

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

IN THE MATTER OF THE COMPLAINT)
FILED BY VICKIE SHAW AND JAMES L.)
SHAW AGAINST VERIZON DELAWARE LLC) PSC COMPLAINT DOCKET
REGARDING THEIR TELEPHONE, INTER-) NO. 353-08
NET, AND FIOS CABLE SERVICE)
(FILED JANUARY 29, 2008))

ORDER NO. 7374

AND NOW, this 17th day of April, 2008;

WHEREAS, on January 29, 2008, James and Vickie Shaw (the "Shaws") filed a formal complaint ("Complaint") with the Commission against Verizon Delaware LLC ("Verizon DE") relating to service and billing disputes arising from their September 2007 agreement under which Verizon DE would provide the Shaws with telephone, Internet, and fiber optic television services ("FiOS") for \$99.99 per month at their residence within the City of Dover; and

WHEREAS, on March 17, 2008, Verizon DE filed an Answer and Motion to Dismiss for Lack of Jurisdiction on the ground that the Shaws' complaints pertain to their purchase of cable television service within the City of Dover, and the Commission lacks jurisdiction over cable television provided within the boundaries of incorporated municipalities, including the City of Dover; and

WHEREAS, by memorandum dated March 28, 2008, Commission Staff advised the Commission that it generally supported Verizon DE's Motion to Dismiss for Lack of Jurisdiction; and

WHEREAS, on April 8, 2008, the Commission considered Verizon DE's Motion to Dismiss for Lack of Jurisdiction but concluded that Verizon

DE's bundling of unregulated services with a regulated basic service, such as residential dial tone, raised an open question relating to the Commission's authority over customer complaints relating to bundled packages;

Now, therefore, **IT IS ORDERED THAT:**

1. That, for the reason set forth above, the Commission now denies, without prejudice, Verizon DE's March 17, 2008 Motion to Dismiss for Lack of Jurisdiction, and directs Commission Staff to assign this Complaint to a Hearing Examiner under Commission Rule 17(b).

2. 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