

US Xchange Inc.
d/b/a EarthLink Business
Issued by: Vice President, Tax
1375 Peachtree Street, Level A
Atlanta, Georgia 30309

FCC Tariff No. 5
1st Revised Title Page
Cancels Original Title Page

Issued: December 16, 2011

Transmittal No.107

Effective: December 31, 2011

ACCESS SERVICES

REGULATIONS AND SCHEDULE OF INTERSTATE
CHARGES GOVERNING THE PROVISION OF
SWITCHED ACCESS AND DEDICATED TELECOMMUNICATIONS
SERVICES FOR CONNECTION TO COMMUNICATIONS

FACILITIES FURNISHED BY

(T)

US Xchange Inc.
d/b/a EarthLink Business

IN THE STATES OF

Illinois
Indiana
Wisconsin
Michigan

AND ITS CONCURRING CARRIERS BETWEEN
POINTS IN THE UNITED STATES AS SPECIFIED HEREIN

Access services are provided by means of wire, fiber optics, radio
or any other suitable technology or combination thereof.

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Original Effective is October 1, 2011

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CHECK SHEET

Page 1 to 151 are effective as of the date shown. The original and revised pages named below contain all (T) changes from the original tariff and are in effect on the date shown.

Page	Revision	
Title	1 st Revised	*
1	1 st Revised	*
2	1 st Revised	*
7	1 st Revised	*
5	1 st Revised	*
8	1 st Revised	*
9	1 st Revised	*
9.1	Original	*
10	1 st Revised	*
10.1	Original	*
11	1 st Revised	*
13	1 st Revised	*
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CHECK SHEET (CONT'D.)

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EXPLANATION OF SYMBOLS

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The following symbols shall be used in this tariff for the purpose indicated below:

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|-----|---|--|------------|
| (C) | - | To signify changed regulation. | (T) |
| (D) | - | To signify discontinued rate or regulation. | (T) |
| (I) | - | To signify increase. | (T) |
| (M) | - | To signify matter relocated without change. | (T) |
| (N) | - | To signify a new rate or regulation. | |
| (R) | - | To signify reduction. | (T) |
| (S) | - | To signify reissued matter. | (T) |
| (T) | - | To signify a change in text but no change in rate or regulation. | |
| (Z) | - | To signify a correction. | (N) |
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APPLICATION OF TARIFF

This tariff applies to interstate switched access and dedicated telecommunications services supplied to Customers for origination and termination of traffic to and from Central Office codes directly assigned to the Company or any of its subsidiaries. This tariff also sets forth the rates imposed upon Customers in connection with the Local Number Portability surcharge and the interstate End User Common Line charge. Pursuant to Federal Communications Commission Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011), provisions for VoIP-PSTN Traffic are set forth as well.

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This tariff applies only to the extent that facilities are available and services provided hereunder are used by a Customer for the purpose of originating or terminating interstate communications.

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SECTION 1 - DEFINITIONS

Certain terms used generally throughout this tariff are described below.

Advance Payment

Part or all of a payment required before the start of service

Access Services

The term "Access services" Includes all services and facilities provided by the Company for the origination or termination of any interstate or foreign telecommunications or other communications services that have the ability to reach the public switched telephone network ("PSTN") regardless of the technology used in transmission. This includes, but is not limited to, local exchange, long distance, and data communications services that may use either TDM or Internet Protocol ("IP") or other technology, except that VoIP-PSTN Traffic (see definition below) is classified separately, as discussed in Section 11 of this Tariff

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Access Tandem

The term "Access tandem" refers to a switching system that provides a traffic concentration and distribution function for originating or terminating traffic between the Company's Facilities and a Customer's Premises.

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Busy Hour Minutes of Capacity (BHMC)

The term "Busy Hour Minutes of Capacity (BHMC)" denotes the Customer specified maximum amount of Switched Access Service and/or Directory Assistance Service access minutes the Customer expects to be handled in an end office switch during any hour in an 8:00 a.m. to 11:00 p.m. period for the Feature Group and/or Directory Assistance Service ordered. This Customer specified BHMC quantity is the input data the Company uses to determine the number of transmission paths for the Feature Group and/or Directory Assistance Service ordered.

Carrier or Common Carrier

See Interexchange Carrier.

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SECTION 1 – DEFINITIONS (CONT'D.)

Central Office

The term “Central office” refers to a Company switching system where Company facilities are used to (i) provide the functionalities of an End Office Switch or Tandem Switch or any other switching function; (ii) exchange service Customer station loops (including loops that have been concentrated at a Remote Switching Location) are terminated for purposes of interconnection to each other and to trunks.

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Common Channel Signaling

The term "Common Channel Signaling" (CCS) denotes a high speed packet switched communications network which is separate (out of band) from the public packet switched and message networks. Its purpose is to carry addressed signaling messages for individual trunk circuits and/or database related services between Signaling Points in the CCS network.

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Company or US Xchange Inc.

US Xchange Inc. d/b/a EarthLink Business, the issuer of this tariff, and its concurring subsidiaries.

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SECTION 1 - DEFINITIONS (CONT'D.)

Company Calling Card

A telephone calling card issued by the Company at the Customer's request, which enables the Customer or User(s) authorized by the Customer to place calls over the Network and to have the charges for such calls billed to the Customer's account.

Credit Card

A Credit Card is an accepted credit card, which is defined as a credit card that the cardholder has requested or applied for and received, or has signed, used or authorized another person to use to obtain credit. Any credit card issued as an renewal or substitute in accordance with this paragraph is an accepted credit card when received by the cardholder.

Customer

Denotes the person, firm or corporation which directly, indirectly, or constructively orders or otherwise receives access service under this Tariff and is responsible for the payment of charges and compliance with the Company's regulations. Should a Customer use the Company's access service as specified in this Tariff, regardless of whether the Customer has affirmatively requested service or has an executed service order, the Customer will be subject to the obligations, rates, and charges set forth in this Tariff.

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Customer-Designated Premises

The Premises at which a Customer is deemed to receive or deliver traffic for origination or termination of Access Services, as applicable, including third-party tandem sites designated by Customer for this purpose.

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End Office Switching

Denotes a switching function to interconnect End User connections (including connections that have been concentrated at a Remote Switching Location) with each other or with trunks. The Company may provide End Office Switching at the same switching center from which it provides Tandem Switching or other intermediary switching functions.

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SECTION 1 - DEFINITIONS (CONT'D.)

End User

A person or entity that is a subscriber to, or customer of, the business and residential services of the Company or of its VoIP Provider Partners.

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Exchange Telephone Company

Denotes any individual, partnership, association, joint-stock company, trust, or corporation engaged in providing switched communication within an exchange.

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Interexchange Carrier (IXC) or Interexchange Common Carrier

The terms "Interexchange Carrier" (IXC) or "Interexchange Common Carrier" denotes any individual, partnership, association, joint-stock company, trust, governmental entity or corporation engaged for hire in interstate or foreign communication by wire or radio, between two or more exchanges.

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LATA

A Local Access and Transport Area established pursuant to the Modification of Final Judgment entered by the United States District Court for the District of Columbia in Civil Action No. 82-0192; or any other geographic area designated as a LATA in the National Exchange Carrier Association, Inc. Tariff F.C.C. No. 4.

Network

Refers to the Company's facilities, equipment, and services provided under this Tariff.

Recurring Charge

The monthly charges to the Customer for services, facilities and equipment which continue for the agreed upon duration of the service.

Service Commencement Date

The first date on which the Company notifies the Customer that the requested service or facility is available for use, unless extended by the Customer's refusal to accept service which does not conform to standards set forth in the Service Order or this tariff, in which case the Service Commencement Date is the date of the Customer's acceptance. The Company and the Customer may mutually agree on a substitute Service Commencement Date. If the Company does not have an executed Service Order from a Customer, the Service Commencement Date will be the first date on which the service or facility was used by a Customer.

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SECTION 1 - DEFINITIONS (CONT'D.)

Signal Transfer Point (STP)

The term "Signal Transfer Point (STP)" denotes a packet switch which provides access to the Telephone Company's SS7 network and performs SS7 message signal routing and screening.

Signal Transfer Point (STP) Port

The term "Signal Transfer Point (STP) Port" denotes the point of termination and interconnection to the STP.

Tandem Switching

Denotes switching between two or more carriers or other intermediary switching functions. The Company may provide Tandem Switching in the same location at which End Office Switching is provided.

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Toll Free

A term to describe an inbound communications service which permits a call to be completed at a location without charge to the calling party. Access to the service is gained by dialing a ten (10) digit telephone number (e.g. NPA is 800, 888, etc.).

Universal Emergency Telephone Number (911) Service

Wherever feasible, the Company will provide a universal Central Office number "911" for the use of Public Safety Agencies having the responsibility to protect the safety and property of the general public. It is intended that use of 911 Service will provide the public with a means of simple and direct telephone access to a Public Safety Answering Point.

User

A Customer or any other person or entity who uses service provided under this Tariff.

(N)

VoIP Provider

For the purposes of this Tariff, any service provider, including but not limited to carriers, that originates and/or terminates traffic in Internet protocol ("IP") format.

VoIP Provider Partner

Any VoIP Provider that uses the Company's services to exchange traffic with the PSTN.

VoIP-PSTN Traffic

Traffic exchanged between the Company and a Customer in Time-Division-Multiplexing format that originates and/or terminates in IP format.

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Wire Center

A building in which one or more Central Offices, used for the provision of Exchange Services, are located.

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SECTION 3 – SWITCHED ACCESS SERVICE DESCRIPTIONS

3.1 Switched Access Services

Switched Access Service, which is available to Customers for their use in furnishing their services to end users, provides a two-point communications path between a Customer's premises and an end user's premises. It provides for the use of common terminating, switching and bunking facilities. Switched Access Service provides for the ability to originate calls from an end user's premises to a Customer's premises (or a collocated interconnection location), and to terminate calls from a Customer's premises (or a collocated interconnection location) to an end user's premises in the LATA where it is provided. Switched Access Service must be ordered separately for each LATA in which the customer desires to originate or terminate calls.

Switched Access Service is provided in the following service categories, which are differentiated by their technical characteristics and the manner in which an end user or Customer accesses them when originating or terminating calls.

FGD Access, which is available to all Customers, provides trunk side access to Company end office switches with an associated uniform 10XXX or 101XXXX access codes for the Customer's use in originating and terminating communications. End users may also originate calls to a selected FGD Access Customer by dialing 1 +NPA-NXX-XXXX when using the Company's presubscription service.

Toll Free Data Base Access Service, which is available to all Customers, provides trunk side access to Company End Office switches in the originating direction only, for the Customer's use in originating calls dialed by an end user to telephone numbers beginning with the prefix "800", "888" or 877".

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Toll Free Traffic Delivery Service is an access service in which the Company transports toll free traffic originated by a third party who is not an End User or other user of (i) the Company's local exchange or exchange access service or (ii) the Company's VoIP Provider Partners' services through its wire center to an Interexchange Carrier Customer. It provides for the use of the Tandem Switching, Tandem Termination, and Tandem Transport facilities of the Company. In a Toll Free Traffic Delivery Service call, the Company will not charge Carrier Common Line, Local End Office Switching, or End Office Port charges. The rates for Toll Free Delivery Service are set forth in Section 6 of this Tariff.

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SECTION 3 – SWITCHED ACCESS SERVICE DESCRIPTIONS (CONT'D.)

3.1 Switched Access Services (Cont'd.)

3.1.1 Access Service Order

A. Ordering Access Service Types

An Access Service Order is used by the Company to provide a Customer Access Service. When placing an order for Access Service, the Customer shall provide, at a minimum, the following information:

1. For Feature Group D Switched Access Service:

a. When direct routing to an end office is desired, the Customer shall specify:

- the number of trunks,
- the end office and
- the Local Transport and End Office Switching options (T) desired.

b. When end office routing via an access tandem switch operated by another Exchange Telephone Company is desired, the Customer shall specify:

- the number of trunks,
 - the access tandem switch,
 - the Local Transport and End Office Switching options (T) desired, and
 - an estimate of the amount of traffic to be generated to and/or from each Company end office subtending another Exchange Telephone Company's access tandem.
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SECTION 3 – SWITCHED ACCESS SERVICE DESCRIPTIONS (CONT'D.)

3.1 Switched Access Services (Cont'd.)

3.1.1 Access Service Order (Cont'd.)

A. Ordering Access Service Types (Cont'd.)

In addition, the Customer shall also specify for terminating only access, whether the trunks are to be arranged in trunk group arrangements or provided as single trunks.

2. For Feature Group D Switched Access Service, the Customer shall specify the number of busy hour minutes of capacity (BHMC) from the Customer's premises to the end office by traffic type. This information is used to determine the number of transmission paths. The Customer shall also specify the Local Transport and End Office Switching options. When FGD is ordered by specifying the number of trunks and direct routing to an end office is desired, the customer shall specify: (T)

- the end office and
- the Local Transport and End Office Switching options desired. (T)

When FGD is ordered by specifying the number of trunks and end office routing via an access tandem operated by another Exchange Telephone Company is desired, the customer shall specify:

- the access tandem,
 - the Local Transport and End Office Switching options desired, and (T)
 - an estimate of the amount of traffic to be generated to and/or from each Company end office subtending another Exchange Telephone Company's access tandem.
-

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SECTION 3 – SWITCHED ACCESS SERVICE DESCRIPTIONS (CONT'D.)

