

Andrew D. Lipman
Russell M. Blau
Patrick J. Donovan
Philip J. Macres

November 9, 2007

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Ex Parte*, Petitions of the Verizon Telephone Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Boston, New York, Philadelphia, Pittsburgh, Providence and Virginia Beach Metropolitan Statistical Areas, WC Docket No. 06-172

Dear Ms. Dortch:

In a November 2 letter in this proceeding,¹ the undersigned carriers responded to the October 10, 2007 *ex parte* submission by Verizon that purports to show the extent of competition in the six relevant MSAs.²

The undersigned carriers now provide additional supporting evidence that the Commission may not rely on Verizon's October 10 information. The attached declarations of Chris MacFarland, McLeodUSA Telecommunications Services, Inc. and Stephen M. Fisher, Integra Telecom, Inc., show that, contrary to Verizon's "Exhibit 2," these carriers do not have lit fiber buildings in any of the MSAs claimed by Verizon nor do they offer service anywhere in the Verizon East region. Accordingly, for this additional reason, Verizon's demonstration of CLEC lit buildings is unreliable and inaccurate and may not be relied upon by the Commission in this proceeding.

Boston
Hartford
Hong Kong
London
Los Angeles
New York
Orange County
San Francisco
Santa Monica
Silicon Valley
Tokyo
Walnut Creek
Washington

Sincerely,

/s/
Andrew D. Lipman
Russell M. Blau
Patrick J. Donovan
Philip J. Macres

Attorneys for

¹ Letter from Russell M. Blau, Bingham McCutchen, LLP to Marlene H. Dortch, Secretary, FCC, WC Docket No. 06-172 (filed November 2, 2007).

² Letter from Joseph Jackson, Verizon, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 06-172, (filed Oct. 10, 2007) ("Verizon October 10, 2007 *Ex Parte*").

Marlene H. Dortch
November 9, 2007
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Alpheus Communications, L.P.;
ATX Communications, Inc.;
Cavalier Telephone Corporation;
CloseCall America, Inc.;
DSLnet Communications, LLC;
Eureka Telecom, Inc. d/b/a
InfoHighway Communications;
ITC^Deltacom Communications, Inc.;
McLeodUSA Telecommunications
Services, Inc.;

MegaPath, Inc
Mpower Communications Corp.;
Norlight Telecommunications, Inc.;
Penn Telecom, Inc.;
RCN Telecom Services, Inc.;
RNK Inc.;
segTEL, Inc.;
Talk America Holdings, Inc.;
TDS Metrocom, LLC; and
U.S. TelePacific Corp. d/b/a
TelePacific Communications

cc: Scott Bergmann
Scott Deutchman
Ian Dillner
John Hunter
Chris Moore
Dana Shaffer
Jeremy Miller (via email)
Tim Stelzig (via email)
Gary Remondino (via email)

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

In the Matter of)	
)	
Petitions of Verizon Telephone Companies for)	WC Docket No. 06-172
Forbearance Pursuant to 47 U.S.C. § 160(c) in)	
the Boston, New York, Philadelphia, Pittsburgh,)	
Providence and Virginia Beach Metropolitan)	
Statistical Areas)	

DECLARATION OF CHRIS MACFARLAND

1. My name is Chris MacFarland. I am Chief Technology Officer of McLeodUSA Telecommunications Services, Inc. ("McLeodUSA"). My business address is 16479 Dallas Parkway-7th Fl, Dallas, Texas, 75001. I have been employed in this position for McLeodUSA for 2 years. In this position, I am responsible for managing the departments responsible for the engineering and deployment of all network facilities, including the extensive McLeodUSA fiber network.

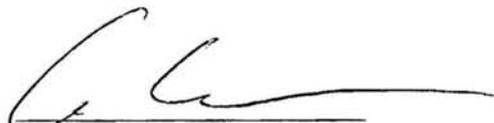
2. In my current position, my organization is responsible for engineering and deploying our network facilities in all geographic areas and markets in the United States including in the Boston, New York, Philadelphia, Pittsburgh, Providence, and Virginia Metropolitan Statistical Areas.

3. It is my understanding that in the above-captioned proceeding, Verizon has submitted information stating that McLeodUSA has deployed fiber-based equipment in the Boston, Philadelphia, Pittsburgh, New York, and Virginia Beach MSAs. This is incorrect. McLeodUSA does not own or operate any fiber-based equipment in any buildings in any of these MSAs, or offer or provide telecommunications service in those MSAs. McLeodUSA does not

have any "CLEC lit buildings" in these MSAs. In fact, McLeodUSA does not operate or offer local services anywhere in the Verizon East region.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed November 2, 2007.



Chris MacFarland

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

In the Matter of)	
)	
Petitions of Verizon Telephone Companies for)	WC Docket No. 06-172
Forbearance Pursuant to 47 U.S.C. § 160(c) in)	
the Boston, New York, Philadelphia, Pittsburgh,)	
Providence and Virginia Beach Metropolitan)	
Statistical Areas)	

DECLARATION OF STEPHEN M. FISHER

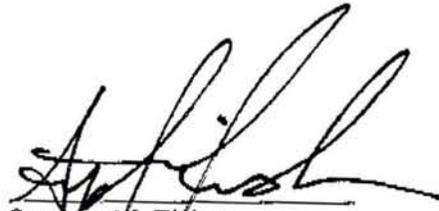
1. My name is Stephen M. Fisher. I am Vice President Corporate Operations of Integra Telecom. My business address is 1201 NE Lloyd Boulevard, Suite 500, Portland, Oregon 97232. I have been employed with Integra for 8 years. In this position, I am responsible for the operations, repair and maintenance of the Integra Telecom telecommunications network infrastructure and customer base.

2. In my current position, I am familiar with the extent to which Integra owns or operates telecommunications facilities, and offers and provides telecommunications service, in all geographic areas and markets in the United States including in the Boston, New York, Philadelphia, Pittsburgh, Providence, and Virginia Beach Metropolitan Statistical Areas.

3. It is my understanding that in the above-captioned proceeding, Verizon has submitted information stating that Integra has deployed fiber-based equipment in the Boston, New York City, and Philadelphia MSAs. This is incorrect. Integra does not own or operate any fiber-based equipment in any buildings in any of these MSAs, or offer or provide telecommunications service in those MSAs. Integra does not have any "CLEC lit buildings" in these MSAs. In fact, Integra does not operate anywhere in the Verizon East region.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed November 2, 2007.



Stephen M. Fisher