

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE JOINT APPLICATION)
OF VERIZON DELAWARE LLC AND PEERLESS)
NETWORK OF DELAWARE, LLC FOR APPROVAL OF) PSC DOCKET NO. 09-49
AN INTERCONNECTION AGREEMENT PURSUANT TO)
SECTION 252(e) OF THE TELECOMMUNICATIONS)
ACT OF 1996 (FILED FEBRUARY 5, 2009))

FINDINGS AND ORDER NO. 7546

APPROVAL OF INTERCONNECTION AGREEMENT

A. INTRODUCTION

1. On February 5, 2009, Verizon Delaware LLC and Peerless Network of Delaware, LLC¹ filed an Interconnection Agreement (the "Agreement") with the Commission. The parties seek approval of the Agreement under 47 U.S.C. § 252(e)(1). All of the terms of the Agreement 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. No comments were filed.

¹Peerless Network of Delaware, LLC currently holds a conditional Certificate of Public Convenience and Necessity to provide local exchange telecommunications services in Delaware. See PSC Order No. 7456 (Oct. 7, 2008).

B. FINDINGS AND OPINION

3. After consideration at its meeting on April 7, 2009, the Commission has concluded that there is no basis for finding that the Agreement discriminates against any telecommunications carrier not a party to the Agreement or that implementation of the Agreement would not be consistent with the public interest, convenience, and necessity. No person has requested that the Agreement be rejected or presented any reason for rejection. Therefore, the Commission concludes that the tendered Agreement should be approved, subject to the conditions set forth below.

C. ORDER

Now, therefore, this 7th day of April, 2009, IT IS HEREBY ORDERED BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS:

1. That, subject to the conditions set forth in this Order, the Interconnection Agreement presented by Verizon Delaware LLC and Peerless Network of Delaware, LLC on February 5, 2009, is 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 between Verizon Delaware LLC and Peerless Network of Delaware, LLC shall be made available for public inspection and copying.

3. 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.

