

WN U- 2

Second Revised Sheet No. 53
Canceling Substitute First Revised Sheet No. 53

WASHINGTON EXCHANGE CARRIER ASSOCIATION

ACCESS SERVICE

2. General Regulations (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.11 Determination of Intrastate Charges for Mixed Interstate and Intrastate Access Service (Cont'd)

(B) For usage sensitive (i.e., access minutes and calls) chargeable rate elements, multiply the percent interstate use times actual use (i.e., measured or Telephone Company assumed average use) times the stated tariff rate.

The interstate percentage will change as revised usage reports are submitted as set forth in 2.3.10 preceding.

2.3.12 VoIP-PSTN Traffic

(A) Identification and Rating of VoIP-PSTN Traffic

(1) VoIP-PSTN Traffic is defined as interexchange traffic exchanged between a Telephone Company end user and the customer in Time Division Multiplexing (TDM) format that originates and/or terminates in Internet Protocol (IP) format. 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 F.C.C. in its Report and Order in WC Dockets Nos. 10-90, etc., (FCC 11-161) (released November 18, 2011) (F.C.C. Order). Specifically, this section establishes the method of separating VoIP-PSTN Traffic from the customer's traditional intrastate access traffic, so that VoIP-PSTN Traffic can be billed in accordance with the F.C.C. Order.

(N)

(N)

(K)*

*Material moved to Sheet No. 53.6

Issued: December 22, 2011 Effective: January 22, 2012

Issued by: Washington Exchange Carrier Association

By: Richard A. Finnigan Title: Attorney

WN U- 2

Original Sheet No. 53.1

WASHINGTON EXCHANGE CARRIER ASSOCIATION

(N)

ACCESS SERVICE

2.3.12 VoIP-PSTN Traffic (Cont'd)(A) Identification and Rating of VoIP-PSTN Traffic (Cont'd)

- (2) In the absence of an interconnection agreement between the Telephone Company and the customer specifying the treatment of VoIP-PSTN Traffic, VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Telephone Company's applicable tariffed interstate switched access rates as set forth in the National Exchange Carrier Association, Inc. Tariff F.C.C. No. 5. If the F.C.C. Order is stayed or overturned, VoIP-PSTN Traffic will be billed under this tariff at the rates applicable to non-VoIP-PSTN interexchange traffic. The addition of this section 2.3.12 is to comply with the F.C.C. Order. No inference should be taken that VoIP-PSTN Traffic occurring prior to the effective date of the F.C.C. Order is not subject to this tariff and Telephone Company intrastate access tariffs applicable to non-VoIP-PSTN interexchange traffic.

(B) Calculation and Application of Percent-VoIP- Usage Factors

- (1) The Telephone Company will determine the number of VoIP-PSTN Traffic minutes of use (MOU) to which interstate rates will be applied under (A), preceding, by applying an originating Percent VoIP Usage (PVU) factor to the total intrastate access MOU originated by Telephone Company end users and delivered to the customer and by applying a terminating PVU factor to the total intrastate access MOU terminated by a customer to the Telephone Company's end users.
- (2) The customer will calculate and furnish to the Telephone Company an originating PVU factor representing the whole number percentage of the customer's total originating intrastate access MOU that the customer exchanges with the Telephone Company in the LATA that is received from the Telephone Company and that is terminated in IP format and that would be billed by the Telephone Company as intrastate access MOU.

Issued:	December 22, 2011	Effective:	January 22, 2012
Issued by:	Washington Exchange Carrier Association		
By:	Richard A. Finnigan	Title:	Attorney

WN U- 2

Original Sheet No. 53.2

WASHINGTON EXCHANGE CARRIER ASSOCIATION

(N)

ACCESS SERVICE

2.3.12 VoIP-PSTN Traffic (Cont'd)

(B) Calculation and Application of Percent-VoIP- Usage Factors (Cont'd)

- (3) The customer will calculate and furnish to the Telephone Company a terminating PVU factor representing the whole number percentage of the customer's total terminating intrastate access MOU that the customer exchanges with the Telephone Company in the LATA that is sent to the Telephone Company, that originated in IP format and that would be billed by the Telephone Company as intrastate access MOU if it were not VoIP-PSTN Traffic.
- (4) The customer shall not modify its reported PIU factor to account for VoIP-PSTN Traffic.
- (5) Both the customer-provided originating PVU and the customer-provided terminating PVU shall be based on information such as the number of the customer's retail VoIP subscriptions in the state (*e.g.*, as reported on F.C.C. Form 477), traffic studies, actual call detail or other relevant and verifiable information, which shall be provided to the Telephone Company upon request.
- (6) The customer shall retain the call detail, work papers, and information used to develop the PVU factors for a minimum of one year following the date on which they are furnished to the Telephone Company.
- (7) If the customer does not furnish the Telephone Company with a PVU factor, the Telephone Company will utilize a PVU equal to zero.

Issued:	December 22, 2011	Effective:	January 22, 2012
Issued by:	Washington Exchange Carrier Association		
By:	Richard A. Finnigan	Title:	Attorney

WASHINGTON EXCHANGE CARRIER ASSOCIATION

(N)

ACCESS SERVICE

2.3.12 VoIP-PSTN Traffic (Cont'd)

(C) Initial Implementation of PVU Factors

- (1) If the PVU factors cannot be implemented in the Telephone Company's billing systems by December 29, 2011, once the factors can be implemented the Telephone Company will adjust the customer's bills to reflect the PVU factors prospectively in the next bill period if the PVU factors are provided by the customer to the Telephone Company prior to April 15, 2012.
- (2) The Telephone Company may choose to provide credits based on the reported PVU factors on a quarterly basis until such time as the billing system modifications necessary to bill for VoIP-PSTN Traffic in accordance with this section 2.3.12 can be implemented.

