

PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Core Communications Inc.
vs.
Verizon PA LLC and Verizon
North LLC

Public Meeting-October 22, 2015
2253750-OSA
Docket Nos. C-2011-2253750,
C-2011-2253787, C-2014-2406550

MOTION OF COMMISSIONER PAMELA A. WITMER

Before us today for consideration and disposition is both a Joint Petition for Partial Reconsideration (Petition) filed by Verizon Pennsylvania LLC and Verizon North LLC (collectively Verizon) on June 2, 2015 and a Motion for Consolidation filed by Core Communications, Inc. (Core) on June 12, 2015. In essence, Verizon's Petition requests partial reconsideration of the Commission's Opinion and Order entered May 28, 2015 (May 2015 Order) to include a condition rescinding the requirements of the September 2011 Commission Order granting emergency relief to Core. Core's Motion for Consolidation requests that the Commission consolidate the above-referenced proceeding with another pending case involving Verizon Pennsylvania LLC and docketed at C-2014-2406550.

Consistent with the May 7, 2015 Joint Motion, I reiterate my interest in bringing this case to conclusion. In May of this year, the Commission determined that this case should be remanded on a limited and expedited basis so that the parties could address a very specific but key issue, the changed circumstances of the February 15, 2015 Federal Communications Commission (FCC) ruling to determine its impact on the intercarrier compensation issues in this case. In the same order, the Commission also indicated that it would consider all of the outstanding issues pending in this proceeding as ripe for disposition once the Office of Administrative Law Judge (OALJ) concluded the limited remand. Unfortunately, the May 2015 expedited remand was delayed because of the filing of Verizon's Petition for Partial Reconsideration requesting that a condition in a Commission September 2011 Order be rescinded as well as Core's Motion for Consolidation.

It is extremely disappointing to me that the limited remand could not move forward in this proceeding so that a finite set of issues could be resolved as quickly as possible benefitting both parties as well as the Commission to conclude this prolonged litigation. I also am concerned that the parties have not seriously considered some of the directives set forth in the Commission's May 2015 Order including using the provisions for dispute resolution in the existing interconnection agreements to engage in good faith negotiations in order to resolve this multi-year litigation.

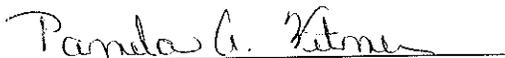
In an effort to move this case forward and to effectuate the Commission's May 2015 Order, I recommend directing that the limited remand as articulated in the May 2015 Order be referred to OALJ for evidentiary hearings, if necessary, and that OALJ issue a Recommended

Decision within 60 days of the entry date of this Order. As a result, Verizon's Petition for Partial Reconsideration of the Commission's May 2015 Order and Core's Motion for Consolidation should be denied. In addition, I remind the parties that the Commission's September 2011 Emergency Order at this docket remains in full force and effect.

THEREFORE, I MOVE THAT:

1. The Joint Petition for Partial Reconsideration (Petition), filed by Verizon Pennsylvania LLC and Verizon North LLC (collectively Verizon) on June 2, 2015 and the Motion for Consolidation filed by Core Communications, Inc. (Core) on June 12, 2015 be denied, consistent with this Motion.
2. The June 6, 2013 Recommended Decision and Office of Special Assistants' recommendation submitted for the May 7, 2015 Public Meeting are held in abeyance during the limited remand proceeding at this docket.
3. The limited remand ordered by this Commission on May 28, 2015 for further deliberation on the Federal Communications Commission's February 15, 2015 Declaratory Ruling in *in the Matter of Connect America Fund and Developing a Unified Intercarrier Compensation Regime*, WC Docket No. 10-90 and CC Docket No. 01-92, be completed by the Office of Administrative Law Judge with further evidentiary hearings, if necessary, and result in the issuance of a Recommended Decision within 60 days of the entry date of this Order.
4. The Office of Special Assistants prepare an Order consistent with this Motion.

DATED: October 22, 2015



**PAMELA A. WITMER
COMMISSIONER**