



Integra Telecom
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June 8, 2012

Via Electronic Mail and United States Postal Service

Illona Jeffcoat-Sacco
Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

Re: Revisions to North Dakota P.S.C. Tariff No. 4 of Integra Telecom of North Dakota, Inc.
Advice Letter No. 11 – Intrastate Switched Access Service Updates and Revisions

Dear Ms. Jeffcoat-Sacco:

Enclosed for filing with the North Dakota Public Service Commission is an original plus seven (7) copies of this advice letter and revised tariff pages for the North Dakota P.S.C. Tariff No. 4 of Integra Telecom of North Dakota, Inc. An electronic copy of this transmittal letter and the tariff pages have also been filed with the Commission via electronic mail. This filing is in compliance with Commissioner Brian Kalk's notice dated May 3, 2012 directing North Dakota's procedures for the implementation of access reform pursuant to the Federal Communications Commission's Report and Order FCC 11-161. The FCC rules require an effective date of July 3, 2012.

47 C.F.R. § 51.911(b)(5) allows a CLEC the option of adopting its interstate rate structure plus a transitional intrastate per minute charge on terminating access. Integra elects to use this option. In order to calculate the transitional rate Integra first calculated total intrastate terminating revenues divided by local terminating switching minutes. This results in an average terminating per minute rate for North Dakota (\$0.072723). In addition, Integra used the intrastate average terminating rate and the blended access rate at the Federal level, to determine the transitional rate. This calculation is fairly straight forward. The new transitional rate is simply: $(\text{Intrastate Rate} - \text{Interstate Rate})/2$ [$(\$0.034494 = (\$0.072723 - \$0.00375)/2$]. Integra's interstate access rate is a blended rate, per minute of \$0.003735. Confidential information concerning the Company's intrastate access services demand is enclosed separately in a sealed envelope marked "Trade Secret – Private" and is not being submitted electronically. Questions about the preceding information can be directed to:

Douglas Denney, Vice President, Costs & Policy
Integra Telecom
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Portland, OR 97232
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Fax: 503.453.8223

1 **PU-12-264** Filed: 6/11/2012 Pages: 13
ND PSC Tariff No. 4

Integra Telecom of North Dakota, Inc.

Cathy Murray

The following revised tariff pages are enclosed:

- 1st Revised Pages 2, 3 and 6 – revised Check Pages;
- 1st Revised Page 46, Original Pages 46.1, 46.2, 46.3, 46.4, 46.5 incorporating customer obligations and reporting requirements for VoIP-PSTN Traffic;
- 1st Revised Page 47 showing section 2.7.4 Trunk Configurations moved from Original Page 46;
- 2nd Revised Page 120 incorporating revisions in response to the FCC' Report and Order, FCC 11-161.

Thank you for your assistance in this matter. If you have any questions or concerns, please contact the undersigned directly.

Sincerely,

/s/ Cathy Murray

Cathy Murray
Manager, Regulatory Affairs
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E-mail: camurray@integratelecom.com

Enclosures

CHECK PAGE

All of the pages of this Tariff are effective as of the date shown at the top of the page. Original and revised pages as named below comprise all changes from the original Tariff.

PAGE	REVISION
Title	Original Page
1	Original Page
2	1 st Revised Page*
3	1 st Revised Page*
4	1 st Revised Page*
5	Original Page
6	Original Page
7	Original Page
8	Original Page
9	Original Page
10	Original Page
11	Original Page
12	Original Page
13	Original Page
14	Original Page
15	Original Page
16	Original Page
17	Original Page
18	Original Page
19	Original Page
20	Original Page
21	Original Page
22	Original Page
23	Original Page
24	Original Page
25	Original Page
26	Original Page
27	Original Page
28	Original Page
29	Original Page

CHECK PAGE (cont'd)

PAGE	REVISION
30	Original Page
31	Original Page
32	Original Page
33	Original Page
34	Original Page
35	Original Page
36	Original Page
37	Original Page
38	Original Page
39	Original Page
40	Original Page
41	Original Page
42	Original Page
43	Original Page
44	Original Page
45	Original Page
46	1 st Revised Page*
46.1	Original Page*
46.2	Original Page*
46.3	Original Page*
46.4	Original Page*
46.5	Original Page*
47	1 st Revised Page*
48	Original Page
50	Original Page
51	Original Page
52	Original Page
53	Original Page
54	Original Page
55	Original Page
56	Original Page
57	Original Page
58	Original Page
59	Original Page

CHECK PAGE (cont'd)

