

**VERMONT
PUBLIC SERVICE BOARD**

**SHOREHAM TELEPHONE LLC
d/b/a OTT COMMUNICATIONS**

**INTRASTATE
ACCESS TARIFF No. 3**

ACCESS SERVICE

This tariff contains the terms, conditions, rates, and charges that shall apply to the provision of Access Services within the certificated operating territory of Shoreham Telephone LLC. Service is provided by means of wire, radio, satellite, fiber optics or other suitable technology or combination thereof.

The name and title of this tariff's issuing officer are located on the bottom of each tariff page.

All intrastate services within the operating territory of Shoreham Telephone LLC were previously provided under tariff Vermont P.S.B. No. 2.

Issued: July 30, 2012
Effective: August 29, 2012



Ed Tisdale
Senior Vice President

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Revision

Original
Fifth Revision*
First Revision *
Fifth Revision*
First Revision *
First Revision *
Original
Original

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Dennis K. Andrews
Senior Vice President

ACCESS SERVICE


1. GENERAL

- A. For all access services, including intra-company special and private line access services, the rate and regulations of the John Staurulakis, Inc. ("JSI") Tariff F.C.C. No. 1 will apply unless specific exceptions are noted within this section. The JSI tariff can be found by contacting JSI at 7852 Walker Drive, Greenbelt, Maryland 20770. Services are subject to availability.
[For all access services, including intra-company special and private line access services, the rate and regulations of the National Exchange Carrier Association, Inc. (NECA) Tariff F.C.C. No. 5 will apply unless specific exceptions are noted within this section. The NECA tariff can be found by contacting NECA at 80 South Jefferson Road, Whippany, NJ 07981-1009 or www.neca.org. Services are subject to availability.]

2. RATES – EXCEPTIONS

- A. The rates set forth in Schedule A below will be charged for IntraLata interconnection to inter-exchange carriers.

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ACCESS SERVICE (cont'd)

2. RATES – EXCEPTIONS (cont'd)

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[Schedule A]

Switched Access Service

Carrier Common Line

Originating

Per Minute

\$0.000000

Tandem Switched Transport

Tandem Switched Facility – Originating

Per Minute/Per Mile

\$0.000433

Tandem Switched Facility - Terminating

Per Minute/Per Mile

\$0.000248

Tandem Switched Termination –

Per

\$0.002247

Originating

Minute/Termination

Tandem Switched Termination –

Per

\$0.001289

Terminating

Minute/Termination

End Office

Local Switching – Originating

Per Minute

\$0.019313

Local Switching – Terminating

Per Minute

\$0.003567

Information Surcharge – Originating

Per 100 Minutes

\$0.053100

Information Surcharge – Terminating

Per 100 Minutes

\$0.000000

[Non-Recurring Charges]

[Directory Access Installation]

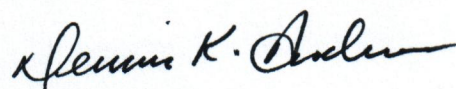
[Per Trunk]

[\$196.00]

[Interim NXX Translation]

[Per Order/Per LATA]

[\$192.21]



ACCESS SERVICE (cont'd)

3. IDENTIFICATION AND RATING OF VoIP-PSTN TRAFFIC


The following provision applies to the treatment of Relevant VoIP-PSTN Traffic pursuant to the Federal Communications Commission's Part 41 Interconnection Rules and in compliance with the Federal Communications Commission's Report and Order and Further Notice of Proposed Rulemaking in CC Docket Nos. 96-45 and 01-92; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135 and 10-90; and WT Docket No. 10-208, adopted October 27, 2011 and released November 18, 2011 (FCC 11-161). In the absence of an interconnection agreement between the Telephone Company and the customer specifying the treatment of Relevant VoIP-PSTN Traffic, the Telephone Company will bill the customer the applicable interstate switched access rates and charges (including Interstate Transport structure) specified in the John Staurulakis, Inc. ("JSI"), Tariff F.C.C. No. 1 [National Exchange Carrier Association, Inc. ("NECA"), Tariff F.C.C. No. 5], on all jurisdictionally Intrastate voice traffic identified as Relevant VoIP-PSTN Traffic under the terms of this Tariff.

Applicable rates and charges are located in Section 17 of JSI Tariff F.C.C. No. 1, [NECA Tariff F.C.C. No. 5]

(A) Scope

- (1) "Relevant VoIP-PSTN Traffic" is defined as terminating traffic received by the Telephone Company end user from the customer that originates and/or terminates in Internet protocol ("IP") format. This section governs the identification of VoIP-PSTN Traffic to be compensated at interstate access rates as required by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011) ("FCC Order"), and Second Order on Reconsideration adopted April 24, 2012 and released April 25, 2012. Subsection (2) below establishes the method for the billing of Intrastate VoIP-PSTN Traffic terminated by a customer that is a local exchange carrier.
- (2) [Billing of Terminating Traffic. This subsection will be applied to the billing of Intrastate VoIP-PSTN traffic using switched access as specified in (1) above to a customer that is a carrier that: (a) terminates traffic to the Telephone Company, either directly or through a transit arrangement with another carrier, that is determined to be interexchange non-local traffic based on calling and called number or (b) terminates traffic to the Telephone Company pursuant to a negotiated agreement regarding the percentage of Intrastate VoIP-PSTN traffic when the traffic is commingled with local non-access traffic.]

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ACCESS SERVICE (cont'd)

3. IDENTIFICATION AND RATING OF VoIP-PSTN TRAFFIC (cont'd)

- (2) **Billing of Originating Traffic.** For the period from December 29, 2011 through July 12, 2012 and for the period beginning on or after July 1, 2014, Intrastate originating non-local traffic using switched access as specified in (1) above will be included in the application of PVU factors and the rating of Relevant VoIP-PSTN traffic at the interstate rate as defined in this subsection. During the period of July 13, 2012 through June 30, 2014 all Intrastate originating non-local traffic using switched access services will be subject to Intrastate Access Rates.

(B) Rating of VoIP-PSTN Traffic

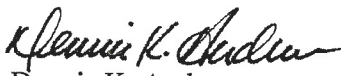
The Relevant VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Telephone Company's applicable tariffed interstate switched access rates as specified in the applicable provisions of the JSI Tariff F.C.C. No 1 [National Exchange Carrier Association, Inc., Tariff F.C.C. No. 5].

(C) Calculation and Application of Percent-VoIP-Usage Factor

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

- (1) The customer will calculate and furnish to the Telephone Company a factor (the "PVU") representing the percentage of the total intrastate access MOU that the customer delivers to the Telephone Company in the State, that is sent to the Telephone Company and that originated in IP format. The customer's PVU shall be based on information such as the number of the customer's retail VoIP subscriptions in the State (e.g., as reported on F.C.C. Form 477), traffic studies, actual call details, or other relevant and verifiable information which will be provided to the Telephone Company upon request.
- (2) The customer shall not modify its reported PIU factor to account for Relevant VoIP-PSTN Traffic.
- (3) The customer shall retain the call detail, work papers, and information used to develop the PVU factor(s) for a minimum of one year.
- (4) The Telephone Company will apply the PVU factor to the total terminating intrastate access MOU received from the customer to determine the number of Relevant VoIP-PSTN Traffic MOUs.

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ACCESS SERVICE (cont'd)

3. IDENTIFICATION AND RATING OF VoIP-PSTN TRAFFIC (cont'd)

- (5) If the customer does not furnish the Telephone Company with a PVU pursuant to the preceding paragraph 1, the Telephone Company will utilize a PVU equal to zero.

(D) Initial PVU Factor

If the PVU factor is not available and/or cannot be implemented in the Telephone Company's billing systems by December 29, 2011, once the factor is available and can be implemented, the Telephone Company will adjust the customer's bills to reflect the PVU retroactively to December 29, 2011. This retroactive adjustment will be made to December 29, 2011, provided that the customer provides the factor to the Telephone Company no later than April 15, 2012; otherwise, it will set the initial PVU equal to zero, as specified in subsection (C)(5), above.

The Telephone Company may choose to provide credits based on the reported PVU factor on a Quarterly basis until such time as a billing system modification can be implemented.

(E) PVU Factor Updates

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

(F) PVU Factor Verification

- (a) Not more than four times in any year, the Telephone Company may request from the customer an overview of the process used to determine the PVU factor, the call detail records, description of the method for determining how the end user originates and terminates calls in IP format, and other information used to determine the customer's PVU factor furnished to the Company in order to validate the PVU factor supplied. The customer shall comply, and shall reasonably supply the requested data and information within 15 days of the Telephone Company's request.

- (b) The Telephone Company may dispute the Customer's PVU factor based upon:

ACCESS SERVICE (cont'd)

3. IDENTIFICATION AND RATING OF VoIP-PSTN TRAFFIC (cont'd)

- (i) A review of the requested data and information provided by the customer;
 - (ii) The Telephone Company's reasonable review of other market information, F.C.C. reports on VoIP lines, such as F.C.C. Form 477 or state level results based on the F.C.C. Local Competition Report or other relevant data;
 - (iii) A change in the reported PVU factor by more than five percentage points from the preceding quarter.
- (c) If after review of the data and information, the customer and the Telephone Company establish a revised PVU factor, the Telephone Company will begin using the revised PVU factor with the next bill period.
- (d) If the dispute is unresolved, the Telephone Company may initiate an audit. The Telephone Company shall limit audits of the customer's PVU factor to no more than twice per year. The customer may request that the audit be conducted by an independent auditor. In such cases the associated auditing expenses will be paid by the customer.
 - (i) In the event that the customer fails to provide adequate records to enable the Telephone Company or an independent auditor to conduct an audit verifying the customer's PVU factor, the Telephone Company will bill the usage for all contested periods using the most recent undisputed PVU factor reported by the customer. This PVU factor will remain in effect until the audit can be completed.
 - (ii) During the audit, the most recent undisputed PVU factors from the previous reporting period will be used by the Telephone Company.
 - (iii) The Telephone Company will adjust the customer's PVU factor based on the results of the audit and implement the revised PVU factor in the next billing period or quarterly report date, whichever is first. The revised PVU factor will apply for the next two quarters before new factors can be submitted by the customer.
 - (iv) If the audit supports the customer's PVU factors, the usage for the contested periods will be adjusted to reflect the customer's audited PVU factors.