

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE JOINT APPLICATION)
OF VERIZON DELAWARE INC., AND ADELPHIA)
BUSINESS SOLUTIONS OPERATIONS, INC., N/K/A)
TELCOVE OPERATIONS, INC., FOR APPROVAL OF) PSC DOCKET NO. 03-72
AN INTERCONNECTION AGREEMENT PURSUANT TO)
SECTION 252(e) OF THE TELECOMMUNICATIONS)
ACT OF 1996 (FILED FEBRUARY 20, 2003))

FINDINGS, OPINION, AND ORDER NO. 6623

A. BACKGROUND

1. On February 20, 2003, Adelphia Business Solutions Operations, Inc. ("Adelphia"), and Verizon Delaware Inc. ("Verizon"), submitted to the Commission an interconnection agreement negotiated between the two parties. The submitted agreement along with the Adoption Letter dated December 11, 2001, stated that Adelphia was exercising its rights under 47 U.S.C. § 252(i) to adopt the interconnection agreement between Verizon and Level 3 Communications, L.L.C. The Verizon/Level 3 agreement was approved by PSC Order No. 5707 on April 24, 2001.

2. On March 12, 2003, Verizon filed a letter including Amendment No. 1 to the Interconnection Agreement between Verizon and Adelphia. The Commission approved Amendment No. 1 in PSC Order No. 6172 (June 3, 2003).

3. On March 1, 2005, Verizon filed a letter including Amendment No. 2 to the Interconnection Agreement between Verizon and TelCove Operations, Inc. ("TelCove"), f/k/a Adelphia Business Solutions Operations, Inc. That Amendment, dated October 31, 2004, governs the provision of transport and reciprocal compensation between the two companies through March 31, 2008.

4. 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.

5. 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 on May 24, 2005.

B. FINDINGS AND OPINION

6. 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).

7. 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 the Amendment discriminate against other carriers or that implementation of the Amendment would be inconsistent with the public interest.

8. 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 finding whether the terms and prices set forth in the Amendment meet the 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 24th day of May, 2005, **IT IS ORDERED:**

1. That, the Amendment to the interconnection agreement entitled Amendment No. 2, submitted by Verizon Delaware Inc., and TelCove Operations, Inc., f/k/a/ Adelphia Business Solutions Operations, Inc., on March 1, 2005, is hereby approved under 47 U.S.C. § 252(e)(2)(A).

2. That, within ten (10) days of this Order, Verizon Delaware Inc., and TelCove Operations, Inc., shall file with the Commission a revised, complete interconnection agreement which shall incorporate Amendment No. 2. 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).

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 as amended to any other requesting telecommunications carrier upon the same terms and conditions as provided in the agreement.

4. 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:

Chair

/s/ Joshua M. Twilley
Vice Chair

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

PSC Docket No. 03-72, Order No. 6623 Cont'd.

/s/ Dallas Winslow
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary