

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: July 25, 2006
AT (OFFICE): NHPUC

FROM: Kath Mullholand, Assistant Director, Telecommunications Division
Kath Mullholand

SUBJECT: DT 05-083 and 06-012
Verizon New Hampshire Wire Center Investigation and
Revisions to Tariff 84
Compliance Tariff Filing

TO: Thomas Getz
Graham Morrison
Clif Below
Debra Howland
Jeannette McArthur



On June 29, 2006, Verizon filed revisions to NHPUC Tariff No. 84 in compliance with Order No. 24,598 issued on June 1, 2006, in the aforementioned wire center dockets. Staff reviewed the filing, and, working with Verizon, developed an amended revision that Staff believes complies with the Commission's orders. A redline version of the amended revision is attached for your convenience.

The filing revises Part B, Sections 2.1, 5.3, and 17.1 to reflect the new rates for those elements (IOF transport, high capacity loops and dark fiber) that are no longer required to be unbundled pursuant to Section 251, but that Verizon is still required, by virtue of its status as a regional Bell operating company to unbundle pursuant to Section 271. The filing adds a new section, Section 21, to the tariff, which lists those wire centers that are exempt from Section 251 unbundling.

Staff recommends that the Tariff Administrator issue a compliance letter, accepting the tariff as revised by Verizon and Staff, and requesting that Verizon submit final tariff pages with an effective date of March 11, 2005 (February 3, 2006, for the first revision to Part B Section 21 Page 1).

Dockets DT 05-083 and DT 06-012 may now be closed.

Verizon New England Inc.

2. Unbundled IOF Transport
2.1 Description

2.1.1 General	
A.	The Telephone Company provides access to unbundled common transmission facilities between the following central office points. <ol style="list-style-type: none"> 1. End offices and tandems 2. End offices and end offices 3. End offices and TC switches
B.	Unbundled common transport between an end office and tandem or between two Telephone Company end offices may only be purchased in connection with Telephone Company unbundled switching. It allows a TC access to unbundled common transmission facilities, routing on the same basis that the Telephone Company routes and delivers its own traffic. A diagram of unbundled common transport is shown in Exhibit 2.1.1-1. <ol style="list-style-type: none"> 1. For purposes of this Part B, Section 2, the terms "dedicated transport" and "dedicated IOF transport" are synonymous and are as defined in 47 C.F.R. § 51.319(e)(1) and the term "route" is as defined in 47 C.F.R. § 51.319(e) (introductory paragraph). 2. For purposes of this Part B, Section 2, the terms "business line," "fiber-based collocater," and "wire center" shall have the meanings set forth in 47 C.F.R. § 51.5, as in effect on and after March 11, 2005.
C.	<p>DS1 Dedicated Transport - This Part B, Section 2.1.1.C implements certain provisions of the <i>Order on Remand</i> issued by the Federal Communications Commission on February 4, 2005, in WC Docket No. 04-313 and CC Docket No. 01-338 (the "<i>Triennial Review Remand Order</i>"), the regulations promulgated by the FCC pursuant to that order, and certain provisions of Order No. 24,598 issued by the New Hampshire Public Utilities Commission on March 10, 2006, in Docket Nos. DT 05-083 and DT 06-012.</p> <p>1. Limitations on Unbundling Obligation -</p> <p>a. Notwithstanding any other provision of this tariff, and subject to Part B, Section 2.1.1.C.1.b, below, the Telephone Company will not provide unbundled access to DS1 dedicated transport, as defined in the introductory paragraph of 47 C.F.R. § 51.319(e)(2)(ii), to an extent beyond that required by 47 C.F.R. § 51.319(e)(2)(ii)(A), as in effect on and after March 11, 2005. Moreover, pursuant to 47 C.F.R. § 51.319(e)(2)(ii)(B) as in effect on and after such date, a requesting CLEC may not obtain more than 10 unbundled DS1 dedicated transport circuits on each route where DS1 dedicated transport is available on an unbundled network element basis.</p> <p>b. Beginning March 11, 2005, any DS1 dedicated transport network element that a CLEC leases from the Telephone Company between any of the Tier 1 wire centers set forth in Part B Section 21, but which the Telephone Company is not obligated to unbundle pursuant to 47 C.F.R. § 51.319(e)(2)(ii), shall be available for lease from the Telephone Company at a rate equal to 115 percent of the rate set forth in Part M, Section 2.2.1 of this tariff for the UNE DS1 dedicated transport element.</p> <p>2.</p>

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Verizon New England Inc.

2. Unbundled IOF Transport
2.1 Description

2.1.1 General	
D.	<p>DS3 Dedicated Transport. - This Part B, Section 2.1.1.D implements certain provisions of the <i>Order on Remand</i> issued by the Federal Communications Commission on February 4, 2005, in WC Docket No. 04-313 and CC Docket No. 01-338 (the "<i>Triennial Review Remand Order</i>"), the regulations promulgated by the FCC pursuant to that order, and certain provisions of Order No. 24,598 issued by the New Hampshire Public Utilities Commission on March 10, 2006, in Docket Nos. DT 05-083 and DT 06-012.</p> <p>1. Limitations on Unbundling Obligation -</p> <p>a. Notwithstanding any other provision of this tariff, and subject to Part B, Section 2.1.1.D.1.b, below, the Telephone Company will not provide unbundled access to DS3 dedicated transport, as defined in the introductory paragraph of 47 C.F.R. § 51.319(e)(2)(iii), to an extent beyond that required by 47 C.F.R. § 51.319(e)(2)(iii)(A), as in effect on and after March 11, 2005. Moreover, pursuant to 47 C.F.R. § 51.319(e)(2)(iii)(B) as in effect on and after such date, a requesting CLEC may not obtain more than 12 unbundled DS3 dedicated transport circuits on each route where DS3 dedicated transport is available on an unbundled network element basis.</p> <p>b. Beginning March 11, 2005, any DS3 dedicated transport network element that a CLEC leases from the Telephone Company between any of the Tier 1 and/or Tier 2 wire centers set forth in Part B Section 21, but which the Telephone Company is not obligated to unbundle pursuant to 47 C.F.R. § 51.319(e)(2)(iii), shall be available for lease from the Telephone Company at a rate equal to 115 percent of the rate set forth in Part M, Section 2.2.1 of this tariff for the UNE DS3 dedicated transport element.</p>
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Issued: June 29, 2006
 Effective: March 11, 2005

Lisa M. Thome
 Vice-President-NH

Verizon New England Inc.

5. Links (Local Loops)
5.3 High Capacity Links

5.3.1	Description
A.	For purposes of this Part B, Section 5, the terms "business line," "fiber-based collocator," and "wire center" shall have the meanings set forth in 47 C.F.R. § 51.5, as in effect on and after March 11, 2005.
B.	<p>DS1 Loops - This Part B, Section 5.3.1.B implements certain provisions of the <i>Order on Remand</i> issued by the Federal Communications Commission on February 4, 2005, in WC Docket No. 04-313 and CC Docket No. 01-338 (the "<i>Triennial Review Remand Order</i>"), the regulations promulgated by the FCC pursuant to that order, and certain provisions of Order No. 24,598 issued by the New Hampshire Public Utilities Commission on March 10, 2006, in Docket Nos. DT 05-083 and DT 06-012.</p>
1.	<p>Limitations on Unbundling Obligation –</p>
a.	<p>Notwithstanding any other provision of this tariff, and subject to Part B, Section 5.3.1.B.1.b, below, the Telephone Company will not provide unbundled access to DS1 loops to an extent beyond that required by 47 C.F.R. § 51.319(a)(4)(i), as in effect on or after March 11, 2005. Moreover, pursuant to 47 C.F.R. § 51.319(a)(4)(ii), as in effect on or after such date, a requesting TC may not obtain more than 10 unbundled DS1 loops to any single building in which DS1 loops are available as unbundled network elements.</p>
b.	<p>Beginning March 11, 2005, any DS1 loop network element that a TC leases from the Telephone Company, but which the Telephone Company is not obligated to unbundle pursuant to 47 C.F.R. § 51.319(a)(4), shall be available for lease from the Telephone Company at a rate equal to 115% of the rate set forth in Part M, Section 2.5.3 of this tariff for the UNE DS1 loop element. Set forth in Part B Section 21 of this tariff is a listing of wire centers where the New Hampshire Public Utilities Commission determined CLECs are not impaired without access to UNE DS1 loops but where the Telephone Company is required to provide access to DS1 loops on an unbundled basis at a rate equal to 115% of the UNE DS1 loop rate.</p>
C.	<p>DS3 Loops - This Part B, Section 5.3.1.C implements certain provisions of the <i>Order on Remand</i> issued by the Federal Communications Commission on February 4, 2005, in WC Docket No. 04-313 and CC Docket No. 01-338 (the "<i>Triennial Review Remand Order</i>"), the regulations promulgated by the FCC pursuant to that order, and certain provisions of Order No. 24,598 issued by the New Hampshire Public Utilities Commission on March 10, 2006, in Docket Nos. DT 05-083 and DT 06-012.</p>
1.	<p>Limitations on Unbundling Obligation –</p>
a.	<p>Notwithstanding any other provision of this tariff, and subject to Part B, Section 5.3.1.C.1.b, below, the Telephone Company will not provide unbundled access to DS3 loops to an extent beyond that required by 47 C.F.R. § 51.319(a)(5)(i), as in effect on or after March 11, 2005. Moreover, pursuant to 47 C.F.R. § 51.319(a)(5)(ii), as in effect on or after such date, a requesting TC may not obtain more than a single unbundled DS3 loop to any single building in which DS3 loops are available as unbundled network elements.</p>
b.	<p>Beginning March 11, 2005, any DS3 loop network element that a TC leases from the Telephone Company, but which the Telephone Company is not obligated to unbundle pursuant to 47 C.F.R. § 51.319(a)(5), shall be available for lease from the Telephone Company at a rate equal to 115% of the rate set forth in Part M, Section 2.5.3 of this tariff for the UNE DS3 loop element. Set forth in Part B Section 21 of this tariff is a listing of wire centers where the New Hampshire Public Utilities Commission determined CLECs are not impaired without access to UNE DS3 loops but where the Telephone Company is required to provide access to DS3 loops on an unbundled basis at a rate equal to 115% of the UNE DS3 loop rate.</p>

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5. Links (Local Loops)
5.3 High Capacity Links

5.3.1	Description
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F.	A digital high capacity link provides a two-point digital channel which provides for simultaneous two-way transmission of serial, bipolar, return-to-zero, isochronous digital signals at a transmission speed of 1.544 Mbps; or for simultaneous two-way transmission of serial, bipolar, return-to-zero, isochronous digital electrical signals at a transmission rate of 44.736 Mbps + 20 ppm.
G.	<p>Digital high capacity links conditioned for 1.544 Mbps are called 1.5 Mbps links when they are terminated at the TC's collocation presence in the Telephone Company central office where the end user is served or from an end user's premises to a Telephone Company's multiplexing arrangement as set forth in Part B, Section 3. 1.5 Mbps links are furnished on a full-time basis.</p> <p>1. 1.544 Mbps links are designed to provide an average performance of at least 95% error-free transmission, measured over a continuous 24 hour period, between the Telephone Company's interfaces using a Telephone Company test channel service unit properly optioned at the time of the test.</p>
H.	<p>Digital high capacity links conditioned for 44.736 Mbps (also called 45 Mbps) links and are terminated at the TC's collocation presence in the Telephone Company central office where the end user is served or from an end user's premises to a Telephone Company's multiplexing arrangement as set forth in Section 3.</p> <p>1. 44.736 Mbps links are designed to provide an average performance of at least 98% error-free seconds transmission, measured over a continuous 24 hour period at the Telephone Company interfaces.</p>

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17. Unbundled Dark Fiber
17.1 General

17.1.1	Description
A.	For purposes of this Part B, Section 17, the terms "business line," "fiber-based collocator," and "wire center" shall have the meanings set forth in 47 C.F.R. § 51.5, as in effect on and after March 11, 2005.
B.	Dark Fiber Loops – This Part B, Section 17.1.1.B implements certain provisions of the <i>Order on Remand</i> issued by the Federal Communications Commission on February 4, 2005, in WC Docket No. 04-313 and CC Docket No. 01-338 (the " <i>Triennial Review Remand Order</i> "), the regulations promulgated by the FCC pursuant to that order, and certain provisions of Order No. 24,598 issued by the New Hampshire Public Utilities Commission on March 10, 2006, in Docket Nos. DT 05-083 and DT 06-012.
1.	Limitations on Unbundling Obligation – a. Notwithstanding any other provision of this tariff, and subject to Part B, Section 17.1.1.B.1.b, below, the Telephone Company will not provide unbundled access to dark fiber loops, to an extent beyond that required by 47 C.F.R. § 51.319(a)(6)(i), as in effect on and after March 11, 2005. For purposes of this Part B, Section 17.1.1.B, "dark fiber" (as defined in 47 C.F.R. § 51.319(a)(6)(i)) is fiber within an existing fiber optic cable that has not yet been activated through optronics to render it capable of carrying communications services. b. Beginning March 11, 2005, any dark fiber loop network element that a TC leases from the Telephone Company, but which the Telephone Company is not obligated to unbundle pursuant to 47 C.F.R. § 51.319(a)(6)(i), shall be available for lease from the Telephone Company at a rate equal to 115% of the rate set forth in Part M, Section 2.17.1 of this tariff for the UNE dark fiber loop element.
C.	Dark Fiber Dedicated Transport – This Part B, Section 17.1.1.C implements certain provisions of the <i>Order on Remand</i> issued by the Federal Communications Commission on February 4, 2005, in WC Docket No. 04-313 and CC Docket No. 01-338 (the " <i>Triennial Review Remand Order</i> "), the regulations promulgated by the FCC pursuant to that order, and certain provisions of Order No. 24,598 issued by the New Hampshire Public Utilities Commission on March 10, 2006, in Docket Nos. DT 05-083 and DT 06-012. 1. Limitations on Unbundling Obligation – a. Notwithstanding any other provision of this tariff, and subject to Part B, Section 17.1.1.C.1.b, below, the Telephone Company will not provide unbundled access to dark fiber dedicated transport, as defined in the introductory paragraph of 47 C.F.R. § 51.319(e)(2)(iv), to an extent beyond that required by 47 C.F.R. § 51.319(e)(2)(iv)(A), as in effect on and after March 11, 2005. b. Beginning March 11, 2005, any dark fiber dedicated transport network element that a TC leases from the Telephone Company between any Tier 1 and/or Tier 2 wire centers set forth in Part B Section 21, but which the Telephone Company is not obligated to unbundle pursuant to 47 C.F.R. § 51.319(e)(2)(iv)(A), shall be available for lease from the Telephone Company at a rate equal to 115 percent of the rate set forth in Part M, Section 2.17.1 of this tariff for the UNE dark fiber dedicated transport element.

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In Compliance with Docket Nos. DT 05-083 and DT 06-012

Verizon New England Inc.

17. Unbundled Dark Fiber
17.1 General

17.1.1	Description
D.	
E.	<p>Dark fiber provides a TC with an unlit, continuous fiber optic strand within an existing, in-place Telephone Company fiber optic cable sheath solely for use in the provision of telecommunications services.</p> <ol style="list-style-type: none"> 1. A strand is not considered continuous if splicing is required to provide fiber continuity between locations. If a fiber strand can be made continuous by joining fibers at existing splice points within the same sheath, including currently jointed lateral sheaths within the same splice closures, the Telephone Company will perform such splicing at the TC's request on a time and materials basis. 2. A minimum quantity of two fiber strands is required.
F.	<p>The Telephone Company will provide access to the following types of dark fiber where available between the following locations.</p> <ol style="list-style-type: none"> 1. TC collocation arrangement at existing hard termination points 2. TC collocation arrangement and the TC's CO/POP 3. TC collocation arrangement and end user's premises 4. TC collocation arrangement and outside plant remote terminal locations
G.	<p>Dark fiber is only available where in-place, spare facilities exist. The Telephone Company will not construct new or additional facilities and will not introduce additional splice points to accommodate Unbundled Dark Fiber requests.</p>
H.	<p>Dark fiber is provided subject to the availability of facilities on a first-come, first-served basis. Reservations for Unbundled Dark Fiber are not accepted.</p>
I.	<p>Unbundled Dark Fiber may be accessed at existing hard termination points (e.g., fiber distribution frames and industry standard mechanical fiber connectors).</p>

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21. Exempt Wire Centers
21.1 General

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21.1.1 Exempt Wire Centers				
Wire Center	Tier 1	Tier 2	DS1 LOOP	DS3 LOOP
MNCHNHCO	Yes	No	No	No
NASHNHWP	Yes	No	No	No
PTMONHIS	No	Yes	No	No

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21. Exempt Wire Centers
21.1 General

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21.1.1 Exempt Wire Centers				
Wire Center	Tier 1	Tier 2	DS1 LOOP	DS3 LOOP
MNCHNHCO	Yes	No	No	No
NASHNHWP	No	Yes	No	No
PTMONHIS	No	Yes	No	No

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