

Mosaic NetworX LLC  
Effective: December 13, 2012

New York PSC No. 2  
Leaf No. 58.1  
Revision 0  
Superseding Revision:

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SECTION 3 - SWITCHED ACCESS SERVICE, (CONT'D.)

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3.8 Rate Regulations (Cont'd.)

3.8.7 VoIP-PSTN Traffic

- A. 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) per federal rule 47 CFR §51.913 set by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC No. 11-161 (Nov. 18, 2011) ("FCC ICC Order") as amended. Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Relevant VoIP-PSTN Traffic") from Customer's traditional intrastate access traffic, so that Relevant VoIP-PSTN Traffic can be billed in accordance with the FCC ICC Order as amended.
- B. Relevant intrastate terminating VoIP-PSTN Traffic identified in accordance with this tariff subsection, and in the absence of a separate agreement between Company and Customer requiring otherwise, will be billed at rates equal to Company's applicable tariffed interstate switched access rates as provided in Mosaic NetworX LLC FCC Tariff No. 1. Until June 30, 2014, intrastate originating VoIP-PSTN traffic will be billed at intrastate originating access charges specified in this tariff. Effective July 1, 2014, intrastate originating VoIP-PSTN traffic will be billed at rates equal to Company's applicable tariffed interstate switched access rates as provided in Mosaic NetworX LLC FCC Tariff No. 1.
- C. Company will determine the weighted access rate based on Company's applicable interstate and intrastate access rates and a Percent VoIP Usage ("PVU") factor as set forth herein. The same PVU factor shall apply to all originating and terminating intrastate access minutes. Company will apply the PVU factor equal to the percentage of VoIP subscribers in the state of New York found in the most recently released FCC Local Competition Report (or, if state data is unavailable, the percentage of VoIP subscribers for the United States).
- D. Company will develop a weighted access rate reflecting, per rule 47 CFR §51.913, the application of interstate switched access rates to intrastate VoIP-PSTN minutes of use ("MOUs") based on the PVU factor and Company's applicable interstate and intrastate access rates. This rate will be calculated as: PVU times the relevant interstate switched access rates found in Mosaic NetworX FCC Tariff No. 1 plus the relevant intrastate switched access rates times (1.0 minus the PVU factor). This weighted rate will apply to the total terminating intrastate access MOUs exchanged with the customer to determine the access charges due on terminating intrastate traffic. After July 1, 2014 this weighted rate will also apply to the total originating intrastate access MOUs exchanged with the customer to determine the access charges due on originating intrastate traffic.

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Issued By:

Cancelled by supplement No. 1 effective ~~Chief Operating Officer~~  
454 Las Gallinas Ave., Suite 145  
San Rafael, CA 94903

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