



525 JUNCTION RD.
Madison, WI 53717

May 3, 2012

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Ms. Betty McCauley
Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

RE: Little Miami Communications Corporation (Butler), Case No. 12-0953-TP-ATA: Application to add provisions for Toll VoIP-PSTN Traffic

Dear Ms. McCauley:

Per the Public Utility Commission of Ohio's email dated May 3, 2012 final tariff pages are being submitted for the above application.

The TRF Number for Little Miami Communications Corporation is 90-5025-TP-TRF.

Thank you for your assistance. If you have any questions, please do not hesitate to call.

Regards,

/s/ Karen J. Fehrman
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Enclosure

INTRASTATE ACCESS SERVICE TARIFF
P.U.C.O. NO. 1

ACCESS SERVICE

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NOTE: Future revisions to these original tariff pages shall include an updated Check Sheet. Such Check Sheet shall include an (*) beside the applicable page number and the caption "Revision".

ISSUED: March 26, 2012

EFFECTIVE: April 26, 2012

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ACCESS SERVICE

REGULATIONS, RATES AND CHARGES

The Butlerville exchange of Little Miami Communications Corporation hereby adopts for Intrastate Access Service the Tariffs filed with the Federal Communications Commission by the National Exchange Carrier Association set forth below as they now exist and as they may be subsequently modified. The effectiveness of Section 4, End User Charges, as applied to intrastate customers, has been suspended by the Public Utilities Commission of Ohio.

Tariff F.C.C. No. 5

- | | | |
|-----------|---|-----|
| Section 1 | Application of Tariff | |
| Section 2 | General Regulations | |
| | a) Except Intrastate 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 rates as specified in the Telephone Company's applicable federal access tariff. | (N) |
| | b) Except: Definitions related to Toll VoIP PSTN Traffic as specified in this section. | (N) |
| Section 3 | Not adopted. | |
| Section 4 | End User Charges (not adopted) | |
| Section 5 | Ordering Options for Switched and Special Access Service | |
| Section 6 | Switched Access Service | |
| | a) Except: Call Signaling related to Toll VoIP-PSTN Traffic as noted in this section. | (N) |
| | b) Except that local switched access rates applied to the intrastate jurisdiction shall remain at the levels existing on December 31, 1997. | (N) |
| Section 7 | Special Access Service | (T) |

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IDENTIFICATION AND RATING OF TOLL VoIP - PSTN TRAFFIC

(N)

(1) Scope

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) as mandated by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 on November 18, 2011 ("FCC Order"). Specifically, this section establishes the method of separating Toll VoIP-PSTN Traffic from the customer's traditional intrastate access traffic, so that such 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.
- This tariff does not supersede rates, term and conditions governing compensation for Toll VoIP-PSTN traffic in existing interconnection agreements.
- Rates, term and conditions governing compensation for Toll VoIP-PSTN traffic in this tariff apply prospectively, as of December 29, 2011.

(2) Rate of Toll VoIP-PSTN Traffic

The 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 rates as specified in Section 17 of the National Exchange Carrier Association Tariff F.C.C. No. 5.

(3) Calculation and Application of Percent-VoIP-Usage Factor

- (a) The Telephone Company will determine the number of terminating intrastate Toll VoIP-PSTN Traffic minutes of use (MOU) to which interstate rates will be applied under (2), preceding, by applying a terminating PVU factor that represents the total intrastate access MOU that is originated by the Customer's end user in IP format and delivered to the Telephone Company and the total intrastate access MOU originated by the Customer end-user and terminated by the Telephone Company in IP format to the total intrastate terminating access MOU.
- (b) The Telephone Company will determine the portion of dedicated facilities to which interstate rates will be applied under (2), preceding, by applying a PVU factor for dedicated switched access facilities to the dedicated facilities between the Telephone Company and the Customer.
- (c) The Customer will calculate and furnish to the Telephone Company a terminating PVUC factor (along with the supporting documentation as specified in (C)(3)(g) below) representing the whole number percentage of the Customer's total terminating intrastate access MOU that the Customer exchanges with Telephone Company in the state that is sent to the Telephone Company and which originated in IP format and that would be billed by the Telephone Company as intrastate terminating access MOU.
- (d) If applicable, the Telephone Company will calculate and periodically update a terminating PVUT factor representing the percentage (as a whole number) of the Telephone Company's total intrastate terminating access MOU that the customer exchanges with the Telephone Company in the state that terminates in IP format and would be billed by the Telephone Company as intrastate access MOU.

(N)

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IDENTIFICATION AND RATING OF TOLL VoIP - PSTN TRAFFIC (Continued)

(N)

(3) Calculation and Application of Percent-VoIP-Usage Factor (Cont.)

- (e) The Telephone Company will develop a total terminating Percent VoIP Usage ("PVU") factor combining the Customer's terminating PVUC factor with the Company's terminating PVUT factor that represents the percentage of total intrastate terminating access MOU exchanged between the Telephone Company and the Customer that is originated in IP format by the Customer and/or terminated by the Telephone Company in IP format. The PVU factor will be calculated as the sum of: (A) the PVUC factor and (B) the PVUT factor times (1.0 minus the PVUC factor).

- 1) The PVU calculation below is applied when the Telephone Company does not bill based on actual call detail records for the Telephone Company's intrastate IP traffic at interstate rates.

$PVU = PVUC + [PVUT \times (1 - PVUC)]$ applied to the Telephone Company's end user's total intrastate terminating MOU.

Example: The Customer reported that their PVUC as 40%. The Telephone Company's PVUT is 10%.

This results in the following: $PVU = 40\% \text{ plus } (10\% \text{ times } (1 - 40\%)) = 46\%$
This means that 46% of the Customer's Intrastate terminating MOU will be rated at Interstate rates.

- 2) The PVU calculation below is applied when the Telephone Company bills are based on the actual call detail records for the Company's intrastate IP traffic at interstate rates.

The formula for usage will be as follows:

$PVU = PVUC \times (1 - PVUT)$ applied to the Telephone Company's TDM end user's total intrastate terminating MOU.

Example: The Telephone Company has identified that there was 10,500 total intrastate terminating MOU that were identified and exchanged between the Customer and the Telephone Company's IP end users. The Customer reported that their PVUC as 40%. The Company's PVUT is 10%.

This results in the following: $PVU = 40\% \text{ times } (1 - 10\%) = 36\%$
This means that 36% of the Intrastate terminating MOU exchanged between the Customer and the Telephone Company's TDM end users will be rated at interstate rates and the intrastate 10,500 MOU will also be rated at interstate rates.

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IDENTIFICATION AND RATING OF TOLL VoIP - PSTN TRAFFIC (Continued)

(N)

- (3) Calculation and Application of Percent-VoIP-Usage Factor (Cont.)
 - (f) The Customer shall not modify their reported PIU factor to account for VoIP - PSTN Traffic.
 - (g) The Customer provided terminating PVUC factor shall be based on information such as the number of the customer's retail VoIP subscriptions in the state (e.g. as reported on F.C.C. Form 477), traffic studies, actual call detail or other relevant and verifiable information.
 - (h) The Customer shall retain the call detail, work papers, and information used to develop the PVUC factor for a minimum of 12 months.
 - (i) If the Customer does not furnish the Telephone Company with the above PVUC factor, the Telephone Company will utilize a PVU factor equal to the Telephone Company supplied PVUT.
- (4) Initial PVU Factor
 - (a) If the Customer provides the terminating PVUC factor to the Telephone Company no later than 30 days after the approval of this tariff, the Telephone Company will retroactively adjust the Customer's bills to reflect the PVUC factor as of December 29, 2011. If the Customer does not provide the PVUC factor prior to 30 days after the approval of this tariff, the Telephone Company will set the calculated PVU factor equal to the Telephone Company supplied PVUT.
 - (b) If the PVU factor cannot be implemented in the Telephone Company's billing system by December 29, 2011, once the factor can be implemented, the Telephone Company will adjust the Customer's bills retroactively to reflect the calculated PVU factor that includes the PVUC factor provided by the Customer to the Telephone Company prior to 30 days after the approval of this tariff.
 - (c) The Telephone Company shall provide credits based on the calculated PVU factor on a Quarterly basis until such time as billing system modifications can be implemented.

