

Choice One Communications of New York, Inc.
d/b/a EarthLink Business
PSC No. 4 - Telephone
Effective Date: September 10, 2012

Leaf 86
Revision: 0
Superseding Revision:

NETWORK INTERCONNECTION SERVICES TARIFF

SECTION 5 - LEC SWITCHED SERVICE (CONT'D.)

5.10 Rating and Rating Schedules (Cont'd.)

5.10.5 Proportionate Percentage of Use

- A. In utilizing the 2 Way MPA or B RTET arrangements to carry its traffic, the LEC will be responsible for payment of a portion of the appropriate monthly rates associated with the MPA or MPB RTET arrangement. The payment will be based on the LEC's percentage of use of the trunk group.
1. When a 2 Way MPA or B RTET is initially established, the LEC will be responsible for 50% of the applicable monthly rates for the first quarter of the year.
 2. In the second quarter and each quarter thereafter, the percentage of use by the LEC will be calculated by the Telephone Company using actual traffic usage data collected over the preceding three months. The Telephone Company will determine the correct percentages for the LEC in January, April, July and October of each year and notify the LEC with the appropriate percentage of the monthly rate that the LEC is responsible for and obtain the necessary agreement. The data will reflect actual usage accumulated over the preceding three months ending the last day of December, March, June and September. It will serve as the basis for the next three months billing and will be effective on the bill date in the following month (i.e., February, May, August and November). If the LEC does not have three months worth of usage at the time of the scheduled calculation, the proportionate percentage of use will remain at 50% until the next scheduled calculation.
 - a. The LEC will be responsible for 50% of the appropriate NRCs.