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December 3, 2007

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Room TW-325  
445 12<sup>th</sup> Street, S.W.  
Washington D.C. 20554

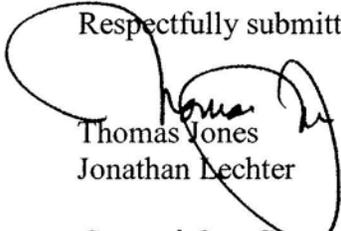
Re: **WC Docket No. 06-172**

Dear Ms. Dortch:

On behalf of One Communications Corp., please find enclosed two copies of a redacted *ex parte* letter and declaration for filing in the above referenced docket. Pursuant to the Second Protective Order in this proceeding, one copy of the highly confidential version of this letter and declaration will be filed with the Secretary's Office and two copies of the highly confidential version will be filed with Gary Remondino. One redacted copy will also be filed electronically on the ECFS.

Please contact us if you have any questions with respect to this submission.

Respectfully submitted,



Thomas Jones  
Jonathan Lechter

*Counsel One Communications Corp.*

Enclosures

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**EX PARTE**

Ms. Marlene H. Dortch  
Secretary  
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445 12<sup>th</sup> Street, S.W.  
Washington D.C. 20554

**RE: In the Matter of Petition of Verizon for Forbearance in Boston, New York, Philadelphia, Pittsburgh, Providence, Virginia Beach Statistical Areas, WC Docket No. 06-172**

Dear Ms. Dortch,

On behalf of One Communications Corp. (“One Communications”), the enclosed declaration regarding customer churn data provides further support for One Communications’ contention that it is losing few small and medium-sized business customers to the cable companies in the five MSAs subject to Verizon’s petitions where One Communications provides service.<sup>1</sup> It is therefore clear that, regardless of the cable companies’ alleged network coverage, they are simply unable to provide the full-range of services that are a substitute for Verizon’s service offerings, particularly in the business market.

As One Communications explained in its November 16, 2007 *ex parte* presentation, **[proprietary begin] [proprietary end]** of One Communications customer circuits lost to other carriers (“port-outs”) in the New York, Philadelphia, Pittsburgh, Boston, and Providence MSAs in recent months have been to Verizon. In contrast, in the five MSAs at issue during the recent three month period of July through September 2007, less than **[proprietary begin] [proprietary end]** percent of the port-outs where the gaining carrier is known were to cable companies. In two of the MSAs, One Communications ported **[proprietary begin] [proprietary end]** circuits to cable companies during that same period. The conclusion is inescapable that cable companies are simply not viable competitors in the small to medium-sized business market.

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<sup>1</sup> See Letter of Thomas Jones, Counsel, One Communications *et al.*, to Marlene H. Dortch, Secretary, FCC, WC Dkt. No. 06-172 (filed Nov. 16, 2007).

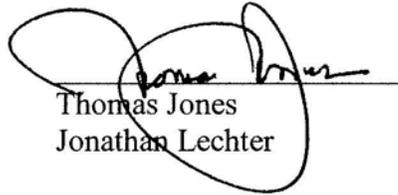
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During the process of preparing the enclosed declaration, minor errors were discovered in the porting-data that One Communications filed as part of its November 16, 2007 *ex parte* presentation. A corrected *ex parte* is being filed under separate cover.

Pursuant to Section 1.1206(b) of the Commission's rules, a copy of this letter is being filed electronically in the above-referenced proceeding. Please contact me if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Thomas Jones" and "Jonathan Lechter", is written over a horizontal line. The signature is somewhat stylized and loops back.

*Counsel for One Communications Corp.*

BEFORE THE  
**Federal Communications Commission**  
WASHINGTON, D.C.

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

**Declaration of Shaun Goguen**

1. My name is Shaun Goguen. I am over eighteen years of age. I am employed by One Communications in the position of Reporting Analyst. I have been employed with One Communications and its predecessor, Conversent Communications, since July 2001. As Reporting Analyst, my responsibilities include generating and analyzing customer churn data. These data are used to analyze losses of customers and the reasons for the losses. Such reasons include, shutoffs for non-payment, partial disconnections of extra lines, and customers switching to other carriers (“port-outs”). One Communications analyzes churn data in an effort to understand why it loses customers and to figure out how to reduce customer losses in the future. The systems that enable us to analyze customer churn across all the One Communications operating companies became operational as of July 1, 2007.

