

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 04/25/07
8. DOCKET NO: C-20077671	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: VERIZON PENNSYLVANIA, ET AL

RESPONDENT/APPLICANT: ONE COMMUNICATIONS CORP

COMP/APP COUNTY:

UTILITY CODE: 999999

ALLEGATION OR SUBJECT

COMPLAINANT STATES RESPONDENT IS VIOLATING 66 PA C.S. 3017(C) WHICH FORBIDS CLECS FROM CHARGING INTRASTATE SWITCHED ACCESS RATES THAT ARE HIGHER THAN THOSE OF THE INCUMBENT LOCAL EXCHANGE CARRIER IN THE CORRESPONDING SERVICE AREA. COMPLAINANT SEEKS REFUND OR CREDIT OF ALL ILLEGAL CHARGES.

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FOLDER

DOCKETED
MAY 11 2007

Suzan DeBusk Paiva
Assistant General Counsel



Verizon Pennsylvania Inc.
1717 Arch Street, Floor 10
Philadelphia, PA 19103

Tel: (215) 466-4755
Fax: (215) 563-2658
Suzan.D.Paiva@Verizon.com

April 25, 2007

VIA UPS OVERNIGHT DELIVERY

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

ORIGINAL

RE: Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Select Services Inc., Verizon Global Networks, Inc., MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc.

v.

One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC
Docket No. C-20077671

Dear Secretary McNulty:

Enclosed please find the original and three (3) copies of the Formal Complaint of the various Verizon entities described above, against One Communications Corp. and its subsidiaries listed above for violation of 66 Pa. C.S. § 3017(c), which forbids competitive local exchange carriers from charging intrastate switched access rates that are higher than those of the incumbent local exchange carrier in the corresponding service area.

If you have any questions, please do not hesitate to contact me.

Very truly yours,


Suzan D. Paiva

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SDP/slb
Enclosure

VIA UPS OVERNIGHT DELIVERY
cc: Bodhan R. Pankiw, Esquire
Attached Service List

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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CERTIFICATE OF SERVICE

I, Suzan D. Paiva, hereby certify that I have this day served a copy of Verizon's Formal Complaint, upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Philadelphia, Pennsylvania, this 25th day of April, 2007.

VIA UPS DELIVERY

R. Edward Price
Senior Director, Regulatory Affairs
One Communications Corp.
1000 Chestnut Street, Suite 600
Rochester, NY 14604

Steven C. Gray, Esquire
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17102

Joel Cheskis, Esquire
Office of Consumer Advocate
555 Walnut Street
Fifth Floor, Forum Place
Harrisburg, PA 17101-1923

John Simms, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120



Suzan D. Paiva
Verizon
1717 Arch Street, 10W
Philadelphia, PA 19103
(215) 466-4755

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North
Inc., Bell Atlantic Communications, Inc.
d/b/a Verizon Long Distance, Verizon
Select Services Inc., Verizon Global
Networks, Inc., MCI metro Access
Transmission Services, LLC d/b/a
Verizon Access Transmission
Services, and MCI Communications
Services Inc.,

Complainants

v.

One Communications Corp., Choice One
Communications of Pennsylvania, Inc., CTC
Communications Corp., Conversent
Communications of Pennsylvania, LLC,
FiberNet Telecommunications of
Pennsylvania, LLC, Lightship Telecom,
LLC,

Respondents

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MAY 11 2007

Docket No. C-20077671

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

FORMAL COMPLAINT

Pursuant to 52 Pa. Code § 5.21, Verizon Pennsylvania Inc., Verizon North Inc., Verizon Select Services Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Global Networks, Inc., MCI metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc. (collectively "Verizon") bring this formal complaint against One Communications Corp. ("One Communications"), Choice One Communications of Pennsylvania Inc. ("Choice One"), CTC Communications Corp. ("CTC"), Conversent Communications of Pennsylvania, LLC ("Conversent"), FiberNet Telecommunications of Pennsylvania, LLC

("FiberNet"), and Lightship Telecom LLC ("Lightship") (collectively, the "One Communications Companies") for violation of 66 Pa. C.S. § 3017(c), which forbids competitive local exchange carriers ("CLECs") from charging intrastate switched access rates that are higher than those of the incumbent local exchange carrier ("ILEC") in the corresponding service area. Verizon also seeks refund or credit of all illegal charges to any of the Verizon companies by the One Communications Companies in violation of this statute from its effective date. In support of its formal complaint, Verizon avers as follows:

1. Verizon Pennsylvania Inc. ("Verizon PA") is an "incumbent local exchange telecommunications company" as defined by 66 Pa. C.S. §§ 3012 and 3017. Verizon PA is authorized by the Commission to provide, and does provide, telecommunications service in the Commonwealth of Pennsylvania.

2. Verizon North Inc. ("Verizon North") is an "incumbent local exchange telecommunications company" as defined by 66 Pa. C.S. §§ 3012 and 3017. Verizon North is authorized by the Commission to provide, and does provide, telecommunications service in the Commonwealth of Pennsylvania.

3. Verizon Select Services Inc. ("VSSI") is an interexchange telecommunications carrier that is authorized by the Commission to provide, and that does provide, interexchange telecommunications services in the Commonwealth of Pennsylvania.

4. Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance ("VZLD") is an interexchange telecommunications carrier that is authorized by the

Commission to provide, and that does provide, interexchange telecommunications services in the Commonwealth of Pennsylvania.

5. Verizon Global Networks, Inc. ("VZGNI") operates and manages network facilities and services for certificated Verizon interexchange affiliates, including but not limited to VSSI and VZLD.

6. MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services ("Verizon Access") is a CLEC that is authorized by the Commission to provide, and that does provide, telecommunications service in the Commonwealth of Pennsylvania.

7. MCI Communications Services Inc. ("MCI") is an interexchange telecommunications carrier that is authorized by the Commission to provide, and that does provide, interexchange telecommunications service in the Commonwealth of Pennsylvania.

8. The above companies, collectively referred to as "Verizon," are represented by the following counsel in this matter:

Suzan D. Paiva
Assistant General Counsel
Verizon
1717 Arch St., 10W
Philadelphia, PA 19103
Phone: (215) 466-4755
Fax: (215) 563-2658
Suzan.d.paiva@verizon.com

9. One Communications is a holding company that owns telecommunications carriers providing competitive local exchange telecommunications service in the Commonwealth of Pennsylvania.

10. Choice One is a "telecommunications carrier providing competitive local exchange telecommunications service" in the Commonwealth of Pennsylvania as set forth in 66 Pa. C.S. § 3017(c). Choice One is operating under Operating Company Number ("OCN") 4024 and 9490. Choice One is a subsidiary of One Communications.

11. CTC is a "telecommunications carrier providing competitive local exchange telecommunications service" in the Commonwealth of Pennsylvania as set forth in 66 Pa. C.S. § 3017(c). CTC is operating under OCN 3115 and 395D. CTC is a subsidiary of One Communications.

12. Conversent is a "telecommunications carrier providing competitive local exchange telecommunications service" in the Commonwealth of Pennsylvania as set forth in 66 Pa. C.S. § 3017(c). Conversent is operating under OCN 147B. Conversent is a subsidiary of One Communications.

13. FiberNet is a "telecommunications carrier providing competitive local exchange telecommunications service" in the Commonwealth of Pennsylvania as set forth in 66 Pa. C.S. § 3017(c). FiberNet is operating under OCN 3609. FiberNet is a subsidiary of One Communications.

14. Lightship is a "telecommunications carrier providing competitive local exchange telecommunications service" in the Commonwealth of Pennsylvania as set forth in 66 Pa. C.S. § 3017(c). Lightship is operating under OCN 5059. Lightship is a subsidiary of One Communications.

15. One Communications claims on its website to be "the largest privately-held competitive local exchange carrier in the U.S."¹ It also claims to serve "more than 160,000 businesses, from large to small, in 16 states throughout the Northeast, Mid-Atlantic and Upper Midwest regions."²

16. On November 30, 2004, "Act 183" became law, revising Title 66 of the Pennsylvania Consolidated Statutes (the Public Utility Code). Act 183 contains the following mandate applicable to the intrastate switched access rates charged by CLECs:

Limitation - No telecommunications carrier providing competitive local exchange telecommunications service may charge access rates higher than those charged by the incumbent local exchange telecommunications company in the same service territory, unless such carrier can demonstrate that the higher access rates are cost justified.

66 Pa. C.S. §3017(c).

17. The One Communications Companies provide, or are authorized to provide, competitive local exchange telecommunications service in the service territories of incumbent local exchange telecommunications companies Verizon PA and Verizon North.

18. Verizon PA's intrastate switched access rates can be found in its Tariff Pa. PUC No. 302. Verizon PA charges a Carrier Charge of \$0.58 per access line or trunk per month, as well as certain per-minute-of-use or per-minute-of-use, per-mile charges for local switching and transport. True and correct copies of the pertinent pages of Verizon PA's Tariff Pa. PUC No. 302 containing its intrastate switched access rates that have

¹ http://www.onecommunications.com/our-company/index-clec-one.aspx?TierSlicer1_mttd=40&TierSlicer1_mtt=4&TierSlicer1_mid=8.

² *Id.*

been effective from February 1, 2005, to the present are attached hereto as Exhibit 1 to this Complaint.³

19. Verizon North's intrastate switched access rates can be found in its Tariff Pa. PUC No. 9. Effective February 1, 2005, to the present, Verizon North's intrastate switched access rate elements are identical to those of Verizon PA. True and correct copies of the pertinent pages from Verizon North's Tariff Pa. PUC No. 9 depicting its currently effective intrastate switched access rates are attached hereto as Exhibit 3 to this Complaint.⁴

20. The switched access rates of Verizon PA and Verizon North were reduced effective February 1, 2005, in compliance with this Commission's order entered July 28, 2004, in Docket C-20027195.

Choice One

21. Choice One's intrastate switched access rates, including those applicable in the service territories of Verizon PA and Verizon North, are set forth in Choice One's PA P.U.C. Tariff No 2. True and correct copies of Choice One's Tariff PA P.U.C. Tariff No. 2 containing its currently effective intrastate switched access rates are attached hereto as Exhibit 5 to this Complaint. Choice One's tariff applies the same intrastate switched

³ For the two-month period from the effective date of Act 183 (November 30, 2004) to January 31, 2005, Verizon PA's intrastate switched access rates were slightly higher, and are depicted in the pertinent pages from Tariff Pa. PUC No. 302 from that time period attached hereto as Exhibit 2 to this Complaint. While not relevant to determining what access rates the One Communications Companies should be charging at the present time, the old rates are relevant to calculating the amount by which the One Communications Companies have overcharged Verizon since Act 183 became law.

⁴ For the two-month period from the effective date of Act 183 (November 30, 2004) through January 31, 2005, Verizon North's intrastate switched access rates were higher, and are depicted in the pertinent pages from Tariff Pa. PUC No. 9 from that time period attached hereto as Exhibit 4 to this Complaint.

access rates to all switched exchange access traffic in Pennsylvania. Choice One, PA P.U.C. No. 2, 3rd Revised Title Sheet.

22. Choice One's tariff includes five switched access rate elements on a per-minute-of-use basis: Carrier Common Line Charge ("CCL"), Local Switching, Local Transport, Tandem Switching and Interconnection Charge. The first three rate elements have six per-minute-of-use rates that are associated with time of time of day (Day, Evening and Night/Weekend) and traffic type (InterLATA and IntraLATA). The latter two rate elements have two per-minute-of-use rates that are the same for each traffic type (InterLATA and IntraLATA). Choice One's tariff also includes a Transport Mileage switched access rate element that is assessed on a per-minute-of-use, per-mile basis. Choice One's Transport Mileage rate element has multiple per-minute-of-use, per-mile rates that are associated with time of day (Day, Evening and Night/Weekend) and traffic type (InterLATA and IntraLATA). None of Choice One's tariffed switched access rates has been altered since the enactment of Act 183 on November 30, 2004.

23. Choice One's current tariffed intrastate switched access rates exceed the tariffed rates the incumbent local exchange telecommunications company in the same service territory. A comparison of the tariffed rate elements is depicted on Exhibit 6 to this Complaint.

24. For example, Choice One's tariff Local Transport rate is considerably higher than the comparable transport rates of Verizon PA (Tandem Transport-Fixed) and Verizon North (Tandem Transport Termination). While Choice One's tariffed rates for these local transport rate elements range between \$0.0018 per-minute-of-use and \$0.0104

per-minute-of-use,⁵ Verizon PA and Verizon North have tariffed rates of only \$0.000195 per-minute-of-use, per termination.

25. Choice One's Transport Mileage rate is also considerably higher than the comparable transport mileage rates of Verizon PA (Tandem Transport-Per Mile) or Verizon North (Tandem Transport Facility). While Choice One's tariffed rate ranges between \$0.000072 and \$0.000207 per-minute-of-use, per-mile for Transport Mileage,⁶ Verizon PA and Verizon North have a tariffed rate of only \$0.000045 per-minute-of-use, per-mile.

26. Choice One's Tandem Switching rate is also considerably higher than the comparable Tandem Switching rates of Verizon PA and Verizon North. While Choice One's tariffed rate is \$0.004206 per-minute-of-use,⁷ Verizon PA and Verizon North have a tariffed rate of only \$0.000983 per-minute-of-use.

27. Choice One's tariff includes an Interconnection Charge rate of \$0.0025 per-minute-of-use.⁸ Verizon PA and Verizon North do not have a comparable rate element in their access tariffs.

28. The most practical way to compare a CLEC's switched access rates to those of the ILEC is to calculate a composite rate per-minute-of-use, taking into account all of the access rate elements being charged. The composite intrastate switched access rates Choice One has billed and continues to bill Verizon exceed the comparable composite rate of the ILEC in Verizon PA and Verizon North service territory. While

⁵ See Exhibit 5, Choice One PA P.U.C. No. 2, Section 3.6.1B (effective Sept. 12, 1996).

⁶ See Exhibit 5, Choice One PA P.U.C. No. 2, Section 3.6.1B (effective Sept. 12, 1996).

⁷ See Exhibit 5, Choice One PA P.U.C. No. 2, Section 3.6.1C (effective Sept. 12, 1996).

⁸ See Exhibit 5, Choice One PA P.U.C. No. 2, Section 3.6.1D (effective Sept. 12, 1996).

Choice One is charging between 2.5 to 4.6 cents per minute-of-use, under the Verizon ILECs' rates the same traffic would be charged at between 1.4 and 1.7 cents per minute-of-use. The details of this comparison are depicted on Exhibit 7 to this Complaint.

29. Choice One has not instituted any proceeding to demonstrate that its "higher access rates are cost justified," and this Commission has not determined that such rates are cost justified under 66 Pa. C.S. § 3017(c) in order to allow Choice One to charge these higher rates.

30. Each of the Verizon companies is an intrastate switched access customer of Choice One, and each pays Choice One's billed access charges at Choice One's tariffed intrastate switched access rates.

31. Choice One has overbilled Verizon for intrastate switched access service by billing rates higher than allowable under 66 Pa. C.S. § 3017(c). For invoices received through March 31, 2007, the amount of Choice One's overbilling was \$536,242.25 for the former MCI companies, \$401,276.21 for the original Verizon long distance companies, and \$939,281.38 for the Verizon ILECs, for a total of \$1,876,799.84. These amounts continue to increase each day that Choice One continues to charge its illegally high access rates.

32. By letters dated August 29, 2005, October 13, 2005, May 3, 2006, and July 21, 2006, Verizon informed Choice One that it was in violation of 66 Pa. C.S. § 3017(c), and demanded that Choice One immediately alter its tariffed rates to comply with that statute. Verizon also demanded that Choice One credit or refund all overcharges assessed by Choice One upon Verizon due to its illegally high intrastate

switched access rates. Verizon's letters are attached hereto as Exhibit 8 to this Complaint.

33. Choice One has not responded in writing to Verizon's letters in Exhibit 8, although representatives of the parties have discussed the matter orally.

34. By failing to comply with 66 Pa. C.S. § 3017(c), Choice One not only is violating the law but is also gaining an unfair competitive advantage over other carriers to the extent it is requiring them to subsidize Choice One's CLEC operations, and particularly over those CLECs that have complied with this statute and reduced their own access rates.

CTC

35. CTC's intrastate switched access rates, including those applicable in the service territories of Verizon PA and Verizon North, are set forth in CTC's Pa P.U.C. Tariff No 5. True and correct copies of CTC's Tariff Pa P.U.C. Tariff No. 5 containing its currently effective intrastate switched access rates are attached hereto as Exhibit 9 to this Complaint. CTC's tariff applies the same intrastate switched access rates to all switched exchange access traffic in Pennsylvania. CTC Pa P.U.C. Tariff No. 5, Preface, Original Page No. 3.

36. CTC's tariff includes ten switched access rate elements on a per-minute-of-use basis: Carrier Common Line Charge ("CCL"), Local Switching, Shared End Office Trunk Charge, Tandem Switching, Tandem Transport Termination, Tandem Transport Facility, Host/Remote Transport Termination, Transport Multiplexing, Interconnection, and Interconnection Charge. CTC's tariff also includes a Host/Remote

Transport Facility switched access rate element that is assessed on a per-minute-of-use, per-mile basis.

37. CTC's current tariffed intrastate switched access rates exceed the tariffed rates the incumbent local exchange telecommunications company in the same service territory. A comparison of the tariffed rate elements is depicted on Exhibit 10 to this Complaint.

38. For example, CTC's Local Switching rate is considerably higher than the comparable Local Switching rates of Verizon PA and Verizon North. While CTC's tariffed rate is \$0.008934 per-minute-of-use,⁹ Verizon PA and Verizon North have a tariffed rate of only \$0.006212 per-minute-of-use.

39. CTC's Shared End Office Trunk Charge rate is also higher than the comparable rates of Verizon PA and Verizon North (Shared End Office Trunk Port). While Choice One's tariffed rate is \$0.001618 per-minute-of-use,¹⁰ Verizon PA and Verizon North have tariffed rates of only \$0.001598 per-minute-of-use.

40. CTC's tariff includes a Transport Multiplexing rate of \$0.0001 per-minute-of-use,¹¹ an Interconnection rate of \$0.0019380 per-minute-of-use,¹² and an Interconnection Charge rate of \$0.0030856 per-minute-of-use.¹³ Verizon PA and Verizon North do not have comparable rate elements in their access tariffs.

⁹ See Exhibit 9, CTC Pa P.U.C. No. 5, Section 10.3.2(A) (effective July 24, 2006).

¹⁰ See Exhibit 9, CTC Pa P.U.C. No. 5, Section 10.3.2(C) (effective July 24, 2006).

¹¹ See Exhibit 9, CTC Pa P.U.C. No. 5, Section 10.3.1(B)(4)(d) (effective July 24, 2006).

¹² See Exhibit 9, CTC Pa P.U.C. No. 5, Section 10.3.1(D) (effective July 24, 2006).

¹³ See Exhibit 9, CTC Pa P.U.C. No. 5, Section 10.3.1(I) (effective July 24, 2006).

41. CTC's composite switched access rates on a per-minute-of-use basis exceed the composite switched access rates of the incumbent local exchange telecommunications company in the same service territory for the same switched access traffic. As demonstrated by the comparison is depicted on Exhibit 11 to this Complaint, CTC's composite rate per-minute-of-use is over 5 cents, while the same traffic charged under the Verizon ILECs' rates would be between 1.5 and 1.8 cents per minute-of-use.

42. CTC has not instituted any proceeding to demonstrate that its "higher access rates are cost justified," and this Commission has not determined that such rates are cost justified under 66 Pa. C.S. § 3017(c) in order to allow CTC to charge these higher rates.

43. Each of the Verizon companies is an intrastate switched access customer of CTC and each pays CTC's billed access charges at CTC's tariffed intrastate switched access rates. Since November 30, 2004, CTC has not billed the Verizon companies more than \$10,000 in access charges under CTC's tariffed intrastate switched access rates.

44. By failing to comply with 66 Pa. C.S. § 3017(c), CTC not only is violating the law but is also gaining an unfair competitive advantage over other carriers to the extent it is requiring them to subsidize CTC's operations, and particularly over those CLECs that have complied with this statute and reduced their own access rates.

Conversent

45. Conversent's intrastate switched access rates, including those applicable in the service territories of Verizon PA, are set forth in Conversent's Pa. P.U.C. Tariff No 4. True and correct copies of Conversent's Tariff Pa. P.U.C. Tariff No. 4 containing its currently effective intrastate switched access rates are attached hereto as Exhibit 12 to

this Complaint. Conversent's tariff applies the same intrastate switched access rates to all switched exchange access traffic in Pennsylvania. Conversent, Pa. P.U.C. No.4, Original Sheet 4.

46. Conversent's tariff includes one switched access rate element on a per-minute-of-use basis: Blended Carrier Switched Access – Verizon Pennsylvania, Inc. Territory. A comparison of Conversent's tariffed switched access rate with the incumbent carriers' tariffed switched access rates is shown on Exhibit 13 to this Complaint.

47. Conversent's tariffed blended switched access rate is \$0.06 per-minute-of-use. As demonstrated by the comparison depicted on Exhibit 14 to this Complaint, the same traffic billed under the Verizon ILECs' rates would be between 1.5 and 1.8 cents per minute-of-use. Accordingly, Conversent's tariffed composite intrastate switched access rate exceeds the composite switched access rate of the incumbent local exchange telecommunications company in the same service territory by more than 300 percent.

48. Conversent has not instituted any proceeding to demonstrate that its "higher access rates are cost justified," and this Commission has not determined that such rates are cost justified under 66 Pa. C.S. § 3017(c) in order to allow Conversent to charge these higher rates.

49. By failing to comply with 66 Pa. C.S. § 3017(c), Conversent not only is violating the law but is also gaining an unfair competitive advantage over other carriers to the extent it is requiring them to subsidize Conversent's operations, and particularly over those CLECs that have complied with this statute and reduced their own access rates.

FiberNet

50. FiberNet's intrastate switched access rates, including those applicable in the service territories of Verizon PA and Verizon North, are set forth in FiberNet's Pa. P.U.C. Tariff No 4. True and correct copies of FiberNet's Tariff Pa. P.U.C. Tariff No. 4 containing its currently effective intrastate switched access rates are attached hereto as Exhibit 15 to this Complaint. FiberNet's tariff applies the same intrastate switched access rates to all switched exchange access traffic in Pennsylvania. FiberNet Pa. P.U.C. Tariff No. 4, Original Title Sheet 4.

51. FiberNet's tariff includes one switched access rate element on a per-minute-of-use basis: Blended Carrier Switched Access. A comparison of FiberNet's tariffed switched access rates with the incumbent carriers' tariffed switched access rates is shown on Exhibit 16 to this Complaint.

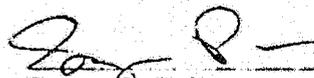
52. FiberNet's tariffed blended switched access rate is \$0.06 per-minute-of-use. As demonstrated by the comparison depicted on Exhibit 17 to this Complaint, the same traffic billed under the Verizon ILECs' rates would be between 1.5 and 1.8 cents per minute-of-use. Accordingly, FiberNet's tariffed composite intrastate switched access rate exceeds the composite switched access rate of the incumbent local exchange telecommunications company in the same service territory by more than 300 percent. FiberNet has not instituted any proceeding to demonstrate that its "higher access rates are cost justified," and this Commission has not determined that such rates are cost justified under 66 Pa. C.S. § 3017(c) in order to allow FiberNet to charge these higher rates.

53. By failing to comply with 66 Pa. C.S. § 3017(c), FiberNet not only is violating the law but is also gaining an unfair competitive advantage over other carriers to

the extent it is requiring them to subsidize FiberNet's operations, and particularly over those CLECs that have complied with this statute and reduced their own access rates.

WHEREFORE, Verizon requests that this Commission:

- (a) Direct the One Communications Companies to comply with the mandates of 66 Pa. C.S. § 3017(c) by immediately reducing each of their tariffed intrastate switch access rates to a level no higher than those of the incumbent local exchange telecommunications companies in the corresponding service area;
- (b) Forbid the One Communications Companies from charging access rates higher than the corresponding incumbent local exchange telecommunications companies rates unless and until the Commission enters a final order finding that such companies have demonstrated that higher rates are cost-justified;
- (c) Order the One Communications Companies to refund or credit to Verizon all amounts illegally charged to Verizon in violation of 66 Pa. C.S. § 3017(c) from its effective date of November 30, 2004 to the present, with interest;
- (d) Grant such other relief as the Commission deems just and appropriate.


Suzan D. Paiva (Atty No. 53853)
Verizon
1717 Arch Street, 10th Floor
Philadelphia, PA 19103
(215) 466-4755

James G. Pachulski (Atty No. 57938)
TechNet Law Group, P.C.
1100 New York Ave., NW, Suite 365W
Washington, DC 20005-3934
(202) 598-0120

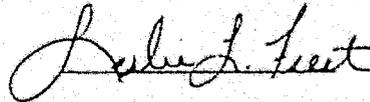
Dated: April 25, 2007

Attorneys for Verizon

VERIFICATION

I, Leslie L. Freet, state that I am a manager in Line Cost Management in support of the following business units: MCI metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services and MCI Communications Services Inc., and that as such I am authorized to make this verification on their behalf. I have reviewed Verizon's Formal Complaint against One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC, and verify that the facts contained therein are true to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Date: April 18, 2007



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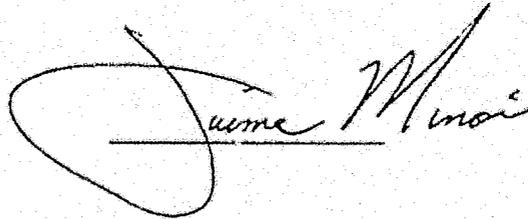
APR 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VERIFICATION

I, Jaime Minor, state that I am a Manager in Carrier Cost Management in support of the following business units: Verizon Select Services, Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance and Verizon Global Networks, Inc. and that as such I am authorized to make this verification on its behalf. I have reviewed Verizon's Formal Complaint against One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC, and verify that the facts contained therein are true to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Date: April 6, 2007

A handwritten signature in cursive script that reads "Jaime Minor". The signature is written in black ink and is positioned above a horizontal line.

RECEIVED

APR 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VERIFICATION

I, Karen A. Spath, state that I am a Senior Staff Consultant in support of the following business units: Verizon Pennsylvania Inc. and Verizon North Inc., and that as such I am authorized to make this verification on their behalf. I have reviewed Verizon's Amended Formal Complaint against One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC, and verify that the facts contained therein are true to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Date: April 13, 2007

Karen A. Spath

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APR 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

C-20077671

**Verizon v. One Communications
Complaint
EXHIBIT 1**

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APR 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ACCESS SERVICE

6. Switched Access Service (Cont'd)

6.9 Rate and Charges (Cont'd)

6.9.2 Switched Transport

(A) Entrance Facilities Voice Grade	Monthly Rate	Nonrecurring		
		Initial	Additional	
2-Wire (USOC - EFG2X)				(C)
Cell 1	\$21.92	\$795.00	\$270.00	
Cell 2	31.12	795.00	270.00	
Cell 3	38.22	795.00	270.00	
Cell 4	43.12	795.00	270.00	
4-Wire USOC - EFG4X)				(C)
Cell 1	35.00	795.00	270.00	
Cell 2	36.67	795.00	270.00	
Cell 3	49.12	795.00	270.00	
Cell 4	57.57	795.00	270.00	
DS1 USOC - EFGDX)				(C)
Cell 1	210.00	930.00	300.00	
Cell 2	225.00	930.00	300.00	
Cell 3	240.00	930.00	300.00	
Cell 4	270.00	930.00	300.00	
per Rearrangement	-	290.00	145.00	
DS3				
Electrical Interface (USOC - TYFAX, TYFBX)	3,130.00	1,800.00	1,800.00	(C)
Optical Interface (USOC - EF2CX, EF2TX)	2,980.00	1,800.00	1,800.00	(C)
(B) <u>Tandem Switched Transport</u>		Per MOU		
		Fixed	Per Mile	
Tandem Switching		\$0.000983	-	
Tandem Transport		0.000195	\$0.000045	
		Monthly Rate		
Dedicated Tandem Trunk Port, Per Trunk		\$12.00		
Host/Remote-Fixed, Per MOU		0.000195		
Host/Remote-Per Mile, Per MOU		0.000045		
(C) <u>Direct-Trunk Transport</u>		Per Month		
		Fixed	Per Mile	
Voice Grade (USOC - 1YTES)	\$16.00		\$2.50	(C)
DS1 (USOC - 1YTCE)	75.00		25.00	(C)
DS3 (USOC - 1YTDS, 1YTOS) Optical or Electrical	900.00		180.00	(C)

ACCESS SERVICE

6. Switched Access Service (Cont'd)

6.9 Rate and Charges (Cont'd)

6.9.2 Switched Transport (Cont'd)

(D) Multiplexing

	<u>Nonrecurring Charge</u>	<u>Per Month</u>	<u>USOC</u>	
- Entrance Facility, per arrangement				
DS1 to Voice Grade....	\$435.00	\$118.00	MKWIX	
DS3 to DS1.....	555.00	500.00	MKW3X, MKJ3X	(C) (C)
- Direct Trunked Transport, per arrangement				
DS1 to Voice Grade....	435.00	118.00	MKWIX	(C)
DS3 to DS1.....	555.00	500.00	MKW3X, MKJ3X	(C) (C)

(E) Shared Network Arrangement

- Processing Charge per Service Order	40.00		SRNXX	
--	-------	--	-------	--

(F) Switched Access Connection Charge

- per Line or Trunk.....	20.00		TPP++	
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(G) Service Order Charge

- per Service Order	110.00		NR3LE	
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(H) Per Remote Trunk Group

- per occurrence	300.00		NRBTC	
------------------------	--------	--	-------	--

(I) Common Channel Signaling Access Service

	<u>Rate</u>
(1) STP Access Mileage Per Month, per mile	\$4.00
(2) STP Port Termination - Per Month, per port	932.58

1 Flexibly Priced

ACCESS SERVICE

6 Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.2 Switched Transport¹ (Cont'd)

(J) Toll Free Data Base Access Service

(C)

(available with Feature Group D equipped with
out of band signaling)

	<u>USOC</u>	<u>RATE</u>
Basic Query Charge		
- Per Query	800DB	\$.003089

Toll Free Data Base Vertical Feature Package (VFP)

(C)

(available with Toll Free Data Base Basic Access Service)

	<u>USOC</u>	<u>RATE</u>
VFP Charge		
- Per Query	800VP	\$.000327

(K) Alternate Servicing Wire Center

	<u>Monthly</u>
per point of termination	
DS1	\$ 25.00
DS3 (Optical or Electrical)	250.00

¹ Flexibly Priced

ACCESS SERVICE

6. Switched Access Service (Cont'd)

6.9 Rate and Charges (Cont'd)

6.9.3 Local Switching

	<u>Rates Per Access Minute</u>			
	<u>Originating Access Minutes</u>	<u>Terminating Access Minutes</u>		
(A) <u>MTS</u>				
Lineside BSA	\$0.010331	(D)		
Feature Group A	0.010787	(D)	\$0.01843	(D)
Trunkside BSA-950 Option	0.010698	(D)		
Feature Group B	0.010787	(D)	0.006212	(D)
Trunkside BSA- 101XXXX Option	0.012486	(D)		
Feature Group D	0.006212	(D)	0.006212	(D)
(B) <u>WATS</u>	0.011859	(D)	*	
(C) <u>Toll Free/900</u>			0.011859	(D)
(D) <u>Switched 56 Kilobit Service **</u>				
Per minute of use	C.14			
(E) <u>Dedicated End Office Trunk Port</u>			<u>Monthly Rate</u>	(C)
Per Month, Per Trunk			\$12.00	
(F) <u>Shared End Office Trunk Port</u>				
Per Minute of Use			0.001598C	

* Rated as MTS minutes of use.

** The Switched 56 Kilobit Service minute-of-use charge applies in addition to the appropriate Trunkside BSA-101XXXX Option or FGD access charges.

ACCESS SERVICE

6 Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.3 Local Switching⁰ (Cont'd)

(E) Common Switching Optional Features and BSEs

	<u>FID/USOC</u>	<u>Rate</u>	<u>Nonrecurring Charge</u>	
Call Denial on Line or Hunt Group (available with Lineside BSA and FGA)				(C)
- Per Transmission Path or Transmission Path Group	CAD	None	None	
Service Code Denial on Line or Hunt Group (available with Lineside BSA and FGA)				(C)
- Per Transmission Path or Transmission Path Group	SCD	None	None	
Hunt Group Arrangement (available with Lineside BSA and FGA)				(C)
- Per Transmission Path Group	HML/HTG	None	None	
Hunting Service Arrangements BSE (available with Lineside BSA)				(C)
- Per Line, Per Month	HSHPG	\$0.12(I)	\$31.00*(I)	
Hunting Service Arrangements: Circular BSE (available with Lineside BSA)				(C)
- Per Line, Per Month	HSRCH	0.12(I)	31.00*(I)	
Hunting Service Arrangements: Preferred BSE (available with Lineside BSA)				(C)
- Per Line, Per Month	HSHPF	0.12(I)	31.00*(I)	

* This charge applies to subsequent activity only.

⁰ Flexibly Priced.

(C) Indicates change (I) Indicates increase

ISSUED MAY 2, 1993.

EFFECTIVE MAY 4, 1993.

By Daniel J. Whelan, Vice-President, 315 N. 2nd St., Harrisburg, Pa

ACCESS SERVICE

6. Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.3 Local Switching³ (Cont'd)

(E) Common Switching Optional Features and BSEs (Cont'd)

	<u>FID/USOC</u>	<u>Rate</u>	<u>Nonrecurring Charge</u>
Uniform Call Distribution Arrangement (available with FGA) - Per Transmission Path Group	HTY JD	None	None
Uniform Call Distribution BSE (available with Lineside ESA) - Per Line, Per Month	EH7PG	\$1.70	\$46.00*
Nonhunting Number for use with Hunt Group Arrangement or Uniform Call Distribution Arrangement (available with FGA) - Per Transmission Path	NHN	None	None
Automatic Number Identification (available with FGB and FGD) - Per Transmission Path Group	ANI	None	None
Automatic Number Identification BSE (available with Trunkside BSA-950 Option and Trunkside BSA-101XXX Option) - Per Call	ANI	\$.0004	\$67.50* (C)
Up to 7 Digit Outpulsing of Access Digits to customer (available with Trunkside BSA-950 Option and FGB) - Per Transmission Path Group	USDO	None	None

* This charge applies to subsequent activity only.
 † Flexibly Priced.

ACCESS SERVICE

6. Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.3 Local Switching^c (Cont'd)

(E) Common Switching Optional Features and BSEs (Cont'd)

	<u>FID/USOC</u>	<u>Rate</u>	<u>Nonrecurring Charge</u>	
Service Class Routing (available with Trunkside BSA-101XXXX				(C)
Option and FGD) - Per Transmission Path Group	SCRT	None	None	
Alternate Traffic Routing (available with Trunkside BSA-950 Option, Trunkside BSA- 101XXXX Option, FGB and FGD)				(C)
- Per Transmission Path Group	ARTG	ICB	ICB	
Trunk Access Limitation Arrangement (available with Trunkside BSA- 101XXXX Option and FGD)				(C)
- Per End Office	CHOK	None	None	
Toll Billing Exception - Per Transmission Path	TBEA	None	None	

ACCESS SERVICE

6. Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.3 Local Switching (Cont'd)

(E) Common Switching Optional Features and BSEs (Cont'd)

	<u>FID/USOC</u>	<u>Rate</u>	<u>Nonrecurring Charge</u>	
Call Gapping Arrangement (available with Trunkside BSA-101XXXX Option and FGD)				(C)
- Per End Office	CGAP	None	None	
International Carrier Option (available with Trunkside BSA-101XXXX Option and FGD)				(C)
- Per End Office and Access Tandem	INCO	None	None	
Code Screening for use with WATS Service (available with Lineside BSA, Trunkside BSA-950 Option, Trunkside BSA- 101XXXX Option and FGs A, B and D)				(C)
- Per WATS Access Connection	BAND	None	None	
Hunt Group Arrangement for use with WATS Service (available with Lineside BSA, Trunkside BSA-950 Option, Trunkside BSA- 101XXXX Option and FGs A, B and D)				(C)
- Per WATS Service Group	HML/HTG	None	None	
Uniform Call Distribution Arrangement for use with WATS Service (available with Lineside BSA, Trunkside BSA-950 Option, Trunkside BSA-101XXXX Option and FGs A, B and D)				(C)
- Per WATS Service Group	HTY UL	None	None	

ACCESS SERVICE

6 Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.3 Local Switching (Cont'd)

(E) Common Switching Optional Features and BSEs (Cont'd)

	<u>FID/USOC</u>	<u>Rate</u>	<u>Nonrecurring Charge</u>
Nonhunting Number for use with Hunt Group Arrangement or Uniform Call Distribution Arrangement for use with WATS Service (available with Lineside BSA, Trunkside BSA-950 Option, Trunkside BSA-101XXXX Option and FGs A, B and D)			(C)
- Per WATS Service Group	NHN	None	None
Non-Hunt Directory Numbers (BSE) (available with Lineside BSA)			
- Per Group, Per Month	HSGPN	\$3.05	\$24.00*
Answer Supervision with a Lineside Interface (BSE) (available with Lineside BSA)			
- Per Line, Per Month	USW1X	1.50	31.00
Three-Way Call Transfer (BSE) (available with Lineside BSA)			
- Per Line, Per Month	EO3	4.50	30.00
Make Busy Arrangement (BSE) (available with Lineside BSA)			
- Per Group, Per Month	DXV	3.00	43.00

* This charge applies to subsequent activity only.

ACCESS SERVICE

6. Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.3 Local Switching (Cont'd)

(E) Common Switching Optional Features and PSEs (Cont'c)

	<u>FID/USOC</u>	<u>Rate</u>	<u>Nonrecurring Charge</u>	
Charge Number (CN) (available with Trunkside BSA- 101XXXX Option and FGD equipped with out of band signaling) - Per End Office, Per Trunk Group**†	CP3CN	None	None	(C)
Calling Party Number (CPN) (available with Trunkside BSA-101XXXX Option and FGD equipped with out of band signaling) - Per End Office, Per Trunk Group*	CF3CP	None	None	(C)
Carrier Selection Parameter (CSP)†† (available with Trunkside BSA-101XXXX Option and FGD equipped with out of band signaling) - Per End Office, Per Trunk Group*	CF3CS	None	None	(C)
Access Transport Parameter (available with Trunkside BSA-101XXXX Option and FGD equipped with out of band signaling) - Per End Office, Per Trunk Group**†				(C)

(F) Operator Transfer Service (OTS)

	<u>Rate Per Call</u>
- Per call transferred	\$.23

* Available only on originating Trunkside BSA-101XXXX Option and FGD. (C)
†† Available only at selected Telephone Company switches.

ACCESS SERVICE

6. Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.3 Local Switching² (Cont'd)

(C) Transport Termination Nonchargeable Options

FID

(1) Line Side Terminations
(For Lineside BSA and
FGA)

Two Way Operation

- Dial Pulse with Loop Start	NC +++A
- Dial Pulse with Ground Start	NC +++E
- DTMF with Loop Start	NC +++F
- DTMF with Ground Start	NC +++G

Terminating Operation

- Dial Pulse with Loop Start	NC +++N
- Dial Pulse with Ground Start	NC +++P
- DTMF with Loop Start	NC +++R
- DTMF with Ground Start	NC +++S

Originating Operation

- Loop Start	NC +++U
- Ground Start	NC +++V

(2) Trunk Side Terminations
(For Trunkside BSA-950
Option, Trunkside BSA-
101XXXX Option, FGB and
FGD) Standard Trunk for
Originating, Terminating
or Two-Way operation
(available with Trunkside

BSA-950 Option, Trunkside	TTC SO	(C)
BSA-101XXXX Option,	TTC ST	(C)
FGB and FGD)	TTC TY	

Rotary Dial Station

Signaling Trunk (available with Trunkside BSA-950 Option and FGB)	TTC RD	
---	--------	--

Operator Trunk, Coin,
Non-Coin or Combined
Coin and Non-Coin

TTC CO

Operator Trunk, Full
Feature Arrangement
(available with Trunkside
BSA-101XXXX Option
and FGD)

TTC FF

(1) Flexibly Priced

ACCESS SERVICE

6. Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.3 Local Switching⁵ (Cont'd)

(G) Transport Termination Non-Chargeable Options (Cont'd)

FID

(3) Line Side Terminations for WATS Access Connections

Originating Only Loop Start,
Line Side Connection, with DTMF
Address Signaling
- Per Transmission Path NC +++ R

Originating Only Loop Start,
Line Side Connection, with
Dial Pulse Address Signaling
- Per Transmission Path NC +++N

Originating Only Ground
Start, Line Side Connection,
with DTMF Address Signaling
- Per WATS Access Connection NC +++5

Originating Only Ground Start,
Line Side Connection, with Dial
Pulse Address Signaling
- Per WATS Access Connection NC +++P

Terminating Only Loop Start,
Line Side Connection
- Per WATS Access Connection NC +++U

Terminating Only Ground Start,
Line Side Connection
- Per WATS Access Connection NC +++V

6.9.4 WATS/Toll Free Access Connections

(C)

Monthly rate 2-Wire WATS (only)	\$27.00 per line	
Monthly rate 2-Wire Toll Free (only)	33.50 per line	(C)
Monthly rate 4-Wire WATS/Toll Free	1CB per line	
Installation	\$75.00 per line	

6.9.5 Central Office Service

Rearrangement Charge \$35.00 per line

⁵ Flexibly Priced

ACCESS SERVICE

6. Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.6 Tandem Access Sectorization (TAS)

		<u>USOC</u>
Per Trunk, Per Month	\$ 1.00	TJN
Nonrecurring Charges		
Initial, Per Customer,		
Per Tandem	5,612.89	
Subsequent, Per Point		
of Termination	913.22	

6.9.7 Carrier Charge, applicable to IXCs
 Monthly rate, per line/trunk* \$0.58 (D)

* The total Carrier Charge is \$0.88 per access line/trunk. The \$0.58 is the switched access customer's portion of the total Carrier Charge. (C)

ISSUED MARCH 31, 2004

EFFECTIVE APRIL 1, 2004

In compliance with the Order of the Pennsylvania Public Utility Commission of September 30, 1999 in Docket Nos. P-991648 and P-991649.

ACCESS SERVICES

6. Switched Access Service (Cont'd)
6.9 Rates and Charges⁰

6.9.8 Metallic DNAL*

(C)

	Monthly Rate/Cell			
	1	2	3	4
(A) Local Channel				
- Per termination				
- two-wire	\$8.00	\$11.00	\$17.00	\$21.00
	Monthly Rate	Nonrecurring Charge		
		Initial	Additional	
(B) Transmission Function				
- Per termination #				
<u>Same Wire Center</u>				
- Metallic for up to 2 or 3 point service	\$.65	\$ 95.00	\$60.00	
- Metallic Equivalent for up to 26 points	2.40	115.00	70.00	
<u>Demultiplexed Channels and Different Wire Center</u>				
- Metallic for up to 2 or 3 point service **	6.55	120.00	75.00	
- Metallic Equivalent for up to 26 points	7.40	150.00	90.00	
		Monthly Rate		
		Fixed	Per mile	
(C) Channel Mileage				
<u>Mileage Bands</u>				
Over 0 to 1 mile	\$12.50	-		
Over 1 to 3 miles	11.00	\$4.00		
Over 3 to 5 miles	14.00	4.00		
Over 5 to 15 miles	16.00	4.00		
Over 15 to 25 miles	32.00	3.00		
Over 25 miles	44.00	2.50		

NOTES.

- * Metallic DNAL can only be used with the BSE Make Busy Arrangement.
- # A minimum of two transmission functions apply per service.
- ** Not available as demultiplexed channel.
- ⁰ Flexibly Priced.

C-20077671

**Verizon v. One Communications
Complaint
EXHIBIT 2**

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APR 25 2007

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SECRETARY'S BUREAU

ACCESS SERVICE

6. Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.2 Switched Transport⁰

(A) Entrance Facilities	Voice Grade	Monthly Rate	Nonrecurring	
			Initial	Additional
2-Wire				
	Cell 1	\$ 21.92	\$ 795.00	\$ 270.00
	Cell 2	31.12	795.00	270.00
	Cell 3	38.22	795.00	270.00
	Cell 4	43.12	795.00	270.00
4-Wire				
	Cell 1	35.00	795.00	270.00
	Cell 2	36.62	795.00	270.00
	Cell 3	49.12	795.00	270.00
	Cell 4	57.57	795.00	270.00
DS1				
	Cell 1	210.00	930.00	300.00
	Cell 2	225.00	930.00	300.00
	Cell 3	240.00	930.00	300.00
	Cell 4	270.00	930.00	300.00
	per Rearrangement		290.00	145.00
DS3-Electrical				
	Interface	3,130.00	1,800.00	1,800.00
-Optical				
	Interface	2,980.00	1,800.00	1,800.00

(B) <u>Tandem-Switched Transport</u>	Per MOU		(C)
	Fixed	Per Mile	
Tandem Switching, Per MOU	\$.000983		
Tandem Transport	\$.000195	\$.000045	

(C) <u>Direct-Trunked Transport</u>	Per Month			(C)
	Fixed	Per Mile	USOC	
(1) Voice Grade	\$ 16.00	\$ 2.50	1YTXS	
(2) DS1	75.00	25.00	1YTXS	
(3) DS3				
- Optical	900.00	180.00	1YTXS	
- Electrical	900.00	180.00	1YTXS	

⁰ Flexibly Priced.
ISSUED OCTOBER 22, 1997

EFFECTIVE JANUARY 1, 1998

ACCESS SERVICE

C. Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.2 Switched Transport^D (Cont'd)

(D) Multiplexing

	<u>Nonrecurring Charge</u>	<u>Per Month</u>	<u>USOC</u>
- Entrance Facility, per arrangement			
DS1 to Voice Grade . . .	\$435.00	\$118.00	MKW1X
DS3 to DS1	555.00	500.00	MKW3X
- Direct Trunked Transport, per arrangement			
DS1 to Voice Grade . . .	435.00	118.00	M6W1X
DS3 to DS1	555.00	500.00	M6W3X

(E) Shared Network Arrangement

- Processing Charge per Service Order	40.00		SRNXX
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(F) Switched Access Connection Charge

- per Line or Trunk	20.00		TPP++
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(G) Service Order Charge

- per Service Order	110.00		NRBLE
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(H) Per Remote Trunk Group

- per occurrence	300.00		NRBTC
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(I) Common Channel Signaling Access Service

	<u>Rate</u>	
(1) STP Access Mileage		
- Per month, per mile	\$ 4.00	
(2) STP Port Termination		
- Per month, per port	932.58	(C)

^D Flexibly Priced.

ISSUED DECEMBER 20, 1996

EFFECTIVE JANUARY 1, 1997

In compliance with the Opinion and Order of the Pennsylvania Public Utility Commission in Docket No. R-00962550.

ACCESS SERVICE

6 Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.3 Local Switching

		<u>Rates Per Access Minute</u>		
		<u>Originating</u>	<u>Terminating</u>	
		<u>Access Minutes</u>	<u>Access Minutes</u>	
(A)	<u>MTS</u>			
	Lineside BSA	\$.014969		
	Feature Group A	.015630	\$.026715	
	Trunkside BSA-950			
	Option	.015501		
	Feature Group B	.015630	.009000	(D)
	Trunkside BSA-			
	101XXXX Option	.018091		
	Feature Group C	.009000	.009000	(D)
(B)	<u>WATS</u>	.017182	*	
(C)	<u>Toll Free/900</u>	*	.017182	
(D)	<u>Switched 56 Kilobit Service</u> **			
	- Per minute of use	.14		

* Rated as MTS minutes of use.

** The Switched 56 Kilobit Service minute-of-use charge applies in addition to the appropriate Trunkside BSA-101XXXX Option or FGD access charges.

★

★

★

(C)

ISSUED SEPTEMBER 25, 2000

EFFECTIVE OCTOBER 1, 2000

In compliance with the Order of the Pennsylvania Public Utility Commission of September 30, 1999 in Docket Nos. P-991648 and P-991649.

ACCESS SERVICE

6. Switched Access Service (Cont'd)

6.9 Rates and Charges (Cont'd)

6.9.6 Tandem Access Sectorization (TAS)

		<u>USOC</u>
Per Trunk, Per Month	\$ 1.00	TJN
Nonrecurring Charges		
Initial, Per Customer,		
Per Tandem	5,612.89	
Subsequent, Per Point		
of Termination	913.22	

6.9.7 Carrier Charge, applicable to IXCs
 Monthly rate, per line/trunk* \$0.61** (D)

* The total Carrier Charge is \$0.88 per access line/trunk. The \$0.61 is the switched access customer's portion of the total Carrier Charge. (C)

** Rate will be applied back to October 1, 2003. (C)

ISSUED OCTOBER 2, 2003

EFFECTIVE OCTOBER 3, 2003

In compliance with the Order of the Pennsylvania Public Utility Commission of September 30, 1999 in Docket Nos. P-991648 and P-991649.

**Verizon v. One Communications
Complaint
EXHIBIT 3**

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

SWITCHED FACILITIES FOR INTRASTATE ACCESS

4.6 Rates and Charges

4.6.1 Nonrecurring Charges

	<u>GSE/USOC</u>	<u>Nonrecurring Charges</u>	
		<u>Former GTE Territory</u>	<u>Former Conel Territory</u>
(A) <u>(Reserved for Future Use)</u>			
(B) <u>Switched Access Service Ordering Charges</u>			
Initial, per ASR	SESSE	\$241.62	\$241.62
Subsequent, per ASR	SESSE	234.48	234.48
(C) <u>Design Change Charge</u>			
Per ASR, per occurrence	HZE	62.94	62.94
(D) <u>Network Blocking Charge</u>			
Applies to FGB, FGC, FGD, BSA-B, BSA-C, BSA-D and SAC Access Service, Per Call	ANBC	0.014	0.0076
(E) <u>FGA and BSA-A Optional Toll Blocking</u>			
Per FGA or BSA-A Line	CAH	12.80	12.80
(F) <u>500 NXX Translator Charge</u>			
First NXX, Per ASR, Per End Office	NW51X	20.00	20.00
Each Additional NXX, Per ASR, Per End Office	NW5AX	10.00	10.00

4.6.2 Switched Transport

	<u>USOC</u>	<u>Monthly</u>	<u>Service Installation Per Entrance Facility</u>		(C)
			<u>Initial</u>	<u>Additional</u>	
(A) <u>Entrance Facilities</u>					
<u>Voiceband</u>					
2-Wire	EFG2X	\$21.92	\$795.00	\$270.00	(C)
4-Wire	EFG4X	35.03	795.00	270.00	(C)
<u>DS1</u>	EFGDX	210.00	930.00	300.00	(C)
Per Rearrangement			290.00	145.00	
<u>DS3 Electrical Interface</u>	TYFAX, TYFBX	3,130.03	1,800.00	1,800.00	(C)
<u>DS3 Optical Interface</u>	EF2CX, EF2TX	2,980.03	1,800.00	1,800.00	(C)

(C) Indicates Change

SWITCHED FACILITIES FOR INTRASTATE ACCESS

4.6 Rates and Charges

4.6.2 Switched Transport

		Per Month			
		Termination		Facility	
		Monthly	USOC	Per Mile	USOC
(B)	<u>Direct Trunk Transport</u>				
	<u>Voiceband</u>	\$15.00	TR.	\$2.50	IYTES (C)
	<u>DS1</u>	75.00	TR.	25.00	IYTC5 (C)
	<u>DS3</u>	900.00	TR.	180.00	1YTDS, (C) 1YTOS (C)
(C)	<u>Tandem Switched Transport</u>			Per Minute of Use	
	<u>Tandem Switching</u>			\$ 000983	
	<u>Tandem Transport Termination, per termination</u>			000195	
	<u>Tandem Transport Facility, per airline mile</u>			000045	
(D)	<u>Dedicated Trunk Port Charge</u>		USOC	Per Month	
	<u>End Office Trunk Port</u>				
	Voiceband, rate per channel		PT8HX	\$12.00	
	Digital, rate per channel		PT8JX	12.00	
	<u>Tandem Trunk Port</u>				
	Voiceband, per channel		PT8KX	12.00	
	Digital, per channel		PT8LX	12.00	
(E)	<u>Multiplexing</u>		Service Installation Charge	Per Month	USOC
	<u>Entrance Facility</u>				
	DS1 to Voiceband	\$435.00		\$118.00	MKW1X
	DS3 to DS1	555.00		500.00	MKW3X, (C) M JW3X (C)
	<u>Direct Trunked Transport</u>				
	DS1 to Voiceband	435.00		118.00	MKW1X (C)
	DS3 to DS1	555.00		500.00	MKW3X, (C) M JW3X (C)

(C) Indicates Charge

Issued August 12, 2005

Effective August 15, 2005

SWITCHED FACILITIES FOR INTRASTATE ACCESS

4.6 Rates and Charges (Cont'd)

		Rate		
		Former GTE Territory	Former Conel Territory	
<u>4.6.3 End Office Services</u>				
(A)	<u>Basic 800/877/888 Data Base</u>			
	Query Charge, Per Query	\$0.0067	\$0.0079	
	Premium 800/877/888 Data Base Query Charge, Per Query	0.0067	0.0082	
(B)	<u>End Office Switching - Bundled (EOSB)</u>			
	The bundled rates for End Office Switching are based on originating and terminating Access Minutes			
	End Office Switching per access minute	0.0062120	0.0062120	(C)
(C)	<u>End Office Switching - Unbundled (EOSU) Circuit Switched Line</u>			
	The unbundled rates for End Office Switching are based on originating and terminating Access Minutes			
	End Office Switching per access minute	0.0062120	0.0062120	(C)
(D)	<u>End Office Switching - Unbundled (EOSU) Circuit Switched Trunk</u>			
	The unbundled rates for End Office Switching are based on originating and terminating Access Minutes			
	End Office Switching per access minute	0.0062120	0.0062120	(C)
(E)	<u>Alternate Traffic Routing - BSE USOC CF3AR</u>			
	Nonrecurring Charge per Trunk Group Equipped	71.14	71.14	
(F)	<u>Automatic Number Identification (ANI) - BSE</u>			
	Per ANI Attempt	0.00015	0.00015	
				(C)

(C) Indicates Change

SWITCHED FACILITIES FOR INTRASTATE ACCESS

4.6 Rates and Charges (Cont'd)

		Rate		
		Former GTE Territory	Former Connet Territory	
4.6.3	<u>End Office Services</u>			(C)
(G)	<u>User Transfer - BSE USOC E03</u>			
	Per Line Arranged	1.75	1.75	
(H)	<u>Multi Group Arrangement - BSE USOC CF3HG</u>			
	Monthly Rate per Line Equipped	\$2.95	\$0.08	
(I)	<u>Queueing - BSE USOC CF30J</u>			
	Monthly Rate per Group Equipped	15.00	15.00	
(J)	<u>Uniform Call Distribution - BSE USOC CF3UD</u>			
	Monthly Rate per Line Equipped	5.30	5.30	
(K)	(Reserved for Future Use)			
(L)	<u>Remote Call Forwarding - BSE USOC FOMPX</u>			
	Monthly Rate per Line	14.00	1.72	
(M)	<u>Direct Inward Dialing - BSE</u>			
	Monthly Rate per DID Term USOC NDT	26.00	26.00	
	Monthly Rate per Block of 20 Numbers USOC ND4	2.50	3.05	
(N)	<u>Billed Number Screening - BSE USOC RTVXQ</u>			
	Monthly Rate per Line Screened	1.00	0.35	
(O)	<u>Shared End Office Trunk Port</u>			(C)
	Per Minute of Use		0.0015980	(C)

Note: Some material now appearing on this sheet previously appeared on Second Revised Sheet 57.

(C)

(C) Indicates Change

Issued: January 31, 2005

Effective: February 1, 2005

SWITCHED FACILITIES FOR INTRASTATE ACCESS

4.6 Rates and Charges (Cont'd)

		Rate	
		Former GTE Territory	Former Conel Territory
4.6.4	<u>Information Surcharge</u>		
	The rates for Information Surcharge are based on originating and terminating Access Minutes		
	Per access minute	\$0.0000000	\$0.0000000
4.6.5	<u>FGA and FGA-A Usage Sensitive Credit Allowance</u>		
	Credit Allowance per Originating FGA or BSA-A Access Minute	0.00145570 *	
4.6.6	<u>Equal Access Recovery Charge</u>		
	The Equal Access Recovery Charge will apply to all Intrastate IntraLATA Originating Access Minutes		
	Per IntraLATA Originating Access Minute of Use	0.0000000	0.0000000 #
		Minutes of Use	
		Former GTE Territory	Former Conel Territory
4.6.7	<u>Assumed Minutes of Use Surrogate</u>		
	(1) Per Two-way Line/Trunk		
	FGA or BSA-A	2,451	4,076
	FGB or BSA-B	(1)	4,076
	(2) Per One-way Line/Trunk		
	FGA or BSA-A - Originating Only	(1)	2,297
	FGB or BSA-B - Originating Only	(1)	2,297
	FGA or BSA-A - Terminating Only	13,026	1,779
	FGB or BSA-B - Terminating Only	(1)	1,779
4.6.8	<u>(Reserved for Future Use)</u>		
4.6.9	<u>(Reserved for Future Use)</u>		
4.6.10	<u>(Reserved for Future Use)</u>		
4.6.11	<u>(Reserved for Future Use)</u>		
		Former GTE Territory	Former Conel Territory
4.6.12	<u>Carrier Identification Parameter (CIP)</u>		
	Non-recurring Charge, Per CIC, Per Trunk Group Tandem Direct Trunk Group	\$1.120.00	\$1.120.00
	Non-recurring Charge, Per CIC, Per End Office Direct Trunk Group	80.00	80.00
	Monthly Charge, Per Trunk	0.45	0.45

(1) All existing services are measured or there are no customers for the service at this time. In the event an ASR is received for a new customer and there is no measurement capability for the office requested, a traffic study will be made to establish a surrogate and such surrogate will be tariffed.

* The credit is applied to the End Office Switching rate element

Rate reduced to zero effective February 5, 1998.

Note: Material now appearing on this sheet previously appeared on Eighth Revised Sheet 58
(C) indicates Change

CARRIER COMMON LINE SERVICE

12 CARRIER COMMON LINE SERVICE (Cont'd)

Rate Per Access Line	
Former GTE Territory	Former ConTel Territory

12.5 Rates and Charges

12.5.1 Carrier Common Line Service

(A) Carrier Charge*, applicable to IXCs

- Monthly Rate, per line/trunk**	\$0.58 (D)	\$0.58 (D)
----------------------------------	------------	------------

(B) The Carrier Charge represents a dollar amount per access line/trunk that the Telephone Company will assess to all toll providers. The total Carrier Charge is \$0.88. Based on intrastate minutes of use, the Carrier Charge is apportioned among toll provider segments. The Carrier Charge will be multiplied by the current number of access lines/trunks in service each month. (D)

The Switched Access customer's portion of the Carrier Charge is a monthly rate multiplied by access lines/trunks in service. The resulting revenue is then apportioned to each switched access customer who has purchased FGB, FGD and Trunkside BSA950 and 101XXX options. The apportionment is determined monthly by calculating each customer's market share of the total FGB and FGD Local Switching MOU including Trunkside BSA950 and 101XXXX options.

12.5.2 The monthly rate for Special Access Surcharge is

- Per Voice Equivalent Private Line	\$25.00	\$25.00
-------------------------------------	---------	---------

* Effective December 1, 1999, per the Global Order in Docket Nos. P-00991648 and P-00991649, the Carrier Common Line Service charge has been eliminated and replaced with a monthly Carrier Charge.

** The total Carrier Charge is \$0.88 per access line/trunk. The \$0.58 is the switched access customer's portion of the total Carrier Charge. (D)

(C) Indicates Change

C-20077671

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SWITCHED FACILITIES FOR INTRASTATE ACCESS

4.6 Rates and Charges

4.6.1 Nonrecurring Charges

	GSE/CUSOC	Nonrecurring Charges		
		Former GTE Territory	Former Conel Territory	
(A) <u>(Reserved for Future Use)</u>				
(B) <u>Switched Access Service Ordering Charges</u>				
Initial, per ASR	SE5SE	\$241.62	\$241.62	(C)
Subsequent, per ASR	SE5SE	234.48	234.48	
(C) <u>Design Change Charge</u>				
Per ASR, per occurrence	H26	62.94	62.94	(C)
(D) <u>Network Blocking Charge</u>				
: Applies to FGB, FGC, FGD, BSA-B, BSA-C, BSA-D and SAC Access Service Per Call	ANBC	0.4	0.076	
(E) <u>FGA and BSA-A Optional Toll Blocking</u>				
Per FGA or BSA-A Line	CAH	12.80	12.80	(C)
(F) <u>500 NXX Translation Charge</u>				
First NXX, Per ASR, Per End Office	NW51X	20.00	20.00	
Each Additional NXX, Per ASR, Per End Office	NW5AX	10.00	10.00	

		Rate	
		Former GTE Territory	Former Conel Territory
4.6.2 <u>Switched Transport</u>			
(A) <u>Switched Transport Facility</u>			
Per Access Minute, per Airline Mile		\$0.000492	\$0.000492
(B) <u>Switched Transport Terminator</u>			
Per Access Minute, per Terminator		0.014216	0.014216
(C) <u>Extended FGA and BSA-A Switched Transport</u>			
Per Terminating Access Minute Extended Beyond the FGA or BSA-A Access Area, within the LATA		01-1646C	

C) indicates Change
issued July 25, 2002

Effective: August 25 2002

SWITCHED FACILITIES FOR INTRASTATE ACCESS

4.6 Rates and Charges

		Rate		
4.6.3	End Office Services	Former GTE Territory	Former ConTel Territory	
(A)	Basic 800/887/888 Data Base Query Charge Rate Per Query	\$.0067	\$.0079	
	Premium 800/877/888 Data Base Query Charge Rate Per Query	.0067	.0082	
(B)	<u>End Office Switching - Bundled (EOSB)</u> The bundled rates for End Office Switching are based on originating and terminating Access Minutes End Office Switching per access minute Interm EOS rate per minute for STAS	.006000 .004932*	.006000 .004932*	(C)
(C)	<u>End Office Switching - Unbundled (EOSU) Circuit Switched Line</u> The unbundled rates for End Office Switching are based on originating and terminating Access Minutes End Office Switching per access minute Interm EOS rate per minute for STAS	.006000 .004932*	.006000 .004932*	(C)
(D)	<u>End Office Switching - Unbundled (EOSU) Circuit Switched Trunk</u> The unbundled rates for End Office Switching are based on originating and terminating Access Minutes End Office Switching per access minute Interm EOS rate per minute for STAS	.006000 .004932*	.006000 .004932*	(C)
(E)	<u>Alternate Traffic Routing - BSE USOC CF3AR</u> Nonrecurring Charge per Trunk Group Equipped	\$71.14	\$71.14	
(F)	<u>Automatic Number Identification (ANI) - BSE</u> Per ANI Attempt	\$.00015	\$.00015	(C) (C)

* This rate includes a negative State Tax Adjustment Surcharge (Tariff - Telephone - PA P.U.C. No. 4, Section 1a, 1), which will remain in effect until a separate STAS billing line item is programmed for billing

SWITCHED FACILITIES FOR INTRASTATE ACCESS

4.6 Rates and Charges

		Rate	
		Former GTE Territory	Former Conel Territory
4.6.4	<u>Information Surcharge</u>		
	The rates for Information Surcharge are based on originating and terminating Access Minutes.		
	per access minute	0000000	0000000
4.6.5	<u>FGA and BSA-A Usage Sensitive Credit Allowance</u>		
	Credit Allowance per Originating FGA or BSA-A Access Minute	00149870*	
4.6.6	<u>Equal Access Recovery Charge</u>		
	The Equal Access Recovery Charge will apply to all intrastate IntraLATA Originating Access Minutes		
	Per IntraLATA Originating Access Minute of Use	0000000	0000000 #
		Minutes of Use	
		Former GTE Territory	Former Conel Territory
4.6.7	<u>Assumed Minutes of Use Monthly Surrogate</u>		
	(1) Per Two-way Line/Trunk		
	FGA or BSA-A	2,451	4,076
	FGB or BSA-B	.1)	4,076
	(2) Per One-way Line/Trunk		
	FGA or BSA-A - Originating Only	(1)	2,297
	FGB or BSA-B - Originating Only	(1)	2,297
	FGA or BSA-A - Terminating Only	13,026	1,779
	FGB or BSA-B - Terminating Only	(1)	1,779
4.6.8	<u>(Reserved for Future Use)</u>		
4.6.9	<u>(Reserved for Future Use)</u>		
4.6.10	<u>(Reserved for Future Use)</u>		
4.6.11	<u>(Reserved for Future Use)</u>		
		Former GTE Territory	Former Conel Territory
4.6.12	<u>Carrier Identification Parameter (CIP)</u>		
	Non-recurring Charge, Per CIC, Per Trunk Group Tandem Direct Trunk Group	\$1,120.00	\$1,120.00
	Non-recurring Charge, Per CIC, Per End Office Direct Trunk Group	60.00	83.00
	Monthly Charge, Per Trunk	46	46

(1) All existing services are measured or there are no customers for the service at this time. In the event an ASR is received for a new customer and there is no measurement capability for the office requested, a traffic study will be made to establish a surrogate and such surrogate will be ratified.
* The credit is applied to the End Office Switching rate element.
Rate reduced to zero effective February 5, 1998.

CARRIER COMMON LINE SERVICE

12 CARRIER COMMON LINE SERVICE (Cont'd)

		<u>Rate Per Access Line</u>	
		<u>Former GTE</u>	<u>Former ConTel</u>
		<u>Territory</u>	<u>Territory</u>
12.5	<u>Rates and Charges</u>		
12.5.1	<u>Carrier Common Line Service</u>		
(A)	Carrier Charge*, applicable to IXCs Monthly Rate, per line/trunk**	\$7.4020	\$7.4020
(B)	The Carrier Charge represents a dollar amount per access line/trunk that the Telephone Company will assess to all toll providers. The total Carrier Charge is \$8.6354. Based on intrastate minutes of use, the Carrier Charge is apportioned among toll provider segments. The Carrier Charge will be multiplied by the current number of access lines/trunks in service each month.		
	The Switched Access customer's portion of the Carrier Charge is a monthly rate multiplied by access lines/trunks in service. The resulting revenue is then apportioned to each switched access customer who has purchased FGB, FGD and Trunkside BSA950 and 101XXX options. The apportionment is determined monthly by calculating each customer's market share of the total FGB and FGD Local Switching MOU including Trunkside BSA950 and 101XXXX options.		
12.5.2	The monthly rate for Special Access Surcharge is		
	- Per Voice Equivalent Private Line	\$25.00	\$25.00

* Effective December 1, 1999, per the Global Order in Docket Nos. P-00991648 and P-00991649, the Carrier Common Line Service charge has been eliminated and replaced with a monthly Carrier Charge.

** The total Carrier Charge is \$8.6354 per access line/trunk. The \$7.4020 is the switched access customer's portion of the total Carrier Charge.

(C) Indicates Change

C-20077671

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EXHIBIT 5**

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CHOICE ONE COMMUNICATIONS OF PENNSYLVANIA INC.
d/b/a ONE COMMUNICATIONS
REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES
APPLYING TO COMMUNICATIONS SWITCHED ACCESS SERVICES WITHIN
THE COMMONWEALTH OF PENNSYLVANIA

This tariff applies to the intrastate charges applying to access telecommunications services furnished by Choice One Communications of Pennsylvania Inc ("Carrier") between one or more points within the Commonwealth of Pennsylvania. This tariff is on file with the Pennsylvania Public Utility Commission and is in concurrence with the rules and regulations of 52 PA Code, Chapters 63 and 64. Copies of this tariff may be inspected, during normal business hours, at Carrier's principal place of business, 220 Bear Hill Road, Waltham, MA 02451.

Issued 8/01/06

Effective 9/01/06

Issued by: Vice President of Regulatory Compliance
Choice One Communications of Pennsylvania Inc. d/b/a One
Communications
220 Bear Hill Road
Waltham, MA 02451

CHECK SHEET

The pages of this tariff are effective as of the date shown. The original and revised sheets named below contain all changes from the original tariff and are in effect on the date shown.

<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>
1	3rd Revised*	34	Original	65	Original	98	Original
2	3rd Revised*	35	Original	66	Original	1	Original
3	Original	36	Original	67	Original	2	Original
4	Original	37	1st Revised	68	Original	3	Original
5	Original	37.1	Original	69	Original	4	Original
6	Original	38	1st Revised	70	1st Revised	5	Original
7	Original	38.1	Original	71	Original		
8	Original	39	Original	72	Original		
9	Original	40	Original	73	Original		
10	Original	41	Original	74	Original		
11	Original	42	Original	75	Original		
12	Original	43	Original	76	Original		
13	Original	44	Original	77	Original		
14	Original	45	Original	78	Original		
15	Original	46	Original	79	Original		
16	Original	47	Original	80	Original		
17	Original	48	Original	81	Original		
18	Original	49	Original	82	Original		
19	Original	50	Original	83	Original		
20	Original	51	Original	84	Original		
21	Original	52	Original	85	Original		
22	Original	53	Original	86	Original		
23	Original	54	Original	87	Original		
24	Original	55	Original	88	Original		
25	Original	56	Original	89	Original		
26	Original	57	Original	90	Original		
27	Original	58	Original	91	Original		
28	Original	59	Original	92	Original		
29	Original	60	Original	93	Original		
30	Original	61	Original	94	Original		
31	Original	62	Original	95	Original		
32	Original	63	Original	96	Original		
33	Original	64	Original	97	Original		

Issued: 8/01/06

Effective: 9/1/06

Issued by: Vice President of Regulatory Compliance
Choice One Communications of Pennsylvania Inc. d/b/a One
Communications
220 Bear Hill Road
Waltham, MA 02451

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(C)

3. SWITCHED ACCESS SERVICE (Cont'd.)

3.5 RATE REGULATIONS

This section contains the specific regulations governing the rates and charges that apply for Switched Access Service

Access Charges are applied on a per access minute basis. Access minute charges are accumulated over a monthly period.

3.5.1 Minimum Periods

Switched Access Service is provided for a minimum period of one month.

3. SWITCHED ACCESS SERVICE (Cont'd)

3.6 RATES AND CHARGES (Cont'd.)

3.6.1 Recurring Charges

A	Local Switching	Inter LATA	IntraLATA	
	Per Access Minute:			
	Day	\$.0160	\$.0085	
	Evening	\$.0136	\$.0051	
	Night/Weekend	\$.0113	\$.0030	
B	Transport			
	Local Transport			
	Per Access Minute:			
	Day	\$.0104	\$.0104	
	Evening	\$.0088	\$.0031	
	Night/Weekend	\$.0073	\$.0018	
	Transport Mileage			
	Per Access Minute, Per Mile			
	Day	\$.000207	\$.000207	
	Evening	\$.000176	\$.000124	
	Night/Weekend	\$.000145	\$.000072	
C	Tandem Switching			(C)
	Per Access Minute, Per Mile			
	(All Time Periods)	InterLATA \$0.004206	IntraLATA \$0.004206	(C)
D	Interconnection Charge			(C)
	Per Access Minute:	\$.0025	\$.0025	
E	Network Blocking Charge, Per Call Blocked		\$.0077	(C)

Issued: 4/30/03

Effective: 6/01/03

Issued by: General Counsel
Choice One Communications of Pennsylvania Inc.
100 Chestnut St., Suite 700
Rochester, New York 14604

3. SWITCHED ACCESS SERVICE (Cont'd.)

3.6 RATES AND CHARGES (Cont'd.)

3.6.1 Recurring Charges (Cont'd.)

F	Port Charges	Per Port/Month	Channel Termination
	Per DSO Port, per month	\$48.50	\$161.00
	Per DS1 Port, per month	\$609.75	\$181.00

Issued 8/2/99

Issued by: Kim Robert Scovill
Vice President, Legal and Regulatory Affairs
Choice One Communications of Pennsylvania Inc
100 Chestnut St., Suite 700
Rochester, New York 14604

Effective:8/3/99

4. END USER ACCESS SERVICE (CARRIER COMMON LINE)

4.1 GENERAL

The Company will provide End User Access Service to Customers in conjunction with Switched Access Service provided in Section 3 of this tariff. End User Access provides for the use of End Users' Company-provided common lines by Customers for access to such End Users to furnish Intrastate Communications.

4.2 LIMITATIONS

No telephone number or detailed billing will be provided with End User Access. Directory listings and intercept arrangements are not included in the rates and charges for End User Line Access.

4.3 APPLICATION OF INTRASTATE CHARGES

Intrastate rates apply only to that portion of End User Access Service provided for intrastate usage. Jurisdictional reporting is required as described in Section 2.9.7 of this tariff.

4.4 RATES AND CHARGES

Per access minute.	InterLATA	IntraLATA
Day	\$.0202	\$.0166
Evening	\$.0172	\$.0100
Night/WE	\$.0141	\$.0058

C-20077671

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Choice One Tariffed Access Rate Comparison

Choice One Tariffed Switched Access Rates				Verizon PA Tariffed Switched Access Rate	
Rate Element		Access Rate		Rate Element	Access Rate
Carrier Common Line		InterLATA	IntraLATA	Carrier Charge	\$0.58/line or trunk
	Day	\$0.0202/MOU	\$0.0166/MOU		
	Evening	\$0.0172/MOU	\$0.0100/MOU		
	Night/WE	\$0.0141/MOU	\$0.0058/MOU		
Local Switching				Local Switching	\$0.006212/MOU
	Day	\$0.0160/MOU	\$0.0085/MOU		
	Evening	\$0.0136/MOU	\$0.0051/MOU		
	Night/WE	\$0.0113/MOU	\$0.0030/MOU		
Tandem Switching				Shared End Office Trunk Port	\$0.001598/MOU
	All	\$0.004206/MOU	\$0.004206/MOU	Tandem Switching	\$0.000983/MOU
Local Transport				Tandem Transport-Fixed	\$0.000195/MOU
	Day	\$0.0104/MOU	\$0.0104/MOU		
	Evening	\$0.0088/MOU	\$0.0031/MOU		
	Night/WE	\$0.0073/MOU	\$0.0018/MOU		
Transport Mileage				Tandem Transport-Per Mile	\$0.000045/MOU/mile
	Day	\$0.000207/MOU/mile	\$0.000207/MOU/mile		
	Evening	\$0.000176/MOU/mile	\$0.000124/MOU/mile		
	Night/WE	\$0.000145/MOU/mile	\$0.000072/MOU/mile		
				Hos/Remote-Fixed	\$0.000195/MOU
				Hos/Remote-Per Mile	\$0.000045/MOU/mile
Interconnection Charge	All	\$0.0025/MOU	\$0.0025/MOU		

Choice One Tariffed Access Rate Comparison

Choice One Tariffed Switched Access Rates				Verizon North Tariffed Switched Access Rates	
Rate Element		Access Rate		Rate Element	Access Rate
Carrier Common Line	Day	InterLATA \$0.0202/MOU	IntraLATA \$0.0166/MOU	Carrier Charge	\$0.58/line or trunk
	Evening	\$0.0172/MOU	\$0.0100/MOU		
	Night/WE	\$0.0141/MOU	\$0.0058/MOU		
Local Switching	Day	\$0.0160/MOU	\$0.0085/MOU	End Office Switching - Bundled	\$0.006212/MOU
	Evening	\$0.0136/MOU	\$0.0051/MOU		
	Night/WE	\$0.0113/MOU	\$0.0030/MOU		
Tandem Switching	All	\$0.004206/MOU	\$0.004206/MOU	Shared End Office Trunk Port	\$0.001598/MOU
Local Transport	Day	\$0.0104/MOU	\$0.0104/MOU	Tandem Switching	\$0.000983/MOU
	Evening	\$0.0088/MOU	\$0.0031/MOU		
	Night/WE	\$0.0073/MOU	\$0.0018/MOU		
Transport Mileage	Day	\$0.000207/MOU/mile	\$0.000207/MOU/mile	Tandem Transport Facility	\$0.000045/MOU/mile
	Evening	\$0.000176/MOU/mile	\$0.000124/MOU/mile		
	Night/WE	\$0.000145/MOU/mile	\$0.000072/MOU/mile		
				Hos/Remote Termination	\$0.000390/MOU
				Hos/Remote Facility	\$0.000045/MOU/mile
Interconnection Charge	All	\$0.0025/MOU	\$0.0025/MOU		

**Verizon v. One Communications
Complaint
EXHIBIT 7**

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APR 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

Choice One Composite Access Rate Comparison
(Traffic of former MCI companies)

Choice One Composite Switched Access Rates		Verizon PA Composite Switched Access Rates	
Rate Element	Composite Access Rate ¹	Rate Element	Composite Access Rate
Carrier Common Line	\$0.015041/MOU	Carrier Charge	\$0.0082133/MOU ²
Local Switching	\$0.0088322/MOU	Local Switching	\$0.0062120/MOU
		Shared End Office Trunk Port	\$0.0015980/MOU
Tandem Switching	\$0.0000000/MOU	Tandem Switching	\$0.0000000/MOU
Local Transport	\$0.0083937/MOU	Tandem Transport-Fixed	\$0.0001950/MOU
Transport Mileage	\$0.0039221/MOU	Tandem Transport-Per Mile	\$0.0003600/MOU ³
		Hos/Remote-Fixed	\$0.0000000/MOU
		Hos/Remote-Per Mile	\$0.0000000/MOU
Interconnection Charge	\$0.0000000/MOU		
Composite Rate	\$0.0361891/MOU	Composite Rate	\$0.0165783/MOU

¹ Rates calculated from bills issued by Choice One to former MCI companies.

² Rate calculated from bills issued by Verizon PA to the Verizon long distance companies.

³ Rate calculated with an average of 8 miles

Choice One Composite Access Rate Comparison
(Traffic of former MCI companies)

Choice One Composite Switched Access Rates		Verizon North Composite Switched Access Rates	
Rate Element	Composite Access Rate ⁴	Rate Element	Composite Access Rate
Carrier Common Line	\$0.015411/MOU	Carrier Charge	\$0.0050145/MOU ⁵
Local Switching	\$0.0088322/MOU	Local Switching ²	\$0.0062120/MOU
		Shared End Office Trunk Port	\$0.0015980/MOU
Tandem Switching	\$0.0000000/MOU	Tandem Switching	\$0.0000000/MOU
Local Transport	\$0.0083937/MOU	Tandem Transport Termination	\$0.0003900/MOU
Transport Mileage	\$0.0039221/MOU	Tandem Transport Facility	\$0.0003600/MOU ⁶
		Hos/Remote Termination	\$0.0000000/MOU
		Hos/Remote Facility	\$0.0000000/MOU
Interconnection Charge	\$0.0000000/MOU		
Composite Rate	\$0.0361891/MOU	Composite Rate	\$0.0135745/MOU

⁴ Rates calculated from bills issued by Choice One to former MCI companies

⁵ Rate calculated from bills issued by Verizon North to the Verizon long distance companies.

⁶ Rate calculated with an average of 8 miles

Choice One Composite Access Rate Comparison
(Traffic of VZ long distance companies)

Choice One Composite Switched Access Tariff		Verizon PA Composite Switched Access Tariff	
Rate Element	Composite Access Rate ⁷	Rate Element	Composite Access Rate
Carrier Common Line	\$0.0179576/MOU	Carrier Charge	\$0.0082133/MOU ⁸
Local Switching	\$0.0134888/MOU	Local Switching	\$0.0062120/MOU
		Shared End Office Trunk Port	\$0.0015980/MOU
Tandem Switching	\$0.0000000/MOU	Tandem Switching	\$0.0000000/MOU
Local Transport	\$0.0094552/MOU	Tandem Transport-Fixed	\$0.000195/MOU
Transport Mileage	\$0.0050606/MOU	Tandem Transport-Per Mile	\$0.0004500/MOU ⁹
		Host/Remote-Fixed	\$0.0000000/MOU
		Host/Remote-Per Mile	\$0.0000000/MOU
Interconnection Charge	\$0.0000000/MOU		
Composite Rate	\$0.0459622/MOU	Composite Rate	\$0.0166683/MOU

⁷ Rates calculated from bills issued by Choice One to Verizon long distance companies.

⁸ Rate calculated from bills issued by Verizon PA to the Verizon long distance companies.

⁹ Rate calculated with an average of 10 miles

Choice One Composite Access Rate Comparison
(Traffic of VZ long distance companies)

Choice One Composite Switched Access Tariff		Verizon North Composite Switched Access Tariff	
Rate Element	Composite Access Rate ¹⁰	Rate Element	Composite Access Rate
Carrier Common Line	\$0.0179576/MOU	Carrier Charge	\$0.0050145/MOU ¹¹
Local Switching	\$0.0134888/MOU	Local Switching	\$0.0062120/MOU
		Shared End Office Trunk Port	\$0.0015980/MOU
Tandem Switching	\$0.0000000/MOU	Tandem Switching	\$0.0000000/MOU
Local Transport	\$0.0094552/MOU	Tandem Transport Termination	\$0.0003900/MOU
Transport Mileage	\$0.0050606/MOU	Tandem Transport Facility	\$0.0004500/MOU ¹²
		Hos/Remote Termination	\$0.0000000/MOU
		Hos/Remote Facility	\$0.0000000/MOU
Interconnection Charge	\$0.0000000/MOU		
Composite Rate	\$0.0459622/MOU	Composite Rate	\$0.0136645/MOU

¹⁰ Rates calculated from bills issued by Choice One to Verizon long distance companies.

¹¹ Rate calculated from bills issued by Verizon North to the Verizon long distance companies.

¹² Rate calculated with an average of 10 miles.

Choice One Composite Access Rate Comparison
(Traffic of VZ ILECs)

Choice One Composite Switched Access Tariff		Verizon PA Composite Switched Access Tariff	
Rate Element	Composite Access Rate ¹³	Rate Element	Composite Access Rate
Carrier Common Line	\$0.0116605/MOU	Carrier Charge	\$0.0082133/MOU ¹⁴
Local Switching	\$0.0059791/MOU	Local Switching	\$0.0062120/MOU
		Shared End Office Trunk Port	\$0.0015980/MOU
Tandem Switching	\$0.0000000/MOU	Tandem Switching	\$0.0000000/MOU
Local Transport	\$0.0059208/MOU	Tandem Transport-Fixed	\$0.0001950/MOU
Transport Mileage	\$0.0018056/MOU	Tandem Transport-Per Mile	\$0.0006750/MOU ¹⁵
		Hos/Remote-Fixed	\$0.0000000/MOU
		Hos/Remote-Per Mile	\$0.0000000/MOU
Interconnection Charge	\$0.0000000/MOU		
Composite Rate	\$0.0253660/MOU	Composite Rate	\$0.0168933/MOU

¹³ Rates calculated from bills issued by Choice One to Verizon ILECs.

¹⁴ Rate calculated from bills issued by Verizon PA to the Verizon long distance companies

¹⁵ Rate calculated with an average of 15 miles.

Choice One Composite Access Rate Comparison
(Traffic of VZ ILECs)

Choice One Composite Switched Access Tariff		Verizon North Composite Switched Access Tariff	
Rate Element	Composite Access Rate ¹⁶	Rate Element	Composite Access Rate
Carrier Common Line	\$0.0116605/MOU	Carrier Charge	\$0.0050145/MOU ¹⁷
Local Switching	\$0.0059791/MOU	Local Switching	\$0.0062120/MOU
		Shared End Office Trunk Port	\$0.0015980/MOU
Tandem Switching	\$0.0000000/MOU	Tandem Switching	\$0.0000000/MOU
Local Transport	\$0.0059208/MOU	Tandem Transport Termination	\$0.0003900/MOU
Transport Mileage	\$0.0018056/MOU	Tandem Transport Facility	\$0.0006750/MOU ¹⁸
		Hos/Remote Termination	\$0.0000000/MOU
		Hos/Remote Facility	\$0.0000000/MOU
Interconnection Charge	\$0.0000000/MOU		
Composite Rate	\$0.0253660/MOU	Composite Rate	\$0.0138895/MOU

¹⁶ Rates calculated from bills issued by Choice One to Verizon ILECs.

¹⁷ Rate calculated from bills issued by Verizon North to the Verizon long distance companies.

¹⁸ Rate calculated with an average of 15 miles.

C-20077671

**Verizon v. One Communications
Complaint
EXHIBIT 8**

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APR 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

Gregory E. Brassfield
Director
Venzon Alliance Cost Management



Network Services Group

6665 N. MacArthur Blvd.
Mailcode HQK02B62
Irving, TX 75039
Phone # 972.465.4113

August 29, 2005

Ms. Barbara Waddle
Senior Manager Network Cost
Choice One Communications, Inc.
100 Chestnut Street, Suite 600
Rochester, New York 14604

Dear Barbara:

Pennsylvania Act 183 of 2004, which became effective on November 30, 2004, contains the following provision regarding the intrastate switched access rates charged by competitive local exchange carriers:

Limitation - No telecommunications carrier providing competitive local exchange telecommunications service may charge access rates higher than those charged by the incumbent local exchange telecommunications company in the same service territory, unless such carrier can demonstrate that the higher access rates are cost justified. 66 Pa. C. S. §3017(c)

Based on a comparison of the Pennsylvania intrastate switched access rates charged by Choice One Communications to Verizon Affiliates for access minutes terminated in Verizon Pennsylvania Inc. and Verizon North's service territories with Verizon Pennsylvania and Verizon North's intrastate access rates¹, Choice One's rates appear to exceed Verizon Pennsylvania and Verizon North rates and are therefore inconsistent with the requirements of Section 3017(c) of Act 183. As a result, our preliminary analysis indicates that Choice One Communications has overcharged Verizon Affiliates since December 1, 2004. Verizon will notify you of the amount that has been overcharged when our analysis is complete.

Verizon requests that Choice One respond within 30 days with its written confirmation that Choice One Communications will: (i) bring its rates, charges and invoicing into compliance with Act 183 and (ii) credit or refund any overcharges assessed by Choice One which have been paid by Verizon. We are willing to discuss these matters via teleconference and are hopeful that we can work cooperatively to reach an appropriate resolution. However, please note that in the event we have not received a response from Choice One Communications by September 26, 2005, we will pursue all available legal remedies to enforce compliance with applicable law, including the recovery of amounts overcharged by Choice One.

Please do not hesitate to contact Ms Traci Ming at (972)465-4356 if you have any questions.

Sincerely,

Gregory E. Brassfield
Director
Venzon Alliance Cost Management

¹ Venzon Pennsylvania's intrastate access rates can be found in its Pa. P.U.C. Number 302 tariff.
Venzon North's intrastate access rates can be found in its Pa. P.U.C. Number 9 tariff.

Phone 972.465.4113
Email: Gregory.e.Brassfield@verizon.com

Gregory E. Brassfield
Director
Verizon Alliance Cost Management



Network Services Group

6665 N. MacArthur Blvd.
Mailcode HQK02B62
Irving, TX 75039
Phone # 972.465.4113

VIA AIRBORNE EXPRESS

October 13, 2005

Ms. Sue Grossenbacher
Director, CABS Billing
Choice One Communications, Inc.
100 Chestnut Street, Suite 600
Rochester, New York 14604

Dear Sue:

On August 29th, 2005 we contacted Choice One Communications, Inc. regarding rate discrepancies in Choice One's bills for the State of Pennsylvania based on an audit we had done as compared to the rates specified in Pennsylvania Act 183. We have now completed our analysis of your bills and have determined that the refund due Verizon Affiliates from Choice One Communications is equal to \$91,936.21 for the usage period December 1, 2004 – July 31, 2005. This refund calculation was based on the incremental difference between the average intrastate rate charged and the intrastate rate that would comply with Act 183 times Choice One's intrastate minutes of use. We will notify you of the monthly refund amounts due Verizon going forward until Choice One Communications, Inc. has revised its rates and refunded any overcharges assessed by Choice One Communications which have been paid by Verizon.

We are hopeful we can resolve this matter in a way that is fair and equitable to both parties. Ms. Traci Ming will be contacting you within the near future to set up a meeting to discuss this matter in more detail.

Sincerely,

Gregory E. Brassfield
Director
Verizon Alliance Cost Management
Phone: 972.465.4113
Email: gregory.e.brassfield@verizon.com

cc: Ms. Lois Cornette

Ashley Winfield
Senior Manager
Verizon Business Telco Management



Market Implementation

6929 N. Lakewood Ave.
Mod 2.2
Tulsa, OK 74117
Phone (918)590-5163

5/03/2006

Choice One Communications
Attn: Barb Secor
100 Chestnut St.
Suite 700
Rochester, NY 14609

Dear Barb:

Pennsylvania Act 183 of 2004, which became effective on November 30, 2004, contains the following provision regarding the intrastate switched access rates charged by competitive local exchange carriers:

Limitation - No telecommunications carrier providing competitive local exchange telecommunications service may charge access rates higher than those charged by the incumbent local exchange telecommunications company in the same service territory, unless such carrier can demonstrate that the higher access rates are cost justified. 66 Pa. C. S. §3017(c)

Based on a comparison of the Pennsylvania intrastate switched access rates charged by Choice One to Verizon Affiliates for access minutes terminated in Verizon Pennsylvania Inc., Verizon North and Sprint United's service territories with Verizon Pennsylvania, Verizon North and Sprint United's intrastate access rates¹, Choice One's rates appear to exceed Verizon and Sprint United's rates and are therefore inconsistent with the requirements of Section 3017(c) of Act 183. As a result, our analysis indicates that Choice One has overcharged Verizon Business (formerly MCI) since December 1, 2004. The approximate amounts that have been overcharged are reflected in the included dispute report.

Verizon Business requests that Choice One respond within 30 days with its written confirmation that Choice One will: (i) bring its rates, charges and invoicing into compliance with Act 183 and (ii) credit or refund any overcharges assessed by Choice One which have been paid by Verizon Business. We are willing to discuss these matters via teleconference and are hopeful that we can work cooperatively to reach an appropriate resolution. However, please note that in the event we have not received a response from Choice One by June 3, 2006, we will pursue all available legal remedies to enforce compliance with applicable law, including the recovery of amounts overcharged by Choice One.

Please do not hesitate to contact Matt Martin at (918)590-0461 if you have any questions.

Sincerely,

Ashley Winfield
Senior Manager
Verizon Business Telco Management
Phone: (918)590-5163

¹ Verizon Pennsylvania's intrastate access rates can be found in its Pa. P.U.C. Number 302 tariff.
Verizon North's intrastate access rates can be found in its Pa. P.U.C. Number 9 tariff.
Sprint-United's intrastate access rates can be found in its Pa. P.U.C. No. 29.

Gregory E. Brassfield
Director
Verizon Alliance Cost Management



Network Services Group

6665 N. MacArthur Blvd.
Mailcode HQK02B62
Irving, TX 75039
Phone # 972.465.4113

VIA AIRBORNE EXPRESS
July 21, 2006

Ms. Sue Grossenbacher
Director, CABs Billing
Choice One Communications, Inc.
100 Chestnut Street, Suite 600
Rochester, New York 14604

Dear Sue:

On October 13, 2005 we provided Choice One Communications our analysis of the refund amount due Verizon related to Pennsylvania ACT 183. At that time, the total refund was \$91,936.21 for the period December 1, 2004 – July 31, 2005. In addition, we requested Choice One notify us of its plans to modify its Intrastate Switched Access tariff and refund any overcharges assessed by Choice One

To date, the amount due Verizon is \$229,088.29 for the period December 1 2004 – June 30, 2006. The spreadsheet supporting these charges was provided to you via email by Traci Ming on July 18, 2006.

Please advise Verizon when we can expect to see a credit adjustment in the amount of \$229,088.29 as soon as possible. Please note, in the event Verizon has not received a response from Choice One Communications by August 4, 2006, Verizon will consider its billing disputes rejected by Choice One and will pursue all available legal remedies to resolve this issue. Please feel free to contact Ms Traci Ming at (972) 465-4356 if you have any questions concerning this matter.

Sincerely,

Gregory E. Brassfield
Director
Verizon Alliance Cost Management
Phone: 972.465.4113
Gregory.e.brassfield@verizon.com

cc: Mr. Steve Mowers, Vice President
Finance/Network Services

C-20077671

**Verizon v. One Communications
Complaint
EXHIBIT 9**

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APR 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CTC Communications Corp
(d/b/a ONE Communications)

Telephone-Pa. P.U.C. No 5

Supplement 3

Access Services

First Revised Title Page
Cancels Original Title Page

CTC COMMUNICATIONS CORP.
d/b/a ONE Communications
220 Bear Hill Road
Waltham, Massachusetts 02451

COMPETITIVE LOCAL EXCHANGE CARRIER SWITCHED ACCESS TARIFF

Date Issued: May 22, 2006

Effective Date: July 24, 2006

Issued By: Pamela L. Hintz
Vice President Regulatory
220 Bear Hill Road
Waltham, MA 02451

CHECK SHEET

The sheets of this tariff are effective as of the date shown. The original and revised sheets named below contain all changes from the original tariff and are in effect on the date shown.

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MToC	1	Original	2	12	Original	2	32	Original
MToC	2	First	2	13	Original	2	33	Original
MToC	3	Original	2	14	Original	2	34	Original
Preface	1	Original	2	15	Original	2	35	Original
Preface	2	Original	2	16	Original	2	36	Original
Preface	3	Original	2	17	Original	2	37	Original
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1	2	Original	2	19	Original	2	39	Original
1	3	Original	2	20	Original	2	40	Original
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2	4	Original	2	25				
2	5	Original	2	26				
2	6	Original						

* Indicates Revision

Issued: August 1, 2006

Effective: October 2, 2006

Issued By: Pameia L. Hintz
Vice President of Regulatory Compliance
220 Bear Hill Road
Waltham, Massachusetts 02451

CTC Communications Corp.Access ServicesCHECK SHEET (CONT'D.)

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* Indicates Revision

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Issued By: Pamela L. Hintz
 Vice President Regulatory
 220 Bear Hill Road
 Waltham, MA 02451

CTC Communications Corp.Access ServicesOriginal Page No. 12CHECK SHEET (CONT'D.)

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6	42	Original	6	63	Original	6	84	Original
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 Vice President Regulatory
 220 Bear Hill Road
 Waltham, MA 02451

CTC Communications Corp.Access ServicesCHECK SHEET (CONT'D.)

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* Indicates Revision

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 Vice President Regulatory
 220 Bear Hill Road
 Waltham, MA 02451

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Vice President Regulatory
220 Bear Hill Road
Waltham, MA 02451

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Vice President Regulatory
220 Bear Hill Road
Waltham, MA 02451

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 Vice President Regulatory
 220 Bear Hill Road
 Waltham, MA 02451

CTC Communications Corp.

Access Services

Original Page No. 1

SECTION 10 - RATES AND CHARGES

10.1 Carrier Common Line Access Service

10.1.1 Carrier Common Line

	<u>Rate</u>
Originating - per access minute	\$0.027
Terminating - per access minute	\$0.027

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Effective Date: July 24, 2006

Issued By. Pamela L. Hintz
Vice President Regulatory
220 Bear Hill Road
Waltham, MA 02451

SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.2 Access Service Order

10.2.1 Service Date Change -
Nonrecurring - per order \$ 25.32

10.2.2 Design Change -
Nonrecurring - per order \$ 25.32

10.2.3 Expedited Order Charge -
Nonrecurring - per order \$ 245.00

Date Issued: May 22, 2006

Effective Date: July 24, 2006

issued By: Pamela L. Hintz
Vice President Regulatory
220 Bear Hill Road
Waltham, MA 02451

SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service

10.3.1 Switched Transport

A. Entrance Facility

1. Voice Grade

	Nonrecurring	
	<u>Charges</u>	
	<u>First</u>	<u>Per</u>
		<u>AdditionalMonth</u>
- per point of termination		
Two-wire	-	\$24.61
Four-wire	-	\$39.50
 - per point of termination		

Two-wire

Installation/Charge	\$705.00	\$205.00-
Rearrangement	\$ 20.00	\$ 20.00-

Four-wire

Installation/Change	\$790.00	\$255.00-
Rearrangement	\$ 20.00	\$ 20.00-

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.1 Switch Transport, (Cont'd.)

A. Entrance Facility, (Cont'd.)

		<u>Nonrecurring Charges</u> Per	
		<u>First</u>	<u>AdditionalMonth</u>
2.	DS1 - per point of termination	--	-- \$225.00
	Installation/Change	\$830.00	\$240.00-
	Rearrangement	\$210.00	\$105.00-
3.	DS3 - per point of termination		
A.	Electrical Interface	\$1,800.00	---- \$3,435.00
B.	Optical Interface	\$1,800.00	---- \$3,435.00

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service. (Cont'd)

10.3.1 Switched Transport, (Cont'd.)

B. Tandem Switched Transport

	<u>Rate</u>
1. Tandem Transport Termination	
Originating, per access minute	\$0.000150
Terminating, per access minute	\$0.000150
2. Tandem Transport Facility	
Originating, per access minute	\$0.000240
Terminating, per access minute	\$0.000240
3. Tandem Switching	
Originating, per access minute	\$0.00080
Terminating, per access minute	\$0.00080
4. Dedicated Tandem Trunk Port Charge	
a) Per Trunk, per month	\$9.90
b) Host/Remote Transport Termination	
- Originating, Per access minute	\$0.001568
- Terminating, per access minute	\$0.001568
c) Host/Remote Transport Facility	
- Originating, per mile, per access minute	\$0.000250
- Terminating, per mile, per access minute	\$0.000250
d) Transport Multiplexing	
- Originating, per access minute	\$0.00010
- Terminating, per access minute	\$0.00010

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.1 Switched Transport, (Cont'd.)

<u>C. Direct Trunk Transport</u>		<u>Fixed</u>	<u>Per Month Per Mile</u>
1.	Voice Grade, per termination		
	Over 0 to 4, per mile	\$ 13.64	\$ 2.49
	Over 4 to 8, per mile	\$ 13.64	\$ 2.49
	Over 8 to 25, per mile	\$ 22.40	\$ 1.42
	Over 25 to 50, per mile	\$ 38.34	\$ 0.76
	Over 50, per mile	\$ 38.34	\$ 0.76
2.	DS1, per termination	\$ 50.00	\$ 30.00
3.	DS3, per termination		
	- Optical	\$920.00	\$220.00
	- Electrical	\$920.00	\$220.00
 <u>D. Interconnection</u>			<u>Rate</u>
	Originating, per access minute		\$0.001938
	Terminating, per access minute		\$0.001938

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.1 Switched Transport, (Cont'd.)

E. Multiplexing

	Nonrecurring <u>Charge</u>	Per <u>Month</u>
- Entrance Facility, per arrangement		
DS1 to Voice Grade	\$380.00	\$270.81
DS3 to DS1	\$555.00	\$520.00
- Direct-trunked Transport, per arrangement		
DS1 to Voice Grade	\$380.00	\$270.81
DS3 to DS1	\$555.00	\$520.00

F. Shared Network Arrangement

- Processing Charge per Service Order	\$ 40.00	--
---------------------------------------	----------	----

G. Switched Access Connection Charge

- per Line or Trunk	\$ 20.00	--
---------------------	----------	----

H. Service Order Charge

- per Service Order	\$105.00	--
---------------------	----------	----

I. Interconnection Charge

- per Minute of Use	\$ 0.0030856	
---------------------	--------------	--

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J. Per Remote Trunk Group

- per occurrence

\$300.00

--

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SECTION 10 - RATES AND CHARGES. (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.1 Switched Transport, (Cont'd.)

K. Nonchargeable Optional Features

1. Supervisory Signaling

DX Supervisory Signaling
arrangement
- Per Transmission Path*

SF Supervisory Signaling
arrangement
- Per Transmission Path**

E&M Type I Supervisory
Signaling arrangement
- Per Transmission Path*

E&M Type II Supervisory
Signaling arrangement
- Per Transmission Path*

E&M Type III Supervisory
Signaling
- Per Transmission Path**

2. Customer specifications of the receive
transmission level at the first point of
switching within a range acceptable to
Telephone Company
- Per Transmission Path**

3. Customer specifications of Local
Transport Termination
Four-wire termination in line of
Two-wire termination
- Per Transmission Path*****

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.1 Switched Transport, (Cont'd.)

L. Chargeable Optional Features

1. Alternate Serving Wire Center

	Per <u>Month</u>
a) DS1	\$ 25.00
b) DS3 (optical or electrical)	\$250.00

M. Dedicated Network Access Link (DNAL)

1. Metallic DNAL

	<u>Monthly Rates</u>	<u>Nonrecurring Charges</u>
a) Channel Termination		
- Per Point of Termination	\$13.28	\$71.25

	<u>Monthly Rates</u>	
	<u>Fixed</u>	<u>Per Mile</u>
b) Channel Mileage	None	\$ 1.87

2. Voice Grade DNAL

	<u>Monthly Rates</u>	<u>Nonrecurring Charges</u>
a) Channel Termination		
- Per Point of Termination	ICB	ICB

	<u>Monthly Rates</u>	
	<u>Fixed</u>	<u>Per Mile</u>
b) Channel Mileage		
0 Mile		
- Over 0 to 4, per mile		ICB
- Over 4 to 8, per mile		ICB
- Over 8 to 25, per mile		ICB
- Over 25 to 50, per mile	ICB	ICB
- Over 50, per mile		ICB

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.1 Switched Transport, (Cont'd.)

M. Dedicated Network Access Link (DNAL), (cont'd.)

2 Voice Grade DNAL, (cont'd.)

c) Optional Features

1. Conditioning
- per point of termination

		Nonrecurring Per Charges Month	
(i)	C-Type	ICB	ICB
(ii)	Improved Attenuation Distortion	ICB	ICB
(iii)	Improved Envelope Delay Distortion	ICB	ICB
2. Improved Return Loss for Effective Two - Wire Transmission or Improved Termination for Four-Wire Transmission			
(i)	Improved Return Loss -per point of termination - Two Wire	ICB	ICB
(ii)	Improved Return Loss -per point of termination - Four Wire	ICB	ICB
3. Data Capability - per point of termination			
		ICB	ICB

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.1 Switched Transport, (Cont'd.)

N Common Channel Signaling Access Service

	Non-Recurring	Per
	Charge	Month

1. STP access mileage, per mile	--	\$2.38
---------------------------------	----	--------

2. STP Port Termination, per port	\$932.58	--
-----------------------------------	----------	----

O WATS Toll Free Data Base Access Service

WATS Toll Free Data Base Access Services
(Available with Feature Group D).

Basic Query Charge	\$0.00308	--
--------------------	-----------	----

WATS Toll Free Data Base Vertical
Feature Package (VFP) (available with
Toll free data base basic access Service)
VFP Charge

Per Query	\$0.000327	--
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SECTION 10 - RATES AND CHARGES. (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.2 End Office

A. Local Switching

	<u>Rates</u>
Originating	
Per access Minute	\$0.008934
Terminating	
Per access Minute	\$0.008934

I. Common Switching Optional Features

	<u>Per</u>	<u>N o n -</u>
	<u>Month</u>	<u>Recurring</u>
		<u>Charges</u>
Automatic Number Identification (Available with FGB and FGD)		
- per transmission		
Path Group	\$ 0.00	\$ 0.00
Up to 7-Digit Outpulsing of Access Digits To Customer (available FGB Option)		
- per transmission		
Path Group	\$ 0.00	\$ 0.00
Revertive Pulse Address Signaling		
- per transmission		
Path Group	\$ 0.00	\$ 0.00

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SECTION 10 - RATES AND CHARGES. (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.2 End Office, (cont'd.)

A. Local Switching, (cont'd.)

1. Common Switching Optional Features, (cont'd.)

	Per <u>Month</u>	N o n - Recurring <u>Charges</u>
Calling Party Number (available FGD equipped with Out-of-Band signaling) - per end office, per Trunk Group	\$ 0.00	\$ 0.00
Charge number (available with FGD Equipped with out-of band signaling) - per end office, per Trunk Group	\$ 0.00	\$ 0.00
Carrier Selection Parameter (Available FGD equipped with Out-of-band signaling) - per end office, per Trunk Group	\$ 0.00	\$ 0.00

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SECTION 10 - RATES AND CHARGES. (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.2 End Office, (cont'd.)

A Local Switching, (cont'd.)

1 Common Switching Optional Features. (cont'd.)

	Per <u>Month</u>	N o n - Recurring <u>Charges</u>
Carrier Selection Parameter (Available with FGD equipped with Out-of-band signaling) - per end office, per Trunk Group ** #	\$ 0.00	\$ 0.00
Access Transport Parameter (Available with FGD equipped with Out-of-band signaling) - per end office, per Trunk Group ** #	\$ 0.00	\$ 0.00
WATS Toll Free Data Base Access Service (Available with FGD equipped with out-of-band signaling) - Basic Query Charge Per Query	\$0.003089	\$ 0.00
WATS Toll Free Data Base Vertical Feature Package (VFP) (Available with WATS Toll Free Data Based Access Service - VFP Charge Per Query		\$ 0.000327\$ 0.00

* - for subsequent installations only.

** - Available only on originating Trunkside BSA-101XXXX Option and FGD

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- Available only at designated switches

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Section 10

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.2 End Office, (cont'd.)

A. Local Switching, (cont'd.)

1. Common Switching Optional Features, (cont'd.)

	Per	N o n -
	Month	Recurring
		Charges
Delay Dialing Start Pulsing Signaling		
- per transmission path group	\$ 0.00	\$ 0.00
Immediate Dial Pulse Address Signaling		
- per transmission path group	\$ 0.00	\$ 0.00
Dial Pulse Address Signaling		
- per transmission path group	\$ 0.00	\$ 0.00
Panel Call Indicator Address Signaling		
- per transmission path group	\$ 0.00	\$ 0.00

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.2 End Office, (cont'd.)

A. Local Switching, (cont'd.)

1. Common Switching Optional Features, (cont'd.)

	Per <u>Month</u>	N o n - Recurring <u>Charges</u>
Service Class Routing (Available with FGD) - per transmission path group	\$ 0.00	\$ 0.00
Alternate Traffic Routing (Available with FGB, And FGD) - per transmission path group	\$ 0.00	\$ 0.00
Trunk Access Limitation Arrangement (Available with and FGD) - Per End Office		\$ 0.00\$ 0.00

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.2 End Office, (cont'd.)

A. Local Switching, (cont'd.)

1. Common Switching Optional Features, (cont'd.)

	Per <u>Month</u>	N o n - Recurring <u>Charges</u>
Call Gapping Arrangement (Available with FGD) - Per End Office	\$ 0.00	\$ 0.00
International Carrier Option (Available with FGD) - Per End Office and Access Tandem	\$ 0.00	\$ 0.00
Band Advance Arrangement For Use with WATS Access Lines (Available with FGD) - Per Arrangement	\$ 0.00	\$ 0.00
End Office End User Line Service Screening for use with WATS Access Lines (Available with FGD)* - Per Transmission Path	\$ 0.00	\$ 0.00

* - This Feature is required for an Originating-Only WATS Access Line.

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.2 End Office, (Cont'd.)

A. Local Switching, (cont'd.)

1. Common Switching Optional Features, (cont'd.)

	Per <u>Month</u>	N o n - Recurring <u>Charges</u>
Common Switching Optional Features (Available FGD)*		
- Per Transmission Path Group	\$ 0.00	\$ 0.00
Hunt Group Arrangement For use with WATS Access Lines (Available with FGD)*		
- Per Transmission Path Group	\$ 0.00	\$ 0.00
Uniform Call Distribution Arrangement For use with WATS Access Line (Available with FGD)*		
- Per Transmission Path Group	\$ 0.00	\$ 0.00

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SECTION 10 - RATES AND CHARGES. (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.2 End Office, (Cont'd.)

A. Local Switching, (cont'd.)

1. Common Switching Optional Features, (cont'd.)

	Per	N o n -
	<u>Month</u>	<u>Recurring</u>
		<u>Charges</u>
Nonhunting Number for Use with Hunt Group Arrangement or Uniform Call Distribution Arrangement For use with WATS Access Lines (Available with FGD)		
- per Transmission Path	\$ 0.00	\$ 0.00
	Per	N o n -
		Recurring

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.2 End Office, (Cont'd.)

A. Local Switching, (cont'd.)

1. Common Switching Optional Features, (cont'd.)

	<u>Month</u>	<u>Charges</u>
a) Trunkside Terminations (For FGB and FGD)	\$ 0.00	\$ 0.00
Standard Trunk for Originating, Terminating, or Two-Way Operation (Available with FGB and FGD)	\$ 0.00	\$ 0.00
Rotary Dial Station Signaling Trunk (Available with FGB)	\$ 0.00	\$ 0.00
Operator Trunk, Coin, Noncoined or Combined Coined and Non-Coin	\$ 0.00	\$ 0.00
Operator Trunk, Full Feature Arrangement (Available with FGD)	\$ 0.00	\$ 0.00

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SECTION 10 - RATES AND CHARGES. (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.2 End Office, (Cont'd.)

B. Line Terminations

<u>Per</u>	<u>N o n -</u>
<u>Month</u>	<u>Recurring</u>
	<u>Charges</u>

1. WATS Access Line Terminations
Non-chargeable Options

a) Line Terminations:

Originating-Only, Loop Start,
Line Side Connection, with
DTMF Address Signaling,
- per Transmission path

Originating-only, Loop
Start, Line Side Connection,
With Dial Pulse Address
Signaling,
- per transmission Path

Originating-Only, Ground Start,
Line Side Connection with DTMF
Address Signaling
- per transmission Path

Originating-Only, Ground Start
Line Side Connection, with Dial
Pulse address Signaling,
- per transmission Path

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.2 End Office, (Cont'd.)

