

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF DELAWARE**

IN THE MATTER OF THE JOINT APPLICATION )  
OF BELL ATLANTIC-DELAWARE, INC., N/K/A )  
VERIZON DELAWARE INC., AND EASTERN )  
TELELOGIC CORPORATION, N/K/A TCG DELAWARE ) PSC DOCKET NO. 96-204  
VALLEY, INC., FOR APPROVAL OF AN INTER- )  
CONNECTION AGREEMENT PURSUANT TO SECTION )  
252(e) OF THE TELECOMMUNICATIONS ACT OF )  
1996 (FILED AUGUST 15, 1996) )

**ORDER NO. 6585**

**A. BACKGROUND**

1. On August 15, 1996, Eastern TeleLogic Corporation, n/k/a TCG Delaware Valley, Inc. ("TCG"),<sup>1</sup> and Bell Atlantic-Delaware, Inc., n/k/a Verizon Delaware Inc. ("Verizon"), asked the Commission to approve an interconnection agreement negotiated between the two parties. By PSC Order No. 4398 (Jan. 21, 1997), the Commission approved the negotiated agreement along with Amendment No. 1 under the standards set forth in 47 U.S.C. § 252(e)(2)(A).<sup>2</sup> That Order required the parties to submit for approval any later changes to the approved agreement.

2. On December 10, 2004, Verizon filed a letter including Amendment No. 7 to the Interconnection Agreement between Verizon and TCG. The Amendment, effective November 1, 2004, details the establishment of a "Unitary Rate" for ISP-Bound Traffic and Local Traffic Rates subject to

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<sup>1</sup>Eastern TeleLogic Corporation, n/k/a TCG Delaware Valley, Inc., holds a Certificate of Public Convenience and Necessity ("CPCN") to provide local exchange telecommunications services within this State. See PSC Order No. 4079 (Nov. 21, 1995).

<sup>2</sup>Amendments Nos. 2, 3, and 4 to the original Agreement were filed with the Commission on January 30, 1997, April 1, 1997, and January 31, 2000, respectively. These amendments did not require Commission approval. Amendment No. 5 was filed on October 29, 2001 and approved by the Commission in PSC Order No. 5869 (Jan. 8, 2002). Amendment No. 6 was filed on April 14, 2004 and approved by the Commission in PSC Order No. 6448 (July 6, 2004).

conditions set forth in the Amendment, and conditions that will govern rates for Traffic Exchanged over UNE-P lines, VoIP Traffic, and other traffic which may involve a third telecommunications carrier other than the Parties.

3. Pursuant to Guideline 30 of the Commission's "Guidelines for Negotiations, Mediation, Arbitration, and Approval of Agreements Between Local Exchange Telecommunications Carriers" (as revised effective May 10, 2001), notice of the filing of the Amendment was posted on the Commission's website.

4. Only Staff filed comments in response to the notice. Staff reported that there was no reason to reject the proffered Amendment. The Commission considered the Amendment at its meeting of March 8, 2005.

#### **C. FINDINGS AND OPINION**

5. The Commission has the authority and jurisdiction to review the Amendment to the interconnection agreement under 47 U.S.C. § 252(e)(1) and 26 Del. C. § 703(4).

6. The Commission determines that there is no reason to reject the Amendment under the review criteria set forth in 47 U.S.C. § 252(e)(2)(A). The Commission has not received any information to suggest that the terms of this Amendment discriminate against other carriers or that implementation of the Amendment would be inconsistent with the public interest.

7. The approval granted here is given under the terms of 47 U.S.C. § 252(e)(2)(A). Specifically, the Commission does not make any finding whether the terms and prices set forth in the Amendment meet the

substantive requirements of 47 U.S.C. § 251 or the pricing standard under 47 U.S.C. § 252(d).

**D. ORDERING PARAGRAPHS**

Now, therefore, this 8<sup>th</sup> day of March, 2005, **IT IS ORDERED:**

1. That, the Amendment to the interconnection agreement entitled Amendment No. 7, submitted by Verizon Delaware Inc., and Eastern TeleLogic Corporation, n/k/a TCG Delaware Valley, Inc., on December 10, 2004, is hereby approved under 47 U.S.C. § 252(e)(2)(A).

2. That, the terms and conditions set forth in PSC Order No. 4398 (Jan. 21, 1997), Order No. 5869 (Jan. 8, 2002, and Order No. 6448 (July 6, 2004) shall remain in force and effect.

3. That, within ten (10) days of this Order, Verizon Delaware Inc., and Eastern TeleLogic Corporation, n/k/a TCG Delaware Valley, Inc., shall file with the Commission a revised, complete interconnection agreement which shall incorporate Amendment No. 7. The revised agreement may substitute the new provisions or attach the amendment to the previously approved interconnection agreement. The revised agreement shall be available for public inspection and copying pursuant to the provisions of 47 U.S.C. § 252(h).

4. That, pursuant to the provisions of 47 U.S.C. § 252(i), Verizon Delaware Inc., shall make available any interconnection, service, or network element provided under the above agreement to any other requesting telecommunications carrier upon the same terms and conditions as provided in the agreement.

5. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

/s/ Arnetta McRae  
Chair

/s/ Joshua M. Twilley  
Vice Chair

/s/ Joann T. Conaway  
Commissioner

/s/ Jaymes B. Lester  
Commissioner

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Commissioner

ATTEST:

/s/ Karen J. Nickerson  
Secretary