

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

IN THE MATTER OF THE JOINT APPLICATION)
OF VERIZON DELAWARE INC., AND EUREKA)
TELECOM, INC., D/B/A EUREKA NETWORKS,)
FOR APPROVAL OF AN INTERCONNECTION AGREE-) PSC DOCKET NO. 05-429
MENT PURSUANT TO SECTION 252(e) OF THE)
TELECOMMUNICATIONS ACT OF 1996)
(FILED DECEMBER 13, 2005))

ORDER NO. 6820

APPROVAL OF INTERCONNECTION AGREEMENT

A. INTRODUCTION

1. On December 13, 2005, Verizon Delaware Inc., and Eureka Telecom, Inc., d/b/a Eureka Networks,¹ filed an Interconnection Agreement (the "Agreement") and Amendment No. 1 (the "Amendment") with the Commission. The parties seek approval of the Agreement and Amendment No. 1 under 47 U.S.C. § 252(e)(1). All of the terms of the Agreement and Amendment are the result of negotiations between the parties. Under 47 U.S.C. § 252(e)(2)(A), the Commission may reject a negotiated agreement only if it finds that:

- (a) the agreement discriminates against a telecommunications carrier not a party to the agreement; or
- (b) the implementation of such agreement is not consistent with the public interest, convenience, and necessity.

2. The Commission provided notice of the request for approval and solicited comments on the Commission's website. Only the Commission

¹Eureka Telecom, Inc., d/b/a Eureka Networks, currently holds a conditional Certificate of Public Convenience and Necessity to provide local exchange

Staff filed comments. Staff concluded that the Agreement and Amendment do not appear to discriminate against telecommunications carriers who are not parties to the Agreement and, with some prior assurances, does not appear to be inconsistent with the public interest, convenience, and necessity. Staff urged approval subject to the condition that the parties seek approval of any later changes.

B. FINDINGS AND OPINION

3. After consideration at its meeting on January 24, 2006, the Commission has concluded that there is no basis for finding that the Agreement and Amendment discriminates against any telecommunications carrier not a party to the Agreement or that implementation of the Agreement and Amendment would not be consistent with the public interest, convenience, and necessity. No person has requested that the Agreement and Amendment be rejected or presented any reason for rejection. Therefore, the Commission concludes that the tendered Agreement and Amendment should be approved, subject to the conditions set forth below.

C. ORDER

Now, therefore, this 24th day of January, 2006, **IT IS ORDERED:**

1. That, subject to the conditions set forth in this Order, the Interconnection Agreement and Amendment No. 1 presented by Verizon Delaware Inc., and Eureka Telecom, Inc., d/b/a Eureka Networks, on December 13, 2005, are approved under the provisions of 47 U.S.C. § 252(e)(2)(A).

2. That, pursuant to the provisions of 47 U.S.C. § 252(h), the Interconnection Agreement and Amendment No. 1 between Verizon Delaware

telecommunications services in Delaware. See PSC Order No. 6764 (Nov. 8, 2005).

Inc., and Eureka Telecom, Inc., d/b/a Eureka Networks, shall be made available for public inspection and copying.

3. 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.

4. That Verizon Delaware Inc., and Eureka Telecom, Inc., d/b/a Eureka Networks, shall promptly notify the Commission of the nature and terms of any changes to be made to the Agreement either by further agreement of the parties, by operation of the terms of the present agreement, or by changes in any referenced tariffs.

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/ Joann T. Conaway
Commissioner

/s/ Dallas Winslow
Commissioner

/s/ Jaymes B. Lester
Commissioner

PSC Docket No. 05-429, Order No. 6820 Cont'd.

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary