**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Petition of Verizon Pennsylvania LLC and :

Verizon North LLC for Competitive Classification : P-2014-2446303

Of All Retail Services In Certain Geographic Areas, : P-2014-2446304

And For A Waiver Of Regulations For Competitive :

Services :

**ORDER CERTIFYING THE RECORD**

On October 6, 2014, Verizon Pennsylvania LLC and Verizon North LLC (collectively referred to as Verizon or “the Companies”) filed with the Pennsylvania Public Utility Commission separate Petitions pursuant to Section 3016(a) of the Public Utility Code seeking to declare as competitive all protected or noncompetitive retail services offered by Verizon within their Philadelphia, Erie, Scranton-Wilkes Barre, Harrisburg, Pittsburgh, Allentown and York service regions. The Petitions also requested waivers of Commission regulations for competitive services. Pursuant to Section 5.14 of the Commission’s regulations, notice of the filings was published in the Pennsylvania Bulletin on October 11, 2014 establishing a ten (10) day period for submitting formal Protests. On October 6, 2014, the Commission assigned the filings to the Office of Administrative Law Judge for an expedited process resulting in a certification of the record to the full Commission after the submission of main and reply briefs. Also on October 6, 2014, Verizon filed a Petition for Protective Order.

On October 9, 2014, the Commission issued a Prehearing Conference Notice establishing an Initial Prehearing Conference for this case for Thursday, October 23, 2014 at 1:00 p.m. in Hearing Room 1 of the Commonwealth Keystone Building in Harrisburg and assigning me as the Presiding Officer. A Prehearing Conference Order dated October 9, 2014 was issued setting forth various procedural issues that would govern the Initial Prehearing Conference.

On October 17, 2014, the Office of Consumer Advocate (OCA) filed a Protest and Public Statement. On October 20, 2014, AT&T Corp. and Teleport Communications America, LLC (collectively “AT&T”) filed a Petition to Intervene, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed an Answer and Petition to Intervene, the Communications Workers of America and International Brotherhood of Electrical Workers (CWA) filed a Protest and Answer and Full Service Network (FSN) filed a Petition to Intervene. On October 21, 2014, the Pennsylvania Telephone Association (PTA) filed a Petition to Intervene and the Office of Small Business Advocate (OSBA) filed a Notice of Intervention, Verification, Public Statement and Notice of Appearance. On October 23, 2014, Verizon filed an Answer to AT&T’s Petition to Intervene.

The Initial Prehearing Conference convened on Thursday, October 23, 2014, as scheduled. During the Initial Prehearing Conference, various procedural matters were discussed. A Scheduling Order dated October 24, 2014 was issued memorializing the issues that were agreed to during the Initial Prehearing Conference. The parties were reminded that Commission policy promotes settlement. 52 Pa.Code § 5.231(a). The parties were encouraged to commence settlement discussions as early as possible. An Order Granting Protective Order was also issued on October 24, 2014 formally adopting the Protective Order proposed by Verizon for use in this proceeding. On October 27, 2014, the Commission issued a Hearing Notice formally establishing the Hearing dates for this matter for December 17-19, 2014.

The following pre-served testimony was circulated by the parties pursuant to the procedural schedule memorialized in the Scheduling Order:

**Verizon**

Verizon Statement Number 1 (Vasington Direct)

Verizon Statement Number 2 (Vasington Rebuttal)

**AT&T**

Statement Number 1 (Direct Testimony of Nurse and Oyefusi)

Statement Number 1.1 (Rebuttal Testimony of Nurse and Oyefusi)

Statement Number 1.2 (Surrebuttal Testimony of Nurse and Oyefusi)

**CWA**

Statement Number 1 (Direct Testimony of Baldwin)

Statement Number 1S (Surrebuttal Testimony of Baldwin)

Statement Number 2 (Direct Testimony of Dvorak)

Statement Number 3 (Direct Testimony of Gardler)

Statement Number 4 (Direct Testimony of Dezzi)

**OCA**

Statement Number 1 (Direct Testimony of Loube)

Statement Number 1-R (Rebuttal Testimony of Loube)

Statement Number 1-S (Surrebuttal Testimony of Loube)

**FSN**

Statement Number 1 (Direct Testimony of Honeywill)

Statement Number 1-SR (Surrebuttal Testimony of Honeywill)

**CAUSE-PA**

Statement Number 1 (Direct Testimony of Miller)

Statement Number 1-SR (Surrebuttal Testimony of Miller)

Statement Number 2 (Direct Testimony of Pinsker)

The evidentiary Hearing commenced, as scheduled, on December 17, 2014 for purposes of admitting into the record, subject to cross-examination and timely objections, the written testimony that had been pre-served by the parties. The following counsel entered an appearance at the Hearing: Susan Paiva, Esquire, on behalf of Verizon; Barrett C. Sheridan, Esquire and Aron Beatty, Esquire, on behalf of the OCA; Michelle Painter, Esquire, Mary Burgess, Esquire, and J. Tyson Covey, Esquire, on behalf of AT&T; Deanne O’Dell, Esquire, on behalf of FSN; Charles E. Thomas, III, Esquire, on behalf of PTA; Scott J. Rubin, Esquire, on behalf of CWE; and, Elizabeth Marx, Esquire, on behalf of CAUSE-PA. At the conclusion of the Hearing, various procedural issues were discussed relating to the submission of Main and Reply Briefs. A Briefing Order dated December 22, 2014 was issued memorializing the matters discussed relating to Briefs. A transcript of 169 pages was created and submitted to the Commission on December 23, 2014.

On December 29, 2014, Verizon filed a Response to Subject to Check Items from December 17, 2014 Hearing and Motion for Admission of Supplemental Exhibits. Attached to Verizon’s Motion were Supplemental Exhibits 1 through 5. No Answers were received in response to Verizon’s Motion. An Order Granting Motion for Admission of Supplemental Exhibits was issued January 6, 2015. The record in this matter closed on January 6, 2015, the date Verizon’s Supplemental Exhibits were admitted into the record.

Pursuant to the Briefing Order, Main Briefs were submitted on January 8, 2015 by Verizon, AT&T, FSN, PTA, CAUSE-PA, OCA and CWA. Reply Briefs were submitted on January 16, 2015 by Verizon, AT&T, FSN, CAUSE-PA, OCA and CWA.

This Order is being issued pursuant to the Commission’s October 6, 2014 letter directing that the record of this proceeding be Certified.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the transcript of the evidentiary Hearing held on Wednesday, December 17, 2014 in the above captioned dockets is admitted into the record.
2. That the Joint Petition of Verizon Pennsylvania LLC and Verizon North LLC for Competitive Classification of all Retail Services in Certain Geographic Areas, and for a Waiver of Regulations for Competitive Services, dated October 6, 2014 at Docket Numbers P‑2014-2446303 and P-2014-2446304, is admitted into the record.
3. That the Direct Testimony and Rebuttal Testimony of Paul B. Vasington, and accompanying attachments, and Cross-Examination Exhibit Numbers 1 through 9, Rejoinder Exhibits Number 1 and Supplemental Exhibit Numbers 1 through 5 on behalf of Verizon Pennsylvania LLC and Verizon North LLC, and Main and Reply Briefs, are admitted into the record.
4. That the Panel Direct Testimony, Panel Rebuttal Testimony and Panel Surrebuttal Testimony of E. Christopher Nurse and Dr. Ola A. Oyefusi on behalf of AT&T Corp. and Teleport Communications of America, LLC, and accompanying attachments, and Main and Reply Briefs, are admitted into the record.
5. That the Direct Testimony, Rebuttal Testimony and Surrebuttal Testimony of Dr. Robert Loube on behalf of the Office of Consumer Advocate, and accompanying attachments, and Main and Reply Briefs, are admitted into the record.
6. That the Direct Testimony and Surrebuttal Testimony of Susan M. Baldwin, the Direct Testimony of Jeremy Dvorak, the Direct Testimony of James J. Gardler and the Direct Testimony of Richard R. Dezzi, on behalf of the Communications Workers of America and International Brotherhood of Electrical Workers, and accompanying attachments, and Cross-Examination Exhibit Numbers 1 through 5, and Main and Reply Briefs, are admitted into the record.
7. That the Direct Testimony and Surrrebuttal Testimony of Mitch Miller and the Direct Testimony of Rachel Pinsker on behalf of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania, and accompanying attachments, and Main and Reply Briefs, are admitted into the record.
8. That the Direct Testimony and Surrebuttal Testimony of Christopher Honeywill on behalf of Full Service Network, LP, and accompanying attachments, and Main and Reply Briefs, are admitted into the record.
9. That the Main Brief of the Pennsylvania Telephone Association is admitted in to the record.
10. That the record at Docket Numbers P-2014-2446303 and P-2014-2446304 is certified to the Pennsylvania Public Utility Commission for its consideration.

Date: January 16, 2015

Joel H. Cheskis

Administrative Law Judge

**P-2014-2446303 & P-2014-2446304 - Joint Petition of Verizon Pennsylvania LLC and Verizon North LLC for Competitive Classification of all Retail Services in Certain Geographic Areas, and for a Waiver of Regulations for Competitive Services**

*(Revised 10/30/14)*

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