

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 XO COMMUNICA-)
TIONS SERVICES, INC., SUCCESSOR TO XO)
DELAWARE, INC., F/K/A NEXTLINK DELAWARE,) PSC DOCKET NO. 98-438
INC., FOR APPROVAL OF AN INTERCONNECTION)
AGREEMENT PURSUANT TO SECTION 252(e) OF)
THE TELECOMMUNICATIONS ACT OF 1996)
(FILED OCTOBER 6, 1998))

ORDER NO. 7551

A. BACKGROUND

1. On October 6, 1998, Bell Atlantic-Delaware, Inc., n/k/a Verizon Delaware LLC ("Verizon"), and XO Communications Services, Inc. ("XO Communications") (successor to XO Delaware, Inc., f/k/a NEXTLINK Delaware, Inc.), asked the Commission to approve an interconnection agreement negotiated between the two parties. By PSC Order No. 4957 (Dec. 1, 1998), the Commission approved the negotiated interconnection agreement under the standards set forth in 47 U.S.C. § 252(e)(2)(A). That Order required the parties to submit for approval any later changes to the approved agreement.

2. On January 23, 2009, Verizon filed a letter including Amendment No. 4 to the Interconnection Agreement between Verizon and XO Communications. Amendment No. 4, effective October 1, 2008, includes the agreement for exchange of VOIP traffic between the two parties and the billing of such VOIP traffic. Amendment No. 4 also defines numerous terms relating to VOIP traffic.

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 Amendment No. 4 was posted on the Commission's website.

4. No comments were filed in response to the notice and therefore there was no reason to reject the proffered Amendment No. 4. The Commission considered Amendment No. 4 at its meeting of April 21, 2009.

B. FINDINGS AND OPINION

5. The Commission has the authority and jurisdiction to review Amendment No. 4 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 Amendment No. 4 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 Amendment No. 4 discriminate against other carriers or that implementation of Amendment No. 4 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 under 47 U.S.C. § 251 or the pricing standard under 47 U.S.C. § 252(d).

C. ORDERING PARAGRAPHS

NOW, THEREFORE, THIS 21st DAY of APRIL, 2009, IT IS HEREBY ORDERED BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS:

1. That, the Amendment to the interconnection agreement entitled Amendment No. 4, filed by Bell Atlantic-Delaware, Inc., n/k/a Verizon Delaware LLC, and XO Communications Services, Inc. (successor to XO

Delaware, Inc., f/k/a NEXTLINK Delaware, Inc.), on January 23, 2009, is hereby approved under 47 U.S.C. § 252(e)(2)(A).

2. That, the terms and conditions set forth between Bell Atlantic-Delaware, Inc., n/k/a Verizon Delaware LLC, and XO Communications Services, Inc. (successor to XO Delaware, Inc., f/k/a NEXTLINK Delaware, Inc.), in the interconnection agreement approved in PSC Order No. 4957 (Dec. 1, 1998), which was followed by Amendments Nos. 1, 2, and 3 shall remain in force and effect.

3. That, within ten (10) days of this Order, Bell Atlantic-Delaware, Inc., n/k/a Verizon Delaware LLC, and XO Communications Services, Inc. (successor to XO Delaware, Inc., f/k/a NEXTLINK Delaware, Inc.), shall file with the Commission a revised, complete interconnection agreement which shall incorporate Amendment No. 4. The revised agreement may substitute the new provisions or attach Amendment No. 4 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