



Robert W. Quinn, Jr.
Federal Government Affairs
Vice President

Suite 1000
1120 20th Street NW
Washington DC 20036
202 457 3851
FAX 202 457 2545

June 17, 2002

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TWB-204
Washington, DC 20554

Re: *Application by Verizon-New Jersey Inc. for Authorization to Provide In-Region,
InterLATA Services in the State of New Jersey, Docket 02-67*

*Application by Verizon-New England Inc. for Authorization to Provide In-Region,
InterLATA Services in Maine, Docket 02-61*

Dear Ms. Dortch:

Attached, please find two documents for inclusion in the record of the aforementioned proceeding: first, a letter from Verizon Long Distance to a business customer in Virginia Beach, Virginia soliciting the sale of long distance services in violation of Section 271 of the Communications Act; second, an affidavit from Michael Lamb, an AT&T General Attorney, who was able earlier this morning to order Verizon long distance on the Verizon website for his home in Bernardsville, New Jersey, also in violation of Section 271 of the Communications Act.

These are the fourth and fifth instances evidenced in this proceeding which demonstrate that Verizon is marketing/providing interLATA long distances in states where it lacks authority to provide such services. Although Verizon's explanation for Friday's violation (*i.e.*, that the offer was "probably" for intraLATA toll, despite the fact that all of its website marketing materials refer to intraLATA toll as either "regional" or "local toll," reserving the term "long distance" exclusively for interLATA toll services) is that the offer was vague, today's instances could not be clearer – Verizon is offering pre-subscribed state-to-state long distance services in Virginia and New Jersey where it has not yet received authority to provide such services. Later today, AT&T will submit a supplemental filing in support of its Motion for Emergency Relief filed last week requesting the further relief that the Commission deny or suspend *all* Verizon Section 271 applications until a thorough, formal investigation is completed that determines the full extent of Verizon's unauthorized activities.

One electronic copy of this Notice is being submitted to the Secretary of the FCC in accordance with Section 1.1206 of the Commission's rules.

Sincerely,

Robert W. Quinn

cc: Dorothy Attwood
Kyle Dixon
Bryan Tramont
Sam Feder
Jordan Goldstein
Alexis Johns
Christine Newcomb

P.O. Box 159805
Irving, TX 75016-3805



03326 350109776
Business Owner/CEO
[Redacted]
[Redacted] Ave.
Virginia Bch, VA 23462-1815
[Barcode]

Something special for our most valued customers

An exclusive assessment to help save time and cut costs.

Dear Valued Customer:

The more we can do for your business, the better. So we continue to expand your choice of services — all designed to help you respond faster, work more efficiently and build on what you have.

And on the following page, we can show you how.

The better you communicate, the better you operate.

The Account Assessment we've enclosed has been created specifically for your business. But more importantly, it lets you judge for yourself just how much more effective a complete communications strategy could be.

Start by asking yourself: Are your communications keeping up with your business, or holding it back? Are you spending too much time and money managing too many communications providers? Could you consolidate your buying power — and simplify your operations?

Your assessment complements what you have with additional services that make the most of your resources. And because everything comes from a single source on a single bill, it's all easier to manage. You're more in touch. You get more done. And you're ready to move your business ahead.

**Look over your assessment —
then call 1 866 252-5509 for a personal consultation.**

You can't make an informed decision without all the facts — especially when they may have a critical impact on the success of your business. If you have any questions or would like to discuss the recommendations in your assessment, just call 1 866 252-5509 to speak with a Verizon consultant.

We're here to help. And we're ready to prove it.

Sincerely,

Ron M. Taguchi
Executive Director
Business Solutions Group

**2002 Verizon Business
Account Assessment**

Prepared for: **[REDACTED] Inc**

Personal Reference Code: **25VADZSZ**

Period Ending: **February 28, 2002**

Current Service: **Verizon CentraNet or CustoPAK — Call management services that allow you to hold, transfer, conference and forward your business calls.**

Recommendation: **Verizon FirmRate Plus — A discounted 7 cents per minute rate on all direct-dialed, state-to-state long distance calls available to customers who have CentraNet® or CustoPAK®. This straightforward plan has no monthly fees or term agreements and is consolidated on your local Verizon bill.**

And when you add Toll Free service, it's an ideal business builder that gives you the same per-minute rate as your 1+ long distance plan. Sign up today and we'll waive the \$15 setup charge and the \$5 monthly fee for the first 6 months on Toll Free service.

Conclusion: **With this recommendation from Verizon, your Business Account Assessment offers a comprehensive and immediate way to make your business more efficient.**

Call today to take advantage of these special savings from Verizon — and have stronger communications working for your business. Call 1 866 252-5508 today to discuss your account recommendations with one of our business consultants.

Declaration and Affidavit of Michael C. Lamb

I, Michael C. Lamb, being duly sworn according to law, depose and say that:

1. I am a resident of New Jersey. My home is located at 337 Mount Harmony Road, Bernardsville, New Jersey 07924. My telephone number at that location is 908-766-1192. My occupation is General Attorney – AT&T Consumer Services. I am also the AT&T Chief Privacy Officer.

2. The matters stated in this Affidavit are of my own personal knowledge and, if called upon to do so, I could and would competently testify to each of them.

