

tw telecom of new york l.p. d/b/a tw telecom
 NY PSC No. 5 – Access
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Leaf 36
 Revision 2
 Superseding Revision 1

ACCESS SERVICES

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

2.17 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.)

2.17.2 IntraLATA Toll Usage, (Cont'd.)

To the extent that sufficient call detail is unavailable and the Customer has failed to provide its projected PLU, the Company shall allocate unidentifiable minutes subject to the PLU as 50 percent IntraLATA Toll Usage traffic and 50 percent local traffic.

Based on distribution of traffic (identifiable, Customer based PLU, Default PLU), the Company may derive an aggregated factor.

2.17.3 Identification of VoIP-PSTN Traffic

This section governs the identification of Toll VoIP-PSTN Traffic that is required by the F.C.C. in its Report and Order in WC Dockets Nos. 10-90, etc., F.C.C. No. 11-161 (November 18, 2011) (F.C.C. Order) and Second Order on Reconsideration FCC 12-47 (April 25, 2012) ("Second Order") to be compensated at interstate access rates, unless the parties have agreed otherwise. Specifically, this section establishes the method of separating Toll VoIP-PSTN Traffic from the Customer's traditional intrastate access traffic, so that Toll VoIP-PSTN Traffic can be billed in accordance with the F.C.C. Order and Second Order. (T) (T) (T) | (T)

A. Calculation and Application of Percent-VoIP-PSTN-Usage Factors

The Company will determine the number of relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under Section 3.1.4, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU (however determined – either based on call detail information, access lines or PIU) exchanged between the Company and the Customer, until August 5, 2012 and after July 1, 2014. From August 5, 2012 through June 30, 2014, the PVU will be applied only to terminating intrastate access MOU. The PVU will be derived and applied as follows: (T) | (T)

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