

DT 01-248

AT&T Communications of New Hampshire, Inc.

Investigation of Verizon-New Hampshire's  
Terms and Conditions for House and Riser Access

Order Approving Procedural Schedule

O R D E R N O. 23,941

March 29, 2002

The New Hampshire Public Utilities Commission (Commission) opened this docket, by Order of Notice dated January 14, 2002, to examine issues raised by AT&T Communications of New England and its affiliate AT&T Broadband Phone of New Hampshire LLC (collectively, AT&T) about terms contained in Verizon - New Hampshire's (Verizon's) revised Section 5.2 in its Statement of Generally Available Terms and Conditions (SGAT). At the duly noticed prehearing conference held on February 21, 2002, AT&T, Verizon, the Office of the Consumer Advocate, and the Staff of the Commission (Staff) outlined their respective positions regarding AT&T's objections to revisions made by Verizon in its SGAT filing made in compliance with the Commission's Order No. 23,738 (*July 6<sup>th</sup> Order*) in DE 97-171.

The *July 6<sup>th</sup> Order* required Verizon to provide CLECs with direct access to House and Riser cable, i.e., that cable leading from basement facilities vertically to the floors of

apartment buildings (multiple dwelling units or MDUs) and horizontally to individual apartments within MDUs. AT&T contends that Verizon's method by which CLECs can obtain information about the ownership of House and Riser is unnecessarily burdensome, that the timeframe for providing information is vague, and that the fees for providing the information are too high. Together, according to AT&T, these terms create a barrier to CLECs' entry into the local telecommunications market. In addition, AT&T takes issue with Verizon's requirements for multiple meetings about provisioning each request for House and Riser, with the vagueness of certain security measures, and with the extended length of and lack of mediation for the complaint procedures. AT&T also suggests an additional offering for stand-alone horizontal House and Riser cable and suggests re-wording certain portions of the section to avoid inconsistencies. According to AT&T, customers who live in apartments may be disadvantaged relative to obtaining competitive services as a result of the filed terms and conditions. Finally, AT&T represented that it will be meeting with Verizon on March 4, 2002, to attempt resolution of all issues.

Verizon avers that it does not believe that the relevant terms and conditions for House and Riser are anti-

competitive and offered the rationale behind the terms and conditions. Nonetheless, Verizon agreed to meet with AT&T to discuss its particular concerns. If AT&T and Verizon can agree on changes to the language in the SGAT provisions on House and Riser, Verizon recommended that those provisions would apply generally to all CLECs. Accordingly, Verizon and AT&T proposed to present the revised language to Staff and the OCA for review and then file a revision to the SGAT for Commission review. Both AT&T and Verizon represented that they expected to resolve their differences in conference; Staff agreed to make a progress report to the Commission subsequent to March 4, 2002, and the OCA and Staff supported the process as outlined.

Staff reported that, after the March 4<sup>th</sup> meeting, AT&T and Verizon requested more time to complete discussion of three remaining issues. Staff and the OCA recommended the extension of more time. On March 26, 2002, Verizon and AT&T reported that drafts of proposed language are nearly complete. As a result, the parties and Staff recommended the following schedule for completing this investigation:

April 4	Filing of revised Section 5.2
April 11	Technical discussions of revised provision, teleconference 10 a.m.

