

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 LLC, 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. 7315

A. BACKGROUND

1. On August 15, 1996, Eastern TeleLogic Corporation, n/k/a TCG Delaware Valley, Inc. ("TCG"),¹ and Bell Atlantic-Delaware, Inc., n/k/a Verizon Delaware LLC ("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).² That Order required the parties to submit for approval any later changes to the approved agreement.

¹TCG 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).

²Amendments 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). Amendment No. 7 was filed on December 10, 2004 and approved by the Commission in PSC Order No. 6585 (Mar. 8, 2005). Amendment No. 8 was filed on October 4, 2005 and approved by the Commission in PSC Order No. 6798 (Dec. 20, 2005). Amendment No. 9 was filed on August 30, 2006 and approved by the Commission in PSC Order No. 7063 (Oct. 31, 2006). Amendment No. 10 was filed on January 4, 2007 and approved by the Commission in PSC Order No. 7159 (Apr. 3, 2007).

2. On August 16, 2007, Verizon filed a letter including Amendment No. 11 to the Interconnection Agreement between Verizon and TCG. The Amendment, effective June 25, 2007, includes terms and conditions that will govern Verizon's obligation to provide access to unbundled network elements ("UNEs"), combinations or UNEs commingled with wholesale services to AT&T. The Amendment also includes provisions governing terms and conditions of UNE's Routine Network Modifications and a list of non-recurring charges that will apply to the terms of this Amendment, the majority of which are "To Be Determined."

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 November 6, 2007.

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

C. ORDERING PARAGRAPHS

Now, therefore, this 6th day of November, 2007, **IT IS ORDERED:**

1. That, the Amendment to the interconnection agreement entitled Amendment No. 11, submitted by Verizon Delaware LLC and Eastern TeleLogic Corporation, n/k/a TCG Delaware Valley, Inc., on August 16, 2007, is hereby approved under 47 *U.S.C. § 252(e)(2)(A)*.

2. That, the terms and conditions set forth in PSC Orders Nos. 4398 (Jan. 21, 1997), 5869 (Jan. 8, 2002), 6448 (July 6, 2004), 6585 (Mar. 8, 2005), 6798 (Dec. 20, 2005), 7063 (Oct. 31, 2006), and 7159 (Apr. 3, 2007) shall remain in force and effect.

3. That, within ten (10) days of this Order, Verizon Delaware LLC 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. 11. 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 LLC 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/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary