

**CHECK SHEET**

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**EXPLANATION OF SYMBOLS AND  
ABBREVIATIONS USED IN THIS TARIFF**

The following symbols and abbreviations shall be used in this Tariff for the purposes listed below:

- (C) - To signify changed regulation
- (D) - To signify discontinued rate or regulation
- (I) - To signify a rate increase
- (M) - To signify matter relocated within the Tariff without change  
(unless accompanied by another symbol)
- (N) - To signify a new rate or regulation
- (R) - To signify a rate reduction
- (T) - To signify a change in text, but no change in rate or regulation

**ABBREVIATIONS**

- BHMC - Busy Hour Minutes of Capacity
- CALC - Common Access Line Charge
- EUCL - End User Common Line
  
- FGD - Feature Group D
- ISDN - Integrated Services Digital Network
- kbps - Kilobits per second; 1000s of bits per second
- LEC - Local Exchange Company
- Mbps - Megabits per second; millions of bits per second
- MOU - Minutes of Use
- PICC - Presubscribed Interexchange Carrier Charge
- PIU - Percent of Interstate Use
- PLS - Private Line Service (Special Access Service)
- SLC - Subscriber Line Charge
- TFD - Toll Forwarded Digits

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### APPLICATION OF TARIFF

This Tariff contains regulations, rates and charges applicable to the provision of intrastate Switched Access, Special Access, VoIP-PSTN Traffic and other miscellaneous services, hereinafter referred to collectively as service(s), provided by MCC Telephony of the Midwest, LLC (the “Company”), to customers. The provision of such services by the Company as set forth in this Tariff does not constitute a joint undertaking with the Customer for the furnishing of any service.

**1. GENERAL REGULATIONS**

**1.1 Explanation of Terms**

Access Services

The term "Access Services" includes all services and facilities provided by the Company for the origination or termination of any interstate or foreign telecommunications or other communications services that have the ability to reach the public switched telephone network ("PSTN") regardless of the technology used in transmission. This includes, but is not limited to, local exchange, long distance, and data communications services that may use either TDM or Internet Protocol ("IP") or other technology, except that VoIP-PSTN Traffic (see definition below) is classified separately, as discussed in Section 5 of this Tariff.

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Advance Payment

The term "Advance Payment" denotes the requirement for partial or full payment required before the start of service.

Authorized User

The term "Authorized User" denotes a person or entity which is designated or permitted by the Customer to receive services provided by the Company under this Tariff or otherwise make use of the services provided under this Tariff, whether directly or indirectly, including the taking of services provided by a carrier-Customer where the carrier-Customer incorporates into its own offerings the services provided under this Tariff.

Bit

The term "Bit" denotes the smallest unit of information in a binary system of notation.

Bits Per Second (bps)

The term "Bits Per Second" denotes the number of bits transmitted in one second interval.

Commission

The term "Commission" denotes the South Dakota Public Utilities Commission.

Company

The term "Company" denotes MCC Telephony of the Midwest, LLC.

**1. GENERAL REGULATIONS (Cont'd)**

**1.1 Explanation of Terms (Cont'd)**

Constructive Order

The term "Constructive Order" denotes affirmative actions which constitute an order by a carrier for the Company's services with or without the existence of a written Service Order. These include, but are not limited to the carrier-Customer's delivery of traffic to the Company for termination to the Company's End Users or acceptance by the carrier-Customer of traffic from the Company's End Users or any other acceptance of the Company's services. Selection of the carrier-Customer by Company's End User as that User's PIC also constitutes a Constructive Order by the carrier-Customer for the Company's switched access services.

Customer

The term "Customer" denotes (1) the person, firm, or other entity that, expressly pursuant to a Service Order or constructively as described below, orders Service(s) or is liable for charges under this Tariff; or (2) the person or entity in whose name service is rendered, as evidenced by the signature on the application or contract for that service, or by the receipt and/or payment of bills regularly issued in his name regardless of the identity of the actual user of the service. If a carrier-Customer receives terminating access service from Company on behalf of another carrier ("transit traffic"), the carrier-Customer remains liable for charges for Company's access services except insofar as Company is provided adequate billing information to invoice carrier-Customer's customer and receives full payment.

Customer-Designated Premises

The term "Customer-Designated Premises" denotes the Premises at which a Customer is deemed to receive or deliver traffic for origination or termination of Access Services, as applicable.

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Direct-Trunked Transport

The term "Direct-Trunked Transport" denotes the transport between the serving wire center of the customer's premises and a Company end office.

