

I N T E R
O F F I C E

MEMO

April 15, 2002

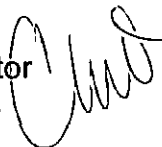
Subject: A-310828F0002; Fibernet Telecommunications of PA

To: James McNulty
Secretary

From: Cheryl Walker Davis, Director
Office of Special Assistants

DOCKETED

APR 29 2002



In reviewing our list of outstanding cases, it has come to our attention that the above-referenced docket is assigned as open to OSA. Please be advised that OSA has no outstanding assignment at this docket. All Interconnection Agreements have been approved and the required true and correct copies of the agreements have been filed. Please take the necessary steps to close this proceeding with regard to OSA's interconnection obligation.

If you have any questions concerning the information provided, please feel free to contact me.



RECEIVED

2002 APR 17 AM 2:32

PA PUC
SECRETARY'S BUREAU

DOCUMENT
FOLDED

DOCUMENT
FOLDER



Via Certified Mail, Return Receipt

November 21, 2002

Steven Hamula
Fibernet Telecommunications of Pennsylvania, LLC
211 Leon Sullivan Way
Charleston, WV 25301

RECEIVED

NOV 21 2002

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Gregory Nichols, Business Manager*
Fibernet Telecommunications of Pennsylvania, LLC
211 Leon Sullivan Way
Charleston, WV 25301

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

DOCKETED
JAN 22 2003

Bureau of Consumer Services
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

ORIGINAL

Re: Notice of Payment Defaults and Discontinuance of Service – Pennsylvania

Dear Notice Recipients: A-310828 F0002

Please take notice that despite prior notice of payment default, Fibernet Telecommunications of Pennsylvania, LLC ("FiberNet") remains in continuing default of its bill payment obligations to Verizon Pennsylvania Inc. ("Verizon").

This default applies to undisputed access and collocation charges that are more than thirty (30) days past due and excludes Verizon charges that FiberNet has disputed in good faith. The existence of disputes does not relieve FiberNet of its responsibility to pay all *undisputed* charges when due. FiberNet is now in default with respect to these charges in Pennsylvania in an amount that is not less than \$357,598.33, which arrearage represents repeated FiberNet noncompliance in payment obligations for all of FiberNet's Pennsylvania access and collocation arrangements, federal and state. Attached please find account information current as of November 18, 2002.

Verizon is unwilling to continue providing service to FiberNet under present terms. Accordingly, if FiberNet does not cure this repeated noncompliance within thirty (30) days, then Verizon will begin to implement its rights in accordance with Verizon's FCC Tariff No.1, Section 2.1.8, and Verizon's Pennsylvania State Tariffs, PA PUC No.218,

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Fibernet Telecommunications of Pennsylvania, LLC
Notice Recipients
(Page 2 of 3)

Section B.6, and PA PUC 302, Section 2.1.8. As a result of FiberNet's noncompliance with tariff requirements, unless these past due balances are completely cured, Verizon will discontinue its provision of access and collocation services to FiberNet in Pennsylvania, effective December 23, 2002.

All applicable charges will be due to Verizon on that date, and Verizon reserves all rights to pursue action in any appropriate legal or regulatory forum to obtain payment of these amounts. Please contact me immediately to arrange payment to cure this breach of FiberNet's payment obligations in Pennsylvania.

Sincerely,

A handwritten signature in cursive script that reads "Amanda Ben David". The signature is written in black ink and is positioned to the left of the typed name.

Amanda Ben David
Manager – Wholesale Receivables
(617) 743-2114

Fibernet Telecommunications of Pennsylvania, LLC
Notice Recipients
(Page 3 of 3)

FIBERNET – PENNSYLVANIA (former Bell Atlantic territory)

CONTRACT SERVICE	AS OF DATE	CURRENT AMOUNT	PAST DUE AMOUNT	DISPUTE AMOUNT	TOTAL UNDISPUTED PAST DUE AMOUNT
ACCESS	11/18/02	7,435.18	71,815.04	0.00	71,815.04
COLO	11/18/02	10,648.55	289,969.61	4,186.32	285,783.29
TOTAL		\$18,083.73	\$361,784.65	\$4,186.32	\$357,598.33

* Pursuant to FiberNet's Pennsylvania interconnection agreement and according to our records, Verizon is obligated to contact only Steven Hamula on notices such as this. Verizon has included Gregory Nichols as a courtesy recipient on this letter. If FiberNet wishes to change its formal notice recipients, please contact:

