



January 20, 2012
Via Web Filing

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

RE: **tw telecom of south carolina llc**
South Carolina PSC Tariff No. 6 – Access Services Revision

Dear Ms. Boyd:

Attached for filing please find the original of the above referenced tariff filing submitted on behalf of **tw telecom of south carolina llc**. The purpose of this filing is 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 30, 2012. The following tariff pages are included with this filing:

4 th Revised Page 1	Updates Check Sheet
1 st Revised Page 2.1	Updates Subject Index
2 nd Revised Pages 7, 9, 13	Revises and adds definitions
3 rd Revised Page 32	Revises text
2 nd Revised Page 32.1	Introduces provisions for VoIP-PSTN Traffic, revises text
Original Pages 32.2 – 32.3	Introduces provisions for VoIP-PSTN Traffic
3 rd Revised Page 33	Introduces provisions for VoIP-PSTN Traffic and revises text
3 rd Revised Page 34	Revises text to incorporate VoIP-PSTN provisions
Original Page 43.1	Introduces application of access charges to Toll VoIP-PSTN Traffic

Any questions you may have regarding this filing should be directed to my attention at 407-740-3002 or via email to cwightman@tminc.com. Thank you for your assistance in this matter.

Sincerely,

Connie Wightman
Consultant

cc: Tammy Chatfield - tw telecom
cc: Mr. C. Dukes Scott, Executive Director
file: tw telecom - South Carolina - Access
tms: SCa1201

Enclosures
CW/bc

Issue Date: January 23, 2012

Effective Date: January 30, 2012

ACCESS SERVICE TARIFF

CHECK SHEET

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, 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
Title	1 st Revised		28	1 st Revised		50	1 st Revised
1	4 th Revised	*	29	1 st Revised		51	1 st Revised
2	1 st Revised		30	1 st Revised		52	1 st Revised
2.1	1 st Revised	*	30.1	Original		53	1 st Revised
3	Original		31	1 st Revised		54	1 st Revised
4	Original		31.1	Original		55	1 st Revised
5	1 st Revised		32	3 rd Revised	*	56	1 st Revised
6	1 st Revised		32.1	2 nd Revised	*	57	1 st Revised
7	2 nd Revised	*	32.2	Original	*	58	1 st Revised
8	1 st Revised		32.3	Original	*	59	1 st Revised
9	2 nd Revised	*	33	3 rd Revised	*	60	2 nd Revised
10	1 st Revised		34	3 rd Revised	*	61	1 st Revised
11	1 st Revised		35	1 st Revised		62	1 st Revised
12	1 st Revised		36	Original		63	1 st Revised
13	2 nd Revised	*	37	1 st Revised		64	1 st Revised
14	Original		38	1 st Revised		65	1 st Revised
15	Original		39	Original		66	1 st Revised
16	1 st Revised		40	1 st Revised		67	Original
17	1 st Revised		41	1 st Revised		68	Original
18	Original		42	1 st Revised			
19	Original		43	1 st Revised			
20	Original		43.1	Original	*		
21	Original		44	1 st Revised			
22	1 st Revised		45	1 st Revised			
23	1 st Revised		46	1 st Revised			
24	1 st Revised		47	1 st Revised			
25	1 st Revised		48	1 st Revised			
26	1 st Revised		49	1 st Revised			
27	Original						

* - indicates those pages included with this filing

Issue Date: January 23, 2012

Effective Date: January 30, 2012

ACCESS SERVICE TARIFF

SUBJECT INDEX

	<u>Page</u>	
Abbreviations and Definitions	5	
Assignment or Transfer of Service	15	
Billing and Payments	22	
Cancellation of Application for Service	20	
Claims and Disputes	25	
Discontinuance and Restoration of Service	18	
Explanation of Symbols	3	
Interconnection	28	
Inspection, Testing and Adjustment	27	
Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic	32	(T)
Liability of the Company	29	
Liability of the Customer	30	
Limitation on Service	14	
Minimum Period	20	
Obligations of the Customer	35	
Payment of Deposits	26	
Rate Categories	44	
Switched Access Service Rates and Charges	56	
Tariff Format	4	
Taxes and Surcharges	31	
Telecommunications Services Priority (TSP)	64	
Term Agreements	21	
Undertaking of the Company	14	
Use of Service	15	

Issue Date: January 23, 2012

Effective Date: January 30, 2012

ACCESS SERVICE TARIFF

SECTION 1 - ABBREVIATIONS AND DEFINITIONS, (CONT'D.)

Customer – The person, firm, corporation or other entity which orders the Company’s service or receives the Company’s service, including but not limited to an Interexchange Carrier, End User, other telecommunications carrier, or provider originating or terminating Toll VoIP-PSTN traffic. (T) | (T)

Customer Agreement - The mutual agreement between the Company and the Customer for the provision of the Company’s service.

Customer-Designated Premises - The premises specified by the Customer for the origination or termination of Access Services.

Customer Point of Presence (POP) - the physical location associated with the Customer’s communication system.

Dedicated Access or Dedicated Transport - A method for a Customer to directly connect two locations of their choice with the dedicated (non-switched) services.

Digital Cross Connect System (DCS) - A digital system within a communications network with centralized switching and cross connection.

Digital Signal level 0 (DS0) - A dedicated, full duplex digital channel with line speeds of 2.4, 4.8, 9.6, 19.2, 56 or 64 Kbps.

Digital Signal level 1 (DS1) - A dedicated, high capacity, full duplex channel with a line speed of 1.544 Mbps isochronous serial data having a line signal format of either Alternate Mark Inversion (AMI) or Bipolar with 8 Zero Substitution (B8ZS) and either Superframe (D4) or Extended Superframe (ESF) formats. DS1 Service has the equivalent capacity of 24 Voice Grade or DS0 services.

Digital signal Level 3 (DS3) - A dedicated, high capacity, full duplex channel with a line speed of 44.736 Mbps isochronous serial data having a line code of bipolar with three zero substitution (B3ZS). Equivalent capacity of 28 DS1 Services.

Duplex Service - Service which provides for simultaneous transmission in both directions.

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

Entry Switch - The first point of switching.

Issue Date: January 23, 2012

Effective Date: January 30, 2012

ACCESS SERVICE TARIFF

SECTION 1 - ABBREVIATIONS AND DEFINITIONS, (CONT'D.)

InterMTA (Major Trading Area) - For purposes of this tariff, InterMTA refers to telecommunications traffic exchanged between a LEC and a CMRS, PCS or Wireless provider that originates and terminates in different Major Trading Areas as used by the FCC to define coverage for certain services.

Internet Protocol (IP) - The method by which data is sent from one computer to another on the Internet.

(N)

Internet Protocol (IP) Signaling - A packet data-oriented protocol used for communicating call signaling information.

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(N)

Interstate - For purposes of this tariff, the term Interstate applies to the regulatory jurisdiction of services used for communications between locations located in different states within the United States or between one or more locations in the United States and one or more international locations.

IntraMTA (Major Trading Areas) - For purposes of this tariff, IntraMTA refers to telecommunications traffic exchanged between a LEC and a CMRS, PCS or Wireless provider that originates or terminates within the same Major Trading Area as used by the FCC to define coverage for certain services.

Intrastate - For purposes of this tariff, the term Intrastate applies to the regulatory jurisdiction of services for communications between locations within the same state or services which are not jurisdictionally interstate.

Joint User - A person, firm or corporation designated by the Customer as a user of access facilities furnished to the Customer by the Company, and to whom a portion of the charges for such facilities are billed under a joint use arrangement.

LATA (Local Access and Transport Area) - A geographic area established pursuant to the Modification of Final Judgment entered by the United States District Court for the District of Columbia in Civil Action No. 82-0192 for the provision and administration of communications services.

Local Access - The connection between a Customer's premises and a point of presence of the Exchange Carrier.

Local Calling Area - A geographical area as defined in the Company's local or general exchange service tariff(s) in which an end user may complete a call without incurring toll usage charges.

Local Switching Center - The switching center where telephone exchange service Customer station Channels are terminated for purposes of interconnection to each other and to interoffice Trunks.

Issue Date: January 23, 2012

Effective Date: January 30, 2012

ACCESS SERVICE TARIFF

SECTION 1 - ABBREVIATIONS AND DEFINITIONS, (CONT'D.)

Term Agreement - A method of purchasing the Company's services whereby the Customer agrees to purchase service between specific locations for a specified and mutually agreed upon length of time.

Terminal Equipment - Telecommunications devices, apparatus and associated wiring on the Customer-designated premises.

Terminating Direction - the use of Access Service for the completion of calls from an IXC or Carrier premises to an end user or customer premises.

Time Division Multiplexing (TDM) – A method of transmitting and receiving voice signals over the Public Switched Telephone Network (PSTN). (N)

Toll VoIP-PSTN Traffic – The traffic exchanged in time division multiplexing (“TDM”) format that originates and/or terminates in Internet Protocol (“IP”) format. Traffic originates and/or terminates in IP format if it originates from and/or terminates to an end user customer of a service that requires Internet Protocol compatible customer premises equipment. (N)

Transmission Path - An electrical path capable of transmitting signals within the range of the service offering. Transmission path is comprised of physical or derived facilities consisting of any form or configuration of plant used in the telecommunications industry.

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

Trunk Group - 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.

VoIP Service – Transmission of communication by aid of wire, cable, radio, or other like connection using Voice Over Internet Protocol that is originated or terminated in Internet Protocol (IP) format. VoIP Services are those services that require the use of IP compatible customer premises equipment. (N)

Wire Center - A physical location in which one or more central offices, used for the provision of exchange services, are located.

Issue Date: January 23, 2012

Effective Date: January 30, 2012

ACCESS SERVICE TARIFF

SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

2.17 [Reserved for Future Use]

2.18 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic

(T)

2.18.1 Switched Access Services

For purposes of determining the jurisdiction of Switched Access Services (e.g., originating toll free, terminating traffic and VoIP-PSTN traffic), to the extent the Company receives sufficient call detail to permit it to determine the jurisdiction of some or all originating and terminating access minutes of use, the Company will use that call detail to render bills for those minutes. To the extent call detail is not available, the jurisdictional reporting requirements specified below will apply.

(T)

(T)

When a Customer orders Access Services, its projected Percent Interstate Usage (PIU) must be provided to the Company. Except to the extent the Company has sufficient call detail to determine the jurisdiction of the call, these percentages will be used by the Company to apportion the usage and/or charges between interstate and intrastate until a revised report is received as set forth herein.

To the extent that sufficient call detail is unavailable and the Customer has failed to provide its projected PIU, the Company shall allocate unidentifiable minutes subject to the PIU as 50 percent interstate traffic and 50 percent intrastate traffic.

Based on distribution of traffic (identifiable, Customer based PIU, Default PIU), the Company may derive an aggregated factor.

2.18.2 IntraLATA Toll Usage

For purposes of determining the jurisdiction of IntraLATA Toll Usage termination, to the extent the Company receives sufficient call detail to permit it to determine the jurisdiction of some or all originating and terminating Intralata Toll minutes of use, the Company will use that call detail to render bills for those minutes. To the extent call detail is not available, the jurisdictional reporting requirements specified below will apply.

Issue Date: January 23, 2012

Effective Date: January 30, 2012

ACCESS SERVICE TARIFF

SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

2.18 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.) (T)

2.18.2 IntraLATA Toll Usage, (Cont'd.)

When a Customer terminates IntraLATA Toll Usage, its projected Percent Local Usage (PLU) must be provided to the Company. Except to the extent the Company has sufficient call detail to determine the jurisdiction of the call, these percentages will be used by the Company to apportion the usage and/or charges between IntraLATA Toll and local until a revised report is received as set forth herein.

To the extent that sufficient call detail is unavailable and the Customer has failed to provide its projected PLU, the Company shall allocate unidentifiable minutes subject to the PLU as 50 percent IntraLATA Toll Usage traffic and 50 percent local traffic.

Based on distribution of traffic (identifiable, Customer based PLU, Default PLU), the Company may derive an aggregated factor.

2.18.3 Identification of VoIP-PSTN Traffic (N)

This section governs the identification of Toll VoIP-PSTN Traffic that is required by the F.C.C. in its Report and Order in WC Dockets Nos. 10-90, etc., F.C.C. No. 11-161 (November 18, 2011) (F.C.C. Order) to be compensated at interstate access rates, unless the parties have agreed otherwise. 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 F.C.C. Order.

A. Calculation and Application of Percent-VoIP-PSTN-Usage Factors

The Company will determine the number of relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under Section 3.1.4, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU (however determined - either based on call detail information, access lines or PIU) exchanged between the Company and the Customer. The PVU will be derived and applied as follows:

Issue Date: January 23, 2012

Effective Date: January 30, 2012

ACCESS SERVICE TARIFF

SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

2.18 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.)

(N)

2.18.3 Identification of VoIP-PSTN Traffic, (Cont'd.)

A. Calculation and Application of Percent-VoIP-PSTN-Usage Factors, (Cont'd.)

4. (Cont'd.)

Example 2: The PVU-B is 0% and the PVU-A is 10%. The effective PVU factor is $10\% \text{ PVU-A} + (\text{PVU-B} \times (1 - \text{PVU-A})) = \text{PVU}\%$. The Company will bill 10% of the Customer's intrastate access MOU in accordance with the Company's applicable interstate switched access tariff.

Example 3: The PVU-A is 100%. No matter what the PVU-B factor is, the effective PVU is 100%. The Company will bill 100% of the Customer's intrastate access MOU in accordance with the Company's applicable interstate switched access tariff.

5. If the Customer does not furnish the Company with a PVU-A pursuant to the preceding paragraph 1, the Company will utilize a PVU equal to the PVU-B. For example, if the PVU-B factor is 0%, the Company will utilize a PVU equal to zero.

6. The Customer shall not modify their reported PIU factor to account for VoIP-PSTN Traffic.

7. The Customer shall retain the call detail, work papers, and information used to develop the PVU factors for a minimum of one year.

B. Initial Implementation of PVU Factors

1. If the PVU factors cannot be implemented in the Company's billing systems by December 29, 2011, once the factors are available and can be implemented the Company will adjust the Customer's bills to reflect the PVU factors retroactively to December 29, 2011.

2. The 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.

(N)

Issue Date: January 23, 2012

Effective Date: January 30, 2012

ACCESS SERVICE TARIFF

SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

2.18 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.) (T)

2.18.3 Identification of VoIP-PSTN Traffic, (Cont'd.) (N)

C. PVU Factor Updates

The Customer may update the PVU-A factor quarterly. The Company may also update the PVU-B factor quarterly. The revised PVU factor will serve as the basis for future billing and will be effective on the bill date of each such month and shall serve as the basis for subsequent monthly billing until superseded by new PVU factors.

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(N)

2.18.4 Jurisdictional Reporting Timelines (T)

The Customer shall provide to the Company, to be received no later than 15 days after the end of each quarter, a revised report reflecting the aforementioned factors, as applicable, for the past three (3) months, for each service arranged for use, based solely on the traffic originating from or terminating to the Company. The quarterly report will serve as the basis for the next three (3) months billing and will be effective on the bill date for that service. If the Customer does not supply the reports for services where reports are needed, the Company will assume the percentages to be the same as was previously provided in the most recent report(s).

(T)

Issue Date: January 23, 2012

Effective Date: January 30, 2012

ACCESS SERVICE TARIFF

SECTION 2 - TERMS AND CONDITIONS, (CONT'D.)

2.18 Jurisdictional Reporting and Identification of Toll VoIP-PSTN Traffic, (Cont'd.) (T)

2.18.5 Jurisdictional Reports Verification (T)

If a billing dispute arises or a regulatory commission questions any of the factors, the Customer will provide the data issued to determine the applicable factors. The Customer will supply the data within 30 days of the Company request. (T)

The Customer shall keep records of call detail, description of the method for determining how end users originate and terminate calls in IP format, and other information from which the appropriate factors can be ascertained and, upon request of the Company, shall make the records available for inspection as reasonably necessary for purposes of verification of the factors. The Company reserves the right to conduct an audit, internally or with an external firm, at any time during the year. The Customer, at its own expense, has the right to retain an independent auditing firm. (T)

In the event that an audit reveals that any Customer reported factors are incorrect, the Company shall apply the audit results to all usage affected by the audit. The Customer shall be back-billed or credited, for a period retroactive to the date that the incorrect percentage was reported, but not to exceed 12 months (or to December 29, 2011 for PVU factors). Back-billed amounts are subject to a late payment penalty and payment shall be made in immediately available funds by the due date printed on the invoice. (T)

Should an audit reveal that the misreported factors resulted in an underpayment of usage charges to the Company of five percent or more of the total usage charges, the Customer shall reimburse the Company for the cost of the audit. Proof of cost shall be the bills, in reasonable detail, submitted to the Company by the auditor. (T)

Within 15 days of completion of the auditor's report, the Company will furnish a copy of the audit results to the person designated by the Customer to receive such results. (T)

Issue Date: January 23, 2012

Effective Date: January 30, 2012

ACCESS SERVICE TARIFF

SECTION 3 - SWITCHED ACCESS SERVICE

3.1 General, (Cont'd.)

3.1.4 Application of Access Charges to Toll VoIP-PSTN Traffic

(N)

- A. Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Company's applicable Interstate Switched Access Tariff rates. Current and pending interstate access rates for the Company located at <http://fjallfoss.fcc.gov/cgi-bin/ws.exe/prod/ccb/etfs/mainmenu.hts>.
- B. The Company shall assess and collect switched access rate elements under this tariff for access services, regardless of whether the Company itself delivers such traffic to the called party's premises or delivers the call to the called party's premises via contractual or other arrangements with an affiliated or unaffiliated provider of VoIP service that does not itself seek to collect switched access charges for the same traffic. The Company will not charge for functions not performed by the Company, its affiliated or unaffiliated provider of VoIP service. For purposes of this provision, functions provided by the Company as part of transmitting telecommunications between designated points using, in whole or in part, technology other than TDM transmission in a manner that is comparable to a service offered by a local exchange carrier constitutes the functional equivalent of carrier access service.

(N)