

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

IN THE MATTER OF THE JOINT APPLICATION )  
OF VERIZON DELAWARE INC., AND COVISTA, )  
INC., FOR APPROVAL OF AN INTERCONNECTION ) PSC DOCKET NO. 06-79  
AGREEMENT PURSUANT TO SECTION 252(e) OF )  
THE TELECOMMUNICATIONS ACT OF 1996 )  
(FILED FEBRUARY 27, 2006) )

**ORDER NO. 6917**

**APPROVAL OF INTERCONNECTION AGREEMENT**

**A. INTRODUCTION**

1. On February 27, 2006, Verizon Delaware Inc., and Covista, Inc.,<sup>1</sup> filed an Interconnection Agreement (the "Agreement") and Amendments Nos. 1 and 2 ("Amendments") with the Commission.<sup>2</sup> The parties seek approval of the Agreement and Amendments under 47 U.S.C. § 252(e)(1). All of the terms of the Agreement and Amendments 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

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<sup>1</sup>Covista, Inc., currently holds a Certificate of Public Convenience and Necessity to provide local exchange telecommunications services in Delaware. See PSC Order No. 4423 (Mar. 4, 1997).

<sup>2</sup>Verizon Delaware Inc. and Covista, Inc., had previously entered into an Interconnection Agreement. The Agreement was an adoption of the Verizon Delaware Inc. and Z-Tel, Inc. Agreement (PSC Dckt. No. 03-471 filed on Oct. 30, 2003), which the Commission approved in PSC Order No. 5812 (Sept. 18, 2001). This Agreement supersedes the original agreement filed on October 30, 2003.

(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. Only the Commission Staff filed comments. Staff concluded that the Agreement and Amendments do not appear to discriminate against telecommunications carriers who are not parties to the Agreement and, with some prior assurances, does not appear to be inconsistent with the public interest, convenience, and necessity. Staff urged approval subject to the condition that the parties seek approval of any later changes.

**B. FINDINGS AND OPINION**

3. After consideration at its meeting on May 23, 2006, the Commission has concluded that there is no basis for finding that the Agreement and Amendments discriminate against any telecommunications carrier not a party to the Agreement and Amendments or that implementation of the Agreement and Amendments would not be consistent with the public interest, convenience, and necessity. No person has requested that the Agreement and Amendments be rejected or presented any reason for rejection. Therefore, the Commission concludes that the tendered Agreement and Amendments should be approved, subject to the conditions set forth below.

**C. ORDER**

Now, therefore, this 23<sup>rd</sup> day of May, 2006, **IT IS ORDERED:**

1. That, subject to the conditions set forth in this Order, the Interconnection Agreement and Amendments Nos. 1 and 2 presented by

Verizon Delaware Inc., and Covista, Inc., on February 27, 2006, are 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 and Amendments Nos. 1 and 2 between Verizon Delaware Inc., and Covista, Inc., shall be made available for public inspection and copying.

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

4. That Verizon Delaware Inc., and Covista, Inc., shall promptly notify the Commission of the nature and terms of any changes to be made to the Agreement either by further agreement of the parties, by operation of the terms of the present agreement, or by changes in any referenced tariffs.

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



PSC Docket No. 06-79, Order No. 6917 Cont'd.

/s/ Jeffrey J. Clark  
Commissioner

ATTEST:

/s/ Karen J. Nickerson  
Secretary