Director-Contract Performance and Administration
Verizon Wholesale Markets
600 Hidden Ridge – HQEWMNOTICES
Irving, TX 75038
E-Mail: wmnotices@verizon.com
Telephone Number: 972/718-5988
Facsimile Number: 972/719-1519

With a copy to:

Vice President and Associate General Counsel- Wholesale Markets
Verizon Wholesale Markets
1515 N. Court House Road, Suite 500
Arlington, VA 22201
Facsimile Number: 703/351-3664

Via Certified Mail, Return Receipt

DOCUMENT
FOLDER



November 21, 2002

Steven Hamula
Fibernet of Pennsylvania, LLC
211 Leon Sullivan Way
Charleston, WV 25301

Gregory Nichols, Business Manager*
Fibernet of Pennsylvania, LLC
211 Leon Sullivan Way
Charleston, WV 25301

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North St., 2nd Floor
Harrisburg, PA 17120

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Harrisburg, PA 17120

RECEIVED

NOV 21 2002

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ORIGINAL

DOCKETED

JAN 22 2003

Re: Notice of Payment Defaults and Discontinuance of Service – Pennsylvania

Dear Notice Recipients:

A-310828 F0002

Please take notice that Fibernet of Pennsylvania, LLC ("FiberNet") remains in continuing default of its bill payment obligations in Pennsylvania to Verizon North Inc ("Verizon").

This default applies to undisputed access and collocation charges that are more than thirty (30) days past due and excludes Verizon charges that FiberNet has disputed in good faith. The existence of disputes does not relieve FiberNet of its responsibility to pay all *undisputed* charges when due. FiberNet is now in default with respect to these charges in Pennsylvania in an amount that is not less than \$96,389.87, which arrearage represents repeated FiberNet noncompliance in payment obligations for FiberNet's access and collocation arrangements, federal and state. Attached please find account information current as of November 18, 2002.

Verizon is unwilling to continue providing service to FiberNet under present terms. Accordingly, if FiberNet does not cure this repeated noncompliance within thirty (30) days, then Verizon will begin to implement its rights in accordance with Verizon's FCC Tariff No.14, Section 2.1.8, and Verizon's Pennsylvania State Tariff, PA PUC No.9, Section 2.1.8. As a result of FiberNet's noncompliance with tariff requirements, unless

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Fibernet of Pennsylvania, LLC
Notice Recipients
(Page 2 of 3)

these past due balances are completely cured, Verizon will discontinue its provision of access and collocation services to FiberNet in Pennsylvania, effective December 23, 2002.

All applicable charges will be due to Verizon on that date, and Verizon reserves all rights to pursue action in any appropriate legal or regulatory forum to obtain payment of these amounts. Please contact me immediately to arrange payment to cure this breach of FiberNet's payment obligations in Pennsylvania.

Sincerely,

A handwritten signature in cursive script that reads "Amanda Ben David".

Amanda Ben David
Manager – Wholesale Receivables
(617) 743-2114

Fibernet of Pennsylvania, LLC
Notice Recipients
(Page 3 of 3)

FIBERNET – PENNSYLVANIA

CONTRACT SERVICE	AS OF DATE	CURRENT AMOUNT	PAST DUE AMOUNT	DISPUTE AMOUNT	TOTAL UNDISPUTED PAST DUE AMOUNT
ACCESS	11/18/02	1,954.78	9,364.00	0.00	9,364.00
COLO	11/18/02	4,541.32	87,025.87	0.00	87,025.87
TOTAL		\$6,496.10	\$96,389.87	\$ 0.00	\$96,389.87

* Pursuant to FiberNet's Pennsylvania interconnection agreement and according to our records, Verizon is obligated to contact only Steven Hamula at the address given above on notices such as this. Verizon has included Gregory Nichols as a courtesy recipient on this letter. If FiberNet wishes to change its formal notice recipients, please contact:

Director-Contract Performance and Administration
Verizon Wholesale Markets
600 Hidden Ridge – HQEWMNOTICES
Irving, TX 75038
E-Mail: wmnotices@verizon.com
Telephone Number: 972/718-5988
Facsimile Number: 972/719-1519

With a copy to:

Vice President and Associate General Counsel- Wholesale Markets
Verizon Wholesale Markets
1515 N. Court House Road, Suite 500
Arlington, VA 22201
Facsimile Number: 703/351-3664