



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

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October 28, 2009

William G. Bottiggi
General Manager
Braintree Electric Light Department
150 Potter Road
Braintree, MA 02184

Dear Mr. Bottiggi,

The Department of Telecommunications and Cable (“Department”) is interested in clarifying its understanding of Braintree Electric Light Department (“BELD”)’s implementation or use of Voice over Internet Protocol (VoIP) telephone service in the Commonwealth, and the implications of this for BELD’s regulatory status in Massachusetts. As you may know, the Department has previously expressed its opinion that fixed VoIP telephone service provided on a common carrier basis is subject to the Department’s regulatory authority under Chapter 159 of the Massachusetts General Laws, including compliance with the Department’s consumer protections set forth in D.P.U. 18448.¹ BELD has previously expressed its willingness to file all necessary documents with the Department, including a tariff and registration statement, and to otherwise comply with the above referenced requirements.

To assist BELD in its effort to comply with the Department’s requirements, enclosed is a copy of our registration form, which BELD must file within 30 days from the date of this letter. Once filed, the Department will consider BELD in compliance on a temporary basis, based on the filing of the registration statement and information concerning rates, terms and conditions of

¹ See, e.g., Letter from Michael A. Isenberg, Director, Competition Division, Massachusetts Department of Telecommunications and Cable, to Stacey L. Parker, Senior Director, Regulatory Affairs, Comcast (November 14, 2008), available at <http://www.mass.gov/dtc> through the following links: Telecommunications Division > Telecom Statutes, Rules, and Notices>Correspondence with Comcast Regarding Regulation of Fixed VoIP.

services that BELD previously filed with the Department. The latter information will be considered to satisfy BELD's tariffing requirements, until such time as BELD develops and files a properly-formatted permanent tariff. A sample tariff is enclosed to assist BELD in the development and filing of its permanent telecommunications tariff.

If you have any questions, please feel free to contact me at 617-368-1101.

Sincerely,

Michael A. Isenberg
Director, Competition Division

cc: Geoffrey Why, Commissioner
Kajal Chattopadhyay, Deputy General Counsel
Joslyn Day, Director, Consumer Division