

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :  
 2. BUREAU: OSA :  
 3. SECTION(S) : 4. PUBLIC MEETING DATE:  
 5. APPROVED BY: : 00/00/00  
     DIRECTOR: :  
     SUPERVISOR: :  
 6. PERSON IN CHARGE: : 7. DATE FILED: 11/29/04  
 8. DOCKET NO: A-310416 F7000 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: VERIZON PENNSYLVANIA, INC

RESPONDENT/APPLICANT: CURRY COMMUNICATIONS INC

COMP/APP COUNTY:

UTILITY CODE: 310416

ALLEGATION OR SUBJECT

JOINT FILING OF VERIZON PENNSYLVANIA, INC., AND CURRY COMMUNICATIONS, INC., OF ADOPTION OF AN INTERCONNECTION AGREEMENT UNDER SECTION 252(I) OF THE TELECOMMUNICATIONS ACT OF 1996.

DOCUMENT  
FOLDER

DOCKETED

JAN 06 2005

Daniel E. Monagle  
Assistant General Counsel  
Pennsylvania



1717 Arch Street, 32NW  
Philadelphia, PA 19103

Tel. 215-963-6004  
Fax 215-563-2658  
Daniel.Monagle@Verizon.com

November 26, 2004

**VIA UPS OVERNIGHT**

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

*A- 310416F7000*

RE: Joint Filing of  
Verizon Pennsylvania Inc. and Curry Communications, Inc.  
of Adoption of an Interconnection Agreement  
Docket No. \_\_\_\_\_

DOCUMENT  
FOLDER

Dear Mr. McNulty:

Enclosed please find an original and three (3) true and correct copies of the Joint Filing of Verizon Pennsylvania Inc. and Curry Communications, Inc., of Adoption of an Interconnection Agreement. The Interconnection Agreement adopted is the Agreement between Verizon Pennsylvania Inc. and DSLnet Communications LLC., which the Commission approved by Order dated May 23, 2003 in Docket No. A-310824F7000. Although the Adoption is effective as of October 20, 2004, the Adoption was signed by the two parties on November 4, 2004 and November 10, 2004 respectively. Thus, this Joint Filing is being made within 30 days of the day that the agreement was signed, as required by ordering Paragraph 5 of the Commission's May 3, 2004 Final Order in Docket No. M-00960799. As evidenced by the cc: below, notice of this filing is being provided to Curry Communications, Inc.

Please date stamp the enclosed additional copy and return it to me in the enclosed self-addressed, stamped envelope.

Very truly yours,

*Daniel E. Monagle*  
Daniel E. Monagle

RECEIVED

NOV 29 2004

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DEM/slb

Enclosure

.cc: John Curry, President, Curry Communications, Inc.  
Attached Service List

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOINT FILING OF VERIZON PENNSYLVANIA INC. AND CURRY COMMUNICATIONS, INC OF ADOPTION OF AN INTERCONNECTION AGREEMENT UNDER SECTION 252(I) OF THE TELECOMMUNICATIONS ACT OF 1996

A 310416F7000

PUC Docket No. \_\_\_\_\_

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JOINT FILING

Verizon Pennsylvania Inc. ("Verizon") and Curry Communications, Inc ("CCI") respectfully submit to the Commission, pursuant to Section 252(i) of the Telecommunications Act of 1996 (the "1996 Act")<sup>1</sup>, the attached adoption letter effective October 20, 2004 (the "Adoption"). The Adoption provides for the interconnection of the two companies' networks and makes available to CCI access to unbundled network elements, wholesale telecommunications services, and ancillary services offered by Verizon.

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THE PARTIES

1. Verizon is an incumbent local exchange carrier authorized to provide local exchange telephone service in Pennsylvania.

2. CCI is a competitive local exchange carrier that is authorized to provide local telephone service in Pennsylvania consistent with appropriate legal requirements established by the Commission.

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THE ADOPTION

3. CCI has exercised its right under Section 252(i) of the 1996 Act to opt into the

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Verizon/DSLnet Communications LLC Interconnection Agreement which the Commission *effective* approved on March 26, 2003 in Case No. A-310824F7000. Under the Adoption, CCI has agreed

<sup>1</sup>Citations herein to the 1996 Act should be construed as references to sections of the Communications Act of 1934 as amended by the 1996 Act.

that it will be bound by the terms of the Verizon/DSLnet Communications LLC Interconnection Agreement as such agreement is in effect on the date hereof after giving effect to operation of law.

