

Lightship Telecom, LLC
d/b/a EarthLink Business
Issued by: Vice President, Tax
1375 Peachtree Street, Level A
Atlanta, Georgia 30309

FCC Tariff No. 4
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 Within Maine, Massachusetts,
New Hampshire, Pennsylvania,
and Rhode Island

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FURNISHED BY

Lightship Telecom, LLC
d/b/a EarthLink Business

AND ITS CONCURRING CARRIERS BETWEEN

POINTS IN THE UNITED STATES AS SPECIFIED HEREIN.

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by Lightship Telecom, LLC d/b/a EarthLink Business. 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

Pages 1 through 118 of this tariff are effective as of the date shown above. The original and revised sheets named below contain all changes from the original tariff and are in effect on the date shown.

Page	Revision	
Title	1 st Rev.	*
1	1 st Rev.	*
2	1 st Rev.	*
3	1 st Rev.	*
11	1 st Rev.	*
114	Original	*
115	Original	*
116	Original	*
117	Original	*
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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.

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.

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.

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 7 - VOIP-PSTN TRAFFIC

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7.1 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 tarified within the Company's federal access tariff consistent with the FCC Order.

7.2 Identification and Rating of VoIP-PSTN Traffic

7.2.1 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.

7.2.2 Rating of VoIP-PSTN Traffic

The Relevant VoIP-PSTN Traffic identified in accordance with this Section will be billed at rates equal to those tarified for the Company's interstate switched access services as described in Sections 3 & 5 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 7 - VOIP-PSTN TRAFFIC (CONT'D.)

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

7.2.3 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.

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SECTION 7 - VOIP-PSTN TRAFFIC (CONT'D.)

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

7.2.3 (Cont'd.)

A. The PVU for traffic will be derived and applied as follows: (Cont'd.)

3. 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).
4. The Company will apply the over-all PVU factor to the total service interstate access MOU exchanged with the Customer to determine the number of Relevant VoIP-PSTN Traffic MOUs for service.

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SECTION 7 - VOIP-PSTN TRAFFIC (CONT'D.)

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

7.2.3 (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 factor pursuant to the preceding paragraph (7.2.3.A.1) of this Section, the Company will utilize a PVU equal to the Company's PVU-B factor.

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SECTION 7 - VOIP-PSTN TRAFFIC (CONT'D.)

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

7.2.4 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 7.2.3.A.2, above.

7.2.5 PVU Factor Updates

The Customer or the Company may update the PVU-A factor quarterly using the method set forth in subsection 7.2.3.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.

7.2.6 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.

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