19812 Underwood Road Foley, AL 36535

December 22, 2011



8

Mr. Walter Thomas Jr., Secretary Alabama Public Service Commission RSA Union Building, Room 850 100 North Union Street Montgomery, AL 36104

## RE: CenturyTel of Northern Alabama d/b/a CenturyLink, Access Services Tariff

Century Link \*\*

Dear Mr. Thomas:

Attached for filing are revised pages for the **CenturyTel of Northern Alabama d/b/a CenturyLink**, Access Services Tariff. The tariff sheets attached for review and approval are listed following:

| 1st Revised Contents Page 1                    |
|--|
| 1st Revised Contents Page 5                    |
| 1st Revised Page 17                            |
| 1st Revised Page 11                            |
| Original Pages 11.1, 11.2, 11.3, 11.4 and 11.5 |
| 1st Revised Page 45                            |
|  |

This filing proposes the addition of tariff language for implementation of the intercarrier compensation regime for certain VoIP-PSTN traffic as mandated in the Federal Communications Commission's November 18, 2011 Report and Order and Further Notice of Proposed Rulemaking in WC Docket Nos. 10-90, etc. (FCC 11-161).

If you have any questions concerning this filing, or if you need additional information, you may contact me by e-mail at <u>kevin.grimes@centurylink.com</u> or by telephone at (251) 952-5384.

Sincerely,

C.O.

Kevin Grimes Government Affairs Manager

Attachments

Table of Contents(T)1st Revised Contents Page 1Cancels Original Contents Page 1EFFECTIVE: January 22, 2011

ISSUED: December 22, 2011 BY: Gary L. Kepley, Director - Regulatory Operations Overland Park, Kansas

## ACCESS SERVICE

## TABLE OF CONTENTS

### Section No.

Page No.

| 1. | APPLICATION OF TARIFF  |   |  |  |
|----|--|---|--|--|
| 2. | GENER  | RAL REGULATIONS   | 1  |  |
|    | 2.1 Und  | lertaking of the Telephone Company  | 1  |  |
|    | 2.1.2<br>2.1.3<br>2.1.4<br>2.1.5<br>2.1.6<br>2.1.7<br>2.1.8<br>2.1.9<br>2.1.10<br>2.1.11 | Scope<br>Limitations<br>Liability<br>Provision of Services<br>Installation and Termination of Services<br>Maintenance of Services<br>Changes, Substitutions and Rearrangements<br>Refusal and Discontinuance of Service<br>Limitation of Use of Metallic Facilities<br>Notification of Service-Affecting Activities<br>Coordination with Respect to Network Contingencies<br>Provision and Ownership of Telephone Numbers | 1<br>1<br>2<br>4<br>4<br>5<br>5<br>6<br>7<br>7<br>7<br>8 |  |
|    | 2.2 Use  |   | 8  |  |
|    |  | Interference or Impairment<br>Unlawful Use  | 8<br>8   |  |
| 2  | 2.3 Obl  | igations of the Customer  | 9  |  |
|    | 2.3.2<br>2.3.3<br>2.3.4<br>2.3.5<br>2.3.6<br>2.3.7<br>2.3.8<br>2.3.9<br>2.3.10           | Damages<br>Ownership of Facilities and Theft<br>Equipment Space and Power<br>Availability for Testing<br>Balance<br>Design of Customer Services<br>References to the Telephone Company<br>Claims and Demands for Damages<br>Coordination with Respect to Network Contingencies<br>Sectionalization and Trouble Reporting<br>Identification and Rating of VoIP-PSTN Traffic  | 9<br>9<br>9<br>10<br>10<br>10<br>10<br>11<br>11          |  |

Table of Contents (T) 1st Revised Contents Page 5 Cancels Original Contents Page 5 EFFECTIVE: January 22, 2011

ISSUED: December 22, 2011 Gary L. Kepley, Director - Regulatory Operations Overland Park, Kansas BY:

## ACCESS SERVICE

## TABLE OF CONTENTS (Cont'd)

## Section No.

3.

Page No.

- 2. GENERAL REGULATIONS (Cont'd)
  - 2.6 Definitions (Cont'd)

|                                    | Subtending End Office of Access Tandem |  |          |  |  |  |
|------------------------------------|--|--|----------|--|--|--|
|                                    | Synchronous Test Line                  |  |          |  |  |  |
|                                    | Terminating Direction                  |  |          |  |  |  |
|                                    | Toll VoIP-PSTN Traffic                 |  |          |  |  |  |
|                                    | Tra                                    | ansmission Measuring (105 Type) Test Line/Responder                | 45       |  |  |  |
|                                    |  | ansmission Path  | 45       |  |  |  |
|                                    |  | ınk  | 45       |  |  |  |
|                                    |  | ink Group  | 45       |  |  |  |
|                                    |  | unk Side Connection  | 46<br>46 |  |  |  |
|                                    | Two-Wire to Four-Wire Conversion       |  |          |  |  |  |
|                                    | Uniform Service Order Code             |  |          |  |  |  |
|                                    | V & H Coordinates Method               |  |          |  |  |  |
|                                    | WATS Serving Office                    |  |          |  |  |  |
|                                    | Wire Center                            |  |          |  |  |  |
| CARRIER COMMON LINE ACCESS SERVICE |  |  |          |  |  |  |
| 3.1 General Description            |  |  |          |  |  |  |
| 3.2                                | 3.2 Limitations                        |  |          |  |  |  |
|                                    | 3.2.1                                  | Exclusions   | 1        |  |  |  |
|                                    | 3.2.2                                  | Access Groups  | 1        |  |  |  |
|                                    | 3.2.3                                  | Switched Access Interface Arrangements (WATS Access Lines)         | 2        |  |  |  |
| 3.3                                | De                                     | termination of Usage Subject to Carrier Common Line Access Charges | 2        |  |  |  |
|                                    | 3.3.1                                  | Determination of Jurisdiction                                      | 2        |  |  |  |
|                                    | 3.3.2                                  | Case Involving Usage Recorded by the Customer                      | 2        |  |  |  |
|                                    | 3.3.3                                  | Local Exchange Access and Enhanced Services Exemption              | 3        |  |  |  |

1st Revised Page 17 Cancels Original Page 17 EFFECTIVE: January 22, 2011

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(N)

## ISSUED: December 22, 2011 BY: Gary L. Kepley, Director - Regulatory Operations Overland Park, Kansas

## ACCESS SERVICE

## EXPLANATION OF ABBREVIATIONS (Cont'd)

| FID  | - | Field Identifier                        |    |
|------|---|---|----|
| FCC  | - | Federal Communications Commission       |    |
| FX   | - | Foreign Exchange                        |    |
| HC   | - | High Capacity                           |    |
| Hz   | - | Hertz                                   |    |
| IC   | - | Interexchange Carrier                   |    |
| ICB  | - | Individual Case Basis                   |    |
| ICL  | - | Inserted Connection Loss                |    |
| KBPS | - | Kilobits per second                     |    |
| KHZ  | - | Kilohertz                               |    |
| LATA | _ | Local Access and Transport Area         |    |
| Ma   | - | Milliamperes                            |    |
| Mbps | _ | Megabits per second                     |    |
| MF   | _ | Multifrequency                          |    |
| MHz  | _ | Megahertz                               |    |
| MMUC | - | Minimum Monthly Usage Charge            |    |
| MRC  | - | Monthly Recurring Charge                |    |
| MT   | - | Metallic                                |    |
| MTS  | - | Message Telecommunications Service(s)   |    |
| NPA  | - |   |    |
|      | - | Numbering Plan Area                     |    |
| NRC  | - | Nonrecurring Charge                     |    |
| NTS  | - | Non-Traffic Sensitive                   |    |
| NXX  |   | Three Digit Central Office Code         |    |
| OTPL | - | Zero Transmission Level Point           |    |
| PBX  | - | Private Branch Exchange                 |    |
| PCM  | - | Pulse Code Modulation                   |    |
| PLP  | - | Private Line Ringdown                   |    |
| POT  | - | Point of Termination                    |    |
| PSTN | - | Public Switched Telephone Network       | (  |
| rms  | - | root-mean-square                        |    |
| RSM  | - | Remote Switching Modules                |    |
| RSS  | - | Remote Switching Systems                |    |
| SRL  | - | Singing Return Loss                     |    |
| SS7  | - | Signaling System 7                      |    |
| SSN  | - | Switched Service Network                |    |
| STP  | - | Signaling Transfer Point                |    |
| SWC  | - | Serving Wire Center                     |    |
| TDM  | - | Time Division Multiplexing              | (  |
| TES  | - | Telephone Exchange Service(s)           |    |
| TEP  | - | Transmission Level Point                |    |
| TSPS | - | Traffic Service Position System         |    |
| ΤV   | - | Television                              |    |
| USOC | - | Uniform Service Order Code              |    |
| VG   | - | Voice Grade                             |    |
| VoIP | - | Voice over Internet Protocol            | (  |
| V&H  | - | Vertical & Horizontal                   | `` |
| WA   | - | Wideband Analog                         |    |
| WATS | - | Wide Area Telecommunications Service(s) |    |
| WD   | _ | Wideband Data                           |    |
|      |   |   |    |

Section 2 1st Revised Page 11 Cancels Original Page 11 EFFECTIVE: January 22, 2011

- ISSUED: December 22, 2011 BY: Gary L. Kepley, Director - Regulatory Operations Overland Park, Kansas
- 2. <u>General Regulations</u> (Cont'd)
  - 2.3 Obligations of the Customer (Cont'd)
    - 2.3.8 Claims and Demands for Damages (Cont'd)
      - (B) (Cont'd)

provided, however, the foregoing indemnification shall not apply to suits, claims, and demands to recover damages for damage to property, death or personal injury unless such suits, claims or demands are based on the tortuous conduct of the customer, its officers, agents or employees.

- (C) The customer shall defend, indemnify and save harmless the Telephone Company from and against any suits, claims, losses or damages, including punitive damages, attorney fees and court costs by the customer or third parties arising out of any act or emission of the customer in the course of using services provided under this tariff.
- 2.3.9 Coordination with Respect to Network Contingencies

The customer shall, in cooperation with the Telephone Company, coordinate in planning the actions to be taken to maintain maximum network capability following natural or man-made disasters which affect telecommunications services.

#### 2.3.10 Sectionalization and Trouble Reporting

The customer will be responsible for reporting troubles sectionalized to Telephone Company facilities and/or equipment. When trouble cannot be clearly sectionalized to the Telephone Company facilities and/or equipment, the Telephone Company will test cooperatively or independently to assist in trouble sectionalization.

- 2.3.11 Identification and Rating of VoIP-PSTN Traffic
  - (A) Scope

VoIP-PSTN Traffic is defined as traffic exchanged between a Telephone Company end user and the customer in Time Division Multiplexing ("TDM") format that originates and/or terminates in Internet Protocol ("IP") format. 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, by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (November 18, 2011)("FCC Order"). Specifically this section establishes the method of separating VoIP-PSTN Traffic from the customer's traditional intrastate access traffic, so that VoIP-PSTN Traffic can be billed in accordance with the FCC Order. (Ņ)

Section 2

Original Page 11.1 EFFECTIVE: January 22, 2011

- ISSUED: December 22, 2011 BY: Gary L. Kepley, Director - Regulatory Operations Overland Park, Kansas
- 2. <u>General Regulations</u> (Cont'd)
  - 2.3 Obligations of the Customer (Cont'd)

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

- (B) 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 rate as specified in CenturyLink Operating Companies Tariff F.C.C. No. 3, Section 6.
- (C) Calculation and Application of Percent-VoIP-Usage Factors

Telephone Company will determine the number of VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under (B) preceding, by applying an originating Percent VoIP Usage ("PVU") factor to the total intrastate access MOU originated by a Telephone Company end user and delivered to the customer and by applying a terminating PVU factor to the total intrastate access MOU terminated by a customer to the Telephone Company's end user.

Section 2

Original Page 11.2

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- 2. <u>General Regulations</u> (Cont'd)
  - 2.3 Obligations of the Customer (Cont'd)

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

- (C) <u>Calculation and Application of Percent-VoIP-Usage Factors</u> (Cont'd)
  - (1) The customer will calculate and furnish to the Telephone Company an originating PVU factor representing the whole number percentage of the customer's total originating intrastate access MOU that the customer exchanges with the Telephone Company in the state that is received from the Telephone Company and that is terminated in IP format and that would be billed by the Telephone Company as intrastate access MOU.
  - (2) The customer will calculate and furnish to the Telephone Company a terminating PVU factor representing the whole number percentage of the customer's total terminating intrastate access MOU that the customer exchanges with the Telephone Company in the state that is sent to the Telephone Company and which originated in IP format and that would be billed by the Telephone Company as intrastate access MOU.
  - (3) The customer shall not modify their reported PIU factor to account for VoIP-PSTN traffic.
  - (4) Both the customer provided originating PVU and the terminating 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 FCC Form 477), traffic studies, actual call detail or other relevant and verifiable information which will be provided to Telephone Company upon request.
  - (5) The customer shall retain the call detail, work papers and information used to develop the PVU factors for a minimum of one year.
  - (6) If the customer does not furnish the Telephone Company with a PVU factor, the Telephone Company will utilize a PVU equal to zero.

Section 2

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- ISSUED: December 22, 2011 BY: Gary L. Kepley, Director - Regulatory Operations Overland Park, Kansas
- 2. <u>General Regulations</u> (Cont'd)
  - 2.3 Obligations of the Customer (Cont'd)
    - 2.3.11 Identification and Rating of VoIP-PSTN Traffic (Cont'd)
      - (D) Initial Implementation of PVU Factors
        - (1) If the PVU factors cannot be implemented in the Telephone Company's billing systems by December 29, 2011, once the factors can be implemented, the Telephone Company will adjust the customer's bills to reflect the PVU factors prospectively in the next bill period, if the PVU factors are provided by the customer to the Telephone Company prior to April 15, 2012.
        - (2) The Telephone Company may choose to provide credits based on the reported PVU factors on a quarterly basis until such time as the billing system modifications can be implemented.
      - (E) PVU Factor Updates

The customer may update the PVU factors quarterly using the method set forth in (C)(1) and (2) preceding. If the customer chooses to submit such updates, it shall forward to the Telephone Company, no later than 15 days after the first of January, April, July and/or October of each year, revised PVU factors based on data for the prior three months, ending the last day of December, March, June and September, respectively. The revised PVU factors will serve as the basis for future billing and will be effective on the next bill date, and shall serve as the basis for subsequent monthly billing until superseded by new PVU factors. No prorating or backbilling will be done based on the updated PVU factors.

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

**Overland Park, Kansas** 

Gary L. Kepley, Director - Regulatory Operations

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Original Page 11.4 EFFECTIVE: January 22, 2011

Section 2

2. General Regulations (Cont'd) (N) 2.3 Obligations of the Customer (Cont'd) 2.3.11 Identification and Rating of VoIP-PSTN Traffic (Cont'd) (F) PVU Factor Verification (Cont'd) (2) The Telephone Company may dispute the customer's PVU factor based upon: A review of the requested data and information provided by the (a) customer. The Telephone Company's reasonable review of other market (b) information, FCC reports on VoIP lines, such as FCC Form 477 or state level results based on FCC Local Competition Report or other relevant data. A change in the reported PVU factor by more than five percentage (c) points from the preceding guarter. If after review of the data and information, the customer and the Telephone (3) Company establishes revised PVU factors, the customer and the Telephone Company will begin using those revised PVU factors with the next bill period. (N)

Section 2

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- ISSUED: December 22, 2011 BY: Gary L. Kepley, Director - Regulatory Operations Overland Park, Kansas
- 2. <u>General Regulations</u> (Cont'd)
  - 2.3 Obligations of the Customer (Cont'd)
    - 2.3.11 Identification and Rating of VoIP-PSTN Traffic (Cont'd)
      - (F) PVU Factor Verification (Cont'd)
        - (4) 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.
          - (a) 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 factors, the Telephone Company will bill the usage for all contested periods using the most recent undisputed PVU factors reported by the customer. These PVU factors will remain in effect until the audit can be completed.
          - (b) During the audit, the undisputed PVU factors from the previous reporting period will be used by the Telephone Company.
          - (c) The Telephone Company will adjust the customer's PVU factors based on the results of the audit and implement the revised PVU in the next billing period or quarterly report date, whichever is first. The revised PVU factors will apply for the next two quarters before new factors can be submitted by the customer.
          - (d) 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.

(N)

Section 2 1st Revised Page 45 Cancels Original Page 45 EFFECTIVE: January 22, 2011

- ISSUED: December 22, 2011 BY: Gary L. Kepley, Director - Regulatory Operations Overland Park, Kansas
- 2. General Regulations (Cont'd)
  - 2.6 Definitions (Cont'd)

#### Subtending End Office of an Access Tandem

The term "Subtending End Office of an Access Tandem" denotes an end office that has final trunk group routing through that tandem.

#### Synchronous Test Line

The term "Synchronous Test Line" denotes an arrangement in an end office which performs marginal operational tests of supervisory and ring-tripping functions.

#### **Terminating Direction**

The term "Terminating Direction" denotes the use of Access Service for the completion of calls from an IC premises to an End User Premises.

#### Toll VoIP-PSTN Traffic

The term "Toll VoIP-PSTN Traffic" denotes a customer's interexchange voice traffic exchanged with the Telephone Company in Time Division Multiplexing format over PSTN facilities, which originates and/or terminates in Internet Protocol (IP) format. "Toll VoIP-PSTN Traffic" originates and/or terminates in IP format when it originates from and/or terminates to an end user customer of a service that requires IP-compatible customer premises equipment.

#### Transmission Measuring (105 Type) Test Line/Responder

The term "Transmission Measuring (105 Type) Test Line/Responder" denotes an arrangement in an end office which provides far-end access to a responder and permits two-way loss and noise measurements to be made on trunks from a near end office.

#### Transmission Path

The term "Transmission Path" denotes an electrical path capable of transmitting signals within the range of the service offering, e.g., a voice grade transmission path is capable of transmitting voice frequencies within the approximate range of 300 to 3000 Hz. A transmission path is comprised of physical or derived facilities consisting of any form or configuration of plant typically used in the telecommunications industry.

#### Trunk

The term "Trunk" denotes a communications path connecting two switching systems in a network, used in the establishment of an end-to-end connection.

#### Trunk Group

The term "Trunk Group" denotes a set of trunks which are traffic engineered as a unit for the establishment of connections between switching systems in which all of the communications paths are interchangeable.