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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE:

I-00030099

DOCUMENT
FOLDER

June 3, 2004

Re: Investigation into the Obligations of Incumbent Local Exchange Carriers to
Unbundle Network Elements
Docket No. I-00030099

TO ALL PARTIES:

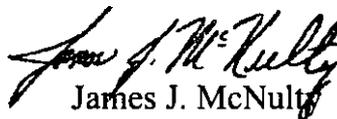
On March 25, 2004, the Commission notified all parties of its decision to generally suspend activity in the above-referenced case. The Commission indicated that it would revisit the matter in May and, if deemed necessary and appropriate, would direct the Office of Administrative Law Judge (OALJ) to issue a Recommended Decision no later than June of 2004.

All parties are hereby notified that the Commission has directed OALJ to prepare a summary of the record evidence, as the next step in this proceeding. The Commission anticipates that such summary will be useful to the Commissioners and staff, despite the legal uncertainty surrounding the TRO. At a minimum, the summary will enhance the Commission's understanding of the presence of facilities-based competition in Pennsylvania today.

The summary will recite the party positions on each issue and provide any other useful information, such as explain points of debate among the parties as to alternative sources of facilities or explain why there are uncertainties as to what facilities exist to serve customers. It will summarize what the record shows as to the existence of alternative (non-Verizon) switches, transport and high capacity loops on a geographic basis to serve wireline customers.

The summary of the record will not be a Recommended Decision because it will not be written to the Federal Communications Commission's legal standards promulgated in the Triennial Review Order.¹ For example, the assigned ALJ will not decide how the Commission should define "geographic market." Accordingly, exceptions and replies will not be required. The summary will be a public document, however, that will be subject to comment by the parties.

Very truly yours,



James J. McNulty
Secretary

cc: Chief ALJ Christainson
ALJ Schnierle
ALJ Colwell

¹ Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, CC Docket Nos. 01-338 et al., FCC 03-36, 18 FCC Rcd 16978 (Aug. 21, 2003); Errata, FCC 03-227, 18 FCC Rcd 19020 (Sep. 17, 2003).