

DT 01-218

VERIZON NEW HAMPSHIRE/BBIS COMMUNICATIONS, INC.

Order Nisi Approving Resale Agreement

O R D E R N O. 23,914

February 4, 2002

On November 7, 2001, Verizon New England d/b/a Verizon New Hampshire (Verizon) and BBIS Communications, Inc. (BBIS) 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), 47 U.S.C. § 252(e).

BBIS applied for Competitive Local Exchange Carrier (CLEC) status in New Hampshire in March of 2001. That certification has not yet been granted due to the absence of required information.

This Agreement establishes terms for the discount purchase of Verizon telecommunications services for resale by BBIS to retail customers. Business and residence services are provided to BBIS 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 or the FCC orders changes in pricing or discount levels, the prices listed in this Agreement will automatically be adjusted to the new levels.

Verizon will provide training to BBIS 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 and the summary 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 BBIS is APPROVED; and it is

FURTHER ORDERED, that BBIS is prohibited from placing any orders under this Agreement and from otherwise doing business in New Hampshire until such time as BBIS has complied with all requirements of applicable federal and state law or regulation; 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 February 14, 2002 and to be documented by affidavit filed with this office on or before February 28, 2002; 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 February 21, 2002; and it is

FURTHER ORDERED, that this Order Nisi shall be effective March 6, 2002, 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 fourth day of February, 2002.

Thomas B. Getz
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Debra A. Howland
Executive Director and Secretary