

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: OSA	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 04/19/04
8. DOCKET NO: A-311321 F7001	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: VERIZON NORTH INC.

RESPONDENT/APPLICANT: BUFFALO-LAKE ERIE WIRELESS SYS

COMP/APP COUNTY: UTILITY CODE: 311321

ALLEGATION OR SUBJECT

JOINT PETITION OF VERIZON NORTH INC. AND BUFFALO-LAKE ERIE WIRELESS SYSTEMS CO., LLC FOR APPROVAL OF ADOPTION OF AN INTERCONNECTION AGREEMENT UNDER SECTION 252 (I) OF THE TELECOMMUNICATIONS ACT OF 1996.

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DOCKETED
APR 23 2004

Daniel E. Monagle
Assistant General Counsel
Pennsylvania

ORIGINAL



DOCUMENT
FOLDER

April 19, 2004

1717 Arch Street, 32NW
Philadelphia, PA 19103

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

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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APR 19 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

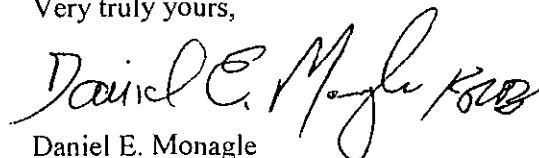
RE: Joint Filing of
Verizon North Inc. and
Buffalo – Lake Erie Wireless Systems Co., LLC
of Adoption of an Interconnection Agreement
Docket No. A-311321 F 7001

Dear Mr. McNulty:

Enclosed please find an original and three (3) copies of the Joint Filing of Verizon North Inc. and Buffalo – Lake Erie Wireless Systems Co., LLC of Adoption of an Interconnection Agreement. The Agreement being adopted is the Agreement between GTE North, Inc. (n/k/a Verizon North Inc.) and AT&T Wireless Services Inc., which the Commission approved on December 18, 1999 at docket number A-310518. Although the Adoption is effective January 23, 2004, the Adoption letter was signed by the two parties' signers on March 4, 2004 and March 19, 2004 respectively.

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: Brian Gelfand, President, Buffalo – Lake Erie Wireless (Via UPS)
Attached Service List

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

JOINT FILING OF VERIZON NORTH INC. AND)
BUFFALO - LAKE ERIE WIRELESS SYSTEMS CO.,)
L.L.C. OF ADOPTION OF AN INTERCONNECTION)
AGREEMENT UNDER SECTION 252(i) OF THE)
TELECOMMUNICATIONS ACT OF 1996)

PUC Docket No. A-311321 F7001

JOINT FILING

Verizon North Inc. ("Verizon") and Buffalo - Lake Erie Wireless Systems Co., L.L.C. ("BLEWS") respectfully submit to the Commission, pursuant to Section 252(i) of the Telecommunications Act of 1996 (the "1996 Act")¹, the attached adoption letter dated as of January 23, 2004 (the "Adoption"). The Adoption provides for the continued interconnection of the two companies' networks, thereby facilitating BLEWS' provision of Narrowband Commercial Mobile Radio Service ("NCMRS") to both residential and business customers in Pennsylvania.

THE PARTIES

1. Verizon is an incumbent local exchange carrier authorized to provide local exchange telephone service in Pennsylvania.
2. BLEWS is a telecommunications company that has been granted authority by the Federal Communications Commission to provide NCMRS service in Pennsylvania.

THE ADOPTION

3. BLEWS has exercised its right under Section 252(i) of the 1996 Act to opt into the Verizon/AT&T Wireless Services Inc. Interconnection Agreement which the Commission approved on December 18, 1999 in Case No. A-310518. Under the Adoption, BLEWS has agreed that it will

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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APR 23 2004

be bound by the terms of the Verizon/ AT&T Wireless Services Inc. 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 BLEWS will offer and provide network interconnection, call transport and termination, and ancillary network services to each other within each Local Access and Transport Area (“LATA”) in which they both operate within Pennsylvania.

