

March 12, 2002

Via Hand Delivery

Kristi Izzo, Board Secretary
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102

Re: In the Matter of the Board's Review of Unbundled Network Element Rates, Terms and Conditions of Bell Atlantic-New Jersey, Inc. -- Docket No. TO00060356

Dear Secretary Izzo:

In its Order of March 6, 2002 in this proceeding, the Board directed Verizon New Jersey Inc. to:

submit a verified statement no later than March 12, 2002 indicating whether Verizon NJ waives its right to challenge the Board's UNE rates in any court or before this Board; and certifying that it will not charge rates greater than the UNE rates herein adopted; and affirmatively stating that it is currently charging these rates.

Verizon NJ presumes that this letter, submitted by counsel of record in the matter and an officer of the company, satisfies the Board's prescribed requirements respecting "verifi[cation]" and "certif[ication]."

Verizon NJ has not determined whether it will "challenge the Board's UNE rates in any court or before this Board," but it cannot waive its right to do so. At a minimum, there may come a time in the future when Verizon NJ would want to change one or more of those rates because of a change in costs or a change in the law. For example, the FCC recently initiated its Triennial Review of UNEs;¹ similarly, a case currently pending before the United States Supreme Court may materially affect the TELRIC

¹ *In re: Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, Notice of Proposed Rulemaking; and Review of Regulatory Requirements for Incumbent LEC Broadband Telecommunications Services, Notice of Proposed Rulemaking.* FCC Docket No. CC 01-339, dated Dec. 12, 2001.

methodology.² Decisions in either of those proceedings could require that the Board re-examine the matters before it in this case. Nonetheless, Verizon NJ commits to taking no action to seek a stay or delay of implementation of the rates specified in the Order of March 6, 2002.

As indicated in correspondence of January 10, 2002 to Acting Secretary Ogden in Docket No. TO01090541, Verizon NJ is currently charging its wholesale customers the rates prescribed in the summary order of December 17, 2001, which, upon belief, are the same rates that are included in the Order of March 6, 2002. Verizon NJ will not charge more than those rates as long as they remain in effect.

We trust this correspondence is responsive to the Board's directive, but please do not hesitate to contact the undersigned should the Board require further information.

Very truly yours,

Bruce D. Cohen

BDC:dmp

cc: Service List (via e-mail & first class mail)

² *Verizon Comms. Inc. v. FCC*, S. Ct. Docket No. 00-511, argued October 10, 2001.