

Alexander W. Moore
Deputy General Counsel



125 High Street
Oliver Street Tower – 7th Floor
Boston, MA 02110-1585

Phone 617 743-2265
Fax 617 737-0648
alexander.w.moore@verizon.com

November 26, 2013

Catrice Williams, Secretary
Department of Telecommunications & Cable
1000 Washington Street – Suite 820
Boston, MA 02118

Re: D.T.C. 13-6 – Agreement of Verizon New England Inc.

Dear Secretary Williams:

I write in brief response to the substantive arguments made in the Competitive Carriers' Scheduling Proposal dated November 22, 2013.

The CLECs are wrong in asserting that “no further factual development is needed” in this proceeding because the Verizon/Comcast agreement allegedly “contains numerous obligations and provisions relating to § 251 (b) or (c) that make it an interconnection agreement subject to § 252.” Competitive Carriers' Scheduling Proposal, at 5. The CLECs ignore that § 251(b) and (c) apply only to telecommunications services – not to VoIP service, which is an information service – and that therefore the filing requirements of § 252 do not apply to the agreement. *See Reply of Verizon MA In Support of Motion For Abeyance*, at 2-3. Accordingly, the Department should provide for – and Verizon MA is entitled under G.L. c. 30A, § 11, to offer – testimony and other evidence showing that VoIP is an information service, for example that it offers customers a suite of integrated capabilities and features that allow them to “generate, acquire, store, transform, process, retrieve, utilize, or make available information via telecommunications”¹ or that it offers the capability to perform a net protocol conversion.² The Department should also seek and Verizon MA must be allowed to offer evidence on related matters such as, for example,

¹ 47 U.S.C. § 153(24).

² *See Southwestern Bell Tel. L.P. v. Missouri Pub. Serv. Comm'n*, 461 F. Supp. 2d 1055, 1081-1082 (E.D. Mo. 2006).

Catrice Williams, Secretary
November 26, 2013
Page 2

how a proper application of the facts to the law here results in good policy, by encouraging more parties to enter into agreements to exchange VoIP traffic in IP and thereby further the overall transition to IP-enabled services.

The Proposed Schedule that Verizon MA, Sprint and Comcast submitted allows for the presentation of evidence and argument on all issues raised by this investigation, without prejudice to any party. The Department should adopt that proposal.

Very truly yours,



Alexander W. Moore

cc: Service List