



January 4, 2012
Via Web Filing

Ms. Jocelyn Boyd, Chief Clerk.
South Carolina Public Service Commission
101 Executive Center Dr.
Columbia, SC 29210

RE: Tariff Revision for Talk America Inc. d/b/a Cavalier Telephone d/b/a PAETEC Business Services
South Carolina Tariff No. 9 (Access Services)

Dear Ms. Boyd:

Enclosed for filing please find the original of the above referenced tariff filing submitted on behalf of Talk America Inc. d/b/a Cavalier Telephone d/b/a PAETEC Business Services. This filing makes revisions to incorporate the requirements of the Federal Communications Commission Report and Order in WC Docket No. 10-90, etc., FCC No. 11-161 (released Nov 18, 2011) ("FCC Order") regarding the treatment of Toll VoIP-PSTN traffic. The Company respectfully requests an effective date for this filing of January 10, 2012.

The following revised tariff pages are included with this filing:

1 st Revised Sheet 2	Updates Check Sheet
1 st Revised Sheet 7	Changes definition
1 st Revised Sheet 10	Adds definition
Original Sheets 39.1 - 39.4	Adds VoIP-PSTN Traffic language

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose.

Any questions you may have regarding this filing should be directed to my attention at 407-740-3031 or via email to sthomas@tminc.com. Thank you for your assistance in this matter.

Sincerely,

Sharon Thomas
Consultant to Talk America Inc.

cc: K. Hoagland, Talk
file: Talk - South Carolina - Access
tms: Sca1201

Enclosures
ST/im

ACCESS SERVICES TARIFF

CHECK SHEET

Sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

PAGE	REVISION	PAGE	REVISION	PAGE	REVISION
1	Original	31	Original	53	Original
2	First Revised *	32	Original	54	Original
3	Original	33	Original	55	Original
4	Original	34	Original	56	Original
5	Original	35	Original	57	Original
6	Original	36	Original	58	Original
7	First Revised *	37	Original	59	Original
8	Original	38	Original	60	Original
9	Original	39	Original	61	Original
10	First Revised *	39.1	Original	* 62	Original
11	Original	39.2	Original	* 63	Original
12	Original	39.3	Original	* 64	Original
13	Original	39.4	Original	* 65	Original
14	Original	40	Original	66	Original
15	Original	41	Original	67	Original
16	Original	42	Original	68	Original
17	Original	43	Original	69	Original
18	Original	44	Original	70	Original
19	Original	45	Original	71	Original
20	Original	46	Original		
21	Original	47	Original		
22	Original	48	Original		
23	Original	49	Original		
24	Original	50	Original		
25	Original	51	Original		
26	Original	52	Original		
27	Original				
28	Original				
29	Original				
30	Original				

ACCESS SERVICES TARIFF

SECTION 1 - DEFINITIONS, (Cont'd.)

Company: Talk America Inc. d/b/a Cavalier Telephone d/b/a PAETEC Business Services.

Customer(s): The term "Customer(s)" denotes any individual, partnership, association, joint-stock company, trust, corporation, or governmental entity or other entity which subscribes to the services offered under this tariff, including but not limited to Interexchange Carriers (ICs), End Users and other telecommunications carriers or providers originating or terminating toll VoIP-PSTN traffic.

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800 Data Base Access Service: The term "800 Data Base Access Service" denotes a toll-free originating Trunkside Access Service when the 8XX Service Access Code (i.e., 800, 822, 833, 844, 855, 866, 877, or 888 as available) is used. The term 8XX is used interchangeably with 800 Data Base Service throughout this Tariff to describe this service.

End User: Any individual, association, corporation, governmental agency or any other entity other than an Interexchange Carrier which subscribes to intrastate service provided by an Exchange Carrier.

Entrance Facility: A trunk facility connecting the Customer's point of presence with the local switching center.

Exchange Carrier: Any individual, partnership, association, joint-stock company, trust, governmental entity or corporation engaged in the provision of local exchange telephone service.

Firm Order Confirmation (FOC): Acknowledgment by the Company of receipt of an Access Service Request from the Customer and commitment by the Company of a Service Date.

Individual Case Basis: A service arrangement in which the regulations, rates and charges are developed based on the specific circumstances of the Customer's situation.

ACCESS SERVICES TARIFF

SECTION 1 - DEFINITIONS, (Cont'd.)

Recurring Charges: The monthly charges to the Customer for services, facilities and equipment, which continue for the agreed upon duration of the service.

Service Order: The written request for Network Services executed by the Customer and the Company in a format devised by the Company; or, in the alternative, the submission of an Access Service Request by the Customer in the manner specified in this tariff.

Service(s): The Company's telecommunications Access Services offered on the Company's Network.

