



John Rossi  
55 Water Street, 31<sup>st</sup> Floor  
New York, New York 10005  
(T) 212-607-2016  
jrossi@mettel.net

February 8, 2012

Patricia Van Gerpen, Executive Director  
Public Utilities Commission  
Capitol Building, 1st Floor  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

**Re: TC12-001 Data Request 1**

Dear Ms. Gerpen,

The following Data Request was presented to Metropolitan Telecommunications of South Dakota, Inc. d/b/a "MetTel".

*How will customers that have not implemented "Relevant VoIP PSTN Traffic in accordance with the FCC Order" be handled? Assuming those customers will be handled differently, where does the FCC Order account for such different treatment?*

MetTel's response is consistent with the response contained in TC11-093, in which Verizon responded to a similar question from the Commission. Like Verizon, MetTel contends its tariff revisions (South Dakota Tariff Number 3, Section 2.9.3) reflects the reciprocal nature, and intent, of the FCC VoIP-PSTN intercarrier compensation regime and the FCC's expectation (mandate) that all carriers will implement that regime. The FCC requires all VoIP-PSTN traffic be brought within the Section 251(b)(5) reciprocal compensation framework and, therefore, all carriers are expected to implement the FCC's VoIP-PSTN intercarrier compensation regime.

MetTel anticipates that carriers will comply with the FCC Order. In the event a carrier has not fully implemented the FCC Order (and has not identified its own PVU factor) MetTel will not utilize its tariff provisions calling for a combination of PVU factors. Rather, MetTel will utilize its own PVU factor (as described in the MetTel tariff).

If you have any questions, or if I may provide you with any additional information, please do not hesitate to contact me. Thank you.

Respectfully submitted,  
**/s/ John Rossi**  
John Rossi, MetTel Regulatory Staff

cc: S. Vogel, CMO