

May 14, 2001

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: Application by Verizon-New York, Inc., Verizon Long Distance, Verizon Enterprise Solutions, Verizon Global Networks, Inc. and Verizon Select Services, Inc., for Authorization To Provide In-Region, InterLATA Services in Connecticut, CC Docket No. 01-100

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Dear Ms. Salas:

Please accept this letter in lieu of formal written comments on the above application by the Verizon entities (“Verizon”) for authority to provide In-Region InterLATA services in the State of Connecticut.

Verizon’s status in Connecticut is unique. As Verizon points out (at 1), it serves only two communities in Connecticut (Greenwich and Byram), which together have a total of about 60,000 lines.<sup>1</sup> Moreover, these towns are served principally, if not exclusively, by equipment and systems that are physically located in New York. For these reasons, Verizon states (*id.*) that it “has opened its local markets in Connecticut to the exact same degree as in New York. . . . because Verizon conducts its Connecticut operations out of New York” and (at 15) “Verizon’s operations in Greenwich and Byram are nothing more than a tiny portion of its overall [New York] operations.”

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<sup>1</sup> This is the result of the design of LATAs at the time of the AT&T divestiture in 1984 and is particularly unusual because the incumbent LEC for most of Connecticut is a different company, *i.e.*, The Southern New England Telephone Company, which is now owned by SBC.

Given these special circumstances, and assuming that Verizon in fact operates its Connecticut business as an integral part of its New York operations, AT&T does not oppose this application.<sup>2</sup>

In order to assure that Verizon's Connecticut operations are truly an integral part of its New York operations, Verizon must maintain in Connecticut rates, terms and conditions required by Sections 251 and 252 of the Act that are identical to those it maintains in New York. Thus, for example, to the extent that Verizon's New York wholesale rates are modified as a result of the ongoing review of rates in that state, its Connecticut wholesale rates must be contemporaneously modified to remain consistent.<sup>3</sup> Verizon states (at 12) that the Connecticut UNE tariff will continue to mirror the New York tariff, because the Connecticut DPUC requires Verizon "to make any approved changes to its New York UNE tariff in its Connecticut tariff within ten business days." Similarly, Verizon states (*id.*) that its Connecticut resale tariff "mirrors Verizon's New York resale tariff." Both of these requirements are appropriate in these circumstances, and this Commission should explicitly require them to continue.<sup>4</sup>

Further, the availability of UNE-P arrangements in New York is subject, in part, to an agreement between Verizon and the New York Public Service Commission known as the "Pre-Filing Statement."<sup>5</sup> Among other things, that agreement provides that Verizon will provide "new" UNE-P combinations to CLECs, even if those combinations are not in service as of the date of a CLEC's order. Because CLECs competing against Verizon in Connecticut must compete against "New York" type service arrangements, it is both necessary and appropriate that similar arrangements be available there as well. Verizon states (at 12) that the Connecticut DPUC requires it "to provide all UNE combinations that it currently provides in New York."

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<sup>2</sup> AT&T continues to believe that, even in New York, Verizon has not adequately met the checklist and other conditions for obtaining in-region long distance authority, and that the New York local market is not truly open to effective competition. AT&T recognizes, however, that the Commission has granted (and the D.C. Circuit has affirmed) Section 271 authority to Verizon in New York.

<sup>3</sup> AT&T notes that the New York Public Service Commission is expected to issue an order establishing new UNE rates in about July of this year, *i.e.*, within a few weeks (or less) of the date the Commission's decision on this application is due.

<sup>4</sup> Accordingly, Verizon should also be required to mirror any future New York wholesale rates in its Connecticut wholesale tariff.

<sup>5</sup> See *Application by Bell Atlantic New York for Authorization Under Section 271 of the Communications Act To Provide In-Region, InterLATA Service in the State of New York*, FCC 99-404, released December 22, 1999, ¶¶ 235-236.

Provided that the Commission requires Verizon to continue to comply with the conditions described above, AT&T does not object to approval of this application.

Yours truly,

Richard H. Rubin

cc: Janice Myles  
ITS  
Claudia Pabo  
Alex Johns