

DT 03-054

VERIZON NEW HAMPSHIRE/ELITEVIEW LLC  
D/B/A GROVELINE

Order NISI Approving Resale Agreement and  
Setting Aside Order NISI No. 24,155

O R D E R N O. 24,160

April 18, 2003

On April 11, 2003, the New Hampshire Public Utilities Commission (Commission) issued Order No. 24,155 approving, nisi, a Resale Agreement negotiated pursuant to Section 252(e) of the Telecommunications Act of 1996 (TAct), 47 U.S.C. § 252(e). Pursuant to the petition seeking approval, Order No. 24,155 indicated that the Resale Agreement had been negotiated between Verizon New England d/b/a Verizon New Hampshire (Verizon) and EliteView LLC, d/b/a Groveline LLC. After Order No. 24,155 was issued, EliteView LLC informed the Commission that its correct d/b/a title is Groveline, not Groveline LLC. Accordingly, the Commission issues this order setting aside Order Nisi No. 24,155, approving a Resale Agreement between Verizon and EliteView LLC d/b/a Groveline (Groveline), and ordering Verizon to file a corrected Resale Agreement identifying Groveline correctly.

On March 4, 2003, Verizon New England d/b/a Verizon New Hampshire (Verizon) and EliteView LLC, d/b/a Groveline (Groveline) filed with the New Hampshire Public Utilities Commission (Commission) a Resale Agreement (Agreement) Groveline has before the Commission an application for authority to serve

as a Competitive Local Exchange Carrier (CLEC) in New Hampshire. Groveline was certified as a Toll Provider (CTP) under IXC No. 03-011-03 dated March 20, 2003.

This Agreement establishes terms for the discounted purchase of Verizon telecommunications services for resale by Groveline to retail customers. Business and residence services are provided to Groveline at a percentage discount from the Verizon tariff rates.

Section 252(e) (2) (A) of the TAct requires the Commission to approve a negotiated agreement unless it is determined that the Agreement or some portion of it discriminates against a telecommunications carrier not a party to the agreement or that the implementation of the Agreement would not be consistent with the public interest, convenience, and necessity. 47 U.S.C. § 252(e) (2) (A). We will approve this Agreement Nisi and invite interested parties to submit comments or request a hearing regarding effects on third parties and the public interest.

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

**ORDERED**, that Commission Order No. 24,155 is hereby SET ASIDE; and it is

**ORDERED NISI**, that the Agreement negotiated between Verizon and EliteView LLC, d/b/a Groveline is APPROVED; and it is

**FURTHER ORDERED**, that Verizon shall file with a Commission a copy of the Resale Agreement, as approved above, that correctly identifies EliteView LLC as d/b/a Groveline; and it is

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

**FURTHER ORDERED**, that Groveline is prohibited from placing any orders under the Agreement and from otherwise doing business in New Hampshire until such time as Groveline has complied with all requirements of applicable federal and state law or regulation including but not limited to CLEC certification; 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 April 28, 2003 and to be documented by affidavit filed with this office on or before May 12, 2003; 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 May 5, 2003; and it is

**FURTHER ORDERED**, that this Order Nisi shall be effective May 19, 2003, unless the Petitioner fails to satisfy

the publication obligation set forth above or 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 eighteenth day of April, 2003.

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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