B. Line Terminations, (cont'd.)

Per	N o n -
Recurring	
<u>Month</u>	<u>Charges</u>

I. WATS Access Line Terminations, (Cont'd.)
Non-chargeable Options

a) Line Side Terminations(Cont'd.):

Terminating-only, Loop Start,
Line Side Connection
- per transmission path

Terminating-only, Ground Start,
Line Side Connection
- per transmission path

Terminating-Only Trunk Side
Connection for Forwarding of
Dialed Number Identification
To End User
- per transmission path

Rates

C. Shared End Office Trunk Charge

Originating	
Per access Minute	\$0.001618
Terminating	
Per access Minute	\$0.001618

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SECTION 10 - RATES AND CHARGES, (CONT'D.)

10.3 Switched Access Service, (Cont'd.)

10.3.3 Local Business Line Rates for Resold Services

The Local Business Line Rates that apply for arrangements provided as set forth in Section 6.8.3, preceding are the same as the Local Business Exchange Service Rates generally applicable to local business customers, as set forth in the Local Exchange Services Tariff of the Company.

10.3.4 WATS Access Line Optional Feature

- A. Two Wire/ Four Wire
WATS Access Line
Two Wire Line
Four Wire Line

Improved Two Wire Voice
Transmission, Specifications for
Two-Wire WATS Access Line

10.3.5 Message Unit Credit,
per Originating Access Minute \$ 0.0058

10.3.6 Tandem Access Sectorization

- | | | |
|----|--------------------------------------|-------------------------|
| A. | Per Trunk | Per
Month
\$ 1.00 |
| B. | Nonrecurring Charge | Non-recurring
Charge |
| | Initial, per customer., per tandem: | \$5,612.89 |
| | Subsequent, per point of termination | \$ 913.22 |

10.3.7 Operator Transfer Service,
per call Transferred \$ 0.22

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CTC Tariffed Access Rate Comparison

CTC Tariffed Switched Access Rates		Verizon PA Tariffed Switched Access Rates	
Rate Element	Access Rate	Rate Element	Access Rate
Carrier Common Line	Originating \$0.027000/MOU	Terminating \$0.027000/MOU	Carrier Charge \$0.58/line or trunk
Local Switching	\$0.008934/MOU	\$0.008934/MOU	Local Switching \$0.006212/MOU
Shared End Office Trunk Charge	\$0.001618/MOU	\$0.001618/MOU	Shared End Office Trunk Port \$0.001598/MOU
Tandem Switching	\$0.000800/MOU	\$0.000800/MOU	Tandem Switching \$0.000983/MOU
Tandem Transport Termination	\$0.000150/MOU	\$0.000150/MOU	Tandem Transport-Fixed \$0.000195/MOU
Tandem Transport Facility	\$0.000240/MOU/mile	\$0.000240/MOU/mile	Tandem Transport-Per Mile \$0.000045/MOU/mile
Hos/Remote Transport Termination	\$0.001568/MOU	\$0.001568/MOU	Hos/Remote-Fixed \$0.000195/MOU
Hos/Remote Transport Facility	\$0.000250/MOU/mile	\$0.000250/MOU/mile	Hos/Remote-Per Mile \$0.000045/MOU/mile
Transport Multiplexing	\$0.000100/MOU	\$0.000100/MOU	
Interconnection	\$0.001938/MOU	\$0.001938/MOU	
Interconnection Charge	\$0.0030856/MOU		

CTC Tariffed Access Rate Comparison

CTC Tariffed Switched Access Rates		Verizon North Tariffed Switched Access Rates	
Rate Element	Access Rate	Rate Element	Access Rate
Carrier Common Line	Originating \$0.027000/MOU	Terminating \$0.027000/MOU	Carrier Charge \$0.58/line or trunk
Local Switching	\$0.008934/MOU	\$0.008934/MOU	End Office Switching - Bundled \$0.006212/MOU
Shared Er J Office Trunk Charge	\$0.001618/MOU	\$0.001618/MOU	Shared End Office Trunk Port \$0.001598/MOU
Tandem Switching	\$0.000800/MOU	\$0.000800/MOU	Tandem Switching \$0.000983/MOU
Tandem Transport Termination	\$0.000150/MOU	\$0.000150/MOU	Tandem Transport Termination \$0.000390/MOU
Tandem Transport Facility	\$0.000240/MOU/mile	\$0.000240/MOU/mile	Tandem Transport Facility \$0.000045/MOU/mile
Hos/Remote Transport Termination	\$0.001568/MOU	\$0.001568/MOU	Hos/Remote-Fixed \$0.000390/MOU
Hos/Remote Transport Facility	\$0.000250/MOU/mile	\$0.000250/MOU/mile	Hos/Remote-Per Mile \$0.000045/MOU/mile
Transport Multiplexing	\$0.000100/MOU	\$0.000100/MOU	
Interconnection	\$0.001938/MOU	\$0.001938/MOU	
Interconnection Charge	\$0.0030856/MOU		

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CTC Composite Access Rate Comparison

CTC Composite Switched Access Rates		Verizon PA Composite Switched Access Rates	
Rate Element	Composite Access Rate	Rate Element	Composite Access Rate
Carrier Common Line	\$0.0270000/MOU	Carrier Charge	\$0.0082133/MOU ¹
Local Switching	\$0.0089340/MOU	Local Switching	\$0.0062120/MOU
Shared End Office Trunk Charge	\$0.0016180/MOU	Shared End Office Trunk Port	\$0.0015980/MOU
Tandem Switching	\$0.0008600/MOU	Tandem Switching	\$0.0009830/MOU
Tandem Transport Termination	\$0.0001500/MOU	Tandem Transport-Fixed	\$0.0001950/MOU
Tandem Transport Facility	\$0.0024000/MOU ²	Tandem Transport-Per Mile	\$0.0004500/MOU ²
Hos/Remote Transport Termination	\$0.0015680/MOU	Hos/Remote-Fixed	\$0.0001950/MOU
Hos/Remote Transport Facility	\$0.0025000/MOU ²	Hos/Remote-Per Mile	\$0.0004500/MOU ²
Transport Multiplexing	\$0.0001000/MOU		
Interconnection	\$0.0019380/MOU		
Interconnection Charge	\$0.0030856/MOU		
Composite Rate	\$0.0500936/MOU	Composite Rate	\$0.0182963/MOU

¹ Rate calculated from bills issued by Verizon PA to the Verizon long distance companies.

² Rate calculated with an average of 10 miles.

CTC Composite Access Rate Comparison

CTC Composite Switched Access Rates		Verizon North Composite Switched Access Rates	
Rate Element	Composite Access Rate	Rate Element	Composite Access Rate
Carrier Common Line	\$0.0270000/MOU	Carrier Charge	\$0.0050145/MOU ³
Local Switching	\$0.0089340/MOU	Local Switching	\$0.0062120/MOU
Shared End Office Trunk Charge	\$0.0016180/MOU	Shared End Office Trunk Port	\$0.0015980/MOU
Tandem Switching	\$0.0008000/MOU	Tandem Switching	\$0.0009830/MOU
Tandem Transport Termination	\$0.0001500/MOU	Tandem Transport Termination	\$0.0003900/MOU
Tandem Transport Facility	\$0.0024000/MOU ⁴	Tandem Transport Facility	\$0.0004500/MOU ⁴
Hos/Remote Transport Termination	\$0.0015680/MOU	Hos/Remote Termination	\$0.0003900/MOU
Hos/Remote Transport Facility	\$0.0025000/MOU ⁴	Hos/Remote Facility	\$0.0004500/MOU ⁴
Transport Multiplexing	\$0.0001000/MOU		
Interconnection	\$0.0019380/MOU		
Interconnection Charge	\$0.0030856/MOU		
Composite Rate	\$0.0500936/MOU	Composite Rate	\$0.0154875/MOU

³ Rate calculated from bills issued by Verizon North to the Verizon long distance companies.

⁴ Rate calculated with an average of 10 miles.

C-2007 7671

**Verizon v. One Communications
Complaint
EXHIBIT 12**

RECEIVED

APR 25 2007

PA PUBLIC UTILITY COMMISSION
REGULATORY BUREAU

SWITCHED ACCESS PROVIDER SERVICES TARIFF

APPLICATION OF TARIFF

This tariff contains the regulations and rates applicable to the furnishing of switched access services by Conversent Communications of Pennsylvania, LLC within the state of Pennsylvania

SERVICE AREA

Conversent Communications of Pennsylvania, LLC will provide intrastate service in the state of Pennsylvania in areas currently served by the following Incumbent Local Exchange companies.

(1) Verizon Pennsylvania, Inc.

City/Town	NPA	NXX
Allentown	484	664
	610	402 432 433 434 435 437 439 508 606 663 712
		740 770 774 776 778 781 820 821 709 791
		797 798 340 349 504 512 533 703 704 841
		972
Bethlehem	610	317 691 694 758 807 814 851 855 866 867 868
		882 954 974 997 216 217 419 570 625 849
	484	895 821 893 894 896 897
Stroudsburg	908	841
	570	420 421 422 424 426 476 934
Wilkes-Barre	570	200 819 820 821 822 823 824 825 826 829 830
		831 201 202 203 206 208 209 262 303 304 305
		306 308 309 310 312 314 317 405 552 704 760
		814 817
Scranton	570	330 340 341 342 343 344 346 347 348 496 941
Reading	610	961 963 969 315 381 515 670 804 840 955
		670 678 927 685 370 405 779 781 914 921 929
		939 223 468 507 698 823 208 236 320 371 372
		373 374 375 376 378 356 478 607 655 736 988
		451 587 621 743 790
Harrisburg	717	213 221 230 231 232 233 234 236 237 238 255
		257 260 705 720 772 777 780 782 783 787 886
		215 302 310 319 512 514 580 608 703 727 804
		805 826 856 901 903 913 919 981

OFFICIALLY FILED TARIFF

Issued: December 21, 2001

Effective December 26, 2001

Issued By: Robert J. Shanahan, President & COO

paa0101

Conversent Communications of Pennsylvania, LLC
222 Richmond Street, Suite 206
Providence, Rhode Island 02903

Tariff Telephone - Pa. PUC No. 4
Original Sheet 5

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SYMBOLS

The following are the only symbols used for the purposes indicated below

- C - To signify changed term or condition
- D - To signify discontinued rate or term or condition.
- I - To signify increased rate

OFFICIALLY FILED TARIFF

Issued December 21, 2001

Effective December 26, 2001

Issued By Robert J. Shanahan, President & COO

paa0101

SWITCHED ACCESS PROVIDER SERVICES TARIFF

TARIFF FORMAT

A. Sheet Numbering - Sheet numbers appear in the upper right corner of the sheet. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.

B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each sheet. These numbers are used to determine the most current sheet version on file with the Commission. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc., the Commission follows in its tariff approval process, the most current sheet number on file with the Commission is not always the tariff sheet in effect. Consult the Check Sheet for the sheet currently in effect.

C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to the next higher level:

2
2.1
2.1.1
2.1.1.A
2.1.1.A.1
2.1.1.A.1 (a)
2.1.1.A.1 (a) 1
2.1.1.A.1 (a) 1 (i)
2.1.1.A.1 (a) 1 (i) (1)

D. Check Sheets - When a tariff filing is made with the Commission an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the sheets contained in the tariff, with a cross-reference to the current revision number. When new sheets are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this sheet if these are the only changes made to it (i.e., the format, etc. remain the same, just revised revision levels on some sheets.) The tariff user should refer to the latest Check Sheet to find out if a particular sheet is the most current on file with the Commission.

OFFICALLY FILED TARIFF

Issued: December 21, 2001

Effective: December 26, 2001

Issued By Robert J. Shanahan, President & COO

paa0101

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES

5.1 General

This section contains the specific regulations governing the rates and charges that apply for Switched Access Services:

There are three types of rates and charges that apply to Switched Access Service

Non-Recurring Charges: One-time charges that apply for a specific work activity.

Recurring Charges: Fixed charges apply each month and depend on the number and type of facilities in place.

Usage Charges: Charges that are applied on a per access minute basis. Usage rates are accumulated over a monthly period.

OFFICALLY FILED TARIFF

Issued December 21, 2001

Effective: December 26, 2001

Issued By Robert J. Shanahan, President & COO

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES, (Cont'd)

5.2 Rate Categories

5.2.1 The Company provides originating and terminating switched access service through a single blended rate based on aggregate traffic volumes from the following cost categories:

Carrier Common Line

The Carrier Common Line cost category establishes the charges related to the use of Company-provided end user common lines by customers and end users for interstate access.

End Office

The End Office cost category establishes the charges related to the use of end office switching equipment, the terminations in the end office of end user lines, the terminations of calls at Company Intercept Operators or recordings, the Signaling Transfer Point (STP) costs, and the SS7 signaling function between the end office and the STP.

Switched Transport

The Switched Transport cost category establishes the charges related to the transmission and tandem switching facilities between the customer designated premises and the end office switch(es) where the customer's traffic is switched to originate or terminate the customer's communications.

Issued December 21, 2001

Effective December 26, 2001

Issued By: Robert J. Shanahan, President & COO

paa0101

Conversent Communications of Pennsylvania, LLC
222 Richmond Street, Suite 206
Providence, Rhode Island 02903

Tariff Telephone - Pa. P.U.C. No. 4
Original Sheet 50

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES, (Cont'd.)

5.2 Rate Categories, (Cont'd.)

5.2.2 Toll-Free 8XX Data Base Query

The Toll-Free 8XX Data Base Query Charge, will apply for each Toll-Free 8XX call query received at the Company's (or its provider's) Toll-Free 8XX database.

5.2.3 Optional Features

Other optional features may be available on an Individual Case Basis (ICB).

LEGALLY FILED TARIFF

Issued December 21, 2001

Effective: December 26, 2001

Issued By Robert J. Shanahan, President & COO

paa0101

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES, (Cont'd.)

5.3 Billing of Access Minutes

When recording originating calls over FG Access with multi-frequency address signaling, usage measurement begins when the first wink supervisory signal is forwarded from the Customer's facilities. The measurement of originating call usage over FG Access ends when the originating FG Access entry switch receives disconnect supervision from either the originating End User's Local Switching Center - (indicating that the originating End User has disconnected), or the Customer's facilities, whichever is recognized first by the entry switch.

For terminating calls over FG Access with multi-frequency address signaling, the measurement of access minutes begins when a seizure signal is received from the Carrier's trunk group at the Point of Presence within the LATA. The measurement of terminating call usage over FG Access ends when a disconnect signal is received, indicating that either the originating or terminating user has disconnected.

When recording originating calls over FG Access with SS7 signaling, usage measurement begins with the transmission of the initial address message by the switch for direct trunk groups and with the receipt of an exit message by the switch for tandem trunk groups. The measurement of originating FG Access usage ends when the entry switch receives or sends a release message, whichever occurs first.

For terminating calls over FG Access with SS7 signaling, the measurement of access minutes begins when the terminating recording switch receives the initial address message from the terminating End User. On directly routed trunk groups or on tandem routed trunk groups, the Company switch receives the initial address message and sends the indication to the Customer in the form of an answer message. The measurement of terminating FG Access call usage ends when the entry switch receives or sends a release message, whichever occurs first.

OFFICALLY FILED TARIFF

Issued December 21, 2001

Effective December 26, 2001

Issued By Robert J. Shanahan, President & COO

paa0101

Conversent Communications of Pennsylvania, LLC
222 Richmond Street, Suite 206
Providence, Rhode Island 02903

Tariff Telephone Pa. P.U.C. No. 4
Original Sheet 52

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES, (Cont'd.)

5.4 Rates and Charges

5.4.1 Blended Carrier Switched Access - Verizon Pennsylvania, Inc. Territory

	Rate per minute
Originating	\$0.06
Terminating	\$0.06

CALLY REF TARIFF

Issued December 21, 2001

Effective: December 26, 2001

Issued By: Robert J. Shanahan, President & COO

paa0101

Conversent Communications of Pennsylvania, LLC
222 Richmond Street, Suite 206
Providence, Rhode Island 02903

Tariff Telephone Pa. F.U.C. No. 4
Original Sheet 53

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES, (Cont'd.)

5.4 Rates and Charges. (Cont'd.)

5.4.3 Toll-Free EXX Data Base Query

Per query: \$0.0054

5.4.4 Switched Access Optional Features

All Optional Features are offered on an Individual Case Basis (ICB)

OFFICIALLY FILED TARIFF

Issued: December 21, 2001

Effective: December 26, 2001

Issued By Robert J. Shanahan, President & COO

paa0101

C-20077671

**Verizon v. One Communications
Complaint
EXHIBIT 13**

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APR 25 2007

FA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Conversent Tariffed Access Rate Comparison

Conversent Tariffed Switched Access Rates		Verizon PA Tariffed Switched Access Rates					
Rate Element	Access Rate	Rate Element	Access Rate				
Blended Carrier Switched Access	<table border="1"> <tr> <td>Originating</td> <td>\$0.0600000/MOU</td> <td>Terminating</td> <td>\$0.0600000/MOU</td> </tr> </table>	Originating	\$0.0600000/MOU	Terminating	\$0.0600000/MOU		
Originating	\$0.0600000/MOU	Terminating	\$0.0600000/MOU				
		Carrier Charge	\$0.58/line or trunk				
		Local Switching	\$0.006212/MOU				
		Shared End Office Trunk Port	\$0.001598/MOU				
		Tandem Switching	\$0.000983/MOU				
		Tandem Transport-Fixed	\$0.000195/MOU				
		Tandem Transport-Per Mile	\$0.000045/MOU/mile				
		Host/Remote-Fixed	\$0.000195/MOU				
		Host/Remote-Per Mile	\$0.000045/MOU/mile				

C-20077671

**Verizon v. One Communications
Complaint
EXHIBIT 14**

RECEIVED

APR 25 2007

FA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Conversent Composite Access Rate Comparison

Conversent Composite Switched Access Rates		Verizon PA Composite Switched Access Rates	
Rate Element	Composite Access Rate	Rate Element	Composite Access Rate
Blended Carrier Switched Access	\$0.060000/MOU		
		Carrier Charge	\$0.0082133/MOU ¹
		Local Switching	\$0.0062120/MOU
		Shared End Office Trunk Port	\$0.0015980/MOU
		Tandem Switching	\$0.0009830/MOU
		Tandem Transport-Fixed	\$0.0001950/MOU
		Tandem Transport-Per Mile	\$0.0004500/MOU ²
		Hos/Remote-Fixed	\$0.0001950/MOU
		Hos/Remote-Per Mile	\$0.0004500/MOU ²
Composite Rate	\$0.060000/MOU	Composite Rate	\$0.0182963/MOU

¹ Rate calculated from bills issued by Verizon PA to the Verizon long distance companies.

² Rate calculated with an average of 10 miles.

C-20077671

**Verizon v. One Communications
Complaint
EXHIBIT 15**

RECEIVED

APR 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Fibernet Telecommunications of Pennsylvania, LLC
211 Leon Sullivan Way
Charleston, West Virginia 25301

Tariff Telephone - Pa. P.U.C. No. 4
Original Title Sheet 1

SWITCHED ACCESS PROVIDER SERVICES TARIFF

REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES
APPLICABLE TO THE PROVISION OF
SWITCHED ACCESS PROVIDERS SERVICES
OF
FIBERNET TELECOMMUNICATIONS OF PENNSYLVANIA, LLC

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of switched access services provided by Fibernet Telecommunications of Pennsylvania, LLC. This tariff has been filed with the Pennsylvania Public Utility Commission and copies are available for inspection at the Company's place of business: 211 Leon Sullivan Way, Charleston, West Virginia 25301.

Issued: November 20, 2001

Effective: November 23, 2001

By Virgil E. Parson, Executive Vice President & CEO

PAA0101

SWITCHED ACCESS PROVIDER SERVICES TARIFF

CHECK SHEET

Sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

SHEET	REVISION	SHEET	REVISION	SHEET	REVISION
Title	Original	* 26	Original	* 52	Original *
1	Original	* 27	Original	*	
2	Original	* 28	Original	*	
3	Original	* 29	Original	*	
4	Original	* 30	Original	*	
5	Original	* 31	Original	*	
6	Original	* 32	Original	*	
7	Original	* 33	Original	*	
8	Original	* 34	Original	*	
9	Original	* 35	Original	*	
10	Original	* 36	Original	*	
11	Original	* 37	Original	*	
12	Original	* 38	Original	*	
13	Original	* 39	Original	*	
14	Original	* 40	Original	*	
15	Original	* 41	Original	*	
16	Original	* 42	Original	*	
17	Original	* 43	Original	*	
18	Original	* 44	Original	*	
19	Original	* 45	Original	*	
20	Original	* 46	Original	*	
21	Original	* 47	Original	*	
22	Original	* 48	Original	*	
23	Original	* 49	Original	*	
24	Original	* 50	Original	*	
25	Original	* 51	Original	*	

* indicates pages included in this filing

Issued: November 20, 2001

Effective: November 23, 2001

By: Virgil E. Parson, Executive Vice President & CEO

PAA0101

SWITCHED ACCESS PROVIDER SERVICES TARIFF

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Section 2 - Rules and Regulations	12
Section 3 - Ordering Options for Access Service.....	42
Section 4 - Switched Access Service	44
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SWITCHED ACCESS PROVIDER SERVICES TARIFF

APPLICATION OF TARIFF

This tariff contains the regulations and rates applicable to the furnishing of switched access services by Fibernet Telecommunications of Pennsylvania, LLC within the state of Pennsylvania.

SERVICE AREA

Fibernet Telecommunications of Pennsylvania, LLC will provide intrastate service throughout the state of Pennsylvania in areas currently served by the following Incumbent Local Exchange companies:

(1) Verizon North, Inc. - Johnstown Area:

Local Calling Areas: Johnstown, Beaverdale, Davidsville, Nanty Glo, Seward, South Fork and Windber

NPA 814:

NXX's:

288,262,269,243,418,659,241,242,244,248,291,537,626,532,533,534,535,536,539,
270,322

(2) Verizon Pennsylvania, Inc. - Altoona Exchange

Local Calling Areas: Altoona, Bellwood, Cresson, Hollidaysburg, Tyrone

NPA 814:

NXX's:

935,232,567,569,578,580,588,932,937,934,940,941,942,943,944,946, 947,949

Issued: November 20, 2001

Effective: November 23, 2001

By: Virgil E. Parson, Executive Vice President & CEO

PAAC101

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES

5.1 General:

This section contains the specific regulations governing the rates and charges that apply for Switched Access Services.

There are three types of rates and charges that apply to Switched Access Service:

- Non Recurring Charges: One time charges that apply for a specific work activity.
- Recurring Charges: Fixed charges apply each month and depend on the number and type of facilities in place.
- Usage Charges: Charges that are applied on a per access minute basis. Usage rates are accumulated over a monthly period.

PHYSICALLY LEAD TARIFF

Issued: November 20, 2001

Effective: November 23, 2001

By: Virgil E. Parson, Executive Vice President & CEO

FAA0101

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES, (Cont'd.)

5.2 Rate Categories

5.2.1 The Company provides originating and terminating switched access service through a single blended rate based on aggregate traffic volumes from the following cost categories:

Carrier Common Line

The Carrier Common Line cost category establishes the charges related to the use of Company-provided end user common lines by customers and end users for interstate access.

End Office

The End Office cost category establishes the charges related to the use of end office switching equipment, the terminations in the end office of end user lines, the terminations of calls at Company Intercept Operators or recordings, the Signaling Transfer Point (STP) costs, and the SS7 signaling function between the end office and the STP.

Switched Transport

The Switched Transport cost category establishes the charges related to the transmission and tandem switching facilities between the customer designated premises and the end office switch(es) where the customer's traffic is switched to originate or terminate the customer's communications.

SPECIALLY PRINTED TARIFF

Issued: November 20, 2001

Effective: November 23, 2001

By: Virgil E. Parson, Executive Vice President & CEO

PAA0101

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES, (Cont'd.)

5.2 Rate Categories, (Cont'd.)

5.2.2 Toll-Free 8XX Data Base Query

The Toll-Free 8XX Data Base Query Charge, will apply for each Toll-Free 8XX call query received at the Company's (or its provider's) Toll-Free 8XX data base.

5.2.3 Optional Features

Other optional features may be available on an Individual Case Basis (ICB).

OFFICIALLY FILED TARIFF

Issued: November 20, 2001

Effective: November 23, 2001

By: Virgil E. Parson, Executive Vice President & CEO

PAA0101

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES, (Cont'd.)

5.3 Billing of Access Minutes

When recording originating calls over FG Access with multi-frequency address signaling, usage measurement begins when the first wink supervisory signal is forwarded from the Customer's facilities. The measurement of originating call usage over FG Access ends when the originating FG Access entry switch receives disconnect supervision from either the originating End User's Local Switching Center - indicating that the originating End User has disconnected, or the Customer's facilities, whichever is recognized first by the entry switch.

For terminating calls over FG Access with multi-frequency address signaling, the measurement of access minutes begins when a seizure signal is received from the Carrier's trunk group at the Point of Presence within the LATA. The measurement of terminating call usage over FG Access ends when a disconnect signal is received, indicating that either the originating or terminating user has disconnected.

When recording originating calls over FG Access with SS7 signaling, usage measurement begins with the transmission of the initial address message by the switch for direct trunk groups and with the receipt of an exit message by the switch for tandem trunk groups. The measurement of originating FG Access usage ends when the entry switch receives or sends a release message, whichever occurs first.

For terminating calls over FG Access with SS7 signaling, the measurement of access minutes begins when the terminating recording switch receives the initial address message from the terminating End User. On directly routed trunk groups or on tandem routed trunk groups the Company switch receives the initial address message and sends the indication to the Customer in the form of an answer message. The measurement of terminating FG Access call usage ends when the entry switch receives or sends a release message, whichever occurs first.

Issued: November 20, 2001

Effective: November 23, 2001

By: Virgil E. Parson, Executive Vice President & CEO

PAA0103

OFFICIALLY FILED TARIFF

FiberNet Telecommunications of Pennsylvania, LLC
211 Leon Sullivan Way
Charleston, West Virginia 25301

Tariff Telephone - Pa. P.U.C. No. 4
Original Sheet: 51

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES, (Cont'd.)

5.4 Rates and Charges

5.4.1 Blended Carrier Switched Access

	Rate per minute
Originating	\$0.06
Terminating	\$0.06

OFFICIALLY FILED TARIFF

Issued: November 20, 2001

Effective: November 23, 2001

By: Virgil E. Parson, Executive Vice President & CEO

PAA0101

SWITCHED ACCESS PROVIDER SERVICES TARIFF

SECTION 5 - SWITCHED ACCESS RATES, (Cont'd.)

5.4 Rates and Charges. (Cont'd.)

5.4.3 Toll-Free 8XX Data Base Query

Per query \$0.0054

5.4.4 Switched Access Optional Features

All Optional Features are offered on an Individual Case Basis (ICB).

OFFICIALLY FILED TARIFF

Issued: November 20, 2001

Effective: November 23, 2001

by Virgil E. Parson, Executive Vice President & CEO

PAA0101

C-20077671

**Verizon v. One Communications
Complaint
EXHIBIT 16**

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APR 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

FiberNet Tariffed Access Rate Comparison

FiberNet Tariffed Switched Access Rates		Verizon PA Tariffed Switched Access Rates	
Rate Element	Access Rate	Rate Element	Access Rate
Blended Carrier Switched Access	Originating \$0.0600000/MOU		
	Terminating \$0.0600000/MOU		
		Carrier Charge	\$0.58/line or trunk
		Local Switching	\$0.006212/MOU
		Shared End Office Trunk Port	\$0.001598/MOU
		Tandem Switching	\$0.000983/MOU
		Tandem Transport-Fixed	\$0.000195/MOU
		Tandem Transport-Per Mile	\$0.000045/MOU/mile
		Hos/Remote-Fixed	\$0.000195/MOU
		Hos/Remote-Per Mile	\$0.000045/MOU/mile

**Verizon v. One Communications
Complaint
EXHIBIT 17**

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APR 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

FiberNet Composite Access Rate Comparison

FiberNet Composite Switched Access Rates		Verizon PA Composite Switched Access Rates	
Rate Element	Composite Access Rate	Rate Element	Access Rate
Blended Carrier Switched Access	\$0.0600000/MOU		
		Carrier Charge	\$0.0082133/MOU ¹
		Local Switching	\$0.0062120/MOU
		Shared End Office Trunk Port	\$0.0015980/MOU
		Tandem Switching	\$0.0009830/MOU
		Tandem Transport-Fixed	\$0.0001950/MOU
		Tandem Transport-Per Mile	\$0.0004500/MOU ²
		Host/Remote-Fixed	\$0.0001950/MOU
		Host/Remote-Per Mile	\$0.0004500/MOU ²
Composite Rate	\$0.0600000/MOU	Composite Rate	\$0.0182963/MOU

¹ Rate calculated from bills issued by Verizon PA to the Verizon long distance companies.

² Rate calculated with an average of 10 miles.

FiberNet Composite Access Rate Comparison

FiberNet Composite Switched Access Rates		Verizon North Composite Switched Access Rates	
Rate Element	Composite Access Rate	Rate Element	Composite Access Rate
Blended Carrier Switched Access	\$0.0600000/MOU		
		Carrier Charge	\$0.0050145/MOU ³
		End Office Switching - Bundled	\$0.0062120/MOU
		Shared End Office Trunk Port	\$0.0015980/MOU
		Tandem Switching	\$0.0009830/MOU
		Tandem Transport Termination	\$0.0003900/MOU
		Tandem Transport Facility	\$0.0004500/MOU ⁴
		Host/Remote Termination	\$0.0003900/MOU
		Host/Remote Facility	\$0.0000450/MOU ⁴
Composite Rate	\$0.0600000/MOU	Composite Rate	\$0.0154875/MOU

³ Rate calculated from bills issued by Verizon North to the Verizon long distance companies.

⁴ Rate calculated with an average of 10 miles.



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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: May 11, 2007

C-20077671

ONE COMMUNICATIONS CORP
R EDWARD PRICE SR DIRECTOR REGULATORY AFFAIRS
1000 CHESTNUT STREET SUITE 600
ROCHESTER NY 14604

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Verizon Pennsylvania Inc. Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Select Services Inc. Verizon Global Networks, Inc., MCImetro Access Transmission Services, LLC, d/b/a Verizon Access Transmission Services and MCI Communications Services Inc.. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

DOCUMENT
FOLDER

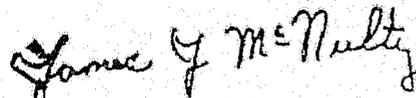
May 11, 2007

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,

A handwritten signature in cursive script that reads "James J. McNulty". The signature is written in dark ink and is positioned above the printed name and title.

James J. McNulty
Secretary

ksb

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: May 11, 2007

Verizon Pennsylvania Inc. Verizon
North Inc., Bell Atlantic
Communications, Inc. d/b/a Verizon
Long Distance, Verizon Select Services
Inc. Verizon Global Networks, Inc.,
MCI metro Access Transmission
Services, LLC, d/b/a Verizon Access
Transmission Services, and MCI
Communications Services
Complainant

Complaint Docket
No: C-20077671

DOCUMENT
FOLDER

v.

ONE COMMUNICATIONS CORP
Respondent

DOCKETED
MAY 9 2007

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: ONE COMMUNICATIONS CORP

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

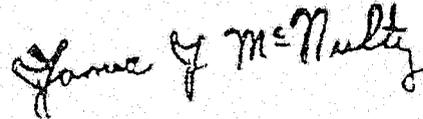
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265**, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

STEVENS & LEE
LAWYERS & CONSULTANTS

17 North Second Street
16th Floor
Harrisburg, PA 17101
(717) 234-1090 Fax (717) 234-1099
www.stevenslee.com

ORIGINAL

Direct Dial: (717) 255-7364
Email: rlh@stevenslee.com
Direct Fax: (610) 988-0851

May 31, 2007

VIA HAND DELIVERY

Secretary James J. McNulty
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Verizon Pennsylvania, Inc., v. One Communications Corp., et al.
Case Nos. C-20077671 through C-20077676

2007 MAY 31 PM 1:19
SECRETARY JAMES J. MCNULTY

Dear Secretary McNulty:

Enclosed for filing on behalf of One Communications Corp., are an original and three (3) copies of the Answer to Complaint of Verizon Pennsylvania, Inc. in the above-referenced matters. Copies have been served in accordance with the attached Certificate of Service.

If you have any questions, please feel free to contact me.

Very truly yours,

STEVENS & LEE

Renardo L. Hicks

Renardo L. Hicks.

**DOCUMENT
FOLDER**

Encl.

cc Attached Certificate of Service

Philadelphia • Reading • Valley Forge • Lehigh Valley • Harrisburg • Lancaster • Scranton
Williamsport • Wilkes-Barre • Princeton • Cherry Hill • New York • Wilmington

A PROFESSIONAL CORPORATION

ORIGINAL

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

2007 JUN 31 PM 1:19
SECURITY BUREAU

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCI metro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants :

v. :

Docket Nos. C-20077671 - 20077676

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents :

**DOCUMENT
FOLDER**

DOCKETED
JUN 05 2007

Pursuant to 52 Pa Code § 5.61 and 5.62, the Respondents, One Communications Corp. and its subsidiaries Choice One Communications of Pennsylvania Inc. d/b/a One Communications ("Choice One"), CTC Communications Corp. d/b/a One Communications ("CTC"), Conversent Communications of Pennsylvania, LLC d/b/a One Communications ("Conversent"), FiberNet Telecommunications of Pennsylvania, LLC ("FiberNet"), and Lightship Telecom, LLC d/b/a One Communications ("Lightship") (collectively, "One Communications"), hereby Answer to the Complaint of Verizon Pennsylvania Inc., Verizon North Inc., Verizon Select Services Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Global Networks, Inc., MCI metro Access Transmission Services, LLC d/b/a Verizon Access Transmission

Services, and MCI Communications Services Inc. (collectively "Verizon") filed in this proceeding as follows:

ANSWER

1. Upon information and belief, One Communications admits the allegations in Paragraph 1 of the Complaint.
2. Upon information and belief, One Communications admits the allegations in Paragraph 2 of the Complaint.
3. Upon information and belief, One Communications admits the allegations in Paragraph 3 of the Complaint.
4. Upon information and belief, One Communications admits the allegations in Paragraph 4 of the Complaint.
5. One Communications lacks knowledge sufficient to form a belief as to the truth regarding the allegations in Paragraph 5 of the Complaint.
6. Upon information and belief, One Communications admits the allegations in Paragraph 6 of the Complaint.
7. Upon information and belief, One Communications admits the allegations in Paragraph 7 of the Complaint.
8. Upon information and belief, One Communications admits the allegations in Paragraph 8 of the Complaint.
9. One Communications admits the allegations in Paragraph 9 of the Complaint.
10. One Communications admits the allegations in Paragraph 10 of the Complaint.

11. One Communications admits the allegations in Paragraph 11 of the Complaint.

12. One Communications admits the allegations in Paragraph 12 of the Complaint. In further response to Paragraph 12, Conversent does not currently provide local or access services to any customers in Pennsylvania.

13. One Communications admits the allegations in Paragraph 13 of the Complaint.

14. One Communications admits that Lightship is a licensed Competitive Local Exchange Carrier in Pennsylvania; however, One Communications denies that Lightship is currently providing competitive local exchange telecommunications service in the Commonwealth.

15. One Communications admits the allegations in Paragraph 15 of the Complaint.

16. In response to the allegations of Paragraph 16, One Communications states that 66 Pa. C.S. § 3017 states as follows:

§ 3017. Access charges

(a) GENERAL RULE.— The commission may not require a local exchange telecommunications company to reduce access rates except on a revenue-neutral basis.

(b) REFUSAL TO PAY ACCESS CHARGES PROHIBITED.— No person or entity may refuse to pay tariffed access charges for interexchange services provided by a local exchange telecommunications company.

(c) LIMITATION.— No telecommunications carrier providing competitive local exchange telecommunications service may charge access rates higher than those charged by the incumbent local exchange telecommunications company in the same service territory unless such carrier can demonstrate that the higher access rates are cost justified.

One Communications denies the remaining allegations of Paragraph 16.

17. One Communications admits the allegations in Paragraph 17 of the Complaint.

18. One Communications lacks knowledge sufficient to form a belief as to the truth regarding the allegations in Paragraph 18 of the Complaint, including footnotes thereto.

19. One Communications lacks knowledge sufficient to form a belief as to the truth regarding the allegations in Paragraph 19 of the Complaint, including footnotes thereto.

20. One Communications lacks knowledge sufficient to form a belief as to the truth regarding the allegations in Paragraph 20 of the Complaint.

21. One Communications admits the allegations in Paragraph 21 of the Complaint. In further response to Paragraph 21, while Verizon states that a true and correct copy of Choice One's Tariff PA P.U.C. Tariff No. 2 containing its currently effective intrastate switched access rates are attached to its Complaint as Exhibit 5, only selected pages of the tariff are attached thereto.