4. The Adoption sets forth the terms, conditions and prices under which Verizon and CCI will offer and provide network interconnection, reciprocal call termination for local traffic, access to network elements, ancillary network services, and wholesale telecommunications services available for resale to each other within each Local Access and Transport Area ("LATA") in which they both operate in Pennsylvania.

5. Key provisions of the Adoption provide for:

- (i) Compensation for Reciprocal Compensation Traffic at rates as specified in Appendix A to the Adoption;
- (ii) Unbundled loops -- providing CCI access to existing Verizon customers -- based on a rate methodology specified in the Agreement;
- (iii) Customers to retain their telephone numbers when they switch to CCI;
- (iv) Including CCI customers' primary listings in the appropriate alphabetical directory ("White Pages") and, for business customers, in the appropriate classified directory ("Yellow Pages");
- (v) The resale of Verizon telecommunications services for a wholesale discount as specified in Appendix A to the Adoption;
- (vi) The continued provision of 911 services to all customers; and
- (vii) Performance standards for services provided by Verizon to CCI equal to the level of service provided by Verizon to its own end-user customers and other telecommunications carriers.

#### **COMPLIANCE WITH THE 1996 ACT**

6. If the Commission determines that it wishes to (or must) review the Adoption under the 1996 Act or otherwise, it is the parties' view that the Adoption satisfies the requirements for

Commission approval (to the extent that they would apply) pursuant to Section 252(e)(2)(A) of the 1996 Act, which provides as follows:

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[.]

7. First, the Adoption does not discriminate against any other telecommunications carrier, as required by Section 252(e)(2)(a)(i). To the contrary, any other telecommunications carrier authorized to provide local telephone service in Pennsylvania may obtain the interconnection, unbundling and resale arrangement specified in the underlying interconnection agreement that is the subject of the Adoption on the same terms and conditions (assuming that none of the exclusions to opt-in rights under Section 252(i) of the 1996 Act would apply). Nonetheless, other carriers are not bound by the terms of such interconnection agreement and remain free to negotiate with Verizon pursuant to Section 252 of the 1996 Act.

8. Second, the Adoption is consistent with the public interest, convenience, and necessity, as required by Section 252(e)(2)(a)(ii). It is an important step towards allowing CCI to compete with Verizon as a facilities-based local telephone service carrier for both residential and business customers.

#### **APPROVAL OF THE AGREEMENT**

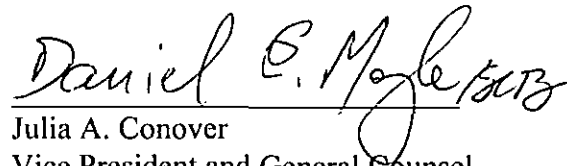
9. Verizon and CCI respectfully request that, if the Commission chooses to review the Adoption, it expedite such review to facilitate implementation of competition in the local exchange market. Although under Section 252(e)(4) of the 1996 Act, the Commission has 90

days to approve or reject the Agreement, Verizon and CCI request that the Commission act sooner than that date if at all possible, if it chooses to review the Adoption.

**WHEREFORE**, Verizon and CCI respectfully submit the attached Adoption pursuant to Section 252(i) of the 1996 Act.

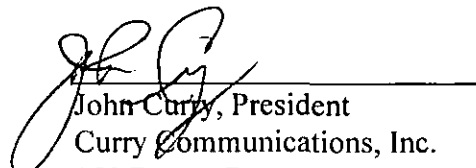
Of Counsel  
Jack H. White

Respectfully submitted,



Julia A. Conover  
Vice President and General Counsel  
Verizon Pennsylvania Inc.  
Daniel E. Monagle  
Verizon Pennsylvania Inc.  
1717 Arch Street, 32N  
Philadelphia, PA 19103  
Tel. (215) 963-6001  
Fax (215) 563-2658

Attorneys For  
Verizon Pennsylvania Inc.



