will be subject to billing and recoupment by the Telephone Company consistent with any FCC order on reconsideration.

(C) <u>Calculation and Application of Percent-VoIP-Usage Factors</u> The intrastate Toll VoIP-PSTN traffic minutes of use ("MOU") to which interstate rates will be applied under this section will be determined by the Telephone Company by calculating a Percent VoIP Usage ("PVU") factor to be applied to the total intrastate access MOU exchanged between the Company and the Customer, as follows:

(1) The Customer will calculate and furnish to the Telephone Company a factor (the "PVU-C") representing the percentage of the total intrastate access MOU that the Customer exchanges with the Telephone Company in Ohio that originated from an end-user customer using a service that requires Internet protocol-compatible customer premises equipment or that the Customer receives from the Telephone Company in Ohio and that is terminated by the Customer to an end-user customer using a service that requires Internet protocol-compatible premises equipment.

(2) The Company will calculate a factor (the "PVU-T") representing the percentage of the Company's total intrastate access MOU that the Company exchanges with the Customer in Ohio that originated from an end-user customer using a service that requires Internet protocol-compatible customer premises equipment or that the Customer receives from the Telephone Company in Ohio and that is terminated by the Customer to an end-user customer using a service that requires Internet protocol-compatible premises equipment.

## ISSUED: March 14, 2012

EFFECTIVE: April 14, 2012

Issued under authority of the Public Utilities Commission of Ohio in Case No. 06-417-TP-ACE.

Dru A. Sedwick, Secretary Armstrong Telecommunications, Inc. One Armstrong Place Butler, Pennsylvania 16001 (N)

## 2.9 OBLIGATIONS OF THE CUSTOMER (CONT'D)

- 2.9.8 Identification and Rating of Toll VoIP-PSTN Traffic (CONT'D)
  - (C) <u>Calculation and Application of Percent-VolP-Usage Factors (CONT'D)</u>

(3) The Company will use the PVU-C and the PVU-T 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-C factor and (B) the PVU-T factor times (1.0 minus the PVU-C factor). The Company will apply the effective PVU factor to the total originating and/or terminating intrastate access MOU exchanged with the Customer to determine the number of Toll VoIP-PSTN traffic MOUs.

(4) The Customer shall not modify its reported PIU factor to account for VoIP-PSTN traffic.

(5) The PVU information and supporting documentation supplied by the Customer shall be based on information that is independently verifiable by the Telephone Company, including but not limited to the number of the Customer's or an underlying service provider'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 Telephone Company may reject unverified or unverifiable assertions that the traffic is VoIP-PSTN Traffic.

(6) The Customer shall retain the call detail, work papers and information used to develop the PVU factors for a minimum of one year.

(7) If the Customer does not furnish the Telephone Company with a PVU-C factor, along with the relevant and verifiable supporting documentation described above, the Telephone Company will utilize a PVU factor equal to the Company's PVU-T.

(N)

ISSUED: March 14, 2012

EFFECTIVE: April 14, 2012

Issued under authority of the Public Utilities Commission of Ohio in Case No. 06-417-TP-ACE.

Dru A. Sedwick, Secretary Armstrong Telecommunications, Inc. One Armstrong Place Butler, Pennsylvania 16001

# 2.9 OBLIGATIONS OF THE CUSTOMER (CONT'D)

- 2.9.8 Identification and Rating of Toll VoIP-PSTN Traffic (CONT'D)
  - (C) <u>Calculation and Application of Percent-VoIP-Usage Factors (CONT'D)</u>

(8) In the event that the Customer fails to provide satisfactory demonstration of the PVU factors consistent with this tariff, the Telephone Company shall bill and the Customer shall pay intrastate access rates until such time as the Customer complies with the tariff and provides satisfactory information. In the event that the Customer provides satisfactory information subsequently, the interstate access rates shall apply prospectively as of the next billing period and retroactively back to the date upon which the dispute of the Customer's demonstration of the PVU factors commenced. In the event of a dispute, the Customer shall pay the Telephone Company's intrastate access rates pending the resolution of such dispute, subject to refund by the Telephone Company.

(D) Initial Implementation of PVU Factors

(1) The Telephone Company will apply PVU factors on the next bill date provided that the PVU factors and the relevant and verifiable supporting documentation described above are provided to the Telephone Company no later than one month after the effective date of this tariff. Factors that are received less than 15 days before the next bill date, will be applied on the bill date following the next bill date.

(2) The Telephone Company will provide credits based on the PVU factors on a quarterly basis until such time as the billing system modifications can be implemented.

(E) <u>PVU Factor Updates</u>

The Customer may update the PVU factors quarterly using the method and reporting requirements forth in (C)(1), (2), (3) and (4) preceding. If the Customer chooses to submit such updates, it shall forward to the Telephone Company, no later than 15 days after the first of January, April, July and/or October of each year, revised PVU factors based on data for the prior three months, ending the last day of December, March, June and September, respectively. The revised PVU factors will serve as the basis for future

ISSUED: March 14, 2012

EFFECTIVE: April 14, 2012

Issued under authority of the Public Utilities Commission of Ohio in Case No. 06-417-TP-ACE.

