

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

RE: Choice One Communications of Ohio, Inc. d/b/a EarthLink Business

P.U.C.O. Tariff No. 6

Dear Ms. McCauley:

Enclosed for filing please find the original the above referenced tariff filing and application submitted on behalf of Choice One Communications of Ohio, Inc. d/b/a EarthLink Business. This filing makes revisions to the Identification and Rating of VoIP-PSTN Traffic language. The Company respectfully requests an effective date for this filing of September 30, 2012.

The following tariff pages are included with this filing:

2nd Revised Pages 1 & 2 Updates Check Sheet

1st Revised Page 137 Revises Identification and Rating of VoIP-PSTN Traffic language

1st Revised Page 138 Moves text

Original Page 138.1 Revises Identification and Rating of VoIP-PSTN Traffic language;

Moves text

Any questions you may have regarding this filing should be directed to my attention at 407-740-3001 or via email to tforte@tminc.com. Thank-you for your assistance in this matter.

Sincerely.

Thomas M. Forte

Consultant to Choice One Communications

cc: Mary Whiting (via Email) - EarthLink - Choice One

file: EarthLink - Choice One - Ohio - Access

tms: OHa1201

Enclosures TF/mp

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 Choice One Communications of Ohio Inc. d/b/a EarthLink Business To Revise VoIP-PSTN Traffic Language)	TRF Docket No. 90-9082 Case No.12-2415-TP-ATA NOTE: Unless you have reserved a Case #, leave the "Case No" fields BLANK.
Name of Registrant(s) Choice One Communications of Ohio Is	nc.
DBA(s) of Registrant(s) <u>EarthLink Business</u>	
Address of Registrant(s) 1375 Peachtree Street, Level A, Atlanta,	Georgia 30309
Company Web Address <u>www.earthlinkbusiness.com</u>	
Regulatory Contact Person(s) Mary Whiting, Director-Regulatory	<u>Y Compliance</u> Phone <u>616-988-7028</u> Fax <u>616-988-0466</u>
Regulatory Contact Person's Email Address mwhiting@corp.eart	hlink.com_
Contact Person for Annual Report Mary Whiting, Director-Regul-	atory Compliance Phone 616-988-7028
Address (if different from above) 2610 Horizon Drive SE, Suite	B, Grand Rapids, Michigan 49546
Consumer Contact Information Customer Support, Choice One C	ommunications of Ohio Inc. Phone 800-962-2488
Address (if different from above) 100 Chestnut Street, Suite 800,	Rochester, NY 14604_
Motion for protective order included with filing? ☐ Yes ☑ No)
Motion for waiver(s) filed affecting this case? ☐ Yes ☑ No [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 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)
В	The Tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked in the right margin.
С	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).

$Section \ I-Part \ I-Common \ Filings$

Carrier Type Other (explain below)	For Prof	fit ILEC	Not For F	rofit ILEC	CI	LEC	
Change terms & conditions existing BLES	·			ATA <u>1-6-</u> (Auto 30 days			ΓΑ <u>1-6-14(H)</u> 30 days)	
Introduce non-recurring ch surcharge, or fee to BLES	arge,						ΓΑ <u>1-6-14(H)</u> 30 days)	
Introduce or Increase Late	Payment	ATA <u>1-</u> (Auto 30 day	ys)	ATA <u>1-6</u> (Auto 30 days			ΓΑ <u>1-6-14(1)</u> 30 days)	
Revisions to BLES Cap.		ZTA <u>1-0</u> (0 day Notic	e)			:		
Introduce BLES or expand service area (calling area)	local		ce)	ZTA <u>1-6-</u> (0 day Notice			ГА <u>1-6-14(H)</u> Notice)	
Notice of no obligation to facilities and provide BLE	construct S	ZTA <u>1-0</u> (0 day Notic		ZTA <u>1-6-</u> (0 day Notice				
Change BLES Rates		☐ TRF <u>1-6</u> (0 day Notic	e)	TRF <u>1-6-</u> (0 day Notice			RF <u>1-6-14(G)</u> Notice)	
To obtain BLES pricing flo	exibility	BLS <u>1-6-</u> (C)(1)(c) (Auto 30 da	nys)					
Change in boundary		ACB <u>1-</u> (Auto 14 da		ACB <u>1-6-32</u> (Auto 14 days)				
Expand service operation a	irea						RF <u>1-6-08(G)(</u> 0 day)	
BLES withdrawal							TTA <u>1-6-25(B)</u> (0 day Notice)	
Other* (explain) ACCES	explain) <u>ACCESS</u>						TA (Auto 30 days)	
Section I – Part II – Cus Type of Notice		ification Of		suant to Chapt	er <u>4901:1-6-7</u> Bill Nota		Electronic Mail	
Type of Notice	Direc	t Man	Dill	IIISCI t	DIII NUL	111011	Electronic Man	
☐ 15-day Notice]							
☐ 30-day Notice								
Date Notice Sent: Apri	l Billing							
Section I – Part III –IOS Offerings Pursuant to Chapter 4901:1-6-22 OAC								
IOS	Introdu	ice New	Tariff	Change	Price Change		Withdraw	
☐ IOS								

Section II - Part I - Carrier Certification - Pursuant to Chapter 4901:1-6-08, 09 & 10 OAC

Certification	ILEC	CLEC	Carrier's Not	CESTC	CETC
	(Out of Territory)		Offering BLES		
* See Supplemental	☐ ACE <u>1-6-08</u>	☐ ACE <u>1-6-08</u>	☐ ACE <u>1-6-</u> 08	☐ ACE <u>1-6-</u> 10	UNC <u>1-6-</u> 09
form	* (Auto 30- day)	*(Auto 30 day)	*(Auto 30 day)	(Auto 30 day)	*(Non-Auto)

^{*}Supplemental Certification forms can be found on the Commission Web Page.

Section II - Part II - Certificate Status & Procedural

Certificate Status	ILEC	CLEC	Carrier's Not Offering BLES
Abandon all Services		ABN <u>1-6-26</u> (Auto 30 days)	ABN <u>1-6-26</u> (Auto 30 days)
Change of Official Name *	ACN <u>1-6-29(B)</u> (Auto 30 days)	ACN <u>1-6-29(B)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
Change in Ownership *	ACO <u>1-6-29(E)</u> (Auto 30 days)	ACO <u>1-6-29(E)</u> (Auto 30 days)	☐ CIO <u>1-6-29(C)</u> (0 day Notice)
Merger *	AMT <u>1-6-29(E)</u> (Auto 30 days)	AMT <u>1-6-29(E)</u> (Auto 30 days)	☐ CIO <u>1-6-29(C)</u> (0 day Notice)
Transfer a Certificate *	ATC <u>1-6-29(B)</u> (Auto 30 days)	ATC <u>1-6-29(B)</u> (Auto 30 days)	☐ CIO <u>1-6-29(C)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	ATR <u>1-6-29(B)</u> (Auto 30 days)	ATR <u>1-6-29(B)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
		a en	

^{*} 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)

Carrier to Carrier	ILEC	CLEC	
Interconnection agreement, or amendment to	☐ NAG <u>1-7-07</u>	☐ NAG <u>1-7-07</u>	
an approved agreement	(Auto 90 day)	(Auto 90 day)	
Request for Arbitration	ARB <u>1-7-09</u> (Non-Auto)	ARB <u>1-7-09</u> (Non-Auto)	
Introduce or change c-t-c service tariffs,	ATA <u>1-7-14</u> (Auto 30 day)	ATA <u>1-7-14</u> (Auto 30 day)	
Request rural carrier exemption, rural carrier	UNC <u>1-7-04</u> or 05		
suspension or modification	(Non-Auto)		
Changes in rates, terms & conditions to Pole	UNC 1-7-23(B)		
Attachment, Conduit Occupancy and Rights-	(Non-Auto)		
of-Way.			
	RCC	□NAG	
Wireless Providers See 4901:1-6-24	[Registration &	[Interconnection	
	Change in Operations]	Agreement or	

Registrant hereby attests to its compliance with pertinent entries and orders issued by the Commission.

