



# COMMONWEALTH OF MASSACHUSETTS

## Department of Telecommunications and Cable

1000 Washington Street, Suite 820, Boston, MA 02118

(617) 305-3580

[www.mass.gov/dtc](http://www.mass.gov/dtc)

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**JAY ASH**  
SECRETARY OF HOUSING AND  
ECONOMIC DEVELOPMENT

**JOHN C. CHAPMAN**  
UNDERSECRETARY

**KAREN CHARLES PETERSON**  
COMMISSIONER

October 06, 2015

Department of Telecommunications and Cable Regulation Review Pursuant to Executive Order  
No. 562 To Reduce Unnecessary Regulatory Burden

---

**NOTICE SEEKING COMMENT**  
**HEARING OFFICER RECOMMENDATION**  
**220 C.M.R. 15.00, ACCELERATED DOCKET FOR DISPUTES INVOLVING**  
**COMPETING TELEPHONE CARRIERS**

By Executive Order No. 562, dated March 31, 2015, the Governor's Office directed each Executive Agency, including the Department of Telecommunications and Cable ("Department"), to undertake an immediate review of its regulations.<sup>1</sup> These reviews must be generally concluded by March 31, 2016, and may result in rescission or revision of certain regulations.<sup>2</sup> As Title 220 has been assigned to the current Department of Public Utilities ("DPU"), the Department intends to promulgate its own version of the regulations and any revision thereto under Title 207, as appropriate.<sup>3</sup> If the Department finds a Title 220 regulation unnecessary to the exercise of its jurisdiction it will not seek to promulgate its own version of the regulation in Title 207.

The Hearing Officer has reviewed 220 C.M.R.15.00, Accelerated Docket for Disputes Involving Competing Telecommunications Carriers and the equivalent Federal Communications Commission rule that the Department's modeled its regulation after.<sup>4</sup> While, the provisions of 220 C.M.R. 15.00 are not statutorily required, the Department originally adopted the regulations to promote competition for telecommunications service by offering an option for prompt resolution of certain types of disputes between carriers.<sup>5</sup> The Hearing Officer recommends that

---

<sup>1</sup> See Office of the Governor, Commonwealth of Massachusetts, Executive Order No. 562 (Mar. 31, 2015) ("Executive Order").

<sup>2</sup> *Id.*, § 2.

<sup>3</sup> See Request for Comment and Notice of Listening Session at 2; n.5. The Department is reviewing each regulation individually and does not preclude the possibility it may be appropriate to retain joint jurisdiction over a regulation under Title 220 and not promulgate its own version under Title 207.

<sup>4</sup> See 47 C.F.R. § 1.730.

<sup>5</sup> *Rulemaking by the Dep't of Telecom. And Energy, pursuant to 220 C.M.R. §§ 2.00 et seq., to promulgate regulations governing an expedited dispute resolution process for complaints involving competing*

the Department adopt its own version of 220 C.M.R. 15.00 in Title 207. Accordingly, the Department seeks comment on the Hearing Officer's recommendation to promulgate its own version of 220 C.M.R. 15.00, Accelerated Docket for Disputes Involving Competing Telephone Carriers, in Title 207. Specifically, as proposed in the enclosed red-line of the regulations, the Department will:

- Replace references to Title "220" with Title "207;"
- Replace reference to the "Department of Telecommunications and Energy" with the "Department of Telecommunications and Cable;"
- Replace references to the "Director of the Telecommunications Division" with "Secretary of the Department;" and
- Eliminate references to "the Commission" or replace such references with "the Department or "the Commissioner."

The Department seeks comment on these preliminary hearing officer recommendations so that it may address any stakeholder concerns before the Department adopts a formal proposal. Comments should be submitted to the Department on or before **October 20, 2015**. In the interest of efficiency, the Department strongly encourages electronic filing. Interested stakeholders may submit written concerns or recommendations to the assigned Hearing Officer's email address [Michael.Scott@state.ma.us](mailto:Michael.Scott@state.ma.us) and to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us). Comments may also be mailed in hard copy to the Department at:

Sara J. Clark, Secretary  
Department of Telecommunications and Cable  
1000 Washington Street, Suite 820  
Boston, MA 02118-6500

Submittals should include the name, title, and telephone number of a person to contact in the event of questions about the filing. **Please be sure to reference "Department Reg Review" and 220 C.M.R. 15.00 in the subject line of all submissions.** Note that all filings submitted to the Department are subject to disclosure pursuant to G. L. c. 66, § 10, unless protected by statutory exemption. All comments will be posted to the Department's website.

For questions about this Notice, contact Hearing Officer Michael Scott at (617) 368-1114 or [Michael.Scott@state.ma.us](mailto:Michael.Scott@state.ma.us).