

PSC No. 4 - Communications
CABLEVISION LIGHTPATH, INC.
Initial Effective Date: 1/22/2012

Leaf: 4
Revision: 0
Superseding Revision: n/a

ACCESS SERVICE

2. GENERAL REGULATIONS (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.12 Identification and Rating of VoIP-PSTN Traffic

(A) Scope

- (1) VoIP-PSTN Traffic is defined as traffic exchanged between a Lightpath end user and the customer in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. This section governs the identification of VoIP-PSTN Traffic that is required to be compensated at interstate access rates (unless the parties have agreed otherwise) by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011) ("FCC Order"). Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Relevant VoIP-PSTN Traffic") from the customer's traditional intrastate access traffic, so that such Relevant VoIP-PSTN Traffic can be billed in accordance with the FCC Order.
- (2) This section ("Identification and Rating of VoIP-PSTN Traffic") will be applied to the billing of switched access charges to a customer that is a local exchange carrier only to the extent that the customer has also implemented billing of interstate access charges for Relevant VoIP-PSTN Traffic in accordance with the FCC Order.

(B) Rating of VoIP-PSTN Traffic

The Relevant VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to Lightpath's applicable tariffed interstate switched access rates as specified in Lightpath Tariff FCC No. 4.

(C) Calculation and Application of Percent-VoIP-Usage Factor

Lightpath will determine the number of Relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection (B), above, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU exchanged between a Lightpath end user and the customer. The PVU will be derived and applied as follows:

- (1) The customer will calculate and furnish to Lightpath a factor (the "PVU-C") representing the percentage of the total intrastate access MOU that the customer exchanges with Lightpath in the State, that (a) is sent to Lightpath by the customer and that originated in IP format; or (b) is received by the customer from Lightpath and terminated in IP format. This PVU-C 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.

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