AFFIDAVIT

Compliance with Commission Rules

I am an agent of the applicant corporation, Choice One Communications of Ohio Inc. d/b/a EarthLink Business and am authorized to make this statement on its behalf.

to make this statement on its behalf.		
Please Check ALL that apply:		
imply Commission approval and that contradictory provisions in our tariff.	h all applicable rules for the state of Ohio. I unders t the Commission's rules as modified and clarif We will fully comply with the rules of the state of Og g the suspension of our certificate to operate within	ied from time to time, supersede any Ohio and understand that noncompliance
☐ I attest that customer notices accomaccordance with Rule 4901:1-6-7, Ohio	panying this filing form were sent to affected custor Administrative Code.	ners, as specified in Section II, in
I declare under penalty of perjury that the	ne foregoing is true and correct.	
Executed on (Date): April 6, 2012	at (Location): Maitland, Florida /s/Thomas M. Forte Consultant to Choice One Communications of *(Signature and Title)	Ohio Inc. August 31, 2012 (Date)
 This affidavit is required for evaluation authorized agent of the application 	very tariff-affecting filing. It may be signed by coun ant.	nsel or an officer of the applicant, or an
	VERIFICATION	
Commission and that all of the informa true and correct to the best of my knowl /s/Thomas M. Forte	ve utilized the Telecommunications Filing Form tion submitted here, and all additional information stedge. ions of Ohio Inc. d/b/a EarthLink Business	
, ,	g. It may be signed by counsel or an officer of the	,
Send your completed Application I	Form, including all required attachments as well a	s the required number of copies, to:
	Public Utilities Commission of Ohio Attention: Docketing Division 180 East Broad Street, Columbus, OH 43215-379 Or	3
	O,	

Choice One Communications Of Ohio Inc. d/b/a EarthLink Business

EXHIBIT A

EXISTING TARIFF PAGES

P.U.C.O Tariff No. 6 (Access Services)

ACCESS SERVICES

CHECK SHEET

The pages of this tariff are effective as of the date shown. The original and revised sheets named below contain all changes from the original tariff and are in effect on the date shown.

PAGE	REVISION		PAGE	REVISION	PAGE	REVISION
Title	Original		31	Original	61	Original
1	1 st Rev.	*	32	Original	62	Original
2	1 st Rev.	*	33	Original	63	Original
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6	Original		37	Original	67	Original
7	Original		38	Original	68	Original
8	Original		39	Original	69	Original
9	Original		40	Original	70	Original
10	Original		41	Original	71	Original
11	Original		42	Original	72	Original
12	1 st Rev.	*	43	Original	73	Original
12.1	Original	*	44	Original	74	Original
13	Original		45	Original	75	Original
14	Original		46	Original	76	Original
15	Original		47	Original	77	Original
16	Original		48	Original	78	Original
17	Original		49	Original	79	Original
18	Original		50	Original	80	Original
19	Original		51	Original	81	Original
20	Original		52	Original	82	Original
21	Original		53	Original	83	Original
22	Original		54	Original	84	Original
23	Original		55	Original	85	Original
24	Original		56	Original	86	Original
25	Original		57	Original	87	Original
26	Original		58	Original	88	Original
27	Original		59	Original	89	Original
28	Original		60	Original	90	Original
29	Original					
30	Original					

^{* -} indicates those pages included with this filing

Issued: December 26, 2011 Effective: January 28, 2012

By: Vice President, Tax

1375 Peachtree Street, Level A

Effective: January 28, 2012

ACCESS SERVICES

CHECK SHEET (CONT'D.)

PAGE	REVISION	PAGE	REVISION
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98	Original	125	Original
99	Original	126	Original
100	Original	127	Original
101	Original	128	Original
102	Original	129	Original
103	Original	130	Original
104	Original	131	Original
105	Original	132	Original
106	Original	133	Original
107	Original	134	Original
108	Original	135	Original
109	Original	136	Original
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111	Original	138	Original *
112	Original	139	Original *
113	Original		C
114	Original		
115	Original		
116	Original		
117	Original		
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By: Vice President, Tax

1375 Peachtree Street, Level A

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ACCESS SERVICES

SECTION 12 – TOLL VOIP-PSTN TRAFFIC

- 12.1 Identification and Rating of Toll VoIP-PSTN Traffic
 - 12.1.1 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) by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011) ("FCC Order"). Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Toll VoIP-PSTN Traffic") from the Customer's traditional intrastate access traffic, so that such Toll VoIP-PSTN 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. It does not supersede rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic in existing interconnection agreements. The rates, term and conditions governing compensation for toll VoIP-PSTN traffic in this tariff applies prospectively.

12.1.2 Rating of Toll VoIP-PSTN Traffic - The Toll VoIP-PSTN Traffic identified in accordance with this Section will be billed at rates equal to those tariffed for the Company's interstate switched access services as described in Section 3 of the Company's FCC access services tariff. Consistent with the FCC Order, charges are assessed by the Company for services provided by the Company and/or by any of its VoIP Provider Partner(s).

Issued: December 26, 2011 Effective: January 28, 2012

By: Vice President, Tax 1375 Peachtree Street, Level A Atlanta, Georgia 30309

(N)

(N)

ACCESS SERVICES

SECTION 12 – TOLL VOIP-PSTN TRAFFIC (CONT'D.)

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

12.1.3 (Cont'd.)

- C. The Company will use the PVU-A and PVU-B factors to calculate an over-all PVU factor that represents the percentage of total access MOU for service exchanged between the Company and the Customer that is originated or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends. The 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).
- D. The Company will apply the over-all PVU factor to the total service intrastate access MOU exchanged with the Customer to determine the number of Toll VoIP-PSTN Traffic MOUs for service.

Examples for PVU Factor Calculations: (The calculation elements in these examples are generic.)

- Example 1: The PVU-B is 10% and the PVU-A is 40%. The over-all PVU factor is equal to $40\% + (10\% \times 60\%) = 46\%$. The Company will bill 46% of the Customer's intrastate access MOU as VoIP-PSTN Traffic, pursuant to this Section of this Tariff.
- Example 2: The PVU-B is 10% and the PVU-A is 0%. The over-all PVU factor is $0\% + (100\% \times 10\%) = 10\%$. The Company will bill 10% of the Customer's intrastate access MOU as VoIP-PSTN Traffic, pursuant to this Section of this Tariff.
- Example 3: The PVU-A is 100%. No matter what the PVU-B factor is, the over-all PVU is 100%. The Company will bill 100% of the Customer's intrastate access MOU as VoIP-PSTN Traffic, pursuant to this Section of this Tariff.

Default PVU Factors

If the Customer does not furnish the Company with a PVU factor pursuant to the preceding paragraph 12.1.3.A of this Section, the Company will utilize a PVU equal to the Company's PVU-B factor.

Issued: December 26, 2011

Effective: January 28, 2012

By: Vice President, Tax 1375 Peachtree Street, Level A Atlanta, Georgia 30309

Choice One Communications Of Ohio Inc. d/b/a EarthLink Business

EXHIBIT B

PROPOSED REVISED TARIFF PAGES

P.U.C.O. Tariff No. 6 (Access Services)

ACCESS SERVICES

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1375 Peachtree Street, Level A Atlanta, Georgia 30309

Effective: September 30, 2012

ACCESS SERVICES

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105	Original	132	Original	
106	Original	133	Original	
107	Original	134	Original	
108	Original	135	Original	
109	Original	136	Original	
110	Original	137	1 st Rev.	*
111	Original	137.1	Original	
112	Original	138	1 st Rev.	*
113	Original	138.1	Original	*
114	Original	139	Original	
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117	Original			
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Issued: August 31, 2012

By: Vice President, Tax

1375 Peachtree Street, Level A

^{* -} Indicates pages included with this filing.

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ACCESS SERVICES

SECTION 12 - TOLL VOIP-PSTN TRAFFIC

- 12.1 Identification and Rating of Toll VoIP-PSTN Traffic
 - 12.1.1 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) by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011), as Amended or Revised ("FCC Order"). Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Toll VoIP-PSTN Traffic") from the Customer's traditional intrastate access traffic, so that such Toll VoIP-PSTN 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. It does not supersede rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic in existing interconnection agreements. The rates, term and conditions governing compensation for toll VoIP-PSTN traffic in this tariff applies prospectively.

12.1.2 Rating of Toll VoIP-PSTN Traffic - The Toll VoIP-PSTN Traffic identified in accordance with this Section will be billed at rates equal to those tariffed for the Company's interstate switched access services as described in Section 3 of the Company's FCC access services tariff. Consistent with the FCC Order, charges are assessed by the Company for services provided by the Company and/or by any of its VoIP Provider Partner(s).

Issued: August 31, 2012 Effective: September 30, 2012

By: Vice President, Tax

1375 Peachtree Street, Level A Atlanta, Georgia 30309

ACCESS SERVICES

SECTION 12 – TOLL VOIP-PSTN TRAFFIC (CONT'D.)

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

12.1.3 (Cont'd.)

- C. The Company will use the PVU-A and PVU-B factors to calculate an over-all PVU factor that represents the percentage of total access MOU for service exchanged between the Company and the Customer that is originated or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends. The 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).
- D. The Company will apply the over-all PVU factor to the total service intrastate access MOU exchanged with the Customer to determine the number of Toll VoIP-PSTN Traffic MOUs for service.

Examples for PVU Factor Calculations: (The calculation elements in these examples are generic.)

- Example 1: The PVU-B is 10% and the PVU-A is 40%. The over-all PVU factor is equal to $40\% + (10\% \times 60\%) = 46\%$. The Company will bill 46% of the Customer's intrastate access MOU as VoIP-PSTN Traffic, pursuant to this Section of this Tariff.
- Example 2: The PVU-B is 10% and the PVU-A is 0%. The over-all PVU factor is $0\% + (100\% \times 10\%) = 10\%$. The Company will bill 10% of the Customer's intrastate access MOU as VoIP-PSTN Traffic, pursuant to this Section of this Tariff.
- Example 3: The PVU-A is 100%. No matter what the PVU-B factor is, the over-all PVU is 100%. The Company will bill 100% of the Customer's intrastate access MOU as VoIP-PSTN Traffic, pursuant to this Section of this Tariff.

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Effective: September 30, 2012

Material originally found on this page is now on page 138.1.

Issued: August 31, 2012

By: Vice President, Tax

1375 Peachtree Street, Level A Atlanta, Georgia 30309

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ACCESS SERVICES

SECTION 12 - TOLL VOIP-PSTN TRAFFIC (CONT'D.)

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

12.1.3 (Cont'd.)

D. (Cont'd.)

Use of Default Percentages - Company

Where the Company's PVU-B is equal to the percentage of VoIP subscribers in the state based on the FCC's *Local Competition Report*, as released periodically, as set forth in paragraph 963 of the FCC Order (the "Default Percentage"), and the Customer's PVU-A is also equal to the Default Percentage, the PVU factor applicable to traffic exchanged between the Company and the Customer shall be the Default Percentage.

Default PVU Factors - Customer

If the Customer does not furnish the Company with a PVU factor pursuant to the preceding paragraph 12.1.3.A of this Section, the Company will utilize a PVU equal to the Company's PVU-B factor.

Issued: August 31, 2012 Effective: September 30, 2012

By: Vice President, Tax 1375 Peachtree Street, Level A

Choice One Communications of Ohio Inc. d/b/a EarthLink Business

EXHIBIT C

DESCRIPTION OF CHANGES AND CUSTOMERS AFFECTED

This filing makes revisions to the Identification and Rating of VoIP-PSTN Traffic language.

Choice One Communications of Ohio Inc. d/b/a EarthLink Business

EXHIBIT D

CUSTOMER NOTICE

AND

AFFIDAVIT OF CUSTOMER NOTICE

Not Applicable.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

8/31/2012 3:51:08 PM

in

Case No(s). 12-2415-TP-ATA

Summary: Tariff Access Revision electronically filed by Ms. Margeaux Pennywell on behalf of Choice One Communications of Ohio, Inc. d/b/a EarthLink Business