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FEDERAL COMMUNICATIONS COMMISSION
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FILE NO: 46001.000278

August 15, 2001

By Hand

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Ms. Magalie R. Salas
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

WorldCom, Cox, and AT&T ads. Verizon
CC DOCKET NOS. 00-218, 00-249, AND 00-251

Dear Ms. Salas:

The Commission has scheduled a conference call today at 3:00 p.m. to discuss, among other items, Verizon's Motion to Dismiss. I write to clarify Verizon VA's position on two of the particular advanced services issues (III-10 and V-6) that Verizon VA requested be dismissed, as well as Issue V-9, which also relates to advanced services.

As the Commission is aware, these three issues relate to advanced services (i) that Verizon VA may not currently provide at all and (ii) that may be provided presently by VADI-VA over equipment owned by VADI-VA. Verizon VA is complying with the Commission's direction on August 3 that Verizon VA provide certain discovery relating to advanced services, even if that discovery relates to VADI-VA and is in VADI-VA's control and possession.

With respect to Issues III-10 (line sharing and splitting) and V-6 (access to NGDLC), the Commission incorrectly notes that Verizon VA did not include these issues within its Motion to Dismiss. Verizon VA addressed Issues III-10 and V-6 in Section I(5) of its June 27 Motion to Dismiss. Accordingly, Verizon VA will further explain the merits of its continued Motion to Dismiss these issues on today's call.

With respect to Issue V-9, Verizon VA noted in Exhibit A to its Answers to the Petitioners for Arbitration that the issue should not be addressed in this arbitration because resale of advanced services was beyond the scope of the interconnection agreement with Verizon VA.

Notwithstanding the fact that Verizon VA is providing discovery responses as ordered, the fact remains that the Bell Atlantic/GTE Merger Order's requirement that advanced services be offered through a separate subsidiary remains in effect,[1] and consequently Verizon VA is prohibited from offering advanced services or contracting on behalf of VADI-VA. Moreover, VADI is not a party to this case and is unable to defend its interests.

As explained in Exhibit A to its Answer and Motion to Dismiss, until VADI-VA is reintegrated into Verizon VA, AT&T must enter into an interconnection agreement with VADI-VA to obtain services provided by VADI-VA. The Commission found in its August 3 letter, however, that "it is reasonable for competing carriers to request a single interconnection agreement with the incumbent carrier that addresses all interconnection obligations of the incumbent." The problem, as noted above, is that Verizon VA is presently unable to offer all those services or contract on behalf of VADI/VA to do so.

Therefore, should the Commission not grant Verizon VA's Motion to Dismiss or defer the advanced services issues (V-9, III-10, V-6), Verizon VA urges the Commission to act quickly on Verizon's pending request to accelerate the automatic sunset of the structural separation requirements imposed by the Merger Order. Granting that request is necessary so that Verizon VA can act on VADI's behalf and can begin the process of re-integrating VADI/VA.[2] As soon as that re-integration occurs, the Commission's observation that a single interconnection agreement should address the various obligations of the incumbent can be realized. Absent a decision on that request, some alternative mechanism would have to be devised to allow VADI to represent its interests and to contract on its own behalf.

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[1] *In re Application of GTE Corporation, Transferor, and Bell Atlantic Corporation, Transferee, For Consent to Transfer Control of Domestic and International Sections 214 and 310 Authorizations and Application to Transfer Control of a Submarine Cable Landing License*, Memorandum Opinion and Order, 15 F.C.C.R. 14032 (2000).

[2] April 26, 2001 Verizon Correspondence to Dorothy Attwood, Common Carrier Bureau Chief, Federal Communications Commission.

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Thank you for your assistance. If you have any questions, please do not hesitate to call me.

Sincerely,

Kelly L. Faglioni

Kelly L. Faglioni
Counsel for Verizon

KLF/ar

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