

2. GENERAL REGULATIONS

2.3 OBLIGATIONS OF THE CUSTOMER (continued)

2.3.10 Determination of Charges for Mixed Intrastate and Interstate Usage

A. Usage Sensitive Rate Elements

When the Customer's usage has mixed intrastate and interstate traffic, for that portion of the usage for which the Company is unable to determine the appropriate jurisdiction, the usage charges will be prorated between the intrastate and interstate. The jurisdictional percentages or default procedure set forth in 2.3.9 preceding, will serve as the basis for prorating the charges.

B. Monthly and Nonrecurring Chargeable Rate Elements

When the jurisdiction of the rate element can be determined by the Company the charges applicable to the appropriate jurisdiction will be applied. Rate elements for which the Company cannot determine the appropriate jurisdiction will be prorated between intrastate and interstate. The jurisdictional percentages or default procedure set forth in 2.3.9. preceding, will serve as the basis for prorating the charges.

Identification and Rating of VoIP-PSTN Traffic

(A) Scope

This section only applies to VoIP-PSTN traffic exchanged between the Company and the Customer in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. VoIP-PSTN traffic originates and/or terminates in IP format if it originates from and/or terminates to an end-user Customer of a service that requires Internet protocol-compatible customer premises equipment. The transitional Intercarrier Compensation framework for VOIP-PSTN traffic adopted by the Federal Communications Commission in its Report and Order, Release No. 11-161 (Nov. 18, 2011) ("FCC Order") directed that this intrastate VOIP-PSTN traffic be billed employing interstate rates. The intrastate switched access rates in this tariff are the same as the interstate rates for Switched Access rate elements. Thus, no modifications to the rates and/or billing are necessary as a result of the VOIP-PSTN provisions of the FCC Order.

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