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2. One Communications provides voice and data service to business customers in the New York, Philadelphia, Pittsburgh, Boston, and Providence metropolitan statistical areas (MSAs). One Communications does not provide service to customers in the Virginia Beach MSA. During July, August and September 2007, One Communications ported-out **[proprietary begin] [proprietary end]** total circuits to other carriers in the five MSAs at issue in this proceeding in which One Communications provides service. Of this total, **[proprietary begin] [proprietary end]** were to other carriers whose identities are recorded in One Communications' systems (hereinafter referred to as port-outs to "known carriers") while the gaining carrier is unknown for **[proprietary begin] [proprietary end]** (or approximately **[proprietary begin] [proprietary end]** percent of the total circuits ported out in the relevant time period in the five MSAs at issue). The identity of the gaining carrier is known for **[proprietary begin] [proprietary end]** ports in the Boston MSA, **[proprietary begin] [proprietary end]** ports in the New York MSA, **[proprietary begin] [proprietary end]** ports in the Pittsburgh MSA and **[proprietary begin] [proprietary end]** ports in for the Providence MSA. There were **[proprietary begin] [proprietary end]** in the Philadelphia MSA. The gaining carrier is sometimes unknown because in certain cases there is a delay in populating the gaining carrier field in our databases. There is no reason of which I am aware to suggest that port-outs to unknown carriers occurred disproportionately (high or low) to cable companies as opposed to other types of gaining carriers.

3. Of the **[proprietary begin] [proprietary end]** port-outs in the five MSAs for which the gaining carrier is known, **[proprietary begin] [proprietary end]** percent were ported to cable companies. Of these **[proprietary begin] [proprietary end]** port-outs to identified carriers, **[proprietary begin] [proprietary end]** were to Verizon (including **[proprietary**

**begin] [proprietary end]** to MCI), representing **[proprietary begin] [proprietary end]** percent of port-outs to identified carriers. Of the **[proprietary begin] [proprietary end]** known ports to cable companies, **[proprietary begin]**<sup>1</sup> **[proprietary end]**

4. Taking the total number of ports by cable company by MSA and dividing that number by the total number of ports to identified carriers per MSA provides a percentage of ports to cable companies in each MSA. There were **[proprietary begin] [proprietary end]** to cable companies in the Boston MSA, and, **[proprietary begin] [proprietary end]** in the Philadelphia MSA. Approximately **[proprietary begin] [proprietary end]** percent of port-outs to identified carriers in the Pittsburgh MSA were to cable companies **[proprietary begin] [proprietary end]**. Approximately **[proprietary begin] [proprietary end]** percent of port-outs to identified carriers in the Providence MSA were to cable companies **[proprietary begin] [proprietary end]**. Approximately **[proprietary begin] [proprietary end]** percent of port-outs to identified carriers in the New York MSA were to cable companies **[proprietary begin] [proprietary end]**

5. For a portion of the port-outs recorded in One Communications' systems, it cannot be determined whether the port-out occurred within or outside the MSAs subject to Verizon's forbearance petitions. That is because in some cases "null" or blank appears in the field specifying the wire center in the record of the port in the system. During the July-September 2007 time period, the wire center was unspecified for **[proprietary begin] [proprietary end]** ports throughout One Communications' footprint in all of the areas in which it offers service (*i.e.*, in both the five MSAs at issue here as well as in other markets across the

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<sup>1</sup> **[proprietary begin] [proprietary end]**

REDACTED-FOR PUBLIC INSPECTION

country). The **[proprietary begin] [proprietary end]** ports where the wire center is unknown represent **[proprietary begin] [proprietary end]** of all One Communications port-outs **[proprietary begin] [proprietary end]** during the same time period. There is no reason of which I am aware to suggest that these unspecified-location port-outs were located disproportionately either inside or outside the MSAs subject to the forbearance petitions.

This concludes my declaration.

I declare under penalty of perjury that the forgoing is true and correct.

11/30/2017  
Date

  
Shaun Goguen