

DT 01-148

**VERIZON NEW HAMPSHIRE/AMERICAN PREPAID TELEPHONE SERVICE,
LLC D/B/A AMERICAN PREPAID TELEPHONE SERVICE**

Order Nisi Approving Resale Agreement

O R D E R N O. 23,808

October 11, 2001

On July 18, 2001, Verizon New England d/b/a Verizon New Hampshire (Verizon) and American Prepaid Telephone Service, LLC d/b/a American Prepaid Telephone Service (American Prepaid) filed with the New Hampshire Public Utilities Commission (Commission) a Resale Agreement (Agreement) negotiated pursuant to Section 252(e) of the Telecommunications Act of 1996 (TAct).

American Prepaid reports it intends to file for Competitive Local Exchange Carrier status prior to the end of the year 2001.

This Agreement establishes terms for the discount purchase of Verizon telecommunications services for resale by American Prepaid to retail customers. Business and residence services are provided to American Prepaid at a mutually agreed upon percentage discount from the Verizon tariff rates. Service establishment charges and other charges related to providing service are expressed in dollar amounts.

Discounts in this filing range from 17.30% to

20.25% from retail, and are the same as the Statement of Generally Available Terms (SGAT) filed by Verizon on July 11, 1997.

All other pricing is consistent with the current SGAT, which includes revisions filed with the Commission on December 22, 1997. Pursuant to Order No. 22,692 (August 25, 1997), the SGAT took effect on October 20, 1997, subject to continued review and approval by the Commission. If the Commission orders changes in SGAT pricing or discount levels within six months of the effective date of the Agreement a true-up will occur for all services previously purchased through the Agreement.

Verizon will provide training to American Prepaid regarding all services requested as well as reasonable amounts of information to assist marketing efforts.

Staff recommends approval of this negotiated Agreement based on its review, the summary provided by Verizon, and any verbal clarification provided by Verizon.

We accept Staff's recommendation, finding that the Agreement meets the standards of §252(e)(2)(A) of the TAct for approval. The Agreement does not appear to be discriminatory to any carrier not a party to the negotiations and is consistent with the public interest, convenience, and

necessity. We will approve it on a Nisi basis in order to provide any interested party an opportunity to submit comments or request a hearing pursuant to RSA 374:26.

Based upon the foregoing, it is hereby

ORDERED NISI, that the Agreement negotiated between Verizon and American Prepaid is approved; and it is

FURTHER ORDERED, that American Prepaid is prohibited from placing any orders under this agreement and from otherwise doing business in New Hampshire until such time as American Prepaid has obtained necessary authority from the Federal Communications Commission and this Commission as may be required by applicable law. See, e.g., NH RSA 374:22; and it is

FURTHER ORDERED, that the Petitioner shall cause a copy of this Order Nisi to be published once in a statewide newspaper of general circulation, such publication to be no later than October 25, 2001 and to be documented by affidavit filed with this office on or before November 1, 2001; and it is

FURTHER ORDERED, that all persons interested in responding to this petition be notified that they may submit their comments or file a written request for a hearing on this matter before the Commission no later than November 1, 2001;

and it is

FURTHER ORDERED, that this Order Nisi shall be effective November 9, 2001, unless the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire this eleventh day of October, 2001.

Douglas L. Patch
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Thomas B. Getz
Executive Director and Secretary