

PSC No.: 2 TELEPHONE
Windstream New York, Inc.
Initial Effective Date: January 19, 2012

Section: 2 Leaf: 23.2
Revision: 0
Superceding Revision:

ACCESS SERVICE
SECTION 2 - GENERAL REGULATIONS

2.3 Obligations of the Customer (Cont'd)

2.3.13 Identification and Rating of VoIP-PSTN Traffic (Cont'd)

(N)

(C) Calculation and Application of Percent-VoIP-Usage Factor (C0nt'd)

- (2) The customer will calculate and furnish to the Telephone Company a TPVU factor, along with supporting documentation, representing the whole number percentage of the customer's total terminating intrastate access MOU that the customer exchanges with the Telephone Company in the State that is sent to the Telephone Company and originated in IP format.
- (3) The OPVU, TPVU and supporting documentation shall be based on information that is verifiable by the Telephone Company including but not limited to 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. The customer shall not modify its reported PIU factor to account for VoIP-PSTN traffic.
- (4) After the Telephone Company verifies the OPVU and TPVU provided by the customer the Telephone Company will apply the OPVU and TPVU factors to the associated intrastate access MOU as indicated in Sections (D) and/or (E) below.

In the event that the Telephone Company can not verify the customer's OPVU and/or TPVU, the Telephone Company will request additional information to support the OPVU and/or TPVU, during this time no changes will be made to the existing OPVU and /or TPVU. The customer shall supply the requested additional information within 15 days of the Telephone Company's request or no changes will be made to the existing OPVU and/or TPVU. If after review of the additional information, the customer and Telephone Company establish a revised and mutually agreed upon OPVU and/or TPVU factor, the Telephone Company will begin using the new factor with the next bill period.

If the dispute is unresolved the customer may request that verification audits be conducted by an independent auditor, at customer's sole expense. During the audit, the most recent undisputed OPVU and/or TPVU factor will be used by the Telephone Company.

- (5) In the absence of an interconnection agreement, at no time will the Telephone Company allow an OPVU or TPVU factor greater than the applicable State percentage as identified in Paragraph 963 of the FCC Order.

(N)

Issued by: Vice President, 4001 Rodney Parham Road, Little Rock, AR 72212