COMPLIANCE WITH THE 1996 ACT

5. 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[.]

6. 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 NCMRS provider authorized to provide BLEWS services in Pennsylvania may obtain the interconnection, unbundling and resale arrangements specified in the Agreement on the same terms and conditions. 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.

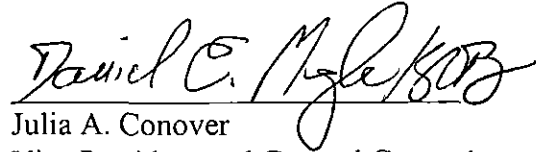
7. Second, the Adoption is consistent with the public interest, convenience, and necessity, as required by Section 252(e)(2)(a)(ii). It will permit BLEWS to receive Verizon transport and termination, which should benefit BLEWS customers.

APPROVAL OF THE AGREEMENT

8. Verizon and BLEWS 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 BLEWS request that the Commission act sooner than that date if at all possible, if it chooses to review the Adoption.

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

Respectfully submitted,



Julia A. Conover
Vice President and General Counsel
Verizon North Inc.
Daniel E. Monagle
Verizon North Inc.
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Philadelphia, PA 19103
Tel. (215) 963-6001
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Of Counsel
Jack H. White

Attorneys For
Verizon North Inc.



Buffalo - Lake Erie Wireless Systems Co., L.L.C.
Attn: Andy Cook – General Manager
4915 Auburn Ave., Suite 200
Bethesda, MD 20814
Phone - 301-907-2484
Fax - 301-907-9021

Attorney for
Buffalo - Lake Erie Wireless Systems Co., L.L.C.

APR 19,
DATED: ~~March 12~~, 2004

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
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

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APR 19 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DATE: April 23, 2004

SUBJECT: A-311321F7001

TO: Office of Special Assistants

FROM: James J. McNulty, Secretary *KB*

JOINT PETITION OF VERIZON NORTH INC. AND BUFFALO-LAKE ERIE WIRELESS SYSTEMS CO., 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 May 8, 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

DOCUMENT
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PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOTICE TO BE PUBLISHED

Joint Petition of Verizon North Inc. and Buffalo-Lake Erie Wireless Systems Co., LLC for Approval of Adoption of an Interconnection Agreement Under Section 252(i) of The Telecommunications Act of 1996.

Docket Number: A-311321F7001.

Verizon North Inc. and Buffalo-Lake Erie Wireless Systems Co., LLC, by its counsel, filed on April 19, 2004, at the Public Utility Commission, a Joint Petition for approval of an 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 North Inc. and Buffalo-Lake Erie Wireless Systems Co., 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.

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APR 23 2004

BY THE COMMISSION

James J. McNulty

James J. McNulty
Secretary

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APR 23 2004

Daniel E. Monagle
Assistant General Counsel
Pennsylvania

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July 27, 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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SEP 28 2004

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JUL 27 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Joint Filing of Verizon North Inc. and
Buffalo – Lake Erie Wireless Systems Co., Inc.
of Adoption of an Interconnection Agreement
Dkt. No. A-311321 F7001

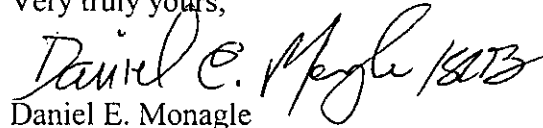
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Dear Mr. McNulty:

Pursuant to the Public Utility Commission's Order entered on June 25, 2004 the parties in the above-referenced matter were directed to notify the Commission whether a true and correct copy of the Agreement had been 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 April 19, 2004 and which, along with the underlying Agreement being adopted, was the subject of the Commission's Order dated June 25, 2004. In addition, enclosed please find an electronic copy of the letter of adoption, in .pdf format.

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: Brian Galfand, President, Buffalo – Lake Erie Wireless (w/out diskette)

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