
SECTION 3. DEFINITIONS

Carrier or Common Carrier: See Interexchange Carrier or Exchange Carrier.

Central Office: see End Office.

CFR: Code of Federal Regulations

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Channel(s): A communications path between two or more points of termination.

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CLEC: Competitive Local Exchange Carrier. A common carrier that was issued a Certificate of Public Convenience and Necessity after July 24, 1995 to provide telecommunications service within a specific geographic area.

CMRS: Commercial Mobile Radio Service – provider of mobile telephone service

Collocation: An arrangement whereby the Company's switching system equipment is located in the premise of another carrier.

Common Channel Signaling (CCS): A high speed packet switched communications network which is separate (out of band) from the public packet switched and message networks. It is used to carry addressed signaling messages for individual trunk circuits and/or database related services between signaling points in the CCS network, using SS7 protocol

Company: Onvoy, Inc. d/b/a Onvoy Voice Services, which is the issuer of this tariff.

Customer: The person, firm, corporation or other entity which uses and/or subscribes to the services offered under this tariff and is responsible for the payment of charges and for compliance with the Company's tariff regulations. The Customer could be an End User, interexchange carrier, a wireless provider, other telecommunications carrier or provider originating or terminating VoIP-PSTN Access Traffic or any other carrier authorized to operate.

SECTION 3. DEFINITIONS

Signaling System 7 (SS7): The common Channel Out of Band Signaling protocol developed by the Consultative Committee for International Telephone and Telegraph (CCITT) and the American National Standards Institute (ANSI).

Signaling Transfer Point (STP) Access: Allows the Customer to access a specialized switch which provides SS7 network access and performs SS7 messaging routing and screening.

Special Access Service: Dedicated access between a Customers' Premises and another Point of Presence for the purpose of originating or terminating communications. Special Access is available to both carriers and end users, as defined in this tariff.

Switched Access Service: Access to the switched network of an Exchange Carrier for the purpose of originating or terminating communications. Switched Access is available to carriers, as defined in this tariff.

Tandem Switched Transport (TST): The transport between the SWC and wire centers or between an access tandem/POI and wire centers that subtend the access tandem.

TDM: Time-division multiplexing (TDM) is a method of putting multiple data streams in a single signal by separating the signal into many segments, each having a very short duration.

Telephone Company: A telephone company is any telephone corporation operating within South Dakota. This term includes resellers and wireless telephone service providers. A billing telephone company is a telephone company that also provides billing services to any third party, including its own affiliate, or that bills for non-communications-related products and services on its own behalf. Telephone companies are responsible for their agents' compliance with these rules and liable for their agents' violation of these rules.

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 with a "toll free" NPA of 800, 888, etc.

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SECTION 5. SWITCHED ACCESS

II. Provision and Description of Switched Access Service Arrangements (Continued)

C. Rate Categories

Definitions of Switched Access Service Rate Categories

1. Carrier Common Line.

Carrier Common Line: The Carrier Common Line rate category provides for the use of Channels, and any associated End Office termination functions, by Customers for access to End Users to furnish Customer intrastate communications. Carrier Common Line is provided where the Customer obtains Company provided Switched Access Service under this Tariff to Company End Office(s) or VoIP Provider End Office equivalents.

Limitations:

- (a) A telephone number is not provided with Carrier Common Line.
- (b) Detail billing is not provided for Carrier Common Line.
- (c) Directory listings are not included in the rate and charges for Carrier Common Line.
- (d) Intercept arrangements are not included in the rates and charges for Carrier Common Line.
- (e) All trunk side connections provided in the same combined access group will be limited to the same features and operating characteristics.

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SECTION 5. SWITCHED ACCESS

II. Provision and Description of Switched Access Service Arrangements (Continued)

C. Rate Categories (Continued)

2. Local Switching

a. End Office Switching: End Office Switching provides for the use of the Company End Office switching functions. , i.e., the common switching functions associated with the various Switched Access Service arrangements. The End Office Switching rate is assessed on a per-MOU basis to all originating and terminating access minutes utilizing the end office.

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End Office Switching provides for the use of End Office switching functions, i.e., the common switching functions associated with the various Switched Access Service arrangements. The End Office Switching rate is assessed on a per-MOU basis to all originating and terminating access minutes utilizing the end office.

b. End Office Shared Port: The End Office Shared Port rate provides for the termination of common transport trunks in shared end office ports and in remote switching system ports. The End Office Shared Port rate is assessed on a per-MOU basis to all trunkside originating and terminating access minutes utilizing tandem routing to the end office. If tandem routing is being utilized to a remote switching system (via a host office), the End Office Shared Port rate is assessed to the access minutes originating or terminating from the remote switching system.

3. 8XX Data Base Query: When an 8XX + NXX + XXXX call is originated by an End User or delivered by a connecting carrier to the Onvoy network unqueried, the Company will perform Customer identification based on screening of the full ten-digits of the 8XX number to determine the Customer location to which the call is to be routed. A Basic Query Charge covers the identification of the toll carrier to whom the call should be delivered. A Vertical Query includes the Basic Query function plus such functions as call validation (ensuring that calls originate from subscriber service areas); POTS translation of 8XX series numbers; alternate POTS translation where End Users can vary the routing of the 8XX calls based on time of day, place, etc.; and multiple carrier routing.

SECTION 5. SWITCHED ACCESS

II. Provision and Description of Switched Access Service Arrangements (Continued)

C. Rate Categories (Continued)

4. Switched Transport: The Switched Transport Rate Category provides for access tandem and transport service between local exchange carriers (LEC) and IXC Customers. The Switched Transport Rate Category is provided for originating (from LEC to IXC) and terminating (IXC to LEC) traffic. The Switched Transport Rate Category provided under this tariff covers the use of the Company's Access Tandem and Transport Facilities. In addition, it covers the switched transport between an End Office and a Company POI. The following rate elements comprise the Switched Transport Rate Category and are applied on a per-minute basis. (T)

a. Tandem Switching: Tandem Switching is a per-minute of use rate element assessed for utilizing tandem switching functions. The Company will provide originating and terminating tandem switching services for Company End Offices as well as for non-Company end offices which subtend the Company tandem. In addition to the tandem switching functions, the Tandem Switching rate element includes the transport from a Company POI to the Company access tandem. (T)
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SECTION 5. SWITCHED ACCESS

II. Provision and Description of Switched Access Service Arrangements (Continued)

D. Customer Options to Connect to Company Tandem

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A Customer can connect to the Company's Access Tandem by one of two methods: directly to a Company Access Tandem or to a Company's Point of Interconnection (POI).

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SECTION 5. SWITCHED ACCESS

II. Provision and Description of Switched Access Service Arrangements (Continued)

D. Customer Options to Connect to Company Tandem (Continued)

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SECTION 5. SWITCHED ACCESS

II. Provision and Description of Switched Access Service Arrangements (Continued)

D. Customer Options to Connect to Company Tandem (Continued)

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SECTION 5. SWITCHED ACCESS

VIII. Rates and Charges (Continued)

E. Toll Voice over Internet Protocol – Public Switched Telephone Network (“VoIP-PSTN”) Traffic

This section governs the identification and treatment of Toll VoIP-PSTN Traffic that is required to be compensated at interstate access rates unless the parties have agreed otherwise in a written agreement. Specifically, this section establishes the method of separating such traffic (referred in this tariff as “Relevant VoIP-PSTN Traffic”) from a Customer’s traditional intrastate access tariff, so that such Relevant VoIP-PSTN traffic can be billed in accordance with the F.C.C. Order.

