

**tw telecom of new york l.p. d/b/a tw telecom**  
 NY PSC No. 5 – Access  
 Initial Effective Date: February 5, 2012

Leaf 37  
 Revision 1  
 Superseding Revision 0

## ACCESS SERVICES

---

### SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

2.17 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.) (T)

2.17.5 Jurisdictional Reports and VoIP-PSTN Factors Verification (T)

If a billing dispute arises or a regulatory commission questions any of the factors, the Customer will provide the data issued to determine the applicable factors. The Customer will supply the data within 30 days of the Company request. (T)

The Customer shall keep records of call detail, description of the method for determining how end users originate and terminate calls in IP format, and other information from which the appropriate factors can be ascertained and, upon request of the Company, shall make the records available for inspection as reasonably necessary for purposes of verification of the factors. The Company reserves the right to conduct an audit, internally or with an external firm, at any time during the year. The Customer, at its own expense, has the right to retain an independent auditing firm. (T)

In the event that an audit reveals that any Customer reported factors are incorrect, the Company shall apply the audit results to all usage affected by the audit. The Customer shall be back-billed or credited, for a period retroactive to the date that the incorrect percentage was reported, but not to exceed 12 months (or to December 29, 2011 for PVU factors). Back-billed amounts are subject to a late payment penalty and payment shall be made in immediately available funds by the due date printed on the invoice. (T)

Should an audit reveal that the misreported factors resulted in an underpayment of usage charges to the Company of five percent or more of the total usage charges, the Customer shall reimburse the Company for the cost of the audit. Proof of cost shall be the bills, in reasonable detail, submitted to the Company by the auditor.

Within 15 days of completion of the auditor's report, the Company will furnish a copy of the audit results to the person designated by the Customer to receive such results.

---

By: Rochelle Jones, Senior Vice President, Regulatory Affairs  
 10475 Park Meadows Drive  
 Littleton, CO 80124

NYa1201