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July 30, 2012

Ms. Betty McCauley  
Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215-3793

Re: In the Matter of the Application of The Chillicothe Telephone Company to Revise its Intrastate Access Service Tariff P.U.C.O. No. 5 to add VoIP-PSTN Provisions, Case No. 12-1865-TP-ATA; 90-5012-TP-TRF.

Dear Ms. McCauley:

Per the Public Utility Commission's email approval dated July 24, 2012, the final tariff pages are being submitted for the above application. The tariff pages are being filed with an issued date of July 30, 2012 and an effective date of July 30, 2012.

Thank you for your assistance. If you have any questions, please contact me at 305.745.3435.

Respectfully Submitted,

*Kym Rupeiks*

Kym Rupeiks  
The Pinnacle Group Inc

TARIFF P.U.C.O. NO. 5  
ACCESS SERVICE TARIFF

This tariff contains the following listed pages, each of which is effective on the date shown thereon.

<i><b>SECTION</b></i>	<i><b>REVISED</b></i>	<i><b>SHEET</b></i>
<b>Checklist</b>	8th*	1
<b>Preface</b>	5th	1
<b>Preface</b>	1st	2
1	4th	1
1	Original*	1.1
1	Original*	1.2
1	Original*	1.3
1	Original*	1.4
1	Original*	1.5
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1	3rd*	3
1	1st*	3.1
2	2nd	1
2	Original	2
2	Original	3
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\* New or Revised Page

Case No. 12-1865-TP-ATA

ISSUED: July 30, 2012

EFFECTIVE: July 30, 2012

Issued by:

The Chillicothe Telephone Company  
P.O. Box 480  
Chillicothe, Ohio 45601-0480

TARIFF P.U.C.O. NO. 5  
ACCESS SERVICE TARIFFSection 1. Intrastate Access (Cont'd)(B) Toll VoIP-PSTN Traffic

(N)

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.

(C) Identification and Rating of Toll VoIP-PSTN Traffic

## (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.

## (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.

(N)

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TARIFF P.U.C.O. NO. 5  
ACCESS SERVICE TARIFF

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Section 1. Intrastate Access (Cont'd)(C) Identification and Rating of Toll VoIP-PSTN Traffic (cont'd)

(N)

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

- 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.
- 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.

(N)

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TARIFF P.U.C.O. NO. 5  
ACCESS SERVICE TARIFFSection 1. Intrastate Access (Cont'd)(C) Identification and Rating of Toll VoIP-PSTN Traffic (cont'd)

(N)

(3). Calculation and Application of Percent-VoIP-Usage Factor (cont'd)

- 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.
- 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.

(N)

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TARIFF P.U.C.O. NO. 5  
ACCESS SERVICE TARIFFSection 1. Intrastate Access (Cont'd)(C) Identification and Rating of Toll VoIP-PSTN Traffic (cont'd)

(N)

(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 factor is provided by the customer to the Company within 30-days from the effective date of this tariff.
- 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.

(5). PVU Factor Updates

- a. The customer may update the PVU-C factor quarterly using the method set forth in (C)(3).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. The Company may also update and make available to the customer, its PVU-T factor in the same manner set forth above, using the method set forth in (C)(3).b.
- 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 back-billing 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 (C)(3).i above.

(N)

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TARIFF P.U.C.O. NO. 5  
ACCESS SERVICE TARIFFSection 1. Intrastate Access (Cont'd)(C) Identification and Rating of VoIP-PSTN Traffic (cont'd)

(N)

(6) PVU Factor Verification

- a. Not more than twice in any year, the Company or the customer (Requesting Party) may request from the other party an overview 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 PVU factors furnished to the other party in order to validate the PVU factors supplied. The other party shall comply, and shall reasonably supply the requested data and information within 15 days of the Requesting Party's request; and the Requesting Party shall complete the re-verification within 15 days of receipt.
- b. The Company may dispute the customer's PVU-C factor and the customer may dispute the Company's PVU-T factor based upon:
  1. A review of the requested data and information provided by the customer.
  2. A 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 or PVU-T 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 establish revised PVU factors, the customer and the Company will begin using those revised PVU factors with the next bill period.
- d. If the dispute is unresolved, the Requesting Party may initiate an audit at its own expense. The Requesting Party shall limit audits of the other party's PVU factor to no more than twice per year. The other party (party receiving the request) may request that the audit be conducted by an independent auditor. In such cases, the associated auditing expenses will be paid by the other party.

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TARIFF P.U.C.O. NO. 5  
ACCESS SERVICE TARIFFSection 1. Intrastate Access (Cont'd)(C) Identification and Rating of Toll VoIP-PSTN Traffic (cont'd)

(N)

(6) PVU Factor Verification (cont'd)

