



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

ISSUED: MAY 17, 2002

N REPLY PLEASE
 REFER TO OUR FILE

C-20027195

ROBERT C BARBER ESQUIRE
 AT&T COMMUNICATION OF PA INC
 3033 CHAIN BRIDGE ROAD
 OAKTON VA 22185

KUR

AT&T Communications of PA, Inc.
 v.
 Verizon North, Inc.

DOCUMENT
 FOLDER

TO WHOM IT MAY CONCERN:

Enclosed is a copy of the Initial Decision of Chief Administrative Law Judge Robert A. Christianson. 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.

If you receive exceptions from other parties, you may submit written replies to those exceptions 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.)".

If no exceptions are received within twenty (20) days, the decision of the Administrative Law Judge may become final without further Commission action. You will receive written notification if this occurs.

Very truly yours,

James J. McNulty

James J. McNulty
 Secretary

Encls.
 Certified Mail
 Receipt Requested
 FG

SUZAN DEBUSK PAIVA ESQUIRE
 JULIA CONOVER ESQUIRE
 VERIZON-PENNSYLVANIA, INC.
 1717 ARCH STREET - 32 NW
 PHILADELPHIA PA 19103

PHILIP F MCCLELLAND ESQUIRE
 OFFICE OF CONSUMER ADVOCATE
 555 WALNUT ST FORUM PL 5TH FLOOR
 HARRISBURG PA 17101-1923

PARTIES OF RECORD

AT&T COMMUNICATIONS OF PENNSYLVANIA, INC. V. VERIZON NORTH, INC.
DOCKET NO. C-20027195

SUZAN DEBUSK PAIVA ESQUIRE
Verizon
1717 Arch Street 32NW
Philadelphia PA 19103
(215) 963-6001

ROBERT C BARBER ESQUIRE
AT&T Communications of PA Inc
3033 Chain Bridge Road
Oakton VA 22185
(703) 691-6061

PHILIP F MCCLELLAND ESQUIRE
SHAUN A SPARKS ESQUIRE
Office of Consumer Advocate
5th Floor Forum Place
555 Walnut Street
Harrisburg PA 17101-1923
(717) 783-5048

pc: Chief ALJ Christianson
Elzy Ditzler/Stephen Springer
Beth Plantz
Docket Section

ID 20/10

MAY 09 2002

MAY 09 2002

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

AT&T Communications of PA, Inc.

v.

Verizon North Incorporated

Docket No. C-20027195

INITIAL DECISION

Before
Robert A. Christianson
Chief Administrative Law Judge

DOCUMENT
FOLDER
DOCKETED
MAY 22 2002

AT&T Communications of PA, Inc. (AT&T) filed this complaint against Verizon North Incorporated (Verizon North) on March 20, 2002. Verizon North responded, on April 11, 2002, with an answer and a motion to dismiss. AT&T has responded to the motion. The Office of Consumer Advocate filed a Notice of Intervention, dated April 10, 2002. The complaint concerns intrastate carrier access rates.

Verizon North offers the fundamental argument that this matter belongs in a *general investigation*. AT&T responds with the fundamental argument that it has a right to pursue its own complaint, concerning this topic. It refers to §701 of the Public Utility Code, 66 Pa. C.S. §701. In its motion, Verizon North refers to our Global Order at P-00991648-1649 (September 30, 1999), ordering paragraph 4 and to our Merger Order at A-310200F0002 (November 4, 1999), page 36.

The Commission has, in fact, commenced a proceeding entitled the Access Charge Reform Investigation, docketed at M-00021596. We expect AT&T, Verizon North and various other companies to participate in this proceeding.

AT&T is correct in asserting its right to pursue this matter. However, under the circumstances, it seems to be efficient and prudent to stay or dismiss the AT&T complaint in favor of the broader investigation of this matter. If the AT&T complaint is dismissed, this action should, of course, be without prejudice to going forward with the complaint at a more appropriate time. See, §703 of the Public Utility Code, 66 Pa. C.S. §703.

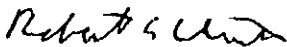
Dismissal of the AT&T complaint, without prejudice, seems to be the cleaner and clearer way to deal with this situation.

THEREFORE, IT IS ORDERED:

That this complaint is dismissed, without prejudice, as described above.

Dated: _____

5/8/02



ROBERT A. CHRISTIANSON
Chief Administrative Law Judge