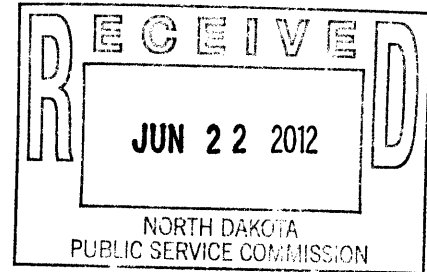




June 21, 2012
Via Overnight Delivery

Mr. Darrell Nitschke, Executive Secretary
North Dakota Public Service Commission
600 East Boulevard Avenue
Department 408
Bismarck, ND 58505-0480



RE: **BullsEye Telecom, Inc.**
Revision for North Dakota Price List No. 2 (Access)

Dear Mr. Nitschke:

Enclosed for filing please find the original of the above-referenced tariff filing submitted on behalf of BullsEye Telecom, Inc. This filing makes revisions to incorporate the requirements of the Federal Communications Commission Report and Order in WC Docket No. 10-90, et. al., FCC No. 11-161 (released Nov. 18, 2011) and Second Order On Reconsideration, FCC 12-47, (released Apr. 25, 2012) regarding the treatment of VoIP-PSTN traffic. The Company respectfully requests an effective date for this filing of July 13, 2012.

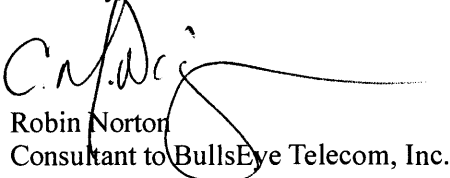
The following tariff pages are included:

1 st Revised Page 1	Updates Company Address
2 nd Revised Page 2	Updates Check Sheet
1 st Revised Page 5	Updates Company Address
1 st Revised Page 13	Adds Definitions
1 st Revised Page 26	Adds Identification & Rating of VoIP-PSTN Traffic Language
Original Pages 26.1 – 26.4	Adds Identification & Rating of VoIP-PSTN Traffic Language
1 st Revised Page 50	Adds Application of Access Charges to 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 407-740-3004 or via email to rnorton@tminc.com. Thank you for your assistance in this matter.

Sincerely,

for 
Robin Norton
Consultant to BullsEye Telecom, Inc.

cc: M. Vethacke - BullsEye Telecom
file: BullsEye Telecom - North Dakota - Access
tms: NDa1202

1 **PU-12-384** Filed: 6/22/2012 Pages: 11
VOIP-PSTN Traffic

Enclosures
RN/mw

BullsEye Telecom, Inc.
Robin Norton

COMPETITIVE ACCESS SERVICES

REGULATIONS AND RATES
ACCESS
TELECOMMUNICATIONS SERVICES
WITH THE STATE OF NORTH DAKOTA
FOR

BULLSEYE TELECOM, INC.

This price list contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for Local Exchange telecommunication services within the State of North Dakota. This price list is available for public inspection during normal business hours at the main office of BullsEye Telecom, Inc., located at 25925 Telegraph Road, Suite 210, Southfield, Michigan 48033.

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Issued: June 22, 2012

Effective: July 13, 2012

Issued By: Vice President - Corporate Development
BullsEye Telecom, Inc.
25925 Telegraph Road, Suite 210
Southfield, Michigan 48033

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COMPETITIVE ACCESS SERVICES

CHECK SHEET

The pages listed below of this price list are effective as of the date shown. Revised sheets contain all changes from the original price list that are in effect as of the date indicated.

PAGE	REVISION		PAGE	REVISION		PAGE	REVISION
1	1 st Revised	*	26	1 st Revised	*	48	Original
2	2 nd Revised	*	26.1	Original	*	49	Original
3	Original		26.2	Original	*	50	1 st Revised *
4	Original		26.3	Original	*	51	Original
5	1 st Revised	*	26.4	Original	*	52	Original
6	Original		27	Original		53	Original
7	Original		28	Original		54	Original
8	Original		29	Original		55	Original
9	Original		30	Original		56	Original
10	Original		31	Original		57	Original
11	Original		32	Original		58	Original
12	Original		33	Original		59	Original
13	1 st Revised	*	34	Original		60	Original
14	Original		35	Original		61	Original
15	Original		36	Original		62	Original
16	Original		37	Original		63	Original
17	Original		38	Original		64	Original
18	Original		39	Original		65	Original
19	Original		40	Original		66	1 st Revised
20	Original		41	Original		67	Original
21	Original		42	Original		68	Original
22	Original		43	Original		69	Original
23	Original		44	Original		70	Original
24	Original		45	Original		71	Original
25	Original		46	Original			
			47	Original			

* - indicates pages included in this filing

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COMPETITIVE ACCESS SERVICES

APPLICATION OF PRICE LIST

This price list sets forth the service offerings, rates, terms and conditions applicable to the furnishing of intrastate competitive access services provided by BullsEye Telecom, Inc. hereinafter referred to as the Company, to Customers within the state of North Dakota. BullsEye's services are furnished subject to the availability of facilities and subject to the terms and conditions set forth herein.

ACCESSIBILITY OF PRICE LIST

This price list is on file with the North Dakota Public Service Commission. In addition, this price list is available for review at the main office of at 25925 Telegraph Road, Suite 210, Southfield, Michigan 48033. Copies of this price list are available at no charge to end users and may be obtained by contacting the Company at (248) 784-2515.

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COMPETITIVE ACCESS SERVICES

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

Tandem Switch - See Access Tandem.

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

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

Terminating Direction - The use of Switched Access Service for the completion of calls from a Customer's Point of Presence to an End User Premises.

Toll VoIP-PSTN Traffic - Toll VoIP-PSTN Traffic is the traffic exchanged between the Company and the Customer 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.

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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.

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.

V & H Coordinates - Geographic points which define the originating and terminating points of a call in mathematical terms so that the airline mileage of the call may be determined. Call mileage may be used for the purpose of rating calls.

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.

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COMPETITIVE ACCESS SERVICES

SECTION 2 - RULES AND REGULATIONS, (CONT'D)

2.9 Obligations of the Customer (Continued)

2.9.2 (continued)

D. Jurisdictional Audits (continued)

- 4) Should an audit reveal that the misreported percentage(s) of use has resulted in an underpayment of access charges to the Company of five percent or more of the total Switched Access Services bill, 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.
- 5) 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.

2.9.3 Identification and Rating of Toll VoIP-PSTN Traffic

(N)

A. Scope

Toll VoIP-PSTN Traffic is the traffic exchanged in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. This section governs the identification of Toll 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 et. al. FCC No. 11-161 (November 18, 2011) ("FCC Order") and the FCC's Second Order on Reconsideration (April 25, 2012) ("Second Order"). Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Relevant VoIP-PSTN Traffic") from the Customer's traditional intrastate access traffic, so that such Relevant VoIP-PSTN Traffic can be billed in accordance with the FCC Order and Second Order.

B. Rating of Toll VoIP-PSTN Traffic

The Relevant VoIP-PSTN Traffic identified in accordance with this tariff section will be billed in accordance with the Company's applicable interstate switched access tariff. Current and pending interstate access rates for the Company are located at <https://apps.fcc.gov/etfs/public/lecTariffs.action?idLec=283>

(N)

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COMPETITIVE ACCESS SERVICES

SECTION 2 - RULES AND REGULATIONS, (CONT'D)**2.9 Obligations of the Customer (Continued)****2.9.3 Identification and Rating of Toll VoIP-PSTN Traffic (continued)****C. Calculation and Application of Percent VoIP-PSTN-Usage Factor**

