

XO Communications Services, LLC
New York PSC – Tariff No. 2 - Telephone
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INTRASTATE ACCESS SERVICES TARIFF

SECTION 2 - REGULATIONS, (CONT'D.)

2.3 Obligations to the Customer, (Cont'd)

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

C. Calculation and Application of Percent-VoIP-Usage Factor

The Company will determine the number of intrastate terminating Toll VoIP-PSTN Traffic minutes of use ("MOU") to which interstate terminating switched access rates will be applied under section 2.3.4.B, above, by applying a Percentage VoIP Usage ("PVU") factor to the total intrastate terminating switched access MOU received by the Company from the Customer. The PVU will be derived and applied as follows:

1. The Customer will calculate and furnish to the Company a factor (the "PVU-C") representing the percentage of the total intrastate terminating switched access MOU that the Customer delivers to the Company for termination in the state, that originated in IP format. This PVU-C shall be based on information such as 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.
2. The Company will, likewise, calculate a factor (the "PVU-X") representing the percentage of the Company's total intrastate terminating switched access MOU in the state that the Company terminates on its network in IP format. This PVU-X shall be based on information, such as the number of the Company'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.
3. The Company will use the PVU-C and PVU-X factors to calculate a PVU factor that represents the percentage of total intrastate terminating switched access MOU received by the Company from the Customer that is originated or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends. The PVU factor will be calculated as the sum of: (A) the PVU-C factor and (B) the PVU-X factor times (1.0 minus the PVU-C factor).

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