

KELLOGG, HUBER, HANSEN, TODD, EVANS & FIGEL, P.L.L.C.

SUMNER SQUARE  
1615 M STREET, N.W.  
SUITE 400  
WASHINGTON, D.C. 20036-3209

(202) 326-7900

FACSIMILE:  
(202) 326-7999

April 14, 2008

**Via ECFS**

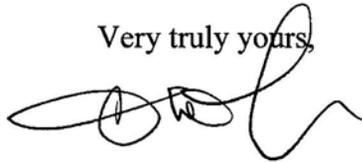
Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12th Street, SW  
Suite TW-A325  
Washington, DC 20554

*Re: Petition of Verizon New England for Forbearance Pursuant to  
47 U.S.C. § 160(c) in Rhode Island, WC Docket No. 08-24*

Dear Ms. Dortch:

On behalf of Verizon, attached is Verizon's Reply to Comments Supporting Motion To Dismiss or, in the Alternative, Deny Petition for Forbearance for filing in the above-captioned proceeding. Please contact me at (202) 326-7930 if you have any questions regarding this filing.

Very truly yours,

A handwritten signature in black ink, appearing to read "Evan T. Leo", with a stylized flourish at the end.

Evan T. Leo

Attachment

cc: Competition Policy Division, Wireline Competition Bureau  
Best Copy and Printing, Inc.

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Petition of Verizon New England for	)	WC Docket No. 08-24
Forbearance Pursuant to	)	
47 U.S.C. § 160 in Rhode Island	)	

**VERIZON’S REPLY TO COMMENTS SUPPORTING MOTION TO DISMISS  
OR, IN THE ALTERNATIVE, DENY PETITION FOR FORBEARANCE**

Verizon demonstrated in its Opposition<sup>1</sup> that the Motion To Dismiss or, in the Alternative, Deny Petition for Forbearance<sup>2</sup> is baseless and should be rejected. Verizon explained that whereas its prior petition covering the entire Providence MSA missed the Commission’s bright-line test by only a small margin, more current data show this test is easily satisfied in the Rhode Island portion of that MSA. Rhode Island is served by a single cable company that offers telephone services throughout the state. Verizon’s petition therefore covers only the Rhode Island portion of the MSA, includes updated information on the state of competition, and addresses various other issues the Commission raised with respect to certain data used in the previous petition. As Verizon explained, there is no basis to the claims that the Commission has already decided the facts and issues raised here, or that Verizon’s petition should be treated as an untimely petition for reconsideration.

---

<sup>1</sup> See Verizon’s Opposition to Motion To Dismiss or, in the Alternative, Deny Petition for Forbearance, WC Docket No. 08-24 (FCC filed Apr. 7, 2008) (“Verizon Opposition”).

<sup>2</sup> See Motion To Dismiss or, in the Alternative, Deny Petition for Forbearance, WC Docket No. 08-24 (FCC filed Mar. 17, 2008) (“Movants”).

Three parties filed comments in support of the Motion To Dismiss or, in the Alternative, Deny Petition for Forbearance.<sup>3</sup> These commenters echo support for Movants' baseless claim that Verizon is seeking to re-litigate the facts the Commission reviewed in denying Verizon's prior petition. But they ignore the fact that Verizon's petition relies on new data, seeks relief for a different geographic area, and addresses other concerns the Commission previously identified. The commenters, therefore, provide no support for the Motion To Dismiss, and, the Commission should reject it.

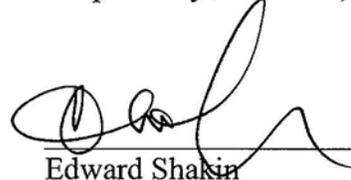
---

<sup>3</sup> See Comments of Cox Communications, Inc., WC Docket No. 08-24 (FCC filed Apr. 7, 2008); Comments of COMPTTEL in Support of Motion To Dismiss, WC Docket No. 08-24 (FCC filed Apr. 7, 2008); Sprint Nextel Corporation's Comments in Support of the Motion To Dismiss or, in the Alternative, Deny Verizon New England's Petition for Forbearance in Rhode Island (FCC filed Apr. 7, 2008).

**CONCLUSION**

For the reasons set forth herein, the Commission should deny the Motion To Dismiss or, in the Alternative, Deny Petition for Forbearance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edward Shakin', is written over a horizontal line.

Edward Shakin  
Sherry Ingram  
Rashann Duvall  
Verizon  
1515 North Court House Road  
Suite 500  
Arlington, Virginia 22201  
(703) 351-3065

Michael E. Glover  
*Of Counsel*

Evan T. Leo  
Kellogg, Huber, Hansen, Todd,  
Evans & Figel, P.L.L.C.  
1615 M Street, NW  
Suite 400  
Washington, DC 20036  
(202) 326-7930

*Attorneys for Verizon*

Dated: April 14, 2008

**CERTIFICATE OF SERVICE**

I, Evan T. Leo, hereby certify that true and correct copies of the foregoing Verizon's Reply to Comments Supporting Motion To Dismiss or, in the Alternative, Deny Petition for Forbearance, in WC Docket No. 08-24, were delivered by U.S. mail and via e-mail, this 14th day of April 2008, to the individuals on the following list:

Andrew D. Lipman  
Russell M. Blau  
Patrick J. Donovan  
Philip J. Macres  
Bingham McCutchen LLP  
2020 K Street, NW  
Washington, DC 20006  
andrew.lipman@bingham.com  
russell.blau@bingham.com  
patrick.donovan@bingham.com  
philip.macres@bingham.com

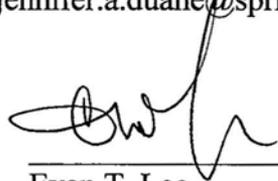
Thomas Jones  
Willkie Farr & Gallagher LLP  
1875 K Street, NW  
Washington, DC 20006  
tjones@willkie.com

J.G. Harrington  
Jason E. Rademacher  
Dow Lohnes PLLC  
1200 New Hampshire Avenue, NW  
Suite 800  
Washington, DC 20036  
jharrington@dowlohn.com  
jrademacher@dowlohn.com

Brad E. Mutschelknaus  
Genevieve Morelli  
Kelley Drye & Warren LLP  
3050 K Street, NW  
Suite 400  
Washington, DC 20007  
bmutschelknaus@kelleydrye.com  
gmorelli@kelleydrye.com

Mary C. Albert  
COMPTTEL  
900 17th Street NW  
Suite 400  
Washington, DC 20006  
MAlbert@comptel.org

Anna M. Gomez  
Jennifer A. Duane  
Sprint Nextel Corp.  
2001 Edmund Halley Drive  
Building A, 2nd Floor  
Reston, VA 20191  
anna.m.gomez@sprint.com  
jennifer.a.duane@sprint.com

  
\_\_\_\_\_  
Evan T. Leo