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IDENTIFICATION AND RATING OF TOLL VoIP - PSTN TRAFFIC (Continued)

(N)

(5) PVU Factor Updates

The Customer or the Telephone Company may update their provided factors quarterly using the method set forth in subsection (3)(c) or (3)(d), preceding. Any updated factor shall be forwarded to the other Party no later than 15 days after the first day of January, April, July and/or October of each year. The revised PVUC or PVUT factor shall be based on data for the prior three months, ending the last day of December, March, June and September, respectively. The revised (calculated) PVU factor will serve as the basis for future billing, and will be effective on the bill date of each such month, and shall serve as the basis for subsequent monthly billing until superseded by a new PVU factor. No prorating or back billing will be done based on the updated PVU factor.

(6) PVUC or PVUT Factor Verification

- (a) Not more than twice in any year, the Telephone Company or the Customer may request from the other Party an overview of the process used to determine the other Party's factor, the call detail records, description of the method for determining how the end user originates calls in IP format, and other information used to determine the Party's factor that was furnished in order to validate the factor supplied. Both Party's shall comply and shall reasonably supply the requested data and information within 30 days of the request.
- (b) Either Party may dispute the other Party's factor in writing based upon:
 - A review of the requested data and information provided by the other Party,
 - Reasonable review of other market information, F.C.C. reports on VoIP lines, such as F.C.C. Form 477 or state level results based on the F.C.C. Local Competition Report or other relevant data.
 - A change in a reported factor by more than five percentage points from the preceding submitted factor.
- (c) If after review of the data and information, the Customer and the Telephone Company establish a revised PVU factor, the Telephone Company may apply the revised PVU factor retroactively to the beginning of the quarter.

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IDENTIFICATION AND RATING OF TOLL VoIP - PSTN TRAFFIC (Continued)

(N)

(6) **PVUC or PVUT Factor Verification (Continued)**

- (d) If the dispute is unresolved, the Telephone Company or the Customer may initiate an audit. Audits shall be limited to no more than twice per year. Either Party may request that the audit be conducted by an independent auditor. In such cases the associated auditing expenses will be paid by the Party requesting the audit. Both Parties' shall respond to the audit request within 30 days of the request.
 - In the event that the either Party fails to provide adequate records to enable the other Party or an independent auditor to conduct an audit verifying the factor supplied, the usage for all contested periods will be billed using the most recent undisputed PVU factor. The PVU factor will remain in effect until the audit can be completed.
 - The Telephone Company will adjust the Customer's PVUC factor or its own PVUT factor based on the results of the audit, and will implement the newly calculated PVU factor in the next billing period or quarterly report date, whichever is first. The newly calculated PVU factor will apply for the next quarter before new PVUC factor can be submitted by the Customer.
 - If the audit supports the contested factor, the usage for the contested periods will be retroactively adjusted to reflect the audited factor in the calculation of the PVU factor.

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DEFINITIONS

Automatic Number Identification (ANI)

The term "Automatic Number Identification" denotes the Multi-Frequency (MF) signaling parameter that identifies the billing number of the calling party.

Calling Party Number (CPN)

The term "Calling Party Number" denotes the SS7 out of band signaling parameter and the MF or other in band signaling parameters that identifies the subscriber line number or directory number of the calling party.

Charge Number (CN)

The term "Charge Number" denotes the SS7 out band signaling parameter and the MF or other in band signaling parameters that identifies the billing telephone number of the calling party.

Customer (s)

The term "Customer(s)" denotes any individual, partnership, association, joint-stock company, trust, corporation, or governmental entity or other entity which subscribes to the services offered under this tariff, including but not limited to End- Users, Interexchange Carriers (IC's), Toll Providers, local exchange providers, and other telecommunications carriers or providers of originating or terminating toll VoIP-PSTN traffic.

Internet Protocol (IP) Signaling

The term "Internet (IP) Signaling" denotes a packet data-oriented protocol used for communicating call signaling information.

Multi-Frequency (MF) Signaling

The term "Multi-Frequency (MF) Signaling" denotes an in-band signaling method in which call signaling information is transmitted between network switches using the same voice band channel used for voice.

Originating Direction – revise "an IC Premises" to "Customer's Premise".

The term "Originating Direction" denotes the use of Access Service for the origination of calls from an End User Premises to a Customer's Premises.

(N)

(N)

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DEFINITIONS (Continued)

Remote Switching Modules/Systems – revise “direct trunks to an IC” to just “direct trunks”.

(N)

The term (Remote Switching Modules/Systems” denotes small, remotely controlled electronic end office switches which obtain their call processing capability from an electronic Host Central Office. The Remote Switching Modules/Systems cannot accommodate direct trunks.

Terminating Direction – revise “from an IC premises to a Customer’s Premises”

The term “Terminating Direction” denotes the use of Access Service for the completion of calls from a Customer’s Premises to an End User Premises.

Toll VoIP–PSTN Traffic

The term “Toll VoIP-PSTN Traffic” denotes a customer’s interexchange voice traffic exchanged with the Telephone Company in Time Division Multiplexing (TDM) 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 premise equipment.

(N)

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6. SWITCHED ACCESS SERVICES

(N)

6.1 General

The following provision applies to the treatment of Toll VoIP-PSTN Traffic pursuant to the F.C.C.'s Part 51 Interconnection Rules and in compliance with the F.C.C.'s Report and Order and Further Notice of Proposed Rulemaking in CC Docket Nos. 96-45 and 01-92; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135 and 10-90, and WT Docket No. 10-208, adopted October 27, 2011 and released November 18, 2011 (FCC 11-161). In the absence of an interconnection agreement between the Telephone Company and the customer specifying the treatment of Toll VoIP-PSTN Traffic, the Telephone Company will bill the customer the Interstate switched access rates on all jurisdictionally Intrastate voice traffic identified as Toll VoIP-PSTN Traffic.

6.3 Obligations of the Customer (Cont.)

6.3.5 Call Signaling

Depending on the signaling system used by the customer in its network, the customer's facilities shall transmit the following call signaling information to the Telephone Company on traffic the customer's end users originate which is handed off for termination on the Telephone Company's network.

(A) Signaling System 7 (SS7) Signaling

When the customer uses SS7 signaling, it will transmit the Calling Party Number (CPN) or, if different from the CPN, the Charge Number (CN) information in the SS7 signaling stream.

(B) Multi-Frequency (MF) Signaling

When the customer uses MF signaling, it will transmit the number of the calling party or, if different from the number of the calling party, the Charge Number (CN) information in the MF Automatic Number Identification (ANI) field.

(C) Internet Protocol (IP) Signaling

When the customer uses IP signaling, it will transmit the telephone number of the calling party or, if different from the telephone number, the billing number of the calling party contained in the SIP header field.

(N)

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

5/3/2012 2:44:14 PM

in

Case No(s). 90-5025-TP-TRF

Summary: Tariff Final Tariff Pages for Little Miami Communications Corporation (Butlerville Exchange) Case No. 12-0953-TP-ATA electronically filed by Mrs. Karen J Fehrman on behalf of Little Miami Communications Corporation