

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

IN THE MATTER OF THE JOINT APPLICATION)
OF VERIZON DELAWARE INC., AND YMAX)
COMMUNICATIONS CORP., FOR APPROVAL OF AN) PSC DOCKET NO. 06-234
INTERCONNECTION AGREEMENT PURSUANT TO)
SECTION 252(e) OF THE TELECOMMUNICATIONS)
ACT OF 1996 (FILED JULY 12, 2006))

ORDER NO. 7021

APPROVAL OF INTERCONNECTION AGREEMENT

A. INTRODUCTION

1. On July 12, 2006, Verizon Delaware Inc., and Ymax Communications Corp.,¹ filed an Interconnection Agreement (the "Agreement") and Amendment No. 1 ("Amendment") with the Commission. The parties seek approval of the Agreement and Amendment 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

¹Ymax Communications Corp. currently holds a conditional Certificate of Public Convenience and Necessity to provide local exchange telecommunications services in Delaware. See PSC Order No. 6913 (May 23, 2006).

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 September 5, 2006, the Commission has concluded that there is no basis for finding that the Agreement and Amendment discriminate against any telecommunications carrier not a party to the Agreement and Amendment 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 5th day of September, 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 Ymax Communications Corp., on July 12, 2006, 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

Inc., and Ymax Communications Corp., 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 Ymax Communications Corp., 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/ Jaymes B. Lester
Commissioner

/s/ Dallas Winslow
Commissioner

PSC Docket No. 06-234, Order No. 7021 Cont'd.

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Norma J. Sherwood
Acting Secretary