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July 1, 2010

VIA HAND DELIVERY

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED
2010 JUL - 1 PM 4:03
PA PUC
SECRETARY'S BUREAU

Re: Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Select Services Inc., Verizon Global Networks, Inc., MCI metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc.

v.

Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., and FiberNet Telecommunications of Pennsylvania, LLC

Docket Nos. C-20077672, C-20077674 and C-20077676

Dear Secretary Chiavetta:

Please accept this letter as the Motion of the Respondents for an extension of time to file Exceptions to the Recommended Decision ("R.D.") issued in the above-captioned proceeding. Specifically, the Respondents (Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., and FiberNet Telecommunications of Pennsylvania, LLC) respectfully request an additional ten (10) days to file their Exceptions to the R.D. The requested ten day extension would make the deadline for filing Exceptions July 17, 2010.

Please note that the Complainants in this case have consented to the grant of the ten-day extension. Furthermore, in accordance with 52 Pa. Code § 1.15, the Respondents can demonstrate good cause for granting the requested extension, as set forth more fully below.

After three years of pleadings, evidentiary hearings, mediation, briefing, and supplemental briefing, the R.D. in this consolidated proceeding was issued on Thursday, June 17, 2010. Accordingly, under 52 Pa. Code §5.533 Exceptions to the R.D. are currently due on or before July 7, 2010.

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A PROFESSIONAL CORPORATION

Secretary Chiavetta
June 30, 2010

A 10-day extension to the Exceptions filing period is warranted in this case for several reasons. First, while the R.D. was issued by the Secretary's Bureau on June 17, the R.D. was not received by Respondents' counsel until Monday, June 21, as indicated on the attached copy of the Secretarial Letter which accompanied the R.D. Therefore, by the time the R.D. was received, only 16 days remained to file Exceptions to the R.D.

Secondly, the 16-day period between the receipt of the R.D. and the deadline for Exceptions includes the extended July 4th holiday weekend and another weekend, thereby further limiting the number of working days that can be devoted to analyzing the R.D. and drafting Exceptions.

Additionally, all of the Respondents' attorneys who have entered their appearances in this proceeding were, or will be, out of their respective offices for multiple days attending to family obligations during the Exceptions period. Respondent's counsel John Dodge was in Maine, with limited access to phone, internet and email, from June 25 through June 28. Michael Gruin was in Massachusetts from June 23 through June 27 for a family wedding, and Renardo Hicks departed on June 30 for an extended overseas trip to attend his oldest daughter's wedding in the U.S. Virgin Islands.

Furthermore, it must be noted that this proceeding involves highly complex issues of fact and law that will have serious policy implications for the telecommunications industry in Pennsylvania. These consolidated cases have taken nearly three full years to litigate, and they include voluminous evidentiary records. The cases also have significant financial implications for both the Complainants and the Respondents. Therefore, both the public interest and the rights of the parties will be served by allowing 10 additional days to fully examine the many facets of the R.D. and develop thorough and refined Exceptions for the Commission's review. Additionally, it should be noted that in a nearly identical case involving the same complex issues as the present case, the Commission granted the Respondents a 10-day extension for the filing of Exceptions. See *Verizon Pennsylvania, Inc., et al. v. Penn Telecom, Inc.*, Docket No. C-200656987 (Opinion and Order issued August 29, 2008), at footnote 1. The same extension is warranted here.

Thank you for your consideration of this request. If you have any questions in connection with this request, please feel free to contact me.

Very truly yours,

STEVENS & LEE



Michael A. Gruin

Attachment

cc: Suzan Paiva, counsel for Verizon
Cheryl Walker-Davis, Office of Special Assistants



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

ISSUED: June 17, 2010

PROPRIETARY

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JUN 21 2010

C-20077672
C-20077674
C-20077676

TO ALL PARTIES:

STEVENS & LEE

Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc.
d/b/a Verizon Long Distance, Verizon Select Services, Inc., Verizon Global
Networks, Inc., MCImetro Access Transmission Services, LLC d/b/a Verizon Access
Transmission Services and MCI Communications Services, Inc.

v.

CTC Communications Corporation
FiberNet Telecommunications of Pennsylvania, LLC
Choice One Communications of Pennsylvania.

TO WHOM IT MAY CONCERN:

Enclosed is a copy of the Recommended Decision of Administrative Law Judge Louis G. Cocheres. This decision is being issued and mailed to all parties on the above specified date.

If you do not agree with any part of this decision, you may send written comments (called Exceptions) to the Commission. Specifically, an original and nine (9) copies of your signed exceptions MUST BE FILED WITH THE SECRETARY OF THE COMMISSION 2ND FLOOR, KEYSTONE BUILDING, 400 NORTH STREET, HARRISBURG, PA OR MAILED TO P.O. BOX 3265, HARRISBURG, PA 17105-3265, within **twenty (20) days** of the issuance date of this letter. The signed exceptions will be deemed filed on the date actually received by the Secretary of the Commission or on the date deposited in the mail as shown on U.S. Postal Service Form 3817 certificate of mailing attached to the cover of the original document (52 Pa. Code §1.11(a)) or on the date deposited with an overnight express package delivery service (52 Pa. Code 1.11(a)(2), (b)). If your exceptions are sent by mail, please use the address shown at the top of this letter. A copy of your exceptions must also be served on each party of record. 52 Pa. Code §1.56(b) cannot be used to extend the prescribed period for the filing of exceptions/reply exceptions. A certificate of service shall be attached to the filed exceptions.

Replies to exceptions, if any, must be served on the Secretary of the Commission, in the manner described above, within **ten (10) days** of the date that the exceptions are due.

Exceptions and reply exceptions shall obey 52 Pa. Code 5.533 and 5.535 particularly the 40-page limit for exceptions and the 25-page limit for replies to exceptions. Exceptions should clearly be labeled as "EXCEPTIONS OF (name of party) - (protestant, complainant, staff, etc.)". Any reference to specific sections of the Administrative Law Judge's Recommended Decision shall include the page number(s) of the cited section of the decision. All timely filed exceptions and replies thereto will be attached to the decision for consideration at Public Meeting. Late filed exceptions and/or late filed replies might not be considered by the Commission.

Very truly yours,

Rosemary Chiavetta
Secretary

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Certified Mail
Receipt Requested

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