
)
Investigation by the Department on its own)
Motion as to the propriety of the rates and)
charges set forth in M.D.T.E No. 17, filed with)
the Department on May 5, 2000 and June 14, 2000) D.T.E. 98-57, Phase III
to become effective October 2, 2000 by New)
England Telephone and Telegraph Company)
d/b/a Bell Atlantic - Massachusetts)
_____)

VERIZON MASSACHUSETTS' MOTION FOR STAY
OF THE PROCEDURAL SCHEDULE

Verizon Massachusetts ("Verizon MA") hereby requests that the Department grant an immediate stay of the existing procedural schedule, pending the Department's ruling on Verizon MA's Motion to Defer cost/rate issues to D.T.E. 01-20. As explained below, such immediate relief is required because the Department's ruling on Verizon MA's Motion to Defer will determine the scope of D.T.E. 98-57, Phase III and, therefore, will directly affect the nature of Verizon MA's Direct Testimony filed in that proceeding.

1. Verizon MA's Direct Testimony is presently due on May 14, 2001, prior to the date established by the Department for parties to respond to Verizon MA's Motion to Defer filed May 10, 2001. If the Department grants that Motion, cost issues relating to loop conditioning for CSA- compliant loops and line sharing collocation augmentation intervals will be addressed in D.T.E. 1-20, along with all other cost/rate issues based on the new TELRIC studies filed on May 8, 2001, in that docket.

2. Under the circumstances, granting this stay is reasonable, efficient, and will not prejudice any party in D.T.E. 98-57, Phase III. In accordance with the Department's Orders in D.T.E. 98-57, Phase III, interim rates for these outstanding costs elements are currently in effect, and a true-up will apply when permanent rates are established by the Department. Phase III-A Reconsideration Order, at 25 (January 8, 2001); Phase II-B Clarification Order, at 2 (February 21, 2001).

3. Likewise, granting this stay will not unreasonably delay the current procedural schedule. For instance, if the Department ultimately grants Verizon MA's Motion to Defer by May 18, 2001, the Company would propose only minor modifications to the existing schedule, as shown below:

May 22, 2001 Filing of Verizon MA's Direct Testimony

Untitled

May 31, 2001 Filing of Other Parties' Direct Testimony

June 8, 2001 Filing of Verizon MA's Rebuttal Testimony

June 14, 2001 Open discovery period closes

June 28-29, 2001 Evidentiary Hearings

July 12, 2001 Filing of Initial Briefs

July 23, 2001 Filing of Reply Briefs

Because the revised procedural schedule would change only the testimony due dates and preserve the discovery period, hearing dates and briefing period, this stay would have little or no effect on the timing of the Department's final decision in this matter. (1)

4. If the Department, however, either denies Verizon MA's Motion to Defer or does not rule on that Motion until after May 18, 2001, then a new procedural schedule would need to be developed. Additional time would also be required for Verizon MA to incorporate into its Direct Testimony a discussion of outstanding cost issues, if applicable.

5. In light of the imminent May 14th filing date for Verizon MA's Direct Testimony and the potential minimal impact, the requested stay of the existing procedural schedule is justified and should be allowed.

WHEREFORE, for the foregoing reasons, the Department should grant this Motion and stay the procedural schedule pending its decision regarding Verizon MA's Motion to Defer.

Respectfully submitted,

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1. 1 In addition, the added time would enable parties to discuss further a potential stipulation regarding the appropriate line sharing collocation augment interval in Massachusetts. Tr. 5:17-20 (Technical Session, 5/8/01).