

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE JOINT APPLICATION OF)
VERIZON DELAWARE INC. (F/K/A BELL ATLANTIC-)
DELAWARE, INC.), AND CAVALIER TELEPHONE)
MID-ATLANTIC, LLC (F/K/A CONECTIV COMMUNI-) PSC DOCKET NO. 00-336
CATIONS, INC.), FOR APPROVAL OF AN INTER-)
CONNECTION AGREEMENT PURSUANT TO SECTION)
252(e) OF THE TELECOMMUNICATIONS ACT OF)
1996 (FILED JUNE 16, 2000))

FINDINGS, OPINION, AND ORDER NO. 6680

A. BACKGROUND

1. On June 16, 2000, Conectiv Communications, Inc.) ("Conectiv") and Verizon Delaware Inc. (f/k/a Bell Atlantic-Delaware, Inc.) ("Verizon"), asked the Commission to approve an interconnection agreement negotiated between the two parties. By PSC Order No. 5533 (Aug. 29, 2000), the Commission approved the negotiated agreement under the standards set forth in 47 U.S.C. § 252(e)(2)(A). That Order required the parties to submit for approval any later changes to the approved agreement. That agreement was subsequently assigned to Cavalier Telephone, LLC ("Cavalier"),¹ on July 19, 2001.

2. On April 6, 2004, Verizon filed a letter submitting Amendment No. 4 to the Interconnection Agreement between Verizon and Cavalier. The Amendment, dated March 13, 2005, describes the agreement by Verizon to not charge any unbundled loop "disconnect" fees when a customer ceases to obtain service from Cavalier and migrates to either Verizon or another carrier.

¹Amendment No. 1 to the Agreement was approved on March 14, 2003 in PSC Order No. 6153. Amendment No. 2 to the Agreement was approved on September 23, 2003 in PSC Order No. 6273. Amendment No. 3 was approved on October 21, 2003 in PSC Order No. 6292.

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 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 July 19, 2005.

C. FINDINGS AND OPINION

5. The Commission has the authority and jurisdiction to review the Amendments 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 19th day of July, 2005, **IT IS ORDERED:**

1. That, the Amendment to the interconnection agreement entitled Amendment No. 4, submitted by Verizon Delaware Inc. (f/k/a Bell Atlantic-Delaware, Inc.), and Cavalier Telephone Mid-Atlantic, LLC (f/k/a Conectiv Communications, Inc.), on April 6, 2005, is hereby approved under 47 U.S.C. § 252(e)(2)(A).

2. That, the terms and conditions set forth in PSC Orders Nos. 5533 (Aug. 29, 2000), 6153 (Mar. 14, 2003), 6273 (Sept. 23, 2003), and 6292 (Oct. 21, 2003) shall remain in force and effect.

3. That, within ten (10) days of this Order, Verizon Delaware Inc., and Cavalier Telephone Mid-Atlantic, LLC, shall file with the Commission a revised, complete interconnection agreement that shall incorporate Amendment No. 4. 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

Vice Chair

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Dallas Winslow
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary