

THE LAW FIRM OF

MALATESTA HAWKE & McKEON LLP

HARRISBURG ENERGY CENTER
100 NORTH TENTH STREET
HARRISBURG, PENNSYLVANIA 17101
(717) 236-1300
FAX (717) 236-4841

<http://www.mhm-law.com>

September 20, 2001

CRAIG R. BURGRAFF
JANET L. MILLER
SUSAN J. SMITH
TODD S. STEWART
WILLIAM E. LEHMAN
STEVEN K. HAAS
DAVID P. ZAMBITO

MAILING ADDRESS:
P.O. BOX 1778
HARRISBURG, PA 17105

JOSEPH J. MALATESTA, JR.
WILLIAM T. HAWKE
KEVIN J. McKEON
LOUISE A. KNIGHT
THOMAS J. SNISCAK
NORMAN JAMES KENNARD
LILLIAN SMITH HARRIS
SCOTT T. WYLAND

ORIGINAL

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, PA 17120

Re: Joint Application for Approval of an Amendment to an Interconnection Agreement Between Verizon North Inc. and DSLnet Communications LLC; Docket No. A-310824~~F0002~~-F7001

Dear Mr. McNulty:

Enclosed please find the original and three (3) copies of the Joint Application for Approval of an Amendment to an Interconnection Agreement between Verizon North Inc. and DSLnet Communications LLC.

If you have any questions, please feel free to contact me.

Respectfully,

Craig R. Burgraff

CRB:tld
attachments

RECEIVED
01 SEP 20 PM 4:27
P.A.P.U.C.
SECRETARY'S BUREAU

DOCUMENT
FOLDER

72

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joint Application for Approval)
of an Amendment to an Interconnection)
Agreement Between Verizon North Inc.)
and DSLnet Communications LLC)

Docket No. A-310824F0002

F7001

RECEIVED
01 SEP 20 PM 4:21
PA.P.U.C.
SECRETARY'S BUREAU

JOINT APPLICATION

Verizon North Inc. ("Verizon") and DSLnet Communications LLC ("DSLnet Communications"), respectfully submit for the Pennsylvania Public Utility Commission's (the "Commission") approval the attached Amendment to the Parties' Interconnection Agreement under Sections 251 and 252 of the Telecommunications Act of 1996 (the "1996 Act") and the Commission's Order entered June 3, 1996, In Re: Implementation of the Telecommunications Act of 1996, PA PUC Docket No. M-00960799. Verizon and DSLnet Communications respectfully request that the Commission approve the Amendment. In support of this request, Verizon and DSLnet Communications state as follows:

1. Verizon is an incumbent local exchange carrier authorized to provide local exchange telephone service in various parts in Pennsylvania. DSLnet Communications is a corporation authorized to do business in Pennsylvania.

2. Verizon and DSLnet Communications have negotiated the Amendment to the Parties' Interconnection Agreement pursuant to Sections 251(c) and 252(a) of the 1996 Act that sets forth certain terms and conditions of interconnection provided by Verizon to DSLnet Communications LLC.

3. The Amendment satisfies the requirements for Commission approval pursuant to Section 252(e)(2)(A) of the 1996 Act, which provides as follows:

DOCKETED
OCT 02 2001

DOCUMENT
FOLDER

The State commission may only reject -- . . . an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that --

- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity[.]

4. The Amendment does not discriminate against any other telecommunications carrier, as required by Section 252(e)(2)(A)(i). The interconnection arrangements contained in the Amendment are available to any other requesting telecommunications carrier to the extent permitted under Section 252(i). Nonetheless, other carriers are not bound by the Amendment and remain free to negotiate independently with Verizon pursuant to Section 252 of the 1996 Act.

5. The Amendment is consistent with the public interest, convenience and necessity, as required under Section 252(e)(2)(A)(ii). The Amendment will be available to any other requesting telecommunications carrier to the extent permitted under Section 252(i).

WHEREFORE, Verizon and DSLnet Communications respectfully request that the Commission approve the attached Amendment.

Respectfully submitted,

VERIZON NORTH
COMMUNICATIONS, INC.

DSLNET COMMUNICATIONS LLC

By: Craig R. Burgraff
Norman James Kennard
Craig R. Burgraff
Malatesta, Hawke & McKeon, LLP
Harrisburg Energy Center
100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17105

By: Wendy Bluemling
Wendy Bluemling
AUP - Regulatory Affairs
DSLnet
545 Long Wharf Drive
New Haven, CT 06511

ATTORNEY FOR VERIZON NORTH INC.

RECEIVED
01 SEP 20 PM 4:27
P.A.P.U.C.
SECRETARY'S BUREAU

DOCUMENT
FOLDER

AMENDMENT NO. 1

to the

A-310824F7001

INTERCONNECTION AGREEMENT

between

VERIZON NORTH INC., f/k/a GTE NORTH INCORPORATED

and

DSLnet Communications LLC

This Amendment (the "Amendment") to the Interconnection Agreement between Verizon North Inc., f/k/a GTE North Incorporated and DSLnet Communications LLC (the "Agreement") is effective June 14, 2001.

Notwithstanding any other provision of the Agreement, Local Traffic does not include any Internet traffic. The Parties' rights and obligations with respect to any intercarrier compensation that may be due in connection with their exchange of Internet traffic shall be governed by the Order on Remand and Report and Order, *In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, Intercarrier Compensation for ISP Bound Traffic*, FCC 01-131, CC Docket Nos. 96-98 and 99-68.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be duly executed and delivered by their duly authorized representatives.

DSLnet Communications LLC

Verizon North Inc., f/k/a GTE North Incorporated

By: Schula Hobbs
for Wendy Blumenthal

By: Jeffrey A. Masoner

Printed: Schula Hobbs

Printed: Jeffrey A. Masoner

Title: Sr Manager - Regulatory
8/6/01

Title: Vice-President - Interconnection Services Policy & Planning

RECEIVED
01 SEP 20 PM 4:28
F.A.R.U.C.
SECRETARY'S BUREAU

DOCKETED
OCT 02 2001

DOCUMENT
FOLDER

DATE: October 2, 2001

SUBJECT: A-310824F7001

TO: Office of Special Assistants

FROM: James J. McNulty, Secretary

LAF

JOINT PETITION OF VERIZON NORTH INC. AND DSLNET
COMMUNICATIONS LLC FOR APPROVAL OF AMENDMENT NO. 1 TO
INTERCONNECTION AGREEMENT UNDER SECTION 252(e) OF THE
TELECOMMUNICATIONS ACT OF 1996.

Attached is a copy of a Joint Petition for Approval of
Interconnection Agreement filed in connection with the
above-docketed proceeding.

Enclosed is a copy of the notice that we provided to
the Pennsylvania Bulletin to be published on October 13,
2001. Comments are due on or before 10 days after the
publication of this notice.

This matter is assigned to your Office for
appropriate action.

Attachment

cc: Bureau of Fixed Utility Services
Office of Administrative Law Judge-copy of memo only

DOCKETED
OCT 02 2001

DOCUMENT
FOLDER

PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOTICE TO BE PUBLISHED

Joint Petition of Verizon North Inc. and DSLnet Communications LLC for Approval of Amendment No. 1 to Interconnection Agreement Under Section 252(e) of The Telecommunications Act of 1996.

Docket Number: A-310824F7001.

Verizon North Inc. and DSLnet Communications LLC filed on September 20, 2001, at the Public Utility Commission, a Joint Petition for approval of an Interconnection Agreement under Sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All such Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and DSLnet Communications LLC Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

Contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

DOCKETED

OCT 02 2001

BY THE COMMISSION

James J. McNulty

James J. McNulty
Secretary

PA. CODE & BULLETIN

01 OCT -2 PM 1:40

RECEIVED

DOCUMENT
FOLDER

I N T E R
O F F I C E

MEMO

October 24, 2001

Subject: A-310824F7001 (formerly A-310824F0002); Joint Petition of Verizon North, Inc. and DSLnet for approval of an Interconnection Agreement

To: James J. McNulty
Secretary

From: Cheryl Walker David, Director
Office of Special Assistants



On June 26, 2001, the above-captioned Petition was filed with the Commission and on September 4, 2001, an Opinion and Order was entered approving the Interconnection Agreement. Please be advised that on September 26, 2001, Verizon North filed a true and correct copy of the Agreement. Accordingly, please mark this proceeding as closed with respect to this Interconnection Agreement.

If you have any questions concerning this information, please contact Teri Mathias at 7-8039.

DOCUMENT
FOLDER

DOCUMENT
FOLDER

DOCKETED
OCT 29 2001