

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

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MARTHA COAKLEY
ATTORNEY GENERAL

(617) 727-2200
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Dec. 16, 2010

Catrice Williams, Secretary
Department of Telecommunications and Cable
1000 Washington Street, 8th Floor, Suite 820
Boston, MA 02118-6500

Re: DTC 09-1, *In re Verizon Service Quality in Western Massachusetts*

Dear Secretary Williams:

Enclosed please find the Parties' proposed Settlement Agreement and Joint Motion for Approval of Settlement. Please contact me with any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Sandra C Merrick".

Sandra Callahan Merrick
Assistant Attorney General

Enclosures

cc: Service List



COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

In Re Verizon Service Quality)
In Western Massachusetts)
_____)

D.T.C. 09-1

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding in accordance with the requirements of 220 C.M.R. 1.05(1) (Department's Rules of Practice and Procedure). Dated at Boston this 16th day of December, 2010.

By:



Sandra Callahan Merrick
Sandra Callahan Merrick
Assistant Attorneys General
One Ashburton Place
Boston, MA 02108
(617) 727-2200

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

In re Verizon Service Quality in Western Massachusetts)
_____)

D.T.C. 09-1

JOINT MOTION FOR APPROVAL OF SETTLEMENT

Pursuant to 220 C.M.R. §1.04(5), the Office of the Attorney General of Massachusetts (“Attorney General”), Verizon New England Inc., d/b/a Verizon Massachusetts (“Verizon MA”), Local 2324, International Brotherhood of Electrical Workers, AFL-CIO (“Local 2324”) and the Towns of Hancock, Egremont and Leverett (collectively, “the Parties”) jointly move the Department of Telecommunications and Cable (“Department”) for entry of an order approving the Settlement Agreement filed herewith and closing the above-captioned proceeding, subject to the continued jurisdiction of the Department to enforce the terms of the Agreement. As grounds for this motion, the Parties state the following:

1. The Department opened this proceeding as an investigation regarding the reasonableness of Verizon Massachusetts’ telephone service quality in Western Massachusetts, pursuant to G.L. c. 159, § 16.

2. As a result of extensive negotiations, all of the active parties in the above-captioned proceeding¹ have reached an agreement, memorialized in the Settlement Agreement, intended to ensure that Verizon MA's service quality in Western Massachusetts is just, reasonable, safe, adequate and proper under G.L. c. 159, § 16.

3. The Settlement Agreement is in the public interest since it will provide benefits to consumers, in the form of improved telecommunications infrastructure and service, and requires

¹ The Town of Rowe is a party in this docket but has not participated in any proceedings.

additional reporting by Verizon MA of its service quality performance in Western Massachusetts. The Agreement is intended to fully resolve the Department's investigation in this proceeding.

4. By its terms, the Settlement Agreement will become effective only upon entry by the Department of a final order in this proceeding approving the Agreement in full and without change and closing the proceeding, subject only to the continued jurisdiction of the Department to enforce the terms of the Agreement. If the Department does not approve the Settlement Agreement in its entirety and without change within 60 days of the date of this motion, the Agreement and this motion shall be deemed to be withdrawn and shall not constitute a part of the record in any proceeding or used for any other purpose.

5. This motion and the Settlement Agreement establish no principles and shall not be deemed to foreclose any party from making any contention in any future proceeding or investigation, except as to the matter and proceedings that are stated in the Agreement as being specifically resolved and terminated by approval of this Agreement.

6. This motion shall not be deemed in any respect to constitute an admission by any Party that any allegation or contention in this proceeding is true or false. Except as specified in the Settlement Agreement to accomplish the benefits intended by this Agreement, the entry of an order by the Department approving the Agreement shall not in any respect constitute a determination by the Department as to the merits of any other issue.

WHEREFORE, the Parties respectfully request that the Department enter an order approving the Settlement Agreement in full and without change and closing this proceeding.

Respectfully Submitted,

MARTHA COAKLEY,
ATTORNEY GENERAL



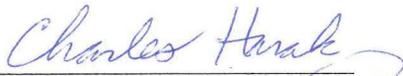
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VERIZON NEW ENGLAND INC.
d/b/a VERIZON MASSACHUSETTS
By its attorney,



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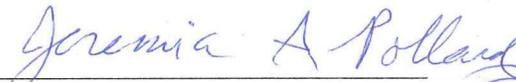
LOCAL 2324, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL
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TOWN OF HANCOCK and TOWN OF
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By their attorney,



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TOWN OF LEVERETT
By its representative



Peter d'Errico
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Leverett, MA 01054

DATED: Dec. 16, 2010