

CAPTION SHEET

ASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: OSA
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: A-311315 F7001
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 09/01/04
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: VERIZON NORTH INC.

RESPONDENT/APPLICANT: ENDLESS MOUNTAINS WIRELESS, LLC

COMP/APP COUNTY: UTILITY CODE: 311315

ALLEGATION OR SUBJECT

JOINT PETITION OF VERIZON NORTH INC. AND ENDLESS MOUNTAINS WIRELESS, LLC FOR APPROVAL OF AN INTERCONNECTION AGREEMENT UNDER SECTION 252 (E) OF THE TELECOM-MUNICATIONS ACT OF 1996.

DOCUMENT  
FOLDER

**DOCKETED**  
SEP 07 2004

Daniel E. Monagle  
Assistant General Counsel  
Pennsylvania

ORIGINAL



1717 Arch Street, 32NW  
Philadelphia, PA 19103

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

September 1, 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

DOCUMENT  
FOLDER

RE: Joint Petition of  
Verizon North Inc. and Endless Mountains Wireless, LLC  
for Approval of an Interconnection Agreement  
Dkt. No. A-311315 F7001

Dear Mr. McNulty:

Enclosed please find an original and three (3) true and correct copies of the Joint Petition of Verizon North Inc. and Endless Mountains Wireless, LLC for Approval of an Interconnection Agreement. As evidenced by the cc: below, notice of this filing is being provided to Endless Mountains Wireless, LLC.

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

DEM/slb

Enclosure

cc: Robert Shaw, Endless Mountains Wireless, LLC  
Attached Service List

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



ORIGINAL

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOINT PETITION OF VERIZON NORTH INC. AND )  
ENDLESS MOUNTAINS WIRELESS, LLC FOR )  
APPROVAL OF AN INTERCONNECTION )  
AGREEMENT UNDER SECTION 252(e) OF THE )  
TELECOMMUNICATIONS ACT OF 1996. )

PUC Docket No. A-311315 F 7001

JOINT PETITION

Verizon North Inc. ("Verizon") and Endless Mountains Wireless, LLC (EMW) respectfully submit for the Commission's approval, pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 (the "1996 Act")<sup>1</sup>, the attached Interconnection Agreement dated as of August 5, 2004 (the "Agreement"). The Agreement provides for the continued interconnection of the two companies' networks, thereby facilitating EMW's provision of Commercial Mobile Radio Service ("CMRS") to both residential and business customers in Pennsylvania. EMW and Verizon respectfully request that the Commission act within the 90 days specified by the 1996 Act and approve the Agreement.

In support of this request, Verizon and EMW state as follows:

**THE PARTIES**

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

2. EMW is a telecommunications company that has been granted authority by the Federal Communications Commission to provide CMRS service in Pennsylvania.

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU  
of the Communications Act

<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.

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## **THE AGREEMENT**

3. Verizon and EMW have entered into the Agreement pursuant to Sections 251(c) and 252(a) of the 1996 Act.

4. The Agreement sets forth the terms, conditions and prices under which Verizon and EMW 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. The Agreement satisfies the requirements for Commission approval 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 Agreement does not discriminate against any other telecommunications carrier, as required by Section 252(e)(2)(a)(i). To the contrary, any other CMRS provider authorized to provide EMW services in Pennsylvania may obtain the interconnection, unbundling and resale arrangements specified in the Agreement on the same terms and conditions. Other carriers are not bound by the Agreement and remain free to negotiate independently with Verizon pursuant to Section 252 of the 1996 Act.

7. Second, the Agreement is consistent with the public interest, convenience, and necessity, as required by Section 252(e)(2)(a)(ii). It will permit EMW to receive Verizon

transport and termination, which should benefit EMW's customers. The Agreement will also be available to all CMRS providers under § 252(i) of the 1996 Act.

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

8. Under Section 252(e)(4) of the 1996 Act, the Commission has 90 days to approve or reject the Agreement. The parties request that the Commission approve the Agreement without revision as quickly as possible consistent with the public interest.

WHEREFORE, Verizon respectfully requests that the Commission approve the attached interconnection agreement pursuant to Section 252(e) of the 1996 Act.

Respectfully submitted,



Julia A. Conover  
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Attorneys For  
Verizon North Inc.



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Tel. 570-996-9700  
Fax 570-836-1722

Attorney for  
Endless Mountains Wireless, LLC

*SEPTEMBER 1,*  
DATED: July ~~28~~, 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  
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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

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DATE: September 7, 2004

SUBJECT: A-311315F7001

TO: Office of Special Assistants

FROM: James J. McNulty, Secretary *KB*

JOINT PETITION OF VERIZON NORTH INC. AND ENDLESS MOUNTAINS  
WIRELESS, LLC FOR APPROVAL OF AN INTERCONNECTION AGREEMENT  
UNDER SECTION 252(e) OF THE TELECOMMUNICATIONS ACT OF 1996.

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Attached is a copy of a Joint Petition for Approval 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 September 18, 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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FOLDER

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PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOTICE TO BE PUBLISHED

Joint Petition of Verizon North Inc. and Endless Mountains Wireless, LLC. for Approval of an Interconnection Agreement Under Section 252(e) of The Telecommunications Act of 1996.  
Docket Number: A-311315F7001.

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Verizon North Inc. and Endless Mountains Wireless, LLC., by its counsel, filed on September 1, 2004, 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 Endless Mountains Wireless, LLC. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

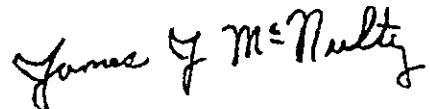
Contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

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**DOCKETED**

SEP 07 2004

BY THE COMMISSION



James J. McNulty  
Secretary

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