PAGE	REVISION
120	2 nd Revised Page*
121	Original Page
122	Original Page
123	Original Page
124	Original Page
125	Original Page
126	Original Page

SECTION 2 - REGULATIONS

2.7 Obligations of the Customer (cont'd)

2.7.3 Jurisdictional Report Requirements (cont'd)

- (G) The Customer shall keep sufficient detail from which the percentage of interstate use can be ascertained and upon request of the Company make the records available for inspection. Such a request will be initiated by the Company no more than once per year. The Customer shall supply the data within 30 calendar days of the Company request.
- (H) The Customer may provide an additional percentage of interstate use for entrance facility and direct trunked transport subject to the reporting requirements previously listed in this section. The percentage of interstate use may be provided per individual facility or at the billing account level. Should the Customer not provide a percentage of interstate use, the Company will use the reported Feature Group B or Feature Group D aggregated percentage of interstate use.
- (I) VoIP-PSTN Traffic

- .1 Scope: VoIP-PSTN Traffic is the traffic exchanged in Time Division Multiplexing ("TDM") format that originates and /or terminates in Internet Protocol ("IP") format. Telecommunications 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. This section governs the identification of toll VoIP-PSTN traffic subject to interstate switched access rates in accordance with the Federal Communications Commission Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011) ("FCC Order"). This section establishes the method of distinguishing toll VoIP-PSTN traffic from the Customer's total intrastate access traffic, so that toll VoIP-PSTN traffic will be billed in accordance with the FCC Order.

(N)

(N)

SECTION 2 - REGULATIONS

2.7 Obligations of the Customer (cont'd)

2.7.3 Jurisdictional Report Requirements (cont'd)

(I) VoIP-PSTN Traffic (cont'd)

(N)

.2 Rating of Toll VoIP-PSTN Traffic:

- .a Originating Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed in accordance with the Company's applicable tariffed interstate switched access rates between December 29, 2011 and July 12, 2012.
- .b Originating Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed in accordance with the Company's applicable tariffed intrastate switched access rates between July 13, 2012 and June 30, 2014. (PVU factors described in 2.7.3(I).3 do not apply.)
- .c Originating Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed in accordance with the Company's applicable tariffed interstate switched access rates effective July 1, 2014.
- .d Terminating Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed in accordance with the Company's applicable tariffed interstate switched access rates.
- e. The Company's switched access tariff can be viewed online at: <http://fjallfoss.fcc.gov/cgi-bin/ws.exe/prod/ccb/etfs/mainmenu.hts>

(N)

SECTION 2 - REGULATIONS

2.7 Obligations of the Customer (cont'd)

2.7.3 Jurisdictional Report Requirements (cont'd)

(I) VoIP-PSTN Traffic (cont'd)

(N)

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

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

- .a The Customer will calculate and furnish to the Company a factor ("PVU-Customer"), along with supporting documentation, representing the percentage of the total intrastate access MOU that the Customer exchanges with the Company in the State, that (a) is sent to the Company and that originates in IP format and (b) is received from the Company and terminates in IP format. This PVU-Customer shall be based on verifiable information such as the number of the Customer's retail VoIP subscriptions in the State (e.g., as reported on the FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information.
- .b Company will, likewise, calculate a factor (PVU-Company) representing the percentage of the Company's total intrastate access MOU in the State that the Company originates or terminates in IP format. This PVU-Company shall be based on the number of the Company's retail VoIP subscriptions in the State as reported on FCC Form 477.

(N)

SECTION 2 - REGULATIONS

2.7 Obligations of the Customer (cont'd)

2.7.3 Jurisdictional Report Requirements (cont'd)

(I) VoIP-PSTN Traffic (cont'd)

(N)

.3 Calculation and Application of Percent-VoIP-Usage Factor (cont'd)

.c After the Company verifies the PVU-Customer factor provided by the Customer the Company will use the PVU-Customer and PVU-Company factors to calculate an effective PVU factor that represents the percentage of total access MOU exchanged between the Company and the Customer that is originated or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends. The PVU factor will be calculated as: $PVU\text{-Customer} + PVU\text{-Company} \times (1 - PVU\text{-Customer})$.

.d In the event that the Company cannot verify the Customer's PVU-Customer factor based upon the information provided by the Customer, the Company will request additional information to support the PVU-Customer. The Customer shall supply reasonably requested additional information and other information used to determine the PVU-Customer factor. If after review of the additional information, the Customer and the Company establish a revised and mutually agreed upon PVU-Customer, the Company will begin using the new factor with the next bill period.