3.1 Switched Access Services (Cont'd.)

3.1.3 Other Rate Categories (Cont'd.)

B. End Office Switching

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End Office Switching provides for the use of end office switching equipment. (T)
Included in End Office Switching are: (T)

1. Common Switching, which provides the local end office switching functions and optional features.
2. Transport Termination, which provides for the trunk side arrangements which terminate the Local Transport facilities. The number of Transport Terminations provided will be determined by the Company.
3. Where end offices are appropriately equipped, international dialing may be provided. International dialing provides the capability of switching international calls with service prefix and address codes having more digits than are capable of being switched through a standard equipped end office.

C. End Office Trunk Port

The End Office Trunk Port used by multiple customers provides for the termination of common transport trunks. The End Office Trunk Port rate is assessed on a usage sensitive basis.

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SECTION 3 – SWITCHED ACCESS SERVICE DESCRIPTIONS (CONT'D.)

3.2 Miscellaneous Services

3.2.1 Presubscription

A. Presubscription is an arrangement whereby a Company End User may select and designate to the Company an interexchange carrier (IXC) to access, without an access code, for intrastate interLATA calls and interstate interLATA calls. This IXC is referred to as the end user's Primary Interexchange Carrier (PIC). The End User may select as its PIC the Company, or any other IXC that orders originating Feature Group D Switched Access Service at the end office that serves the End User. After the End User's initial selection of a predesignated IXC, for any additional change in selection, a non-recurring charge, as set forth in Section 6.2.1, applies. (T)

B. At the request of a new or existing Company End User served by a Feature Group D end office, the Company will provide a list of IXCs the End User may select as its PIC. At no additional charge for the initial selection, the customer may choose either of the following options. (T)

- Designate an IXC as a PIC and dial 10XXX or 101XXXX to reach other IXCs. (T)

- Designate that they do not want to be presubscribed to any IXC and choose to dial 10XXX or 101 XXXX for all calls to all IXCs. (T)

New End Users subscribing to the Company's Exchange Access Service which do not specify a PIC will default to the Company as their initial PIC selection. Subsequent to the installation of Exchange Access Service, and after the end user's initial selection of a PIC, for any additional change in selection, a nonrecurring charge as set forth in Section 6.2.1, applies. This charge is billed to the end user which is the subscriber to the Exchange Access Service, or upon request by the selected IXC, billed to the IXC on behalf of the End User. (T)

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SECTION 4 – DEDICATED SERVICES DESCRIPTIONS AND TECHNICAL STANDARDS (CONT'D.)

4.7 Contract Rates - Special Pricing Arrangements-ICB

4.7.1 In lieu of the rates otherwise set forth in this tariff, rates and charges, including minimum usage, installation, special construction and recurring charges for Carrier's services may be established at negotiated rates on an ICB, taking into account the nature of the facilities and services, the costs of construction and operation, the volume of traffic, the length of service commitment by the Customer, and use of facilities by other customers. Such arrangements shall be considered Special Pricing Arrangements, the terms of which will be set forth in individual Customer contracts. However, unless otherwise specified, the terms, conditions, obligation and regulation set forth in this tariff shall be incorporated into, and become a part of, said contract, and shall be binding on Carrier and Customer. Specialized rates or charges will be made available to similarly situated customers on a non-discriminatory basis.

4.7.2 In addition to any rate or charge established by the Carrier, the Customer will also be responsible for any recurring or non-recurring charges imposed by local exchange telephone companies incurred by or on behalf of the Customer in establishing and maintaining service. Such charges may be billed by the Carrier or directly by the local exchange company, at the Carrier's option.

4.8 Back Billing

Carrier shall be entitled to revise bills previously rendered to adjust for previously rendered unbilled service, or adjust upward a bill previously rendered, assuming that the customer was aware of the unbilled services during the period the services were unbilled, for a period as permitted by law following in which the service was rendered.

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SECTION 6 – SWITCHED ACCESS RATES AND CHARGES (CONT'D.)

6.1 Switched Access Service (Cont'd.)

6.1.3 End Office

A. End Office Switching

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1. Illinois - All Switches	\$0.0031160
2. Indiana	
BMTPIN01DS0	\$0.0031160
EKHTIN01RS0	\$0.0020889
FTWYIN06DS0	\$0.0020889
IPLWIN75DS2	\$0.0029619
KNTPIN01DS0	\$0.0031160
MSHWINDQDS0	\$0.0031160
Non-One Communications Switch - SBC Area	\$0.0031160
Non-One Communications Switch - Frontier Area	\$0.0020889
3. Michigan - All Switches	\$0.0031160
4. Wisconsin - All Switches	\$0.0031160

Note: In any case the sum of the charges for the elements applied under 6.1.2.C, 6.1.2.E, 6.1.3 and 6.4 will not be above the FCC benchmark established in CC Docket No. 96-262.

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SECTION 6 – SWITCHED ACCESS RATES AND CHARGES (CONT’D.)

6.5 Presubscribed Interexchange Carrier Charge (“PICC”)

6.5.1 General

The Presubscribed Interexchange Carrier Charge (PICC) is a monthly charge imposed by the Company on IXC’s when the Company’s multi-line business, ISDN-PRI and T-1 customers presubscribe to the IXC’s long distance service. For ISDN-PRI and T-1 customers, the Company will assess five (5) PICC charges per circuit. An IXC selected by the customer for both their interLATA and intraLATA long distance service will be subject to a single PICC per line. This charge will not be prorated for a partial month of service, is not subject to any discounting and does not contribute to any monthly minimums.

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SECTION 11 - VOIP-PSTN TRAFFIC

11.1 VoIP-PSTN Traffic

The VoIP-PSTN Traffic category consists of all traffic that (i) is exchanged in Time Division Multiplexing ("TDM") format and (ii) originates and/or terminates in Internet protocol ("IP") format. See Federal Communications Commission Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011) ("FCC Order") These services are tariffed within the Company's federal access tariff consistent with the FCC Order.

11.2 Identification and Rating of VoIP-PSTN Traffic

11.2.1 Scope

This section governs the identification of 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 "Relevant VoIP-PSTN Traffic") from the Customer's traditional interstate access traffic, so that such Relevant VoIP-PSTN Traffic can be billed in accordance with the FCC Order.

11.2.2 Rating of VoIP-PSTN Traffic

The Relevant 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 this 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).

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SECTION 11 - VOIP-PSTN TRAFFIC (CONT'D.)

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

11.2.3 Calculation and Application of Percent-VoIP-Usage Factor

The Company will determine the number of Relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection (B), above, by applying a Percent VoIP Usage ("PVU") factor to the total interstate access MOU (however determined - either based on call detail information or PIU) exchanged between the Company and the Customer.

A. The PVU for traffic will be derived and applied as follows:

1. The Customer will calculate and furnish to the Company a factor (the "PVU-A") representing the percentage of the total intrastate and interstate access MOU for traffic that the Customer exchanges with the Company in the State, that (a) is sent to the Company and that originates in IP format; or (b) is received from the Company and terminates in IP format. This PVU-A 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 consistent with the FCC Order.
2. Company will, likewise, calculate a factor (the "PVU-B") representing the percentage of the Company's total access MOU for traffic in the State that the Company 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 FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information consistent with the FCC Order.

(N)

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SECTION 11 - VOIP-PSTN TRAFFIC (CONT'D.)

(N)

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

11.2.3 Calculation and Application of Percent-VoIP-Usage Factor (Cont'd.)

B. 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 interstate 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 interstate 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 interstate access MOU as VoIP-PSTN Traffic, pursuant to this Section of this Tariff.

C. Default PVU Factors

If the Customer does not furnish the Company with a PVU factor pursuant to the preceding paragraph (11.2.3.A.1) of this Section, the Company will utilize a PVU equal to the Company's PVU-B factor.

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SECTION 11 - VOIP-PSTN TRAFFIC (CONT'D.)

(N)

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

11.2.4 Initial PVU Factors

If the PVU factors are not available and/or cannot be implemented in the Company's billing systems by January 1, 2012, once the factors are available and can be implemented the Company will adjust the Customer's bills to reflect the PVUs retroactively to January 1, 2012.

In calculating the initial PVUs, the Company will take the Customer-specified PVU-A into account retroactively to January 1, 2012, provided that the Customer provides the factor to the Company no later than April 15, 2012; otherwise, it will set the initial PVU equal to the PVU-B, as specified in subsection 11.2.3.A.2, above.

11.2.5 PVU Factor Updates

The Customer or the Company may update the PVU-A factor quarterly using the method set forth in subsection 11.2.3.A.1 above. If the Customer chooses to submit such updates, it shall forward to the Company, no later than 15 days after the first day of January, April, July and/or October of each year, a revised PVU-A factor based on data for the prior three months, ending the last day of December, March, June and September, respectively. The Company will use the revised PVU-A to calculate a revised PVU. The revised PVU factor will apply prospectively and serve as the basis for billing until superseded by a new PVU.

11.2.6 PVU Factor Verification

Not more than twice in any year, the Company may ask the Customer to verify the PVU-A factor furnished to the Company and Customer may ask the Company to verify the PVU-B factor and the calculation of the PVU factor. The party so requested shall comply, and shall reasonably provide the records and other information used to determine the respective PVU-A and PVU-B factor.

(N)
