



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

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COMMISSIONER

D.T.C. 10-05

October 12, 2010

NOTICE OF PUBLIC HEARING & REQUEST FOR COMMENTS

On March 1, 2010, Verizon New England Inc. d/b/a Verizon Massachusetts ("Verizon") filed with the Department of Telecommunications and Cable ("Department") a Petition to amend its existing Performance Assurance Plan ("PAP") audit requirement. The PAP is a self-executing remedy plan designed to ensure that Verizon will provide quality wholesale services to competitive carriers by imposing penalties on itself for substandard performance. See Order Adopting Performance Assurance Plan, D.T.E. 99-271 (September 5, 2000). Currently, Verizon is required to conduct and pay for an independent audit of the PAP every three years, the next audit to be conducted in 2011. See June 24, 2009 Letter Order Approving Verizon's Third PAP Audit. In its Petition, Verizon requests that the Department eliminate the mandatory audit requirement and make the audit discretionary based on credible concerns of Competitive Local Exchange Carriers. A copy of the Petition is available for viewing at the Department's offices and on its web page at: www.mass.gov/dtc.

The Department seeks public comment on Verizon's Petition. Initial comments are due by the close of business on Friday, November 5th, 2010. Reply comments are due by the close of business on Friday, November 19th, 2010. The Department also will hold a Public Hearing to hear from all interested parties on this matter. The Public Hearing will be at the Department's Offices:

Tuesday, November 30th, 10:00AM
1000 Washington Street, Boston MA
Room 1-F

The Department will conduct a Procedural Conference immediately following the Public Hearing to establish additional process in this matter, if necessary.

This proceeding is being conducted as an adjudication, as set forth in the Department's procedural rules at 220 C.M.R. 1.01 (3) and G.L. c. 30A, §1 (1). Any person who desires to file written comments or to participate otherwise in this proceeding shall file such written comments or petition for leave to intervene in the proceeding with:

Catrice C. Williams
Secretary
Department of Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, MA 021108-6500

no later than the close of business (5:00 p.m.) on Friday, November 19th, 2010. All written pleadings or comments must indicate the docket number of this matter (D.T.C. 10-05). Any questions regarding this proceeding should be directed to Catrice C. Williams at catrice.williams@state.ma.us or at 617-368-1120.

A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G. L. c. 30A, § 10.

All written pleadings or comments also should be submitted to the Department in electronic format by e-mail attachment to dte.efiling@state.ma.us (copy to benedict.dobbs@state.ma.us). The text of the e-mail must specify: (1) an easily identifiable case caption; (2) the docket number; (3) the name of the person or company submitting the filing; and (4) a brief descriptive title of document (e.g., comments or petition to intervene). The electronic filing should also include the name, title, and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Microsoft Word (naming the document with a ".doc" suffix), or submitted as an Adobe document (naming the document with a ".pdf" suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. All documents submitted will be posted on the Department's website, <http://www.state.ma.us/dte/>.

Sincerely,

_____/s/_____
Catrice C. Williams
Dept. Secretary/Paralegal Specialist