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July 26, 2012  
Via Overnight Delivery

PUCO

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

RE: Hypercube Telecom, LLC P.U.C.O. Tariff No. 2  
In the Matter of the Application of Hypercube Telecom, LLC to Revise its Intrastate Access Tariff  
PUCO No. 2  
Case No. 12-2057-TP-ATA; 90-9197-TP-TRF  
Tariff Revisions Data Request and Revised Tariff Pages

Dear Ms. McCauley:

Pursuant to my conversation with Robbin Russell, enclosed for filing please find the original and one (1) copy of the above referenced tariff filing and the Telecommunications Filing Form submitted on behalf of Hypercube Telecom, LLC. The original filing was filed on July 12, 2012 using a zero day filing interval. Staff has informed us that this needs to be filed on a 30 day interval. The Telecommunications Filing Form in the original was changed in error to reflect a zero day filing interval. The Company respectfully requests an effective date for this filing of August 12, 2012.

Also enclosed in Exhibit E is the response for staff's requested Tariff Revisions Data Request.

The following tariff pages are included with this filing:

3 <sup>rd</sup> Revised Page 2	Updates the Check Sheet
1 <sup>st</sup> Revised Page 25.1	Revises VoIP-PSTN language
1 <sup>st</sup> Revised Page 25.3	Revises VoIP-PSTN language
1 <sup>st</sup> Revised Page 25.4	Revises VoIP-PSTN language

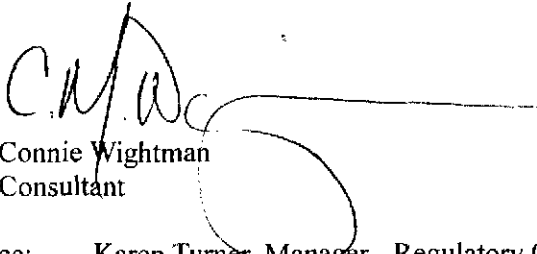
Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business  
Technician Am Date Processed 7/27/12

Ms. Betty McCauley, Commission Secretary  
Ohio Public Utilities Commission  
July 26, 2012  
Page 2

Any questions you may have regarding this filing should be directed to my attention at 407-740-3002 or via email to [cwrightman@tminc.com](mailto:cwrightman@tminc.com). Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Wightman', followed by a long horizontal line extending to the right.

Connie Wightman  
Consultant

cc: Karen Turner, Manager - Regulatory Compliance - Hypercube  
file: Hypercube - Ohio - Access  
tms: OHa1203a

Enclosures  
CW/lw

*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 Hypercube Telecom, LLC )  
to file an Access Tariff No. 2 Filing )

TRF Docket No. 90-9197-TP-TRF

Case No. \_\_\_\_\_ - \_\_\_\_\_ - **TP** - \_\_\_\_\_

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

Name of Registrant(s) Hypercube Telecom, LLC

DBA(s) of Registrant(s) \_\_\_\_\_

Address of Registrant(s) 3200 W. Pleasant Run Road, Suite 300, Lancaster, TX 75146

Company Web Address \_\_\_\_\_

Regulatory Contact Person(s) Robert McCausland, SR. VP Regulatory & Government Affairs Phone 469-727-1640 Fax 866-432-3936

Regulatory Contact Person's Email Address robert.mccausland@h3net.com

Contact Person for Annual Report Robert McCausland, SR. VP Regulatory & Government Affairs Phone 469-727-1640

Address (if different from above) \_\_\_\_\_

Consumer Contact Information Robert McCausland, SR. VP Regulatory & Government Affairs Phone 469-727-1640

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](http://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

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

## Section I – Part II – Customer Notification Offerings Pursuant to Chapter 4901:1-6-7 OAC Not Applicable

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"/>
<b>Date Notice Sent:</b>				

## Section I – Part III –IOS Offerings Pursuant to Chapter 4901:1-6-22 OAC Not Applicable

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 Not Applicable**

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

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

**Section II – Part II – Certificate Status & Procedural Not Applicable**

Certificate Status	ILEC	CLEC	Telecommunications Service Provider Not Offering Local
Abandon all Services		<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)	<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)
Change of Official Name *	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Change in Ownership *	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Merger *	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transfer a Certificate *	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (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) Not Applicable**

Carrier to Carrier	ILEC	CLEC
Interconnection agreement, or amendment to an approved agreement	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)
Request for Arbitration	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)
Introduce or change c-t-c service tariffs,	<input type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)	<input checked="" type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC <u>1-7-04 or 05</u> (Non-Auto)	
Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights- of-Way.	<input type="checkbox"/> UNC <u>1-7-23(B)</u> (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.

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**AFFIDAVIT**  
***Compliance with Commission Rules***

I am an officer/agent of the applicant corporation, Hypercube Telecom, LLC, and am authorized to make this statement on its behalf.

Connie Wightman  
(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) July 11, 2012 at (Location) Maitland, Florida

\*(Signature and Title) /s/ Connie Wightman  
Consultant

(Date) July 11, 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.*

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**VERIFICATION**

I, Connie Wightman 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/ Connie Wightman  
Consultant

(Date) July 11, 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.*

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***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

Existing Tariff Pages

## ACCESS SERVICES

## CHECK SHEET

Sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

<u>PAGE</u>	<u>REVISION</u>		<u>PAGE</u>	<u>REVISION</u>	
1	1 <sup>st</sup>	*	26	Original	
2	2 <sup>nd</sup>	*	27	Original	
3	Original		28	Original	
4	1 <sup>st</sup>	*	29	Original	
5	Original		30	Original	
6	1 <sup>st</sup>		31	Original	
7	1 <sup>st</sup>		32	Original	
7.1	Original		33	Original	
8	Original		34	1 <sup>st</sup>	
9	1 <sup>st</sup>		35	Original	
10	Original		36	Original	
11	Original		37	Original	
12	Original		38	Original	
13	Original		39	Original	
14	Original		40	Original	
15	Original		41	Original	
16	Original		42	Original	
17	Original		43	Original	
18	Original		44	1 <sup>st</sup>	*
19	Original		45	1 <sup>st</sup>	*
20	Original		46	1 <sup>st</sup>	*
21	Original		47	2 <sup>nd</sup>	*
22	Original		48	Original	
23	Original		49	Original	
24	Original				
25	Original				
25.1	Original				
25.2	Original				
25.3	Original				
25.4	Original				
25.5	Original				

\* Indicates pages included with this filing.



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ACCESS SERVICES

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

## 2.3 Obligations of the Customer, (Cont'd.)

## 2.3.5 Identification and Rating of Toll 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 and billing of Toll VoIP-PSTN Traffic pursuant to the FCC's Intercarrier Compensation Report and Order in WC Docket Nos. 10-90, et. al., FCC No. 11-161 (Nov. 18, 2011) ("FCC ICC Order"). Pursuant to the FCC ICC Order (PP. 933-975 and Appendix A), the Company shall apply interstate access charges to Toll VoIP-PSTN Traffic. Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Relevant VoIP-PSTN Traffic") from the Customer's traditional intrastate access traffic, so that such Relevant VoIP-PSTN Traffic can be billed in accordance with the FCC ICC Order in a symmetrical manner.

## B. Methodology Options

Unless otherwise negotiated, the Customer may elect an approach from the following options to identify the Relevant VoIP-PSTN Traffic that is subject to the FCC ICC Order:

1. Option 1 – Self-Reporting: Self-Report Percent VoIP Usage (PVU) pursuant to Section 2.3.5.E, following; or
2. Option 2 – Call Signaling: Properly populate the Originating Line Indicator ("OLI") field of the call signaling stream to reflect that the call originated as a VoIP call, which shall be through the use of the digit-code 40 or other digit pair mutually agreed upon in writing by Customer and Company's Chief Technical Officer; or
3. Option 3 – Trunk Group Segregation: Properly segregate the calls that originate as VoIP calls and exchange such calls through a trunk group established solely for the completion of VoIP-originated calls.

(N)

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ACCESS SERVICES

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

## 2.3 Obligations of the Customer, (Cont'd.)

## 2.3.5 Identification and Rating of Toll VoIP-PSTN Traffic, (Cont'd.)

(N)

## D. Rating of Toll VoIP-PSTN Traffic

The relevant Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Company's applicable tariffed Toll VoIP-PSTN Traffic rates as specified in Section 4.4.7 of this tariff.

## E. Calculation and Application of Percent-VoIP-Usage Factor

For the Customer that selects Option 1 – Self Reporting, the Company will determine the number of relevant VoIP PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection D, above, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU exchanged between the Company and the Customer. By default, the effective PVU will be equal to the total number of incumbent LEC and non-incumbent LEC VoIP subscriptions in the State divided by the sum of those reported VoIP subscriptions plus incumbent LEC and non-incumbent LEC switched access lines, based on the FCC's Local Competition Report, as released periodically. If the Customer proposes to use a different PVU, it must 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 (a) is sent to the Company and that originated in IP format; or (b) is received from the Company and terminated in IP format. This PVU-A shall be based on information that is verifiable by the Company such as traffic studies, actual call detail, or other relevant and verifiable information.
2. The Company will, likewise calculate a factor (the "PVU-B") representing the whole number percentage of the Company's total access MOU in the State that the Company originates and/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 the FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information.
3. The Company will use the PVU-A and PVU-B factors to calculate an effective PVU factor that represents the whole number percentage of total 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).

(N)

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ACCESS SERVICES

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

## 2.3 Obligations of the Customer, (Cont'd.)

## 2.3.5 Identification and Rating of Toll VoIP-PSTN Traffic, (Cont'd.)

(N)

## E. Calculation and Application of Percent-VoIP-Usage Factor, (Cont'd.)

4. The Company will apply the effective PVU factor to the total intrastate access MOU exchanged with the Customer to determine the number of Relevant VoIP-PSTN Traffic MOUs.

Example 1:

The PVU-B is 10% and the PVU-A is 40%. 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-B is 10% and the PVU-A is 0%. The effective PVU factor is  $0\% + (100\% \times 10\%) = 10\%$ . 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-A is 100%. No matter what the PVU-B 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. The Customer shall not modify their reported PIU factor to account for VoIP-PSTN Traffic.

(N)

Exhibit B

Proposed Tariff Changes

## ACCESS SERVICES

## CHECK SHEET

Sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

<u>PAGE</u>	<u>REVISION</u>		<u>PAGE</u>	<u>REVISION</u>
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5	Original		30	Original
6	1 <sup>st</sup>		31	Original
7	1 <sup>st</sup>		32	Original
7.1	Original		33	Original
8	Original		34	1 <sup>st</sup>
9	1 <sup>st</sup>		35	Original
10	Original		36	Original
11	Original		37	Original
12	Original		38	Original
13	Original		39	Original
14	Original		40	Original
15	Original		41	Original
16	Original		42	Original
17	Original		43	Original
18	Original		44	1 <sup>st</sup>
19	Original		45	1 <sup>st</sup>
20	Original		46	1 <sup>st</sup>
21	Original		47	2 <sup>nd</sup>
22	Original		48	Original
23	Original		49	Original
24	Original			
25	Original			
25.1	1 <sup>st</sup>	*		
25.2	Original			
25.3	1 <sup>st</sup>	*		
25.4	1 <sup>st</sup>	*		
25.5	Original			

\* Indicates pages included with this filing.

## ACCESS SERVICES

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

## 2.3 Obligations of the Customer, (Cont'd.)

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

## 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 and billing of VoIP-PSTN Traffic pursuant to the FCC’s Intercarrier Compensation Report and Order in WC Docket Nos. 10-90, et. al., FCC No. 11-161 (Nov. 18, 2011) and Second Order on Reconsideration, FCC No. 12-47 (April 25, 2012) (together, “FCC ICC Orders”). Pursuant to the FCC ICC Orders, the Company shall apply interstate access charges to relevant VoIP-PSTN Traffic. Specifically, this section establishes the method of separating such traffic (referred to in this tariff as “Relevant VoIP-PSTN Traffic”) from the Customer’s traditional intrastate access traffic, so that such Relevant VoIP-PSTN Traffic can be billed in accordance with the FCC ICC Orders in a symmetrical manner. In accordance with the FCC ICC Orders, intrastate VoIP-PSTN Traffic that originates on the Company’s network and is bound for the Customer’s end users is subject to the intrastate switched access rates set forth in this tariff until June 30, 2014, after which time it will be subject to interstate rates as indicated in Section 4 of this tariff. Intrastate Toll VoIP-PSTN traffic that is sent by the Customer for termination to the Company’s end users or its VoIP partners is subject to interstate switched access rates as indicated in Section 4 of this tariff.

(T)  
|  
(T)

(T)

(T)

## B. Methodology Options

Unless otherwise negotiated, the Customer may elect an approach from the following options to identify the Relevant VoIP-PSTN Traffic that is subject to the FCC ICC Orders:

(T)

1. Option 1 – Self-Reporting: Self-Report Percent VoIP Usage (PVU) pursuant to Section 2.3.5.E, following; or
2. Option 2 – Call Signaling: Properly populate the Originating Line Indicator (“OLI”) field of the call signaling stream to reflect that the call originated as a VoIP call, which shall be through the use of the digit-code 40 or other digit pair mutually agreed upon in writing by Customer and Company’s Chief Technical Officer; or
3. Option 3 – Trunk Group Segregation: Properly segregate the calls that originate as VoIP calls and exchange such calls through a trunk group established solely for the completion of VoIP-originated calls.

## ACCESS SERVICES

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

## 2.3 Obligations of the Customer, (Cont'd.)

## 2.3.5 Identification and Rating of Toll VoIP-PSTN Traffic, (Cont'd.)

## D. Rating of Toll VoIP-PSTN Traffic

The relevant Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Company's applicable tariffed Toll VoIP-PSTN Traffic rates as specified in Section 4 of this tariff.

(T)

## E. Calculation and Application of Percent-VoIP-Usage Factor

For the Customer that selects Option 1 – Self Reporting, the Company will determine the number of relevant VoIP PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection D, above, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU exchanged between a the Company and the Customer. By default, the effective PVU will be equal to the total number of incumbent LEC and non-incumbent LEC VoIP subscriptions in the State divided by the sum of those reported VoIP subscriptions plus incumbent LEC and non-incumbent LEC switched access lines, based on the FCC's Local Competition Report, as released periodically. If the Customer proposes to use a different PVU, it must 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 terminating intrastate access MOU that the Customer exchanges with the Company in the State, that is sent to the Company and that originated in IP format. Beginning July 1, 2014, the Customer's PVU-A shall be based on access MOU the Customer exchanges with the Company in the State that is (a) sent to the Company that originated in IP format, or (b) is received from the Company and terminated in IP format. This PVU-A shall be based on information that is verifiable by the Company such as traffic studies, actual call detail, or other relevant and verifiable information.
2. The Company will, likewise calculate a factor (the "PVU-B") representing the whole number percentage of the Company's total terminating intrastate access MOU in the State that terminates in IP format. Beginning July 1, 2014, the PVU-B shall be based on intrastate access MOU in the State that 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 the FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information.

(T)

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(M)

(M) - Certain material previously located on this page is now found on Page 25.4

## ACCESS SERVICES

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

## 2.3 Obligations of the Customer, (Cont'd.)

## 2.3.5 Identification and Rating of Toll VoIP-PSTN Traffic, (Cont'd.)

## E. Calculation and Application of Percent-VoIP-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 whole number percentage of total terminating access MOU that is terminated in IP format by the Company and/or originated in IP format by the Customer. Beginning July 1, 2014, the PVU factor will represent the total 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). (M)

4. The Company will apply the effective PVU factor to the total applicable intrastate access MOU exchanged with the Customer to determine the number of Relevant VoIP-PSTN Traffic MOUs. (T)

Example 1:

The PVU-B is 10% and the PVU-A is 40%. The effective PVU factor is equal to  $40\% + (10\% \times 60\%) = 46\%$ . The Company will bill 46% of the Customer's applicable intrastate access MOU in accordance with the Company's interstate switched access tariff. (T)

Example 2:

The PVU-B is 10% and the PVU-A is 0%. The effective PVU factor is  $0\% + (100\% \times 10\%) = 10\%$ . The Company will bill 10% of the Customer's applicable intrastate access MOU in accordance with the Company's interstate switched access tariff. (T)

Example 3:

The PVU-A is 100%. No matter what the PVU-B factor is, the effective PVU is 100%. The Company will bill 100% of the Customer's applicable intrastate access MOU in accordance with the Company's interstate switched access tariff. (T)

In the above examples, the Company will apply the PVU to terminating access from July 13, 2012 through June 30, 2014 and to originating as well as terminating access beginning July 1, 2014. (T)

5. The Customer shall not modify their reported PIU factor to account for VoIP-PSTN Traffic. (T)

(M) - Certain material found on this page was previously located on Page 25.3



## Exhibit C

### Description of the nature of the changes:

This filing makes text changes to the VoIP-PSTN language to reflect changes to originating Toll VoIP-PSTN access charge language pursuant to the Second Order on Reconsideration in FCC Docket WC 10-90, et al (FCC No. 12-47 Released April 26, 2012).

Exhibit D

Customer Notice

Not Applicable

Exhibit E

TO: Connie Wightman  
Consultant to Hybercube Telecom, LLC  
[cwightman@tminc.com](mailto:cwightman@tminc.com)

FROM: Robbin Russell  
Public Utilities Commission of Ohio  
[Robbin.russell@puc.state.oh.us](mailto:Robbin.russell@puc.state.oh.us)

RE: In the Matter of the Application of Hybercube Telecom, LLC to Revise its Intrastate  
Access Tariff PUCO No. 2  
Case No. 12-2057-TP-ATA; 90-9197-TP-TRF  
Tariff Revisions Data Request

DATE: July 24, 2012

DUE: July 31, 2012

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After careful review of the Hybercube Telecom, LLC application, filed July 12, 2012, a few issues need to be addressed before approval can be completed. The issues are as follows:

1. Page 25.3, Section 2.3.5E.1. – Please remove option “(c) indicated via the JIP parameter (RFC-5503) as an option upon which the Customer’s PVU-A shall be based. This option may be adopted in individual contracts, but it may not be included as an option in the tariff.

Response: Language has been removed.