

Cablevision Lightpath, LLC
PSC No. 1 - Telephone
Initial Effective Date: 6/02/2021

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Superseding Revision:

ACCESS SERVICE

REGULATIONS, RATES, AND CHARGES

Applying to the provision of Access Services within a
Local Access and Transport Area (LATA) for
Connection to intrastate communications facilities
for customers within the operating territory of
Cablevision Lightpath, LLC
In the State of New York

Cablevision Lightpath, LLC PSC No. 1 - Communications, supersedes Cablevision Lightpath, Inc. PSC No. 4 - Communications.

Access Services are provided by means of wire, fiber optics, radio, or any other suitable technology or a combination thereof.

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Cablevision Lightpath, LLC
PSC No. 1 - Telephone
Initial Effective Date: 6/02/2021

Leaf: 2
Revision: 0
Superseding Revision:

ACCESS SERVICE

TABLE OF CONTENTS

	<u>Leaf No.</u>
Title Page	1
Table of Contents and Explanation of Symbols	2
Concurrence	3
General Regulations	4

EXPLANATION OF SYMBOLS

The following symbols shall be used in this tariff for the purposes indicated below:

C	To signify changed regulation.
D	To signify discontinued rate or regulation.
I	To signify increased rate.
M	To signify a move in the location of text.
N	To signify new rate or regulation.
R	To signify reduced rate.
S	To signify reissued matter.
T	To signify a change in text but no change in rate or regulation.

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Leaf: 3
Revision: 0
Superseding Revision:

ACCESS SERVICE

CONCURRENCE

Cablevision Lightpath, LLC ("Lightpath") hereby concurs in the rates, terms, and conditions contained in the Verizon New York Inc. Tariff PSC NY No. 11, Access Services ("Verizon NY No. 11 Access Tariff"), except rates, terms, and conditions contained in Section 2.3.12 of Verizon NY No. 11 Access Tariff, for which the substitute Section 2.3.12 included on following pages shall apply.

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Cablevision Lightpath, LLC
PSC No. 1 - Telephone
Initial Effective Date: 6/02/2021

Leaf: 4
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Superseding Revision:

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2. GENERAL REGULATIONS (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.12 Identification and Rating of VoIP-PSTN Traffic

(A) Scope

- (1) VoIP-PSTN Traffic is defined as traffic exchanged between a Lightpath end user and the customer in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. Section 2.3.12 governs the identification of VoIP-PSTN Traffic all of which is subject to Federal Communications Commission Report and Order, WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011) and Federal Communications Commission Second Order on Reconsideration, WC Docket Nos. 10-90, etc., FCC Release No. 12-47 (Apr. 25, 2012) ("FCC Orders"). Specifically, Section 2.3.12 establishes the method of separating such traffic (referred to in this tariff as "Relevant VoIP-PSTN Traffic") from the customer's traditional intrastate access traffic, so that such Relevant VoIP-PSTN Traffic can be billed in accordance with the FCC Order.
- (2) Section 2.3.12 will be applied to the billing of switched access charges to a customer that is a local exchange carrier only to the extent that the customer has also implemented billing of access charges for Relevant VoIP-PSTN Traffic in accordance with the FCC Orders.

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Cablevision Lightpath, LLC
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Initial Effective Date: 6/02/2021

Leaf: 5
Revision: 0
Superseding Revision:

ACCESS SERVICE

2. GENERAL REGULATIONS (Cont'd)

2.3 Obligations of the Customer (Cont'd)

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

(B) Rating of VoIP-PSTN Traffic

- (1) The FCC Orders require that, unless the parties have agreed otherwise, intrastate terminating VoIP-PSTN access traffic shall be compensated at interstate terminating access rates; and intrastate originating VoIP-PSTN access traffic shall be compensated at intrastate originating access rates until June 30, 2014, and compensated at interstate originating access rates thereafter.
- (2) In accordance with the FCC Orders, if the Relevant VoIP-PSTN Traffic identified in accordance with this tariff section is terminating access traffic, it will be billed at rates equal to Lightpath's applicable tariffed interstate switched access rates as specified in Lightpath Tariff FCC No. 4.
- (3) In accordance with the FCC Orders, if the Relevant VoIP-PSTN Traffic identified in accordance with this tariff section is intrastate originating access traffic, it will be billed at rates equal to Lightpath's applicable tariffed intrastate switched access rates as specified in this tariff through June 30, 2014, and thereafter will be billed at rates equal to Lightpath's applicable tariffed interstate switched access rates as specified in Lightpath Tariff FCC No. 4.

(C) Calculation and Application of Percent-VoIP-Usage Factor for Terminating Access Traffic

Lightpath will determine the number of terminating Relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection (B)(2), above, by applying a Percent VoIP Usage ("PVU") factor to the total terminating intrastate access MOU exchanged between a Lightpath end user and the customer. The PVU will be derived and applied as follows:

- (1) The customer will calculate and furnish to Lightpath a factor (the "PVU-C") representing the percentage of the total terminating intrastate access MOU that the customer exchanges with Lightpath in the State, that (a) is sent to Lightpath by the customer and that originated in IP format; or (b) is received by the customer from Lightpath and terminated 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.

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Cablevision Lightpath, LLC
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Initial Effective Date: 6/02/2021

Leaf: 6
Revision: 0
Superseding Revision:

ACCESS SERVICE

2. GENERAL REGULATIONS (Cont'd)

2.3 Obligations of the Customer (Cont'd)

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

2.3.12(C) Calculation and Application of Percent-VoIP-Usage Factor (Cont'd)

- (2) Lightpath will, likewise, calculate a factor (the "PVU-L") representing the percentage of Lightpath's total terminating intrastate access MOU in the State that Lightpath terminates on its network in IP format. This PVU-L shall be based on information, such as the number of Lightpath'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) Lightpath will use the PVU-C and PVU-L factors to calculate a PVU factor that represents the percentage of total terminating intrastate access MOU exchanged between a Lightpath end user and the customer that is terminated in IP format, whether at Lightpath'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-L factor times (1.0 minus the PVU-C factor).
- (4) Lightpath will apply the PVU factor to the total terminating intrastate access MOU exchanged with the customer to determine the number of Relevant VoIP-PSTN Traffic MOUs.

Example 1: The PVU-L is 10% and the PVU-C is 40%. The PVU factor is equal to $40\% + (10\% \times 60\%) = 46\%$. Lightpath will bill 46% of the customer's terminating intrastate access MOU at its applicable tariffed interstate rates.

Example 2: The PVU-L is 10% and the PVU-C is 0%. The PVU factor is $0\% + (100\% \times 10\%) = 10\%$. Lightpath will bill 10% of the customer's terminating intrastate access MOU at Lightpath's applicable tariffed interstate switched access rates.

Example 3: The PVU-C is 100%. No matter what the PVU-L factor is, the PVU is 100%. Lightpath will bill 100% of the customer's terminating intrastate access MOU at Lightpath's applicable tariffed interstate switched access rates.

- (5) If the customer does not furnish Lightpath with a PVU-C pursuant to the preceding paragraph 1, Lightpath will utilize a PVU equal to the PVU-L.

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2. GENERAL REGULATIONS (Cont'd)

2.3 Obligations of the Customer (Cont'd)

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

(D) Initial PVU Factor

If the PVU factor is not available and/or cannot be implemented in Lightpath's billing systems by the effective date of Section 2.3.12(C), once the factor is available and can be implemented Lightpath will adjust the customer's bills to reflect the PVU retroactively to the effective date. In calculating the PVU, Lightpath will take the customer-specified PVU-C into account retroactively to the effective date of Section 2.3.12, *provided that* the customer provides the factor to Lightpath no later than 90 days after the effective date; otherwise, Lightpath will set the PVU equal to the PVU-L, as specified in subsection (C)(5), above.

(E) PVU Factor Updates

The customer may update the PVU-C factor quarterly using the method set forth in subsection (C)(1), above. If the customer chooses to submit such updates, it shall forward to Lightpath, no later than 15 days after the first day of January, April, July and/or October of each year, a revised PVU-C factor based on data for the prior three months, ending the last day of December, March, June and September, respectively. Lightpath will use the revised PVU-C to calculate a revised PVU. The revised PVU factor will apply prospectively and serve as the basis for billing until superseded by a new PVU.

(F) PVU Factor Verification

Not more than twice in any year, Lightpath may ask the customer to verify the PVU-C factor furnished to Lightpath and customer may ask Lightpath to verify the PVU-L factor and the calculation of the PVU factor. The party so requested shall comply, and shall reasonably provide the records and other information used to determine the respective PVU-C and PVU-L factors.

(G) PVU Factor for Originating Relevant VoIP-PSTN Traffic Minutes

Lightpath will determine the number of originating Relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection (B)(3), above, by applying a Percent VoIP Usage ("PVU") factor to the total originating intrastate access MOU exchanged between a Lightpath end user and the customer. The originating Relevant VoIP-PSTN Traffic PVU will be computed quarterly by Lightpath based on relevant information about the Lightpath network.

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