(D) PVU Factor Updates

The customer may update the PVU factors quarterly using the method set forth in (B)(3), preceding. If the customer chooses to submit such updates, it shall forward to the Telephone Company, no later than 15 days after the first day of January, April, July and/or October of each year, revised PVU factors based on data for the prior three months, ending the last day of December, March, June and September, respectively. The revised PVU factors will serve as the basis for future billing and will be effective on the bill date of each such month and shall serve as the basis for subsequent monthly billing until superseded by new PVU factors. No prorating or back billing will be done based on the updated PVU factors.

Issued: December 22, 2011 Effective: January 22, 2012
Issued by: Washington Exchange Carrier Association
By: Richard A. Finnigan Title: Attorney

WN U- 2

Original Sheet No. 53.4

WASHINGTON EXCHANGE CARRIER ASSOCIATION

(N)

ACCESS SERVICE

2.3.12 VoIP-PSTN Traffic (Cont'd)

(E) PVU Factor Verification

- (1) Not more than twice in any year, the Telephone Company may request from the customer an overview of the process used to determine the PVU factors, the call detail records, description of the method for determining how the customer's end users originate and terminate calls in IP format, and other information used to determine the customer's PVU factors furnished to the Telephone Company in order to validate the PVU factors supplied. The customer shall comply with each such Telephone Company request, and shall reasonably supply the requested data and information within 15 days of the Telephone Company's request.
- (2) The Telephone Company may dispute the customer's PVU factor(s) based upon:
 - A review of the requested data and information provided by the customer,
 - The Telephone Company's reasonable review of other market information, F.C.C. reports on VoIP lines, such as F.C.C. Form 477, or state level results based on the F.C.C. Local Competition Report or other relevant data.
 - A change in the reported PVU factor by more than five percentage points from the preceding quarter.
- (3) If, after review of the data and information, the customer and the Telephone Company establish revised PVU factors, the Telephone Company will begin using those revised PVU factors with the next bill period.

Issued: December 22, 2011 Effective: January 22, 2012
Issued by: Washington Exchange Carrier Association
By: Richard A. Finnigan Title: Attorney

WN U- 2

Original Sheet No. 53.5

WASHINGTON EXCHANGE CARRIER ASSOCIATION

(N)

ACCESS SERVICE

2.3.12 VoIP-PSTN Traffic (Cont'd)

(E) PVU Factor Verification (Cont'd)

(4) If the dispute is unresolved, the Telephone Company may initiate an audit. The Telephone Company shall limit audits of each of the customer's PVU factors to no more than twice per year. The customer may request that the audit be conducted by an independent auditor. In such cases the associated auditing expenses will be paid by the customer.

- In the event that the customer fails to provide adequate records to enable the Telephone Company or an independent auditor to conduct an audit verifying the customer's PVU factor(s), the Telephone Company will bill the usage for all contested periods using the most recent undisputed PVU factors reported by the customer, or if there is no such undisputed PVU factor (originating or terminating, as applicable), the default PVU factor set forth in 1.g. of this section. These PVU factors will remain in effect until the audit can be completed.
- During the audit, the most recent undisputed PVU factors from a previous reporting period will be used by the Telephone Company, or if there is no such undisputed PVU factor (originating or terminating, as applicable), the default PVU factor set forth in 1.g. of this section.
- The Telephone Company will adjust the customer's PVU factors based on the results of the audit and implement the revised PVU factors in the next billing period or upon the next quarterly report date, whichever is first. The revised PVU factors will apply for the next two quarters before new factors may be submitted by the customer.

Issued:	December 22, 2011	Effective:	January 22, 2012
Issued by:	Washington Exchange Carrier Association		
By:	Richard A. Finnigan	Title:	Attorney

WASHINGTON EXCHANGE CARRIER ASSOCIATION

ACCESS SERVICE

(N)

2.3.12 VoIP-PSTN Traffic (Cont'd)

(E) PVU Factor Verification (Cont'd)

(4) (Cont'd)

- If the audit supports the customer's PVU factors, the usage for the contested periods will be adjusted to reflect the customer's audited PVU factors.

(F) As used in this section 2.3.12, "Toll VoIP-PSTN Traffic" means a customer's interexchange voice traffic exchanged with the Telephone Company in Time Division Multiplexing format over PSTN facilities, which originates and/or terminates in Internet Protocol (IP) format. Toll VoIP-PSTN Traffic originates and/or terminates in IP format when it originates from and/or terminates to the IP-compatible customer premises equipment of an end user of a service that requires IP-compatible customer premises equipment.

2.4 Payment Arrangements and Credit Allowances

(M)*

2.4.1 A customer may establish credit by demonstrating to the Telephone Company any one of the following two ways, subject to the provisions of subsection 2.4.1(A)(3), (4) and (5):

- * Corporate debt rating. The customer or, if the customer is unable to comply with this provision, its parent or affiliated company, has undertaken to guarantee the payment of all charges incurred by the subscribing customer, has a corporate debt rating, according to Standard and Poor's of BBB or higher, or according to Moody's of Baa or higher, with respect to any outstanding general debt obligation; or

(M)

*Material moved from Sheet No. 53

Issued: December 22, 2011 Effective: January 22, 2012

Issued by: Washington Exchange Carrier Association

By: Richard A. Finnigan Title: Attorney