

Mr. Steven Reed, Executive Secretary Missouri Public Service Commission 200 Madison Street Suite 500 Jefferson City, MO 65102-0360

**RE:** BullsEye Telecom, Inc.

Revision for P.S.C. MO. Tariff No. 3 (Access)

Dear Mr. Reed:

Enclosed for filing please find the above referenced tariff filing submitted on behalf of BullsEye Telecom, Inc. This filing revises language under Identification and Rating of VoIP-PSTN Traffic. The Company respectfully requests an effective date for this filing of July 1, 2013.

The following tariff pages are included:

1<sup>st</sup> Revised Page 24.1 Revises Identification & Rating of Toll VoIP-PSTN Traffic
1<sup>st</sup> Revised Page 24.2 Revises Identification & Rating of Toll VoIP-PSTN Traffic

1<sup>st</sup> Revised Page 24.4 Deletes Initial PVU Factor

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,

#### /s/ Connie Wightman

Connie Wightman
Consultant to BullsEye Telecom, Inc.

cc: C. Doebler - BullsEye Telecom

Office of Public Counsel

file: BullsEye Telecom - Missouri - Access

tms: MOa1301

Enclosures RN/sp

# **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 20, 2012 and after June 30, 2014. From July 20, 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:

Except as otherwise provided in Section 2.9.3 (c) 3) below, 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 20, 2012 and after June 30, 2014. From July 20, 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.

Issued: May 31, 2013 Effective: July 1, 2013

Issued By: Vice President – Corporate Development

BullsEye Telecom, Inc.

25925 Telegraph Road, Suite 210

Southfield, MI 48033

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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)

- (c) Calculation and Application of Percent-VoIP-PSTN-Usage Factor (Continued)
  - 2) Except as otherwise provided in Section 2.9.3 (c) 3) below, the 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 20, 2012 and after June 30, 2014. From July 20, 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.
  - 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 20, 2012 and after June 30, 2014. From July 20, 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).

Note: PVU factors will not be provided or collected by the Company for the traffic period from July 1, 2013 through June 30, 2014. This represents the period during which the Company's terminating intrastate rate is equal to its terminating interstate rate and PVU is not applied to originating traffic. Traffic on or after July 1, 2014 will be subject to the most recently available PVU factor on file with the Company for application of charges to originating access traffic. PVU updates must be received at least 30 days prior to July 1, 2014 if a new factor will apply.

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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) [Reserved for future use]

# (D) | | | | | | | (D)

#### (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.

#### (f) PVU Factor Verification

Not more than twice in any year, the Company may ask the Customer to verify the PVU-A factor furnished to the Company and Customer may ask the Company to verify the PVU-B factor and the calculation of the PVU factor. The party so requested shall comply, and shall reasonably provide the records and other information used to determine the respective PVU-A and PVU-B factors. The Customer shall retain the call detail, work papers, and/or other information used to develop the PVU factor for a minimum of one year. No prorating or back billing will be done based on updated PVU factors.

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