

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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October 23, 2013

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
Commonwealth Keystone Bldg.  
400 North Street  
Harrisburg, PA 17120

Re: AT&T Communications of Pennsylvania,  
Inc. v. Verizon North Inc. and Verizon  
Pennsylvania, Inc.,  
Docket No. C-20027195

Dear Secretary Chiavetta:

The Office of Consumer Advocate (OCA) appreciates the Pennsylvania Public Utility Commission's (Commission's) October 1, 2013 Secretarial Letter which invites parties to submit their opinions as to the best way to proceed with the pending investigation of Verizon Pennsylvania LLC's and Verizon North LLC's (collectively Verizon's) intrastate access rates, in the above docket. The Secretarial Letter notes that possible options include, but are not limited to: 1) holding the docket in abeyance, to allow for time for resolution of the pending appeals of the Federal Communications Commission's (FCC's) Universal Service Fund/Intercarrier Compensation Transformation Order<sup>1</sup> and/or time for a final FCC determination on originating access charges, or 2) marking the proceeding closed.

The OCA submits that given the many changes since the USF/ICC Order, the most expedient path may be to mark this docket closed at this time. In the present case, the parties developed an evidentiary record on remand and submitted briefs prior to the FCC's release of its USF/ICC Order. The presiding ALJ has not issued a recommended decision regarding Verizon's access charges. Clearly, the events that have followed from the FCC's USF/ICC Order have rendered the evidentiary record developed in this proceeding as well as the parties' August and September 2012 briefs outdated and unsuitable for issuance of a Recommended Decision.

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<sup>1</sup> In the Matter of the Connect America Fund, 26 FCC Rcd 17663, WC Docket No. 10-90, Report and Order and FNPRM (rel. Nov. 18, 2011)(USF/ICC Order). Appeals are pending sub nom. Commw. of Pa., Pa. P.U.C. v. F.C.C., Nat'l Ass'n of State Utility Consumer Advocates v. F.C.C., et al., Docket Nos. 11-9900 et al (U.S. Ct. of App. 10<sup>th</sup> Cir.).

Copies of this letter have been served upon all parties of record as shown on the attached Certificate of Service.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barrett C. Sheridan".

Barrett C. Sheridan  
Assistant Consumer Advocate  
Pa. Attorney I.D. # 61138

Enclosures

cc: All parties of record  
Hon. Cynthia Fordham, ALJ  
Bert Marinko, OSA

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CERTIFICATE OF SERVICE

Re: AT&T Communications of Pennsylvania, Inc. v. Verizon North Inc. and Verizon Pennsylvania, Inc.,  
Docket No. C-20027195

I hereby certify that I have this day served a true copy of the foregoing document, the Office of Consumer Advocate's Letter, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 23rd day of October 2013.

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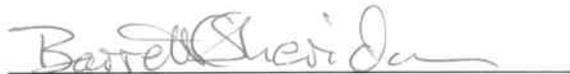
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Where Applicable**