

The Choice One Companies
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
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ACCESS SERVICES

Regulations and Schedule Of Interstate
Charges Governing the Provision Of
Switched Access and Dedicated Telecommunications
Services For Connection To Communications
Facilities Within Connecticut, Maine, Maryland, Massachusetts,
New Hampshire, New York, Ohio, Pennsylvania,
and Rhode Island Furnished By

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THE CHOICE ONE COMPANIES
D/B/A EARTHLINK BUSINESS

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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Originally Effective on October 1, 2011.

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CHECK SHEET

Page 1 to 173 are effective as of the date shown. Original and revised pages listed below contain all changes from the original tariff that are in effect on the date shown.

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CONCURRING CARRIERS

Choice One Communications of Connecticut Inc.
Choice One Communications of Maine Inc.
Choice One Communications of Massachusetts Inc.
Choice One of New Hampshire Inc.
Choice One Communications of New York Inc.
Choice One Communications of Ohio Inc.
Choice One Communications of Pennsylvania Inc.
Choice One Communications of Rhode Island Inc.
Choice One Communications of Vermont Inc.
Choice One Communications of Virginia Inc.

CONNECTING CARRIERS

None

OTHER PARTICIPATING CARRIERS

None

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SECTION 1 - GENERAL REGULATIONS (CONT'D.)

1.2 Definitions

ACCESS CODE - Denotes a uniform code assigned by the Company to an individual Customer. The code has the form 10XXX, 10XXXXX, 950-0XXX, or 950-1XXX.

ACCESS MINUTES - Denotes that usage of exchange facilities in interstate service for the purpose of calculating chargeable usage.

ACCESS SERVICE – 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 - 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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SECTION 1 - GENERAL REGULATIONS (CONT'D.)

1.2 Definitions (Cont'd.)

CUSTOMER - The person, firm or corporation which directly, indirectly, or constructively orders or otherwise receives access service under this service 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. (T)

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. (T)
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(T)

END OFFICE SWITCHING - 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. (T)
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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. (T)
(T)

ENTRY SWITCH - First point of switching.

EXCHANGE - A group of lines in a unit generally smaller than a LATA established by the Company for the administration of communications service in a specified area. An Exchange may consist of one or more Central Offices together with the associated facilities used in furnishing communications service within that area.

EXCHANGE CARRIER - Any individual, partnership, association, joint-stock company, trust, governmental entity, corporation, or other entity engaged in the provision of local exchange telephone service, CMRS, or other wireless services.

FACILITIES - Denotes any cable, poles, conduit, Carrier equipment, wire center distribution frames, Central Office switching equipment, etc., utilized to provide the service offered under this Tariff.

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SECTION 1 - GENERAL REGULATIONS (CONT'D.)

1.2 Definitions (Cont'd.)

POINT OF TERMINATION - The point of demarcation within a Customer Designated Premises at which the Company's responsibility for the provision of access service ends. The point of demarcation is the point of interconnection between Company communications Facilities and Customer-provided facilities as defined in Part 68 of the Federal Communications Commission's Rules and Regulations.

PREMISES - A building or buildings on contiguous property, not separated by a public highway or right-of-way.

REMOTE SWITCHING LOCATION - A collocation arrangement, node or point on the Company's network through which multiple End User's lines are concentrated for connection to a Company's Central Office.

SERVING WIRE CENTER - The wire center from which the Customer-designated Premises normally obtains dial tone from the Company.

SPECIAL ACCESS CIRCUIT - The physical pathway for transmission of information between a dedicated originating point and a dedicated terminating point.

TANDEM SWITCHING - 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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TRANSMISSION PATH - An electrical path capable of transmitting signals within the range of the service offering. A transmission path is comprised of physical or derived facilities consisting of any form or configuration of plant used in the telecommunications industry.

TRUNK - A communications path connecting two switching systems in a network, used in the establishment of an end-to-end connection.

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SECTION 1 - GENERAL REGULATIONS (CONT'D.)

1.2 Definitions (Cont'd.)

TRUNK GROUP - A set of Trunks which are traffic engineered as a unit for the establishment of connections between switching systems in which all of the communications paths are interchangeable.	(M)
USER - A Customer or any other person or entity who uses service provided under this Tariff.	(M)
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.	(N)
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.	(N)
WIRE CENTER - A physical location in which one or more Central Offices, used for the provision of exchange services, are located.	(M)
WIRELESS PROVIDER - Any Carrier authorized to operate as a provider of cellular, personal communications, paging, CMRS, or any other form of wireless transmission.	(M)

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SECTION 2 - RULES AND REGULATIONS (CONT'D.)

2.3 [Reserved for Future Use]

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2.4 Payment For Service Rendered

2.4.1 Responsibility for All Charges

The Customer is responsible for payment of all charges for service furnished to the Customer, or the Customer's agents, Users, End Users or customers. All charges due by the Customer are payable to the Company or to the Company's authorized billing agent. Any objections to billed charges must be reported promptly to the Company.

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.2 Rate Categories (Cont'd.)

3.2.3 Common Transport Service

Common Transport Service includes the following elements:

- A. Transport Termination, which provides for the Trunk side arrangements between the Company's switching systems (whether End Office or Tandem) and either a Customer Designated Premise or a Remote Switching Location. These facilities terminate the Transport Facilities. The number of Transport Terminations provided will be determined by the Company. (T)
(T)
- B. The Transport Facility provides for the provision of transmission Facilities between 1) the Customer Designated Premises and the Company's Central Office where the Customer traffic is switched to originate or terminate the Customer's communication and/or 2) between the Company's Central Office where the Customer traffic is switched and the Remote Switching Location through which the traffic is originated or terminated. The Transport Facility is a two-way voice frequency transmission path composed of Facilities determined by the Company. The voice frequency transmission path may be comprised of any form or configuration of plant capable of and typically used in the telecommunications industry for the transmission of voice and associated telephone signals.
- C. Common Multiplexing – Common Multiplexing is provided on a usage sensitive basis. Multiplexing is required to convert common switched Facilities from one operating speed to another operating speed, such as a conversion from 44.736 Mbps to an operating speed of 1.544 Mbps and/or from 1.544 Mbps to 64 kbps or any other similar type of conversion.

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.2 Rate Categories (Cont'd.)

3.2.4 Toll Free Traffic Delivery Service

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 3.8 of this Tariff.

3.2.5 Use of Direct Trunking for 8YY Service

Direct trunked transport facilities used as a component of 8YY Service are described in Section 10 of this Tariff.

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.2 Rate Categories (Cont'd.)

3.2.6 Other Charges

- A. Network Blocking Charge - The Customer will be notified by the Company to increase its capability (Busy Hour Minutes of Capacity or quantities of trunks) when excessive Trunk group blocking occurs on groups carrying Calls and the measured Access Minutes for that hour exceed the capacity purchased. If the order for additional capacity has not been received by the Company within 15 days of the notification, the Company will bill the Customer, at the rate set forth in this Tariff, for each overflow in excess of ordered capacity.
- B. SMS Data Base Query Charge - This charge will apply for each toll-free 8YY Call database query from the SMS database, an SMS Database Query, performed by Company. This charge applies to all toll-free Calls placed by any End User, regardless of the type of access (e.g., Switched Access or Direct Connects) ordered from or otherwise provided by the Company. (T)
- C. Optional Features - Other optional features may be available on an individual case basis.

3.3 Switched Access Arrangements

Unless Customers affirmatively order another method of access, such as Direct Connects as described in Section 10, Customers originating or terminating Calls through the Company's network connect with the Company's network through a tandem switch Usage sensitive charges described in this Section 3 apply to such Switched Access arrangement. The application of these charges will be determined based on the actual rate elements furnished by the Company in connection with a Call.

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.7 Rate Regulations

The application of rates and charges for Switched Access Services is described in Section 8 of this Tariff.

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3.7.1 Minimum Periods

Switched Access Service is provided for a minimum period of one month.

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.8 Rates And Charges

3.8.1 Usage Sensitive Charges

A. Connecticut (All Switches)

Element	Rate
Transport Termination - per access minute	\$0.000063
Transport Facility - per access minute per mile	\$0.000003
Multiplexing - per access minute	\$0.000082
Tandem Switching - per access minute	\$0.000634
End Office Switching - per access minute	\$0.003133
Shared Trunk Port - per access minute	\$0.001400
Network Blocking Charge - per call blocked	\$0.011100
800 Data Base Query - per query	\$0.0100
Host/Remote Transport Termination - per access minute	\$0.0002850
Host/Remote Transport Facility - per access minute	\$0.0001010

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3.8 Rates And Charges (Cont'd.)

3.8.1 Usage Sensitive Charges (Cont'd.)

B. Massachusetts (All Switches)

Element	Rate
Transport Termination - per access minute	\$0.000000
Transport Facility - per access minute per mile	\$0.000002
Multiplexing - per access minute	\$0.000000
Tandem Switching - per access minute	\$0.001574
End Office Switching - per access minute	\$0.002406
End Office Trunk Port - per access minute	\$0.001688
FGD Network Blocking Charge - per call blocked	\$0.010699
800 Data Base - per query	\$0.0100

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.8 Rates And Charges (Cont'd.)

3.8.1 Usage Sensitive Charges (Cont'd.)

C. Maine (All Switches)

Element	Rate
Transport Termination - per access minute	\$0.000000
Transport Facility - per access minute per mile	\$0.000003
Multiplexing - per access minute	\$0.000000
Tandem Switching - per access minute	\$0.001600
End Office Switching - per access minute	\$0.002264
End Office Trunk Port - per access minute	\$0.001595
FGD Network Blocking Charge - per call blocked	\$0.010699
800 Data Base - per query	\$0.0100

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.8 Rates And Charges (Cont'd.)

3.8.1 Usage Sensitive Charges (Cont'd.)

D. New Hampshire (All Switches)

Element	Rate
Transport Termination - per access minute	\$0.000000
Transport Facility - per access minute per mile	\$0.000003
Multiplexing - per access minute	\$0.000000
Tandem Switching - per access minute	\$0.001600
End Office Switching - per access minute	\$0.002264
End Office Trunk Port - per access minute	\$0.001595
FGD Network Blocking Charge - per call blocked	\$0.010699
800 Data Base - per query	\$0.0100

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.8 Rates And Charges (Cont'd.)

3.8.1 Usage Sensitive Charges (Cont'd.)

E. Rhode Island (All Switches)

Element	Rate
Transport Termination - per access minute	\$0.000000
Transport Facility - per access minute per mile	\$0.000002
Multiplexing - per access minute	\$0.000000
Tandem Switching - per access minute	\$0.001574
End Office Switching - per access minute	\$0.002406
End Office Trunk Port - per access minute	\$0.001688
FGD Network Blocking Charge - per call blocked	\$0.010699
800 Data Base - per query	\$0.0100

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.8 Rates And Charges (Cont'd.)

3.8.1 Usage Sensitive Charges (Cont'd.)

F. New York (All Switches - Frontier Telephone of Rochester Service Area)

Element	Rate
Transport Termination - per access minute	\$0.00114997
Transport Facility - per access minute per mile	\$0.00004000
Multiplexing - per access minute	\$0.00001000
Tandem Switching - per access minute	\$0.00010000
End Office Switching - per access minute	\$0.00295157
End Office Trunk Port - per access minute	\$0.00070000
FGD Network Blocking Charge - per call blocked	\$0.01000000
800 Data Base Query - per query	\$0.0100

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.8 Rates And Charges (Cont'd.)

3.8.1 Usage Sensitive Charges (Cont'd.)

G. New York (All Switches - Verizon Service Area)

Element	Rate
Local Transport Termination - per access minute	\$0.000000
Local Transport Facility - per access minute per mile	\$0.000002
Common Multiplexing - per access minute	\$0.000000
Tandem Switching - per access minute	\$0.001574
End Office Switching - per access minute	\$0.002406
End Office Trunk Port - per access minute	\$0.001688
FGD Network Blocking Charge - per call blocked	\$0.010699
800 Data Base - per query	\$0.0100

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.8 Rates And Charges (Cont'd.)

3.8.1 Usage Sensitive Charges (Cont'd.)

H. Pennsylvania (All Switches – Verizon North Service Area)

Element	Rate
Local Transport Termination - per access minute	\$0.000000
Local Transport Facility - per access minute per mile	\$0.000002
Common Multiplexing - per access minute	\$0.000000
Tandem Switching - per access minute	\$0.001540
End Office Switching - per access minute	\$0.002406
End Office Trunk Port - per access minute	\$0.001688
FGD Network Blocking Charge - per call blocked	\$0.010000
800 Data Base Query - per query	\$0.0100

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.8 Rates And Charges (Cont'd.)

3.8.1 Usage Sensitive Charges (Cont'd.)

I. Pennsylvania (All Switches - Verizon Service Area)

Element	Rate
Local Transport Termination - per access minute	\$0.000000
Local Transport Facility - per access minute per mile	\$0.000002
Common Multiplexing - per access minute	\$0.000000
Tandem Switching - per access minute	\$0.001574
End Office Switching - per access minute	\$0.002406
End Office Trunk Port - per access minute	\$0.001688
FGD Network Blocking Charge - per call blocked	\$0.010699
800 Data Base - per query	\$0.0100

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.8 Rates And Charges (Cont'd.)

3.8.1 Usage Sensitive Charges (Cont'd.)

J. Ohio (All Switches)

Element	Rate
Local Transport Termination - per access minute	\$0.000105
Local Transport Facility - per access minute per mile	\$0.000014
Common Multiplexing - per access minute	\$0.000018
Tandem Switching - per access minute	\$0.001120
End Office Switching - per access minute	\$0.003116
End Office Trunk Port - per access minute	\$0.000371
FGD Network Blocking Charge - per call blocked	\$0.001088
800 Data Base - per query	\$0.0100

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SECTION 3 - SWITCHED ACCESS SERVICE (CONT'D.)

3.9 Presubscribed Interexchange Carrier Charge (PICC)

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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	Monthly Recurring Charge	
Per multi-line business customer subscribed line	\$4.31	(T)
Per ISDN-PRI or T-1 facility	\$21.55	
Per Centrex line	\$0.47	

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**SECTION 4 - DEDICATED SERVICES, DESCRIPTIONS
AND TECHNICAL STANDARDS**

4.1 General

The various types of Carrier service offerings are described below. Carrier services are billed at predetermined monthly rates. Recurring charges are billed in advance of the month in which service is performed. In addition, the optional features and any extraordinary installation costs other than recurring and non-recurring charges may apply as described herein. Customers requesting these services may subscribe to services on a month-to-month basis, or for term discount plans of 1 to 5 years. Customers subscribing to a term discount plan may receive a discount on charges for these arrangements. Agreements for services in excess of 5 years will be negotiated on an ICB.

4.2 Service Configurations

There are two types of service configurations over which Carrier's services are provided: point-to-point service and multipoint service.

4.2.1 Point-To-Point Service

Point-To-Point Service connects two Customer-designated Premises, either on a directly connected basis, or through a hub where multiplexing functions are performed.

4.2.2 Multipoint Service

Multipoint Services connect three or more Customer-Designated Premises through a Carrier hub. There is no limitation on the number of locations connected via multipoint service. However, when more than three points are provided in tandem, the quality of service may be degraded. Multipoint service may be provided where technically possible. If Carrier determines that the requested characteristics for a multipoint service are not compatible, the Customer will be advised and given the opportunity to change the order within 60 days.

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**SECTION 4 - DEDICATED SERVICES, DESCRIPTIONS
AND TECHNICAL STANDARDS (CONT'D.)**

4.8 Back Billing

The Company shall be entitled to revise bills 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 the period in which the service was rendered.

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4.9 Taxes

4.9.1 Sales, Use and Excise Taxes

In addition to all recurring, non-recurring, usage or special charges, Customer shall also be responsible for and shall pay all applicable federal, state and local sales, use and excise taxes.

4.10 Temporary Promotional Programs

The Carrier may establish temporary promotional programs, wherein it may waive or reduce recurring or non-recurring charges, to introduce a present or potential Customer to a service not previously received by the Customer. The terms of promotional programs will be filled with the F.C.C. subject to the requirements of applicable law, except if the promotion is to reduce rates.

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SECTION 5 - END USER ACCESS SERVICE (CONT'D.)

5.8 Miscellaneous End User Access Services

5.8.1 Presubscription

- A. Presubscription is an arrangement whereby an 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 subject to the Company's tariff. 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 5.8.1.C below, 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)
1. Designate an IXC as a PIC and dial 10XXX or 101XXXX to reach other IXCs.
 2. 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.

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 5.8.1.C below, 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.

- C. PIC Change Charge: \$5.00

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SECTION 5 - END USER ACCESS SERVICE (CONT'D.)

5.10 Regulatory Cost Recovery Fee (RCRF)

The Regulatory Cost Recovery Fee (RCRF) is a monthly charge assessed on End Users that allows the Company to recover costs associated with compliance with various federal regulatory fees and programs. This charge is not a government-imposed fee. The RCRF rate is 3.5% percent of a Customer's net interstate and international service charges, exclusive of taxes. This charge is not subject to any discounting and does not contribute to any monthly minimums. (T)

5.11 Facilities Access Charge (FAC) **

The Facilities Access Charge (FAC) is imposed upon T-1 facilities used in connection with the Company's Point-to-Point and data services. The FAC recovers the cost of the Customer's consumption of ports on the Company's network. A FAC applies to each data and Point-to-Point T-1 circuit subscribed to by the Customer. Rates are described below:

State	Per T-1 facility
Connecticut	\$45.40
Maine	\$46.00
Massachusetts	\$46.00
New Hampshire	\$46.00
New York - Rochester*	\$46.00
New York - Other Markets*	\$46.00
Ohio	\$40.40
Pennsylvania – Erie/GTE	\$46.00
Pennsylvania – Erie/Verizon	\$40.40
Pennsylvania – Other Markets	\$40.40
Rhode Island	\$46.00

* Please refer to New York Local Exchange Tariff of Choice One Communications of New York Inc. for a list of all service areas that fall within the Rochester and non-Rochester markets.

** Section 5.11 of this tariff applies to customers subscribing to service on or before February 1, 2010.

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SECTION 8 - DESCRIPTION AND APPLICATION OF RATES AND CHARGES

8.1 Usage Rates

Usage rates for Switched Access service are rates that apply: (1) on a per Access Minute basis; (2) on a per Call blocked basis beyond the blocking threshold for Network Blocking; (3) on a per query basis for 800 Database Queries. All charges are accumulated on a monthly basis. (T)

8.2 Monthly Rates

Monthly rates are flat recurring rates that apply each month or fraction thereof that a chargeable optional feature of basic service element is provided. For billing and prorating purposes, each month is considered to have 30 days.

8.3 Non-Recurring Charges

Nonrecurring charges are one-time charges that apply for specific work activity. The types of non-recurring charges are as follows:

8.3.1 Access Order Charge

The Access Order Charge applies to all Customer requests for new switched access service, and for additions, changes, or rearrangements to existing service. It is applied on a per order basis to each order received by the Company, and is in addition to any other applicable charges as set forth in this and other sections of this Tariff.

Access Order Charge	\$150.00
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The Access Order Charge does not apply:

- to administrative changes as set forth in this Tariff;
- when a change in a pending order does not result in the cancellation of the pending order and the issuance of a new order;
- when a Company initiated network reconfiguration requires a Customer's existing access service to be reconfigured.

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SECTION 11 - VOIP-PSTN TRAFFIC

(N)

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).

(N)

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

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

(N)

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.)

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

(N)

11.2.3 (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 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 factors.

(N)

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

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

(N)

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-As into account retroactively to January 1, 2012, provided that the Customer provides the factors 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 factors 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 factors 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 factors will apply prospectively and serve as the basis for billing until superseded by new a 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)