

DT 00-071
DT 01-212

VERIZON ADVANCED DATA, INC.

**Withdrawal of Certification to Operate
Within the State of New Hampshire**

Order Granting Request

O R D E R N O. 24,148

March 28, 2003

I. BACKGROUND

As a result of actions at the Federal Communications Commission concerning the merger of Bell Atlantic and GTE, on March 30, 2000, Bell Atlantic (now known as Verizon) filed a Petition for Authority to Provide Competitive Local Exchange Services in the State of New Hampshire (Docket No. DT 00-071), and, on September 7, 2000, filed a Petition for the Transfer of Advanced Services Operations to a Structurally Separate Affiliate (Docket No. DT 00-185). On October 24, 2000, the New Hampshire Public Utilities Commission (Commission) issued Order No. 23,570 (85 NH PUC 670) authorizing CLEC approval for Verizon Advanced Data, Inc. (VAD) and granting approval of the transfer of advanced services from Verizon to VAD. The transfer authority and CLEC certification, however, were provisionally granted, subject to conditions that would be placed on the Company after a hearing.

Subsequently, on October 24, 2001, VAD requested Commission approval to transfer advanced services back to Verizon New Hampshire and to withdraw any tariffs associated with VAD. That request was granted by the Commission by Order No. 24,099 (December 20, 2002) in this docket. This order addresses VAD's February 18, 2003 request that the Commission cancel its CLEC certification.

The company states that it has completed its asset transfer and has fully reintegrated its advanced data services into Verizon NH. VAD further reports that it no longer provides any telecommunications services nor has any New Hampshire customers.

II. COMMISSION ANALYSIS

N.H. Admin. Code Rule Puc 1304.03(d) provides that the Commission shall approve a CLEC's request to cease operations upon a finding that:

(1) All the CLEC's customers have been notified of the CLEC's request to cease operations;

(2) A period of 60 days has elapsed within which the CLEC's customers can migrate to an alternate provider; and

(3) All the CLEC's customers have been sent refunds of any and all deposits.

In this case, we find that as VAD has no customers within New Hampshire, no harm can result from VAD's surrender of

its CLEC certification. Therefore, we will approve the company's request.

Based upon the foregoing, it is hereby

ORDERED, that the request of VAD to cancel the CLEC certification conditionally issued in Order No. 23,570 is GRANTED.

By order of the Public Utilities Commission of New Hampshire this twenty-eighth day of March, 2003.

Thomas B. Getz
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Claire D. DiCicco
Assistant Secretary