(N)

SECTION 2 - REGULATIONS

2.7 Obligations of the Customer (cont'd)

2.7.3 Jurisdictional Report Requirements (cont'd)

(I) VoIP-PSTN Traffic (cont'd)

(N)

.4 Initial PVU Factor

If the PVU factor is not available and/or cannot be implemented in the Company's billing systems by December 29, 2011, once the factor is available and can be implemented, the Company will adjust the Customer's bills to reflect the PVU retroactively to December 29, 2011. In calculating the initial PVU, the Company will take the Customer-specified PVU-Customer into account retroactively to December 29, 2011, provided that the Customer provides the factor to the Company prior to April 15, 2012. If the Customer does not furnish the Company with a PVU-Customer, the Company will utilize a PVU-Customer equal to zero percent.

The initial PVU-Company is equal to zero percent.

.5 PVU Factor Updates:

The Customer may update the PVU-Customer factor or the Company may update the PVU-Company 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 Company, no later than 15 days after the first day of January and/or July of each year a revised PVU-Company factor and supporting documentation. Once verified by the Company the revised PVU-Company factor will apply prospectively and serve as the basis for billing until superseded by a new verified factor.

(N)

SECTION 2 - REGULATIONS

2.7 Obligations of the Customer (cont'd)

2.7.3 Jurisdictional Report Requirements (cont'd)

(I) VoIP-PSTN Traffic (cont'd)

(N)

.6 PVU Factor Verification

- .a Not more than twice in any year, the Company may request from the Customer an overview of the process used to determine the PVU factor(s), the call detail records, description of the method for determining how the Customer's end-users originate and terminate calls in IP format, and other information used to determine the Customer's PVU factor(s) furnished to the Company in order to validate the PVU factor(s) supplied. The Customer shall comply with each such Company request, and shall reasonably supply the requested data and information within 15 days of the Company's request.
- .b The Company may dispute the Customer's PVU factor(s) based upon:
 - .i A review of the requested data and information provided by the Customer;
 - .ii The Company's reasonable review of other market information, FCC reports on VoIP lines, such as FCC Form 477, or state level results based on the FCC's Local Competition Report, or other relevant data;
 - .iii A change in a 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 Company establish revised a PVU factor(s), the Company will begin using the revised PUV factor(s) in the next billing cycle.

(N)

SECTION 2- REGULATIONS

2.7 Obligations of the Customer (cont'd)

2.7.4 Trunk Configuration

Trunks used for Switched Access Service may be configured for one-way (either originating only or terminating only) or for two-way directionality. It is the Customer's responsibility to order a sufficient number of trunks of each type in order to meet its desired grade of service objective. At the Customer's request, the Company will assist the Customer in sizing Switched Access Trunk groups.

(M)

(M)

2.7.5 Payment for Service

The Customer is responsible for the payment of all charges for facilities and Services furnished by the Company to the Customer.

2.8 Customer Equipment and Channels

2.8.1 Interconnection of Facilities

In order to protect the Company's facilities and personnel and the Services furnished to other Customers by the Company from potentially harmful effects, the signals applied to the Company's Service shall be such as not to cause damage to the facilities of the Company. Any special interface equipment necessary to achieve the compatibility between facilities of the Company and the channels or facilities of others shall be provided at the Customer's expense.

2.8.2 Inspections

- (A) The Company may, upon notification to the Customer, at a reasonable time, make such tests and inspections as may be necessary to determine that the requirements regarding the equipment and interconnections are being complied with in respect to the installation, operation and maintenance of customer provided equipment and in the wiring of the connection of Customer channels to Company-owned facilities.

(Material moved from Original Page 46.)

SECTION 4 - RATES AND CHARGES

4.1 Switched Access Service

4.1.1 Local Switching

	Rate per Access Minute	
Originating Local Switching	\$0.020703	(T)
Terminating, per access minute	\$0.003735	(N)
Terminating Transitional Rate		
Effective July 3, 2012 thru June 30, 2013	\$0.034494	(N)
Effective July 1, 2013	\$0.000000	(N)

4.1.2 Originating Information Surcharge	Rate per Access Minute	
	\$0.000148	

4.1.3 Originating Local Transport (T)

(A) Tandem Switched Facility		
Rate applies per access minute, per mile:	\$0.000220	
(B) Tandem Switching		
Rate applies per access minute, per tandem	\$0.004077	
(C) Transport Switched Termination		
Rate applies per access minute	\$0.001083	
(D) Transport Interconnection Charge		
Rate applies per access minute	\$0.011487	