



July 25, 2008

VIA HAND DELIVERY AND E-MAIL

Catrice C. Williams
Secretary of the Department
Department of Telecommunications and Cable
One South Station
Boston, MA 02111

Re: DTC 07-09: Motion of RNK Inc. for Extension of the Discovery Window

Dear Secretary Williams:

By this letter RNK Inc. d/b/a RNK Communications ("RNK")¹, respectfully moves, pursuant to 220 C.M.R. Sec. 1.02(5), that the Department extend the due date for discovery requests issued by parties upon Verizon regarding Verizon's pre-filed testimony one (1) business day to July 28, 2008, and modify the procedural schedule accordingly as set forth below.

Extension of the due date is justified as RNK did not receive actual service of Verizon's responses until after the close of business on the date such responses were due pursuant to the Procedural Notice dated July 1, 2008.² Furthermore, RNK's ability to file follow-up discovery was further hampered due to circumstances beyond its control.³ Parties will not be prejudiced by the extension since the corresponding proposed modification to the procedural schedule permits the parties and the Department the same or slightly increased time periods as originally established.⁴

RNK has consulted with counsel for XO Communications who indicated XO's support for this Motion. Verizon's counsel, Richard Fipphen, indicated to me that Verizon would oppose the extension.

Accordingly, for the foregoing reasons, RNK respectfully requests that the Department modify the procedural schedule in accordance with the following proposed schedule:

Discovery on Verizon Pre-filed ends: July 28, 2008

¹ For efficiency's sake, as discussed with Hearing Officer Lindsey De Roche, RNK is filing the initial motion to the Department via email today, with original to follow via hand delivery.

² For example, RNK's Douglas Denny-Brown did not receive the documents until today. The undersigned did not receive the documents until after close of business, nor did RNK's Matt Kinney. RNK understands that at least one other CLEC party, XO Communications, experienced a similar delay.

³ RNK's corporate offices had to be evacuated for a time today due to a false fire alarm and its offices were without power in the early morning and afternoon hampering RNK's ability to work on this matter.

Verizon answers to pre-filed due:

August 4, 2008

Please contact the undersigned with any questions concerning this filing.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. Tenore". The signature is stylized with a large, sweeping initial "M" and a long horizontal line extending to the right.

Michael S. Tenore, Esq.
Assistant general Counsel/ V.P. Regulatory Affairs
Counsel for RNK Inc. d/b/a RNK Communications

Cc: Lindsey De Roche, Hearing Officer (by email and hand).
Service List