



COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

D.T.C. 09-1

May 7, 2014

Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to General Law Chapter 159, Section 16, of the telephone service quality of Verizon New England Inc., d/b/a Verizon Massachusetts, in Berkshire, Hampden, Hampshire, and Franklin Counties.

ORDER CLOSING INVESTIGATION

On June 1, 2009, the Department of Telecommunications and Cable (“Department”) opened an investigation (“Investigation”) of the telephone service quality provided by Verizon New England Inc., d/b/a Verizon Massachusetts (“Verizon MA”), to its customers in Berkshire, Hampden, Hampshire, and Franklin counties (collectively “Western Massachusetts”).

On December 16, 2010, the Attorney General of Massachusetts, Verizon MA, the International Brotherhood of Electrical Workers, and the Towns of Egremont, Hancock, and Leverett (the “Parties”)¹ filed a Joint Motion for Approval of Settlement (“Joint Motion”) and Settlement Agreement. The Joint Motion was approved by the Department on February 10, 2011.

¹ The Towns of Shutesbury (“Shutesbury”) and Rowe (“Rowe”) were also parties to this Investigation but did not join the Joint Motion. In the case of Shutesbury, the 33 Verizon customers who petitioned the Department on behalf of their own town, pursuant to G. L. c. 159, § 24, did not participate in the Investigation after filing their complaint. Transcript of Jan. 26, 2011 Pub. Hearing & Dep’t Inquiry Into Joint Motion & Settlement Agreement (“TR.”) at 1064:2-1064:18. In the case of Rowe, its attorney informed Assistant Attorney General Sandra Callahan Merrick that Rowe “was continuing to only monitor the case and that the Town did not have an objection to the settlement agreement.” Email of Sandra Merrick to Alexander E. Moore, et al., dated Jan. 19, 2011, attached as Exhibit 1 to the TR.

On January 15, 2014, the Attorney General's Office informed the Department that it considered the service quality issues in Western Massachusetts resolved pursuant to the Settlement Agreement. On March 19, 2014, the Department issued its Notice of Intent to Close Investigation ("Notice"). In its Notice, the Department provided 45 days for the Parties and members of the public to submit comments and queries regarding the Investigation.

The aforementioned 45 day comment period has elapsed, and having received no comments, the Department hereby CLOSES the Investigation.

BY ORDER OF THE DEPARTMENT,

/s/ Geoffrey G. Why
Geoffrey G. Why, Commissioner

RIGHT OF APPEAL

Pursuant to G.L. c. 25, § 5 and G.L. c. 166A, § 2, an appeal as to matters of law from any final decision, order or ruling of the Department may be taken to the Supreme Judicial Court for the County of Suffolk by an aggrieved party in interest by the filing of a written petition asking that the Order of the Department be modified or set aside in whole or in part. Such petition for appeal shall be filed with the Secretary of the Department within twenty (20) days after the date of service of the decision, order or ruling of the Department, or within such further time as the Department may allow upon request filed prior to the expiration of the twenty (20) days after the date of service of said decision, order or ruling. Within ten (10) days after such petition has been filed, the appealing party shall enter the appeal in the Supreme Judicial Court for the County of Suffolk by filing a copy thereof with the Clerk of said Court.