

DT 02-086

VERIZON NEW HAMPSHIRE/OTEL TELEKOM, INC.

Order Approving Interconnection Agreement

O R D E R N O. 24,009

July 15, 2002

On April 30, 2002, Verizon New England d/b/a Verizon

Comment: Start order here.

New Hampshire (Verizon) and Otel Telekom, Inc. (Otel) jointly filed with the New Hampshire Public Utilities Commission (Commission) an Interconnection Agreement (Agreement) which was adopted from an Interconnection Agreement previously approved. This Agreement was originally negotiated between Level 3 Communications, LLC and Verizon NH (Level 3 Agreement), docketed under DT 01-017 and became effective by operation of law as of April 26, 2001. Dark Air Corporation also adopted the Level 3 Agreement which was approved Nisi by Order No. 23,928 (March 8, 2002). The Agreement was filed pursuant to section 252(i) of the Telecommunications Act of 1996 (TAct), 47 U.S.C. ' 252(i).

Otel was granted certification as a Competitive Local Exchange Carrier by the Commission in Docket No. DT 02-016 by Order No. 23,942 dated March 29, 2002.

This Agreement is a comprehensive set of terms and conditions that will facilitate the provisioning of telecom-

munications service by Otel as a CLEC in New Hampshire. The initial term of the adopted Agreement expires on September 30, 2002.

This Agreement provides, inter alia, for the transmission/routing of exchange service traffic and exchange access traffic, transmission/termination of other types of traffic and joint network configuration. It further provides for unbundled access, resale, co-location, number portability, dialing parity, access to rights-of-way, access to databases, and directory assistance service. The parties will exchange technical and traffic information that will be kept proprietary; each party will maintain facilities within its own network and will not interfere with the other party's systems.

The parties agree to jointly engineer, plan and operate a diverse transmission system with which they will interconnect their respective networks. The Agreement specifies the designation of interconnection points, provides for a joint grooming plan, and provides for the physical interface of facilities.

The Commission Staff has recommended approval of the Agreement between Otel and Verizon based upon a review of the petition and the Agreement. Staff also recommended the

Agreement go into effect immediately because this Agreement is the adoption of an agreement previously approved by Order *Nisi* in Docket No. DT 02-023 and no comments or request for a hearing were received in that docket.

We have reviewed the filing and find that approval is warranted. As the Agreement is an adoption of an agreement currently in effect, we will accept Staff's recommendation and allow this Agreement to be effective immediately.

We note that Otel may purchase services or unbundled elements that may not be covered in this Interconnection Agreement from Verizon's Statement of Generally Available Terms (SGAT) and its subsequent revisions that is in effect per Order No. 22,692, subject to continued review pursuant to Section 252(f)(4) of the TAct.

In order to promote the continued growth of competitive telecommunications services in New Hampshire, we will require Otel to comply with our notice requirements regarding **AFresh Look®** opportunities. The recommended method for giving notice is to provide the Commission with a contemporaneous copy of the Confirmation of Code Activation form which is used to notify the North American Numbering Code Administrator.

As new competitors enter the telecommunications

market, we recognize that New Hampshire's 603 area code encounters constantly increasing demand. Accordingly, we will require that Otel request and use numbers responsibly and conservatively, and invite Otel to explore alternative mechanisms to use existing numbers as efficiently as possible.

In approving this Agreement, we require Otel to comply with our orders on number conservation including Order No. 23,385 issued January 7, 2000, and Order No. 23,392 issued January 27, 2000, as well as further orders issued by the Commission concerning this matter.

**Based upon the foregoing, it is hereby**

**ORDERED,** that the Interconnection Agreement between Otel Telekom, Inc. and Verizon New Hampshire is APPROVED; and it is

**FURTHER ORDERED,** that Otel is required to comply with our Order No. 23,385 issued January 7, 2000, Order No. 23,392 issued January 27, 2000, and further orders issued by the Commission concerning number conservation; and it is

**FURTHER ORDERED,** that Otel is prohibited from placing any orders under this Agreement and from otherwise doing business in New Hampshire until such time as Otel has complied with all requirements of applicable federal and state law or regulation; and it is

**FURTHER ORDERED,** that Otel will notify the Commission within ten days of making their first facility-based commercial call in any exchange that has not already been opened to a "Fresh Look@ opportunity as ordered in Docket DE 96-420;

**FURTHER ORDERED,** that any clause in the Agreement found to be in violation of any Commission order is null and void.

By order of the Public Utilities Commission of New Hampshire this fifteenth day of July, 2002.

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Thomas B. Getz  
Chairman

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Susan S. Geiger  
Commissioner

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Nancy Brockway  
Commissioner

Attested by:

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Debra A. Howland  
Executive Director and Secretary