Signaling Point of Interface: The Customer designated location where the SS7 signaling information is exchanged between the Company and the Customer.

Signaling System 7 (SS7): The common Channel Out of Band Signaling protocol developed by the Consultative Committee for International Telephone and Telegraph (CCITT) and the American National Standards Institute (ANSI).

Switched Access Service: Access to the switched network of an Exchange Carrier for the purpose of originating or terminating communications. Switched Access is available to carriers, as defined in this tariff.

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.

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Trunk: A communications path connecting two switching systems in a network, used in the establishment of an end-to-end connection.

Wireless Provider: Any carrier authorized to operate as a provider of cellular, personal communications, paging or any other form of wireless transmission.

ACCESS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS, (Cont'd.)

2.3 Obligations of the Customer, (Cont'd.)

2.3.4 Identification and Rating of VoIP-PSTN Traffic

A. Scope

1. VoIP-PSTN traffic is defined as traffic exchanged over the public switched telephone network ("PSTN") facilities that originates and/or terminates in Internet protocol ("IP") format. This section governs the identification of toll VoIP-PSTN ("toll VoIP") traffic that in the absence of an interconnection agreement will be subject to interstate switched access rates in accordance with the Federal Communications Commission Report and Order in WC Docket Nos. 10-90, etc., FCC No. 11-161 (released Nov. 18, 2011) ("FCC Order"), as it may hereinafter be amended or clarified. Specifically, this section establishes the method of distinguishing toll VoIP traffic from the Customer's total intrastate access traffic, so that toll VoIP traffic will be billed in accordance with the FCC Order.
2. This section 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 interstate access charges for VoIP-PSTN Traffic in accordance with the FCC Order.

B. Rating of toll VoIP-PSTN Traffic

The Telephone Company will bill toll VoIP-PSTN traffic which it identifies in accordance with this tariff section at rates equal to the Telephone Company's applicable tariffed interstate switched access rates.

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ACCESS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS, (Cont'd.)

2.3 Obligations of the Customer, (Cont'd.)

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

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

The Telephone Company will determine the number of toll VoIP traffic minutes of use ("MOU") to which it will apply its interstate rates under subsection B., above, by applying an originating Percent VoIP Usage ("OPVU") 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 ("TPVU") factor to the total intrastate access MOU terminated by a Customer to the Telephone Company's end user. The OPVU and TPVU will be derived and applied as follows:

1. The Customer will calculate and furnish to the Telephone Company an OPVU factor, along with supporting documentation, representing the whole number percentage of the Customer's total originating intrastate access MOU that the Customer receives from the Telephone Company in the State that is originated by the Telephone Company in IP format.
2. The Customer will calculate and furnish to the Telephone Company a TPVU factor, along with supporting documentation, 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 originated in IP format.
3. The OPVU, TPVU and supporting documentation shall be based on information that is verifiable by the Telephone Company including but not limited to 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. The Customer shall not modify its reported PIU factor to account for VoIP-PSTN traffic.

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ACCESS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS, (Cont'd.)

2.3 Obligations of the Customer, (Cont'd.)

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

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

4. After the Telephone Company verifies the OPVU and TPVU provided by the Customer the Telephone Company will apply the OPVU and TPVU factors to the associated intrastate access MOU as indicated in Sections D. and/or E. below.

In the event that the Telephone Company can not verify the Customer's OPVU and/or TPVU, the Telephone Company will request additional information to support the OPVU and/or TPVU, during this time no changes will be made to the existing OPVU and /or TPVU. The Customer shall supply the requested additional information within 15 days of the Telephone Company's request or no changes will be made to the existing OPVU and/or TPVU. If after review of the additional information, the Customer and Telephone Company establish a revised and mutually agreed upon OPVU and/or TPVU factor, the Telephone Company will begin using the new factor with the next bill period.

If the dispute is unresolved the Customer may request that verification audits be conducted by an independent auditor, at Customer's sole expense. During the audit, the most recent undisputed OPVU and/or TPVU factor will be used by the Telephone Company.

5. In the absence of an interconnection agreement, at no time will the Telephone Company allow an OPVU or TPVU factor greater than the applicable State percentage as identified in Paragraph 963 of the FCC Order.

D. Initial OPVU and TPVU Factor

In calculating the initial OPVU and TPVU factor(s), the Telephone Company will take the factor(s) provided by the Customer into account retroactively to January 1, 2012, *provided that* the Customer provides the factor(s) and supporting documentation, as specified in subsection C. above to the Telephone Company no later than 15 days after the effective date of this tariff. If the Customer does not furnish the Telephone Company with an OPVU and/or TPVU factor pursuant to the preceding subsection C., the initial factor will be zero.

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