

TABLE 1: Total CLEC Penetration in Verizon-PA's Service Territory

	Quantity	Share
Verizon PA Retail Switched Access Lines⁷⁶	6,572,587	86.92%
CLEC Facilities-Based Lines⁷⁷	603,000	7.97%
CLEC UNE Lines⁷⁸	222,000	2.94%
CLEC Resale Lines⁷⁹	164,000	2.17%
Total Lines in Verizon PA Service Territory	7,561,587	100.0%

TABLE 2: Residential Market CLEC Penetration in Verizon-PA's Service Territory

	Quantity	Share
Verizon PA Retail Residential Switched Access Lines⁸⁰	4,270,982	92.87%
CLEC Residential Facilities-Based Lines⁸¹	95,000	2.07%
CLEC Residential UNE Lines⁸²	197,000	4.28%
CLEC Residential Resale Lines⁸³	36,000	0.78%
Total Residential Lines in Verizon PA Service Territory	4,598,982	100.0%

⁷⁶ FCC, Statistics of Communications Common Carriers as of December 31, 1999, at Table 2.6 (August 11, 2000).

⁷⁷ Taylor Decl. Attachment 1, Ex. B.

⁷⁸ Taylor Decl. Attachment 1, Ex. B.

⁷⁹ Taylor Decl. Attachment 1, Ex. B.

⁸⁰ FCC, Statistics of Communications Common Carriers as of December 31, 1999, at Table 2.6 (August 11, 2000).

⁸¹ Taylor Decl. Attachment 1, Ex. B.

⁸² Taylor Decl. Attachment 1, Ex. B.

⁸³ Taylor Decl. Attachment 1, Ex. B.

Moreover, even these minuscule shares present an overly optimistic picture of likely future CLEC competition in Pennsylvania. To begin with, the currently limited facilities-based competition – the vast preponderance of which reflects cable telephony services in the Pittsburgh area⁸⁴ – is not likely to provide increasing competition for Verizon in any foreseeable timeframe, in view of the substantial additional investment that would be required to enable additional cable telephone service in other parts of the state. In addition, as reflected in Table 3, many of the facilities-based CLECs that Verizon identifies as its competitors in Pennsylvania,⁸⁵ have gone, or are going, out of business or are otherwise in financial distress at the present time. The anemic financial condition of the CLECs will hamper their ability to make the investments necessary to bring facilities-based competition to Pennsylvania. UNE-based entry into residential service will also be impaired so long as UNE rates remain above TELRIC and Verizon's OSS remains deficient. Finally, resale is an inherently limited competitive vehicle, for the competitor cannot alter the nature of the service it is reselling, and thus cannot provide competitors with innovative or improved service. And in any case, resale is priced in a manner that precludes its use in all but the most selectively chosen circumstances.⁸⁶

⁸⁴ Compare Taylor Decl. Attachment 1, Ex. B with Taylor Decl. Attachment 1 ¶ 16 (Confidential Version).

⁸⁵ Taylor Decl. Attachment 1 at 5-15.

⁸⁶ The avoided cost discount has proved inadequate to provide CLECs a basis for profitable entry for most consumers. For example, as monopolists, the incumbents do not face (and therefore do not "avoid") the huge customer acquisition costs that CLECs confront, nor do they face the lack of economies of scale that a new entrant must address. And CLECs providing resale do not benefit from access revenue. For all of these reasons, CLECs seeking to provide a broad-based, significant competitive alternative to the incumbents' local residential monopoly cannot do so through the resale of local service.

ATTACHMENT 2

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

In the Matter of)
)
Application by Verizon Pennsylvania)
Inc., Verizon Long Distance, Verizon)
Enterprise Solutions, Verizon Global) **CC Docket No. 01-138**
Networks Inc., and Verizon Select)
Services Inc., for Authorization To)
Provide In-Region, InterLATA)
Services in Pennsylvania)

**REPLY COMMENTS OF AT&T CORP.
IN OPPOSITION TO VERIZON PENNSYLVANIA INC.'S
SECTION 271 APPLICATION FOR PENNSYLVANIA**

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provisioned for the customer. *See New York 271 Order* ¶ 187; AT&T at 48-49. In view of Verizon's deficient past performance in providing BCNs in a timely manner, Verizon cannot be found to be in compliance with its OSS obligations. Nor is there any basis for concluding that Verizon's performance might improve in the future. Even leaving aside the unanswered questions regarding the actual reasons for Verizon's recent improved performance in this area (at least for WorldCom), unlike New York, there is still no performance metric in effect in Pennsylvania regarding the timeliness of BCNs. AT&T at 49-50; WorldCom at 26; Joint Commenters at 18.

