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July 2, 2021

**Via -E-file and Overnight Delivery**

Mr. Steve Kahl, 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. Kahl:

Enclosed for filing please find the above referenced tariff filing submitted on behalf of BullsEye Telecom, Inc. ("Company"). This filing is made to reduce certain switched access rates in compliance with the requirements of the Report and Order, FCC 20-143, on 8YY Access Charge Reform issued by the Federal Communications Commission in WC Docket No. 18-156. Additionally, the Identification and Rating of Toll VoIP-PSTN Traffic is revised. The Company respectfully requests an effective date of July 2, 2021.

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 407-740-3006 or via email to croesel@inteserra.com. Thank you for your assistance in this matter.

Sincerely,

Carey Roesel  
Consultant

cc: Steven M. Avromov - BullsEye (via E-mail)  
tms: NDa2101  
Enclosures  
CR/sp

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 <sup>st</sup> Revised |   | 26     | 2 <sup>nd</sup> Revised | * | 48   | Original                  |
| 2    | 4 <sup>th</sup> Revised | * | 26.1   | 2 <sup>nd</sup> Revised | * | 49   | Original                  |
| 3    | Original                |   | 26.2   | 2 <sup>nd</sup> Revised | * | 50   | 2 <sup>nd</sup> Revised * |
| 4    | Original                |   | 26.2.1 | 1 <sup>st</sup> Revised | * | 51   | Original                  |
| 5    | 1 <sup>st</sup> Revised |   | 26.3   | 2 <sup>nd</sup> Revised | * | 52   | Original                  |
| 6    | Original                |   | 26.4   | 1 <sup>st</sup> Revised | * | 53   | Original                  |
| 7    | Original                |   | 27     | Original                |   | 54   | Original                  |
| 8    | Original                |   | 28     | Original                |   | 55   | Original                  |
| 9    | Original                |   | 29     | Original                |   | 56   | Original                  |
| 10   | Original                |   | 30     | Original                |   | 57   | Original                  |
| 11   | Original                |   | 31     | Original                |   | 58   | Original                  |
| 12   | Original                |   | 32     | Original                |   | 59   | Original                  |
| 13   | 1 <sup>st</sup> Revised |   | 33     | Original                |   | 60   | Original                  |
| 14   | Original                |   | 34     | Original                |   | 61   | Original                  |
| 15   | Original                |   | 35     | Original                |   | 62   | Original                  |
| 16   | Original                |   | 36     | Original                |   | 63   | Original                  |
| 17   | Original                |   | 37     | Original                |   | 64   | 2 <sup>nd</sup> Revised * |
| 18   | Original                |   | 38     | Original                |   | 65   | 3 <sup>rd</sup> Revised * |
| 19   | Original                |   | 39     | Original                |   | 66   | 4 <sup>th</sup> Revised * |
| 20   | Original                |   | 40     | Original                |   | 67   | 1 <sup>st</sup> Revised * |
| 21   | Original                |   | 41     | Original                |   | 68   | 1 <sup>st</sup> Revised   |
| 22   | Original                |   | 42     | Original                |   | 69   | Original                  |
| 23   | Original                |   | 43     | Original                |   | 70   | Original                  |
| 24   | Original                |   | 44     | Original                |   | 71   | Original                  |
| 25   | Original                |   | 45     | Original                |   |      |                           |
| 25.1 | Original                | * | 46     | Original                |   |      |                           |
|      |                         |   | 47     | Original                |   |      |                           |

\* - indicates pages included in this filing

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 BullsEye Telecom, Inc.  
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COMPETITIVE ACCESS SERVICES

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**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.

(M)  
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(M)

**2.9.3 Identification and Rating of Toll VoIP-PSTN Traffic**

(M)

**A. Application of Access Charges to Toll VoIP-PSTN Access Traffic**

(T)

- 1) In the absence of an agreement between the Company and the Customer specifying the treatment of Toll VoIP-PSTN Traffic, Relevant Toll VoIP-PSTN Access traffic will be assessed access charges at the rates set forth in Section 2.9.3.C of this tariff.
- 2) The Company shall assess and collect 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 that does not itself seek to collect access charges for the same traffic. The Company will charge for functions provided by the Company, and/or its affiliated or unaffiliated providers of VoIP service. For purposes of this provision, functions provided by the Company, or its affiliated or unaffiliated provider of VoIP service 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.