22. One Communications admits the allegations in Paragraph 22 of the Complaint.

23. One Communications admits that Choice One's current tariffed intrastate switched access rates are higher than the tariffed rates of the incumbent local exchange telecommunications company in the same service territory. To the extent the other allegations contained in Paragraph 23 constitute conclusions of law or ultimate fact to which no responsive pleading is required, they are as such deemed denied. One Communications denies any other factual allegations in Paragraph 23.

24. One Communications admits that Choice One's tariffed transport rates range between \$0.0018 per-minute-of-use and \$0.0104 and denies that such rates are "considerably higher" than the incumbent local exchange telecommunications company in the same service territory.

25. One Communications admits that Choice One's Transport Mileage rates range between \$0.000072 and \$0.000207 and denies that such rates are "considerably higher" than the incumbent local exchange telecommunications company in the same service territory.

26. One Communications admits that Choice One's Tandem Switching rate is \$0.004206 per-minute-of-use and denies that such rate is "considerably higher" than the incumbent local exchange telecommunications company in the same service territory.

27. One Communications admits the allegation contained in the first sentence of Paragraph 27. One Communications lacks knowledge sufficient to form a belief as to the truth regarding the remaining allegations in Paragraph 27 of the Complaint.

28. One Communications denies the allegations of Paragraph 28.

29. One Communications admits that Choice One has not instituted any proceeding to declare its rates cost justified and denies that institution of such proceedings by Choice One is either necessary or required

30. One Communications admits that each of the Verizon companies is an intrastate switched access customer of Choice One. One Communications denies the remaining allegations of Paragraph 30.

31. One Communications denies the allegations of Paragraph 31.

32. One Communications admits that Verizon sent the letters described in Paragraph 32. One Communications denies the remaining allegations of Paragraph 32.

33. One Communications admits the allegations of Paragraph 33.

34. One Communications denies the allegations of Paragraph 34.

35. One Communications admits the allegations of Paragraph 35. In further response to Paragraph 35, while Verizon states that a true and correct copy of CTC's PA P.U.C. Tariff No. 9 containing its currently effective intrastate switched access rates are attached to its Complaint as Exhibit 9, only selected pages of the tariff are attached thereto.

36. One Communications admits the allegations on Paragraph 36.

37. One Communications admits that CTC's current tariffed intrastate switched access rates are higher than the tariffed rates of the incumbent local exchange telecommunications company in the same service territory. To the extent the other allegations contained in Paragraph 37 constitute conclusions of law or ultimate fact to which no responsive pleading is required, they are as such deemed denied.

38. One Communications admits that CTC's Local Switching rate is \$0.008934 per-minute-of-use and denies that such rate is "considerably higher" than the incumbent local exchange telecommunications company in the same service territory.

39. One Communications admits that CTC's Shared End Office Trunk Charge rate is \$0.001618 per-minute-of-use and denies that such rate is "considerably higher" than the incumbent local exchange telecommunications company in the same service territory.

40. One Communications admits the allegations contained in the first sentence of Paragraph 40. One Communications lacks knowledge sufficient to form a belief as to the truth regarding the other allegations in Paragraph 40 of the Complaint.

41. One Communications denies the allegations of Paragraph 41.

42. One Communications admits that CTC has not instituted any proceeding to declare its rates cost justified and denies that institution of such proceedings by CTC is either necessary or required

43. One Communications denies the allegations of Paragraph 43.

44. One Communications denies the allegations of Paragraph 44.

45. One Communications admits the allegations of Paragraph 45. In further response to Paragraph 45, while Verizon states that a true and correct copy of Conversent's PA P.U.C. Tariff No. 4 containing its currently effective intrastate switched access rates are attached to its Complaint as Exhibit 12, only selected pages of the tariff are attached thereto. Additionally, One Communications avers that Conversent does not currently provide local or access services to customers in Pennsylvania.

46. One Communications admits the allegations in the first sentence of Paragraph 46. To the extent the other allegations contained in Paragraph 46 constitute conclusions of law or ultimate fact to which no responsive pleading is required, they are as such deemed denied. One Communications denies any other factual allegations in Paragraph 46.

47. One Communications admits the allegations in the first sentence of Paragraph 47. To the extent the other allegations contained in Paragraph 47 constitute conclusions of law or ultimate fact to which no responsive pleading is required, they are

as such deemed denied. One Communications denies any other factual allegations in Paragraph 47.

48. One Communications admits that Conversent has not instituted any proceeding to declare its rates cost justified and denies that institution of such proceedings by Conversent is either necessary or required.

49. One Communications denies the allegations of Paragraph 49.

50. One Communications admits the allegations of Paragraph 50. In further response to Paragraph 50, while Verizon states that a true and correct copy of FiberNet's PA P.U.C. Tariff No. 4 containing its currently effective intrastate switched access rates is attached to its Complaint as Exhibit 15, only selected pages of the tariff are attached thereto.

51. One Communications admits the allegations in the first sentence of Paragraph 51. To the extent the other allegations contained in Paragraph 51 constitute conclusions of law or ultimate fact to which no responsive pleading is required, they are as such deemed denied. One Communications denies any other factual allegations in Paragraph 51.

52. One Communications admits the allegations in the first sentence of Paragraph 52. To the extent the other allegations contained in Paragraph 52 constitute conclusions of law or ultimate fact to which no responsive pleading is required, they are as such deemed denied. One Communications denies any other factual allegations in Paragraph 52.

53. One Communications denies the allegations of Paragraph 53.

RELIEF REQUESTED

For all of the reasons stated herein, One Communications denies that Verizon is entitled to the relief requested and respectfully requests that the Commission deny the relief requested by Verizon and dismiss the Complaint, with prejudice.

NEW MATTER

54. Verizon's Complaint fails to state a claim upon which relief can be granted.

55. Verizon's Complaint is barred from the relief it seeks by the doctrine of unclean hands.

56. Verizon's Complaint is barred by the doctrine of laches.

57. Verizon's Complaint is barred from relief because Verizon has engaged in unlawful "self-help" in violation of 66 Pa.C.S. § 3017(b).

58. Notwithstanding lawfully filed and approved tariffs, neither Conversent nor Lightship currently provides access service to customers in Pennsylvania.

59. Notwithstanding lawfully filed and approved tariffs, neither Conversent nor Lightship provides intrastate access service to Verizon in Pennsylvania.

60. 66 Pa.C.S. § 3017(b) states that "No person or entity may refuse to pay tariffed intrastate access charges for interexchange services provided by a local exchange telecommunications company."

61. 66 Pa.C.S. § 3017(b) and established Pennsylvania law require that any person seeking to challenge a duly tariffed access rate, such as the One Communications

rates at issue in this proceeding, must actually be a customer of the challenged carrier and pay the tariffed rate prior to bringing any challenge to such tariffed rate.

62. Under Pennsylvania law, Verizon lacks standing to challenge the intrastate access rates of Conversent and Lightship and Verizon's Complaint against these carriers must therefore be dismissed.

63. The intrastate access rates of Choice One have been in effect since March 30, 2003. From July 18, 2003 through the date of Verizon's Complaint, Verizon has utilized Choice One's intrastate access services, pursuant to Choice One's lawfully filed and approved PA P.U.C. Tariff No 2.

64. Similarly, Verizon has utilized the intrastate access services of CTC and FiberNet, pursuant to lawfully filed and approved tariffs.

65. Other local exchange carriers utilize the same intrastate access services of Choice One, FiberNet and CTC, pursuant to lawfully filed and approved tariffs.

66. The relief requested by Verizon against Choice One, FiberNet and CTC would constitute unlawful discrimination, in violation of this Commission's regulations and Pennsylvania law.

DEMAND FOR RELIEF

WHEREFORE, for all of the reasons stated above, One Communications respectfully requests that the Complaint of Verizon be dismissed, with prejudice.

Respectfully submitted,

Renardo L. Hicks

Renardo L. Hicks, Esquire

By: PA ID No. 40404

STEVENS & LEE

17 North Second Street, 16th Floor

Harrisburg, PA 17101

Office: (717) 255-7364

Facsimile: (610) 988 -0851

rlh@stevenslee.com

Peter J. Johnson

PA ID No. 87960

DAVIS, WRIGHT TREMAINE, LLC

1501 4th Avenue, Suite 2600

Seattle, WA 98101

Office: (206) 628-7770

Facsimile: (206) 628-7699

pjohnson@dwt.com

Christopher W. Savage

John C. Dodge

DAVIS, WRIGHT TREMAINE, LLC

1919 Pennsylvania Avenue NW

Suite 200

Washington, D.C. 20006

Office: (202) 973-4200

Facsimile: (202) 973-4499

chrissavage@dwt.com

[johndodge@dwt.com](mailto: johndodge@dwt.com)

Counsel for One Communications Corp.

Dated: May 31, 2007

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants

v.

: Docket Nos. C-20077671 - 20077676

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

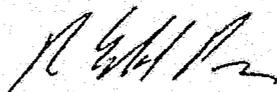
Respondents

RECORDS AND INFORMATION BUREAU
2007 JUN 31 PM 1:19

VERIFICATION

I, R. Edward Price, hereby state that the facts set forth in the attached Answer of One Communications Corp. are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S.A. §4904 (relating to unsworn falsification to authorities).

Dated: May 31, 2007



BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants :

v. :

Case Nos. C-20077671 through C-20077676

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing document, in accordance with the requirements of 52 Pa. Code § 1.54 et seq. (relating to service by a participant).

VIA FIRST CLASS MAIL

Suzan D. Paiva, Esquire
Verizon Pennsylvania
1717 Arch Street, 10th Floor
Philadelphia, PA 19103
(215) 466-4755

2007 JUN 31 PM 1:19
SERIALS ACQUISITION

James G. Pachulski, Esquire
TechNet Law Group, P C
1100 New York Ave., NW, Suite 365W
Washington, DC 20005-3934
(202) 598-0120

John C. Dodge, Esquire
Davis, Wright Tremaine, I.L.C
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

Christopher W. Savage, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

Renardo L. Hicks

Date: May 31, 2007



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
June 5, 2007

IN REPLY PLEASE
REFER TO OUR FILE

DOCKETED
JUN 08 2007

**DOCUMENT
FOLDER**

In Re: C-20077671
C-20077672
C-20077673
C-20077674
C-20077675
C-20077676

(SEE ATTACHED LIST)

Verizon Pennsylvania Inc., et al. v. One Communications Corp.
C-20077671

Verizon Pennsylvania Inc., et al. v. CTC Communications Corp.
C-20077672

Verizon Pennsylvania Inc., et al. v. Conversent Communications of
Pennsylvania, LLC
C-20077673

Verizon Pennsylvania Inc., et al. v. FiberNet Telecommunications
of Pennsylvania, LLC
C-20077674

Verizon Pennsylvania Inc., et al. v. Lightship Telecom, LLC
C-20077675

Verizon Pennsylvania Inc., et al. v. Choice One Communications of
Pennsylvania, Inc.
C-20077676

Complainant states Respondent is violating 66 PA C.S. 3017(c)
which forbids CLECS from charging intrastate switched access
rates that are higher than those of the incumbent local exchange
carrier in the corresponding service area; Complainant seeks
refund or credit of all illegal charges

NOTICE

This is to inform you that an Initial Pre-Hearing Conference on the above-captioned case will be held as follows:

Type: Initial Pre-Hearing Conference
Date: Wednesday, August 1, 2007
Time: 10:00 a.m.
Location: Hearing Room 3
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
Presiding: Administrative Law Judge Louis G. Cocheres
PO Box 3265
Harrisburg, PA 17105-3265
Phone: 717-783-5452
Fax: 717-787-0481

If you are a person with a disability, and you wish to attend the prehearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717-787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988

pc: Judge Cocheres
Stacy Nolan, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

C-20077671, C-20077672, C-20077673, C-20077674, C-20077675, C-20077676
VERIZON PENNSYLVANIA INC., ET AL. v. ONE COMMUNICATIONS CORP., CTC
COMMUNICATIONS CORP., CONVERSENT COMMUNICATIONS OF PENNSYLVANIA, LLC,
FIBERNET TELECOMMUNICATIONS OF PENNSYLVANIA, LLC

SUZAN S PAIVA ASSISTANT GENERAL COUNSEL
VERIZON PENNSYLVANIA INC
1717 ARCH STREET FLOOR 10
PHILADELPHIA PA 19103

✓ RENARDO L HICKS ESQUIRE
STEVENS & LEE
17 NORTH SECOND STREET
16TH FLOOR
HARRISBURG PA 17101
717-255-7364

✓ R EDWARD PRICE SR DIRECTOR REGULATORY AFFAIRS
ONE COMMUNICATIONS CORP
100 CHESTNUT STREET SUITE 600
ROCHESTER NY 14604

✓ CTC COMMUNICATIONS CORP
220 BEAR HILL ROAD
WALTHAM MA 02451-1101

✓ CONVERSENT COMMUNICATIONS OF PA
303 BOSTON POST ROAD WEST
SUITE 140
MARLBORO MA 01545

✓ FIBERNET TELECOMMUNICATIONS OF PA
211 LEON SULLIVAN WAY
CHARLESTON WV 25301

✓ LIGHTSHIP TELECOM LLC
1 EXECUTIVE PARK DRIVE
BEDFORD NH 03110-6976

✓ CHOICE ONE COMMUNICATIONS OF PA INC
100 CHESTNUT STREET
ROCHESTER NY 14604

STEVENS & LEE
LAWYERS & CONSULTANTS

17 North Second Street
16th Floor
Harrisburg, PA 17101
(717) 234-1090 Fax (717) 234-1099
www.stevenslee.com

Direct Dial: (717) 255-7364
Email: rlh@stevenslee.com
Direct Fax: (610) 988-0851

2007 JUN 5 Filed 17
Stevens & Lee

June 5, 2007

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

**DOCUMENT
FOLDER**

ORIGINAL

RE: Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Select Services Inc., Verizon Global Networks, Inc., MCI metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc., v. One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC, Case Nos. C-20077671 through 20077676

Dear Mr. McNulty:

Please enter my appearance in the above captioned matters as counsel for One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC. My contact information is as follows:

Renardo L. Hicks, Esquire
Stevens & Lee
17 North Second Street
Harrisburg, PA 17101
Tel: 717-255-7364
Fax: 610-988-0851
Email: rlh@stevenslee.com

DOCKETED
JUN 5 2007

Philadelphia • Reading • Valley Forge • Lehigh Valley • Harrisburg • Lancaster
Scranton • Wilkes-Barre • Princeton • Cherry Hill • New York • Wilmington

A PROFESSIONAL CORPORATION

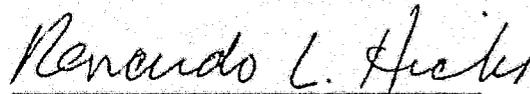
356

STEVENS & LEE
LAWYERS & CONSULTANTS

James J. McNulty
Public Utility Commission
June 5, 2007
Page 2

Should you have any questions, please do not hesitate to contact me at (717) 255-7364.

Respectfully submitted,



Renardo L. Hicks
PA Attorney ID No. 40404

cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants

v.

Case Nos. C-20077671 through C-20077676

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents

CERTIFICATE OF SERVICE

I, RENARDO L. HICKS, ESQUIRE, certify that on this date, I served a certified true and correct copy of the foregoing Entry of Appearance upon the following counsel of record, by depositing the same in the United States mail, postage prepaid, addressed as follows:

Suzan D. Paiva (Atty No. 53853)
Verizon
1717 Arch Street, 10th Floor
Philadelphia, PA 19103
(215) 466-4755

2007 JUN 15 PM 4:17
Suzan D. Paiva

James G. Pachulski (Atty No. 57938)
TechNet Law Group, P.C.
1100 New York Ave., NW, Suite 365W
Washington, DC 20005-3934
(202) 598-0120

John C. Dodge
Davis, Wright Tremaine, I.L.C
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

Christopher W. Savage
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

Renaldo L. Hicks

Date: June 5, 2007

STEVENS & LEE
LAWYERS & CONSULTANTS

17 North Second Street
16th Floor
Harrisburg, PA 17101
(717) 234-1090 Fax (717) 234-1099
www.stevenslee.com

ORIGINAL

Direct Dial: (717) 255-7364
Email: rlh@stevenslee.com
Direct Fax: (610) 988-0851

June 5, 2007

HAND DELIVERY

Secretary James J. McNulty
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P O. Box 3265
Harrisburg, PA 17105-3265

DOCUMENT
FOLDER

62
11
JUN 11 2007
17

Re: Verizon Pennsylvania, Inc., v. One Communications Corp., et al., Case Nos. C-20077671
through C-20077676

Dear Secretary McNulty:

Enclosed please find the following documents in the above captioned matter:

Motion for Admission Pro Hac Vice of Christopher W. Savage

Motion for Admission Pro Hac Vice of John C. Dodge

Please feel free to contact me if you have any questions.

Very truly yours,

STEVENS & LEE

Renardo L. Hicks
Renardo L. Hicks

RLH:ymm
Enclosures

cc: Certificate of Service

Philadelphia • Reading • Valley Forge • Lehigh Valley • Harrisburg • Lancaster • Scranton
Williamsport • Wilkes-Barre • Princeton • Cherry Hill • New York • Wilmington

A PROFESSIONAL CORPORATION

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants :

v. :

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents :

DOCUMENT
FOLDER

Case Nos. C-20077671 through C-20077676

DOCKETED
JUN 6 2007

2007 JUN 5 PM 4:17
SECRETARY'S OFFICE

**MOTION FOR ADMISSION PRO HAC VICE OF
CHRISTOPHER W. SAVAGE**

Pursuant to Rule 301 of the Pennsylvania Rules of Admission, I, Renardo L. Hicks, an active member of the bar of this Commonwealth (Attorney No. 40404), respectfully move for the admission pro hac vice of Christopher W. Savage for the purposes of representing One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC and Lightship Telecom, LLC ("Respondents") in this proceeding. In support hereof, movant states as follows:

1. Christopher W, Savage is a member in good standing of the Bar of the state of California and the District of Columbia.

2. Christopher W. Savage is an attorney with the law firm of Davis Wright Tremaine LLP, with an office at 1919 Pennsylvania Avenue, N.W., Suite 200, Washington, D.C. 20006.

3. Christopher W. Savage has represented Choice One in various matters in Michigan, Indiana, Wisconsin and West Virginia.

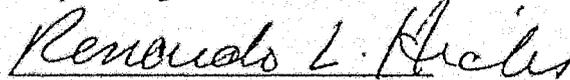
4. Christopher W. Savage has not been subject to any disciplinary action.

5. Christopher W. Savage is of good character.

Wherefore, movant respectfully requests this Commission to admit Christopher W. Savage as counsel for Respondents in the above-captioned action.

DATED: June 5, 2007

Respectfully submitted,



Renardo L. Hicks, Esq.
Stevens & Lee

Attorney ID No.: 40404

17 N. 2nd St., 16th Floor

Harrisburg, PA 17101

Tel. (717) 255-7364

Fax (610) 988-0851

E-mail: rih@stevenslee.com

FOR: Choice One Communications of
Pennsylvania, Inc.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants :

v. :

Case Nos. C-20077671 through C-20077676

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents :

**ORDER GRANTING MOTION FOR ADMISSION
PRO HAC VICE OF CHRISTOPHER W. SAVAGE**

Upon consideration of the Motion for Admission Pro Hac Vice of Christopher W. Savage, it is this _____ day of _____, 2007,

ORDERED that the Motion is hereby GRANTED; and it is further

ORDERED that Christopher W. Savage is admitted pro hac vice for the purposes of representing Respondents in the above-captioned action.

Administrative Law Judge

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants

v.

Case Nos. C-20077671 through C-20077676

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents

CERTIFICATE OF SERVICE

I, RENARDO L. HICKS, ESQUIRE, certify that on this date, I served a certified true and correct copy of the foregoing Motion for Admission Pro Hac Vice of Christopher W. Savage upon the following counsel of record, by depositing the same in the United States mail, postage prepaid, addressed as follows:

Suzan D. Paiva (Atty No. 53853)
Verizon
1717 Arch Street, 10th Floor
Philadelphia, PA 19103
(215) 466-4755

James G. Pachulski (Atty No. 57938)
TechNet Law Group, P.C.
1100 New York Ave., NW, Suite 365W
Washington, DC 20005-3934
(202) 598-0120

John C. Dodge
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

Christopher W. Savage
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

Renardo L. Hech

Date: June 5, 2007

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants :

v. :

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents :

DOCUMENT
FOLDER

Case Nos. C-20077671 through 20077676

DOCKETED
JUN 6 2007

MOTION FOR ADMISSION PRO HAC VICE OF
JOHN C. DODGE

Pursuant to Rule 301 of the Pennsylvania Rules of Admission, I, Renardo L. Hicks, an active member of the bar of this Commonwealth (Attorney No. 40404), respectfully move for the admission pro hac vice of John C. Dodge for the purposes of representing One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of

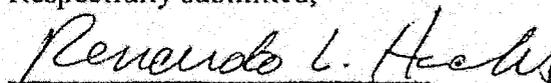
Pennsylvania, LLC and Lightship Telecom, LLC ("Respondents") in this proceeding. In support hereof, movant states as follows:

1. John C. Dodge is a member in good standing of the Bar of the states of Maine and Massachusetts and the District of Columbia.
2. John C. Dodge is an attorney with the law firm of Davis Wright Tremaine LLP, with an office at 1919 Pennsylvania Avenue, N.W., Suite 200, Washington, D.C.
3. John C. Dodge has represented Respondents in various matters in Michigan, Indiana, Wisconsin and West Virginia.
4. John C. Dodge has not been subject to any disciplinary action.
5. John C. Dodge is of good character.

Wherefore, movant respectfully requests this Commission to admit John C. Dodge as counsel for Respondents in the above-captioned action.

DATED: June 5, 2007

Respectfully submitted,



Renardo L. Hicks, Esq.

Stevens & Lee

Attorney ID No.: 40404

17 N. 2nd St., 16th Floor

Harrisburg, PA 17101

Tel. (717) 255-7364

Fax (610) 988-0851

E-mail: rlh@stevenslee.com

FOR: Once Communications Corp., Choice
One Communications of Pennsylvania, Inc.,
CTC Communications Corp., Conversent
Communications of Pennsylvania, LLC,
FiberNet Telecommunications of
Pennsylvania, LLC, Lightship Telecom,
LLC

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCI metro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants

v.

Case Nos. C-20077671 through
C-20077676

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents

**ORDER GRANTING MOTION FOR ADMISSION
PRO HAC VICE OF JOHN C. DODGE**

Upon consideration of the Motion for Admission Pro Hac Vice of John C. Dodge, it is
this _____ day of _____, 2007,

ORDERED that the Motion is hereby GRANTED; and it is further

ORDERED that John C. Dodge is admitted pro hac vice for the purposes of representing Respondents in the above-captioned action.

Administrative Law Judge

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants

v

Case Nos. C-20077671 through C-20077676

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents

CERTIFICATE OF SERVICE

I, RENARDO L. HICKS, ESQUIRE, certify that on this date, I served a certified true and correct copy of the foregoing Motion for Admission Pro Hac Vice of John C. Dodge upon the following counsel of record, by depositing the same in the United States mail, postage prepaid, addressed as follows:

Suzan D. Paiva, Esquire
Verizon Pennsylvania
1717 Arch Street, 10th Floor
Philadelphia, PA 19103
(215) 466-4755

SECRET
2007 JUN 15 PM 4:17
RECEIVED

James G. Pachulski, Esquire
TechNet Law Group, P.C.
1100 New York Ave., NW, Suite 365W
Washington, DC 20005-3934
(202) 598-0120

John C. Dodge, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

Christopher W. Savage, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

Renardo L. Heins

Date: June 5, 2007



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
June 12, 2007

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20077671
C-20077672
C-20077673
C-20077674
C-20077675
C-20077676

DOCUMENT
FOLDER

(SEE LETTER DATED 6/5/07)

Verizon Pennsylvania Inc., et al. v. One Communications Corp.
C-20077671

Verizon Pennsylvania Inc., et al. v. CTC Communications Corp.
C-20077672

Verizon Pennsylvania Inc., et al. v. Conversent Communications of Pennsylvania, LLC
C-20077673

Verizon Pennsylvania Inc., et al. v. FiberNet Telecommunications of Pennsylvania, LLC
C-20077674

Verizon Pennsylvania Inc., et al. v. Lightship Telecom, LLC
C-20077675

Verizon Pennsylvania Inc., et al. v. Choice One Communications of Pennsylvania, Inc.
C-20077676

Complainant states Respondent is violating 66 PA C.S. 3017(c) which forbids CLECS from charging intrastate switched access rates that are higher than those of the incumbent local exchange carrier in the corresponding service area; Complainant seeks refund or credit of all illegal charges

Hearing Cancellation/Reschedule Notice

This is to inform you that the Initial Pre-Hearing Conference on the above-captioned case previously scheduled for August 1, 2007, has been canceled.

The hearing has been rescheduled as follows:

Type: Initial Pre-Hearing Conference
Date: Thursday, August 2, 2007
Time: 10:00 a.m.

DOCKETED
JUN 18 2007

Location: Hearing Room 3
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Presiding: Administrative Law Judge Louis G. Cocheres
PO Box 3265
Harrisburg, PA 17105-3265
Telephone: 717-783-5452
Fax: 717-787-0481

Please mark your records accordingly.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717-787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired:
1-800-654-5988

pc: Judge Cocheres
Stacy Nolan, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

Suzan DeBusk Paiva
Assistant General Counsel



ORIGINAL

Verizon Pennsylvania Inc.
1717 Arch Street, Floor 10
Philadelphia, PA 19103

Tel: (215) 466-4755
Fax: (215) 563-2658
Suzan.D.Paiva@Verizon.com

June 26, 2007

VIA UPS OVERNIGHT DELIVERY

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

DOCUMENT
FOLDER

RE: Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Select Services Inc., Verizon Global Networks, Inc., MCI Metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc.
v.
One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC
Docket Nos. C-20077671, C-20077672, C-20077673, C-20077674, C-20077675, C-20077676

Dear Secretary McNulty:

Yesterday the Verizon Companies filed both the Preliminary Objections of Verizon to New Matter of One Communications, and also the Verizon Companies' Reply to New Matter, in the above captioned matter. Additional copies were included for file at each of the Docket numbers shown.

Both the Preliminary Objections and the Reply to New Matter were accompanied by a photocopy of the Verizon Companies' verification. Here for the Commission's records is the true original verification for both the Preliminary Objections and for the Reply to New Matter.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Suzan D. Paiva

RECEIVED

JUN 26 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

SDP/slb
Enclosure

VIA UPS DELIVERY

cc: The Honorable Louis G. Cocheres
Attached Service List

42

CERTIFICATE OF SERVICE

I, Suzan D. Paiva, hereby certify that I have this day served a copy of Verizon's Letter to the Secretary, conveying the original verifications for Verizon's Preliminary Objections to New Matter of One Communications, and of Verizon's Reply to New Matter, upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Philadelphia, Pennsylvania, this 26th day of June, 2007.

VIA UPS DELIVERY

Renardo Hicks, Esquire
Stevens & Lee
17 North Second Street
16th Floor
Harrisburg, PA 17101

John C. Dodge, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

R. Edward Price
Senior Director, Regulatory Affairs
One Communications Corp.
1000 Chestnut Street, Suite 600
Rochester, NY 14604

Steven C. Gray, Esquire
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17102

Christopher W. Savage, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

Joel Cheskis, Esquire
Office of Consumer Advocate
555 Walnut Street
Fifth Floor, Forum Place
Harrisburg, PA 17101-1923

John Simms, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RECEIVED

JUN 26 2007

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



Suzan D. Paiva
Verizon
1717 Arch Street, 10W
Philadelphia, PA 19103
(215) 466-4755

Original Verification for Verizon's Preliminary Objections

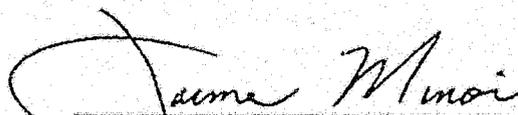
VERIFICATION

I, **JAIME MINOR**, state that I am a Manager in Carrier Cost Management in support of the following business units: Verizon Select Services, Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance and Verizon Global Networks, Inc., and that as such I am authorized to make this verification on its behalf. I have reviewed Verizon's Preliminary Objections in Docket No. C-20077671, *et al*, and verify that the facts contained therein are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, (relating to unsworn falsifications to authorities).

RECEIVED

JUN 26 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



JAIME MINOR
Manager – Carrier Cost Management

Original Verification for Verizon's Reply to New Matter

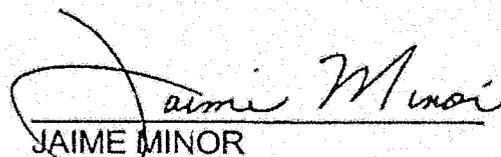
VERIFICATION

I, **JAIME MINOR**, state that I am a Manager in Carrier Cost Management in support of the following business units: Verizon Select Services, Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance and Verizon Global Networks, Inc., and that as such I am authorized to make this verification on its behalf. I have reviewed Verizon's Reply to New Matter in Docket No. C-20077671, *et al*, and verify that the facts contained therein are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, (relating to unsworn falsifications to authorities).

RECEIVED

JUN 26 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



JAIME MINOR
Manager – Carrier Cost Management

STEVENS & LEE
LAWYERS & CONSULTANTS

17 North Second Street
16th Floor
Harrisburg, PA 17101
(717) 234-1090 Fax (717) 234-1099
www.stevenslee.com

ORIGINAL

Direct Dial: (717) 255-7364
Email: rlh@stevenslee.com
Direct Fax: (610) 938-0851

July 5, 2007

VIA HAND DELIVERY

Secretary James J. McNulty
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

DOCUMENT
FOLDER

2007 JUL -5 PM 1:29
SECRETARY JAMES J. McNULTY

Re: Verizon Pennsylvania, Inc. v. One Communications Corp., et al.
Case Nos. C-20077671 through C-20077676

Dear Secretary McNulty:

Enclosed for filing on behalf of One Communications Corp., are an original and three (3) copies of the Response to Preliminary Objections of Verizon Pennsylvania, Inc. to New Matter of One Communications. Copies have been served in accordance with the attached Certificate of Service.

If you have any questions, please feel free to contact me.

Very truly yours,

STEVENS & LEE

Renardo L. Hicks

Renardo L. Hicks.

Encl.

cc: Attached Certificate of Service

Philadelphia • Reading • Valley Forge • Lehigh Valley • Harrisburg • Lancaster • Scranton
Williamsport • Wilkes-Barre • Princeton • Cherry Hill • New York • Wilmington

A PROFESSIONAL CORPORATION

65

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARY'S OFFICE
2007 JUL -5 PM 1:29

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCI metro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

DOCUMENT
FOLDER

Complainants

v.

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, and Lightship Telecom, :
LLC, :

Respondents

Docket No. C-20077671
Docket No. C-20077672
Docket No. C-20077673
Docket No. C-20077674
Docket No. C-20077675
Docket No. C-20077676

DOCKETED
JUL 06 2007

**RESPONSE OF ONE COMMUNICATIONS TO
PRELIMINARY OBJECTIONS OF VERIZON
TO NEW MATTER OF ONE COMMUNICATIONS**

Pursuant to 52 Pa. Code § 5.101(d), One Communications Corp. and its subsidiaries Choice One Communications of Pennsylvania Inc. d/b/a One Communications ("Choice One"), CTC Communications Corp. d/b/a One Communications ("CTC"), Conversent Communications of Pennsylvania, LLC d/b/a One Communications ("Conversent"), FiberNet Telecommunications of Pennsylvania, LLC ("FiberNet"), and Lightship Telecom, LLC d/b/a One Communications ("Lightship") (collectively, "One Communications"), respectfully submit the following Response to Preliminary Objections of Verizon Pennsylvania Inc., Verizon North Inc., Verizon Select

Services Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Global Networks, Inc., MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc. (collectively, "Verizon") to the New Matter of One Communications in the above captioned matter.

BACKGROUND

1. On April 25, 2007, Verizon filed its Complaint against One Communications alleging violation of 66 Pa. C.S. § 3017(c) and requesting refunds or credits for such alleged violations.

2. On May 31, 2007, One Communications filed its Answer to Verizon's Complaint, which in accordance with 52 Pa Code § 5.62(b) raised affirmative defenses under the heading of "New Matter" and setting forth specific facts, regulations, legal issues, injury and relief sought by One Communications.

3. On June 25, 2007, Verizon filed Preliminary Objections to the New Matter of One Communications, to which One Communications hereby responds.

Legal Sufficiency of One Communications' New Matter

4. The Commission's regulation concerning the requirements for Answers seeking affirmative relief or raising new matter are controlling in this matter. 52 Pa Code § 5.62 provides as follows:

§ 5.62. Answers seeking affirmative relief or raising new matter.

(a) *Answers seeking affirmative relief* In its answer, a respondent may seek relief against other parties in a proceeding if common questions of law or fact are present. The answer must conform to this chapter for answers generally and set forth.

(1) The facts constituting the grounds of complaint.

(2) The provisions of the statutes, rules, regulations or orders relied upon.

(3) The injury complained of.

(4) The relief sought.

(b) *Answers raising new matter* An affirmative defense shall be pleaded in an answer or other responsive pleading under the heading of "New Matter." A

party may set forth as new matter another material fact which is not merely a denial of the averments of the preceding pleading.

5. Without any reference to the above Commission regulation, or any other legal standard, Verizon alleges in paragraph 3 of its Objection that "several legal doctrines" referenced by One Communications in its Answer and New Matter are "legally insufficient, *per se*." However, in accordance with 52 Pa Code § 5.62, the New Matter included in the Answer of One Communications sets forth significant material "facts constituting the grounds for its Complaint" which are "not merely a denial of the averments" of Verizon. Additionally, the New Matter of One Communications properly "identifies statutes, regulations and rules relied upon, the injury complained of and the relief sought by One Communications."

Failure to State a Claim

6. In paragraphs 4 through 6 of its Objections, Verizon responds to One Communications' allegation of "failure to state a claim upon which relief may be granted" by selectively acknowledging One Communications' statements concerning access rates higher than the incumbent. As a result of such statements, Verizon fabricates an allegation that One Communications has "failed to deny" and "admits" Verizon's claim of violation of 66 Pa. C.S. § 3017. In fact, One Communications specifically denies such allegations in paragraphs 23 and 37 of its Answer, providing Verizon with clear notice that One Communications "can demonstrate that its higher access rates are cost justified." Moreover, One Communications submits that Verizon's Complaint is "legally insufficient" *per se* because it fails to allege that One Communication's access rates are not cost justified. Notwithstanding this hyper technical debate concerning the pleadings in this matter, One Communications submits that its Answer and New Matter

more than adequately provide Verizon and the Commission with notice that this dispute involves an examination of whether, under the provisions of 66 Pa. C.S. § 3017, the access rates of One Communications are in fact “higher than those charged by the incumbent local exchange telecommunications company in the same service territory” and whether One Communications “can demonstrate that the higher access rates are cost justified.” Consequently, Verizon’s Preliminary Objections on this issue should be dismissed, with prejudice.

Doctrine of Unclean Hands

7. In paragraphs 7 through 10 of its Preliminary Objections Verizon alleges that One Communications’ New Matter allegation that Verizon’s Complaint is barred by the doctrine of unclean hands is legally insufficient because One Communications did not specifically allege that “Verizon has engaged in fraud and deceit.” A review of the pleadings reveals that One Communications has specifically averred in paragraph 61-62 of its New Matter that Verizon has improperly challenged the access rates of Lightship and Conversent because Verizon is not, and has never been, an access services customer of those companies. Such conduct by Verizon is more than an adequate basis upon which this Commission may find that Verizon is engaged in deception necessary to demonstrate Verizon’s “unclean hands” in this matter. Moreover, Verizon does not challenge this allegation in its Preliminary Objections. Accordingly, this Commission should dismiss this objection of Verizon, with prejudice.

Laches

8. In paragraphs 11 through 13 of its Objections, Verizon also challenges One Communications’ claim that Verizon’s Complaint is barred by the doctrine of laches on

the grounds that it is "legally insufficient" because One Communications did not specifically allege that One Communications "rights *are so prejudiced* by length of time and inexcusable delay, plus attendant facts and circumstances, that it would be an injustice to permit presently the assertion of a claim" by Verizon. In fact, One Communications does allege in paragraph 63 that "the intrastate access rates of Choice One have been in effect since March 30, 2003 and from July 18, 2003 through the date of Verizon's Complaint, Verizon has utilized Choice One's intrastate access services, pursuant to Choice One's lawfully filed and approved PA P U C. Tariff No 2." Similarly, One Communications alleges in paragraph 64 that Verizon has utilized the intrastate access services of CTC and FiberNet, pursuant to lawfully filed and approved tariffs. These facts provide more than an adequate basis upon which this Commission can find that One Communications' rights have been so prejudiced by Verizon's conduct and the passage of time that it would be an injustice to permit Verizon to assert its present claim in this proceeding. Consequently, One Communications submits that Verizon's preliminary objections on this matter should be dismissed, with prejudice.

Unlawful "Self-help" in violation of 66 Pa.C.S. § 3017(b)

9. In paragraphs 15 through 17 of its Objections, Verizon challenges One Communications' New Matter claim in paragraph 57 that Verizon's Complaint is barred from relief because Verizon has engaged in unlawful "self-help in violation of 66 Pa.C.S. § 3017(b)." Again, Verizon argues that this averment "lacks of specificity" and claims that Verizon is unable to understand "the nature of the defense." And again, we disagree. In addition to the above averment of One Communications in paragraph 57, paragraph 60 of One Communications' New Matter specifically states: "66 Pa.C.S. § 3017(b) states

that "No person or entity may refuse to pay tariffed intrastate access charges for interexchange services provided by a local exchange telecommunications company." (emphasis added). Based upon the specific allegation of violation in paragraph 57 and the specific language of 66 Pa.C.S. § 3017(b) included in paragraph 60 of One Communications' New Matter allegations, there is no doubt that Verizon understands that its refusal to pay One Communications' tariffed intrastate access charges can be found by this Commission to be unlawful and violative of 66 Pa.C.S. § 3017(b). Accordingly, One Communications submits that this objection of Verizon should be dismissed, with prejudice.

Discrimination

10. In paragraphs 18 through 21 of its Objections, Verizon challenges One Communications' New Matter claim that the relief requested by Verizon against Choice One, FiberNet and CTC would constitute unlawful discrimination, in violation of this Commission's regulations and Pennsylvania law. Arguably, Verizon's allegations in this section of its objections seem to suggest that they may not be sufficiently familiar with this Commission's regulations and the Pennsylvania Public Utility Code to understand this Commission's requirements regarding discrimination. It is well established that 66 Pa.C.S.A. §1303 of the Public Utility Code requires adherence to tariffs and 66 Pa.C.S.A. §1304 prohibits a lack of uniformity or discrimination in the application of tariff provisions. In support of its claim of discrimination, paragraphs 63 and 64 of One Communications' New Matter establishes that Verizon and other local exchange carriers utilize the same intrastate access services of Choice One, FiberNet and CTC, pursuant to lawfully filed and approved tariffs. Moreover, Verizon admits in its Preliminary

objections that "Verizon's long distance companies recomputed Choice One's bills at the ILECs' rates and paid the recomputed amount."¹ One Communications New Matter averments are clear evidence of its objection to this practice and its intent apply its tariff provisions uniformly. Under these circumstances, this Commission can find that Verizon's practice constitutes unlawful discrimination. Accordingly, this Commission should dismiss this objection of Verizon, with prejudice.

Specificity of New Matter

11. As discussed in Section 6 above, the core of this dispute is whether, under the provisions of 66 Pa. C.S. § 3017, the access rates of One Communications are in fact "higher than those charged by the incumbent local exchange telecommunications company in the same service territory" and whether One Communications "can demonstrate that the higher access rates are cost justified." Nevertheless, One Communications' Answer and New matter, in accordance with 52 Pa Code § 5.62, set forth significant material "facts constituting the grounds for its Complaint" which are "not merely a denial of the averments" of Verizon and properly "identifies statutes, regulations and rules relied upon, the injury complained of and the relief sought by One Communications."

WHEREFORE, One Communications respectfully requests that this Commission reject and dismiss Verizon's Preliminary Objections concerning One Communications' New Matter set forth in paragraphs 54, 55, 56, 57 and 66.

¹ Verizon Preliminary Objections at paragraph 10.

Respectfully submitted,

Renardo L. Hicks

Renardo L. Hicks, Esquire
By: PA ID No. 40404
STEVENS & LEE
17 North Second Street, 16th Floor
Harrisburg, PA 17101
Office: (717) 255-7364
Facsimile: (610) 988 -0851
rlh@stevenslee.com

Peter J. Johnson
PA ID No. 87960
DAVIS, WRIGHT TREMAINE, LLC
1501 4th Avenue, Suite 2600
Seattle, WA 98101
Office: (206) 628-7770
Facsimile: (206) 628-7699
pjohnson@dwt.com

Christopher W. Savage
John C. Dodge
DAVIS, WRIGHT TREMAINE, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
Office: (202) 973-4200
Facsimile: (202) 973-4499
chrissavage@dwt.com
[johndodge@dwt.com](mailto: johndodge@dwt.com)

Counsel for One Communications Corp.

Dated: July 5, 2007

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants

v.

Case Nos. C-20077671 through C-20077676

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents

CERTIFICATE OF SERVICE

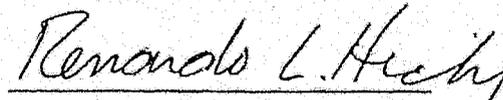
I, RENARDO L. HICKS, ESQUIRE, certify that on this date, I served a certified true and correct copy of the foregoing document upon the following counsel of record, by depositing the same in the United States mail, postage prepaid, addressed as follows:

Suzan D. Paiva
Verizon
1717 Arch Street, 10th Floor
Philadelphia, PA 19103
(215) 466-4755

James G. Pachulski
TechNet Law Group, P.C.
1100 New York Ave., NW, Suite 365W
Washington, DC 20005-3934
(202) 598-0120

John C. Dodge
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

DATE: July 5, 2007



Renardo L. Hicks, Esq.
Stevens & Lee
17 N. 2nd St., 16th Floor
Harrisburg, PA 17101
Tel. (717) 255-7364
Fax (610) 988-0851
E-mail: rlh@stevenslee.com

STEVENS & LEE
LAWYERS & CONSULTANTS

17 North Second Street
16th Floor
Harrisburg, PA 17102
(717) 234-1090 Fax (717) 234-1099
www.stevenslee.com

Direct Dial: (717) 255-7364
Email: rlh@stevenslee.com
Direct Fax: (610) 988-0851

July 6, 2007

VIA HAND DELIVERY

Secretary James J. McNulty
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

ORIGINAL

2007 JUL 6 PM 2:11
SECRETARY J. MCNULTY

Re: Verizon Pennsylvania, Inc. v. One Communications Corp., et al.
Case Nos. C-20077671 through C-20077676

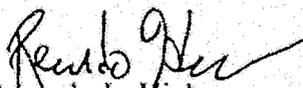
Dear Secretary McNulty:

Enclosed for filing on behalf of One Communications Corp., are an original and three (3) copies of the Motion to Dismiss the Complaint of Verizon against Conversent and Lightship and the Notice to Plead. Copies have been served in accordance with the attached Certificate of Service.

If you have any questions, please feel free to contact me.

Very truly yours,

STEVENS & LEE


Renardo L. Hicks.

DOCUMENT
FOLDER

Encl.

cc Attached Certificate of Service

Philadelphia • Reading • Valley Forge • Lehigh Valley • Harrisburg • Lancaster • Scranton
Williamsport • Wilkes-Barre • Princeton • Cherry Hill • New York • Wilmington

A PROFESSIONAL CORPORATION

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania Inc., Verizon North :
 Inc., Bell Atlantic Communications, Inc. :
 d/b/a Verizon Long Distance, Verizon :
 Select Services Inc., Verizon Global :
 Networks, Inc., MCImetro Access :
 Transmission Services, LLC d/b/a :
 Verizon Access Transmission :
 Services, and MCI Communications :
 Services Inc., :

Complainants

v.

One Communications Corp., Choice One :
 Communications of Pennsylvania, Inc., CTC :
 Communications Corp., Conversent :
 Communications of Pennsylvania, LLC, :
 FiberNet Telecommunications of :
 Pennsylvania, LLC, and Lightship Telecom, :
 LLC, :

Respondents

Docket No. C-20077671
 Docket No. C-20077672
 Docket No. C-20077673
 Docket No. C-20077674
 Docket No. C-20077675
 Docket No. C-20077676

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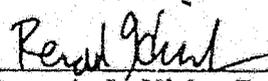
PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

NOTICE TO PLEAD

TO: Suzan D. Paiva
 Verizon
 1717 Arch Street, 10th Floor
 Philadelphia, PA 19103

Pursuant to 52 Pa. Code §§ 5.103, *et seq.*, you are hereby notified that One Communications Corp. and its subsidiaries Choice One Communications of Pennsylvania Inc. d/b/a One Communications ("Choice One"), CTC Communications Corp d/b/a One Communications ("CTC"), Conversent Communications of Pennsylvania, LLC d/b/a One Communications ("Conversent"), FiberNet Telecommunications of Pennsylvania, LLC ("FiberNet"), and Lightship Telecom, LLC d/b/a One Communications ("Lightship") (collectively, "One Communications"), has filed a Motion to Dismiss the Complaint of Verizon against Conversent Communications of Pennsylvania, LLC and Lightship Telecom, LLC to which you may answer within twenty (20) days unless otherwise provided in Chapter 5 of Title 52 of the Pennsylvania Code. Your failure to answer will allow the presiding officer to render a final determination on this Motion without a response from you, thereby requiring no other proof. All Pleadings, such as a reply to

this Motion, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel for One Communications Corp.



Renardo I. Hicks, Esquire
PA ID No. 40404
STEVENS & LEE
17 North Second Street, 16th Floor
Harrisburg, PA 17101
Office (717) 255-7364
Facsimile: (610) 988 -0851
rlh@stevenslee.com
Attorney for One Communications Corp.

Dated: July 6, 2007

2007 JUL -6 PM 2:11
SECRET

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania Inc., Verizon North :
 Inc., Bell Atlantic Communications, Inc. :
 d/b/a Verizon Long Distance, Verizon :
 Select Services Inc., Verizon Global :
 Networks, Inc., MCImetro Access :
 Transmission Services, LLC d/b/a :
 Verizon Access Transmission :
 Services, and MCI Communications :
 Services Inc., :

Complainants :

v. :

One Communications Corp., Choice One :
 Communications of Pennsylvania, Inc., CTC :
 Communications Corp., Conversent :
 Communications of Pennsylvania, LLC, :
 FiberNet Telecommunications of :
 Pennsylvania, LLC, and Lightship Telecom, :
 LLC, :

Respondents :

DOCUMENT
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Docket No. C-20077671
 Docket No. C-20077672
 Docket No. C-20077673
 Docket No. C-20077674
 Docket No. C-20077675
 Docket No. C-20077676

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 FILED

**MOTION OF ONE COMMUNICATIONS TO
DISMISS THE COMPLAINT OF VERIZON
AGAINST CONVERSENT AND LIGHTSHIP**

Pursuant to 52 Pa. Code §§ 5.103, One Communications Corp. and its subsidiaries Choice One Communications of Pennsylvania Inc. d/b/a One Communications (“Choice One”), CTC Communications Corp. d/b/a One Communications (“CTC”), Conversent Communications of Pennsylvania, LLC d/b/a One Communications (“Conversent”), FiberNet Telecommunications of Pennsylvania, LLC (“FiberNet”), and Lightship Telecom, LLC d/b/a One Communications (“Lightship”) (collectively, “One Communications”), respectfully submit the following Motion to Dismiss the Complaint of Verizon Pennsylvania Inc., Verizon North Inc., Verizon Select Services Inc., Bell

Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Global Networks, Inc., MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc. (collectively, "Verizon") against Conversent and Lightship for lack of standing in the above captioned matter. In support of this Motion, One Communications states as follows:

1. On April 25, 2007, Verizon filed its Complaint against One Communications alleging violation of 66 Pa. C.S. § 3017(c) and requesting refunds or credits for such alleged violations.

2. On May 31, 2007, One Communications filed its Answer to Verizon's Complaint, which in accordance with 52 Pa Code § 5 62(b) raised affirmative defenses under the heading of "New Matter" and setting forth specific facts, regulations, legal issues, injury and relief sought by One Communications. Moreover, One Communications specifically averred that "Notwithstanding lawfully filed and approved tariffs, neither Conversent nor Lightship currently provides access service to customers in Pennsylvania" and "neither Conversent nor Lightship provides intrastate access service to Verizon in Pennsylvania."¹

3. On June 25, 2007, Verizon filed a Reply to New Matter and Preliminary Objections to the New Matter of One Communications. In its Reply to New Matter concerning the above allegations of One Communications, Verizon failed to deny that neither Conversent nor Lightship currently provides access service to customers in

¹ See, Answer of One Communications at paragraphs 58 & 59

Pennsylvania and neither Conversent nor Lightship provides intrastate access service to Verizon in Pennsylvania.²

4. Verizon lacks standing to pursue its Complaint against Conversent and Lightship and its Complaint against Conversent and Lightship should be dismissed.

5. The issue of standing has been frequently addressed by this Commission and the Pennsylvania Courts. It is well established that there are three requirements which must be met for one to have standing to litigate a matter before the Commission. They are: (1) the interest in the matter litigated must be direct, (2) the interest must be substantial; and (3) the interest must be immediate and not a remote consequence.

George v. Pennsylvania Public Utility Commission, 735 A.2d 1282 (Pa. Cmwlth. 1999).

The Pennsylvania Commonwealth Court has discussed these elements as follows:

A 'substantial' interest is an interest in the outcome of the litigation that surpasses the common interest of all citizens in procuring obedience to the law. A 'direct' interest requires a showing that the matter complained of caused harm to the party's interest. An 'immediate' interest involves the nature of the causal connection between the action complained of and the injury to the party challenging it and is shown where the interest the party seeks to protect is within the zone of interests sought to be protected by the statute or guarantee in question.³

6. As noted above, One Communications has averred, and Verizon has not denied, that neither Conversent nor Lightship currently provides access service in Pennsylvania and Verizon is not a customer of Conversent or Lightship. Consequently, Verizon's interest in pursuing its Complaint against these companies can not be "substantial" and is much more akin to "procuring obedience" its own notion of the law. Additionally, Verizon has not, and can not, show a "direct" interest wherein the matter

² See, Verizon Reply to New Matter at paragraphs 58 & 59. Verizon states in its responses at paragraphs 58 and 59 that: "Verizon lacks knowledge and information sufficient to form a belief as to the truth of the allegations" in paragraphs 58 & 59.

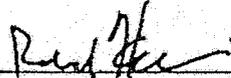
³ George v. Pennsylvania Public Utility Commission, 735 A.2d 1282, 1286 (Pa. Cmwlth. 1999).

complained of caused harm to any interest of Verizon. Finally, unless and until Conversent and Lightship begin to provide access services to Verizon in Pennsylvania, there is no "causal connection" between the action complained of by Verizon and any alleged injury to Verizon which could fulfill the requirement that Verizon's interest be "immediate "

7. The Commission should continue to follow its own well established precedent and require that Verizon have standing to challenge the access rates of Conversent and Lightship in this matter. Verizon's interest with regard to Conversent and Lightship is neither direct, immediate nor substantial in the subject matter of this proceeding. See also, Re L & H Trucking Company, Inc., 55 Pa. P.U.C. 469, 471 (1982); Waddington v. Pennsylvania Public Utility Commission, 670 A.2d 199, 202 (Pa. Commw. 1995). For all of the reasons outlined above, Verizon's Complaint against Conversent and Lightship must be dismissed for lack standing.

WHEREFORE, One Communications respectfully requests that the Commission dismiss the Complaint of Verizon against Conversent and Lightship.

Respectfully submitted,



Renardo L. Hicks, Esquire

By: PA ID No. 40404

STEVENS & LEE

17 North Second Street, 16th Floor

Harrisburg, PA 17101

Office: (717) 255-7364

Facsimile: (610) 988 -0851

rlh@stevenslee.com

Peter J. Johnson
PA ID No. 87960
DAVIS, WRIGHT TREMAINE, LLC
1501 4th Avenue, Suite 2600
Seattle, WA 98101
Office: (206) 628-7770
Facsimile: (206) 628-7699
pjohnson@dwt.com

Christopher W. Savage
John C. Dodge
DAVIS, WRIGHT TREMAINE, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
Office: (202) 973-4200
Facsimile: (202) 973-4499
chrissavage@dwt.com
[johndodge@dwt.com](mailto: johndodge@dwt.com)

Dated: July 6, 2007

Counsel for One Communications Corp.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCI metro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants :

v. :

Case Nos. C-20077671 through C-20077676

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents :

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SEAL

CERTIFICATE OF SERVICE

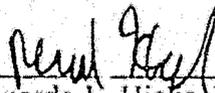
I, RENARDO L. HICKS, ESQUIRE, certify that on this date, I served a certified true and correct copy of the foregoing documents upon the following counsel of record, by depositing the same in the United States mail, postage prepaid, addressed as follows:

Suzan D. Patva
Verizon
1717 Arch Street, 10th Floor
Philadelphia, PA 19103
(215) 466-4755

James G. Pachulski
TechNet Law Group, P.C.
1100 New York Ave., NW, Suite 365W
Washington, DC 20005-3934
(202) 598-0120

John C. Dodge
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

DATE: July 6, 2007



Renardo L. Hicks, Esq.
PA ID No. 40404
Stevens & Lee
17 N. 2nd St., 16th Floor
Harrisburg, PA 17101
Tel. (717) 255-7364
Fax (610) 988-0851
E-mail: rlh@stevenslee.com
Attorney for One Communications Corp.

Suzan DeBusk Paiva
Assistant General Counsel



ORIGINAL

Verizon Pennsylvania Inc.
1717 Arch Street, Floor 10
Philadelphia, PA 19103

Tel: (215) 466-4755
Fax: (215) 563-2658
Suzan.D.Paiva@Verizon.com

July 16, 2007

VIA UPS OVERNIGHT DELIVERY

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

RECEIVED

JUL 16 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Select Services Inc., Verizon Global Networks, Inc., MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc.

v.

One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC

Docket Nos. C-20077671, C-20077672, C-20077673, C-20077674, C-20077675, C-20077676

Dear Secretary McNulty:

Enclosed please find the original and three (3) copies of the Opposition of Verizon to One Communications' Motion to Dismiss the Complaint Against Conversent and Lightship. Additional copies are included for file at each of the Docket numbers shown.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Suzan D. Paiva

**DOCUMENT
FOLDER**

SDP/slb
Enclosure

BA

VIA UPS OVERNIGHT DELIVERY

cc: The Honorable Louis G. Cocheres
Attached Service List

99

CERTIFICATE OF SERVICE

I, Suzan D. Paiva, hereby certify that I have this day served a copy of the Opposition of Verizon to One Communications' Motion to Dismiss the Complaint Against Conversent and Lightship, upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Philadelphia, Pennsylvania, this 16th day of July, 2007.

VIA UPS DELIVERY

Renardo Hicks, Esquire
Stevens & Lee
17 North Second Street
16th Floor
Harrisburg, PA 17101

John C. Dodge, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

R. Edward Price
Senior Director, Regulatory Affairs
One Communications Corp.
1000 Chestnut Street, Suite 600
Rochester, NY 14604

Steven C. Gray, Esquire
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17102

Christopher W. Savage, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

Joel Cheskis, Esquire
Office of Consumer Advocate
555 Walnut Street
Fifth Floor, Forum Place
Harrisburg, PA 17101-1923

John Simms, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

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JUL 16 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Suzan D. Paiva
Verizon
1717 Arch Street, 10W
Philadelphia, PA 19103
(215) 466-4755

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCI metro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants :

v. :

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents :

DOCUMENT
FOLDER

Docket No. C-20077671
Docket No. C-20077672
Docket No. C-20077673
Docket No. C-20077674
Docket No. C-20077675
Docket No. C-20077676

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**OPPOSITION OF VERIZON
TO ONE COMMUNICATIONS' MOTION TO DISMISS
THE COMPLAINT AGAINST CONVERSENT AND LIGHTSHIP**

Pursuant to 52 Pa. Code § 5.101, Verizon Pennsylvania Inc., Verizon North Inc.,
Verizon Select Services Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long
Distance, Verizon Global Networks, Inc., MCI metro Access Transmission Services,
LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services
Inc. (collectively, "Verizon") respectfully submit this Opposition to the Motion to
Dismiss the Complaint as against Conversent Communications of Pennsylvania, LLC

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("Conversent") and Lightship Telecom LLC ("Lightship").¹ In support of this Opposition, Verizon states as follows:

1. On April 25, 2007, Verizon filed its Formal Complaint against the One Communications Companies for violation of 66 Pa. C.S. § 3017(c), which forbids competitive local exchange carriers ("CLECs") from charging intrastate switched access rates that are higher than those of the incumbent local exchange carrier ("ILEC") in the corresponding service area. In addition to requesting refunds, Verizon's Complaint asks the Commission to "[d]irect the One Communications Companies to comply with the mandates of 66 Pa. C.S. § 3017(c) by immediately reducing each of their tariffed intrastate switch[ed] access rates to a level no higher than those of the incumbent local exchange telecommunications companies in the corresponding service area. (Complaint, WHEREFORE (a)). Verizon's Complaint also asks the Commission to "[f]orbid the One Communications Companies from charging access rates higher than the corresponding incumbent local exchange telecommunications companies rates unless and until the Commission enters a final order finding that such companies have demonstrated that higher rates are cost-justified." (Complaint, WHEREFORE (b)).

2. On May 31, 2007, the One Communications Companies answered the Complaint. On July 6, 2007, Conversent and Lightship filed a Motion to Dismiss the Complaint, arguing that Verizon lacks standing to bring this Complaint as against these two companies because Verizon "has not denied" that while they have effective access

¹ The motion does not seek to dismiss Verizon's Complaint as against One Communications Corp. ("One Communications"), Choice One Communications of Pennsylvania Inc. ("Choice One"), CTC Communications Corp. ("CTC"), or FiberNet Telecommunications of Pennsylvania, LLC ("FiberNet"). These companies, together with Conversent and Lightship, are collectively referred to as the "One Communications Companies."

tariffs on file with this Commission, neither Conversent nor Lightship provides access service to Verizon. They also contend that Conversent and Lightship are not providing access service to any customers in Pennsylvania.

3. Although the One Communications Companies aver that Conversent and Lightship are not serving customers in Pennsylvania, they have not submitted any Verification or Affidavit to support this factual claim. *See* 52 Pa. Code § 1.36. While Verizon admits that Conversent and Lightship are not billing the Verizon companies for intrastate access in Pennsylvania at this time, Verizon cannot know whether Conversent or Lightship is providing such service to others. Their claim that they are not serving customers in Pennsylvania is inconsistent with representations made during merger proceedings. For example, when CTC applied to merge with Lightship in 2005, the companies represented to this Commission that “the proposed transaction is in the public interest because Pennsylvania consumers will benefit from the operation of two CLECs under one umbrella company.” *See Joint Application of Lightship Telecom, LLC, Lightship Holding, Inc., and CTC Communications Group, Inc. for approval of the indirect transfer of control of Lightship Telecom, LLC to CTC Communications Group, Inc.*, Docket No. A-310943 F0005, Order at 3 (May 23, 2005). And the Commission specifically found that “Lightship Telecom is providing telecommunication services pursuant to tariffs on file with the Commission, and will retain its status as a telecommunications services provider in Pennsylvania after the transfer.” *Id.* at 2. In addition, Lightship is listed on the Commission’s most current list of telephone switched access providers in Pennsylvania. *See*

http://www.puc.state.pa.us/telecom/pdf/Tel_Access_TARC_031006.pdf.

4. Verizon does not know whether Conversent and Lightship are providing access services pursuant to their tariffs on file with the Commission, and their bare claim that they do not provide such service is not sufficient to support dismissal of the Complaint. Neither Lightship nor Conversent has taken the required actions to abandon service in Pennsylvania. The Commission's rules require that a CLEC abandoning service "file an abandonment plan with the Commission at least 35 calendar days in advance of abandoning service." 52 Pa. Code § 63.306(a). Pursuant to these rules, the Commission posts notice on its website of CLECs that are abandoning service. 52 Pa. Code § 63.308. Neither Lightship nor Conversent is listed on the Commission's website page titled Local Service Abandonment Notification. *See* http://www.puc.state.pa.us/telecom/telecom_abandonment_notification.aspx.

5. Verizon does have standing to challenge the tariffs of all of the One Communications Companies. The One Communications Companies do not dispute the fact that Verizon has standing as to three of its entities – Choice One, CTC and FiberNet. These three entities, together with the two entities at issue here – Lightship and Conversent – merged together to form One Communications. According to One Communications' press releases, these companies act together as "a single broadband IP-based telecommunications powerhouse." Press Release, *Choice One and CTC Communications Finalize Merger; Simultaneously Complete Acquisition of Conversent Communications* (July 3, 2006).

6. Verizon does not dispute the legal standards for standing. Those standards have been met here because Verizon unquestionably has standing as to three of the One Communications Companies and all five One Communications Companies act

collectively as a "single . . . powerhouse." In fact, the One Communications website consistently refers to itself as a single entity, not five separate entities. *See* <http://www.onecommunications.com/our-company/index-clec-one.aspx> ("One Communications is the largest privately-held competitive local exchange carrier in the U.S. and a powerful telecommunications resource for your business").

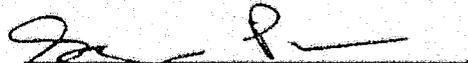
7. Verizon has a substantial interest in bringing this Complaint against all five One Communications Companies that have switched access tariffs on file with the Commission. It is only by including all five of the One Communications Companies in Verizon's Complaint proceeding that the Commission can reach a final resolution in a single proceeding. If Verizon's Complaint were to go forward against only three of the One Communications' Companies and Verizon were to prevail, Verizon would be at risk that those companies would simply shift Verizon's switched access traffic to Conversent or Lightship or simply begin charging under Conversent's or Lightship's access tariff.

8. In the interest of administrative efficiency, the Commission should find that Verizon has standing to bring its Complaint against all five One Communications' Companies. Both Lightship and Conversent are operated together with Choice One, CTC Communications and FiberNet as a single entity known as One Communications. Verizon has direct, immediate and substantial interest as to all entities operating under the umbrella of One Communications.

9. In the alternative, this Commission has the authority pursuant to 66 Pa. C.S. § 1309(a) to investigate the tariffed rates of a public utility upon the Commission's "own motion." Conversent and Lightship do not deny that they have tariffs on file with this Commission setting forth intrastate access rates of as much as 6 cents per minute-of-

use. *See, e.g.*, Conversent Pa. P.U.C. Tariff No 4. These facts alone are sufficient for the Commission to investigate these tariffs upon its own motion, and the Commission must do so to fulfill its responsibility to enforce 66 Pa. C.S. § 3017(c) and to disallow tariffed rates in violation of that statute without a specific demonstration of cost support. If Conversent and Lightship were to withdraw their intrastate switched access tariffs, or to reduce their rates to a level no higher than the rates charged by the ILEC, then such an investigation would not be necessary. If it is indeed true that they are serving no customers, Conversent and Lightship should not object to taking either of these actions.

WHEREFORE, Verizon requests that this Commission deny the One Communications Companies' Motion to Dismiss the Complaint as against Conversent and Lightship.



Suzan D. Paiva (Atty No. 53853)

Verizon

1717 Arch Street, 10th Floor

Philadelphia, PA 19103

(215) 466-4755

James G. Pachulski (Atty No. 57938)

TechNet Law Group, P.C.

1100 New York Ave., NW, Suite 365W

Washington, DC 20005-3934

(202) 589-0120

Dated: July 16, 2007

Attorneys for Verizon

STEVENS & LEE
LAWYERS & CONSULTANTS

ORIGINAL

17 North Second Street
16th Floor
Harrisburg, PA 17101
(717) 234-1090 Fax (717) 234-1099
www.stevenslee.com

Direct Dial: (717) 255-7364
Email: rlh@stevenslee.com
Direct Fax: (610) 988-0851

July 23, 2007

HAND DELIVERY

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

DOCUMENT
FOLDER

2:11:30 PM '07

Re: Verizon Pennsylvania, Inc. v. One Communications Corp., et al.
Case Nos. C-20077671 through C-20077676

Dear Secretary McNulty:

Enclosed for filing please find an six (6) originals (one for each docket number) plus three (3) copies of the Prehearing Conference Memorandum of One Communications Corp., et al in the above referenced matters. Copies of the forgoing document have been served in accordance with the attached Certificate of Service.

If you have any questions, please feel free to contact me.

Very truly yours,

STEVENS & LEE

Renardo L. Hicks

Renardo L. Hicks

RLH:ymm
Enclosures

cc: Certificate of Service
Honorable Louis G. Cocheres

Philadelphia • Reading • Valley Forge • Lehigh Valley • Harrisburg • Lancaster • Scranton
Williamsport • Wilkes-Barre • Princeton • Cherry Hill • New York • Wilmington

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc.. :

Complainants :

v. :

One Communications Corp., Choice One :
Communications of Pennsylvania Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, and Lightship Telecom, :
LLC, :

Respondents :

Docket No. C-20077671
Docket No. C-20077672
Docket No. C-20077673
Docket No. C-20077674
Docket No. C-20077675
Docket No. C-20077676

2007 JUN 22 PM 1:31

PREHEARING CONFERENCE MEMORANDUM
OF ONE COMMUNICATIONS CORP.

Pursuant to 52 Pa. Code Section 5.222, One Communications Corp. and its subsidiaries Choice One Communications of Pennsylvania Inc. d/b/a One Communications, CTC Communications Corp. d/b/a One Communications, Conversent Communications of Pennsylvania, LLC d/b/a One Communications, FiberNet Telecommunications of Pennsylvania, LLC, and Lightship Telecom, LLC d/b/a One Communications (collectively, "One Communications"), respectfully submit the following Prehearing Conference Memorandum in the above-captioned matter.

I. IDENTIFICATION OF COUNSEL

1. One Communications is represented in this matter by Renardo L. Hicks, Esquire.

All correspondence, notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to Mr. Hicks at the following address:

Renardo L. Hicks, Esquire
Stevens & Lee.
17 North Second Street, 16th Floor
Harrisburg, PA 17101
Tel 717.255.7364
Fax 610.988.0851
E-mail: rlh@stevenslee.com.

II. BACKGROUND

2. This case involves a billing dispute regarding lawfully tariffed and approved access charges billed to Verizon Pennsylvania Inc., Verizon North Inc., Verizon Select Services Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Global Networks, Inc., MCI Metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc. (collectively, "Verizon") by One Communications. On April 25, 2007, Verizon filed the instant Complaint alleging that One Communications' intrastate switched access rates are "unjust and unreasonable" because they exceed the access rates charged by Verizon Pennsylvania, Inc. In response, on May 31, 2007 One Communications filed its Answer to Verizon's Complaint, specifically denying, inter alia, that in order for One Communications' access charges to be just and reasonable those access charges must "not exceed Verizon's intrastate access rates."

III. IDENTIFICATION OF WITNESSES

3. One Communications expects to call the following witnesses, who will testify on

the subject matter indicated below:

Ricky G. Pigeon, Vice President of Network Planning and Optimization.
One Communications Corp.
100 Chestnut Street, Suite 600
Rochester, NY 14604
Telephone: 585-530-2841

Mr. Pigeon is expected to testify on matters related to the network of each of the One Communications companies providing access services to customers in Pennsylvania.

Donald E. Parrish, Principal
Parrish Blessing and Associates, Inc.
10905 Ft. Washington Rd., Ste. 307
Ft. Washington, MD 20744
Telephone: (301) 203- 4830

Mr. Parrish is expected to testify on cost matters and the validity of One Communications' intercarrier bills to Verizon.

R. Edward Price, Senior Director, Regulatory Affairs
One Communications Corp.
100 Chestnut Street, Suite 600
Rochester, NY 14604
Telephone: 585-530-2841

Mr. Price is expected to testify on matters of policy and the validity of One Communications' intercarrier bills to Verizon.

One Communications also reserves the right to supplement and/or modify its witness list and identify additional witnesses to provide direct and responsive testimony in this proceeding.

IV. ISSUES

4. The factual and legal issues to be addressed by One Communications shall include, but are not limited to:

a. Whether Verizon is entitled to the relief it has requested in its Complaint?

ONE COMMUNICATIONS POSITION: No

- b. Whether One Communications companies providing access services to customers in Pennsylvania have properly billed Verizon pursuant to lawful and approved tariffs?

ONE COMMUNICATIONS' POSITION: Yes.

- c. Whether the intrastate access rates of One Communications companies providing access services to customers in Pennsylvania are cost justified?

ONE COMMUNICATIONS' POSITION: Yes.

- c. Whether One Communications is entitled to the relief that it seeks in this proceeding?

ONE COMMUNICATIONS' POSITION: Yes.

- d. Whether Verizon's Complaint should be dismissed?

ONE COMMUNICATIONS' POSITION: Yes.

V. EVIDENCE

5. One Communications intends to introduce the written, prefiled testimony of each of the above witnesses in this proceeding and make its witnesses available for cross-examination at the scheduled hearings in this proceeding. Pursuant to 66 Pa.C.S. 3017(c), One Communications will also provide evidence which demonstrates that its access rates are cost justified. One Communications also expects to present oral surrebuttal testimony of witnesses at the hearings, and to present such documents and other exhibits as may be necessary to rebut the allegations presented by Verizon. Additionally, One Communications expects to cross-examine witnesses presented by Verizon in this proceeding.

VI. PROCEDURAL SCHEDULE & DISCOVERY

6. One Communications proposes that the Parties be required to adhere to the Commission's regulations regarding discovery and pursuant to 52 Pa. Code § 5.342 provide

responses to discovery within twenty (20) days after service. Further, One Communications proposes the following procedural schedule:

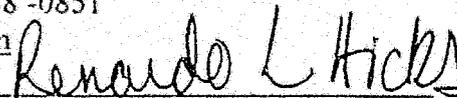
October 5, 2007 – Initial Testimony – Both Parties

November 2, 2007 – Reply Testimony -- Both Parties

December 17 & 18, 2007 - In-person Hearings

Respectfully submitted,

By: Renardo L. Hicks, Esquire
PA ID No. 40404
STEVENS & LEE
17 North Second Street, 16th Floor
Harrisburg, PA 17101
Office: (717) 255-7364
Facsimile: (610) 988 -0851
rlh@stevenslee.com



Peter J. Johnson
PA ID No. 87960
DAVIS, WRIGHT TREMAINE, LLC
1501 4th Avenue, Suite 2600
Seattle, WA 98101
Office: (206) 628-7770
Facsimile: (206) 628-7699
pjohnson@dwt.com

Christopher W. Savage
John C. Dodge
DAVIS, WRIGHT TREMAINE, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
Office: (202) 973-4200
Facsimile: (202) 973-4499
chrissavage@dwt.com
johndodge@dwt.com

Counsel for One Communications Corp.

Dated: July 23, 2007

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCI metro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants :

v :

Case Nos. C-20077671 through C-20077676

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents :

2:11 PM
FEB 25 2011

CERTIFICATE OF SERVICE

I, RENARDO L. HICKS, ESQUIRE, certify that on this date, I served a certified true and correct copy of the foregoing documents upon the following counsel of record, by depositing the same in the United States mail, postage prepaid, addressed as follows:

Suzan D. Paiva
Verizon
1717 Arch Street, 10th Floor
Philadelphia, PA 19103
(215) 466-4755

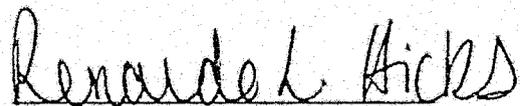
James G. Pachulski
TechNet Law Group, P.C.
1100 New York Ave., NW, Suite 365W
Washington, DC 20005-3934
(202) 598-0120

John C. Dodge
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

Christopher W. Savage
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, D.C. 20006
(202) 973-4200

Peter J. Johnson
Davis, Wright Tremaine, LLC
1501 4th Avenue, Suite 2600
Seattle, WA 98101
(206) 628-7770

DATE: July 23, 2007



Renardo L. Hicks, Esq
PA ID No. 40404
Stevens & Lee
17 N. 2nd St., 16th Floor
Harrisburg, PA 17101
Tel. (717) 255-7364
Fax (610) 988-0851
E-mail: rih@stevenslee.com
Attorney for One Communications Corp.

STEVENS & LEE
LAWYERS & CONSULTANTS

17 North Second Street
16th Floor
Harrisburg, PA 17101
(717) 234-1090 Fax (717) 234-1099
www.stevenslee.com

ORIGINAL

Direct Dial: (717) 255-7364
Email: rlh@stevenslee.com
Direct Fax: (610) 988-0851

July 23, 2007

HAND DELIVERY

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

Re: Verizon Pennsylvania, Inc. v. One Communications Corp., et al.
Case Nos. C-20077671 through ~~C-20077676~~

Dear Secretary McNulty:

Enclosed for filing please find an six (6) originals (one for each docket number) plus three (3) copies of the Prehearing Conference Memorandum of One Communications Corp., et al in the above referenced matters. Copies of the forgoing document have been served in accordance with the attached Certificate of Service.