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# 2.9 OBLIGATIONS OF THE CUSTOMER (CONT'D)

- 2.9.8 Identification and Rating of Toll VoIP-PSTN Traffic (CONT'D)
  - (E) <u>PVU Factor Updates</u> (CONT'D) 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 factors. No prorating or back billing will be undertaken based on the updated PVU factors.
  - (F) <u>PVU Factor Verification</u>

(1) Not more than two times in any year, the Telephone Company may request from the Customer a description of the process used to determine the PVU 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 factors furnished to the Telephone Company in order to validate the PVU factors supplied. The Customer shall comply, and shall reasonably supply the requested data and information within 15 days of the Telephone Company's request.

(2) Not more than two times in any year, the Customer may request from the Telephone Company a description of the process used to determine the PVU 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 Telephone Company's PVU factors furnished to the Customer in order to validate the PVU factors supplied. The Telephone Company shall comply, and shall reasonably supply the requested data and information within 15 days of the Customer's request.

(G) <u>PVU Factor Implementation</u>

If a PVU factor calculated and submitted in accordance with the terms of this tariff is provided by the Customer, but cannot be implemented in the Telephone Company's billing systems upon the effective date of this tariff provision, the Telephone Company will adjust the Customer's bills to reflect the PVU retroactively to the effective date of this tariff provision.

(N)

(N)

## 2.10 DETERMINATION OF MILEAGE

Service for which rates are mileage sensitive are rated on the airline distance between the Company's switch location and Customer-designated premises or the end office of the Customer-designated premises.

ISSUED: March 14, 2012

EFFECTIVE: April 14, 2012

Issued under authority of the Public Utilities Commission of Ohio in Case No. 06-417-TP-ACE.

	SECTION 9 - RATES AND CHARGES (CONT'D)					
9.5	6 ACCE	ACCESS SERVICE – The Nova Telephone Company Territory Rates				
	9.5.1	Carrier Common Line	Per Access Minute			
		Originating Terminating	*			
	9.5.2	Local Switching	Per Access Minute			
		Originating Terminating	**			
	9.5.3	Information Surcharge	Per Access Minute			
		Originating Terminating	**			
	9.5.4	Switched Transport	<u>Non-Recurring</u> Montl Recu			
		(A) <u>Entrance Facility</u> Per Point of Termination				
		<ol> <li>Voice Grade 2-Wire</li> <li>Voice Grade 4-Wire</li> <li>High Capacity DS1</li> <li>High Capacity DS3</li> </ol>	** ** ** ** ** ** ** **			
		(B) <u>Direct-Trunked Transport Termination</u> Per Termination	<u>on</u>			
		<ul> <li>(1) Voice Grade</li> <li>(2) High Capacity DS1</li> <li>(3) High Capacity DS3</li> </ul>	**			
*		g charges The Nova Telephone Company Tariff P.U.C.O. No. 1, Section 2 rates ap		hone		
**		g charges The Nova Telephone Company Tariff P.U.C.O. No. 1, Section 1 rates ap		hone   (N)		
ISS	SUED: Mar	rch 14, 2012	Effective: April 14, 2012			

Issued under authority of the Public Utilities Commission of Ohio in Case No. 06-417-TP-ACE.

	SECTION 9 - RATES AND CHARGES (CONT'D)					(N)
9.5	5 ACCESS SERVICE - The Nova Telephone Company Territory Rates (CONT'D)					
	9.5.4	<u>Switched</u>	<u>d Transport</u> (CONT'D)			
		(C) <u>Direc</u> Per M	<u>ct-Trunked Transport Facility</u> Mile	Non-Recurring	Monthly <u>Recurring</u>	
		(1) (2) (3)	Voice Grade High Capacity DS1 High Capacity DS3		* * *	
		(D) <u>Tanc</u>	lem-Switched Transport			
		(1)	Tandem-Switched Facility Per Access Minute Per Mile		*	
		(2)	Tandem-Switched Termination Per Access Minute Per Terminatior	۱	*	
		(3)	Tandem-Switching Per Access Minute		*	
	(E) <u>Multiplexing</u>					
			to DS1 to Voice	*	*	
9.5.8 Toll Free Data Base Access Service						
		Toll F	Free Access Query, Per Query *			
*			The Nova Telephone Company rates I.C.O. No. 1, Section 1 rates apply.	for this element. The	Nova Telephone	(N)

ISSUED: March 14, 2012

Effective: April 14, 2012

Issued under authority of the Public Utilities Commission of Ohio in Case No. 06-417-TP-ACE.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/25/2012 11:43:40 AM

in

Case No(s). 12-0948-TP-ATA

Summary: Tariff Revised Tariff Pages - Final Version electronically filed by Mr. Jerry Weikle on behalf of Armstrong Telecommunications, Inc.