

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: 03/24/04
 8. DOCKET NO: A-310971 F7000 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: VERIZON PENNSYLVANIA INC.

RESPONDENT/APPLICANT: COMTECH 21, LLC

COMP/APP COUNTY:

UTILITY CODE: 310971

ALLEGATION OR SUBJECT

JOINT PETITION OF VERIZON PENNSYLVANIA INC. AND COMTECH21, LLC FOR APPROVAL OF ADOPTION OF AN INTERCONNECTION AGREEMENT UNDER SECTION 252(I) OF THE TELECOM-MUNICATIONS ACT OF 1996.

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DOCKETED

MAR 30 2004

Daniel E. Monagle
Assistant General Counsel
Pennsylvania

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verizon

1717 Arch Street, 32NW
Philadelphia, PA 19103

Tel: (215) 963-6004

Fax: (215) 563-2658

Daniel.Monagle@Verizon.com

March 24, 2004

VIA UPS OVERNIGHT

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

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MAR 24 2004
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

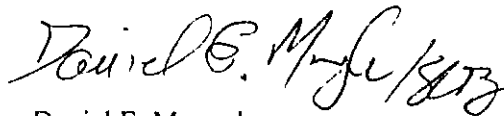
RE: Joint Filing of
Verizon Pennsylvania Inc. and Comtech21, LLC
of Adoption of an Interconnection Agreement
Docket No. _____ A-310971 F 7000

Dear Mr. McNulty:

Enclosed please find an original and three (3) copies of the Joint Filing of Verizon Pennsylvania Inc. and Comtech21, LLC of Adoption of an Interconnection Agreement. The Agreement being adopted is the Agreement between Verizon Pennsylvania Inc. and Z-Tel Communications Inc., which the Commission approved on January 10, 2001 at docket A-310706F0002.

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

Very truly yours,



Daniel E. Monagle

DEM/slb

Enclosure

cc: Lance J. M. Steinhart, Esquire (Via UPS)
Attached Service List

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MAR 24 2004

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

**JOINT FILING OF VERIZON PENNSYLVANIA INC.)
AND COMTECH21, LLC OF ADOPTION OF AN)
INTERCONNECTION AGREEMENT UNDER SECTION)
252(i) OF THE TELECOMMUNICATIONS ACT OF 1996)**

PUC Docket No. A-310971 F7000

JOINT FILING

Verizon Pennsylvania Inc. ("Verizon") and Comtech21, LLC ("Comtech21") respectfully submit to the Commission, pursuant to Section 252(i) of the Telecommunications Act of 1996 (the "1996 Act")¹, the attached adoption letter effective February 23, 2004 (the "Adoption"). The Adoption provides for the interconnection of the two companies' networks and makes available to Comtech21 access to unbundled network elements, wholesale telecommunications services, and ancillary services offered by Verizon.

THE PARTIES

1. Verizon is an incumbent local exchange carrier authorized to provide local exchange telephone service in Pennsylvania.
2. Comtech21 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.

THE ADOPTION

3. Comtech21 has exercised its right under Section 252(i) of the 1996 Act to opt into the Verizon/Z-Tel Communications Inc. ("Z-Tel") Interconnection Agreement which the Commission approved on January 10, 2002 in Case No. A-310706F0002. Under the Adoption, Comtech21 has agreed that it will be bound by the terms of the Verizon/Z-Tel Interconnection

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

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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 Comtech21 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) Unbundled loops -- providing Comtech21 access to existing Verizon customers -- based on a rate methodology specified in the Agreement;
- (ii) Customers to retain their telephone numbers when they switch to Comtech21;
- (iii) Including Comtech21 customers' primary listings in the appropriate alphabetical directory ("White Pages") and, for business customers, in the appropriate classified directory ("Yellow Pages");
- (iv) The resale of Verizon telecommunications services for a wholesale discount as specified in Appendix 1 to the Adoption;
- (v) The continued provision of 911 services to all customers; and