Company will bill and collect Interstate Switched Access rates on traffic exchanged with Customers when such traffic originates and/or terminates in Internet Protocol format, as set forth in Section 51.913 of the Federal Communications Commission’s rules, 47 C.F.R. §51.913, regardless of whether the Company itself delivers such traffic to the called party’s premises or delivers the call to the called party’s premises via contractual or other arrangements with an affiliated or unaffiliated provider of interconnected Voice over Internet Protocol service or a non-interconnected Voice over Internet Protocol service that does not itself seek to collect Switched Access charges for this traffic.¹

Terminating intrastate VoIP–PSTN traffic is subject to the Company’s applicable interstate switched access rate per minute, as set forth in the Company’s F.C.C. Tariff No. 2. (T)

¹ See, *In the Matter of Connect America Fund A National Broadband Plan for Our Future Establishing Just and Reasonable Rates for Local Exchange Carriers High-Cost Universal Service Support Developing an Unified Intercarrier Compensation Regime Federal-State Joint Board on Universal Service Lifeline and Link-Up Universal Service Reform – Mobility Fund*, Report and Order and Further Notice of Proposed Rulemaking, Docket Nos. WC Docket No. 10-90, *et al.*, FCC 11-161, (Rel. November 18, 2011).

SECTION 5. SWITCHED ACCESS

VIII. Rates and Charges (Continued)

F. Calculation and Application of Percent VoIP-PSTN Usage

Company will determine the number of Relevant VoIP-PSTN Traffic minutes of use (“MOU”) to which interstate rates will be applied by applying a Percent VoIP Usage (“PVU”) factor to the terminating intrastate access MOU exchanged between a Company End User and the Customer. The PVU will be derived and applied as follows. (T)

1. The Customer will calculate and furnish to Company a factor (the “PVU-A”) representing the percentage of the terminating intrastate access MOU that the Customer exchanges with Company in the State, that is sent to Company and that originated 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. (T)
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2. Company will similarly calculate a factor (the “PVU-B”) representing the percentage of Company’s terminating intrastate access MOU in the State that Company terminates on its network in IP format. This PVU-B shall be based on information such as the number of 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. (T)

3. Company will use the PVU-A and PVU-B factors to calculate a PVU factor that represents the percentage of terminating intrastate access MOU exchanged between a Company End User 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). (T)

SECTION 5. SWITCHED ACCESS

VIII. Rates and Charges (Continued)

F. Calculation and Application of Percent VoIP-PSTN Usage (Continued)

- 4. Company will apply the PVU factor to the total intrastate access MOU exchanged with the Customer to determine the number of Relevant VoIP-PSTN Traffic MOUs.

Example 1: The PVU-B is 10% and the PVU-A is 40%. The PVU factor is equal to $40\% + (10\% \times 60\%) = 46\%$. Company will bill 46% of the Customer's terminating intrastate access MOU at its applicable tariffed interstate switched access rates. (T)

Example 2: The PVU-B is 10% and the PVU-A is 0%. The PVU factor is $0\% + (100\% \times 10\%) = 10\%$. Company will bill 10% of the Customer's terminating intrastate access MOU at Company's applicable tariffed interstate switched access rates. (T)

Example 3: The PVU-A is 100%. No matter what the PVU-B factor is, the PVU is 100%. Company will bill 100% of the Customer's terminating intrastate access MOU at Company's applicable tariffed interstate switched access rates. (T)

- 5. If the Customer does not furnish Company with a PVU factor, the Company will utilize a PVU-A factor of zero.

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SECTION 5. SWITCHED ACCESS

VIII. Rates and Charges (Continued)

F. Calculation and Application of Percent VoIP-PSTN Usage (Continued)

6. PVU Factor Updates

The Customer may update the PVU-A factor quarterly. The Customer shall submit such update no later than the 15th day of January, April, July, and October for each year. Revised PVU factors must be based on the 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 factor to calculate a revised PVU. The revised PVU will be used for future billing and will be effective on the bill date of each month and will be used for subsequent monthly billing and superseded by a new PVU factor.

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7. PVU Factor Verification

Not more than twice in any year, Company may ask the Customer to verify the PVU-A factor furnished to the Company and a Customer may ask 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 factors.

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