If you have any questions, please feel free to contact me.

Very truly yours,

STEVENS & LEE

Renardo L. Hicks
Renardo L. Hicks

**DOCUMENT
FOLDER**

RLH:ymrn
Enclosures

cc: Certificate of Service
Honorable Louis G. Cocheres

Philadelphia • Reading • Valley Forge • Lehigh Valley • Harrisburg • Lancaster • Scranton
Williamsport • Wilkes-Barre • Princeton • Cherry Hill • New York • Wilmington

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North
Inc., Bell Atlantic Communications, Inc.
d/b/a Verizon Long Distance, Verizon
Select Services Inc., Verizon Global
Networks, Inc., MCI metro Access
Transmission Services, LLC d/b/a
Verizon Access Transmission
Services, and MCI Communications
Services Inc.,

Complainants

v.

One Communications Corp., Choice One
Communications of Pennsylvania Inc., CTC
Communications Corp., Conversent
Communications of Pennsylvania, LLC,
FiberNet Telecommunications of
Pennsylvania, LLC, and Lightship Telecom,
LLC,

Respondents

Docket No. C-20077671
Docket No. C-20077672
Docket No. C-20077673
Docket No. C-20077674
Docket No. C-20077675
Docket No. C-20077676

**DOCUMENT
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2007 JUL 23 PM 1:31
SECRET

PREHEARING CONFERENCE MEMORANDUM
OF ONE COMMUNICATIONS CORP.

Pursuant to 52 Pa. Code Section 5.222, One Communications Corp. and its subsidiaries
Choice One Communications of Pennsylvania Inc. d/b/a One Communications, CTC
Communications Corp. d/b/a One Communications, Conversent Communications of
Pennsylvania, LLC d/b/a One Communications, FiberNet Telecommunications of Pennsylvania,
LLC, and Lightship Telecom, LLC d/b/a One Communications (collectively, "One
Communications"), respectfully submit the following Prehearing Conference Memorandum in
the above-captioned matter.

DOCKETED
JUL 24 2007

Suzan DeBusk Paiva
Assistant General Counsel



ORIGINAL

Verizon Pennsylvania Inc.
1717 Arch Street, Floor 10
Philadelphia, PA 19103

Tel: (215) 466-4755
Fax: (215) 563-2658
Suzan.D.Paiva@Verizon.com

July 23, 2007

RECEIVED

JUL 23 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VIA UPS OVERNIGHT DELIVERY

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

RE: Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Select Services Inc., Verizon Global Networks, Inc., MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc.
v.
One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC
Docket Nos. C-20077671, C-20077672, C-20077673, C-20077674, C-20077675, C-20077676

Dear Secretary McNulty:

Enclosed please find the original and three (3) copies of the Verizon Companies' Objections to One Communications Corp.'s First Set of Discovery Requests in the above-referenced matter. Additional copies are included for file at each of the Docket numbers shown.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Suzan D. Paiva

DOCUMENT
FOLDER

SDP/slb
Enclosure

VIA UPS OVERNIGHT DELIVERY

cc: The Honorable Louis G. Cocheres
Attached Service List

BTL

73

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CERTIFICATE OF SERVICE

I, Suzan D. Paiva, hereby certify that I have this day served a copy of the Verizon Companies' Objections to One Communications Corp.'s First Set of Discovery Requests, upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Philadelphia, Pennsylvania, this 23rd day of July, 2007.

VIA UPS DELIVERY

Renardo Hicks, Esquire
Stevens & Lee
17 North Second Street
16th Floor
Harrisburg, PA 17101

John C. Dodge, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

R. Edward Price
Senior Director, Regulatory Affairs
One Communications Corp.
1000 Chestnut Street, Suite 600
Rochester, NY 14604

Steven C. Gray, Esquire
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17102

Christopher W. Savage, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

Joel Cheskis, Esquire
Office of Consumer Advocate
555 Walnut Street
Fifth Floor, Forum Place
Harrisburg, PA 17101-1923

John Simms, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

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JUL 23 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Suzan D. Paiva
Verizon
1717 Arch Street, 10W
Philadelphia, PA 19103
(215) 466-4755

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCI metro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants

v.

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, and Lightship Telecom, :
LLC, :

Respondents

Docket No. C-20077671

Docket No. C-20077672

Docket No. C-20077673

Docket No. C-20077674

Docket No. C-20077675

Docket No. C-20077676

**DOCUMENT
FOLDER**

DOCKETED
SEP 19 2007

**THE VERIZON COMPANIES' OBJECTIONS TO ONE
COMMUNICATIONS CORP.'S FIRST SET OF DISCOVERY REQUESTS**

Verizon Pennsylvania Inc. ("Verizon PA"), Verizon North Inc. ("Verizon North"),
Verizon Select Services Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance,
Verizon Global Networks, Inc., MCI metro Access Transmission Services LLC d/b/a Verizon
Access Transmission Services, and MCI Communications Services Inc., d/b/a Verizon Business
Services (collectively "Verizon"), by its attorneys, pursuant to 52 Pa. Code § 5.342 and § 5.349,
and 5.361, objects to One Communications Corp. ("One Communications"), Choice One
Communications of Pennsylvania Inc. ("Choice One"), CTC Communications Corp. ("CTC"),
Conversent Communications of Pennsylvania, LLC ("Conversent"), FiberNet
Telecommunications of Pennsylvania, LLC ("FiberNet"), and Lightship Telecom LLC

("Lightship") (collectively, the "One Communications Companies") Set I Interrogatories and Requests for Production of Documents ("Data Requests") as follows:

GENERAL OBJECTIONS

Verizon objects to each of the Data Requests on the following general grounds. Subject to these objections, and without waiver thereof, Verizon will produce material responsive to the Data Requests except to the extent stated in Verizon's Specific Objections.

1. Verizon objects to the "Instructions" and "Definitions" to the extent that they purport to impose discovery obligations on Verizon beyond those imposed by the Commission's rules and other applicable provisions of law. Verizon will respond to the extent required by the Commission's rules.
2. Verizon objects to the "Instructions and Definitions" to the extent they purport to expand the scope of an individual Data Request beyond its express terms, on the grounds that the request is vague and unduly burdensome and oppressive. Verizon will respond to each Data Request according to its specific terms.
3. Verizon objects to the Data Requests to the extent they seek information without regard for the date on which such information was generated, on the grounds that such Data Request is overly broad, unduly burdensome and seeks irrelevant information.
4. Verizon objects to the Data Requests to the extent they seek identification or production of information that was not generated by, or maintained in the files of, a Verizon employee at the Director level or above responsible for making decisions regarding matters within the scope of the request, on the grounds that the request is overly broad, unduly burdensome, vague, oppressive and seeks irrelevant information.

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JUL 2 8 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

5. Verizon objects to any of the Data Requests that seek documents initially created by parties not affiliated with Verizon or who were not acting at the direction of Verizon or on its behalf (e.g. news articles, investment analysts reports, agency or court filings by other parties), on the grounds that the request is overly broad, unduly burdensome and seeks irrelevant information and information that is equally available from other sources.

6. Verizon objects to any of the Data Requests that seek information or documents from Verizon affiliates that are not subject to the jurisdiction of the Commission on the grounds that such Data Requests are overly broad and seek information and documents that are not subject to discovery under the Commission's rules.

SPECIFIC OBJECTIONS

**OBJECTIONS OF VERIZON TO ONE COMMUNICATIONS CORP.'S FIRST SET OF
DISCOVERY REQUESTS SUBMITTED IN DOCKET NO. C-20077671-76**

INTERROGATORIES

REQUEST:

1. Provide the total intrastate, Pennsylvania revenues for Verizon and its affiliates by month for each month that Verizon has disputed access invoices submitted by Choice One, CTC, Conversent, FiberNet and Lightship. For wireless-related revenues, please use the universal service (Form 499) "safe harbor" percentage for distinguishing interstate from intrastate revenues, or else specify the methodology used.

OBJECTION:

See General Objections. Verizon objects to this request on the grounds that it is overbroad, would cause unreasonable annoyance, burden or expense and seeks information that is irrelevant and will not lead to the discovery of relevant information. Verizon also objects to this request on the grounds that it seeks information from Verizon affiliates that are not parties to this proceeding and are not subject to the jurisdiction of the Commission. Verizon further objects to this request on the grounds that it seeks proprietary information and no protective order has been entered in this proceeding. Without waiver of these objections and to the extent Verizon has not objected to this request, Verizon will provide an answer after the entry of a protective order in this proceeding.

**OBJECTIONS OF VERIZON TO ONE COMMUNICATIONS CORP.'S FIRST SET OF
DISCOVERY REQUESTS SUBMITTED IN DOCKET NO. C-20077671-76**

REQUEST:

2. Provide the intrastate, Pennsylvania revenues for Verizon and its affiliates for intrastate toll services by month for each month that Verizon has disputed access invoices submitted by Choice One, CTC, Conversent, FiberNet and Lightship. Please describe the methodology used to distinguish intrastate toll from local for wireless-related revenues.

OBJECTION:

See General Objections. Verizon objects to this request on the grounds that it is overbroad, would cause unreasonable annoyance, burden or expense and seeks information that is irrelevant and will not lead to the discovery of relevant information. Verizon also objects to this request on the grounds that it seeks information from Verizon affiliates that are not parties to this proceeding and are not subject to the jurisdiction of the Commission. Verizon also objects to this request on the grounds that intrastate toll services are no longer subject to regulation by the Commission and are therefore not within the scope of the Commission's jurisdiction. *See* 66 Pa. C.S. § 3018. Verizon further objects to this request on the grounds that it seeks proprietary information and no protective order has been entered in this proceeding.

**OBJECTIONS OF VERIZON TO ONE COMMUNICATIONS CORP.'S FIRST SET OF
DISCOVERY REQUESTS SUBMITTED IN DOCKET NO. C-20077671-76**

REQUEST:

3. Provide a copy of any and all cost of service studies that Verizon or its affiliates have conducted for the Commonwealth of Pennsylvania, including but not limited to the costs of providing intrastate toll service, and all work papers supporting same.

OBJECTION:

See General Objections. Verizon objects to this request on the grounds that it is overbroad, would cause unreasonable annoyance, burden or expense and seeks information that is irrelevant and will not lead to the discovery of relevant information. Verizon also objects to this request on the grounds that it seeks information from Verizon affiliates that are not parties to this proceeding and are not subject to the jurisdiction of the Commission. Verizon also objects to this request on the grounds that it is not limited as to the period of time for which it seeks such information nor as to the subject matter of the cost study. Verizon also objects to this request on the grounds that intrastate toll services are no longer subject to regulation by the Commission and are therefore not within the scope of the Commission's jurisdiction. *See* 66 Pa. C.S. § 3018. Verizon further objects to this request on the grounds that it seeks proprietary information and no protective order has been entered in this proceeding. Without waiver of these objections and to the extent Verizon has not objected to this request, Verizon will provide an answer after the entry of a protective order in this proceeding.

**OBJECTIONS OF VERIZON TO ONE COMMUNICATIONS CORP.'S FIRST SET OF
DISCOVERY REQUESTS SUBMITTED IN DOCKET NO. C-20077671-76**

REQUEST:

4. Provide Verizon's achieved returns on investment and equity for the Commonwealth of Pennsylvania by month for each month that Verizon has disputed access invoices submitted by Choice One, CTC, Conversent, FiberNet and Lightship, and all work papers supporting same.

OBJECTION:

See General Objections. Verizon objects to this request on the grounds that it is overbroad, would cause unreasonable annoyance, burden or expense and seeks information that is irrelevant and will not lead to the discovery of relevant information. Verizon also objects to this request on the grounds that it seeks information from Verizon affiliates that are not parties to this proceeding and are not subject to the jurisdiction of the Commission. Verizon also objects to this request on the grounds that it is not limited as to the period of time for which it seeks such information. Verizon further objects to this request on the grounds that it seeks proprietary information and no protective order has been entered in this proceeding.

**OBJECTIONS OF VERIZON TO ONE COMMUNICATIONS CORP.'S FIRST SET OF
DISCOVERY REQUESTS SUBMITTED IN DOCKET NO. C-20077671-76**

REQUEST:

5. Provide copies of any survey and survey results, customer or end user studies or other market analyses relating to the cost or price of intrastate local toll service and/or the cost or price of intrastate access service in Pennsylvania, and all work papers supporting same.

OBJECTION:

See General Objections. Verizon objects to this request on the grounds that it is overbroad, would cause unreasonable annoyance, burden or expense and seeks information that is irrelevant and will not lead to the discovery of relevant information. Verizon also objects to this request on the grounds that it is not limited as to the period of time for which it seeks such information. Verizon also objects to this request on the grounds that intrastate toll services are no longer subject to regulation by the Commission and are therefore not within the scope of the Commission's jurisdiction. *See* 66 Pa. C.S. § 3018. Verizon further objects to this request on the grounds that it seeks proprietary information and no protective order has been entered in this proceeding.

**OBJECTIONS OF VERIZON TO ONE COMMUNICATIONS CORP.'S FIRST SET OF
DISCOVERY REQUESTS SUBMITTED IN DOCKET NO. C-20077671-76**

REQUEST:

6. Provide a copy of any and all individual case basis contracts, special contracts, special assemblies or other arrangements that Verizon or any of its affiliates have with any local exchange carrier in Pennsylvania pertaining to the termination of intrastate toll service.

OBJECTION:

See General Objections. Verizon objects to this request on the grounds that it is overbroad, would cause unreasonable annoyance, burden or expense and seeks information that is irrelevant and will not lead to the discovery of relevant information. Verizon also objects on the ground that the request is vague and ambiguous. Verizon also objects to this request on the grounds that it is not limited as to the period of time for which it seeks such information. Verizon further objects to this request on the grounds that it seeks proprietary information and no protective order has been entered in this proceeding, and on the ground that it seeks customer proprietary information which Verizon may be precluded by law or contract from producing.

**OBJECTIONS OF VERIZON TO ONE COMMUNICATIONS CORP.'S FIRST SET OF
DISCOVERY REQUESTS SUBMITTED IN DOCKET NO. C-20077671-76**

REQUEST:

8. Provide a copy of any and all cost of service studies that Verizon or its affiliates have in their custody, possession or control for the Commonwealth of Pennsylvania that relate to the costs of providing intrastate access service, and all work papers supporting same.

OBJECTION:

See General Objections. Verizon objects to this request on the grounds that it is overbroad, would cause unreasonable annoyance, burden or expense and seeks information that is irrelevant and will not lead to the discovery of relevant information. Verizon also objects to this request on the grounds that it seeks information from Verizon affiliates that are not parties to this proceeding and are not subject to the jurisdiction of the Commission. Verizon also objects to this request on the grounds that it is not limited as to the period of time for which it seeks such information. Verizon also objects to this request to the extent it seeks cost studies of unaffiliated carriers on the grounds that such cost studies are irrelevant, will not lead to the discovery of relevant information and are proprietary as to such other carriers and Verizon may be constrained by the terms of existing protective orders from disclosing them. Verizon further objects to this request on the grounds that it seeks proprietary information and no protective order has been entered in this proceeding. Without waiver of these objections and to the extent Verizon has not objected to this request, Verizon will provide a responsive answer after the entry of a protective order in this proceeding, limited to any such studies that the Verizon companies that are parties to this case may have submitted to the Commission from 2003 to the present.

**OBJECTIONS OF VERIZON TO ONE COMMUNICATIONS CORP.'S FIRST SET OF
DISCOVERY REQUESTS SUBMITTED IN DOCKET NO. C-20077671-76**

REQUEST:

11. Provide copies of all documents, internal e-mails and other correspondence that support Verizon's contention that the access rates of Choice One, CTC, Conversent, FiberNet and Lightship violate 66Pa. C.S. § 3017.

OBJECTION:

See General Objections. Verizon objects to this request to the extent that it seeks privileged information and documents on the grounds that such information and documents are not subject to disclosure under the Commission's rules. Without waiver of these objections, Verizon will provide a responsive answer after the entry of a protective order in this proceeding.

**OBJECTIONS OF VERIZON TO ONE COMMUNICATIONS CORP.'S FIRST SET OF
DISCOVERY REQUESTS SUBMITTED IN DOCKET NO. C-20077671-76**

REQUEST:

12. Identify and describe any audits, reports or investigations performed by Verizon pertaining to the allegations in its Complaint.

OBJECTION:

See General Objections. Verizon objects to this request to the extent that it seeks privileged information and documents on the grounds that such information and documents are not subject to disclosure under the Commission's rules. Without waiver of these objections, Verizon will provide a responsive answer after the entry of a protective order in this proceeding.

Date: July 23, 2007


Suzan DeBusk Paiva (Atty No. 53853)
Verizon
1717 Arch Street, 10th Floor
Philadelphia, PA 19103
(212) 466-4755

James G. Pachulski (Atty No. 57938)
TechNet Law Group, P.C.
1100 New York Ave., NW, Suite 365W
Washington, DC 20005-3934
(202) 589-0120

Attorneys for Verizon

Suzan DeBusk Paiva
Assistant General Counsel



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DOCUMENT
FOLDER

June 25, 2007

Verizon Pennsylvania Inc.
1717 Arch Street, Floor 10
Philadelphia, PA 19103

Tel: (215) 466-4755
Fax: (215) 563-2658
Suzan.D.Paiva@Verizon.com

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JUN 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VIA UPS OVERNIGHT DELIVERY

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

RE: Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Select Services Inc., Verizon Global Networks, Inc., MCI metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc.

v.

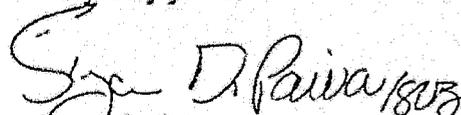
**One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC
Docket Nos. C-20077671, C-20077672, C-20077673, C-20077674, C-20077675, C-20077676**

Dear Secretary McNulty:

Enclosed please find the original and three (3) copies of the Preliminary Objections of Verizon to New Matter of One Communications, and also of the Verizon Companies' Reply to New Matter, in the above captioned matter. Additional copies are included for file at each of the Docket numbers shown.

If you have any questions, please do not hesitate to contact me.

Very truly yours,


Suzan D. Paiva

SDP/slb
Enclosure

VIA UPS OVERNIGHT DELIVERY

cc: The Honorable Louis G. Cocheres
Attached Service List

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CERTIFICATE OF SERVICE

I, Suzan D. Paiva, hereby certify that I have this day served a copy of Verizon's Preliminary Objections to New Matter of One Communications, and of Verizon's Reply to New Matter, upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Philadelphia, Pennsylvania, this 25th day of June, 2007.

VIA UPS DELIVERY

Renardo Hicks, Esquire
Stevens & Lee
17 North Second Street
16th Floor
Harrisburg, PA 17101

John C. Dodge, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

R. Edward Price
Senior Director, Regulatory Affairs
One Communications Corp.
1000 Chestnut Street, Suite 600
Rochester, NY 14604

Steven C. Gray, Esquire
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17102

Christopher W. Savage, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

Joel Cheskis, Esquire
Office of Consumer Advocate
555 Walnut Street
Fifth Floor, Forum Place
Harrisburg, PA 17101-1923

John Simms, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

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JUN 26 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU


Suzan D. Paiva
Verizon
1717 Arch Street, 10W
Philadelphia, PA 19103
(215) 466-4755

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants

v.

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, and Lightship Telecom, :
LLC, :

Respondents

ORIGINAL

Docket No. C-20077671
Docket No. C-20077672
Docket No. C-20077673
Docket No. C-20077674
Docket No. C-20077675
Docket No. C-20077676

RECEIVED

JUN 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

NOTICE TO PLEAD

TO: Renardo L. Hicks, Esquire
Stevens & Lee
17 North Second Street
16th Floor
Harrisburg, PA 17101

Pursuant to 52 Pa. Code §§ 5.101, *et seq.*, you are hereby notified that Verizon Pennsylvania Inc., Verizon North Inc., Verizon Select Services Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Global Networks, Inc., MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc. (collectively, "Verizon") have filed Preliminary Objections to which you may answer within ten (10) days unless otherwise provided in Chapter 5 of Title 52 of the Pennsylvania Code. Your failure to answer will allow the presiding officer to rule on these Preliminary Objections without a response from you, thereby requiring no other proof. All Pleadings, such as a reply to these

Preliminary Objections, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel for Verizon.


Suzan D. Paiva (Atty No. 53853)
Verizon
1717 Arch Street, 10th Floor
Philadelphia, PA 19103
(215) 466-4755

James G. Pachulski (Atty No. 57938)
TechNet Law Group, P.C.
1100 New York Ave., NW, Suite 365W
Washington, DC 20005-3934
(202) 598-0120

Dated: June 25, 2007

Attorneys for Verizon

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania Inc., Verizon North
Inc., Bell Atlantic Communications, Inc.
d/b/a Verizon Long Distance, Verizon
Select Services Inc., Verizon Global
Networks, Inc., MCImetro Access
Transmission Services, LLC d/b/a
Verizon Access Transmission
Services, and MCI Communications
Services Inc.,

Complainants

v.

One Communications Corp., Choice One
Communications of Pennsylvania, Inc., CTC
Communications Corp., Conversent
Communications of Pennsylvania, LLC,
FiberNet Telecommunications of
Pennsylvania, LLC, and Lightship Telecom,
LLC,

Respondents

Docket No. C-20077671
Docket No. C-20077672
Docket No. C-20077673
Docket No. C-20077674
Docket No. C-20077675
Docket No. C-20077676

ORIGINAL

**PRELIMINARY OBJECTIONS OF VERIZON
TO NEW MATTER OF ONE COMMUNICATIONS**

Pursuant to 52 Pa. Code § 5.101, Verizon Pennsylvania Inc., Verizon North Inc., Verizon Select Services Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Global Networks, Inc., MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc. (collectively, "Verizon") respectfully submit the following Preliminary Objections to the New Matter filed by One Communications Corp. ("One Communications"), Choice One Communications of Pennsylvania Inc. ("Choice One"), CTC Communications Corp. ("CTC"), Conversent Communications of Pennsylvania, LLC ("Conversent"), FiberNet

Telecommunications of Pennsylvania, LLC ("FiberNet"), and Lightship Telecom LLC ("Lightship") (collectively, the "One Communications Companies") as follows:

BACKGROUND

1. On April 25, 2007, Verizon filed its Complaint against the One Communications Companies for violation of 66 Pa. C.S. § 3017(c), which forbids competitive local exchange carriers ("CLECs") from charging intrastate switched access rates that are higher than those of the incumbent local exchange carrier ("ILEC") in the corresponding service area. Verizon's Complaint also seeks refund or credit of all illegal charges to any of the Verizon companies by the One Communications Companies in violation of this statute from its effective date.

2. On May 31, 2007, the One Communications Companies served their Answer, which included a section captioned "New Matter." The One Communications Companies' New Matter contains a naked list of legal doctrines with no supporting factual allegations and with no explanation of how such doctrines are in any way relevant to this proceeding.

VERIZON'S PRELIMINARY OBJECTIONS

Legal Insufficiency of New Matter

3. In the New Matter section of their Answer, the One Communications Companies have recited several legal doctrines as affirmative defenses. Such recitations are legally insufficient, *per se*, and lack the requisite specificity to put Verizon on notice of how the One Communications Companies believe these legal doctrines are applicable to Verizon's Complaint. As further explained below, the One Communications Companies have failed to plead the elements of the affirmative defenses they raised, to

explain how those elements are satisfied or to make the necessary factual allegations to support those affirmative defenses.

Failure to State a Claim

4. In paragraph 54 of the New Matter section of their Answer, the One Communications Companies allege that "Verizon's Complaint fails to state a claim upon which relief can be granted." Answer ¶ 54. The One Communications Companies do not identify the elements that they believe Verizon failed to allege in support of the claim in Verizon's Complaint. Verizon has, in fact, stated a claim upon which relief can be granted.

5. Act 183 provides that "[n]o telecommunications carrier providing competitive local exchange telecommunications service may charge access rates higher than those charged by the incumbent local exchange telecommunications company in the same service territory, unless such carrier can demonstrate that the higher access rates are cost justified." 66 Pa. C.S. §3017(c). Verizon's Complaint states a claim under Act 183 by alleging that the One Communications Companies are charging intrastate switched access rates that are higher than the access intrastate access rates charged by the ILEC in the same service territory. Complaint ¶¶ 16, 29, 42, 48 and 52.

6. Not only have the One Communications Companies failed to deny these allegations, they have admitted them. Answer ¶¶ 23, 37. In other words, there is no dispute that the One Communications Companies are charging intrastate switched access rates that are higher than those of the ILEC in the same service territory. Because the One Communications Companies have admitted the facts which state a claim under Act

183, their naked assertion of “failure to state a claim” is not only legally insufficient, it is concededly wrong on the merits.

Doctrine of Unclean Hands

7. In paragraph 55 of the New Matter section of their Answer, the One Communications Companies assert that “Verizon’s Complaint is barred from the relief it seeks by the doctrine of unclean hands.” Answer ¶ 55. The One Communications Companies failed to plead the elements of this affirmative defense or to explain how those elements are satisfied.

8. The doctrine of unclean hands is an equitable doctrine that is not applicable to Verizon’s Complaint, which was brought to enforce a statute. As the Pennsylvania Supreme Court explained, “a party who seeks the *equitable relief* . . . must do so with clean hands.” *Jacobs v. Halloran*, 551 Pa. 350, 359-60, 710 A.2d 1098, 1103 (1998) (emphasis supplied). *See also Shapiro v. Shapiro*, 415 Pa. 503, 506-507, 204 A.2d 266, 268 (1964) quoting *Precision Instrument Mfg. Co. v. Automotive Maintenance Machinery Co.*, 324 U.S. 806, 814-15 (1945) (“doctrine [of unclean hands] is rooted in the historical concept of court of equity as a vehicle for affirmatively enforcing the requirements of conscience and good faith”). Verizon’s Complaint does not seek equitable relief, but rather enforcement of a statute – 66 Pa. C.S. § 3017(c). As such, the equitable doctrine of unclean hands is not applicable. *See Bauer v. P.A. Cutri Co.*, 434 Pa. 305, 310, 253 A.2d 252, 255 (1969) (“it has long been the rule in this Commonwealth that in dealing with legal rights, a court of equity follows and is bound by rules of law, and does not use equitable considerations to deprive a party of his rights at law”).

9. Moreover, even if the doctrine of unclean hands were applicable, the One Communications Companies' attempt to plead that doctrine is legally insufficient because they have failed to allege any of the elements of that affirmative defense. According to the Pennsylvania Supreme Court, "[t]he doctrine of unclean hands requires that one seeking equity act fairly and without fraud or deceit as to the controversy in issue." *Terraciano v. Commonwealth of Pennsylvania*, 753 A.2d. 233, 238 (Pa. 2000). See also *Shapiro*, 415 Pa. at 506, 204 A.2d at 268 (doctrine of unclean hands "is a self-imposed ordinance that closes the doors of a court of equity to one tainted with the inequitableness or bad faith relative to the matter in which he seeks relief"). The One Communications Companies' pleading of unclean hands is legally insufficient because it does not allege any facts to show that Verizon acted unfairly. Their pleading is also legally insufficient because it does not allege that Verizon engaged in fraud and deceit with respect to the controversy at issue.

10. In any event, Verizon's hands are "clean" in the controversy at issue. Verizon promptly brought this issue to Choice One's attention and engaged in a good faith effort to negotiate a settlement with Choice One before filing its Complaint. In late 2005, Choice One agreed in principle to bring its switched access rates into compliance with 66 Pa. C.S. § 3017(c). Since the time of that agreement, Verizon's long distance companies recomputed Choice One's bills at the ILECs' rates and paid the recomputed amount. Choice One never objected to the recomputed payments made by Verizon.

Laches

11. In paragraph 56 of the New Matter section of their Answer, the One Communications Companies' assert that "Verizon's Complaint is barred by the doctrine

of laches" [sic]. Answer, ¶ 56. One Communications Companies failed to plead the elements of this affirmative defense or to explain how those elements are satisfied.

12. The doctrine of laches is not applicable to Verizon's Complaint, which was brought to enforce a statute. As the Pennsylvania Supreme Court explained, laches is "based upon the maxim that *equity* aids the vigilant and not those who slumber on their rights." *Jacobs*, 551 Pa. at 356, 710 A.2d at 1102 n. 6, quoting Black's Law Dictionary 875 (6th ed. 1990) (emphasis supplied). Verizon's Complaint does not seek equitable relief, but rather enforcement of a statute – 66 Pa. C.S. § 3017(c). As such, the equitable doctrine of laches is not applicable. See *Bauer v. P.A. Cutri Co.*, 434 Pa. 305, 310, 253 A.2d 252, 255 (1969) ("it has long been the rule in this Commonwealth that in dealing with legal rights, a court of equity follows and is bound by rules of law, and does not use equitable considerations to deprive a party of his rights at law").

13. Moreover, even if the doctrine of laches were applicable, the One Communications Companies' attempt to plead laches is legally insufficient because they have failed to allege any of the elements of that affirmative defense. According to the Pennsylvania Supreme Court, "[l]aches arises when a defendant's position or rights *are so prejudiced* by length of time and inexcusable delay, plus attendant facts and circumstances, that it would be an injustice to permit presently the assertion of a claim against him." *Jacobs*, 551 Pa. at 356, 710 A.2d at 1102, *Bach Estate*, 426 Pa. 350, 359, 231 A.2d 125, 130 (1967) quoting *Grote Trust*, 390 Pa. 261, 269-270, 135 A.2d 383, 387 (1957) (emphasis supplied). See also *Sprague v. Casey*, 520 Pa. 38, 45, 550 A.2d 184, 187 (1988) (laches is an equitable doctrine that bars relief when a complaining party is guilty of want of due diligence in failing to promptly institute an action to the prejudice

of another). The One Communications Companies' pleading of laches is legally insufficient because it fails to allege any facts to show inexcusable delay by Verizon. It is also legally insufficient because it does not allege any facts indicating that the One Communications Companies were "so prejudiced" in any way by any delay on Verizon's part.

14. In any event, there was no delay in bringing this action or any prejudice to the One Communications Companies. Verizon promptly provided notice to the One Communications Companies of their violation of 66 Pa. C.S. § 3017(c). By letters dated August 29, 2005, October 13, 2005, May 3, 2006, and July 21, 2006, Verizon informed Choice One that it was in violation of 66 Pa. C.S. § 3017(c), and demanded that Choice One immediately alter its tariffed rates to comply with that statute. *See* Complaint, Exhibit 8. Verizon also demanded that Choice One credit or refund all overcharges assessed by Choice One upon Verizon due to its illegally high intrastate switched access rates. *Id.* In fact, Choice One agreed in principle with the Verizon long distance companies to bring Choice One's rates into compliance with 66 Pa. C.S. § 3017(c). Verizon filed its Complaint only when it became apparent that Choice One would not honor that agreement.

Insufficient Specificity of New Matter

15. In paragraph 57 of the New Matter section of their Answer, the One Communications Companies allege that "Verizon's Complaint is barred from relief because Verizon has engaged in unlawful 'self-help' in violation of 66 Pa. C.S. § 3017(b)." Answer ¶ 57. This allegation lacks the specificity required by the Commission's rules governing answers.

16. The Commission's rules require that an answer "[s]tate concisely the facts and matters of law relied upon." 52 Pa. Code § 5.61(b)(4). One Communications Companies have not stated any facts in support of their allegation of "self-help." Nor have the One Communications' Companies stated the matters of law upon which they rely.

17. The Commission's rules also require that an answer "[a]dvise the parties and the Commission as to the nature of the defense." 52 Pa. Code § 5.61(b)(2). The One Communications Companies' allegation does not describe the nature of its defense or how it bars Verizon from relief. Paragraph 57 of the One Communications Companies' Answer therefore lacks sufficient specificity.

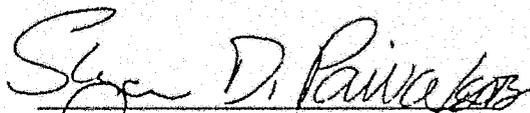
18. In paragraph 66 of the New Matter section of their Answer, the One Communications Companies allege that "[t]he relief requested by Verizon against Choice One, FiberNet and CTC would constitute unlawful discrimination, in violation of this Commission's regulations and Pennsylvania law." Answer ¶ 66. This allegation similarly lacks the specificity required by the Commission's rules governing answers.

19. The One Communications Companies have not alleged any facts in support of their assertion that Verizon has discriminated against them. Nor have the One Communications Companies identified the matters of law upon which they rely in support of their allegation of unlawful discrimination. Without additional specificity as to the facts and matters of law relied upon, the One Communications Companies' allegation of unlawful discrimination fails to advise Verizon or the Commission of the nature of their defense.

20. Moreover, Verizon has not singled out the One Communications Companies for enforcement of 66 Pa. C.S. § 3017(c). Verizon has brought complaints against two other CLECs for failing to comply with 66 Pa. C.S. § 3017(c). See Docket Nos. C-20077332, C-20066987. As Verizon identifies other CLECs that are in violation of 66 Pa. C.S. § 3017(c) and significantly overcharging Verizon, Verizon will request that they comply with the statute and initiate litigation if they refuse to do so.

21. Finally, if the One Communications Companies are aware of other CLECs that are in violation of 66 Pa. C.S. § 3017(c), they should notify the Commission. The Commission can investigate those CLECs to determine whether they are in compliance with the statute. If the Commission determines that other CLECs are in violation of 66 Pa. C.S. § 3017(c), the Commission has the authority to enforce the statute and can issue orders requiring those CLECs to reduce their intrastate switched access rates to comply with the statute.

WHEREFORE, Verizon requests that this Commission dismiss the One Communications Companies' New Matter set forth in paragraphs 54, 55, 56, 57 and 66.



Suzan D. Paiva (Atty No. 53853)
Verizon

1717 Arch Street, 10th Floor
Philadelphia, PA 19103
(215) 466-4755

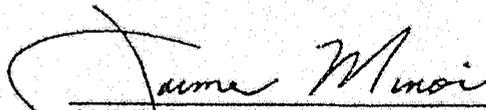
James C. Pachulski (Atty No. 57938)
TechNet Law Group, P.C.
1100 New York Ave., NW, Suite 365W
Washington, DC 20005-3934
(202) 598-0120

Dated: June 25, 2007

Attorneys for Verizon

VERIFICATION

I, **JAIME MINOR**, state that I am a Manager in Carrier Cost Management in support of of the following business units: Verizon Select Services, Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance and Verizon Global Networks, Inc., and that as such I am authorized to make this verification on its behalf. I have reviewed Verizon's Preliminary Objections in Docket No. C-20077671, *et al*, and verify that the facts contained therein are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, (relating to unsworn falsifications to authorities).



JAIME MINOR
Manager – Carrier Cost Management

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

JUN 25 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCI metro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants

v.

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, Lightship Telecom, :
LLC, :

Respondents

Docket No. C-20077671
Docket No. C-20077672
Docket No. C-20077673
Docket No. C-20777674
Docket No. C-20077675
Docket No. C-20077676

REPLY TO NEW MATTER

Pursuant to 52 Pa. Code § 5.63, Verizon Pennsylvania Inc., Verizon North Inc., Verizon Select Services Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Global Networks, Inc., MCI metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc. (collectively "Verizon") hereby reply to the New Matter raised in the One Communications Corp. ("One Communications"), Choice One Communications of Pennsylvania Inc. ("Choice One"), CTC Communications Corp. ("CTC"), Conversent Communications of Pennsylvania, LLC ("Conversent"), FiberNet Telecommunications of Pennsylvania, LLC ("FiberNet"), and Lightship Telecom LLC ("Lightship")

(collectively, the "One Communications Companies") Answer to Verizon's Complaint against the One Communications Companies for violation of 66 Pa. C.S. § 3017(c), which forbids competitive local exchange carriers ("CLECs") from charging intrastate switched access rates that are higher than those of the incumbent local exchange carrier ("ILEC") in the corresponding service area.

REPLY TO NEW MATTER

54. Verizon denies the allegations of paragraph 54. In further response to paragraph 54, Verizon states that it has stated a claim under 66 Pa. C.S. § 3017(c) upon which relief can be granted. Verizon has alleged that the One Communications Companies are in violation of 66 Pa. C.S. § 3017(c) because they are charging intrastate switched access rates that are higher than those of the ILEC in the corresponding service area. The One Communications Companies have admitted that they are charging intrastate switched access rates that are higher than those of the ILEC in the corresponding service area. See Answer ¶¶ 23 and 37.