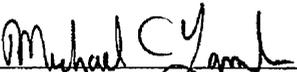
3. On Monday, June 17, 2002, at approximately 10:30 A.M., I successfully placed an online order with Verizon for long distance service for my home in Bernardsville. The order summary which was displayed at the conclusion of my online ordering process is attached hereto as Exhibit A. Within minutes of placing my order, I received a confirmation from Verizon Long Distance, which is attached as Exhibit B. Both exhibits clearly confirm my order with Verizon for the SmarTouch long distance service for my home telephone in Bernardsville, New Jersey. The e-mail confirmation to me from Verizon states that my “service should be activated within 5-7 business days” and confirms that it offers “state-to-state long distance calls for just 8 cents a minute.”

4. I came to place my order for Verizon long Distance service because I read Verizon’s newspaper denials that it was doing any long distance telemarketing in New Jersey, which I knew were inconsistent with the evidence we had seen. I decided to check the Verizon web site.

5. I placed my online order by going to www.verizon.com. On that page, I clicked on “Add Verizon Long Distance. “ That took me to a page on the Verizon web site on which I was asked to enter my area code and the first

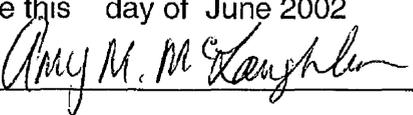
three digits of my phone number, as well as my state. I entered 908-766 and New Jersey. I later learned that, at the bottom of that web page, visible only if I scrolled down, was a fine print statement listing what states legally offered Verizon long distance. I did not see that off-screen fine print when I placed my order. After entering 908-766 and New Jersey, I was taken to a page that urged me to sign up for SmarTouch Long Distance from Verizon. On that page, I clicked on "Buy It" and proceeded to sign up without any difficulty for Verizon Long Distance for my New Jersey residence telephone line.

I declare under penalty of perjury pursuant to the laws of the United States of America that the foregoing is true and correct. Executed in Basking Ridge, New Jersey on June 17, 2002.



Michael C. Lamb

Sworn to and subscribed to before
me this day of June 2002

 6/17/02

A Notary Public of the
State of New Jersey

Amy M. McLaughlin
Notary Public
Commission Expires 02/18/2003

EXHIBIT A



[# Directory](#) [✉ Contact us](#)

SmartTouchSM

Steps to activate	
1	Account Setup
2	Order Summary
3	Thank You

Thank you for choosing Verizon long distance. Your service should be activated in 5-7 business days.

Here are the details of your order; please keep a copy of this page for your records.

Order Details

Date of Order: June 17, 2002 10:40 am

Order Number: WEB-00009402

Name

Michael Lamb

Service Address	Billing Address
-----------------	-----------------

Street: 337 Mount Harmony Road	337 Mount Harmony Road
City: Bernardsville	Bernardsville
State: NJ	NJ
Zip: 07924	07924

Contact Information

E-Mail: lamkap@aol.com

Telephone: 908-221-8377

Rapid Recharge

Rapid Recharge: None

Order Summary

Item	Quantity
SmartTouch Calling Plan 908-766-1192	
Away From Home Calling Guides	None
Materials printed in English, Normal Print	

[continue](#)



Print Message



Keep As New Delete

1 of 89 Next Help



Reply



Forward



Reply All



Add Addresses

Subj: Verizon SmartTouch(SM) order confirmation
Date: Mon, 17 Jun 2002 10:41:02 AM Eastern Daylight Time
From: orders@getsmarttouch.com
To: lamkap@aol.com
Sent from the Internet (Details)

Dear Michael Lamb:

It's our pleasure to welcome you to the Verizon(R) SmartTouch(SM) Account.

Your service should be activated within 5-7 business days.

- * Before you can take full advantage of your new service, you will need to verify that you've been connected to Verizon long distance by dialing 00 from the number that's linked to your SmartTouch Account
* If the recording does not confirm this connection, please call Customer Service at 1 888 599-0107
* Once your account is established, you will receive a welcome kit via US Mail that will detail the many unique features of your SmartTouch account

Remember your SmartTouch account offers:

Residential long distance

- * State-to-state long distance calls for just 8¢ a minute
* Low In-state rates which vary by state
* Great international rates are also part of the plan. Rates as low as 8¢ per minute to the United Kingdom and 26¢ to Brazil
* All rates are available 24 hours a day, 7 days a week

Away from Home feature

- * State-to-State only 25¢ per minute, 24 hours a day, 7 days a week with no per call or monthly fees using your SmartTouch account
* In-state rates will vary by state

Once you have verified that you have been connected -

Want to get started?

- * To help get you going, we've already placed a \$5 deposit in your account to cover the standard \$5 charge for switching long distance providers

- * To begin using your SmartTouch Account, simply pick up your phone and dial like you would any long distance call
- * A voice prompt will tell you how much money is in your account and how many domestic or international minutes you have in your account

Ready to make your first deposit?

Easy ways to add time to your account

- * Press 00 on your touch-tone phone and charge any amount you'd like to most major credit cards (Visa, MasterCard, Discover, American Express)
- * Call our customer service number anytime (1 888 599-0107), 24 hours a day, 7 days a week and charge any amount you'd like to most major credit cards

Thank you for choosing SmartTouch by Verizon.

Keep As New

Delete

1 of 89 

Help

Include original text in reply.