The Company will determine the number of Relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under Section 2.9.3 (B), above, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU (however determined – either based on call detail information or PIU) exchanged between the Company and the Customer, until July 13, 2012 and after June 30, 2014. From July 13, 2012 through June 30, 2014, the PVU will be applied to only the terminating intrastate access MOU. The PVU will be derived and applied as follows:

- 1) The Customer will calculate and furnish to the Company a factor (the "PVU-A") representing the whole number percentage of the total intrastate access MOU that the Customer exchanges with the Company in the State, that (a) is terminating access sent to the Company and that originates in IP format; or (b) is originating access received from the Company and terminates in IP format until July 13, 2012 and after June 30, 2014. From July 13, 2012 through June 30, 2014, the PVU will represent only the terminating intrastate access MOU. This PVU-A 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.
- 2) Company will, likewise, calculate a factor (the "PVU-B") representing the percentage of the Company's total intrastate access MOU in the State that the Company originates or terminates in IP format until July 13, 2012 and after June 30, 2014. From July 13, 2012 through June 30, 2014, the PVU will represent only the terminating intrastate access MOU. This PVU-B shall be based on information such as the number of the Company'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.

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COMPETITIVE ACCESS SERVICES

SECTION 2 - RULES AND REGULATIONS, (CONT'D)

2.9 Obligations of the Customer (Continued)

2.9.3 Identification and Rating of Toll VoIP-PSTN Traffic (continued)

(N)

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

3) The Company will use the PVU-A and PVU-B factors to calculate an effective PVU factor that represents the percentage of total intrastate access MOU exchanged between the Company and the Customer that is originated and/or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends until July 13, 2012 and after June 30, 2014. From July 13, 2012 through June 30, 2014, the PVU will represent only the relevant terminating intrastate access MOU. The effective PVU factor will be calculated as the sum of: (A) the PVU-A factor and (B) the PVU-B factor times (1.0 minus the PVU-A factor).

4) The Company will apply the effective PVU factor to the applicable intrastate access MOU exchanged with the Customer to determine the number of Relevant VoIP-PSTN Traffic MOUs.

Example 1: The PVU-A is 40% and the PVU-B is 10%. The effective PVU factor is equal to $40\% + (10\% \times 60\%) = 46\%$. The Company will bill 46% of the Customer's applicable intrastate access MOU in accordance with the Company's interstate switched access tariff.

Example 2: The PVU-A is 0% and the PVU-B is 10%. The effective PVU factor is equal to $0\% + (10\% \times 100\%) = 10\%$. The Company will bill 10% of the Customer's applicable intrastate access MOU in accordance with the Company's 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 applicable intrastate access MOU in accordance with the Company's interstate switched access tariff.

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COMPETITIVE ACCESS SERVICES

SECTION 2 - RULES AND REGULATIONS, (CONT'D)**2.9 Obligations of the Customer (Continued)****2.9.3 Identification and Rating of Toll VoIP-PSTN Traffic (continued)**

(N)

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

- 5) If the Customer does not furnish the Company with a PVU-A pursuant to 2.9.3 (C) 1) preceding, the Company will utilize an effective PVU equal to the PVU-B.
- 6) The Customer shall not modify their reported PIU factor to account for Toll VoIP-PSTN Traffic.

D. 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-A into account retroactively to December 29, 2011, provided that the Customer provides the factor to the Company no later than October 20, 2012 otherwise, it will set the initial PVU equal to the PVU-B, as specified in subsection 2.9.3 (C) 5) above.

E. PVU Factor Updates

The Customer may update the PVU-A factor or the Company may update the PVU-B quarterly using the method set forth in subsection 2.9.3 (C) 1) or 2.9.3 (C) 2), respectively, 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, April, July and/or October of each year, a revised PVU-A factor based on data for the prior three months, ending the last day of December, March, June and September, respectively. The Company will use the revised PVU-A to calculate a revised PVU. The revised PVU factor will apply prospectively and serve as the basis for billing until superseded by a new PVU.

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