IV. VERIZON'S PERFORMANCE MEASURES AND THE PENNSYLVANIA PERFORMANCE ASSURANCE PLAN ARE INADEQUATE.

The Commission has recognized that the public interest analysis set forth in Section 271(d)(3)(C) is an "independent element of the statutory checklist" that "requires an independent determination." *New York 271 Order* ¶ 423. Furthermore, the Commission has repeatedly recognized that a factor in its public interest analysis is whether the Commission "ha[s] sufficient assurance that markets will remain open after grant of the application." *Id.*³⁸

Although the Commission has not required an applicant to demonstrate the establishment of performance monitoring and enforcement mechanisms as a condition of Section 271 approval, it has also made clear that such mechanisms could "constitute probative evidence that the BOC will continue to meet its section 271 obligations and that its entry would be consistent with the public interest." *Id.* ¶ 429; *see also Massachusetts 271 Order* ¶ 236. Thus,

³⁸ *See also, e.g., Texas 271 Order* ¶ 417; *Kansas/Oklahoma 271 Order* ¶¶ 267, 269; *Massachusetts 271 Order* ¶ 233. As AT&T demonstrated in its opening comments, the issue of whether the BOC's local exchange market is open to competition is a key factor in the Commission's public interest inquiry – and the evidence shows that Verizon maintains a virtual monopoly over residential service in its Pennsylvania service territories, due to entry barriers and Verizon's own actions. *See* AT&T at 66-74. Those barriers include UNE rates that are not set pursuant to any conceivably valid TELRIC-based methodology, and that are so high they do not permit substantial and irreversible UNE competition. *Id.* at 75 & n.88.

when an applicant relies on a performance assurance plan (or “PAP”) in its application, the Commission – as part of its “independent determination” – will review the details of that plan to determine whether it provides a sufficient incentive for future compliance with Section 271. As the Commission stated in the *New York 271 Order*.

Where, as here, a BOC relies on performance monitoring and enforcement mechanisms to provide assurance that it will continue to maintain market-opening performance after receiving section 271 authorization, we will review the mechanisms involved to ensure that they are likely to perform as promised. While the details of such mechanisms developed at the state level may vary widely, we believe that we should examine certain key aspects of these plans to determine whether they fall within a zone of reasonableness, and are likely to provide incentives that are sufficient to foster post-entry checklist compliance.

New York 271 Order ¶ 433 (emphasis added). See also Texas 271 Order ¶ 423;

Kansas/Oklahoma 271 Order ¶ 273.

Thus, the Commission has rejected the notion that it should simply defer to a state commission’s finding that a particular PAP is adequate. That holding is clearly correct, because Congress assigned to the Commission the task of making an independent determination of whether approval of a Section 271 would be “consistent with the public interest, convenience, and necessity” under Section 271(d)(3)(C). Although the Commission surely may take the State commission’s views regarding adequacy of a PAP into account, the statute clearly requires the Commission to conduct its own review of the PAP, rather than simply rubber-stamp a State commission’s approval – as the Commission has recognized.³⁹

³⁹ In the *New York 271 Order*, for example, the Commission clearly conducted its own analysis as to whether the structural elements of the New York PAP appeared reasonably designed to detect and sanction poor performance by Verizon when it occurs. The Commission found that the amended PAP and amended change control assurance plan in New York “set forth, in great detail, the processes by which Bell Atlantic’s performance is measured and evaluated, the method for determining compliance and non-compliance with respect to individual metrics, and the manner in which noncompliance with individual metrics will translate bill credits.” See *New York 271 Order ¶ 440*. (continued)

Moreover, while the Commission has not specified all of the particular requirements that a particular PAP must meet in order to constitute a sufficient incentive to the BOC to comply with Section 271 in the future, it has identified certain “important characteristics” that increase the likelihood that the enforcement mechanisms in a PAP “will be effective in practice.” *New York 271 Order* ¶ 433. Thus, in the *New York 271 Order*, the Commission found that the New York PAP would serve as an effective mechanism for ensuring “marketing-opening performance” by Verizon after it received Section 271 authorization, because it contained the following characteristics:

- potential liability that provided a “meaningful and significant incentive to comply with the designated performance standards”;
- “clearly-articulated, pre-determined measures and standards,” which encompass a “comprehensible range of carrier-to-carrier performance”;
- “a reasonable structure designed to detect and sanction poor performance”;
- a self-executing mechanism “that does not leave the door open unreasonably to litigation and appeal”; and
- “reasonable assurances that the reported data is accurate.”

New York 271 Order ¶ 433. In its decisions reviewing subsequent Section 271 applications, the Commission has similarly reviewed the PAP in the State at issue for these characteristics.⁴⁰

Even if the Commission could properly give total deference to a State commission’s unqualified approval of a PAP (and it cannot), the PaPUC did *not* give such approval here. The PaPUC clearly found that the remedies in the existing PaPAP are insufficient to ensure Verizon’s future compliance with Section 271 because – both in its June 6

Only after addressing criticisms of the New York PAP by the commenters did the Commission state that it “also” found it “significant that the New York Commission considered and rejected most of these arguments.” *Id.*

⁴⁰ See, e.g., *Texas 271 Order* ¶¶ 424-429; *Kansas/Oklahoma 271 Order* ¶¶ 273-278; *Massachusetts 271 Order* ¶¶ 240-247.

“Secretarial Letter” and in its Collaborative Report – the PaPUC established a “rebuttable presumption” that the remedies in the New York PAP be substituted for the current remedies in the PaPAP. *See* AT&T at 63-65; WorldCom at 16-17; PaPUC Consultative Report at 267.⁴¹ Indeed, the press release that the PaPUC issued with its June 6 Secretarial Letter stated that Verizon “*must agree* to a permanent performance plan based generally on New York’s model, which has been approved by the FCC.”⁴²

In addition to the PaPUC’s recognition that the remedies in the PaPAP are inadequate, the comments submitted by the parties confirm AT&T’s showing that, contrary to Verizon’s claim, Verizon is not subject to “a comprehensive, self-executing performance assurance mechanism that provides . . . incentives to provide the best wholesale performance possible.” *See* Verizon Br. at 84; AT&T at 54-66. First, the PaPAP does not meet this Commission’s criterion that it be a self-executing mechanism that “does not leave the door open unreasonably to litigation and appeal.” Both the DOJ and the PA OCA point out that Verizon remains free to challenge *at any time* the PaPUC’s authority to impose any remedies for its performance failures. *See* DOJ Eval. at 16 n.63; PA OCA at 32-37; AT&T at 64-65. Although Verizon recently withdrew its state court appeal of the PaPUC’s authority to implement *any* performance standards and remedies, it did so *only* after the PaPUC expressly conditioned its

⁴¹ Under Pennsylvania law, the June 6 Secretarial Letter is a final and enforceable order of the PaPUC. *See, e.g., Dept. of Highways v. PaPUC*, 189 Pa. Superior Ct. 111, 116, 149 A.2d 552 (1959) (recognizing that PaPUC letter ruling denying a rehearing petition was a valid final order).

⁴² PaPUC News Release, “PUC Tentatively OKs Verizon Request to Sell Long-Distance Service,” issued June 6, 2001, at 2 (located at http://puc.paonline.com/agenda_items/2001/PM060601/V271_Press%20Release.doc) (emphasis added). Moreover, although the PaPUC cited the five characteristics that this Commission has found important in its analysis of a PAP, the PaPUC made no determination (much less a finding) that those characteristics exist in the current PaPAP. As previously stated, the PaPUC’s establishment of a “rebuttable presumption” regarding the remedies in the New York PAP makes clear that the PaPUC found that one of those “important characteristics” – potential liability that provides a “meaningful and significant incentive” to comply with Section 271 – does *not* exist in the PaPAP.

approval of Verizon's application on such withdrawal. Moreover, Verizon withdrew its appeal *without prejudice* to mounting a similar challenge in the future. AT&T at 64. Thus, the PA OCA correctly states, "after 271 approval is granted, there will be nothing to prevent Verizon from reviving its argument in the future that the Pa. PUC lacks the basic authority to impose remedies of the type already imposed under the existing PAP." PA OCA at 34.

