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August 20, 2012

Via EFS

Secretary of the Commission  
Indiana Utility Regulatory Commission  
101 West Washington Street  
Suite 1500 E  
Indianapolis, Indiana 46204

Dear Secretary:

Enclosed with this letter is a tariff revision for **AT&T Communications of Indiana, GP** and TCG Indianapolis (AT&T). The enclosed pages for each company revises the pages that AT&T Communications of Indiana, GP and TCG Indianapolis filed on April 23, 2012 and were approved by the Commission on June 6, 2012. The language in these newly revised tariff pages implements the Federal Communications Commission WC Docket Nos. 10-90, etc. Second Order Release No. 12-47 issued April 25, 2012.

This filing is being made under 170 IAC 1-6 *Thirty-Day Administrative Filing Procedures and Guidelines*, and is allowable per section 3 (6) *Intrastate access tariff filings*. The filing is intended to implement the FCC decision referenced above delaying the interstate rate treatment of originating intrastate interexchange VOIP-PSTN traffic MOU originally beginning July 13, 2012 until July 1, 2014. These revisions do not apply to nor affect any AT&T retail customers.

In accordance with 170 IAC 1-6-6(c), a notice which meets these requirements has been published in the Indianapolis Star on August 17, 2012, its circulation covering the majority of affected AT&T customers. A copy of the notice is enclosed and may also be accessed on the Indianapolis Star website at <http://www2.indystar.com/webcat/classified/adshow?category=Public+Notices&claname=Legal&page=9> *Note: Page number changes as additional ads are published at the above link.* AT&T is unable to address (6)(a)(1)(A) as it no longer has a public local customer service office in Indiana. Per Sec. 6 (b)(2)(A) the notice may be viewed in the Public Notices section of the AT&T website at [www.att.com](http://www.att.com) by clicking on About AT&T, then Service Publications, then Indiana and selecting the State Tariffs for each company. Or you may go directly to the notice by clicking this link: [http://serviceguide.att.com/service/library/ext/file\\_view.cfm?FID=38736](http://serviceguide.att.com/service/library/ext/file_view.cfm?FID=38736) Please see affidavit enclosed.

The proposed pages, which are also enclosed for your convenience, may be found on the AT&T website by following the directions above. Or you may go directly to those pages by clicking on the links below.



**Links to the pending tariff pages are:**

**AT&T Communications of Indiana, GP**

IURC No. T-3                      Part 1 Sec. 2

First Revised Pages 1.1-1.6

Original Page 1.7

<http://serviceguide.att.com/servicelibrary/business/manage/secure/files/IN-12-0014ext.pdf>

**TCG Indianapolis**

IURC No. 2                      Sec. 2

First Revised Pages 26.1 – 26.5

Original Page 26.6

<http://serviceguide.att.com/servicelibrary/business/manage/secure/files/IN-12-0507ext.pdf>

Contact information for this filing is Candice Glover, 225 W. Randolph St., 27C500, Chicago, IL 60606. I can be reached at 312-727-0127 and at [clglover@att.com](mailto:clglover@att.com).

Please call me with any questions you may have.

Sincerely,

**Candice L.  
Glover**

Candice Glover  
Area Manager

Digitally signed by Candice L. Glover  
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Enclosures

Copy to: Indiana Office of Utility Consumer Counselor

AT&amp;T COMMUNICATIONS OF INDIANA, GP

TARIFF I.U.R.C. NO. T-3

## ACCESS SERVICES AND NETWORK INTERCONNECTION SERVICES

EFFECTIVE:  
DISTRICT MANAGER  
DALLAS, TEXAS

PART I  
SECTION 2  
1ST REVISED PAGE 1.1  
CANCELS ORIGINAL PAGE 1.1

## 2. GENERAL REGULATIONS

## 2.2 OBLIGATIONS OF THE CUSTOMER (Cont'd)

## 2.2.1 Determination of Charges for Mixed Intrastate, Interstate and/or Local Usage (Cont'd)

## Identification and Rating of VoIP-PSTN Traffic

## A. Scope

This section only applies to VoIP-PSTN traffic exchanged between the Company and the customer in time division multiplexing (TDM) format that originates and/or terminates in Internet protocol (IP) format. VoIP-PSTN 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.<sup>1</sup> (N)

1. This section governs the identification of originating and terminating intrastate toll VoIP-PSTN traffic and facilities to which interstate switched access rates apply (unless the parties have agreed otherwise) in accordance with the transitional Intercarrier Compensation framework for VoIP-PSTN traffic adopted by the Federal Communications Commission in its Report and Order, FCC Release No. 11-161 (Nov. 18, 2011) (FCC Order). Specifically, this section establishes the method that will be used to identify the percentage of the customer's intrastate access traffic, that will be treated as intrastate toll VoIP-PSTN traffic (referred to in this tariff as Relevant VoIP-PSTN Traffic),
2. This section applies to originating and terminating intrastate switched access minutes of use (MOU) and facility rate elements of all Access customers.
3. The customer shall not modify its reported PIU factor to account for the VoIP-PSTN Traffic for MOU and facility rate elements.

<sup>1</sup> Although the Company has taken the position that this tariff, by its own terms, already applies to VoIP-PSTN traffic, as defined herein, the Company has included this section in the tariff out of an abundance of caution to prevent any claim that it does not so apply, and to implement the decision by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011) (FCC Order) that VoIP-PSTN access traffic should be exchanged at interstate access rates (unless the parties have agreed otherwise). By its terms, the FCC Order is prospective only and does not address preexisting law with regard to the applicability of intercarrier compensation or the enhanced service providers (ESP) exemption to VoIP-PSTN Traffic. Including this section in the tariff in no way alters or otherwise affects the applicability of this tariff to VoIP-PSTN Traffic before the effective date of the FCC Order.

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2.2 OBLIGATIONS OF THE CUSTOMER (Cont'd)

2.2.1 Determination of Charges for Mixed Intrastate, Interstate and/or Local Usage (Cont'd)

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

B. Rating of VoIP-PSTN Traffic

The Relevant VoIP-PSTN Traffic terminating from the customer to the Company and facility rate elements identified in accordance with this tariff section will be billed at rates equal to the Company's applicable tariffed terminating interstate switched access rates as specified at <http://serviceguide.att.com/ABS/ext/TariffDetails.cfm> in AT&T Tariff FCC No.28, Sect. 17.13.3 - 17.15.1 unless the corresponding intrastate rate is lower. If the intrastate rate is lower then that rate will be used for billing. Hereafter, these billed rates will be referred to in this tariff as the relevant VoIP Rates. Relevant VoIP-PSTN Traffic originating from the Company or another provider to the customer will be rated using Intrastate rates and rate structure.

(N)  
(N)  
(N)  
(N)  
(T)  
(N)  
(N)

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

The Company will determine the number of Relevant VoIP-PSTN Traffic terminating MOU and facility rate elements to which VoIP rates will be applied under subsection (B), above, by applying the Percent VoIP Usage (PVU) factor to the intrastate access terminating MOU exchanged and facilities between the Company and the customer. The PVU factors will be derived and applied as follows:

(N)  
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(N)

1. The customer, will calculate and furnish to the Company a factor (the PVUC) on an ACNA basis which would aggregate traffic from Carrier Identification Code(s) (CIC) or Operating Company Numbers (OCNs) associated with the ACNA. This PVUC represents the percentage (whole number) of the total terminating intrastate access MOU that the customer exchanges with the Company end users in the State that is sent to the Company that originated in IP format at the end user. This PVUC 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 satisfactory to the Company.

(N)  
(N)  
(T)  
(T)  
(N)  
(D)  
(D)

2. The Company will calculate and periodically update a factor (the PVUT) representing the percentage (whole number) of the total intrastate access MOU that the Company exchanges with the customer end users in the State, that is received from the Customer and terminated in IP format at the end user. This PVUT 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.

(D)  
(D)

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2.2 OBLIGATIONS OF THE CUSTOMER (Cont'd)

2.2.1 Determination of Charges for Mixed Intrastate, Interstate and/or Local Usage (Cont'd)

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

C. (Cont'd)

3. The Company will develop a Customer Percent VoIP Usage (PVU) factors combining the Customer's PVUC factor with the Company's PVUT factor.