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(M)

*Material now located on this page previously located on 1<sup>st</sup> Revised Page 26 and 1<sup>st</sup> Revised Page 50*



COMPETITIVE ACCESS SERVICES

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**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)**

**D. Calculation and Application of Percent-VoIP-PSTN-Usage Factor (T)**

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.C, above, by applying a Percent VoIP Usage Factor ("PVU") to the total intrastate access minutes of use identified by the Company as being exchanged between the Company and the Customer. The PVU Factor will be derived and applied as follows: (T)

- 1) The Company will apply a PVU Factor furnished by the Customer if and only if the Customer satisfies all of the following requirements: (C)
  - a. Customer furnishes to the Company a PVU Factor at least fourteen (14) days, and no sooner than thirty (30) days, in advance of the first day of each quarter (*i.e.*, January 1, April 1, July 1, and October 1) for application in the subsequent quarter.
  - b. The PVU Factor furnished by the Customer for each given quarter accurately represents the whole number percentage of the total intrastate access MOU that Customer exchanges with Company in the State that is originating access received by Customer from Company and terminates in IP format.
  - c. Concurrent with the furnishing of the PVU Factor for each given quarter, Customer provides auditable data and underlying documentation to the Company (*e.g.*, traffic study data, network usage data, FCC Form 477 Report data) that fully supports the PVU Factor furnished for that quarter.
  - d. Customer clearly indicates the source of all data used to compute Customer's furnished PVU Factor. If a spreadsheet is submitted, each cell must either (a) include the formula used to calculate the data in the cell or (b) be based on an external source for which the underlying documentation is also furnished by the Customer to the Company. The data and documentation submitted in support of the PVU Factor shall not be more than one year older than the date on which the PVU Factor is furnished to the Company. (C)

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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)

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

1) The Company will apply a PVU Factor furnished by the Customer if and only if the Customer satisfies all of the following requirements: (continued) (C)

e. Upon request of the Company, Customer makes available to Company any and all additional underlying records or other information necessary to verify the PVU Factor and the data and documentation submitted by Customer in support of Customer's furnished PVU Factor. Customer shall retain all data, documentation, call details, work papers, and/or other information used to develop or support each quarterly PVU Factor for a minimum of one year from the date on which the PVU Factor is furnished to the Company.

2) If Customer does not furnish Company with a PVU Factor and supporting documentation pursuant to Section 2.9.3 (d), above, the Company may apply a PVU Factor equal to the percentage of VoIP subscribers in the state based on the most recent Local Competition Report released by the FCC, calculated based on the total number of incumbent LEC and non-incumbent LEC VoIP subscriptions in the state divided by the sum of the total reported number of VoIP subscriptions plus incumbent LEC and non-incumbent LEC switched access lines. (C)

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

[Reserved for future use]

(D)

(D)

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

[Reserved for future use]

(D)

(D)

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

[Reserved for future use]

(D)

(D)

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COMPETITIVE ACCESS SERVICES

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**SECTION 3 - SWITCHED ACCESS SERVICE**

**3.1 General**

- 3.1.1** Switched Access Service, which is available to Customers for their use in furnishing their services to End Users, provides a two-point communications path between a Customer's Premises and an End User's Premises. It provides for the use of common terminating, switching and trunking facilities, and for the use of common subscriber plant of the Company. Switched Access Service provides for the ability to originate calls from an End User's Premises to a Customer's Premises and to terminate calls from a Customer's Premises to an End User's Premises in the LATA where it is provided.
- 3.1.2** When a rate as set forth in this price list is shown to more than two decimal places, the charges will be determined using the rate shown. The resulting amount will then be rounded to the nearest penny (i.e., rounded to two decimal places).
- 3.1.3** In the absence of an ASR as described in Section 3.4, delivery of calls to, or acceptance of calls from, the Customer 's End User location(s) via Company-provided switched access services shall constitute a Constructive Order and an agreement by the Customer to purchase the Company 's switched access services as described and priced herein.

