

CHECK SHEET

The sheets of this Tariff are effective as of the date shown. The original and revised sheets named below contain all changes from the original Tariff and are in effect on the date shown.

\* Sheets included with this filing

<u>Sheet</u>	<u>Revision</u>	<u>Sheet</u>	<u>Revision</u>	<u>Sheet</u>	<u>Revision</u>	<u>Sheet</u>	<u>Revision</u>
1	First	30	Original	55	Original		
2	Fourth*	31	Original				
3	Original	32	Original				
4	First	33	Original				
5	Original	34	Original				
6	Original	35	Original				
7	Original	36	Original				
8	Original	37	Original				
9	Original	38	Original				
10	First	39	Original				
11	First	40	Original				
12	Original	41	Original				
13	Original	42	Original				
14	Original	43	Original				
15	Original	44	Original				
16	Original	45	Original				
17	Original	46	Original				
18	Original	47	Original				
19	Original	48	First				
20	Original	49	Original				
21	Original	50	Original				
22	Original	51	Second				
23	Original	52	Second				
24	Original	53	First				
25	Original	53.1	First*				
26	Original	53.2	Original*				
27	Original	53.3	Original*				
28	Original	53.4	Original*				
29	Original	54	Third				

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RATES (cont'd)

4.1 Access Service (cont'd)

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

- A) This section governs the identification and treatment of 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 to 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 FCC Order.

Company will bill and collect the full Access Reciprocal Compensation 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 Access Reciprocal Compensation charges for this traffic. <sup>1</sup>

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. 1.

<sup>1</sup> 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).

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RATES (cont'd)4.1 Access Service (cont'd)

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4.1.2 Voice over Internet Protocol – Public Switched Telephone Network (“VoIP - PSTN”) Traffic (cont'd)

## B. Calculations 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 under subsection 4.1.4.A, above, by applying a Percent VoIP Usage (“PVU”) factor to the total intrastate access MOU exchanged between a Company End User and the Customer. The PVU will be derived and applied as follows.

1. The Customer will calculate and furnish to Company a factor (the “PVU-A”) representing the percentage of the total intrastate and interstate access MOU that the Customer exchanges with Company in the State, that (a) is sent to Company and that originated in IP format; or (b) is received from Company and terminated 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.
2. Company will similarly calculate a factor (the “PVU-B”) representing the percentage of Company’s total intrastate and interstate access MOU in the State that Company originates or 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.

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RATES (cont'd)4.1 Access Service (cont'd)

(N)

4.1.2 Voice over Internet Protocol – Public Switched Telephone Network (“VoIP - PSTN”) Traffic (cont'd)

## B. Calculations and Application of Percent-VoIP-PSTN Usage

3. Company will use the PVU-A and PVU-B factors to calculate a PVU factor that represents the percentage of total intrastate and interstate access MOU exchanged between a Company End User and the Customer that is originated or terminated in IP format, whether at 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).

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 intrastate access MOU at its applicable tariffed interstate rates.

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 intrastate access MOU at Company's applicable tariffed interstate switched access rates.

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 intrastate access MOU at Company's applicable tariffed interstate switched access rates.

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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RATES (cont'd)4.1 Access Service (cont'd)

(N)

4.1.2 Voice over Internet Protocol – Public Switched Telephone Network (“VoIP - PSTN”) Traffic (cont'd)

## C. Initial PVU-A Factor.

If the PVU-A factor is not available and/or cannot be implemented in Company's billing systems by April 15, 2012, the Company will adjust the Customer's initial PVU-A to zero retroactively to January 1, 2012.

## D. 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 of 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 bid date of each month and will be used for subsequent monthly billing until superseded by a new PVU factor. No prorating or back billing will be done based on the updated PVU factors. The PVU factor will be billed beginning on January 1, 2012.

## E. PVU Factor Verification

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