55. Verizon denies the allegations of paragraph 55. In further response to paragraph 55, Verizon states that the doctrine of unclean hands is an equitable doctrine that is not applicable to Verizon's Complaint seeking enforcement of a statute. *Shapiro v. Shapiro*, 415 Pa. 503, 506-07, 204 A.2d 266, 268 (1964) quoting *Precision Instrument Mfg. Co. v. Automotive Maintenance Machinery Co.*, 324 U.S. 806, 814-15 (1945). See also *Bauer v. P.A. Cutri Co.*, 434 Pa. 305, 310, 253 A.2d 252, 255 (1969) ("it has long been the rule in this Commonwealth that in dealing with legal rights, a court of equity follows and is bound by rules of law, and does not use equitable considerations to deprive

a party of his rights at law"). Verizon further states that it has acted fairly and without fraud or deceit with respect to the controversy at issue.

56. Verizon denies the allegations of paragraph 56. In further response to paragraph 56, Verizon states that the doctrine of laches is an equitable doctrine that is not applicable to Verizon's Complaint seeking enforcement of a statute. *Jacobs v. Halloran*, 551 Pa. 350, 359-60, 710 A.2d 1098, 1103 (Pa. 1998). *See also Bauer*, 434 Pa. at 310, 253 A.2d at 255. Verizon further states that it promptly provided notice to the One Communications Companies of their violation of 66 Pa. C.S. § 3017(c) by letters dated August 29, 2005, October 13, 2005, May 3, 2006, and July 21, 2006. *See* Complaint, Exhibit 8. Verizon also states that it demanded that Choice One immediately alter its tariffed rates to comply with that statute and that Choice One credit or refund all overcharges assessed by Choice One upon Verizon due to its illegally high intrastate switched access rates. *Id.* Verizon also made good faith efforts to engage in settlement discussions with Choice One in an attempt to avert litigation over this issue.

57. Verizon denies the allegations of paragraph 57. In further response to paragraph 57, Verizon states that in late 2005, Choice One agreed in principle to bring its intrastate switched access rates into compliance with 66 Pa. C.S. § 3017(c). Since the time that agreement was reached, the Verizon long distance companies have recomputed Choice One's bills for intrastate switched access services at the relevant ILECs' intrastate switched access rates and paid the recomputed amount. Choice One has not objected to these recomputed payments made by the Verizon long distance companies. Following Choice One's merger with CTC Communications and Conversent Communications in July 2006 to form One Communications, Choice One has refused to reduce the parties'

agreement to writing and to reduce its intrastate access rates to comply with 66 Pa. C.S. § 3017(c).

58. Verizon lacks knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 58. Moreover, if the allegations in paragraph 58 are true, then Conversent and Lightship should either withdraw their Pennsylvania intrastate switched access tariffs or alter their intrastate switched access tariff rates to comply with 66 Pa. C.S. § 3017(c).

59. Verizon lacks knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 59. Moreover, if the allegations in paragraph 59 are true, then Conversent and Lightship should either withdraw their Pennsylvania intrastate switched access tariffs or alter their intrastate switched access tariff rates to comply with 66 Pa. C.S. § 3017(c).

60. Verizon admits that 66 Pa. C.S. § 3017(b) states that "No person or entity may refuse to pay tariffed intrastate access charges for interexchange services provided by a local exchange telecommunications company." Verizon denies all other allegations in paragraph 60.

61. Paragraph 61 contains conclusions of law to which no response is required. To the extent any response is deemed necessary, Verizon denies the allegations in paragraph 61.

62. Paragraph 62 contains conclusions of law to which no response is required. To the extent any response is deemed necessary, Verizon denies the allegations in paragraph 62.

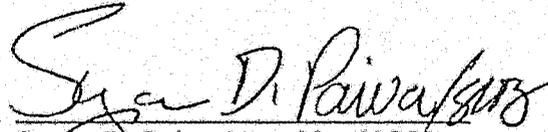
63. Verizon lacks knowledge and information sufficient to form a belief as to the truth of the allegations in the first sentence of paragraph 63. Verizon admits that Verizon has utilized Choice One's intrastate switched access services. Verizon denies all other allegations in paragraph 63. In further response to paragraph 63, Verizon states that Choice One's tariff rates for intrastate switched access services are unlawful and in violation of 66 Pa. C.S. §3017(c) because those rates are higher than the rates of the ILEC in the corresponding service area.

64. Verizon admits that Verizon has utilized the intrastate switched access services of CTC and FiberNet. Verizon denies all other allegations in paragraph 64. In further response to paragraph 64, Verizon states that the intrastate switched access service tariff rates of CTC and FiberNet are unlawful and in violation of 66 Pa. C.S. § 3017(c) because those rates are higher than the rates of the ILEC in the corresponding service area.

65. Verizon lacks knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 65.

66. Paragraph 66 contains conclusions of law to which no response is required. To the extent any response is deemed necessary, Verizon denies the allegations in paragraph 66.

WHEREFORE, the One Communications Companies' New Matter should be dismissed and their Demand For Relief should be denied.



Suzan D. Paiva (Atty No. 53853)

Verizon

1717 Arch Street, 10th Floor

Philadelphia, PA 19103

(215) 466-4755

James G. Pachulski (Atty No. 57938)

TechNet Law Group, P.C.

1100 New York Ave., NW, Suite 365W

Washington, DC 20005-3934

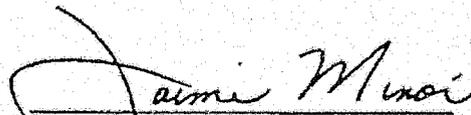
(202) 598-0120

Dated: June 25, 2007

Attorneys for Verizon

VERIFICATION

I, **JAIME MINOR**, state that I am a Manager in Carrier Cost Management in support of of the following business units: Verizon Select Services, Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance and Verizon Global Networks, Inc., and that as such I am authorized to make this verification on its behalf. I have reviewed Verizon's Reply to New Matter in Docket No. C-20077671, *et al*, and verify that the facts contained therein are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, (relating to unsworn falsifications to authorities).



JAIME MINOR
Manager – Carrier Cost Management

Suzan DeBusk Paiva
Assistant General Counsel



ORIGINAL

Verizon Pennsylvania Inc.
1717 Arch Street, Floor 10
Philadelphia, PA 19103

Tel: (215) 466-4755
Fax: (215) 563-2658
Suzan.D.Paiva@Verizon.com

July 31, 2007

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JUL 31 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VIA UPS OVERNIGHT DELIVERY

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

RE: Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Select Services Inc., Verizon Global Networks, Inc., MCI metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc.
v.
One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC
Docket Nos. C-20077671, C-20077672, C-20077673, C-20077674, C-20077675, C-20077676

Dear Secretary McNulty:

Enclosed please find the original and three (3) copies of the Verizon Companies' Initial Prehearing Memorandum in the above-referenced matter. Additional copies are included for file at each of the Docket numbers shown.

If you have any questions, please do not hesitate to contact me.

DOCUMENT
FOLDER

Very truly yours,

Suzan D. Paiva

BA

SDP/meb
Enclosure

VIA UPS OVERNIGHT DELIVERY

cc: The Honorable Louis G. Cocheres
Attached Service List

53

CERTIFICATE OF SERVICE

I, Suzan D. Paiva, hereby certify that I have this day served a copy of the Verizon Companies' Initial Prehearing Memorandum, upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Philadelphia, Pennsylvania, this 31st day of July, 2007. i

VIA UPS DELIVERY

Renardo Hicks, Esquire
Stevens & Lee
17 North Second Street
16th Floor
Harrisburg, PA 17101

John C. Dodge, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

R. Edward Price
Senior Director, Regulatory Affairs
One Communications Corp.
1000 Chestnut Street, Suite 600
Rochester, NY 14604

Steven C. Gray, Esquire
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17102

Christopher W. Savage, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

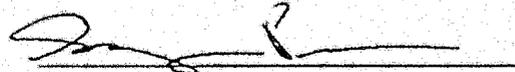
Joel Cheskis, Esquire
Office of Consumer Advocate
555 Walnut Street
Fifth Floor, Forum Place
Harrisburg, PA 17101-1923

John Simms, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Suzan D. Paiva
Verizon
1717 Arch Street, 10W
Philadelphia, PA 19103
(215) 466-4755

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North
Inc., Bell Atlantic Communications, Inc.
d/b/a Verizon Long Distance, Verizon
Select Services Inc., Verizon Global
Networks, Inc., MCI metro Access
Transmission Services, LLC d/b/a
Verizon Access Transmission
Services, and MCI Communications
Services Inc.,

Complainants

v.

One Communications Corp., Choice One
Communications of Pennsylvania, Inc., CTC
Communications Corp., Conversent
Communications of Pennsylvania, LLC,
FiberNet Telecommunications of
Pennsylvania, LLC, and Lightship Telecom,
LLC,

Respondents

Docket No. C-20077671
Docket No. C-20077672
Docket No. C-20077673
Docket No. C-20077674
Docket No. C-20077675
Docket No. C-20077676

ORIGINAL

DOCUMENT
FOLDER

INITIAL PREHEARING MEMORANDUM
OF THE VERIZON COMPANIES

RECEIVED
JUL 31 2007
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Verizon Pennsylvania Inc., Verizon North Inc., Verizon Select Services Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Global Networks, Inc., MCI metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc. (collectively "Verizon"), pursuant to 52 Pa. Code § 5.222, respectfully submits this Prehearing Memorandum for purposes of the prehearing conference scheduled for August 2, 2007.

DOCKETED
AUG 7 2007

I. HISTORY OF PROCEEDING

On November 30, 2004, Act 183 became law, revising Title 66 of the Pennsylvania Consolidated Statutes (the Public Utility Code). Act 183 contains the following mandate applicable to the intrastate switched access rates charged by CLECs:

Limitation - No telecommunications carrier providing competitive local exchange telecommunications service may charge access rates higher than those charged by the incumbent local exchange telecommunications company in the same service territory, unless such carrier can demonstrate that the higher access rates are cost justified.

66 Pa. C.S. § 3017(c).

On April 25, 2007, Verizon filed a Complaint against One Communications Corp. ("One Communications"), Choice One Communications of Pennsylvania Inc. ("Choice One"), CTC Communications Corp. ("CTC"), Conversent Communications of Pennsylvania, LLC ("Conversent"), FiberNet Telecommunications of Pennsylvania, LLC ("FiberNet"), and Lightship Telecom LLC ("Lightship") (collectively, the "One Communications Companies"), alleging that the One Communications Companies are in violation of 66 Pa. C.S. § 3017(c) and requesting that the Commission order the One Communications Companies to reduce their tariffed intrastate switched access rates to comply with 66 Pa. C.S. § 3017(c). Verizon's Complaint also requested that the Commission order the One Communications Companies to refund or credit to Verizon all amounts illegally charged to Verizon in violation of 66 Pa. C.S. § 3017(c) from its effective date of November 30, 2004 to the present, with interest.¹

¹ Verizon has pending a complaint under 66 Pa. C.S. § 3017(c) against the CLEC access rates of Penn Telecom, Inc., at Docket No. C-20066987. That matter has been assigned to ALJ Weisman and hearings were held on July 19, 2007. Verizon also has pending a complaint under 66 Pa. C.S. § 3017(c) against the CLEC access rates of CTSI, LLC, at Docket No. C-20077332. That matter has

On May 31, 2007, the One Communications Companies filed their Answer to Verizon's Complaint. The One Communications Companies admitted in their Answer that their tariffed switched access rates are higher than the incumbents' tariffed switched access rates. See Answer at ¶¶ 23, 37. The One Communications Companies also admit that they have not instituted any proceeding to determine that their rates are cost justified, as required by the plain language of 66 Pa. C.S. § 3017(c). See Answer at ¶¶ 29, 42, 48. The One Communications Companies' Answer also included New Matters in which the One Communications Companies asserted various affirmative defenses.

On June 25, 2007, Verizon filed its Preliminary Objections and Reply to the One Communications Companies' New Matters, stating that the New Matters contain a naked list of legal doctrines with no supporting factual allegations and with no explanations of how such doctrines are relevant. On July 5, 2007, the One Communications Companies filed a Response to Verizon's Preliminary Objections of One Communications Companies New Matters.

On July 6, 2007, the One Communications Companies filed their Motion to Dismiss the Complaint of Verizon against Conversent and Lightship. On July 16, 2007, Verizon filed its Opposition to that Motion to Dismiss.

been assigned to ALJ Colwell and is scheduled for hearings on November 27 and 28, 2007.

SERVICE LIST

Pursuant to 52 Pa. Code § 1.55, Verizon's representatives for the service list in this proceeding are as follows:

Suzan D. Paiva
Assistant General Counsel
Verizon
1717 Arch St., 10W
Philadelphia, PA 19103
Phone: (215) 466-4755
Fax: (215) 563-2658
Suzan.d.paiva@verizon.com

James G. Pachulski
TechNet Law Group, PC
1100 New York Avenue, NW
Suite 365
Washington, DC 20005
Phone: (202) 589-0120
Fax: (202) 589-0121
jpach@technetlaw.com

II. SETTLEMENT

Prior to the filing of the Complaint, the parties engaged in some settlement negotiations that did not result in a settlement. Verizon has notified the One Communications Companies that Verizon continues to be willing to engage in settlement discussions.

III. DISCOVERY

Verizon requests that the Commission's standard discovery regulations be followed and that discovery be permitted until the close of the record in this proceeding.

IV. PROTECTIVE ORDER

Verizon anticipates that it will be requesting in discovery and seeking to use in its testimony and briefs information that is proprietary. Verizon attaches to this Initial Prehearing Memorandum a proposed Protective Order that is based on the form of order that was entered in the complaint proceedings initiated by Verizon under 66 Pa. C.S. § 3017(c) that are referenced in footnote 1, above.

V. PROCEDURAL SCHEDULE

Verizon proposes the following procedural schedule.

Both Parties' Direct Testimony:	October 10, 2007
Both Parties' Rebuttal Testimony:	November 14, 2007
Both Parties' Surrebuttal Testimony:	December 5, 2007
Evidentiary Hearings:	December 17 & 18, 2007
Main Briefs:	January 31, 2008
Reply Briefs:	February 21, 2008

VI. WITNESSES

Verizon expects to call the following witnesses who will testify on the issues listed below:

Don Price, Director - State Regulatory Policy
Verizon
701 Brazos, Suite 600
Austin, TX, 78701

Mr. Price is expected to testify on issues related to policy and damages.

Thomas J. Mazziotti, Cost Senior Staff Consultant
Verizon
240 E. 38th Street, Room 1216
New York, New York 10016

Mr. Mazziotti is expected to testify on issues related to costs.

Verizon also reserves the right to supplement and/or modify its witness list and identify additional witness to provide testimony in this proceeding.

VII. ISSUES AND VERIZON'S POSITION

The issues and Verizon's position to be addressed in this proceeding include:

1. Whether the One Communications Companies should be found in violation of 66 Pa. C.S. § 3017(c) and ordered to comply with that statutory provision by immediately reducing their tariffed intrastate switch access rates to a level no higher than those of the ILEC in the corresponding service area.

Verizon Position: The Commission should find that the One Communications Companies is in violation of 66 Pa. C.S. § 3017(c) and order the One Communications Companies to reduce its switch access rates to a level no higher than those of the ILEC in the corresponding service area.

2. Whether the One Communications Companies should be ordered not to charge switched access rates higher than the corresponding ILEC rates unless and until the Commission enters a final order finding that each of the One Communications Companies have demonstrated that higher rates are cost-justified.

Verizon Position: The Commission should order the One Communications Companies not to charge switched access rates higher than the corresponding ILEC rates unless and until the Commission enters a final order finding that each of the One Communications Companies has demonstrated that higher rates are cost-justified.

3. Whether the One Communications Companies should be ordered to refund or credit to Verizon all amounts illegally charged to Verizon in violation of 66 Pa. C.S. § 3017(c) from its effective date of November 30, 2004 to the present, with interest.

Verizon Position: The Commission should order the One Communications Companies to refund or credit to Verizon all amounts illegally charged to Verizon in violation of 66 Pa. C.S. § 3017(c) from its effective date of November 30, 2004 to the present, with interest.

4. Whether the Commission should grant such other relief as the Commission deems just and appropriate.

Verizon Position: The Commission should grant such other relief as the Commission deems just and appropriate.

VIII. EVIDENCE

Verizon proposes to present at hearing evidence relating to each issue and sub-issue presented above.



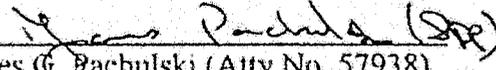
Suzan D. Patva (Atty No. 53853)

Verizon

1717 Arch Street, 10th Floor

Philadelphia, PA 19103

(215) 466-4755



James G. Pachulski (Atty No. 57938)

TechNet Law Group, P.C.

1100 New York Ave, NW, Suite 365W

Washington, DC 20005-3934

(202) 589-0120

Date: July 31, 2007

Attorneys for Verizon

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
Services, and MCI Communications :
Services Inc., :

Complainants

v.

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, and Lightship Telecom, :
LLC, :

Respondents

Docket No. C-20077671
Docket No. C-20077672
Docket No. C-20077673
Docket No. C-20077674
Docket No. C-20077675
Docket No. C-20077676

PROTECTIVE ORDER

THEREFORE,

IT IS ORDERED:

1. This Protective Order, submitted by Verizon Pennsylvania Inc., Verizon North Inc., Verizon Select Services Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Global Networks, Inc., MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc. (collectively "Verizon"), and One Communications Corp., Choice One Communications of Pennsylvania Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, and Lightship Telecom LLC (collectively, the "One Communications Companies") is hereby established for use in this proceeding with respect to all materials and information identified at Paragraph 2 of this Protective Order which are filed with

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

the Pennsylvania Public Utility Commission ("Commission"), produced in discovery, or otherwise presented during these proceedings. All persons now and hereafter granted access to the materials and information identified in Paragraph 2 of this Protective Order shall use and disclose such information only in accordance with this Order.

2. The materials subject to this Order are all written, recorded or graphic material, whether produced or created by a party or another person or entity, including but not limited to, correspondence, documents, data, information, studies, methodologies and other materials which a party or an affiliate of a party furnishes in this proceeding pursuant to Commission rules and regulations, discovery procedures or cross-examination or provides as a courtesy to a party to this proceeding, which are claimed to be of a proprietary or confidential nature and which are designated "PROPRIETARY" (hereinafter collectively referred to as "Proprietary Information").

In addition, the parties may designate extremely sensitive Proprietary Information as "HIGHLY CONFIDENTIAL" (hereinafter referred to as "Highly Confidential Information") and thus secure the additional protections set forth in this Order pertaining to such material. Such "HIGHLY CONFIDENTIAL" information shall be only such Proprietary Information that constitutes or describes the producing party's marketing plans, including, *inter alia*, costing and pricing aspects thereof, competitive strategies, market share projections, marketing materials that have not yet been used, network deployment, customer-identifying information, or customer prospects for services that are subject to competition.

3. Proprietary Information and Highly Confidential Information shall be made available to the Commission and its Staff for use in this proceeding. For purposes of filing, to the extent that Proprietary Information and Highly Confidential Information is placed in the Commission's report folders, such information shall be handled in accordance with routine Commission procedures inasmuch as the report folders are not subject to public disclosure. To the extent that Proprietary Information or Highly Confidential Information is placed in the Commission's testimony or document folders, such information shall be separately bound, conspicuously marked and sealed, and accompanied by a copy of this Order. Public inspection

of Proprietary Information and Highly Confidential Information shall be permitted only in accordance with this Protective Order.

4. Proprietary Information and Highly Confidential Information shall be made available to counsel of record in this proceeding pursuant to the following procedures.

a. Proprietary Information. To the extent required for participation in this proceeding, a party's counsel of record, including in-house counsel and outside counsel who are actively engaged in this proceeding, including partners, associates, secretaries, paralegals and employees of such counsel may afford access to Proprietary Information made available by another party ("the producing party") pursuant to the following procedures:

i. To the party's witness(es) or expert(s) subject to the restrictions that such witness(es) or expert(s) may not hold any of the following positions with any competitor or affiliate of a competitor of the producing party: an officer, board member, significant stockholder, partner, owner (other than owner of stock) or an employee of any competitor or affiliate of a competitor of the producing party where such witness or expert is primarily involved in the pricing, development, and/or marketing of products or services that are offered in competition with those of the producing party; provided, however, that any witness or expert shall not be disqualified on account of being a stockholder, partner, or owner unless his/her interest in the business constitutes a significant potential for violation of the limitations of permissible use of the Proprietary Information. For purposes of this Order, stocks, partnership, or other ownership interest valued at less than \$500,000 and/or constituting less than a

10 % interest in a business does not, in itself, establish a significant potential for violation.

ii. To a party's independent expert retained to render professional services in this proceeding, subject to the restriction that the independent expert, another member of the independent expert's firm or the independent expert's firm generally also serves as an expert for, or as a consultant or advisor to a competitor or any affiliate of a competitor of the producing party, said independent expert must: (1) advise the producing party of the competitor's or affiliate's name(s); (2) make reasonable attempts to segregate those personnel assisting in the expert's participation in this proceeding from those personnel working on behalf of a competitor or any affiliate of a competitor of the producing party; and (3) if segregation of such personnel is impractical, the independent expert shall give to the producing party written assurances that the lack of segregation will in no way jeopardize the interests of the producing party. The producing party retains the right to challenge the adequacy of the written assurances that its interests will not be jeopardized.

b. Highly Confidential Information. Proprietary Information or other material designated as "Highly Confidential" shall be produced for inspection by a party's counsel of record only including in-house counsel and outside counsel of the reviewing party who are actively engaged in this proceeding, including partners, associates, secretaries, paralegals and other such employees of counsel. If the inspecting counsel desires copies of such material, or desires to disclose its contents to persons other than counsel of record as described above, she or he shall submit a

written request to the producing party's counsel. If requesting and producing parties are unable to reach agreement with respect to such a request, they may submit the issue orally to the presiding Administrative Law Judge for resolution. If upon inspection the requesting party disagrees with the designation of any of the material as "Highly Confidential" and the producing party does not revise the designation, that issue may also be submitted orally to the Administrative Law Judge for resolution. For purposes of this paragraph, non-lawyer experts engaged by the Office of Consumer Advocate, the Office of Small Business Advocate or the Office of Trial Staff who qualify under the provisions of paragraph 4(a)(i) and sign Appendix A to this Order shall be treated as counsel of record with regard to the production of Highly Confidential Information.

c. No other persons may have access to the Proprietary Information or Highly Confidential Information except as authorized by order of the Commission or of the presiding Administrative Law Judge. No person who may be entitled to receive, or who is afforded access to any Proprietary Information or Highly Confidential Information shall use or disclose such information for the purposes of business or competition, or any purpose other than the preparation for and conduct of this proceeding or any administrative or judicial review thereof.

5. Prior to making Proprietary Information or Highly Confidential Information available to any person as provided in numbered Paragraph 4. above, counsel shall deliver a copy of this Order to such person and shall receive a written acknowledgment from that person in the form attached to this Order and designated as "Appendix A". Counsel shall promptly deliver to the producing party a copy of the executed Appendix A.

6. A producing party shall designate data or documents as constituting or containing Proprietary Information or Highly Confidential Information by affixing an appropriate proprietary stamp or typewritten or printed designation on such data or documents. Where only part of data compilations or multi-page documents constitutes or contains Proprietary Information or Highly Confidential Information, the producing party insofar as reasonably practicable within discovery and other time constraints imposed in this proceeding, shall designate only the specific data or pages of documents which constitute or contain Proprietary Information or Highly Confidential Information.

7. Any federal agency which has access to and/or receives copies of the Proprietary Information or Highly Confidential Information will consider and treat the Proprietary Information or Highly Confidential Information as within the exemption from disclosure provided in the Freedom of Information Act as set forth at 5 U.S.C.A. §552(b)(4) until such time as the information is found to be non-proprietary.

8. Any state agency which has access to and/or receives copies of the Proprietary Information or Highly Confidential Information will consider and treat the Proprietary Information or Highly Confidential Information as within the exemption from disclosure provided in the Pennsylvania Right-to-Know Act as set forth at 65 P.S. §66.1(2) until such time as the information is found to be non-proprietary.

9. Any public reference to Proprietary Information or Highly Confidential Information by counsel or persons afforded access thereto shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Proprietary Information or Highly Confidential Information to fully understand the reference and not more. The Proprietary Information or Highly Confidential Information shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review.

10. Parts of any record in this proceeding containing Proprietary Information or Highly Confidential Information, including but not limited to all exhibits, writings, testimony, cross-examination, argument and responses to discovery, and including reference thereto as

mentioned in number Paragraph 9 above, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary Information or Highly Confidential Information is released from the restrictions of this Order, either through the agreement of the parties or pursuant to order of the Administrative Law Judge or the Commission. Unresolved challenges arising under Paragraph 11 shall be decided on motion or petition by the presiding officer or the Commission as provided by 52 Pa. Code §5.423(a). All such challenges will be resolved in conformity with existing rules, regulations, orders, statutes, precedent, etc., to the extent that such guidance is available.

11. The parties affected by the terms of this Order shall retain the right to question or challenge the confidential or proprietary nature of Proprietary Information or Highly Confidential Information; to question or challenge the admissibility of Proprietary Information or Highly Confidential Information; to refuse or object to the production of Proprietary Information or Highly Confidential Information on any proper ground, including but not limited to irrelevance, immateriality or undue burden; to seek an order permitting disclosure of Proprietary Information or Highly Confidential Information beyond that allowed in this Order; and to seek additional measures of protection of Proprietary Information or Highly Confidential Information beyond those provided in this Order. If a challenge is made to the designation of a document or information as Proprietary Information or Highly Confidential Information, the party claiming that the information is Proprietary Information or Highly Confidential Information retains the burden of demonstrating that the designation is necessary and appropriate.

12. Upon completion of this proceeding, including any administrative or judicial review, all copies of all documents and other materials, including notes, which contain any Proprietary Information or Highly Confidential Information, shall be immediately returned upon request to the party furnishing such Proprietary Information or Highly Confidential Information. In the alternative, parties may provide an affidavit of counsel affirming that the materials containing or reflecting Proprietary Information or Highly Confidential Information have been destroyed.

Dated: _____

Louis G. Cocheres

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon Pennsylvania Inc., Verizon North :
Inc., Bell Atlantic Communications, Inc. :
d/b/a Verizon Long Distance, Verizon :
Select Services Inc., Verizon Global :
Networks, Inc., MCImetro Access :
Transmission Services, LLC d/b/a :
Verizon Access Transmission :
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Complainants :

v. :

One Communications Corp., Choice One :
Communications of Pennsylvania, Inc., CTC :
Communications Corp., Conversent :
Communications of Pennsylvania, LLC, :
FiberNet Telecommunications of :
Pennsylvania, LLC, and Lightship Telecom. :
LLC, :

Respondents :

Docket No. C-20077671
Docket No. C-20077672
Docket No. C-20077673
Docket No. C-20077674
Docket No. C-20077675
Docket No. C-20077676

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JUL 31 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

TO WHOM IT MAY CONCERN:

The undersigned is the _____ of _____
(the retaining party) and hereby acknowledges that he/she does not hold any of the following positions with any competitor or affiliate of a competitor of the producing party (an officer, board member, significant stockholder, partner, owner or an employee) who is primarily involved in the pricing, development, and/or marketing of products or services that are offered in competition with those of the producing party.

The undersigned has read and understands the Protective Order that deals with the treatment of Proprietary Information and Highly Confidential Information. The undersigned agrees to be bound by, and comply with, the terms and conditions of said Order.

In the case of an independent expert, the undersigned represents that he/she has complied with the provisions of numbered Paragraph 4 (a)(ii) of the Order prior to submitting this Acknowledgement.

SIGNATURE

PRINT NAME

DATE

ADDRESS

EMPLOYER

Suzan DeBusk Paiva
Assistant General Counsel



DOCUMENT
FOLDER

Verizon Pennsylvania Inc.
1717 Arch Street, Floor 10
Philadelphia, PA 19103

Tel: (215) 466-4755
Fax: (215) 563-2658
Suzan.D.Paiva@Verizon.com

July 31, 2007

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VIA UPS OVERNIGHT DELIVERY

Renardo Hicks, Esq.
Stevens & Lee
17 North Second Street
16th Floor
Harrisburg, PA 17101

RE: Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Select Services Inc., Verizon Global Networks, Inc., MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc.

v.

One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC
Docket Nos. C-20077671, C-20077672, C-20077673, C-20077674, C-20077675, C-20077676

Dear Mr. Hicks:

Enclosed please find the Verizon Companies' First Set of Interrogatories and Document Requests to One Communications Corp. in the above-referenced matter.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Suzan D. Paiva

SDP/meb
Enclosure

BTL

VIA UPS OVERNIGHT DELIVERY

cc: The Honorable Louis G. Cocheres (cover letter and certificate only)
James J. McNulty, Secretary (cover letter and certificate only)
Attached Service List

RECEIVED

JUL 31 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I, Suzan D. Paiva, hereby certify that I have this day served a copy of Verizon Companies' First Set of Interrogatories and Document Requests to One Communications Corp., upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Philadelphia, Pennsylvania, this 31st day of July, 2007.

VIA UPS DELIVERY

Renardo Hicks, Esquire
Stevens & Lee
17 North Second Street
16th Floor
Harrisburg, PA 17101

Christopher W. Savage, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

John C. Dodge, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

Joel Cheskis, Esquire
Office of Consumer Advocate
555 Walnut Street
Fifth Floor, Forum Place
Harrisburg, PA 17101-1923

R. Edward Price
Senior Director, Regulatory Affairs
One Communications Corp.
1000 Chestnut Street, Suite 600
Rochester, NY 14604

John Simms, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Steven C. Gray, Esquire
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17102



Suzan D. Paiva
Verizon
1717 Arch Street, 10W
Philadelphia, PA 19103
(215) 466-4755

Suzan DeBusk Paiva
Assistant General Counsel



DOCUMENT
FOLDER

Verizon Pennsylvania Inc.
1717 Arch Street, Floor 10
Philadelphia, PA 19103

Tel. (215) 466-4755
Fax: (215) 563-2658
Suzan.D.Paiva@Verizon.com

August 2, 2007

VIA UPS OVERNIGHT DELIVERY

Renardo Hicks, Esquire
Stevens & Lee
17 North Second Street
16th Floor
Harrisburg, PA 17101

RE: Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, Verizon Select Services Inc., Verizon Global Networks, Inc., MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services Inc.

v.

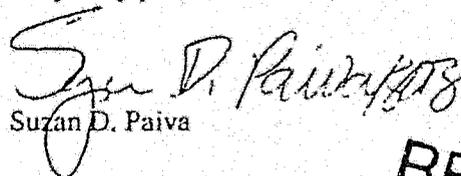
**One Communications Corp., Choice One Communications of Pennsylvania, Inc., CTC Communications Corp., Conversent Communications of Pennsylvania, LLC, FiberNet Telecommunications of Pennsylvania, LLC, Lightship Telecom, LLC
Docket Nos. C-20077671, C-20077672, C-20077673, C-20077674, C-20077675, C-20077676**

Dear Mr Hicks:

Enclosed please find the Verizon Companies' Response to One Communications Corp.'s Set I Interrogatories and Requests for Production of Documents in the above-referenced matter.

If you have any questions, please do not hesitate to contact me.

Very truly yours,


Suzan D. Paiva

BTL

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AUG 02 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

SDP/slb
Enclosure

VIA UPS OVERNIGHT DELIVERY

cc: Secretary James McNulty (Cover Letter and Certificate only)
The Honorable Louis G. Cocheres (Cover Letter and Certificate only)
Attached Service List

CERTIFICATE OF SERVICE

I, Suzan D. Paiva, hereby certify that I have this day served a copy of the Verizon Companies' Response to One Communications Corp.'s Set I Discovery Requests, upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Philadelphia, Pennsylvania, this 2nd day of August, 2007.

VIA UPS DELIVERY

Renardo Hicks, Esquire
Stevens & Lee
17 North Second Street
16th Floor
Harrisburg, PA 17101

John C. Dodge, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

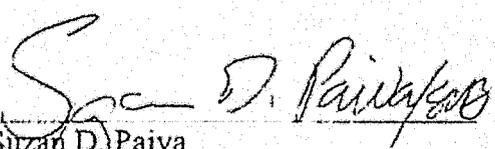
R. Edward Price
Senior Director, Regulatory Affairs
One Communications Corp.
1000 Chestnut Street, Suite 600
Rochester, NY 14604

Steven C. Gray, Esquire
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17102

Christopher W. Savage, Esquire
Davis, Wright Tremaine, LLC
1919 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006

Joel Cheskis, Esquire
Office of Consumer Advocate
555 Walnut Street
Fifth Floor, Forum Place
Harrisburg, PA 17101-1923

John Simms, Esquire
Office of Trial Staff
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120


Suzan D. Paiva
Verizon

1717 Arch Street, 10W
Philadelphia, PA 19103
(215) 466-4755

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AUG 02 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No: C-20077671	YES	NO
Case Name: Verizon Pennsylvania Inc v One Communications Corp	Prehearing Held: <input checked="" type="checkbox"/>	<input type="checkbox"/>
	Hearing Held: <input type="checkbox"/>	<input checked="" type="checkbox"/>
	Testimony Taken: <input type="checkbox"/>	<input checked="" type="checkbox"/>
	Transcript Due: <input checked="" type="checkbox"/>	<input type="checkbox"/>
	Hearing Concluded: <input checked="" type="checkbox"/>	<input type="checkbox"/>
Location: HBG	Further Hearing Needed: <input type="checkbox"/>	<input checked="" type="checkbox"/>
Date: August 2, 2007	Estimated Add'l Days:	
ALJ: Louis G. Cocheres	RECORD CLOSED: <input checked="" type="checkbox"/>	<input type="checkbox"/>
Reporting Firm: Commonwealth Reporting	DATE: 8-2-07	
	Briefs to be Filed: <input type="checkbox"/>	<input checked="" type="checkbox"/>
	DATE:	
	Bench Decision: <input type="checkbox"/>	<input checked="" type="checkbox"/>
	REMARKS: This complaint was withdrawn on the records.	

DOCUMENT FOLDER

RECEIVED

AUG 24 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PLEASE PRINT CLEARLY - Incomplete information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
RENARDO L HIEK	STEVENS + LEE 17 N 2ND ST 16TH FL City: HBG State: PA Zip: 17101	ONE COMMUNICATIONS COMPANIES CORP.
Telephone: 717 255-7364	E-mail Address: r/h@STEVENSLEE.COM	Fax Number: 610-938-0851
Suzan Paiva	1717 Arch 10W City: Philadelphia State: PA Zip: 19103	Verizon Companies
Telephone: 215-466-4755	E-mail Address: suzan.e.paiva@verizon.com	Fax Number: 215-563-2658
James Pachulski	1100 New York Ave. NW Suite 365 City: Washington State: DC Zip: 20005	Verizon Companies
Telephone: 202-589-0120	E-mail Address: jpach@technetw.com	Fax Number: 202-589-6121

Check this box if additional parties or attendees appear on back of form.

Sandra Miles Brun
Reporter's Signature

BTL

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: August 7, 2007
SUBJECT: C-20077671
Verizon PA v. One Communications Corporation
TO: Wanda Zeiders
Docket Management
FROM: Ona Lester, ALJ Support Staff
Office of Administrative Law Judge

BA

DOCUMENT
FOLDER

On August 2, 2007, a Petition for leave to Withdraw was filed in the above-captioned proceeding. If no objection is filed to this petition within 20 days of the filing, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Louis G. Cocheres
Beth Plantz
Case File

DOCKETED
AUG 8 2007

I N T E R
O F F I C E

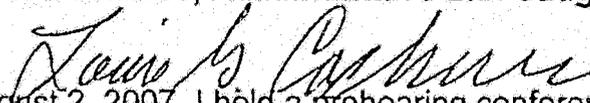
MEMO

Subject: C-20077671 Verizon PA v. One Communications Corp.

Date: August 7, 2007

To: Ona Lester, Scheduler
Christine Williams, Administrative Officer

From: Louis G. Cocheres, Administrative Law Judge



On August 2, 2007, I held a prehearing conference for the above listed case. At that time Verizon withdrew the complaint on the record.

Kindly notify the Secretary's Bureau that the case has been withdrawn and request that a memo be issued closing the case if no objections are received within 10 days.

I will provide a signed copy of this memo for transmittal to the Secretary.

DOCUMENT
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DOCKETED
AUG 8 2007



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

IN REPLY PLEASE
REFER TO OUR FILE

September 5, 2007

C-20077671

SUZAN S. PAIVA ASST GENERAL CNSL
VERIZON PENNSYLVANIA INC
1717 ARCH STREET FLOOR 10
PHILADELPHIA PA 19103

VERIZON PENNSYLVANIA , ET AL
v.
ONE COMMUNICATIONS CORPORATION

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty
Secretary

nvl
cc: All parties of Record
Office of ALJ

DOCKETED
SEP - 5 2007
**DOCUMENT
FOLDER**

BTL