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**1. GENERAL REGULATIONS (Cont'd)**

**1.1 Explanation of Terms (Cont'd)**

DS3 Service

The term "DS3 Service" denotes a service that provides for the transmission of digital signals at a speed of 44.736 Mbps.

End Office

The term "End Office" denotes Company facilities at which End Office Switching functionality, as defined below, is provided.

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End Office Switching

The term "End Office Switching" denotes the switching function to interconnect End user connections ( including connections that have been concentrated at a Remote Switching Location) with each other or with trunks. The Company may provide End Office Switching at the same switching center from which it provides Tandem Switching or other intermediary switching functions.

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End User

The term "End User" denotes a person or entity that is a subscriber to, or customer of, the residential and business communications services of the Company, including services which are defined by the Federal Communications Commission as VoIP-PSTN Traffic.

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Feature Group D Switched Access Service ("FGD")

FGD provides trunk side access to Company End Office switches with an associated uniform 101-XXXX access code for the Customer's use in originating and terminating communications. No access code is required for calls to a customer over FGD if the end user's telephone exchange service is arranged for presubscription to that customer.

**1. GENERAL REGULATIONS (Cont'd)**

**1.1 Explanation of Terms (Cont'd)**

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Recurring Charge

The term "Recurring Charge" denotes a monthly flat-rated or usage sensitive charge that applies for a specific rate element.

Service Commencement Date (SCD)

The date upon which the Company notifies the Customer that the requested service or facility is available for use. The Company and the Customer may mutually agree on a substitute SCD. If the Company does not have an executed service order from the Customer, the SCD will be the first date on which the service or facility was used by the Customer.

Service Order

A request for services executed by the Customer and the Company in a format devised by the Company. The Company does not require a written service order for the initiation of services to carrier-Customers. Carrier-Customers may commit to a request for services via an express written service order or by a constructive service order as described elsewhere in this Tariff.

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Serving Wire Center

The wire center from which the Customer designated premises would normally obtain dial tone from the Company.

Tandem Transport

The term "Tandem Transport" denotes the transport between an access tandem and end offices that subtend the access tandem. Tandem Transport consists of circuits used in common by multiple customers from the tandem to an end office.

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Term Agreement

The term "Term Agreement" denotes a method of purchasing the Company's service whereby the Customer agrees to purchase service between specific locations for a specified and mutually agreed upon length of time.



**1. GENERAL REGULATIONS (Cont'd)**

**1.1 Explanation of Terms (Cont'd)**

Terminal Equipment

The term "Terminal Equipment" denotes telecommunication devices, apparatus and associated wiring on the Customer-designated premises.

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Transit Traffic

The term "Transit Traffic" denotes local Traffic or ISP-bound Traffic originating on the network of a facility-based carrier other than Company or Carrier Customer that is transported by Carrier Customer and delivered to Company for termination

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User

The term "User" denotes any person or entity making use of the services provided by Company under this Tariff, including but not limited to Customer and its agents, other carriers, Authorized Users and End Users. The Customer is responsible for all charges arising from use of the services provided to it by Company under this Tariff by any user, whether or not that user is authorized for such use.

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VoIP-PSTN Traffic

The term "VoIP-PSTN Traffic" denotes traffic exchanged between the Company and a Customer in Time-Division-Multiplexing format that originates and/or terminates in IP format.

Wire Center

The term "Wire Center" denotes a building in which one or more central offices, used for the provision of exchange services, are located.

**1. GENERAL REGULATIONS (Cont'd)**

**1.9 Liabilities and Obligations (Cont'd)**

**1.9.3 Obligations of the Customer (Cont'd)**

The Customer, authorized user, or joint user is responsible for ensuring that customer-provided equipment connected to network equipment and facilities is compatible with such equipment and facilities. The magnitude and character of the voltages and currents impressed on customer-provided equipment and wiring by the connection, operation or maintenance of such equipment and wiring shall be such as not to cause damage to the Company-provided equipment and wiring or the Customer-provided equipment and wiring, or injury to the Company employees or to other persons. Any additional protective equipment required to prevent such damage or injury shall be provided by the Company at the Customer's expense. The Customer shall provide the personnel, power and space required to operate all facilities and associated equipment installed on the premises of the Customer

The Customer shall be responsible for providing Company personnel access to premises of the Customer at any reasonable hour for the purpose of testing the facilities or equipment of the Company.

