



13865 Sunrise Valley Drive
Herndon, VA 20171

VIA ELECTRONIC FILING

January 5, 2012

Mr. Doug Dean
Executive Director
Colorado Public Utilities Commission
1560 Broadway, Suite 250
Denver, CO 80202

Re: *XO Communications Services, Inc. Colorado P.U.C. Tariff No. 7 Revisions
Advice Letter No. 99*

Dear Mr. Dean:

Please find an original copy and ten copies of XO Communications Services, Inc. P.U.C. Tariff No. 7 revisions, Advice Letter No. 99. This filing introduces tariff language for treatment of Toll VoIP-PSTN Traffic pursuant to the Federal Communications Commission's Part 51 Interconnection Rules and in compliance with the Federal Communications Commission's Report and Order and Further Notice of Proposed Rulemaking in CC Docket Nos. 96-45 and 01-92; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135 and 10-90; and WT Docket No. 10-208, adopted October 27, 2011 and released November 18, 2011 ("FCC 11-161"). This filing also includes the addition of tariff language to specify the call signaling information the Customer is required to transmit on traffic handed off to the Company for termination.

The following revised pages have been included with this filing:

10th Revised Page 2	Original Page 29.1
1st Revised Page 4	Original Page 29.2
2nd Revised Page 9	Original Page 29.3
2nd Revised Page 10	Original Page 29.4
1st Revised Page 11	Original Page 29.5
1st Revised Page 29	Original Page 29.6

These revisions are being filed with an issued date of January 6, 2012 and an effective date of January 23, 2012.

Should you have any questions, please contact me by telephone at (703)547-2635 or by email at daniel.ostroff@xo.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Ostroff'.

Daniel G. Ostroff
Senior Regulatory Analyst

Enclosures

XO Communications Services, Inc.

CO P.U.C. Tariff No. 7
 10th Revised Page 2
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INTRASTATE ACCESS SERVICES

CHECK SHEET

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

PAGE	REVISION		PAGE	REVISION		PAGE	REVISION
Title	Original		29.6	Original	*	64	Original
1	Original		30	Original		65	Original
2	10th Rev.	*	31	Original		66	Original
3	1st Rev.		32	Original		67	Original
4	1st Rev.	*	33	Original		68	Original
5	Original		34	Original		69	Original
6	2 nd Rev.		35	Original		70	Original
7	Original		36	1st Rev.		71	Original
8	1st Rev.		36.1	Original		72	Original
9	2nd Rev.	*	37	2 nd Rev.		73	Original
10	2nd Rev.	*	38	Original		74	Original
11	1st Rev.	*	39	Original		75	Original
12	Original		40	Original		76	Original
13	1st Rev.		41	Original		77	Original
14	Original		42	Original		78	Original
15	Original		43	Original		79	Original
16	Original		44	Original		80	2nd Rev.
17	Original		45	Original		81	Original
18	Original		46	Original		82	Original
19	Original		47	Original		83	1st Rev.
20	Original		48	Original		84	1st Rev.
21	Original		49	Original		85	Original
22	Original		50	Original		86	Original
23	Original		51	Original		87	1st Rev.
24	Original		52	Original		88	1st Rev.
25	Original		53	Original		88.1	Original
26	1st Rev.		54	Original		89	Original
27	Original		55	Original		90	Original
28	Original		56	Original			
29	1st Rev.	*	57	Original			
29.1	Original	*	58	Original			
29.2	Original	*	59	2nd Rev.			
29.3	Original	*	61	1 st Rev.			
29.4	Original	*	62	Original			
29.5	Original	*	63	Original			

* - indicates those pages included with this filing

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INTRASTATE ACCESS SERVICES

SECTION 1 - DEFINITIONS

Access Service - Switched or Special Access to the network of any Interconnecting Carrier for the purpose of originating or terminating communications.

Advance Payment - Part or all of a payment required before the start of service.

Automatic Number Identification (ANI) – The Multi-Frequency (MF) signaling parameter that identifies the billing number of the calling party. (N)
(N)

Bit - The smallest unit of a payment required before the start of service.

Calling Party Number (CPN) – The SS7 signaling parameter that identifies the subscriber line number or directory number of the calling party. (N)
|

Charge Number (CN) – The SS7 signaling parameter that identifies the billing telephone number of the calling party. (N)

Company - XO Communications Services, Inc., the issuer of this tariff, which is a Delaware corporation. (C)

Customer - The person, firm, corporation, government entity, or other entity which subscribes to or uses, and is therefore responsible for the payment of charges and compliance with the Company's regulations, the services offered under this tariff, including both Interexchange Carriers (IXCs) and End Users.

Dedicated - A facility or equipment system or subsystem set aside for the sole use of a specific Customer.