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*Some material previously located on this page is now located on Original Page 25.1*

(M)

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**SECTION 3 - SWITCHED ACCESS SERVICE, (CONT'D)**

**3.9 Rates and Charges**

**3.9.1 Common Line Access Service**

**A. Carrier Common Line**

- Per Originating Minute:  
Non 8YY Traffic  
8YY Traffic

Note 1

(C)

Note 2

(C)

**3.9.2 Switched Transport Service**

**A. Nonrecurring Charges**

**1. Trunk Charges**

Per Trunk:

ICB

Note 1: All originating non-8YY access minutes are billed at a single per minute access rate found in Section 3.9.3A, Local Switching. This composite rate includes the elements traditionally billed as Carrier Common Line. (C)

Note 2: All originating 8YY access is assessed switched access charges pursuant to the Company's Federal Access Tariff, FCC Tariff No. 3, as amended from time to time. This tariff can be found at the following link: <https://apps.fcc.gov/etfs/public/lecTariffs.action?idLec=283>. (N)  
|  
(N)

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**SECTION 3 - SWITCHED ACCESS SERVICE, (CONT'D)**

**3.9 Rates and Charges (Continued)**

**3.9.2 Switched Transport Service (Continued)**

**B. [Reserved for future use]**

**C. Usage Charges**

1. Tandem Switched Transport

A. Originating

Non-8YY Traffic

Tandem Switched Transport, per Minute: Note 1

Tandem Switched Transport, per Minute, per Mile: Note 1

Tandem Switching, per Minute: Note 1

8YY Traffic

Tandem Switching, per Minute\* Note 2

(C)

(C)

(C)

B. Terminating

Tandem Switched Transport, per Minute: Note 2

Tandem Switched Transport, per Minute, per Mile: Note 2

Tandem Switching, per Minute: Note 2

Note 1: All originating non-8YY access minutes are billed at a single per minute access rate found in Section 3.9.3A, Local Switching. This composite rate includes the elements traditionally billed as Tandem Switched Transport (C)

Note 2: All originating 8YY and terminating access is assessed switched access charges pursuant to the Company's Federal Access Tariff, FCC Tariff No. 3, as amended from time to time. This tariff can be found at the following link: <https://apps.fcc.gov/etfs/public/lecTariffs.action?idLec=283>. (C)

\* Rate includes Tandem Switching and Transport. (N)

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COMPETITIVE ACCESS SERVICES

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**SECTION 3 - SWITCHED ACCESS SERVICE, (CONT'D)**

**3.9 Rates and Charges (Continued)**

**3.9.3 End Office Switching**

**A. Local Switching**

|                          |         |     |
|--------------------------|---------|-----|
| Originating, Per Minute: |         |     |
| Non 8YY Traffic          | \$0.041 | (C) |
| 8YY Traffic              | Note 2  | (C) |
| Terminating, Per Minute: | Note 2  |     |

**B. Transport Interconnection Charge**

|                 |        |     |
|-----------------|--------|-----|
| Per Minute:     |        |     |
| Non 8YY Traffic | Note 1 | (C) |
| 8YY Traffic     | Note 2 | (C) |

**C. Information Surcharge**

|                 |        |     |
|-----------------|--------|-----|
| Per Minute:     |        |     |
| Non 8YY Traffic | Note 1 | (C) |
| 8YY Traffic     | Note 2 | (C) |

Note 1: All originating non-8YY access minutes are billed at a single per minute access rate found in Section 3.9.3A, Local Switching. This composite rate includes the elements traditionally billed as Transport Interconnection Charge and Information Surcharge. (C)

Note 2: All originating 8YY and terminating access is assessed switched access charges pursuant to the Company's Federal Access Tariff, FCC Tariff No. 3, as amended from time to time. This tariff can be found at the following link: <https://apps.fcc.gov/etfs/public/lecTariffs.action?idLec=283>. (C)

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**SECTION 3 - SWITCHED ACCESS SERVICE, (CONT'D)**

**3.9 Rates and Charges (Continued)**

**3.9.4 Toll-Free 8XX Data Base Access Service**

Per Query:

|   |                |     |
|---|----------------|-----|
| Effective July 1, 2021* – June 30, 2022 | \$0.003500 (R) | (C) |
| Effective July 1, 2022 – June 30, 2023  | \$0.001850 (R) |     |
| Effective on and after July 1, 2023     | \$0.000200 (R) | (C) |

**3.9.5 Switched Access Optional Features**

Optional Features are provided on an Individual Case Basis as Special Service Arrangements pursuant to Section 6 of this price list.

\* Rate effective July 1, 2021 pursuant to the requirements of FCC Report and Order, FCC 20-143 issued in WC Docket No. 18-156. (N)  
(N)

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