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March 13, 2001

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**MAR 13 2001**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Magalie R. Salas, Esq.  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: CC Docket No. 00-251

Dear Ms. Salas:

Pursuant to the Commission's Public Notice DA 01-270 (released February 1, 2001), enclosed please find for filing in the above-referenced proceeding an original and four copies of (1) a Prefiling Memorandum prepared by MCIWorldCom, Inc., Cox Virginia Telecom, Inc., and AT&T Communications of Virginia, Inc. (collectively "Petitioners"), and (2) a cover letter from Petitioners to Katherine Farroba and Jeffrey Dygert of the Common Carrier Bureau concerning the Prefiling Memorandum. A copy of this letter, with attachments, is being served today on Verizon-Virginia, Inc.

Should you have any questions concerning this matter, please contact the undersigned.

Sincerely yours,

Enclosures

cc: Katherine Farroba  
Jeffrey Dygert  
Verizon Virginia, Inc.

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MAR 13 2001

Before the  
Federal Communications Commission  
Washington, D.C. 20554

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In the Matter of )  
Petition of WorldCom, Inc. Pursuant )  
to Section 252(e)(5) of the )  
Communications Act for Expedited )  
Preemption of the Jurisdiction of the )  
Virginia State Corporation Commission )  
Regarding Interconnection Disputes )  
with Verizon-Virginia, Inc., and for )  
Expedited Arbitration )

CC Docket No. 00-218

In the Matter of )  
Petition of Cox Virginia Telcom, Inc. )  
Pursuant to Section 252(e)(5) of the )  
Communications Act for Preemption )  
of the Jurisdiction of the Virginia State )  
Corporation Commission Regarding )  
Interconnection Disputes with Verizon- )  
Virginia, Inc. and for Arbitration )

CC Docket No. 00-249

In the Matter of )  
Petition of AT&T Communications )  
of Virginia, Inc., Pursuant )  
to Section 252(e)(5) of the )  
Communications Act, for Preemption )  
of the Jurisdiction of the Virginia )  
State Corporation Commission )  
Regarding Interconnection Disputes )  
with Verizon-Virginia, Inc. )

CC Docket No. 00-251

**PREFILING MEMORANDUM OF  
WORLD COM, INC., COX VIRGINIA TELCOM, INC., AND  
AT&T COMMUNICATIONS OF VIRGINIA, INC.**

In response to the Commission's February 1, 2001 Public Notice regarding  
*Procedures Established for Arbitration of Interconnection Agreements Between Verizon  
and AT&T, Cox and WorldCom (the "Procedures Notice")*, the three CLEC parties,  
WorldCom, Inc. ("WorldCom"), Cox Virginia Telcom, Inc. ("Cox") and AT&T

Communications of Virginia, Inc. (“AT&T”) respectfully offer these joint recommendations to facilitate the prompt and efficient conduct of this arbitration. This memorandum addresses each of the six topics identified in the *Procedures Notice* as areas to be discussed at the prefiling conference.

**Status of Interconnections Negotiations, Including Any Unresolved Issues**

**A. Cox-Verizon Negotiations**

Cox commenced negotiations with Verizon in September of 1999 for the purpose of entering into an interconnection agreement regarding traffic to be exchanged in Virginia. From that date until the present, Cox and Verizon have held approximately 50 negotiating sessions. In addition to these negotiations, the two parties exchanged, through electronic means, around 250 items of proposed contract language. As a result of these efforts, only a moderate number of issues remained either open or in dispute at the time Cox sought arbitration by the Virginia Commission. Some of these sessions were held and some of these items were exchanged thereafter, and Cox and Verizon have succeeded in resolving a number of open issues and have discussed possible resolutions of the disputed issues. However, a handful of disputed issues still require arbitration by the FCC, and some currently open issues may have to be added to that list unless they can be resolved through continuing negotiations.

**B. WorldCom-Verizon Negotiations**

WorldCom initiated negotiations with Verizon-Virginia on March 3, 2000 pursuant to Section 252 of the Act. Six or seven months prior to that point the parties had been negotiating various interconnection-related topics, specifically in the context of negotiating a Maryland agreement. Verizon had insisted on using the existing Virginia

agreement as the basis for negotiations in Maryland. Verizon's negotiation team argued to the WorldCom negotiation team that the existing Virginia agreement was balanced, that Verizon subject matter experts were familiar with the agreement, and that the agreement had been in place for over two years. With Verizon's preference in mind, WorldCom proposed that the existing Virginia agreement be used as the basis for negotiation of the new Virginia interconnection agreement. Notwithstanding its previously stated preference, Verizon announced that it would now only negotiate from its own contract template. Verizon-Virginia insisted that negotiations take place only if WorldCom agreed to negotiate from Bell Atlantic's then-current contract template. The negotiations quickly stalled when Verizon refused to participate in any discussions that were not solely based on Verizon's proposed contract template. WorldCom sought to end the impasse by petitioning the Virginia SCC for mediation but Verizon formally opposed the mediation request. The Bell Atlantic template bore little resemblance to the existing, approved interconnection agreement. In sum, negotiations of the Virginia agreement began but immediately hit an impasse, and no substantive discussions of issues ever took place between the parties.

**C. AT&T-Verizon Negotiations**

AT&T and Verizon have been involved in active negotiations for nearly two years. Recognizing that those discussions were not going to resolve all issues, AT&T in the past six months has filed petitions for arbitration with Verizon in Pennsylvania, Maryland, New Jersey and New York, in addition to the Virginia petition that is the subject of this arbitration. In many instances, the filing of the petitions and responses has helped the parties to sharpen their focus and, consequently, AT&T and Verizon have been able to resolve a number of issues, narrow the scope of others, and clarify points of

disagreement. As a result, the list of issues AT&T will ask to be arbitrated in this proceeding will be shorter and somewhat modified from what AT&T filed with the Virginia State Corporation Commission in October. Still, it must be noted that much of the movement has been on the less contentious matters, and on the major issues, such as, by way of example, UNE pricing, network architecture, and access to UNEs, substantial disagreements remain to be arbitrated.

### **Consolidation of Proceedings**

The CLEC parties recommend that issues be consolidated for arbitration into the following five categories, or “segments”.

***Segment 1 – Cox Issues:*** The Cox arbitration request is limited to thirteen issues, eleven of which are also common to both WorldCom and/or AT&T. These issues can be handled most efficiently in a consolidated proceeding where the Arbitration Panel<sup>1</sup> can address these issues once for all the parties.<sup>2</sup>

***Segment 2 – UNE Recurring and Non Recurring Prices:*** Both WorldCom and AT&T will be requesting that the Commission establish recurring rates for unbundled network elements as well as the nonrecurring charges the two CLECs must pay to access and obtain those elements. As they have done in other state arbitration proceedings,

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<sup>1</sup> The CLECs recommend that an Arbitration Panel, consisting of at least three members, be used to decide the issues in this proceeding. References herein to “Arbitration Panel” are intended to be inclusive of either an Arbitration Panel or a single Arbitrator, depending on the approach the Commission selects.

The CLECs further recommend against using any private arbitration or mediation firms for either the Arbitration Panel or the arbitration staff. In the CLECs’ view, use of such firms would only serve to increase the costs of the arbitration and slow the decision making process.

<sup>2</sup> Eight of the Cox issues are common to all three CLECs. Three issues are common to Cox and WorldCom, but not AT&T. The parties will participate in the presentations on a particular issue only to the extent they have an interest in that issue.

WorldCom and AT&T will jointly submit recommended cost models, model inputs, and prices. Given the commonality of interests and positions, consolidation of the pricing issues is imminently logical. Moreover, given the obvious importance of the pricing issues, and that many of the experts and much of the materials are unique to the pricing issues, it is equally logical to address pricing issues as a separate stand-alone segment.

***Segment 3 – Joint AT&T and WorldCom Non-Pricing Issues:*** AT&T and WorldCom will also be raising a number of common non-pricing issues as well. Again, for the purposes of administrative efficiency, and to ensure consistency in both the arbitration process as well as the arbitration result, these non-pricing issues should be consolidated for arbitration.

***Segment 4 – Issue unique to WorldCom:*** A comparatively small number of issues WorldCom intends to raise will be unique to that carrier. For obvious reasons, those issues should be addressed in a separate segment devoted to them.

***Segment 5 – Issues Unique to AT&T:*** Like WorldCom, AT&T will also be raising a relatively small number of issues unique to AT&T which should be addressed in a separate segment.

### **Procedures to be Followed**

The CLEC parties have reviewed and discussed the procedural requirements set forth in the *Procedures Notice*, and make the following additional recommendations.

***A. Separate arbitration staff for each segment*** – While the CLECs anticipate that the Arbitration Panel will be deciding all issues, the CLECs recommend that the Arbitration Panel designate a separate arbitration staff for each segment that can assist the Arbitration Panel in whatever manner the Arbitration Panel deems appropriate, such as,

by way of example and not limitation, organizing the presentation of evidence, mediating discovery disputes, mediating scheduling issues, and organizing the record to facilitate the Arbitration Panel's decision. Under this approach, each of the segments can proceed concurrently, and, as appropriate, the Arbitration Panel can render decisions on each segment as completed. This could mean, by way of example, that a decision could be released on the thirteen Cox issues during the time the Arbitration Panel was still considering the pricing questions.<sup>3</sup>

In advance of the Initial Status Conference,<sup>4</sup> the parties involved in each segment should submit a consolidated list of issues to be addressed in each of the five segments and a recommended schedule for each segment.

**B. *Common principles for common issues*** – For those segments where the CLECs have identified common issues, they will, to the extent they can, agree on the general principle(s) that underlie each such issue and include those principles in their arbitration petitions, together with CLEC-specific contract language which meets the individual business needs of each CLEC in a manner consistent with the agreed-upon principles. The CLECs anticipate that the Arbitration Panel's decision will adopt the general principle(s) and then, for each CLEC party, approve specific contract language consistent with the general principle(s) adopted.

**C. *“Live” Arbitration Hearings*** – The CLEC parties respectfully request a hearing for each of the five segments. Based on extensive arbitration experience gained

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<sup>3</sup> If, however, issuing separate decisions for each segment would somehow hinder the Arbitration Panel's work or otherwise delay the completion of the Arbitration process, the CLECs have no objection to the Arbitration Panel rendering one decision on all segments. In suggesting that the Arbitration Panel may want to issue separate decisions for each segment, the CLECs are trying to simplify the Arbitration Panel's task, not make it more difficult.

<sup>4</sup> *Procedures Notice* at ¶ B.1

over the past five years, the CLECs recognize the importance of being able to develop and clarify the issues through live, on-the-record presentations from sworn witnesses.

The CLEC parties are open to discussions with the Arbitration Panel and Verizon regarding procedures for the hearings. For example, in some instances it may be appropriate to submit individual witnesses for traditional cross-examination by opposing counsel. On some issues, particularly ones involving technical questions, it may be helpful for each side to make panel presentations on the issue, perhaps with predetermined time limits for the presentation and the response.<sup>5</sup> A combination of these two approaches could also be useful, where each side is allowed to make a panel presentation, followed by cross-examination from opposing counsel.<sup>6</sup> At bottom, the hearing process to be used will be dictated by the types of issues being addressed, the number of issues, and the amount of time the Arbitration Panel believes can be devoted to hearings. For those reasons, the procedures for each segment can be left to the discretion of the Arbitration Panel and/or arbitration staff.

**D. *Electronic Copies of All Filings*** – The *Procedures Notice*, at ¶ H.3, provides that the Arbitration Panel “may require that copies of submissions be served upon the Arbitration Panel by e-mail. . .” Based on experience in other state arbitration proceedings, e-mail service has become commonplace, and indeed is the normal service vehicle in state arbitration proceedings. The CLEC parties respectfully request that the Arbitration Panel require that, in addition to providing parties with a paper copy of all

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<sup>5</sup> However, for any panel presentation, and, more generally, for any segment involving common issues, each CLEC party should be allowed to present its own witnesses and support its own positions.

<sup>6</sup> Under any approach, there would, of course, be no limitations on the ability of the Arbitration Panel or arbitration staff to ask questions at any time.

pleadings and submissions as set forth in the Procedures Notice, parties must also provide e-mail copy no later than 7:00 PM on the date of filing.<sup>7</sup>

### **Procedural Schedule**

The CLECs' petitions for arbitrations are to be filed 30 days after the pre-filing conference. Verizon's responses will be filed 25 days thereafter. The CLECs should be given 25 days from that date to respond to any additional issues Verizon might raise in its filing.

Within 20 days thereafter, the parties should submit their recommended issues list for each of the five segments. The Initial Status Conference should occur as soon thereafter as possible. At that time the Arbitration Panel can finalize hearing schedules for each of the five segments. The Arbitration Panel should direct that a separate DPL be developed for each segment, and that it be filed at least five days prior to the start of hearings for that segment.

The parties should be allowed at least 10 days after the Initial Status Conference to file Direct Testimony, and at least 20 days thereafter to file rebuttal. Upon appropriate motion, the parties should be permitted to submit surrebuttal testimony responding to any new material not seen prior to filing of the opponent's rebuttal.

The parties should be given at least 20 days after hearings have been completed to submit post-hearing briefs for each segment.

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<sup>7</sup> Text documents should be provided in a Microsoft Word compatible format. Data documents should be provided on Microsoft Excel or other commercially available software.

These recommendations are set forth in the following timeline<sup>8</sup>:

April 20	CLECs file Arbitration Petitions; <i>Discovery begins</i>
May 15	Verizon responds and raises any additional issues it believes were not raised in the CLEC petitions
June 8	CLECs respond to Verizon additional issues
June 25	Parties submit issues lists for each segment, along with Decision Point Lists
June 29	Status Conference
July 9	Parties file simultaneous Direct Testimony
July 11	<i>Last day to submit discovery requests</i>
July 19	<i>Procedural Officer conducts Discovery Conference</i>
July 26	<i>All discovery responses due by this date</i>
August 6	Parties file simultaneous Rebuttal Testimony
August 20 through September 14	Hearings for each of the five segments would occur during this time, with the separate hearings dates to be determined by the Arbitration Panel
October 1	Simultaneous Briefs (The Arbitration Panel may also decide to establish individual briefing dates for each segment)
October 22	Decision (The Arbitration Panel may also elect to release individual decisions for each segment as those decisions are ready for release)

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<sup>8</sup> Treating April 20 as “day 135” for purposes of determining a schedule (January 19, 2001 *Arbitration Procedures Order* at ¶¶ 11-13), the recommended schedule will result in a decision on or about day 320. While this is somewhat beyond the nine month deadline the Commission “encourage[d]” the Chief of the Common Carrier Bureau to follow (*Id.* at ¶ 13), the CLEC parties agree that the additional time is warranted given the breadth and importance of this proceeding. If, however, the Commission wants to adhere to 270-day arbitration schedule, the CLEC parties recommend the following:

April 20	CLECs file Arbitration Petitions along with Direct Testimony; <i>Discovery begins</i>
May 15	Verizon files Response with Direct Testimony, raising any additional issues it believes were not raised in the CLEC petitions
May 30	<i>Last day to submit discovery request</i>
June 7	Status Conference/ <i>Discovery Conference</i>
June 11	CLECs file Replies to Verizon’s additional issues together with Rebuttal Testimony
June 14	<i>All discovery responses due by this date</i>
June 25	Parties submit issues lists for each segment, along with Decision Point Lists
July 5 through July 25	Hearings for each of the five segments would occur during this time, with the separate hearings dates to be determined by the Arbitration Panel
August 13	Simultaneous Briefs (The Arbitration Panel may also decide to establish individual briefing dates for each segment)
August 31	Decision (The Arbitration Panel may also elect to release individual decisions for each segment as those decisions are ready for release)

## **Discovery Procedures**

The recommendations set forth below are in addition to the discovery procedures described in the *Procedures Notice*.

The Arbitration Panel should rule at the pre-filing conference that discovery may begin immediately, and can continue until 20 days before hearings begin in each segment.

Discovery and responses must be served electronically, and followed by paper copy.

Discovery responses, including all referenced documentation, should be served on all parties within 15 days of the date the request was served.

Discovery responses related to a particular segment must be served on all parties participating in that segment, but do not have to be served on parties not participating in that segment.

Many of the parties have been involved in a number of similar arbitrations in other states involving many of the same issues. Rather than having to ask again for materials already in the possession of the requesting party, the Arbitration Panel should rule that the requesting party may identify such materials for the producing party, at which point the materials will be considered as responsive to discovery in this proceeding. To the degree to which any identified information has been superceded by new data or is now otherwise inaccurate, the producing party should be required to provide updated information.

Need for a Protective Order

Much of the information shared between parties in this proceeding will be considered proprietary. A proposed Protective Order is attached. The proposed Protective Order is based on the FCC's standard protective order, modified as appropriate for the unique circumstances of this arbitration.

Respectfully submitted,

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Dated: March 13, 2001

Federal Communications Commission

Before the  
Federal Communications Commission  
Washington, D.C. 20554

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CC Docket No. 00-249

In the Matter of )  
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of Virginia, Inc., Pursuant )  
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State Corporation Commission )  
Regarding Interconnection Disputes )  
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CC Docket No. 00-251

**[PROPOSED] PROTECTIVE ORDER**

**Adopted:** March \_\_, 2001

**Released:** March \_\_, 2001

By the Chief, Common Carrier Bureau:

1. Documents produced in discovery and/or submitted to the Commission and the Arbitrator in the course of these proceedings may represent or contain confidential or proprietary information. To ensure that documents and materials in the above-referenced proceedings considered by the parties to be confidential and proprietary are afforded protection, the Common Carrier Bureau hereby enters this Protective Order:

2. Non-Disclosure. Except with the prior written consent of the person originally designating a document to be stamped as a confidential document, or as hereinafter provided under this order, no stamped confidential document may be disclosed to any person. A “stamped confidential document” means any document that bears a legend, recorded upon it in a way that brings its attention to a reasonable examiner, that the document is subject to this agreement. Acceptable legends include, by way of example and not limitation, “CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER,” “PROPRIETARY,” or “PROPRIETARY – NOT TO BE DISCLOSED WITHOUT WRITTEN PERMISSION.” For purposes of this order, the term “document” means all written, recorded, or graphic material, whether produced or created by a party or another person, whether produced pursuant to the Commission’s rules, pursuant to subpoena, by agreement, or otherwise. Documents that quote, summarize, or contain materials entitled to protection may be accorded status as a stamped confidential document, but to the extent feasible, shall be prepared in such a manner that the confidential is bound separately from that not entitled to protection.

3. Permissible Disclosure. Notwithstanding paragraph 2, stamped confidential documents may be disclosed to the following persons if disclosure is reasonably necessary for such persons to render professional services in this proceeding: counsel of record for parties that may file in this proceeding including in-house counsel who are actively engaged in the conduct of this proceeding; partners, associates, secretaries, paralegal assistants, and employees of such counsel; outside consultants or experts retained to render professional services in this proceeding, provided that they are under the supervision of the counsel of record; and in-house economists and regulatory analysts, provided that they are under the supervision of the counsel of record. Such documents may also be disclosed to relevant employees of regulatory agencies, Commission employees involved in this proceeding and to any person designated by the Arbitrator in the interest of justice, upon such terms as the Arbitrator may deem proper.

(a) Notwithstanding any other provision of this order, before any disclosure shall occur, any individual (other than a Commission employee) to whom confidential information is disclosed must certify in writing that he/she has read and understands this PROTECTIVE ORDER, agrees to abide by its terms, understands that unauthorized disclosures of the stamped confidential documents are prohibited. A copy of each such certification shall be provided to the party that designated the information confidential. (See Attachment A for a model certification.)

4. Confidential Information filed in the Record. Stamped confidential documents and other confidential information may be offered in the record of this proceeding, provided such confidential information is furnished under seal. The party

submitting confidential documents shall ensure that each page bears the appropriate legend designating that the document contains confidential information.

5. Commission Treatment of Confidential Information. If confidential documents are submitted to the Commission or the Arbitrator in accordance with paragraph 4, the materials shall remain sealed while in the Secretary's office or such other place as the Arbitrator may designate so long as they retain their status as stamped confidential documents. The Arbitrator may, upon petition of a party and after allowing the producing party to respond, determine that all or part of the information claimed by the producing party to be confidential is not entitled to such treatment. *See generally* C.F.R. § 0.459.

6. Use. Persons obtaining access to stamped confidential documents under this order shall use the information only in the conduct of this proceeding and any judicial proceeding arising therefrom, and shall not use such information for any other purpose, including business, governmental, commercial, or other administrative or judicial proceedings. Persons obtaining access to confidential information under the terms of this order may disclose, describe, or discuss the confidential information in any pleading filed in this proceeding, provided that such pleading is stamped confidential and filed under seal, and provided that a separate public version is filed in which all confidential information is redacted. Any oral testimony offered in this proceeding which is expected to include references to confidential information will be taken *in camera* in the presence of only those persons who have been granted appropriate access to the confidential documents pursuant to this order, and that portion of the transcript placed under seal.

7. Subpoena by Courts or Other Agencies. If a court or another administrative agency subpoenas or orders production of documents of stamped confidential documents which a party has obtained under terms of this order, such party shall promptly notify the party and any other person who designated the document as confidential of the pendency of such subpoena or order.

8. Client Consultation. Nothing in this order shall prevent or otherwise restrict counsel from rendering advice to their clients regarding the proceeding in which a confidential document is submitted and, in the course thereof, relying generally on examination of stamped confidential documents submitted in that proceeding provided, however, that in rendering such advice and otherwise communicating with such client, counsel shall not make specific disclosure of any item so designated except pursuant to the procedures set forth above.

9. Non-Termination. The provisions of this order shall not terminate at the conclusion of this proceeding.

10. Modification Permitted. Nothing in this order shall prevent any party or other person from seeking modification of this order.

11. Responsibility of Attorneys. The attorneys of record are responsible for employing reasonable measures to control, consistent with this order, access to, and distribution of copies of stamped confidential documents. Parties shall not duplicate any stamped confidential document except working copies and for purposes of filing at the Commission under seal.

12. Request to Return Confidential Documents. Within two weeks after final resolution of this proceeding (which includes administrative or judicial review), the party producing confidential information may make a written request that parties that have received stamped confidential documents either return all copies of such documents in their possession to the party that submitted the documents, or destroy all such confidential documents.

13. Penalties. In addition to any other penalties or remedies authorized under the Communications Act, the Commission's rules, the common law or other source of law, any failure to abide by the terms of this order may result in dismissal of a party's pleadings, or censure, suspension, or disbarment of the attorneys involved, *see* 47 C.F.R. § 1.24 or possible referral to the relevant local bar.

14. Accordingly, IT IS ORDERED that pursuant to Sections 4(i), 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), this Protective Order IS ADOPTED, effective upon its release.

FEDERAL COMMUNICATIONS COMMISSION

Chief, Common Carrier Bureau

ATTACHMENT A

CC DOCKET NOS. 00-218, 00-249, 00-251

I have received a copy of the Protective Order in CC Docket Nos. 00-218, 00-249, 00-251. I have read the order and agree to comply with and be bound by the terms and conditions of this Protective Order. The signatory understands, in particular, that unauthorized disclosure, or the use of the information for competitive commercial or business purposes, will constitute a violation of this Protective Order.

SIGNATURE: \_\_\_\_\_

NAME PRINTED: \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

REPRESENTING: \_\_\_\_\_

EMPLOYER: \_\_\_\_\_

DATE: \_\_\_\_\_

March 13, 2001

Ms. Katherine Farroba, Deputy Chief, Policy and  
Program Planning Division  
Mr. Jeffery Dygert, Assistant Bureau Chief  
Common Carrier Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, N.W.  
Washington, D.C. 20554

**RECEIVED**

**MAR 13 2001**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

RE: CC Docket Nos. 00-218, 00-249 and 00-251

Dear Ms. Farroba and Mr. Dygert:

Enclosed is a copy of a pre-filing memorandum that MCIWorldCom, Inc., Cox Virginia Telcom, Inc., and AT&T Communications of Virginia, Inc. (Petitioners) filed jointly today in the above-referenced arbitration proceedings. The memorandum is the product of a collaborative effort by the Petitioners to propose procedures (including a recommended pleading schedule) that will enable the Commission to arbitrate the Petitioners' interconnection disputes with Verizon-Virginia in a fair and efficient manner.

As you know, the Commission has scheduled a pre-filing conference on March 22, 2001 to discuss the Petitioners' arbitration requests. We are submitting the attached memorandum in advance of that conference to give Verizon-Virginia sufficient opportunity to analyze our procedural and scheduling proposals and to make the conference more productive for all parties. We also think that it would be beneficial to discuss our proposals with Verizon-Virginia before the pre-filing conference to solicit its input and to narrow the range of contested issues to be discussed at the conference. To that end, we will contact Verizon about the prospect of scheduling such a discussion for the beginning of next week.

Should you have any question about these matters, please contact the undersigned.

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cc: Verizon Virginia, Inc.