Duplex Service - Service which provides for simultaneous transmission in both directions.

End User - Any customer of an intrastate communications service that is not a common carrier; provided that a common carrier other than a telephone company shall be deemed to be an "end user" when such common carrier uses a communications service for administrative purposes, and a person or entity that offers communications service exclusively as a reseller shall be deemed to be an "end user" if all resale transmissions offered by such reseller originate on the premises of such reseller.

Fiber Optic Cable - A thin filament of glass with a protective outer coating through which a light beam carrying communications signals may be transmitted by means of multiple internal reflections to a receiver, which translates the message.

Individual Case Basis (ICB) - A service arrangement in which the regulations, rates and charges are developed based on the specific circumstances of the case.

IntraLATA Service - Service which originates and terminates within the same Local Access Transport Area (LATA).

Interconnecting Carrier - Any carrier that connects to the Company's network for exchange of communications traffic.

InterLATA Service - Service which originates within one Local Access Area Transport Area (LATA) and terminates in a different LATA.

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INTRASTATE ACCESS SERVICES

SECTION 1 – DEFINITIONS, (CONT'D.)

- Internet Protocol (IP) Signaling** – A packet data-oriented protocol used for communications call signaling information. (N)
- Local Access** - Local Access means the connection between a Customer premises and Company Point of Presence. (M)
- Mbps** - Megabits per second. (M)
- Multi-Frequency (MF) Signaling** - An in-band signaling method in the which call signaling information is transmitted between network switches using the same voice band channel used for voice. (N)
- Network** - The Company's digital fiber optics-based network. (N)
- Network Services** - The Company's telecommunications access services offered on the Company's Network.
- Node** - The Company office where all Customer facilities are terminated for purposes of interconnection to trunks and/or cross-connection to distant ends.
- Non-Recurring Charges** - The one-time initial charges for services or facilities, including but not limited to charges for construction, installation, or special fees, for which the Customer becomes liable at the time a Service Order is executed.
- Originating On-Net** - A call originating on and placed via company owned facilities or a combination of company owned and leased facilities.
- Originating Off-Net** - A call originating on and placed via non-company owned facilities or a combination of non-company owned and leased facilities.
- PIU** - Percent Interstate Usage
- Point to Point Service** - Point to Point Service is an unswitched full time transmission service utilizing the Company's facilities to connect two or more Customer designated locations.
- Premises** - Denotes a building or buildings on contiguous property (except railroad right-of-way, etc.) not separated by a public highway.
- Recurring Charges** - The monthly charges to the Customer for services, facilities and equipment, which continue for the agreed upon duration of the service.

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INTRASTATE ACCESS SERVICES

SECTION 1 – DEFINITIONS, (CONT'D.)

Service Commencement Date - The first day following the date on which the Company notifies the Customer that the requested service or facility is available for use, unless extended by the Customer's refusal to accept service which does not conform to standards set forth in the Service Order or this tariff, in which case the Service Commencement Date is the date of the Customer's acceptance. The parties may mutually agree on a substitute Service Commencement Date. In any case, the Service Commencement Date is no later than the date that the Customer uses the Company's Service.

(M)

(M)

Service Order - The written request for Network Services executed by the Customer and The Company in the format devised by the Company or the use of Company Services by the Customer. The signing of a Service Order by the Customer and acceptance by the Company or the use of Company Services by the Customer initiates the respective obligations of the parties as set forth therein and pursuant to this tariff.

Service - The Company's telecommunications access service offered on the Company's network and provided to the Customer by the Company either pursuant to a written request for Network Services or through the Customer's use of the Company's Services.

Shared - A facility or equipment system or subsystem which can be used simultaneously by several Customers.

Special Access Service - Dedicated access between a Customer's Premises and another Point of Presence for the purpose of originating or terminating communications.

Switched Access Service - Access to the switched network of an Exchange Carrier for the purpose of originating or terminating communications.

Toll VoIP-PSTN Traffic -Interexchange voice traffic that (1) is exchanged with the Company in Time Division Multiplexing ("TDM") format over Public Switched Telephone Network ("PSTN") facilities and (2) originates and/or terminates in IP format when it originates from and/or terminates to an end user of a service that requires IP-compatible customer premises equipment.

(N)

(N)

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INTRASTATE ACCESS SERVICES

SECTION 2 – REGULATIONS, (CONT'D.)

2.3 Obligations to the Customer, (Cont'd.)

2.3.3 Jurisdictional Reporting, (cont'd.)

2.3.3.6 Determination of Jurisdiction of Mixed Use Special Access Service

When an ASR is submitted for interstate and intrastate Special Access Service or the Customer uses such services, the Customer will provide to the Company an estimate of whether the interstate traffic will comprise more than 10 percent or less than 10 percent of total traffic. For existing services, the Customer is required to certify the jurisdiction of its service.

- (a) If the Customer estimates that the interstate traffic on the service involved constitutes more than 10 percent of the Customer's total traffic on that service, the service will be provided in accordance with the applicable rules and regulations of XO's Federal Access Tariff (FCC No. 4).
- (b) If the Customer estimates that the interstate traffic on the service involved constitutes 10 percent or less of the Customer's total traffic on that service, the service will be provided in accordance with the applicable rules and regulations of this tariff.

2.3.4 Identification and Rating of Toll VoIP-PSTN Traffic

A. Scope

1. Toll VoIP-PSTN Traffic is a Customer's interexchange voice traffic that (1) is exchanged with the Company in Time Division Multiplexing ("TDM") format over Public Switched Telephone Network ("PSTN") facilities and (2) originates and/or terminates in Internet Protocol (IP) format. Toll VoIP-PSTN Traffic originates and/or terminates in IP format when it originates from and/or terminates to an end user of a service that requires IP-compatible customer premises equipment.
2. In the absence of an agreement between the Company and the Customer specifying the treatment of Toll VoIP-PSTN Traffic, this section governs the treatment of Toll VoIP-PSTN Traffic pursuant to the Federal Communications Commission's Part 51 Interconnection Rules and in compliance with the Federal Communications Commission's Report and

(N)

(N)

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SECTION 2 – REGULATIONS, (CONT'D.)

2.3 Obligations to the Customer, (Cont'd.)

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

A. Scope (Cont'd)

2. (Cont'd)

Order and Further Notice of Proposed Rulemaking in CC Docket Nos. 96-45 and 01-92; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135 and 10-90; and WT Docket No. 10-08, adopted October 27, 2011 and released November 18, 2011 (“FCC 11-161”)

3. This section will be applied to identify intrastate Toll VoIP-PSTN Traffic exchanged with a Customer that is a local exchange carrier only to the extent that the Customer has also implemented billing for intrastate Toll VoIP-PSTN Traffic in accordance with FCC 11-161.

B. Rating of Toll VoIP-PSTN Traffic

As of December 29, 2011, all interstate Toll VoIP-PSTN Traffic and any intrastate Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Company’s interstate switched access rates as provided in sections 5 and 6 of Tariff FCC No. 1.

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

The Company will determine the number of intrastate Toll VoIP-PSTN Traffic minutes of use (“MOU”) to which interstate switched access rates will be applied under section 2.3.4.B, above, by applying a Percent VoIP Usage (“PVU”) factor to the total terminating intrastate access MOU received by the Company from the Customer. The PVU will be derived and applied as follows:

1. The Customer will calculate and furnish to the Company a factor (the “PVU-C”) representing the percentage of the total intrastate and interstate switched access MOU that the Customer terminates to the Company in the state, that (a) is sent to the Company and that originated in IP format; or (b) is received from the Company and terminated in IP format. This PVU-C 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.

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INTRASTATE ACCESS SERVICE

SECTION 2 – REGULATIONS, (CONT'D.)

2.3 Obligations to the Customer (Cont'd)

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

C. Calculation and Application of Percent-VoIP-Usage Factor (Cont'd)

2. The Company will, likewise, calculate a factor (the "PVU-X") representing the percentage of the Company's total intrastate and interstate access MOU in the state that the Company originates or terminates on its network in IP format. This PVU-X 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.
3. The Company will use the PVU-C and PVU-X factors to calculate a PVU factor that represents the percentage of total intrastate and interstate access MOU exchanged between the Company and the Customer that is originated or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends. The PVU factor will be calculated as the sum of: (A) the PVU-C factor and (B) the PVU-X factor times (1.0 minus the PVU-C factor).
4. The Company will apply the PVU factor to the total intrastate access MOU received from the Customer in order to determine the number of intrastate Toll VoIP-PSTN Traffic MOU.

Example 1: The PVU-C is 40% and the PVU-X is 10%. The PVU factor is equal to $40\% + (10\% \times 60\%) = 46\%$. The Company will bill 46% of the Customer's intrastate access MOU at the Company's tariffed interstate switched access rates.

Example 2: The PVU-C is 0% and the PVU-X is 10%. The PVU factor is equal to $0\% + (10\% \times 100\%) = 10\%$. The Company will bill 10% of the Customer's intrastate access MOU at the Company's tariffed interstate switched access rates.

Example 3: The PVU-C is 100%. No matter what the PVU-X factor is, the PVU is 100%. The Company will bill 100% of the Customer's intrastate access MOU at the Company's tariffed interstate switched access rates.

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INTRASTATE ACCESS SERVICE

SECTION 2 – REGULATIONS, (CONT'D.)

2.3 Obligations to the Customer (Cont'd)

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

C. Calculation and Application of Percent-VoIP-Usage Factor (Cont'd)

5. The Customer shall not modify its reported PIU factor to account for Toll VoIP-PSTN Traffic.
6. The Customer shall retain any call detail, work papers and information used to develop the PVU-C factor for a minimum of one year.
7. If the Customer does not furnish the Company with a PVU-C pursuant to section 2.3.4.C.1, above, the Company will utilize a PVU-C equal to zero.

D. Initial PVU factor

1. If the PVU factor cannot be implemented in the Company's billing systems by December 29, 2011, once the factor can be implemented, the Company will adjust the Customer's bills to reflect the PVU factor retroactively to December 29, 2011. In calculating the initial PVU, the Company will take the Customer-specified PVU-C into account retroactively to December 29, 2011, provided that the Customer provides the PVU-C factor to the Company no later than April 15, 2012; otherwise, the Company will set the initial PVU-C equal to zero and calculate the PVU accordingly.
2. The Company may choose to provide credits based on the PVU-C and PVU-X factors on a quarterly basis until such time as billing system modifications can be implemented.

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SECTION 2 – REGULATIONS, (CONT'D.)

2.3 Obligations to the Customer (Cont'd)

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

E. PVU Factor Updates

1. The Customer may update the PVU-C factor quarterly using the method set forth in section 2.3.4.C.1, above. If the Customer chooses to submit such updates, it shall provide 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-C factor based on data for the prior three months, ending the last day of December, March, June, and September, respectively.
2. The Company may, likewise, update the PVU-X factor quarterly based on data for the prior three months.
3. The Company will use any revised PVU-C and/or PVU-X factors to calculate a revised PVU that will apply prospectively and serve as the basis for subsequent billing until superseded by a new PVU. No prorating or backbilling will be done based on the updated PVU-C or PVU-X factors.

F. PVU Factor Verification

1. Not more than twice in any year, the Company may request from the Customer an overview of the process used to determine the PVU-C factor, the call detail records, description of the method for determining how the end user originates or terminates calls in IP format, and other information used to determine the Customer's PVU-C factors furnished to the Company in order to validate the PVU-C factor supplied. The Customer shall supply the requested data and information within 15 days of the Company's request.

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SECTION 2 – REGULATIONS, (CONT'D.)

2.3 Obligations to the Customer (Cont'd)

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

F. PVU Factor Verification (Cont'd)

2. The Company may dispute the Customer's PVU-C factor based upon:
 - (a) A review of the requested data and information provided by the Customer.
 - (b) The Company's review of other market information, FCC reports on VoIP lines, such as FCC Form 477 or state level results based on FCC Local Competition Report or other relevant data.
 - (c) A change in the reported PVU-C factor by more than five percentage points from the preceding quarter.
3. If, after review of the data and information, the Customer and the Company agree upon a revised PVU-C factor, the Customer and the Company will begin using that revised PVU-C factor with the next bill period.
4. If the dispute is unresolved, the Company may initiate an audit. The Company shall limit audits of the Customer's PVU-C factor to no more than two times 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.
 - (a) 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-C factor, the Company will bill the usage for all contested periods using the most recent undisputed PVU-C factors reported by the Customer. This PVU-C factor will remain in effect until the audit can be completed.
 - (b) The Company will adjust the Customer's PVU-C factor based on the results of the audit and implement the revised PVU-C in the next billing period or quarterly report date, whichever is first. The revised PVU-C factor will apply for the next two quarters before new factors can be submitted by the Customer.

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SECTION 2 – REGULATIONS, (CONT'D.)

2.3 Obligations to the Customer (Cont'd)

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

F. PVU Factor Verification (Cont'd)

- (c) If the audit supports the disputed PVU-C factor submitted by the Customer, the usage for the contested periods will be adjusted to reflect such PVU-C factor.

2.3.5 Call Signaling

Depending on the signaling system used by the Customer in its network, the Customer's facilities shall transmit the following call signaling information to the Company on traffic the Customer's end users originate which is handed off for termination on the Company's network.

A. Signaling System 7 (SS7) Signaling

When the Customer uses SS7 signaling, it will transmit the Calling Party Number (CPN) or, if different from the CPN, the Charge Number (CN) information in the SS7 signaling stream.

B. Multi-Frequency (MF) Signaling

When the Customer uses MF signaling, it will transmit the number of the calling party or, if different from the number of the calling party, the Charge Number (CN) information in the MF Automatic Number Identification (ANI) field.

C. Internet Protocol (IP) Signaling

When the Customer uses IP signaling, it will transmit the telephone number of the calling party or, if different from the telephone number, the billing number of the calling party.