

Before the

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Global NAPs, Inc. Petition for Arbitration
Pursuant to Section 252(b) of the
Telecommunications Act of 1996 to Establish
an Interconnection Agreement with Verizon
New England, Inc. d/b/a Verizon
Massachusetts Inc. f/k/a New England
Telephone & Telegraph Co. d/b/a Bell
Atlantic - Massachusetts

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**GLOBAL RESPONSES TO
ON THE RECORD INTERROGATORY REQUESTS
OF DEPARTMENT STAFF**

Global NAPs, Inc. (“Global”) by counsel and pursuant to the schedule established by Hearing Examiner Tina Chin submits the following responses to the One the Record Requests (“Requests”) propounded by Department Staff (“DTE” or “Department Staff”).

GENERAL OBJECTIONS APPLICABLE TO ALL REQUESTS

1. Global objects to these Requests to the extent that they purport to call for the production, identification or disclosure of information or documents protected by the attorney-client or

other privileges, information or documents protected by the work-product doctrine, or information or documents protected as trial preparation material.

2. Global objects to these Requests to the extent that the definitions and instructions used by GNAPs in its Requests do not comply with the applicable Massachusetts Rules.

SPECIFIC OBJECTIONS

1. Global objects to these Requests to the extent they appear to call for the production of confidential, company proprietary, customer proprietary information or other competitively sensitive information. Global may consider production of confidential material if the parties can agree on an appropriate confidentiality stipulation or order.

2. Global objects to these Requests to the extent that they call for the production of documents beyond the requirements of the applicable Massachusetts Rules, or for documents not within the possession, custody or control of Global NAPs, Inc.

3. Global objects to these Requests to the extent that they call for Global to produce information or documents that are either publicly available or that are already in the possession, custody or control of Verizon.

4. Global objects to these Requests to the extent that they are overly broad and unduly burdensome.

5. Global objects to these Requests to the extent that they seek information not relevant to the dispute between the parties and not reasonably calculated to lead to the discovery of admissible evidence.

6. Global objects to these Requests to the extent that they seek to have Global create documents not in existence at the time of the Requests.

7. Global objects to these Requests to the extent they are not limited in geographical scope to Massachusetts.

8. Global objects to these Requests to the extent they request information regarding entities, namely affiliates that are neither a party to this proceeding nor regulated by this Commission.

9. Global objects to these Requests to the extent they are not limited in temporal scope.

DTE-1 (Beginning at page 116) Please provide a reconciliation of the Global NAPs response listing its NXX codes and their affiliated rate centers between that provided in an earlier data request response and that available from the North American Numbering Plan Administration's website.

Response:

Following is what was provided as Global's response to Verizon request number 6:

6. Please identify and list all NXX codes that GNAPs has obtained for use in Massachusetts and the associated rate centers that GNAPs has assigned to them.

Response:

M	S. Deerfield	413-208	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Becket	413-215	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Palmer	413-228	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Stockbridge	413-235	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Turner Falls	413-254	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Northampton	413-280	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Springfield	413-294	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Sandis Field	413-305	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Russell	413-312	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Pittsfield	413-321	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Lenox	413-332	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Otis	413-334	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Charlemont	413-352	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Bernard	413-361	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A	Station				h01228		
M	Lee	413-383	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Dalton	413-403	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755

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A					h01228		
M	Lenox	413-410	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Holyoke	413-425	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Ludlow	413-431	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Longmeadow	413-451	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Belcherton	413-460	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	North Adams	413-473	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Westfield	413-480	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Warren	413-487	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Williamsburg	413-502	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Wilbraham	413-513	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Brimfield	413-521	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Great	413-541	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A	Barrington				h01228		
M	Chester	413-556	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Chesterfield	413-581	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	East	413-604	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A	Hampton				h01228		
M	Conway	413-618	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Granville	413-622	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Housatonic	413-638	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Gilbertville	413-643	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	E.	413-647	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A	Longmeadow				h01228		
M	Huntington	413-653	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Hindsdale	413-669	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Hatfield	413-674	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Colrain	413-677	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Chicopee	413-683	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		

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M	Ashfield	413-691	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Pittsfield	413-692	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Millersfield	413-702	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Monson	413-714	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Monroe Bdg	413-723	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Cummington	413-740	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Montague	413-751	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	W.	413-764	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A	Stockbridge				h01228		
M	Blandford	413-771	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Ware	413-778	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Worthington	413-793	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Williamson	413-803	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Sheffield	413-812	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Amherst	413-825	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Sheelburn	413-826	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A	Falls				h01228		
M	Greenfield	413-828	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Southwick	413-832	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Northfield	413-845	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		
M	Adams	413-895	126	SPFDMAWO01T	v04434,	SPFDMAMAOMD	7755
A					h01228		

Respondent:

Robert Fox

On review, two errors have been corrected. First, it appears that the first response neglected to include NXX codes related to the 128 LATA. Second, in the 126 LATA, the NXX code for Hamden has been added:

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S t a t e	Rate Center	NPA- NXX	LAT A	Tandem	V&H	Switch/POI	OC N
M A	S. Deerfield	413-208	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Becket	413-215	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Palmer	413-228	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Stockbridge	413-235	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Turner Falls	413-254	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Northampton	413-280	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Springfield	413-294	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Sandis Field	413-305	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Russell	413-312	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Pittsfield	413-321	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Lenox	413-332	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Otis	413-334	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Charlemont	413-352	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Bernard Station	413-361	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Hamden	413-375	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Lee	413-383	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Dalton	413-403	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Lenox	413-410	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Holyoke	413-425	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Ludlow	413-431	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Longmeadow	413-451	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	Belcherton	413-460	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5
M A	North Adams	413-473	126	SPFDMAWO01 T	v04434, h01228	SPFDMAMAOM D	775 5

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M	Westfield	413-480	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Warren	413-487	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Williamsburg	413-502	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Wilbraham	413-513	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Brimfield	413-521	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Great Barrington	413-541	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Chester	413-556	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Chesterfield	413-581	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	East Hampton	413-604	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Conway	413-618	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Granville	413-622	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Housatonic	413-638	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Gilbertville	413-643	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	E. Longmeadow	413-647	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Huntington	413-653	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Hindsdale	413-669	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Hatfield	413-674	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Colrain	413-677	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Chicopee	413-683	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Ashfield	413-691	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Pittsfield	413-692	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Millersfield	413-702	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Monson	413-714	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Monroe Bdg	413-723	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Cummington	413-740	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Montague	413-751	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775

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A				T		D	5
M	W. Stockbridge	413-764	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Blandford	413-771	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Ware	413-778	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Worthington	413-793	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Williamson	413-803	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Sheffield	413-812	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Amherst	413-825	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Sheelburn Falls	413-826	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Greenfield	413-828	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Southwick	413-832	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Northfield	413-845	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Adams	413-895	126	SPFDMAWO01	v04434, h01228	SPFDMAMAOM	775
A				T		D	5
M	Brockton	508-256	128	BRTNMACO03T	v04434, h01228	QNCYMACEOO	775
A						T	5
M	Seekonk	508-262	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Holden	508-267	128	WRCSMACE03	v04434, h01228	QNCYMACE2M	775
A				T		D	5
M	Fall River	508-300	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Framingham	508-302	128	FRMNMAUN04T	v04434, h01228	QNCYMACE3M	775
A						D	5
M	Marion	508-355	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Nantucket	508-374	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Barnstable	508-437	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Cataumet	508-445	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Rehoboth	508-448	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	CHARLTON	508-462	128	WRCSMACE03	v04434, h01228	QNCYMACE2M	775
A				T		D	5
M	Upton	508-464	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Worcester	508-519	128	WRCSMACE03	v04434, h01228	QNCYMACE2M	775
A				T		D	5

