

DA 02-3511

APPLICATIONS BY VERIZON MARYLAND, INC., VERIZON WASHINGTON, DC, INC.,  
AND VERIZON WEST VIRGINIA, INC. ET LA. FOR AUTHORIZATION UNDER SECTION  
271 OF THE COMMUNICATIONS ACT TO PROVIDE IN REGION INTERLATA SERVICE  
IN MARYLAND , WASHINGTON DC AND WEST VIRGINIA

W.C. DOCKET NO.: 02-384

**COMMENTS  
OF  
NORTH COUNTY COMMUNICATION CORPORATION**

February 20, 2003

## Joseph G. Dicks

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**From:** Todd Lesser [todd@nccom.com]  
**Sent:** Wednesday, February 19, 2003 2:48 PM  
**To:** Dianne M. Mckernan  
**Cc:** steven.h.hartmann@verizon.com; donald.e.albert@verizon.com; leigh.a.hyer@verizon.com; joseph.dimarino@verizon.com; lionel.lyons@verizon.com; dorothy.m.sapp@verizon.com; cynthia.b.robinson@verizon.com; manpreet.s.matharu@verizon.com; donna.l.walker@verizon.com; pamela.j.cunningham@verizon.com; evon.tabron@verizon.com; emory.a.brown@verizon.com; thomas.m.wall@verizon.com; timothy.d.hall@verizon.com; Joe Dicks; shawn.young@wsj.com; romeros@nytimes.com  
**Subject:** California

On January 9th 2003, I sent an e-mail to you stating that Verizon is not complying with interconnection agreement and I requested that Verizon appoints someone to the, "Inter-Company Review Board" so this matter would be resolved without unnecessary costly litigation.

Verizon has not been compensating North County Communications for toll traffic nor local traffic as required under the agreement. In addition, Verizon has refused to perform traffic studies.

On January 10, 2003 you told me that the contact information in the interconnection agreement was incorrect and the I should submit the dispute in writing via mail and fax or e-mail to: Director-Contract Performance & Administration Verizon Wholesale Markets 600 Hidden Ridge HQEWMNOTICES Irving, TX 75038 Telephone Number: 972-718-5988 Facsimile Number: 972-719-1519 Internet Address: wmnotices@verizon.com.

On January 10, 2003 I faxed the dispute, sent an e-mail, and mailed a hard copy of the dispute.

It has now been forty days and Verizon did not even give me the courtesy of a response.

Once again, with this passive aggressive antitrust behavior, Verizon is forcing me to take legal actions. The intent of the interconnection agreement is to resolve disputes and for there to be competition as required in the Telecom Act. It is apparent that since Verizon has the authority to provide long distance in California they don't have to act on their best behavior. I assume I will soon be able to expect this exact same behavior in the West Virginia and Maryland if the FCC approves Verizon for long distance in those jurisdictions. As planned and calculated, Verizon has cleared a path for continued abuse of its monopoly status by preventing CLEC's from fairly competing with them.

Don't expect North County to sit idle without a fight.

have referred this matter to my attorney to request arbitration.

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Todd Lesser  
Voice: +1 619 364 4750 Fax: +1 619 364 4777  
E-Mail: todd@nccom.com

Joseph G. Dicks

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**From:** Todd Lesser [todd@nccom.com]  
**Sent:** Wednesday, February 19, 2003 2:45 PM  
**To:** Dianne M. Mckernan  
**Cc:** steven.h.hartmann@verizon.com; donald.e.albert@verizon.com; leigh.a.hyer@verizon.com; joseph.dimarino@verizon.com; lionel.lyons@verizon.com; dorothy.m.sapp@verizon.com; cynthia.b.robinson@verizon.com; manpreet.s.matharu@verizon.com; donna.l.walker@verizon.com; pamela.j.cunningham@verizon.com; evon.tabron@verizon.com; emory.a.brown@verizon.com; thomas.m.wall@verizon.com; timothy.d.hall@verizon.com; Joe Dicks; shawn.young@wsj.com; romeros@nytimes.com  
**Subject:** New York

On November 7th, 2002, you sent me an e-mail that said:

As I stated in 2001, Verizon would be able to provide Interconnection trunks to that location without requiring an entrance build, if you provide us with a LOA for dedicated facilities from your carrier of choice. I researched the CLLI code you previously provided [NYCMNYWHW11] and found that it is associated with the CLLI code of NYCMNYWHW02. This code is a Wholesale facility for Wiltel. There is no capacity for additional T3s on this facility..."

I responded back on the November 8th and I purposely CC'd the following people:

<steven.h.hartmann@verizon.com>  
<donald.e.albert@verizon.com>  
<leigh.a.hyer@verizon.com>  
<joseph.dimarino@verizon.com>  
<lionel.lyons@verizon.com>  
<dorothy.m.sapp@verizon.com>  
<cynthia.b.robinson@verizon.com>  
<jimmy.m.born@verizon.com>  
<manpreet.s.matharu@verizon.com>  
<donna.l.walker@verizon.com>  
<pamela.j.cunningham@verizon.com>  
<evon.tabron@verizon.com>  
<emory.a.brown@verizon.com>  
<thomas.m.wall@verizon.com>  
<timothy.d.hall@verizon.com>



The e-mail stated:

Correct me if I am wrong. What you are saying is that after your extensive search of all of Verizon's records, a search of the Telecordia CLLI database, and even a site survey, that if a retail customer attempted to order a DS3 and have it installed at 1 Whitehall in Worldcom's office on the 7th floor in Rack 105.37, Verizon would not be able to provision this without a fiber build and/or installing a new additional mux.

I had a feeling that Verizon was not be truthful so I decided to check for myself. Jartel Inc., another company I own, contacted Verizon

retail and ordered a DS3 into One Whitehall and have it installed on the 7th floor in Rack 105.37.

I was told that not only was there enough space for my DS3, but the mux was only a third full.

Here is the order information:

Order#N1BK5629  
System ID# 701/T3Z/NYCMNYWHN42/NYCMNY13K43  
Circuit ID# 32HFGL608653  
FOC 2/26/03

I am speechless! Do have any other explanation for this other than Verizon was being totally dishonest?

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Todd Lesser  
Voice: +1 619 364 4750 Fax: +1 619 364 4777  
E-Mail: todd@nccom.com