

AT&T Communications of New York, Inc.  
P.S.C. No. 28 -- Telephone  
Access Services And Network Interconnection Services  
Effective Date: September 17, 2012

Section 2  
Leaf No. 22.1  
Revision: 2  
Superseding Revision: 1

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## 2. GENERAL REGULATIONS

### 2.3 OBLIGATIONS OF THE CUSTOMER (Cont'd)

#### 2.3.10 Determination of Charges for Mixed Intrastate-interLATA, Intrastate-intraLATA, Interstate and/or Local Usage (Cont'd)

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

##### A. Scope (Cont'd)

1. This section governs the identification of originating and terminating intrastate toll VoIP-PSTN traffic and facilities to which interstate switched access rates apply (unless the parties have agreed otherwise) in accordance with the transitional Intercarrier Compensation framework for VoIP-PSTN traffic adopted by the Federal Communications Commission in its Report and Order, FCC Release No. 11-161 (Nov. 18, 2011) ("FCC Order"). Specifically, this section establishes the method that will be used to identify the percentage of the customer's intrastate access traffic that will be treated as intrastate toll VoIP-PSTN traffic (referred to in this tariff as "Relevant VoIP-PSTN Traffic").
2. This section applies to originating and terminating intrastate switched access minutes of use ("MOU") and facility rate elements of all Access customers.
3. The customer shall not modify its reported PIU factor to account for the VoIP-PSTN Traffic for MOU and facility rate elements.

##### B. Rating of VoIP-PSTN Traffic

The Relevant VoIP-PSTN Traffic terminating from the customer to the Company and facility rate elements identified in accordance with this tariff section will be billed at rates equal to the Company's applicable tariffed terminating interstate switched access rates as specified at <http://serviceguide.att.com/ABS/ext/TariffDetails.cfm>, AT&T FCC Tariff No. 28, Section 17, Paragraphs 17.13.3-17.15.1, unless the corresponding intrastate rate is lower. If the intrastate rate is lower, then that rate will be used for billing. Hereafter, these billed rates will be referred to in this tariff as relevant "VoIP rates." Relevant VoIP-PSTN Traffic originating from the Company or another provider to the Customer will be rated using Intrastate rates and rate structure, in accordance with the current FCC ruling these rates will go to interstate levels as of June 30, 2014. (C)

##### C. Calculation and Application of Percent-VoIP-Usage Factors

The Company will determine the number of Relevant VoIP-PSTN Traffic terminating MOU and facility rate elements to which VoIP rates will be applied under subsection B, above, by applying the Percent VoIP Usage ("PVU") factor to the intrastate access terminating MOU exchanged and facilities between the Company and the customer. The PVU factors will be derived and applied as follows:

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