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January 15, 2010

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Public Utility Commission  
Philadelphia Office  
Administrative Law Judge**Via Federal Express and Email**Hon. Angela T. Jones  
Administrative Law Judge  
Commonwealth of Pennsylvania  
PA Public Utility Commission  
801 Market Street, Suite 4063  
Philadelphia, PA 19107Re: Core Communications, Inc. v. AT&T Communications of PA, LLC, and TCG  
Pittsburgh, Inc., Docket Nos. C-2009-2108186 and C-2009-2108239

Dear Judge Jones:

I am writing to respond to AT&T's January 14, 2010 letter wherein AT&T asks (for the third time) that the procedural schedule be immediately suspended. AT&T's actions to try to inject unnecessary delay into this proceeding are not surprising since AT&T adamantly refuses to pay Core anything for the substantial amount of traffic it sends to Core for termination and AT&T refuses to negotiate any agreement with Core whereby AT&T will agree to pay any amount. This latest letter arguing that the United States Court of Appeals for the District of Columbia Circuit has already decided this matter for Your Honor adds nothing to the debate. As explained in Core's Answer to AT&T's Motion to Dismiss, the *ISP Remand Order* (whether affirmed or vacated by an appellate court) does not control the issue involved in this case which is the exchange of ISP-bound traffic between two CLECs, nor was this direct issue before the District Court on appeal. Core respectfully requests that Your Honor reject AT&T's transparent and self-serving actions and make clear that the hearings will proceed according to the schedule agreed to by both parties over four months ago.

As Your Honor may recall, AT&T first requested a suspension of the procedural schedule days prior to the due date of its Rebuttal Testimony with the filing of its Motion to Dismiss on December 8, 2009. Core fully responded to AT&T's Motion on December 28, 2009. At that point, AT&T's request was ripe for a decision and such a decision could have been made well in advance of the scheduled February 2 and 3 hearing dates.

Not content to stand on the merits of its Motion to Dismiss in combination with Core's Answer, AT&T filed a Motion for Leave to file a reply to Core's answer, a request for oral argument on the jurisdiction issue and again asked for a suspension of the procedural schedule on January 6, 2010. As Core's Answer to this latest motion is due on January 26, 2010 (a week prior to the

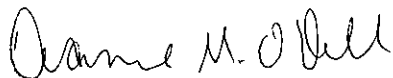
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hearing), AT&T effectively short circuited any hope of getting a resolution of its Motion prior to the scheduled hearing dates. This was AT&T's choice as the jurisdictional issue could have been decided months ago and moving forward with Core's complaint should not be delayed by AT&T's out-of-time and procedurally inappropriate maneuvers.

As will be explained more fully in Core's Answer to AT&T's Motion for Leave, the procedural rules relied upon by AT&T do not justify consideration of its reply. Moreover, AT&T offers nothing new or viable on a substantive basis in its reply to support its Motion to Dismiss instead relying on an FCC Order from 1999 that was vacated and replaced by the *ISP Remand Order* which is not controlling on the issue in Core's complaint.

As stated above, Core plans to fully respond to AT&T's Motion for Leave on or before January 26, 2010 and respectfully requests that no decision be made regarding AT&T's request to stay the procedural schedule until after review of that response.

Sincerely yours,



Deanne M. O'Dell, Esq.

DMO/lww

cc: Michelle Painter, Esq.  
Theodore A. Livingston, Esq.  
Kara K. Gibney, Esq.  
James McNulty, Secretary