



ANDREW O. ISAR

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Via Electronic Mail and Overnight Delivery

June 21, 2016

Ms. Sara Clark  
Department Secretary  
Administrative Unit  
Massachusetts Department of Telecommunications and Cable  
1000 Washington Street, Ste. 820  
Boston, MA 02118-6500

RE: X5 OpCo LLC, Tariff Advice Letter No. 2, 2016 FCC USF/ICC Transformation Order/47 C.F.R. §51.911(c) Compliance Submission

Dear Secretary Clark:

X5 OpCo LLC (“X5 OpCo”) submits to the Massachusetts Department of Telecommunications and Cable (“Department”) an one original, three-hole punched, and three (3) copies of amended Sheet Nos. 1.1, 92, and 108, and Original Sheet No. 92.1 to the Company’s Massachusetts switched exchange access tariff, Massachusetts D.T.C. Tariff No. 4, for incorporation into the Company’s tariff. A \$100.00 tariff filing fee is also enclosed.

This submission is made pursuant to the Federal Communications Commission’s (“FCC”) *Report and Order and Further Notice of Proposed Rulemaking*, in Docket Nos. WC Docket No. 10-90, et al., FCC 11-161,<sup>1</sup> *Second Order on Reconsideration* in Docket Nos. WC Docket No. 10-90, et al., FCC 12-47,<sup>2</sup> Sections 51.911 and 61.26(c)<sup>3</sup> of the FCC’s rules, 47 C.F.R. §§51.911, 61.26(c) and the Department’s May 23, 2015 *Notice*.<sup>4</sup>

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<sup>1</sup> *Connect America Fund et al.*, WC Dkt. No. 10-90 et al., *Report and Order and Further Notice of Proposed Rulemaking*, FCC 11-161 (rel. Nov. 18, 2011) (*USF/ICC Transformation Order*), *pets. for review pending*, *Direct Commc'ns Cedar Valley, LLC v. FCC*, No. 11-9581 (10th Cir. filed Dec. 8, 2011) (and consolidated cases).

<sup>2</sup> *Id.*, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 12-47 (rel. April 25, 2014)

<sup>3</sup> Pursuant to Section 61.26(c), “The benchmark rate for a CLEC's switched exchange access services will be the rate charged for similar services by the competing ILEC. If an ILEC to which a CLEC benchmarks its rates, pursuant to this section, lowers the rate to which a CLEC benchmarks, the CLEC must revise its rates to the lower level **within 15 days of the effective date of the lowered ILEC rate.**” [Emphasis supplied].

<sup>4</sup> 2016 Intrastate Intercarrier Compensation Rate Reduction Tariff Filings; Related ILEC Certifications and Data Submittals (May 23, 2016).

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With this submission X5 OpCo bifurcates its Switched Access Service and VoIP-PSTN Traffic per minute rates between those assessed to interconnecting carriers in the rural competitive local exchange service territory formally served by Richmond Telephone Company's subsidiary, Richmond Networx,<sup>5</sup> as authorized pursuant to the Department's *Final Order* in Docket No. D.T.C. 07-9,<sup>6</sup> and those assessed on non-rural exchanges. Further, X5 OpCo will comply with the above cited orders and rules by reducing its terminating intrastate end office rate element to \$0.005 in its rural competitive local exchange carrier service territory and \$0.0007 in non-rural exchanges, set at parity with the corresponding National Exchange Carriers Association Tariff F.C.C. No. 5 and Verizon Telephone Companies' Tariff F.C.C. No. 11 amendments, respectively, effective July 1, 2016. As the Company is mirroring the incumbent local exchange carrier rates, no rate calculations are being submitted.

A July 1, 2016 effective date is requested to enable the Company to comply with the above cited orders and rule.

Please acknowledge receipt of this filing by file-stamping the additional copy of this letter and returning it in the self-addressed stamped envelope provided for this purpose.

Thank you for your attention to this matter. Questions may be directed to the undersigned.

Sincerely,

MILLER ISAR, INC.

/s/ Andrew O. Isar

Andrew O. Isar

cc: Ms. Sara Clark (separate electronic copy via email to [dtc.efiling@state.ma.us](mailto:dtc.efiling@state.ma.us))

Enclosures

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<sup>5</sup> Richmond Networks assets were acquired as part of X5 OpCo LLC's acquisition of CornerStone Telephone Company. See, Letter from Lindsay DeRoche, Director Competition Division, Massachusetts Department of Telecommunications and Cable to Andrew Isar, Miller Isar, Inc., regulatory consultants to X5 OpCo LLC, RE: CornerStone Telephone Company and Richmond Networx Exit Plan (February 4, 2016).

<sup>6</sup> *Petition of Verizon New England, Inc. et. al for Investigation under Chapter 159, Section 14, of the Intrastate Access Rates of Competitive Local Exchange Carriers*, Department of Telecommunications and Cable, D.T.C. 07-9 (June 22, 2009), page 23 [*Final Order*].

**CHECK SHEET**

The sheets of this Tariff are effective as of the date shown. The Sheet revisions appearing below designate amendments from the original Tariff Sheet and are in effect on the date shown at the bottom of this Sheet. An asterisk appearing next to the revision indicates Sheets submitted with an amended filing.

<u>Sheet</u>	<u>Revision</u>	<u>Sheet</u>	<u>Revision</u>	<u>Sheet</u>	<u>Revision</u>	<u>Sheet</u>	<u>Revision</u>
1	First	29	Original	58	Original	87	Original
1.1	First*	30	Original	59	Original	88	Original
2	First	31	Original	60	Original	89	Original
3	Original	32	Original	61	Original	90	Original
4	Original	33	Original	62	Original	91	Original
5	Original	34	Original	63	Original	92	First*
6	First	35	Original	64	Original	92.1	Original*
7	Original	36	Original	65	Original	93	Original
8	Original	37	Original	66	Original	94	Original
9	Original	38	Original	67	Original	95	Original
10	First	39	Original	68	Original	96	Original
11	Original	40	Original	69	Original	97	Original
12	Original	41	Original	70	Original	98	Original
13	Original	42	Original	71	Original	99	Original
14	Original	43	Original	72	Original	100	Original
15	Original	44	Original	73	Original	101	Original
16	Original	45	Original	74	Original	102	Original
17	Original	46	Original	75	Original	103	Original
18	Original	47	Original	76	Original	104	Original
19	Original	48	Original	77	Original	105	Original
20	Original	49	Original	78	Original	106	Original
21	Original	50	Original	79	Original	107	Original
22	Original	51	Original	80	Original	108	First*
23	Original	52	Original	81	Original		
24	Original	53	Original	82	Original		
25	Original	54	Original	83	Original		
26	Original	55	Original	84	Original		
27	Original	56	Original	85	Original		
28	Original	57	Original	86	Original		

Issued: June 21, 2016

Effective: July 1, 2016

Issued By:

Gregory Forrest  
X5 OpCo LLC  
1008 Western Avenue, Suite 400  
Seattle, WA 98104

SECTION 9 – RATES AND CHARGES

(T)

9.2 Switched Access Service (Cont'd)

9.2.3 Switched Transport Services

a. Tandem Switched Transport– Rural CLEC Exchanges

(T)

- Tandem Switched Facility,  
Per Minute/Per Mile \$ 0.000430
- Tandem Switched Termination,  
Per Minute/Per Term \$ 0.002234
- Tandem Switching,  
Per Minute/Per Tandem \$ 0.005635
- Transport Interconnection Charge, Per Minute \$0.00

b. 800 Data Base Access Service Queries, Per Query

- Per Query
- Basic \$ 0.0057
  - Vertical \$ 0.0063

c. Tandem Switched Transport – Non-Rural CLEC Exchanges

(N)

- Tandem Switched Facility,  
Per Minute/Per Mile \$ 0.00003
- Tandem Switched Termination,  
Per Minute/Per Term \$ 0.00
- Tandem Switching,  
Per Minute/Per Tandem \$ 0.001068

d. 800 Data Base Access Service Queries, Per Query

- Per Query
- Basic \$ 0.004356
  - 800 to POTS Translation \$0.0006
  - Call Handling and Destination \$0.001989

(N)

\*Material moved to Sheet No. 92.1.

(M)\*

SECTION 9 – RATES AND CHARGES

			(M)*
9.2.	<u>Switched Access Service</u> (Cont'd)		
9.2.4	<u>End Office</u> – Rural CLEC Exchanges Per minute of use		(T)
a.	<u>Local Switching</u> Originating	\$0.047999	
b.	<u>End Office</u> Terminating	\$0.005	(R)
c.	<u>Information Surcharge</u> Per 100 minutes Originating	\$0.052800	
	Terminating #	\$0.000000	(M)
9.2.5	<u>End Office</u> – Non-Rural CLEC Exchanges Per minute of use		(N)
a.	<u>Local Switching</u> Originating	\$0.002406	
b.	Shared Trunk Port Originating	\$0.001688	
c.	<u>End Office Charge</u> Terminating	\$0.0007	
d.	<u>Information Surcharge</u> Per 100 minutes Originating	\$0.052800	
	Terminating #	\$0.000000	(N)

# The Terminating Information Surcharge rate element is included in the Terminating Local Switching rates.

\*Material moved from Sheet No. 92.

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X5 OpCo LLC dba Richmond Telephone Company  
1416 State Road  
Richmond, MA 01254

**SECTION 10 - VOICE OVER INTERNET PROTOCOL –  
PUBLIC SWITCHED TELEPHONE NETWORK ("VOIP - PSTN") TRAFFIC, Continued**

10.3. Initial PVU-A Factor

If the PVU-A factor is not available and/or cannot be implemented in Company's billing systems by May 1, 2013, the Company will adjust the Customer's initial PVU-A to zero retroactively to May 1, 2013.

10.4. PVU Factor Updates

The Customer may update the PVU-A factor quarterly. The Customer shall submit such update no later than the 15th day of January, April, July, and October of each year. Revised PVU factors must be based on the 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 factor to calculate a revised PVU. The revised PVU will be used for future billing and will be effective on the bill date of each month and will be used for subsequent monthly billing until superseded by a new PVU factor. No prorating or back billing will be done based on the updated PVU factors. The PVU factor will be billed beginning on May 1, 2013.

10.5. PVU Factor Verification

Not more than twice in any year, Company may ask the Customer to verify the PVU-A factor furnished to Company and a Customer may ask 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.

10.6 VoIP-PSTN Traffic Rates

Originating, per access minute

Please refer to Sections 9.2.3, 9.2.4, and 9.2.5.

(T)(R)

Terminating, per access minute

Please refer to Sections 9.2.3, 9.2.4, and 9.2.5.

(T)(R)

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