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May 5, 2011

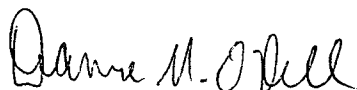
Via Electronic FilingRosemary Chiavetta, Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265Re: Core Communications, Inc. v. Choice One Communications of Pennsylvania, Inc. d/b/a
One Communications, Docket No. C-2009-2130379

Core Communications, Inc. v. CTC Communications Corp. d/b/a One Communications,
Docket No. C-2009-2131838

Dear Secretary Chiavetta:

On behalf of Core Communications, Inc., ("Core") enclosed for filing please find the original of its Prehearing Memorandum with the electronic filing confirmation page with regard to the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely yours,



Deanne M. O'Dell, Esq.

DMO/jls

Enclosure

cc: Hon. Wayne L. Weismandel (w/enc)
Cert. of Service, w/enc.

CERTIFICATE OF SERVICE

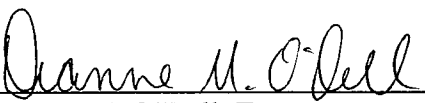
I hereby certify that this day I served a copy of Core Communication's Prehearing Memorandum upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email and First Class Mail

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Dated: May 5, 2011



Deanne M. O'Dell, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Core Communications, Inc.	:	
	:	
v.	:	C-2009-2130379
	:	
Choice One Communications of Pennsylvania, Inc.,	:	
d/b/a One Communications	:	

Core Communications, Inc.	:	
	:	
v.	:	C-2009-2131838
	:	
CTC Communications Corp.,	:	
d/b/a One Communications	:	

**PREHEARING MEMORANDUM
OF CORE COMMUNICATIONS, INC.**

Pursuant to 52 Pa. Code Section 5.222 and the April 11, 2011 Prehearing Conference Order of Administrative Law Judge Wayne L. Weisman, Core Communications, Inc. (“Core”) submits this Prehearing Conference Memorandum in the above-captioned proceeding.

I. BACKGROUND

Core filed a formal complaint against Choice One Communications of Pennsylvania, Inc. d/b/a One Communications and CTC Communications Corp. (collectively “One”) on September 3, 2009. In response, One filed Preliminary Objections on October 5, 2009 seeking a dismissal of the Complaint. Core filed an answer to the Preliminary Objections and by order dated October 21, 2009 signed by ALJ David A. Salapa, One’s Preliminary Objections were denied. Subsequently on November 10, 2009, One filed an Answer and New Matter. Core’s Reply to One’s New Matter was filed on November 30, 2009. An initial hearing was scheduled for March

24, 2010. On March 19, 2010, Core and One filed a Joint Motion for Stay due to the pendency of the Commission's adjudication of a Material Question in a similar complaint case.¹ By Order dated March 22, 2010, ALJ Weismandel granted the Joint Petition for Stay and directed that a status report be provided on or before May 21, 2010 if the stay had not yet been lifted. On May 22, 2010, the parties filed a Joint Status Report renewing their request that this matter remain stayed as a Commission decision regarding the Material Question in the related case had not been issued.

On September 8, 2010, the Commission entered a decision regarding the Material Question presented in the related proceeding and concluding that it has subject matter jurisdiction to address Core's complaint and the proceeding was returned to the OALJ for further proceedings. By letter dated September 16, 2010 filed on behalf of Core, Core requested that the stay in this proceeding be lifted and that an Initial Prehearing Conference be scheduled. By Order dated April 8, 2011, the stay in this matter was lifted and subsequently an initial prehearing conference was scheduled for May 12, 2011.

II. REPRESENTATION

Core's attorney in this matter is:

Deanne M. O'Dell, Esquire
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¹ *Core Communications, Inc. v. AT&T Communications of Pennsylvania, LLC and TCG Pittsburgh, Inc.* Docket Nos. C-2009-2108186 and C-2009-2108239.

III. PRESENTLY IDENTIFIED ISSUES

In its Complaint, Core seeks compensation from One for the intrastate telecommunications access charges billed by Core to One from 2004 through the present. The issues in this proceeding are generally whether One owes Core compensation for its termination of this traffic and, if so, at what rate.

A. Applicability of Core's Access Tariff

In the absence of any traffic exchange agreement between the parties, Core's position is that One is required to compensate Core for Core's termination of One's traffic pursuant to Core's Intrastate Access Tariff (Tariff PA PUC No. 4).

B. Alternative Compensation Due from One to Core

Alternatively, if the Commission finds that Core's intrastate access tariff does not apply, Core's position is that the intercarrier compensation arrangements between the parties for the traffic sent by One to Core for termination are governed by the cost-based reciprocal compensation set forth in 47 U.S.C. § 251(b)(5), as administered by the Commission.

IV. PROPOSED WITNESSES AND SUBJECT MATTER OF TESTIMONY

At this time, Core expects to present the testimony of Bret L. Mingo, president and CEO of Core Communications, Inc. Mr. Mingo is expected to provide testimony regarding Core's receipt of One's traffic for termination to Core's customers, Core's attempt to secure payment for this termination of traffic and Core's position regarding compensation due by One for this service.

V. PROCEDURAL SCHEDULE

The parties are continuing to try to reach agreement regarding the procedural schedule but as of the filing date of this memo, they were unable to do so. The current schedule proposed by Core is as follows:

June 8, 2011 - Core Direct Testimony
July 20, 2011 - One Rebuttal Testimony
August 31, 2011 - Core Surrebuttal Testimony
Week of September 12 or 19 – Hearings (2 days)
30 days after hearings – Main Briefs due
20 days after Main Briefs filed – Reply Briefs due

Core expects that the parties will continue to attempt to reach agreement regarding the schedule prior to the prehearing conference and, if so reached, Core will contact the ALJ with the proposed dates.

VII. DISCOVERY

Core consents to service via email. Core also recommends that the parties agree to provide oral notice of any objections to discovery requests within five (5) days of service. Additionally, discovery began prior to the stay entered in this matter. One still owes Core responses to some of its discovery requests and Core recommends that these responses be served by May 20, 2011. To the extent discovery responses include confidential information, Core agrees to protect the confidentiality of such information consistent with its proposed Petition for Protective Order.

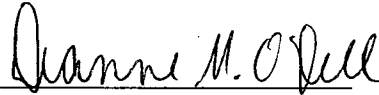
VIII. PROTECTIVE ORDER

Core is simultaneously filing a Petition for Protective Order.

IX. MOTION FOR PRO HAC VICE

Core is also submitting a Motion for the *Pro Hac Vice* admission of Chris Van de Verg.

Respectfully submitted,



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Dated: May 5, 2011