John Curry, President  
Curry Communications, Inc.  
150 Dexter Dr.  
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Fax (412) 380-8701

Attorney for  
Curry Communications, Inc

DATED: ~~October~~ <sup>Nov</sup> ~~4~~ <sup>26</sup>, 2004

SERVICE LIST

Irwin A. Popowsky  
Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor  
Harrisburg, PA 17101-1921

William Lloyd  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101

Charles F. Hoffman  
Office of Trial Staff  
PA Public Utility Commission  
Commonwealth Keystone Bldg  
400 North Street  
Harrisburg, PA 17105-3265

Office of Special Assistants  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Bureau of Consumer Services  
PA Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Bureau of Fixed Utility Services  
PA Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Office of the Attorney General  
Bureau of Consumer Protection  
Strawberry Square, 14th Floor  
Harrisburg, PA 17120

RECEIVED  
NOV 29 2004  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**DATE:** January 6, 2005

**SUBJECT:** A-310416F7000

**TO:** Office of Special Assistants

**FROM:** James J. McNulty, Secretary *dat*

DOCUMENT  
FOLDER

JOINT PETITION OF VERIZON PENNSYLVANIA, INC., AND  
CURRY COMMUNICATIONS, INC., FOR ADOPTION OF AN  
INTERCONNECTION AGREEMENT UNDER SECTION 251(I) OF  
THE TELECOMMUNICATIONS ACT OF 1996.

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Attached is a copy of a Joint Petition for Approval of Adoption of an  
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 January 15, 2005. 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

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JAN 06 2005



PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOTICE TO BE PUBLISHED

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LEGISLATIVE REFERENCE  
BUREAU

05 JAN -5 PM 3:49

PA. CODE & BULLETIN

Joint Petition of Verizon Pennsylvania, Inc., and Curry Communications, Inc., of Adoption of an Interconnection Agreement under Section 252(i) of the Telecommunications Act of 1996. Docket Number: A-310416F7000.

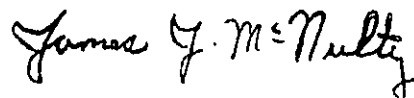
Verizon Pennsylvania, Inc., and Curry Communications, Inc., by its counsel, filed on November 29, 2004, at the Pennsylvania Public Utility Commission, a Joint Petition for Adoption of an Interconnection Agreement under Section 252(i) of the Telecommunications Act of 1996.

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 Pennsylvania, Inc., and Curry Communications, Inc., 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.

DOCUMENT  
FOLDER

BY THE COMMISSION



James J. McNulty  
Secretary

DOCKETED

JAN 06 2005

Daniel E. Monagle  
Assistant General Counsel  
Pennsylvania



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Philadelphia, PA 19103

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March 7, 2005

**VIA UPS OVERNIGHT**

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

REC'D

MAR 7 2005

PA PUBLIC UTILITY COMMISSION

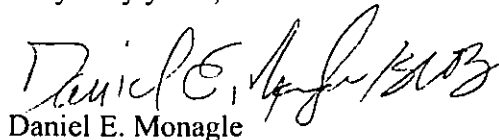
RE: Joint Filing of  
Verizon Pennsylvania Inc. and Curry Communications, Inc.  
of Adoption of an Interconnection Agreement  
Dkt. No. A-310416 F7000

Dear Mr. McNulty:

Pursuant to the Public Utility Commission's Order approved on February 3, 2005, the parties in the above-referenced matter were directed to notify the Commission whether a true and correct copy of the parties' Interconnection Agreement had been filed. Please be advised that the true and correct copy of parties' adoption letter is the adoption letter which the parties filed on November 26, 2004 and which, together with the underlying Agreement being adopted, was the subject of the Commission's Order approved February 3, 2005. In addition, by cc: of this letter an electronic copy of the entire adoption letter, and of the underlying Interconnection Agreement, in .pdf format, is being sent to the Commission's Office of Special Assistants.

Please do not hesitate to contact me if you have any questions regarding this matter.

Very truly yours,

  
Daniel E. Monagle

KJR

DEM/slb

attachment: Diskette (to OSA only)  
cc: Ms. Bobbi Lathrop, OSA (with diskette)  
John Curry, Curry Communications, Inc.

**DOCKETED**  
MAY 24 2005

**DOCUMENT  
FOLDER**

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