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 Comtech21 to compete with Verizon as a facilities-based local telephone service carrier for both residential and business customers.*

APPROVAL OF THE AGREEMENT

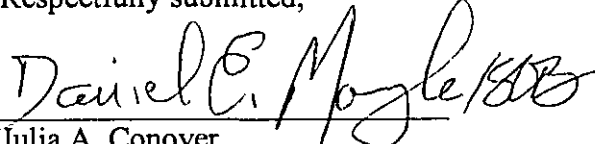
9. Verizon and Comtech21 respectfully request that, if the Commission chooses to review the Adoption, it expedite such review to facilitate implementation of competition in the local exchange market. Although under Section 252(e)(4) of the 1996 Act, the Commission has 90 days to approve or reject the Agreement, Verizon and Comtech21 request that the Commission act sooner than that date if at all possible, if it chooses to review the Adoption.

WHEREFORE, Verizon and Comtech21 respectfully submit the attached

Adoption pursuant to Section 252(i) of the 1996 Act.

Of Counsel
Jack H. White

Respectfully submitted,



Julia A. Conover

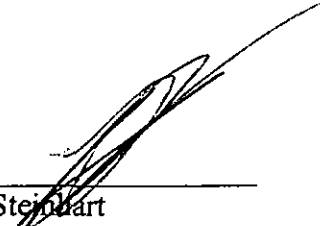
Vice President and General Counsel
Verizon Pennsylvania Inc.

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Attorneys For
Verizon Pennsylvania Inc.



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Lance J.M. Steinhart, PC
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Alpharetta, GA 30005
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Attorney for
Comtech21, LLC

DATED: March 24, 2004

DATE: March 30, 2004

SUBJECT: A-310971F7000

TO: Office of Special Assistants

FROM: James J. McNulty, Secretary KB

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DOCKETED
MAR 30 2004

JOINT PETITION OF VERIZON PENNSYLVANIA INC. AND
COMTECH21, LLC FOR APPROVAL OF ADOPTION OF AN INTERCONNECTION
AGREEMENT UNDER SECTION 252(i) OF THE TELECOMMUNICATIONS
ACT OF 1996.

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 April 10, 2004.
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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PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCKETED
MAR 30 2004

NOTICE TO BE PUBLISHED

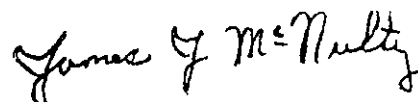
Joint Petition of Verizon Pennsylvania Inc. and Comtech21, LLC for Approval of Adoption of an Interconnection Agreement Under Section 252(i) of The Telecommunications Act of 1996.
Docket Number: A-310971 F7000.

Verizon Pennsylvania Inc. and Comtech21, LLC, by its counsel, filed on March 24, 2004, at the Public Utility Commission, a Joint Petition for approval of Adoption 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 Pennsylvania Inc. and Comtech21, 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.

BY THE COMMISSION



James J. McNulty
Secretary

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SERVICE LIST

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

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

Kandace F. Melillo
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
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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

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MAR 24 2004

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

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May 28, 2004

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MAY 28 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VIA UPS OVERNIGHT

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

RE: Joint Filing of
Verizon Pennsylvania Inc. and Comtech21, LLC
of Adoption of an Interconnection Agreement
Dkt. No. A-310971 F7000

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Dear Mr. McNulty:

Pursuant to the Public Utility Commission's Order entered on April 30, 2004 the parties in the above-referenced matter were directed to file a true and correct copy of the Agreement that they had filed. Please be advised that the true and correct copy of the letter of adoption is the letter of adoption which the parties filed on March 24, 2004 and which, along with the underlying Agreement being adopted, was the subject of the Commission's Order dated April 30, 2004. In addition, enclosed please find an electronic copy of the letter of adoption.

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

Very truly yours,

Daniel E. Monagle

DEM/slb

Encl: Diskette

cc: Lance J. M. Steinart, Esquire (w/out diskette)

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