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January 11, 2011

**VIA ELECTRONIC FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

**RE: Verizon Pennsylvania Inc., Verizon North Retain Co. f/k/a 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.**

**CTC Communications Corporation, FiberNet Telecommunications of Pennsylvania, LLC, and Choice One Communications of Pennsylvania, Inc.,  
Docket Nos. C-20077672, C-20077674 and C-20077676**

Dear Secretary Chiavetta:

Enclosed please find the Joint Motion To Stay Proceedings, being filed on behalf of the Complainants and of the Respondents, in the above referenced matter.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Suzan D. Paiva".

Suzan D. Paiva

SDP/slb  
Enclosure

**VIA E-MAIL and U.S. MAIL**  
cc: Cheryl Walker Davis, Esquire  
Attached Certificate of Service

**CERTIFICATE OF SERVICE**

I, Suzan D. Paiva, hereby certify that I have this day served a copy of the parties' Joint Motion To Stay Proceedings, upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Philadelphia, Pennsylvania, this 11<sup>th</sup> day of January, 2011.


**VIA E-MAIL and FIRST CLASS U.S. MAIL**

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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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.,	:	
	:	
Complainants	:	
	:	Docket No. C-20077672
v.	:	Docket No. C-20077674
	:	Docket No. C-20077676
Choice One Communications of	:	
Pennsylvania, Inc., CTC Communications	:	
Corp., and FiberNet Telecommunications	:	
of Pennsylvania, LLC,	:	
	:	
Respondents	:	

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**JOINT MOTION TO STAY PROCEEDINGS**

Pursuant to 52 Pa. Code § 5.103, Complainants Verizon Pennsylvania Inc., Verizon North LLC,<sup>1</sup> Verizon Long Distance LLC (f/k/a Bell Atlantic Communications, Inc.), 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 (“Complainants” or “Verizon”) and Respondents Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., and FiberNet

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<sup>1</sup> Verizon North LLC is the successor to Verizon North Inc. See *Application of Verizon North Inc.*, Docket Nos. A-2009-2111330, etc. (Opinion and Order entered November 19, 2009); *Application of Verizon North Retain Company*, A-2010-2193749 (Secretarial Letter dated November 8, 2010).

Telecommunications of Pennsylvania, LLC<sup>2</sup> (“Respondents” or “One Communications”), hereby stipulate and jointly move for a stay of further action on the above-captioned Complaint. The parties have reached an agreement in principle to resolve Verizon’s Complaint. The parties are working together to finalize the settlement terms and reduce the terms of settlement to a binding written settlement agreement and other documents, as appropriate. In order to conserve the resources of the Pennsylvania Public Utility Commission (“Commission”) and the parties, and to avoid the need for the issuance of a Final Order and the resulting post-Order Motions and appeals, the parties respectfully request that the Commission take no further action on this matter until such time as the parties notify the Commission in writing that a settlement has been finalized, or until such time as either of the parties notifies the Commission in writing otherwise. In support of this Joint Motion, the parties aver as follows:

1. On April 25, 2007, Verizon filed a complaint against the One Communications companies, alleging a violation of 66 Pa.C.S.A. §3017.
2. On May 31, 2007, One Communications filed its Answer and New Matter to Verizon’s complaint.
3. After the close of pleadings, the parties exchanged discovery and preserved written testimony.
4. The evidentiary hearing in this matter was held on January 16, 2008 before Administrative Law Judge Louis Cocheres.

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<sup>2</sup> FiberNet Telecommunications of Pennsylvania, LLC is now a wholly owned subsidiary of NTELOS, Inc. (see *Joint Application of NTELOS, Inc., NTELOS of West Virginia, Inc., One Communications Corp., Conversent Communications, Inc., Mountaineer Telecommunications, LLC, and FiberNet Telecommunications of Pennsylvania, LLC for Approval of the Acquisition by NTELOS, Inc. of all of the Equity Interests of Mountaineer Telecommunications, LLC Resulting in a Change of Control of FiberNet Telecommunications of Pennsylvania, LLC*, Docket No. A-2010-2195283, Order Entered October 21, 2010. NTELOS, Inc. has consented to the filing of this Motion.

5. Each party submitted Briefs and Reply Briefs.
6. ALJ Cocheres directed the parties to submit Supplemental Briefs to address certain issues. The parties' Supplemental Briefs were submitted on December 17, 2009.
7. On June 21, 2010, ALJ Cocheres issued his Recommended Decision in the case.
8. On July 19, 2010, One Communications filed Exceptions to the Recommended Decision.
9. On July 29, 2010 Verizon filed Reply Exceptions.
10. The case is now pending before Commission, awaiting the issuance of a Final Order. The matter appeared as an agenda item for the Commission's December 16, 2010 Public Meeting, but it was subsequently postponed to the Commission's next Public Meeting on January 13, 2011.
11. Due to the complex issues involved in the case, and the potential financial impact of the case, it is expected that one or both parties may seek reconsideration, clarification, and/or rehearing of the Commission's Order in the case. It is also expected that an appeal may be taken from any Final Order issued in the case.
12. Verizon and One Communications have been engaged in settlement discussions to resolve the dispute underlying Verizon's Complaint. The parties have now reached an agreement in principle to fully and finally resolve Verizon's Complaint.
13. The parties are in the process of finalizing the details of the settlement and reducing the settlement to one or more written documents that will be circulated for signature among authorized representatives of the various Complainant and Respondent

entities. It is expected that the final settlement will be effectuated in the next few weeks to several months.

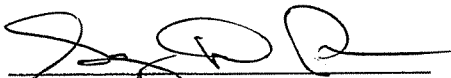
14. Upon implementing the terms of final settlement, it is expected that the parties will make an appropriate filing to indicate that the Complaint can be withdrawn and that this matter can be marked closed by the Commission.

15. Commission policy is to encourage settlements, which are usually preferable to the results of a fully litigated proceeding. 52 Pa. Code §§ 5.231, 69.401.

16. In order to avoid expending further Commission and party resources in preparing an Order on Exceptions, preparing, responding to and resolving post-Order motions, and litigating an appeal, the parties respectfully submit that the public interest would be served if further action on this matter were stayed by the Commission until such time as the parties can finalize their settlement or, as noted above, in the absence of a settlement being reached, either party informs the Commission in writing that the stay should be lifted and a Final Order issued.

17. If the stay is granted, the parties will submit a status report to the Commission within 60 days of the issuance of the stay order, to apprise the Commission on the status of the settlement implementation.

WHEREFORE, Complainants and Respondents stipulate and jointly move for a stay of any further Commission action in this proceeding to allow for the finalization and implementation of the negotiated settlement between the parties.

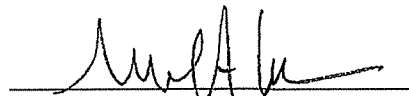


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Transmission Services, LLC d/b/a Verizon  
Access Transmission Services, and MCI  
Communications Services Inc.,*

Date: January 11, 2011



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