

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Implementation of the Subscriber Carrier)	
Selection Changes Provisions of the)	
Telecommunications Act of 1996)	
)	CC Docket No. 94-129
Policies and Rules Concerning Unauthorized)	
Changes of Consumers Long Distance Carriers)	

PETITION FOR WAIVER

Verizon New England seeks a waiver of the Commission’s carrier change authorization and verification rules to permit it to comply with requirements of the Rhode Island Division of Public Utilities and to enable customers of a bankrupt local exchange carrier to receive uninterrupted service when that carrier ceases operations on November 28.

Log On America (LOA) is a local exchange reseller in Rhode Island, with approximately 340 customers in that state. LOA is now in liquidation, and Verizon Rhode Island will stop providing service to LOA on November 28.

On November 11, the Rhode Island DPU sent a letter to the customers of LOA advising them of this fact and urging them to select another carrier. In Rhode Island, Verizon New England is required to automatically serve customers of a CLEC that goes out of business unless those customers select another carrier. The DPU letter also advised LOA’s customers of this fact, stating “If you do not select a new local telephone provider, Verizon will automatically become your new local telephone provider.” A copy of this letter is attached.

Under existing Commission regulations, Verizon New England was required to have “provide[d] written notice” by October 29th to each subscriber it would obtain by default on

November 28th.¹ This, of course, was not possible, as the earliest that Verizon New England will know what subscribers it is obtaining is November 27th. The customers, however, did receive a notification from the Rhode Island DPU. The rules also require Verizon to give the Commission 30 days' notice of this transfer and to include in that notice a copy of the notification sent to subscribers.² This, too, is impossible under these circumstances.

Compliance with the Commission's rules would mean that customers will lose local service for more than a month. Verizon New England would find out on November 27th what customers had not chosen a new carrier and promptly send the letter required by the Commission's rules. It would provide the required notice to the Commission and then have to wait 30 days before the rules would allow it to begin to provide service to these customers.

For these reasons, Verizon New England requests that the Commission grant it a waiver of its carrier change authorization and verification rules.

Respectfully submitted,



John M. Goodman

Attorney for Verizon New England

1300 I Street, N.W.
Washington, D.C. 20005
(202) 515-2563

Michael E. Glover
Edward Shakin
Of Counsel

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¹ 47 C.F.R. § 64.1120(e)(3).

² 47 C.F.R. § 64.1120(e)(1).

[LETTER TO LOA CUSTOMERS]

November 11, 2002

ALL LOG ON AMERICA CUSTOMERS MUST CHOOSE A NEW LOCAL TELEPHONE SERVICE PROVIDER BY NOVEMBER 28, 2002

Dear Customer:

We write to inform you that as of November 28, 2002 Log On America will no longer be providing your local telephone service in Rhode Island. The company filed for Chapter 11 bankruptcy protection in July of 2002 and on October 15, 2002, the case was converted to Chapter 7 whereby the company will be liquidated.

Your action is required! You must select a new local telephone provider as quickly as possible but no later than November 28, 2002. If you do not select a new local telephone provider, Verizon will automatically become your new local telephone provider.

You are responsible for paying all bills rendered by Log On America during the transition. You may be subject to suspension or termination of local telephone service in accordance with Public Utility Commission rules if you fail to pay your bill.

After selecting a new local telephone provider, you should also contact your current long distance provider to ensure that your current long distance calling plan is not changed as a result of your change in local telephone service. If you do not contact your long distance telephone provider, you may be charged rates (non-calling plan rates) that are higher than those discounted with select calling plans.

You can find a list of local telephone service providers in your local telephone directory and on the Division's web site (www.ripuc.org). After November 28, 2002, your current provider (LOA) will no longer provide your local telephone service so please take action before that date.