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M	Uxbridge	508-526	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Foxborro	508-546	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Franklin	508-590	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Vineyard Hven	508-629	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Harwich	508-632	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Wellfleet	508-664	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Jamaica Plain	617-344	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	Boston	617-507	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	Quincy	617-687	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	Cambridge	617-812	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	Waltham	781-207	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	Lexington	781-240	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	Braintree	781-394	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Dedham	781-459	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	Lynnfield	781-623	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	Norwood	781-634	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Medford	781-723	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	hingham	781-735	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Revere	781-823	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	Kingston	781-846	128	BRTNMACO03T	v04434, h01228	QNCYMACE5M	775
A						D	5
M	Burlington	781-998	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	Gloucester	978-231	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	Maynard	978-246	128	CMBRMA0118T	v04434, h01228	QNCYMACEOO	775
A						T	5
M	Petersham	978-285	128	WRCSMACE03	v04434, h01228	QNCYMACE2M	775
A				T		D	5
M	Gardner	978-334	128	WRCSMACE03	v04434, h01228	QNCYMACE2M	775
A				T		D	5
M	Salem	978-336	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775

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A							5
M	Topsfield	978-359	128	LWRNMACA03	v04434, h01228	QNCYMACE4M	775
A				T		D	5
M	Townsend	978-383	128	FRMNMAUN04T	v04434, h01228	QNCYMACE3M	775
A						D	5
M	Berlin	978-389	128	WRCSMACE03	v04434, h01228	QNCYMACE2M	775
A				T		D	5
M	Lowell	978-418	128	LWRNMACA03	v04434, h01228	QNCYMACE4M	775
A				T		D	5
M	Ayer	978-428	128	FRMNMAUN04T	v04434, h01228	QNCYMACE3M	775
A						D	5
M	W. Newbury	978-477	128	LWRNMACA03	v04434, h01228	QNCYMACE4M	775
A				T		D	5
M	Beverly	978-529	128	CMBRMA0118T	v04434, h01228	QNCYMACE00T	775
A							5
M	Tyngsboro	978-926	128	LWRNMACA03	v04434, h01228	QNCYMACE4M	775
A				T		D	5
M	Haverhill	978-945	128	LWRNMACA03	v04434, h01228	QNCYMACE4M	775
A				T		D	5

DTE-2 Is Global NAPs currently participating in number pooling in Massachusetts? Are you donating blocks to the pool?

Response:

Global NAPs is participating in pooling to the extent that its needs for additional numbering resources are being met by the pool. However, Global NAPs is not donating blocks to the pool since all of its thousand blocks are at least 10% contaminated which makes them ineligible for donation to the pool under current numbering guidelines.

Respondent:

Robert Fox

D.T.E. 02-45

DTE- 3 Is Global NAPs participating in thousands-block number pooling in Massachusetts, i.e. donating thousands-blocks to the pool and receiving new numbering resources in thousands-blocks?

Response:

See response to DTE-2.

Respondent:

Robert Fox

D.T.E. 02-45

DTE-4 In response to Global NAPs' response to DTE-GN-1. At the same time, it may be helpful to take a look at the original Global NAPs petition, Page 23 of the original Global NAPs petition. In response, Global NAPs submitted a couple of pages from 91-79. I wonder if you could direct the Bench's attention to where in the 91-79 order that's attached to the response to DTE-GN-1, where there is a discussion of virtual NXX codes.

Response:

On further reflection and analysis, it appears that the text, although ambiguous, was intended to refer to a New York Public Service Commission Order. As originally stated in the initial response:

This paragraph refers to the policy espoused by the Department. The Department has a long history of promoting competition, consistent with the stated goals of the Telecommunications Act of 1996. See, e.g., pages 6 & 7 of the attached Order.

Thus, there are no direct references to virtual NXX codes found in the pages provided. Notwithstanding, the reference on page 23 of the Arbitration Petition is entirely consistent with the Department's espoused position. There is, however, a recognition by the Department that its goal is consistent with that of Congress, i.e., "to provide for a pro-competitive, de-regulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services to all Americans by opening all telecommunications markets to competition... " Conference Report accompanying S. 6523, 104th Congress, 2nd Session, Report 103-230 "Telecommunications Act of 1996" (Feb. 1, 1996). Allowing for the continued deployment of virtual NXXs to compete against Verizon's FX service is an example of a pro-competitive policy.

Respondent:

William Rooney

DTE-9 Issue 9: Should the interconnection agreement include language that allows Verizon to audit Global NAPs's books, records, documents, facilities, and systems? In Verizon's answer Verizon indicated that it uncovered an illegal billing scheme that Global NAPs implemented, and I'd like to get some more details on that. That can be Record Request 9.

Response:

Verizon's assertions of "an illegal billing scheme" are just that: assertions. Consistent with a settlement of claims asserted by Verizon and counterclaims asserted by Global, Global attaches "Exhibit A" of the settlement which embodies the only information on the case that is publicly available.

Verizon's assertions are a tiresome vituperative litany against Global. Indeed, given Verizon's heightened animosity toward Global, if wrongdoing were found on Global's part, it would surely provide the Department with more than mere allegations. In fact, it is Verizon that has repeatedly been found violating the law concerning "books, records, [billing] documents and systems." For example, the FCC Common Carrier Bureau's audit of the accounting practices of Verizon's predecessors and other incumbent local telephone carriers found numerous discrepancies, and concluded that the incumbents "may have overstated their book costs by as much as five billion dollars." Qwest Communications Int'l v. FCC, 229 F.3d 1172, 1174 (D.C. Cir. 2000); see In re Ameritech Corp. Tel. Operating Cos. Continuing Property Records Audit, CC Docket No. 99-117, 14 F.C.C.R. 7019, 7019 (rel. Apr. 7, 1999). In addition, in June 2002 Verizon agreed to provide customers with up to \$600 million in service or merchandise discounts to settle a nationwide lawsuit alleging that Verizon had deceived its customers by "hid[ing] service charges," and through other deceptive billing practices. See Verizon Wireless Reaches Settlement, L.A. Times, June 29, 2002, at C2. In June 2002, the Second Circuit ordered Verizon to stand trial on claims that it had illegally monopolized the local telephone market. See Law Offices of Curtis V. Trinko, L.L.P. v. Bell Atlantic, 294 F.3d 307 323-26 (2d Cir. 2002).

Verizon's mudslinging should be ignored. It is noteworthy that Verizon has used allegations in the past to mask its own transgressions. Attached is a decision issued in New York providing details of how Verizon's subsidiary New York Telephone, perpetrated billing fraud by knowingly failing to make adjustments to its billing system and instead electing to cast aspersions on its competitors. In contrast to Verizon's allegations, proceedings determined (in part) as follows:

The ALJ noted, for example, that when NYTel was "[c]onfronted with a mess of its own making, the company *not only failed to act expeditiously to clean it up, but instead focused its efforts on covering it up.*" Recommended Decision at 133-34. The ALJ also described NYTel's assertion that there was no connection between the striking call count decline and the cutover as "simply incredible." Id. at 143; see also id. n. 2 ("*This unashamed company denial of the undeniable is yet another*

demonstration of the company's reflex to stonewall that has been all too evident throughout this proceeding."

In the Matter of Black Radio Network v. NYNEX Corp., 44 F.Supp.2d 565 at 22 (April 14, 1999), citing, *New York Tel. Co. v. Public Service Comm'n.* 179 Misc.2d 301. 684 N.Y.S.2d 829 (N.Y. SuQ.Ct.1998) (emphasis added).

As concerns the unauthorized adjustments to the Autrax call figures, we are persuaded that the AU employed the correct legal standard for willful. It is noteworthy that PSC Tariff 900 immunized misconduct, finding that NYT knew that the Autrax figures were unreliable and that any adjustments thereto were clearly violative of the governing tariff. ***Rather than take corrective action, however, NYT made a conscious choice to conceal the problem and merely estimated call figures without any consideration of the effect its action would have on the IPs. In our view, this improper conduct on NYT's part amply supported a finding of willful misconduct*** (see, 103 N.Y. 1ur. 2d, Torts, § 11, at 400; Prosser and Keeton. Torts § 34, at 213 [5th ed.]; see also, *Metropolitan Life Ins. Co. v. Noble Lowndes Int'l.* 192 A.D.2d 83. 90. 600 N.Y.S.2d 212. aff'd N. Y.2d 430.618 N. Y.S.2d 882. §:-43 N.E.2d 504).

In the Matter of Black Radio Network Inc. et al., 707 N. Y .S.2d 534) 271 A.D.2d35, 2000 WL 571414 (N.Y.A.D. 3 Dept.), 2000 N.Y. Slip Op. 04804 at 5 (emphasis added).

Respondent:

William Rooney