

John L. Conroy  
Vice President  
Regulatory Massachusetts

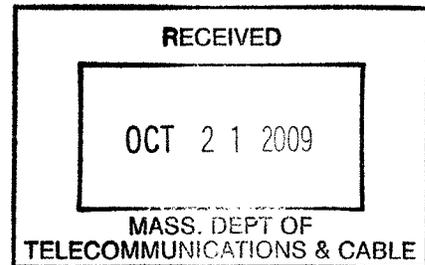


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October 21, 2009

Michael Isenberg, Director  
Competition Division  
Department of Telecommunications & Cable  
Two South Station, 4<sup>th</sup> Floor  
Boston, MA 02110



Re: FiOS Digital Voice

Dear Mr. Isenberg:

I write on behalf of Verizon New England Inc., d/b/a/ Verizon Massachusetts ("Verizon MA") in response to your letter to me of September 22, 2009, which asserts that Verizon MA's FiOS Digital Voice ("FDV") service is subject to the Department's regulatory authority and that Verizon MA is required to file a state tariff for FDV service.

As you know from our many discussions on the subject and from my letter to you of August 19, FDV, like the many other VoIP services being offered by other companies in Massachusetts, is not subject to state regulation, including the tariffing requirements of M.G.L. c. 159. Therefore the Department does not have authority over FDV and a tariff is not required.

As I mentioned in my August 19 letter, FDV is subject to a number of federal regulatory obligations, including CALEA and local number portability. It contributes to the federal universal service fund, carries 911 and Directory Assistance calls, and supports TRS service. In addition, Verizon MA understands all too well that in today's hyper-competitive market, it must provide excellent service on fair and reasonable terms in order to win and retain its customers. To that end, Verizon has developed the FDV policies regarding customer matters which I summarized for you in my August 19 letter.

Verizon is very willing to continue our dialogue concerning the legal and regulatory status of FDV service and to provide additional information to the Department regarding FDV service, as you might deem helpful.

Sincerely,



John L. Conroy

cc: Geoffrey Why, Commissioner  
Ms. Donna Cupelo