**1.9.4 Service Orders**

The signing of a service order by the Customer and acceptance by the Company initiates the respective obligations of the parties as set forth in this Tariff. Should a Customer use the Company's service without a service order, the Company may require that the Customer execute a written service order within a reasonable time from the inception of service. Customers using the Company's service without an executed service order agree to comply with the general regulations and other provisions contained in this Tariff.

A carrier-Customer may affirmatively request the Company's services either expressly by placing a written request for the Company's service or constructively by (a) sending traffic to and/or accepting traffic from Company End-User-Customers and then submitting BNA requests to the Company, or (b) allowing Company End-User Customers to choose the carrier-Customer as their PIC and once processed, allowing Company End-User Customers to utilize the carrier-Customer as their primary IXC. A carrier-Customer which has constructively ordered Company's services is responsible for payment of charges and compliance with the Company's regulations and applicable law.

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1.9.4.1 Service orders, whether written or constructive, are subject to the service order charge described in Section 2.4.1.D.

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**1. GENERAL REGULATIONS (Cont'd)**

**1.11 Determination of Jurisdiction**

**1.11.1 Reserved for Future Use**

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**1.11.2 Switched Access and VoIP-PSTN Traffic**

A Customer ordering Switched Access Service and/or VoIP-PSTN Traffic Service, must provide its projected Percentage Interstate Usage (PIU) (in whole numbers) for each category of service to the Company. These percentages will be used to allocate usage and charges between interstate and intrastate traffic categories until a revised report is provided. Reported PIU factors are used only where the call detail is insufficient to determine the actual jurisdiction of traffic.

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Except as otherwise arranged between a Customer and the Company, Customers must provide an updated PIU calculation quarterly, by the 10th day of January, April, July and October. The new PIU must reflect usage percentages from the preceding calendar quarter's traffic and will be used as the basis for calculating the current quarter's jurisdictional billing breakout between interstate and intrastate services. If Customer fails to update its PIU, the Company, at its discretion, may use the previously submitted PIU figure or may apply the default percentage stated in this provision. In the absence of any PIU report from the Customer, the Company may apply a default presumption of 50 percent interstate traffic and 50 percent intrastate traffic.

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## 1. GENERAL REGULATIONS (Cont'd)

### 1.11 Determination of Jurisdiction (Cont'd)

#### 1.11.2 Switched Access and VoIP-PSTN Traffic (Cont'd)

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Customer must retain records of call detail from which the PIU has been calculated. Upon request by the Company, these records must be made available for inspection as reasonably necessary for verification purposes. The Company may conduct an audit at any time.

In the event of a billing dispute or if a regulatory agency inquires regarding the PIU figure in use, the Customer shall provide sufficient data for the Company to respond fully to the agency questions and shall cooperate fully in resolving any inquiries.

The Company may, in its sole discretion, waive any and all of the jurisdictional reporting obligations imposed by this tariff on the Customer and/or the Company.

### 1.12 Special Construction

All rates and charges quoted in this Tariff provide for the furnishing of facilities when suitable facilities are available or where the design or construction of the necessary facilities does not involve unusual costs.

When, at the request of the Customer, the Company designs and/or constructs facilities that it would otherwise not construct, or the construction of such facilities involves a greater expense than would otherwise be incurred, Special Construction nonrecurring charges may apply.

### 1.13 Special Assemblies and Individual Case Basis (ICB) Arrangements

Arrangements will be developed on a case-by-case basis in response to a bona fide request from a customer or prospective customer to develop a bid for any switched or special access service that the Company is technically capable of providing but which is not offered under this Tariff (special assembly), or to develop a competitive bid for a service that the Company offers under this Tariff (ICB). Rates quoted in response to such competitive requests may be different than those specified for such services in this Tariff. ICB and special assembly rates will be offered to the Customer in writing and on a nondiscriminatory basis.

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## 2. SWITCHED ACCESS

### 2.1 General

Switched Access Service, which is available to customers for their use in furnishing their services to end users, provides a two-point communications path between a customer's premises and an end user's premises. It provides for the use of terminating, switching, transport facilities and subscriber common lines. Switched Access Service provides for the ability to originate calls from an end user's premises to a customer's premises, and to terminate calls from a customer's premises to an end user's premises in the LATA where it is provided. Switched Access Service must be ordered separately for each LATA in which the Customer desires to originate or terminate calls. VoIP-PSTN Traffic is discussed in Section 5 of the Tariff.

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### 2.2 Provision and Description

The Company provides Feature Group D and 8XX Toll-Free Switched Access Services. The service categories are differentiated by their technical characteristics and the manner in which an end user accesses them when originating calls.

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#### 2.2.1 **Reserved for Future Use**

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#### 2.2.2 **Feature Group D**

FGD Access, which is available to all customers, provides trunk side access to Company end office switches with an associated uniform 101-XXXX access (C) code for the Customer's use in originating and terminating communications. No access code is required for calls to a customer over FGD if the end user's telephone exchange service is arranged for presubscription to that customer.

#### 2.2.3 **8XX Toll-Free Access Service**

8XX Toll-Free Access Service is a service offering utilizing originating trunk side Switched Access Service. The service provides for the forwarding of end user dialed 8XX calls to a Company Service Switching Point which will initiate a query to the data base to perform the Customer identification and delivery function. The call is forwarded to the appropriate customer based on the dialed 8XX number.

**2. SWITCHED ACCESS (Cont'd)**

**2.2 Provision and Description (Cont'd)**

**2.2.4 SS7 Out Of Band Signaling Option**

SS7 Out of Band Signaling option provides the means for transmitting SS7 out of band signaling information over a communications path which is separate from the message path

**2.3 Switched Access Rate Categories**

There are three rate categories which apply to Switched Access Service provided by the Company: Carrier Common Line, Switched Transport and End Office Switching.

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**2. SWITCHED ACCESS (Cont'd)**

**2.3 Switched Access Rate Categories (Cont'd)**

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**2. SWITCHED ACCESS (Cont'd)**

**2.3 Switched Access Rate Categories (Cont'd)**

**2.3.3 End Office Switching**

The End Office Switching rate category provides the local end office switching and end user termination functions necessary to complete the transmission of Switched Access communications to and from the end users served by the Company's end office.

End Office Switching is comprised of one or more of the following: a Local Switching rate, a Common (shared) Trunk Port rate, a Dedicated Trunk Port rate, an Interconnection charge and an Information surcharge.

The End Office Switching rates are set forth in 2.6.3, following.

**2.3.3.A Local Switching**

The Local Switching rate element provides local dial switching for Feature Group D.

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**2.3.3.B Common Trunk Port**

The end office Common Trunk Port rate provides for the termination of tandem transport trunks in shared end office ports. The end office Common Trunk Port rate is assessed on a per-MOU basis to all trunkside originating and terminating access minutes utilizing tandem routing to an end office.

**2.3.3.C Dedicated Trunk Port**

The end office Dedicated Trunk Port rate provides for the termination of a trunk to a dedicated trunk port in an end office . The rate is assessed per month for each FG trunk in service directly routed (via DTT) between the SWC and the end office.



**2. SWITCHED ACCESS (Cont'd)**

**2.4 Obligations of the Customer (Cont'd)**

**2.4.1 Ordering Requirements (Cont'd)**

2.4.1.A Reserved for Future Use

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2.4.1.B For Feature Group D Switched Access Service, the Customer shall specify the number of busy hour minutes of capacity (BHMC) from the Customer's premises to the end office by Feature Group and by traffic type. This information is used to determine the number of transmission paths. Customers may, at their option, order FGD by specifying the number of trunks and the end office. When a customer orders FGD in trunks, the Customer is responsible to assure that sufficient access facilities have been ordered to handle its traffic. When ordering by trunk quantities rather than BHMC quantities to an end office, the Customer must also provide the Company an estimate of the amount of traffic it will generate to and/or from each end office to assist the Company in its own efforts to project further facility requirements.

In addition, for Feature Group D with the Out of Band Signaling/SS7 signaling option, the Customer shall specify the switching point codes and trunk circuit identification codes for trunks with the Out of Band Signaling/SS7 signaling option, and the STP point codes.

2.4.1.C For 8XX Toll-Free Access Service, the Customer shall order the service in accordance with the preceding provisions set forth for Feature Group D. If the Customer desires any of the optional features available with 8XX Toll-Free Access Service, the Customer shall so specify on the order for service.

2.4.1.D The Company will assess a service order charge for each request, including but not limited to Access Service Requests (ASRs) and Local Service Requests (LSRs), submitted by a Customer. Rates for this charge are provided in Section 4.7.5.

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## 2. SWITCHED ACCESS (Cont'd)

### 2.5 Rate Regulations (Cont'd)

#### 2.5.3 Measuring Access Minutes

Customer traffic to end offices will be measured (i.e., recorded or assumed) by the Company at End Office switches. Originating and terminating calls will be measured (i.e., recorded or assumed) by the Company to determine the basis for computing chargeable access minutes. In the event the Customer message detail is not available because the Company lost or damaged tapes or experienced recording system outages, the Company will estimate the volume of lost Customer access minutes of use based on previously known values.

Access minutes will be recorded to the nearest one second for any particular call. Access minutes or fractions thereof are accumulated over the billing period for each end office and are then rounded up to the nearest access minute for each end office.

For originating calls over Feature Group D, usage measurement begins when the originating Feature Group D switch receives the first wink supervisory signal forwarded from the Customer's point of termination. C  
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The measurement of originating call usage ends when the originating Feature Group D switch receives disconnect supervision from either the originating end user's end office, indicating the originating end user has disconnected, or the Customer's point of termination, whichever is recognized first by the switch. C

For terminating calls over Feature Group D, the measurement of access minutes begins when the terminating Feature Group D switch receives answer supervision from the terminating end user's end office, indicating the terminating end user has answered. C  
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The measurement of terminating call usage over Feature Group D ends when the terminating Feature Group D switch receives disconnect supervision from either the terminating end user's end office, indicating the terminating end user has disconnected, or the Customer's point of termination, whichever is recognized first by the switch. C  
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**2. SWITCHED ACCESS (Cont'd)****2.6 Rates and Charges**

The rates and charges presented in this Section 2.6 are applicable either (a) statewide throughout the Company's authorized operating territory; or, as indicated, (b) within a specified incumbent local exchange carrier ("ILEC") territory, which may be further broken out by either zones or mileage-bands. All rates are stated in U.S. dollars.

**2.6.1 Carrier Common Line**

Originating	\$ 0.0000000	R
Terminating	\$ 0.0000000	R

**2.6.2 Transport**

2.6.2.A Tandem Facility	<u>Per MOU</u>	
1-8 miles	\$ 0.0000150	
9-25 miles	\$ 0.0000180	
26-50 miles	\$ 0.0000190	
50+ miles	\$ 0.0000200	

2.6.2.B Tandem Termination	<u>Per MOU</u>	
1-8 miles	\$ 0.00018	R
9-25 miles	\$ 0.000231	R
26-50 miles	\$ 0.000238	R
50+ miles	\$ 0.000240	R

2.6.2.C Multiplexing		
PER MOU	\$ 0.000000	

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**2. SWITCHED ACCESS (Cont'd)****2.6 Rates and Charges (Cont'd)****2.6.3 End Office Switching**

2.6.3.A	Local Switching	<u>Per MOU</u>	
	Originating	\$ 0.001974	R
	Terminating	\$ 0.001974	R

2.6.3.B	Common Port Charge		
	Per MOU	\$ 0.0000000	

2.6.3.C	Residual Interconnection Charge		
	Per MOU	\$ 0.0046810	

2.6.3.D	Information Surcharge		
	Per MOU	\$ 0.0000000	

**2.6.4 8XX Toll-Free Access Service**

2.6.4.A	Customer ID Charge (Per Query)	\$ 0.0033120	
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**4. MISCELLANEOUS SERVICES (Cont'd)**

**4.7 Rates and Charges (Cont'd)**

**4.7.4 Billing Name and Address Service**

	<u>Charge</u>	
* Service Establishment Charge		
Per account established	\$500.00	
* BNA Request Charges		
Manual, per BNA record requested	1.38	
Mechanized, per BNA record requested	.48	
Non-Standard, per BNA record requested (applies in addition to the Manual or Mechanized charge)	.88	
* Additional Programming Charges		
Per each half hour or fraction thereof	40.00	
<b>4.7.5 Service Order Charge</b>	<b>30.00</b>	N
Per request		N

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**5. VOIP-PSTN TRAFFIC**

**5.1 General**

The VoIP-PSTN Traffic category consists of all traffic that (i) is exchanged in Time Division Multiplexing ("TDM") format and (ii) originates and/or terminates in Internet protocol ("IP") format. See Federal Communications Commission Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011) ("FCC Order"). Intrastate VoIP-PSTN Traffic services are tariffed within the Company's state access tariff consistent with the FCC Order.

**5.2 Application of this Tariff**

Except where expressly noted, intrastate VoIP-PSTN Traffic is ordered and provided consistent with all provisions of this Tariff, including those in Section 2 – Switched Access.

**5.3 Rating of VoIP-PSTN Traffic**

Consistent with the FCC Order, intrastate VoIP-PSTN Traffic will be billed at rates equal to those tariffed for the Company's functionally equivalent interstate switched access services as described in Section 2 of the Company's federal access services tariff (MCC Telephony, LLC FCC Tariff No. 1).

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