Verizon cannot credibly rely on the PaPAP as a basis for approval of its 271 application while simultaneously reserving the right to ask the courts to dismantle that plan in the future. The PA OCA properly concludes that, under such circumstances, approval of Verizon's application "cannot be in the public interest," because it would create uncertainty as to whether the PAP would remain in effect – and, thus, whether Verizon would pay any price for anticompetitive conduct against CLECs." *Id.* at 36; *see also id.* at 34. In fact, the Pennsylvania OCA notes that Verizon's pursuit of its recently-withdrawn appeal "in and of itself, likely had a chilling effect on competition through the creation of uncertainty as to the continuity of the PAP." *Id.* at 36.

Second, the comments confirm that the PaPAP is fundamentally flawed, because:

- (1) it omits key measures that are essential to any showing of nondiscriminatory performance;
- (2) Verizon's improper implementation of performance measures in the PaPAP renders its performance results unreliable; and
- (3) Verizon's performance results that serve as the basis for calculation of remedies are unverifiable.

See AT&T at 54-66; CompTel at 22; WorldCom at 9-18. For example, as WorldCom notes, the PaPAP does not require Verizon to report on such competitively important measures as flow-through, the timeliness of billing completion notices, and (until recently) the adequacy of

electronic bills. WorldCom at 10-11. Moreover, the remedies under the PaPAP are woefully inadequate as a deterrent – as evidenced by the fact that Verizon is paying WorldCom less than \$20,000 in Pennsylvania that, for an essentially similar inadequate performance in New York, would cost Verizon several times that amount, considering WorldCom’s customer base and order volumes. *Id.* at 16.

The DOJ similarly concluded that “the effectiveness of the Pennsylvania PAP may be compromised not only by the lack of effective billing metrics, but also by its structural defects.” DOJ Eval. at 14-15 & n.56. Among the structural defects the DOJ found in the PaPAP are:

- the PAP’s failure to align Verizon’s incentives to perform in a nondiscriminatory fashion with the amount of competitive harm that could be caused by discriminatory performance;
- the inadequacy of the present levels of remedy payments to deter discriminatory conduct; and
- the absence of any provision in the PaPAP that would allow the PaPUC flexibility “to shift potential payments to areas in which there are particular performance concerns.” DOJ Eval. at 14-16 (footnotes omitted).

Other parties agree with AT&T that, given the patent inadequacies of the PaPAP, as well as Verizon’s continuing opposition to adoption of the New York PAP in Pennsylvania, there is simply no assurance that a New York-style PAP will be in place in Pennsylvania until either the PaPUC concludes its current proceeding or Verizon agrees irrevocably to accept such a plan. *See* AT&T at 63-64; WorldCom at 12, 16; CompTel at 22. AT&T has proposed the adoption of the New York PAP in Pennsylvania not because it is perfect,⁴³ but because the

⁴³ AT&T has previously shown that New York PAP is deficient in certain respects. *See, e.g., New York 271 Order* ¶¶ 435, 437-440 & nn.1329, 1334, 1337, 1342, 1349 (describing AT&T’s criticisms that total liability at risk in New York PAP is inadequate, that Bell Atlantic will not face sizeable penalties because New York PAP is divided into multiple sub-categories, that certain metrics in New York PAP are not adequately defined, that certain metrics (continued)

Commission approved it in the *New York Order* as a suitable performance monitoring and enforcement mechanism for ensuring future compliance with Section 271.⁴⁴ Although the Commission is certainly free to require an even more effective mechanism, given Verizon's own use of that plan in New York, Massachusetts, and Connecticut, the New York PAP represents the bare minimum required to ensure future compliance. Verizon has offered no justification for its willingness to accept the New York PAP in those States, but not in Pennsylvania.⁴⁵ Unless and until a New York-style PAP is adopted for use in Pennsylvania, there is no basis for finding that Verizon will comply with its checklist obligations in the future.⁴⁶

need to be added to New York PAP in order to ensure its effectiveness, and that New York PAP fails to deter targeted discrimination directed against individual CLECs).

⁴⁴ Of course, even the effectiveness of the New York PAP depends on Verizon's good faith in reporting performance data and its compliance with the applicable performance measurement rules. According to a report submitted by the Communications Workers of America to the New York Public Service Commission last November, Verizon has engaged in a "consistent pattern of inaccurate reporting" of performance data in New York, which resulted in a significant underreporting of service problems. See CWA at 6-9 & App. A. Although the NYPSC Staff (on the basis of a review of only a small percentage of the cases of falsification of data described in the CWA report) decided not to recommend further investigation of the CWA's report, the NYPSC Staff did confirm the CWA's finding that Verizon's systems still enabled its managers to add to (or alter) trouble reports, despite the NYPSC's previous directive that Verizon eliminate this capability. The CWA has requested the NYPSC to reconsider the issue of a further investigation, and the Attorney General of New York has requested the NYPSC to order a targeted audit of Verizon's reported New York performance data "to verify that Verizon is accurately reporting on its customer service performance." See "Spitzer Calls on PSC To Conduct Audit To Verify Accuracy of Verizon Service Reports," press release of New York State Attorney General issued July 11, 2001 (found at http://www.oag.state.ny.us/press/2001/jul/jul11a_01.html). However, regardless of the NYPSC's resolution of the requests of the CWA and the Attorney General of New York, the CWA report illustrates that the existence of a PAP, by itself, provides no assurance that Verizon will render nondiscriminatory performance in the future. CWA at 6.

⁴⁵ See, e.g., *Connecticut 271 Order* ¶ 76 (finding that Verizon's PAP in Connecticut provides additional assurance that the local market will remain open after Verizon receives Section 271 authorization, because it is "essentially the same as the New York PAP we reviewed as part of Verizon's New York section 271 application," and because the Connecticut PAP will be updated automatically whenever the New York PAP is modified).

⁴⁶ The procedures by which the PaPAP was developed and adopted in Pennsylvania were significantly different from those used with respect to the New York PAP. In its *New York 271 Order*, the Commission found that "the extensive collaborative process by which these mechanisms were developed and modified in New York has, itself, helped to bring Bell Atlantic into checklist compliance." *New York 271 Order* ¶ 429 n.1316. In Pennsylvania, by contrast, CLECs had only a limited opportunity to participate in the process. Although the initial conception of the Carrier-to-Carrier guidelines and the PAP in Pennsylvania was discussed during collaborative sessions in the fall of 1998 and the first quarter of 1999, those discussions concluded without any consensus among the participants. In April 1999 the PaPUC, in response to a joint petition by CLECs, convened a formal proceeding to address these issues. See *Joint Petition of Nextline, et al. for an Order Establishing a Formal Investigation of Performance Standards, Remedies and Operations Support Systems Testing for Bell Atlantic-Pennsylvania Inc.*, PaPUC Docket No. P-00991643, Order issued April 30, 1999, at 14, 19-20. However, the PaPUC required the parties to complete the

(continued)

Verizon's proposed new PaPAP, filed on July 25, 2001, in the PAPUC's proceeding on performance measures remedies, certainly provides no basis for assuming that the PaPUC will ultimately adopt the New York PAP (or something very close) for use in Pennsylvania. Verizon's filing made clear that it continues to oppose the remedies in the New York PAP. Although it included the New York PAP in its submission (pursuant to the PaPUC's "rebuttable presumption" regarding the New York remedies), Verizon also filed a *separate* proposed remedy plan of its own that differs from the New York plan in a number of key respects. Moreover, a number of aspects of Verizon's proposed PAP render it patently inadequate. For example:

- The remedies in Verizon's proposed PAP (which, Verizon asserts, should become effective only beginning with the first full calendar month *after* it has been granted § 271 authority by this Commission) would supersede any higher remedy payments called for by Verizon's interconnection agreements with CLECs – in contrast to the PAP in Massachusetts, which allows CLECs to

litigation phase of the proceeding within a two-month period (which the PaPUC extended only by three weeks for the date of issuance of the presiding Administrative Law Judge's Recommended Decision). *See id.* at 19-20.

In addition, since the PaPUC issued its order establishing the C2C guidelines and the current PaPAP, ongoing oversight and administration of the PaPAP has been quite limited, with few opportunities for CLECs to participate in any substantive dialogue with Verizon, despite the PaPUC's own acknowledgment that periodic review and updating of the PaPAP are necessary and the PaPUC's own stated intention to conduct such reviews with the input of all interested parties. *See* Order issued December 31, 1999, in PaPUC Docket No. P-00991643, *supra*, at 178, Ordering ¶¶ 9-12. Similarly, although the PaPUC's December 1999 order contemplated (1) a technical conference (with participation by all interested parties) to consider the appropriateness of performance measures and standards, as well as the effectiveness of remedies, (2) an annual audit of performance measures and remedies, and (3) an investigation, commencing in January 2001, to consider in detail the appropriateness of performance measures and remedies, *none* of these events actually occurred. *See id.*, Ordering ¶¶ 10-12. The current performance measurements remedies proceeding, which the PaPUC instituted in April 2001, presents the first such opportunity. Similarly, Verizon, which historically has resisted providing any explanatory information to CLECs concerning its reporting on its performance in Pennsylvania, made no proposal for collaborative sessions until April 2001 (a proposal that, even leaving aside its deficiencies, has yet to be approved or implemented). By contrast, in New York, monthly collaborative sessions have been conducted to discuss the performance measures in the New York PAP and ongoing revisions to that PAP, since shortly after the original PAP was promulgated in late 1999. *See, e.g., Proceeding on Motion of the Commission to Review Service Quality Standards for Telephone Companies*, NYPSC Case 97-C-0139, Order Establishing Additional Inter-Carrier Service Quality Guidelines and Granting in Part Petitions for Reconsideration and Clarification, issued February 16, 2000, at 27-28 (stating that regular meetings of Carrier Working Group will be held, with participation in group open to all carriers, under monitoring by NYPSC Staff, with an ALJ available to facilitate issues, and that group will provide the ALJ with semi-annual reports "of its progress and any recommendations for modifications to the Carrier Guidelines").

receive the higher of the two payments, and the PAP in New York, which provides that the remedies under the ICA and the PAP are *cumulative*.

- Verizon's proposed PAP provides no remedies or penalties for those instances where Verizon has provided inaccurate or untimely performance reports.
- The proposed PAP provides multipliers of only 1.5 and 2.0 for the failure of Verizon to meet the applicable performance measures for three consecutive months. These levels are insufficient to give Verizon a meaningful incentive to render nondiscriminatory performance, as the Staff of the Board of Public Utilities in New Jersey recognized when it included a multiplier of 3.0 in its proposed PAP for three consecutive "misses."

Even leaving aside the deficiencies in Verizon's newly-proposed PAP, there is no basis for assuming that the PaPUC will adopt a New York-style PAP, and it will certainly not do so prior to the date the Commission must act on this application. The Administrative Law Judge of the PaPUC is not expected to issue a recommended decision regarding modifications to the PaPAP until September 30, 2001. The decision will then be reviewed by the PaPUC, which has given no indication of when it will take a final vote on the matter. Thus, the current PaPAP – with all of its deficiencies – is the only version that this Commission can look to in its deliberations here.

Thus, it is critical that the Commission find not only that the existing PaPAP is inadequate, but also that a New York-style PAP must be adopted in Pennsylvania before it can conclude that granting 271 approval for Pennsylvania would be consistent with the public interest, convenience, and necessity. At present, the only enforcement mechanism that is binding on Verizon in Pennsylvania is the current, inadequate PaPAP, because it is the only plan that Verizon has at least nominally agreed to (although it did not even fully waive its right to challenge even that plan). Unless the Commission makes clear that the adoption of a New York-style PAP is required as a condition of Section 271 approval, Verizon has no incentive (or

possibly legal obligation) to accept it – and it is not yet certain whether the PaPUC will adopt such a plan, particularly in the face of Verizon’s persistent opposition.⁴⁷

⁴⁷ Verizon also has made no showing that its provision of in-region, interLATA service in the former GTE territories in Pennsylvania would be consistent with either the public interest or with Section 27 of the Act. Consequently, whatever the disposition of Verizon’s application, there is no basis for granting Verizon North – which currently provides service in the former GTE territories – authority to provide long-distance service in Pennsylvania. See AT&T at 80-81.

CERTIFICATE OF SERVICE

I, Margaret Brue, do hereby certify that on this 31st day of August, 2001, a copy of the foregoing "Opposition of AT&T Corp." was served by U.S. first class mail, postage prepaid, to the party listed below:

Dee May
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Margaret Brue

August 31, 2001