

# CAPE ANN ECONOMICS

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October 25, 2000

Magalie Roman Salas, Secretary  
Federal Communications Commission  
Portals II, 445 12th St, SW, Suite CY-B402  
Washington, DC 20554

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Dear Ms Salas:

I am writing in regard to CC Docket #00-176 - Verizon's Sec 271 Application to be allowed to deliver long-distance phone service. I hope that the FCC will deny Verizon access to the long-distance phone market in Massachusetts until they are in compliance with your requirements to open the local phone network to competition – something they clearly have not done with respect to use of that network for DSL Internet access.

I live in Gloucester, Massachusetts and have been trying to upgrade my Internet service for almost two years. This has been particularly difficult, as I am about 18,000 feet from the Gloucester central switch. For this reason, Bell Atlantic was unable to provide ISDN service. When DSL became available, I checked with Bell Atlantic and they told me they were not providing service in Gloucester.

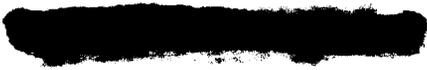
Last November, I checked with Rhythms and they told me their business service was available in Gloucester and that they were in fact actually serving Gloucester customers. I told them how far I was from the switch and they replied that while they couldn't offer me their fastest service, they had been successful in providing service at 128 K (more than twice my current speed) at this distance. I ordered service. After a month or so, they came back to me to say that Bell Atlantic would not install a line to my home or allow them to do so, and that they would therefore be unable to provide service to me. They also said that they were pursuing legal options to force Bell Atlantic to share its lines with its competitors.

In June of 2000, I checked with a local Internet provider (The Gloucester Internet Connection), which had an agreement to resell DSL services from Phoenix (which is itself a reseller of Rhythms service). We discussed my location and I was told service was possible at 128K. Again, I ordered service. Nothing happened for several weeks, because of the strike against Verizon.

When the strike ended, Phoenix attempted to provide service but was unable to do so, and told me that Verizon had said there were no facilities available for them to provide service

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to me, and they would have to cancel my order. Phoenix also told me even though the line to my home and the Rhythms trunk line are only a few feet from each other in the Gloucester central switch, there is something required to connect the two – something that for some reason only Verizon can supply and that they have not done so.

I called Verizon directly to file a complaint. They told me (none too politely) that they didn't need to investigate because I was trying to do business with their competitor and not with them. I of course pointed out that it was their company that was withholding the necessary equipment. I asked point blank whether they would make a line available to Rhythms and was told, point blank, that they didn't have to answer that question. This is not the attitude of a company working hard to share its local network with competing deliverers of DSL service!

It seems clear to me that Verizon is not sharing its local network with Rhythms or Phoenix and is not in compliance with the conditions you've quite properly required before they can offer long-distance service. I hope you'll deny them permission to offer long distance service until they share the local network with all providers.

Sincerely,

Edward Moscovitch

cc: Attorney General Thomas Reilly  
Mayor Bruce Tobey  
State Senator Bruce Tarr  
Chamber of Commerce Director Michael Costello  
Congressman John Tierney