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February 22, 2001

**Via E-Mail and Overnight Mail**

Mary L. Cottrell, Secretary

Department of Telecommunications and Energy

Commonwealth of Massachusetts

One South Station

Boston, MA 02110

***Re: D.T.E. 01-20 - Z-Tel Communications, Inc.'s Support of WorldCom's Proposed Modification of the Scope and Schedule of Part A, Development of UNE Rates***

Dear Secretary Cottrell:

By this letter, Z-Tel Communications, Inc. ("Z-Tel") expresses its emphatic support of WorldCom's February 15, 2001 letter in which it requests the Department to: (1) adopt the switching, transport, and port rates currently being litigated in New York in Case No. 98-C-1357 once those rates are established; and (2) limit this proceeding only to the establishment of Massachusetts' loop and remaining UNE rates.

Like WorldCom, Z-Tel anticipates that Verizon will be amenable to this proposal because it filed current New York switching, transport, and port rates in Massachusetts and has presented those rates to the Federal Communications Commission ("FCC") in the context of Verizon's 271 application for long distance authority. Verizon also has stated that the forward-looking cost for unbundled network elements ("UNEs") other than loops should not be deaveraged because such costs do not vary by location. As Verizon has testified to before the New York Public Service Commission:

BA-NY is only proposing different zone-based rates for loops (and certain subloop elements)... BA-NY does not believe that the costs of other elements differ significantly enough between zones on a forward-looking basis to warrant deaveraging. <sup>(1)</sup>

Supporting this view, "[t]he [New York Public Service] Commission [has] concluded ... that there [are] no significant geographical variations in the cost of elements other than loops." <sup>(2)</sup>

In accordance with Verizon's statements, which have received the support of the New York Public Service Commission, adoption of WorldCom's proposal by the Department should be non-controversial. Moreover, such a move would greatly expedite the conclusion of this proceeding and conserve the resources of the Department, Verizon, and competitors. For all of these reasons, Z-Tel supports WorldCom's February 15, 2001 letter, and requests that the Department adopt WorldCom's proposal in its entirety.

Respectfully submitted,

Michael B. Hazzard

Counsel to Z-Tel Communications, Inc.

cc: Service List (via E-mail and U.S. Mail)

#### **CERTIFICATE OF SERVICE**

I, Charles M. Hines III, hereby certify that a true and correct copy of the foregoing "; **MA DTE Case No. 01-20**" letter was delivered this 22<sup>nd</sup> day of February 2001 to the individuals on the following list:

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<sup>1</sup> *Panel Testimony of Bell Atlantic-New York on Revised Costs and Rates for Unbundled Network Elements and Related Wholesale Services*, Case 98-C-1357, 55 (filed Feb. 7, 2000).

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<sup>2</sup> *Id.*, 53.