(a) The PVU calculation below is applied when the Company does not bill based on actual call detail records for the intrastate Company's IP traffic at VoIP rates. (T)

$PVU = PVUC + [PVUT \times (1 - PVUC)]$  is applied to the Company's end user's total intrastate MOU and facility rate elements (N)

Example: The customer reported that their PVUC as 40%. The Company's PVUT is 10%. This results in the following:

$PVU = 40\% \text{ plus } (10\% \text{ times } (1 - 40\%)) = 46\%$

This means that 46% of the terminating Intrastate MOU exchanged between the customer and the Company's end users will be rated at VoIP rates. (N)

(T)

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2.2 OBLIGATIONS OF THE CUSTOMER (Cont'd)

2.2.1 Determination of Charges for Mixed Intrastate, Interstate and/or Local Usage (Cont'd)

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

C. (Cont'd)

3. (Cont'd)

(b) The PVU calculation below is applied when the Company bills are based on the actual call detail records for the intrastate Company's IP traffic at VoIP rates. (T)

The formula for usage will be as follows:

$PVU = PVUC \times (1 - PVUT)$  applied to the Company's TDM end user's total terminating intrastate MOU. (N)

$PVU = PVUC + [PVUT \times (1 - PVUC)]$  is applied to the facility rate elements

Example: The Company has identified that there was 10,500 Intrastate MOU that were identified exchanged between the Customer and the Company's IP end users. The Customer reported that their PVUC as 40%. The Company's PVUT is 10%. This results in the following:

$PVU = 40\% \text{ times } (1 - 10\%) = 36\%$

This means that 36% of the terminating Intrastate MOU exchanged between the Customer and the Company's TDM end users will be rated at VoIP rates and the intrastate 10,500 MOU will also be rated at Interstate rates. (N)  
(T)

For the facility rate elements the formula that is applied to the intrastate dedicated facilities is as follows:

$PVU = 40\% \text{ plus } (10\% \text{ times } (1 - 40\%)) = 46\%$

Therefore 46% of the Intrastate facilities will be rated at VoIP rates. (T)

(c) If the customer does not furnish the Company with a PVUC pursuant to the preceding paragraph (C) (1), the Company will utilize a customer PVUC of 0%.

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2.2.1 Determination of Charges for Mixed Intrastate, Interstate and/or Local Usage (Cont'd)

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

(D)

(D)

(d) PVU Factor Updates

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The customer must update the PVUC factor quarterly using the method set forth in subsection (C) (1) through (3), above. The customer shall forward to the Company, no later than September 15, 2012, this new PVUC factor.

(T)

(T)

(N)

(N)

Prospectively, the customer may update the PVUC factor quarterly using the method set forth in subsection (C) (1) through (3) 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 PVUC 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 PVUC to calculate a revised PVU. The revised PVU factor will only apply prospectively and serve as the basis for billing until superseded by a new PVU.

(N)

(N)

(e) PVU Factor Verification

(T)

Not more than twice in any year, the Company may ask the Customer to verify the PVUC factor furnished to the Company. The customer shall comply, and shall reasonably provide the records and other information used to determine their PVUC as specified in section (C) (1) and (3) above. The customer shall retain and maintain (for verification purposes) the records and other information used to determine the PVUC, for at least 12 months after the PVUC is filed (or longer if any other section of the Company's tariffs or applicable law requires a longer period). The verification process shall be conducted consistent with the provisions in Section 2.3.10 of AT&T's FCC Tariff No. 28.

(C)

(N)

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2.2 OBLIGATIONS OF THE CUSTOMER (Cont'd)

(N) (m)

2.2.1 Determination of Charges for Mixed Intrastate, Interstate and/or Local Usage (Cont'd)

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

(f) Verification Process

The Company will review these Customer provided PVUC records referenced in (E) above. If the review results represent what the Company considers to be a substantial deviation from the customer's previously reported PVUC or if the PVUC appears unreasonable as compared to other related types of data, the Company will contact the customer within 30 days. This deviation issue will be dealt with in one of the following ways. The current PVUC will continue to be utilized until resolution from either of the 2 methods below.

a) The Company and the customer will come to an agreement as to an appropriate PVUC within 30 days of the provision of the PVUC records.

b) The Company within 45 days of the receipt of these records will make these customer PVUC records available to an independent auditor for review for the purpose of determining a PVUC. If these PVUC records are not available or these records are not substantive enough for the auditor to calculate a PVUC, then a PVUC factor of zero will be assigned. This zero PVUC will be utilized until either a PVUC can be agreed upon between the Company and the customer or an audit can be completed utilizing records acceptable for an audit conclusion. When an audit has been completed employing the records acceptable for an audit conclusion, the PVUC resulting from the audit report will be employed until the next customer provided PVUC is available as referenced in the (E) or (F) procedures above.

(m)

(N)

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2. GENERAL REGULATIONS

2.3 DEFINITIONS

Interexchange Carrier (IC)

The term "Interexchange Carrier" (IC) is referenced in our Access Tariff (I.U.R.C. No. T-3) or carrier to carrier tariff; it denotes any individual, partnership, association, joint-stock company, trust, governmental entity or corporation engaged for hire in intrastate communication by fiber optics, wire or radio or any suitable technology or combination of technologies, between two or more exchanges.

Interexchange Carrier (IXC)

The term "Interexchange Carrier" (IXC) is referenced in our end user tariff (I.U.R.C. No. T-1) which governs interLATA and intraLATA services available to end user customers (Residential and Business); it denotes any individual, partnership, association, joint-stock company, trust, governmental entity or corporation engaged for hire in intrastate communication by fiber optics, wire or radio or any suitable technology or combination of technologies, between two or more exchanges.

IntraLATA Primary Interexchange Carrier (IPIC)

The term IntraLATA Primary Interexchange Carrier or IPIC is when the End-User selects an Interexchange Carrier (IC) for completing a intrastate IntraLATA calls without dialing an access codes. This IC is referred to as the End-User's IntraLATA Primary Interexchange Carrier (IPIC) for IntraLATA calls.

(m)

(m)



PUBLIC NOTICE In response to the Federal Communications Commission (FCC) Report and Order Release No. 11-161 dated Nov. 18, 2011, AT&T Communications of Indiana, GP and TCG Indianapolis made tariff filings on April 23, 2012 that were approved by the Indiana Utility Regulatory Commission (IURC) on June 6, 2012. The filings described VoIP-PSTN traffic exchanged between AT&T Communications of Indiana, GP and TCG Indianapolis (AT&T) and only their wholesale carrier customers who provide service in time division multiplexing format that originates and/or terminates in Internet protocol, or IP, format. VoIP-PSTN traffic originates and/or terminates in IP format if it originates from and/or terminates to a carrier's end-user customer that requires IP compatible customer premises equipment. AT&T is filing revisions to those tariffs implementing the FCC's second order Release No. 12-47 issued April 25, 2012, delaying the interstate rate treatment of originating intrastate interexchange VOIP-PSTN traffic Minutes of Use (MOU) originally beginning July 13, 2012 until July 1, 2014. The treatment of terminating VOIP will continue to be billed at interstate rates as stated in the initial order. AT&T's retail end user customers are not impacted by these filings. AT&T will file these tariff revisions on or around August 20, 2012 and these revisions will become effective upon the approval of the IURC, but will be no earlier than 30 days from the file date. Any customer may contact the IURC or the Office of Utility Consumer Counselor (OUCC) with a written statement objecting to these applications. Such objections should be sent to: Secretary of the Commission, Indiana Utility Regulatory Commission, 101 West Washington Street, Suite 1500 E, Indianapolis, Indiana 46204 or: Indiana Office of Utility Consumer Counselor, PNC Center, 115 West Washington Street, Suite 1500 South, Indianapolis, Indiana 46204. (S - 8/17/12 - 5981219)

STATE OF ILLINOIS        )  
                                  )  
COUNTY OF COOK        )        s.s.

**AFFIDAVIT**

I, **Candice L. Glover**, am an authorized agent of the applicant corporations, **TCG Indianapolis and AT&T Communications of Indiana, GP** and am authorized to make this statement on their behalf. I attest that the customer notice accompanying this affidavit was published in the Indianapolis Star and on the AT&T website on August 17, 2012 in accordance with 170 IAC 1-6-6 of the Indiana Administrative Code. I declare under penalty of perjury that the foregoing is true and correct.

Executed on **August 20, 2012** in **Chicago, Illinois**

**Candice L.  
Glover**

Digitally signed by Candice L. Glover  
DN: cn=Candice L. Glover, o=State  
Reg, ou=State Reg,  
email=cg5262@att.com, c=US  
Date: 2012.08.20 09:41:41 -05'00'

Signature and Title

Date

Subscribed and sworn to before me  
this 20th day of August 2012.

**Aletha J.  
Blackmon**

Digitally signed by Aletha J.  
Blackmon  
DN: cn=Aletha J. Blackmon,  
o=AT&T, ou=AT&T,  
email=ab9383@att.com, c=US  
Date: 2012.08.20 09:42:03 -05'00'

Notary Public  
My Commission Expires: