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Received: September 5, 2017  
IURC 30-Day Filing No.: 50077  
Indiana Utility Regulatory Commission

VIA Electronic Filing

September 5, 2017

Indiana Utility Regulatory Commission  
Communications Division  
Attn: Kassi Peerman – Tariff Administrator  
101 W. Washington Street, Suite 1500E  
Indianapolis, IN 46204

Re: Miles Communications, Inc.  
New Intrastate Access Tariff I.U.R.C. No. 1

Enclosed for filing with the Commission on behalf of Miles Communications, Inc. (“Miles”) are the following Miles tariff pages:

Title	Original Title Page 1
Concurrence and Exceptions	Original Pages 1-7
Check Sheets	Original CS Pages 1 – 5

The purpose of this filing is to establish a complete baseline intrastate access tariff. Miles proposes to concur in the Miles Interstate Access Tariff F.C.C. No. 1 with exceptions. This 30-day filing is being made pursuant to the Commission’s 30-day filing rules as set forth in the Indiana Administrative Code 170 IAC 1-6.

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Any questions regarding the filing may be directed to the undersigned.

Sincerely,

*/s/ Marty Kluh*

Marty Kluh  
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on behalf of

Miles Communications, Inc.

Enclosures

cc: Mike Alig, Miles Communications, Inc.  
Office of the Utility Consumer Counselor

INTRASTATE ACCESS SERVICE

TITLE SHEET

Regulations, Rates and Charges

Applying to the provision of

Intrastate Access Services

Within the operating territory of

Miles Communications, Inc.

In the state of Indiana

ISSUED: September 5, 2017

EFFECTIVE: \_\_\_\_\_

Michael J. Alig, CFO  
123 Nieman Street  
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## INTRASTATE ACCESS SERVICE

## CONCURRENCE AND EXCEPTIONS

Miles Communications, Inc. (Miles or the Company) concurs in the following sections of the Miles Communications, Inc. Interstate Access Tariff F.C.C. No. 1 except as noted below, subject to approval by the Indiana Utility Regulatory Commission.

<b>Miles Section – F.C.C. No. 1</b>	<b>Concur</b>	<b>Miles Intrastate Exceptions</b>
Title Pages	No	See Miles Title Page
Check Sheets	No	See Miles Check Sheets
Table of Contents	Yes	None
Application of Tariff	Yes	None
1. Definitions	Yes	None
2. Regulations	Yes	None
3. Ordering Options for Access Service	Yes	None
4. Switched Access Service	Yes	In addition to concurrence with Section 4 regulations for Switched Access Service, the following regulations apply to Miles intrastate access service.

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## INTRASTATE ACCESS SERVICE

## CONCURRENCE AND EXCEPTIONS (Cont'd)

4. Switched Access Service (Cont'd)4.2 Provision and Description of Switched Access Service Arrangements (Cont'd)4.2.8 VoIP PSTN Traffic

## Identification and Rating of VoIP-PSTN Traffic

This section governs the identification of Toll VoIP-PSTN Traffic which the FCC in its Report and Order in WC Dockets Nos. 10-90, etc., F.C.C. Release No. 11-161 (November 18, 2011) (F.C.C. Order) has allowed to be tariffed in both federal and state access tariffs unless the parties have a negotiated agreement.<sup>1</sup> The Company recognizes that according to the FCC Order all VoIP-PSTN traffic is governed by section 251(b)(5) Framework including Toll PSTN VoIP Traffic which is included in this tariff.

For the purposes of this Tariff Toll VoIP-PSTN Traffic is defined as interexchange traffic exchanged between a Company end user and the customer in Time Division Multiplexing (TDM) format that originates and/or terminates in Internet Protocol (IP) format. Toll VoIP-PSTN traffic originated and/or terminates in IP format when it originates from and/or terminates to an end user customer of a service that requires IP-compatible customer premises equipment.

The customer shall deliver all Toll VoIP-PSTN traffic on its facilities that deliver other voice access traffic. Toll VoIP-PSTN traffic shall not be delivered on local trunk groups.

Specifically, this section establishes the method of separating Toll VoIP-PSTN Traffic from the customer's traditional intrastate access traffic, so that Toll VoIP-PSTN Traffic can be billed in accordance with the F.C.C. Order.

Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Company's applicable tariffed interstate switched access rates as set forth in the Miles Communications, Inc. Tariff F.C.C. No. 1.

<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.

## INTRASTATE ACCESS SERVICE

## CONCURRENCE AND EXCEPTIONS (Cont'd)

4. Switched Access Service (Cont'd)4.2 Provision and Description of Switched Access Service Arrangements (Cont'd)4.2.8 VoIP PSTN Traffic (Cont'd)

## Calculation and Application of Percent-VoIP- Usage Factors

- (A) The Company will determine the number of intrastate Toll VoIP-PSTN Traffic minutes of use (MOU) to which interstate rates will be applied under B, preceding, by applying an originating Percent Toll VoIP-PSTN Usage (PVU) factor to the total intrastate access MOU originated by a Company end user and delivered to the customer and by applying a terminating PVU factor to the total intrastate access MOU terminated by a customer to the Company's end user.
- (B) The customer will calculate and furnish to the Company an originating PVU factor representing the whole number percentage of the customer's total originating intrastate access MOU that the customer exchanges with the Company in the state that is received from the Company and that is terminated in IP format and that would be billed by the Company as intrastate access MOU at rates equal to interstate rates. When the FCC rules allow, originating VoIP-PSTN traffic shall be billed at intrastate access rates.
- (C) The customer will calculate and furnish to the Company a terminating PVU factor representing the whole number percentage of the customer's total terminating intrastate access MOU that the customer exchanges with the Company in the state that is sent to Company and which originated in IP format and that would be billed by the Company as intrastate access MOU at rates equal to interstate.
- (D) The customer shall not modify their reported PIU factor to account for Toll VoIP-PSTN Traffic.
- (E) Both the customer provided originating PVU and the terminating PVU shall be based on information such as the number of the customer's retail Toll VoIP subscriptions in the state (e.g. as reported on F.C.C. Form 477), traffic studies, actual call detail or other relevant and verifiable information which will be provided to the Company upon request for subsequent PVU submissions.

ISSUED: September 5, 2017

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## INTRASTATE ACCESS SERVICE

## CONCURRENCE AND EXCEPTIONS (Cont'd)

4. Switched Access Service (Cont'd)4.2 Provision and Description of Switched Access Service Arrangements (Cont'd)4.2.8 VoIP PSTN Traffic (Cont'd)

## Calculation and Application of Percent-VoIP- Usage Factors (Cont'd)

- (F) The customer shall retain the call detail, work papers, and information used to develop the PVU factors for a minimum of one year.
- (G) If the Customer does not furnish the Company with a PVU factor according to this section, the Company will utilize a PVU equal to zero. At the time of this tariff filing, Company has a PVU of zero. If the Company offers VoIP at a future date, the tariff will be updated as appropriate.

4.2.9 PVU Factor

The customer may update the PVU factors quarterly using the method set forth in (A)(3), preceding. 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, revised PVU factors based on data for the prior three months, ending the last day of December, March, June and September, respectively. The revised PVU factors will serve as the basis for future billing and will be effective on the bill date of each such month and shall serve as the basis for subsequent monthly billing until superseded by new PVU factors. No prorating or back billing will be done based on the updated PVU factors.

4.2.10 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 factors, the call detail records, description of the method for determining how the end user originates and terminated call in IP format, and other information used to determine the customer's PVU factors furnished to the Company in order to validate the PVU factors supplied. The customer shall comply, and shall reasonably supply the requested data and information within 15 days of the Company's request.

INTRASTATE ACCESS SERVICE  
CONCURRENCE AND EXCEPTIONS (Cont'd)

4. Switched Access Service (Cont'd)

4.2 Provision and Description of Switched Access Service Arrangements (Cont'd)

4.2.10 PVU Factor Verification (Cont'd)

- (B) The Company may dispute the Customer's PVU factor based upon:
- (1) A review of the requested data and information provided by the customer
  - (2) The Company's reasonable review of other market information, F.C.C. reports on VoIP lines, such as F.C.C. Form 477 or state level results based on the F.C.C. Local Competition Report or other relevant data.
  - (3) A change in the 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 established revised PVU factors, the Company will begin using those revised PVU factors with the next bill period.
- (D) If the dispute is unresolved, the Company may initiate an audit. The Company shall limit audits of the customer's PVU factor to no more than twice per year. The customer may request that the audit be conducted by an independent auditor. In such cases the associated auditing expenses will be paid by the customer.
- (1) In the event that the customer fails to provide adequate records to enable the Company or an independent auditor to conduct an audit verifying the customer's PVU factors, the Company will bill the usage for all contested periods using the most recent undisputed accepted PVU factors reported by the customer or the FCC default PVU. These PVU factors will remain in effect until the audit can be completed.
  - (2) During the audit, the most recent undisputed PVU factors the previous reporting period will be used by the Company.

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INTRASTATE ACCESS SERVICE

CONCURRENCE AND EXCEPTIONS (Cont'd)

4. Switched Access Service (Cont'd)

4.2 Provision and Description of Switched Access Service Arrangements (Cont'd)

4.2.10 PVU Factor Verification (Cont'd)

- (3) The Company will adjust the customer's PVU factors based on the results of the audit and implement the revised PVU in the next billing period or quarterly report date, whichever is first. The revised PVU factors will apply for the next two quarters before new factors can be submitted by the customer.
- (4) If the audit supports the customer's PVU factors, the usage for the contested periods will be adjusted to reflect the customer's audited PVU factors.
- (E) The customer will calculate and furnish to the Company an originating PVU factor representing the whole number percentage of the customer's total originating intrastate access MOU that the customer exchanges with the Company in the state that is sent to Company and which terminated in IP format and that would be billed by the Company as intrastate access MOU charged at rates equal to interstate rates.
- (F) The customer will calculate and furnish to the Company a terminating PVU factor representing the whole number percentage of the customer's total terminating intrastate access MOU that the customer exchanges with the Company in the state that is sent to Company and which originated in IP format and that would be billed by the Company as intrastate access MOU charged at rates equal to interstate rates.

4.2.11 Rate Regulation-VoIP-PSTN Traffic

Toll VoIP-PSTN Traffic identified in accordance with this tariff will be billed at rates equal to the Company's applicable tariffed interstate switched access rates as specified in Miles Communications Tariff No. 1 Section 12.1 in which the Company concurs.

## INTRASTATE ACCESS SERVICE

## CONCURRENCE AND EXCEPTIONS (Cont'd)

<b>Miles Section – F.C.C. No. 1</b>	<b>Concur</b>	<b>Miles Intrastate Exceptions</b>
5. End User Access Service, Federal Universal Service Charge and ISDN Line Ports	No	Not applicable to intrastate
6. Carrier Common Line Access Service	No	Not applicable to intrastate
7. Special Construction	Yes	None
8. Miscellaneous Services	Yes	The following are not applicable to intrastate: 8.6 Presubscription
9. Special Access Service	Yes	None
10. Reserved for Future Use	N/A	N/A
11. Reserved for Future Use	N/A	N/A
12. Rates and Charges	Yes	The following are not applicable to intrastate access service: <ul style="list-style-type: none"> <li>• 12.1.3 Presubscribed Interexchange Carrier Charge</li> <li>• 12.2 Federal Universal Service Charge</li> <li>• 12.4 Presubscription</li> </ul>

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INTRASTATE ACCESS SERVICE

CHECK SHEETS

<b>Miles Page Number</b>	<b>Miles Revision Number</b>	<b>IURC Effective Date</b>	<b>Miles F.C.C Trans. No.</b>	<b>Exception Statement</b>
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Title Page 1      Original      No earlier than 10/5/2017

Concurrence and Exceptions

1	Original	No earlier than 10/5/2017
2	Original	No earlier than 10/5/2017
3	Original	No earlier than 10/5/2017
4	Original	No earlier than 10/5/2017
5	Original	No earlier than 10/5/2017
6	Original	No earlier than 10/5/2017
7	Original	No earlier than 10/5/2017

Check Sheets

CS 1	Original	No earlier than 10/5/2017
CS 2	Original	No earlier than 10/5/2017
CS 3	Original	No earlier than 10/5/2017
CS 4	Original	No earlier than 10/5/2017
CS 5	Original	No earlier than 10/5/2017

Miles F.C.C. No. 1 Check Sheet Original Page 1

Not Applicable

Table of Contents

2	Original	No earlier than 10/5/2017
3	Original	No earlier than 10/5/2017
4	Original	No earlier than 10/5/2017
5	Original	No earlier than 10/5/2017
6	Original	No earlier than 10/5/2017

ISSUED: September 5, 2017

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## INTRASTATE ACCESS SERVICE

## CHECK SHEETS (Cont'd)

Miles Page Number	Miles Revision Number	IURC Effective Date	Miles Trans. No.	Exception Statement
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Application of Tariff

9	Original	No earlier than 10/5/2017		
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Section 1 Definitions

1-1	Original	No earlier than 10/5/2017		
1-2	Original	No earlier than 10/5/2017		
1-3	Original	No earlier than 10/5/2017		
1-4	Original	No earlier than 10/5/2017		
1-5	Original	No earlier than 10/5/2017		

Section 2 Regulations

2-1	Original	No earlier than 10/5/2017		
2-2	Original	No earlier than 10/5/2017		
2-3	Original	No earlier than 10/5/2017		
2-4	Original	No earlier than 10/5/2017		
2-5	Original	No earlier than 10/5/2017		
2-6	Original	No earlier than 10/5/2017		
2-7	Original	No earlier than 10/5/2017		
2-8	Original	No earlier than 10/5/2017		
2-9	Original	No earlier than 10/5/2017		
2-10	Original	No earlier than 10/5/2017		
2-11	Original	No earlier than 10/5/2017		
2-12	Original	No earlier than 10/5/2017		
2-13	Original	No earlier than 10/5/2017		
2-14	Original	No earlier than 10/5/2017		
2-15	Original	No earlier than 10/5/2017		
2-16	Original	No earlier than 10/5/2017		
2-17	Original	No earlier than 10/5/2017		
2-18	Original	No earlier than 10/5/2017		
2-19	Original	No earlier than 10/5/2017		
2-20	Original	No earlier than 10/5/2017		
2-21	Original	No earlier than 10/5/2017		
2-22	Original	No earlier than 10/5/2017		
2-23	Original	No earlier than 10/5/2017		
2-24	Original	No earlier than 10/5/2017		
2-25	Original	No earlier than 10/5/2017		
2-26	Original	No earlier than 10/5/2017		
2-27	Original	No earlier than 10/5/2017		

ISSUED: September 5, 2017

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INTRASTATE ACCESS SERVICE

CHECK SHEETS (Cont'd)

Miles Page Number	Miles Revision Number	IURC Effective Date	Miles Trans. No.	Exception Statement
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Section 3 Ordering Options for Access Service

3-1	Original	No earlier than 10/5/2017
3-2	Original	No earlier than 10/5/2017
3-3	Original	No earlier than 10/5/2017
3-4	Original	No earlier than 10/5/2017
3-5	Original	No earlier than 10/5/2017
3-6	Original	No earlier than 10/5/2017
3-7	Original	No earlier than 10/5/2017
3-8	Original	No earlier than 10/5/2017
3-9	Original	No earlier than 10/5/2017
3-10	Original	No earlier than 10/5/2017

Section 4 Switched Access Service

See exception at Page 1 for additional  
VoIP PSTN regulations applicable to  
intrastate

4-1	Original	No earlier than 10/5/2017
4-2	Original	No earlier than 10/5/2017
4-3	Original	No earlier than 10/5/2017
4-4	Original	No earlier than 10/5/2017
4-5	Original	No earlier than 10/5/2017
4-6	Original	No earlier than 10/5/2017
4-7	Original	No earlier than 10/5/2017
4-8	Original	No earlier than 10/5/2017
4-9	Original	No earlier than 10/5/2017
4-10	Original	No earlier than 10/5/2017
4-11	Original	No earlier than 10/5/2017
4-12	Original	No earlier than 10/5/2017
4-13	Original	No earlier than 10/5/2017
4-14	Original	No earlier than 10/5/2017
4-15	Original	No earlier than 10/5/2017
4-16	Original	No earlier than 10/5/2017
4-17	Original	No earlier than 10/5/2017
4-18	Original	No earlier than 10/5/2017
4-19	Original	No earlier than 10/5/2017
4-20	Original	No earlier than 10/5/2017

ISSUED: September 5, 2017

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INTRASTATE ACCESS SERVICE

CHECK SHEETS (Cont'd)

Miles Page Number	Miles Revision Number	IURC Effective Date	Miles Trans. No.	Exception Statement
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Section 5 End User Access Service, Federal Universal  
Service Charge and ISDN Line Ports

Not applicable to intrastate

Section 6 Carrier Common Line Access Service

Not applicable to intrastate

Section 7 Special Construction

7-1

Original

No earlier than 10/5/2017

INTRASTATE ACCESS SERVICE

CHECK SHEETS (Cont'd)

Miles Page Number	Miles Revision Number	IURC Effective Date	Miles Trans. No.	Exception Statement
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Section 8 Miscellaneous Services

8-1	Original	No earlier than 10/5/2017		
8-2	Original	No earlier than 10/5/2017		
8-3	Original	No earlier than 10/5/2017		
8-4	Original	No earlier than 10/5/2017		
8-5	Original	No earlier than 10/5/2017		
8-6	Original	No earlier than 10/5/2017		
8-7	Original	No earlier than 10/5/2017		
8-8	Original	No earlier than 10/5/2017		
8-9 – 8-10				Presubscription not applicable to intrastate
8-11	Original	No earlier than 10/5/2017		
8-12	Original	No earlier than 10/5/2017		
8-13	Original	No earlier than 10/5/2017		

Section 9 Special Access Service

9-1	Original	No earlier than 10/5/2017		
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Section 10 Reserved for Future Use

Section 11 Reserved for Future Use

Section 12 Rates and Charges

12-1	Original	No earlier than 10/5/2017		
12-2	Original	No earlier than 10/5/2017		
12-3	Original	No earlier than 10/5/2017		See exceptions Page 7
12-4	Original	No earlier than 10/5/2017		
12-5	Original	No earlier than 10/5/2017		See exceptions Page 7
12-6	Original	No earlier than 10/5/2017		

ISSUED: September 5, 2017

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