1. In the event that the customer fails to provide adequate records to enable the Requesting Party or an independent auditor to conduct an audit verifying the other party's PVU factors, the Requesting Party will bill the usage for all contested periods using the most recent undisputed PVU factors reported by the other party. These PVU factors will remain in effect until the audit can be completed.
2. During the audit, the undisputed PVU factors from the previous reporting period will be used by the Requesting Party.
3. When a PVU(s) audit is conducted by the Requesting Party or an independent auditor under contract to the Requesting Party, the audit results will be furnished to the other party by Certified U.S. Mail. When a PVU(s) audit is conducted by an independent auditor selected by the other party, the audit results will be furnished to the Requesting Party by Certified U.S. Mail. The Requesting Party will adjust the other party's PVU(s) based upon the audit results. The PVU(s) resulting from the audit shall be applied to the other party's usage for the quarter the audit is completed and the usage for the quarter prior to the completion of the audit. After that time, the other party may report revised PVU(s) pursuant to (C)(3), above. If the revised PVU(s) submitted by the other party represents a deviation of 5 percentage points or more from the audited PVU(s), and that deviation is not due to identifiable reasons, the provisions in (b)(c) and (d), above, may be applied.
4. If the audit supports the other party's PVU factors, the usage for the contested periods will be adjusted to reflect the other party's audited PVU factors and appropriate credits will be applied.
5. If, as a result of an audit conducted by an independent auditor, the other party is found to have over-stated its PVU factors by 20 percentage points or more, the Requesting Party shall require reimbursement from the other party for the cost of the 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 Requesting Party's Intrastate Tariff if not paid within the 30 days.

(N)

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TARIFF P.U.C.O. NO. 5  
ACCESS SERVICE TARIFFSection 1. Intrastate Access (Cont'd)(D) Access Rates (T)

The rates, charges, and conditions for the provision of intrastate Carrier Access Service are as specified in The Chillicothe Telephone Company Interstate Access Services, Tariff F.C.C. NO. 1, as it now exists, and as it may be revised, added to or supplement. Section 4, End User Services, is not effective in Ohio.

Carrier Common Line Access Service terms and conditions appear in Section 2, Sheets 1-14 herein, whereas the rates have been moved to Section 2, Sheet 14 herein.

On November 18, 2011, the Federal Communications Commission (FCC) released its Report and Order and Further Notice of Proposed Rulemaking (Report and Order) in WC Docket No. 07-135 et al.. In the Matter of Establishing just and Reasonable Rates for Local Exchange Carriers. In its Report and Order, the FCC adopted a transitional intercarrier compensation restructuring framework for both intrastate and interstate telecommunications traffic exchanged with a local exchange carrier, which will ultimately result in bill and keep.

During the first phase of the its intercarrier compensation restructuring, the intrastate terminating switched end office and transport rates, originating and dedicated transport rates, and reciprocal compensation rates that are above the carrier's interstate access rates, the respective intrastate rates must be reduced by 50 percent of the differential between the rate and carrier's interstate access rates by July 1, 2012.

During the second phase, the intrastate terminating switched end office and transport rates, originating and dedicated transport rates, and reciprocal compensation rates that are above the carrier's interstate access rates, will be set equal to the carrier's interstate access rates by July 1, 2013.

The above mentioned end office rates include carrier common line access service. These rates will be adjusted accordingly in Section 2, Sheet 14 herein.

For end User Service the Public Utilities Commission of Ohio ordered that the service not be implemented.

(E) Billing and Collection Rates (T)

Interexchange billing and collection services, except for recording services, are deregulated. Recording services, other than billing and address services, while subject to regulation by the PUCO, are de-tariffed

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ACCESS SERVICE TARIFF

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Section 1. Intrastate Access (Cont'd)(E) Billing and Collection Rates (Cont'd)

(T)

Upon conversion of an end-office to equal access, billing name and address information for non-presubscription traffic shall be provided to interexchange carriers pursuant to rates, terms and conditions contained in paragraphs C.3 and C.4.

(1) General Descriptions

Billing name and address service (BNA) is the provision of account detail for use by the customer in billing its non-presubscribed or "10XXX"/"101XXXX" traffic.

(2) General Regulations

- a. Upon acceptance by the Telephone Company of a request for DNA service, the Telephone Company will furnish account detail for requested accounts. Account detail consists of the end user name, billing address and billing parameters other than message detail and/or service and equipment detail.
- b. Only current information which resides in the data base will be provided.
- c. The Telephone Company will specify the location where requests are to be received and the format in which the requests are to be made.
- d. The customer shall make every effort to make sure that BNA output is provided only to authorized personnel. The customer shall agree, in writing to the Telephone Company that the customer will not provide the BNA output to third parties for use by those third parties except for work for the customer which is under the complete control of the customer.

(3) Rate Regulations

- a. The number and type of records for which charges apply will be accumulated by the Telephone Company and the Telephone Company will bill the customer in accordance with these accumulations. A record is a logical grouping of information.

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ACCESS SERVICE TARIFF

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Section 1.        Intrastate Access (Cont'd)

(E)        Billing and Collection Rates (Cont'd)

(T)

(3)        Rate Regulations (Cont'd)

- b.    The normal output of BNA service is a paper report. When records are entered on a data file or magnetic tape in order to provide information to a customer, the per tape charge applies for each data file or tape prepared. In addition, the per record charge applies for each record entered on the data file or tape.

(4)        Rates and Charges

Regulations, rates and charges for BNA services are the same as those set forth in Section 11 of the Chillicothe Telephone Company's Interstate Access Services, Tariff F.C.C. No. 1.

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**Case No(s). 12-1865-TP-ATA**

Summary: Closed Case action form ;attached are the final tariff pages approved by the state commission for VoIP language. electronically filed by Ms. Kym D Rupeiks on behalf of The Chillicothe Telephone Company