

2. GENERAL REGULATIONS

2.3 OBLIGATIONS OF THE CUSTOMER (Cont'd)

2.3.10 JURISDICTIONAL REPORTS REQUIREMENTS

A. Jurisdictional Determinant

Pursuant to Federal Communications Commission order FCC 85-145 adopted April 16, 1985, interstate usage is to be developed as though every call that enters a customer network at a point within the same state as that in which the called station (as designated by the called station number) is situated is an intrastate communication and every call for which the point of entry is in a state other than that where the called station (as designated by the called station number) is situated is an interstate communication.

For purposes of CCSAC ISUP Call Set-up requests, Percent Other Messages (POM) shall be established by dividing the customer CCSAC ISUP Call Set-up requests (originating and terminating) associated with local, EAS, intraMTA, the Local Exchange Company portion of jointly provided Switched Access and Company originated toll by the total number of CCSAC ISUP Call Set-up requests (originating and terminating) and expressing the result as a percentage in a whole number.

When mixed interstate and intrastate Access Service is provided on the same Access Service transmission path, all charges will be prorated between interstate and intrastate as set forth in 2.3.12, following.

A floor of 3% will be set for a switched access customer's Feature Group D terminating access minutes when they are lacking originating number information needed to determine jurisdiction. The 3% floor will be applied as follows:

- When the percentage of terminating traffic without sufficient call detail to determine jurisdiction does not exceed the 3% floor, the Company will apply the PIU factor as set forth in B.2.c, following or
- When the percentage of terminating traffic without sufficient call detail to determine jurisdiction exceeds the 3% floor, the Company will assess rates from the state jurisdiction on all minutes exceeding the 3% floor.

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B. Jurisdictional Requirements

The customer must indicate a projected Percent of Interstate Use (PIU) factor in a whole number (i.e., a number 0 - 100) when ordering Switched Access Service in a LATA, including EF and DTT Facilities. When a customer-provided PIU factor is required and the customer has previously submitted a jurisdictional report (i.e., Letter on File [LOF]) as set forth in C., following, the LOF PIU factor is required on each Access Service Request (ASR).

For CCSAC, customers who are third party signaling providers must develop their jurisdictional factors based upon the weighted average of the jurisdictional factors of their customers.

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B.2. (Cont'd)

c. Terminating FGD Service

When a customer orders terminating FGD, if the Company has sufficient call details to determine the jurisdiction for the call, the Company will bill the call minutes of use according to that jurisdiction.

When terminating call details are insufficient to determine the jurisdiction for the call, see A, preceding, the customer may supply the projected PIU factor for a portion of the indeterminate jurisdiction by LATA[1]. The projected PIU factor will be used to apportion the terminating traffic which does not exceed the 3% floor.

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When terminating call details are insufficient to determine the jurisdiction, and the customer does not supply a projected PIU factor by LATA, calls will be billed using a PIU of 50 (50% interstate – 50% intrastate). The PIU of 50 will be used to apportion the terminating traffic which does not exceed the 3% floor.

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[1] When the customer reports a LATA-level PIU factor, the specified percentage applies to all end offices within the LATA.