

RYAN, RUSSELL, OGDEN & SELTZER
A PROFESSIONAL CORPORATION

SUITE 210
1150 BERKSHIRE BOULEVARD
WYOMISSING, PENNSYLVANIA 19610-1208

TELEPHONE: 610-372-4761
FACSIMILE: 610-372-4177
WWW.RYANRUSSELL.COM

May 13, 2010

HARRISBURG OFFICE
SUITE 101
800 NORTH THIRD STREET
HARRISBURG, PENNSYLVANIA
17102-2025
TELEPHONE: 717-236-7714
FACSIMILE: 717-236-7816

VIA E-FILE

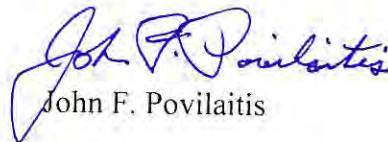
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Investigation Regarding Intrastate Access Charges and IntraLATA
Toll Rates of Rural Carriers and the Pennsylvania Universal
Service Fund, Docket No. I-00040105; AT&T Communications
of Pennsylvania, LLC, Complainant v. Armstrong Telephone
Company – Pennsylvania, et al. Respondents, Docket No.
C-2009-2098380, et al.

Dear Secretary Chiavetta:

Enclosed is the Main Brief of Qwest Communications Company in the above-captioned proceedings. Copies have been served in accordance with the attached Certificate of Service.

Very truly yours,


John F. Povilaitis

Enclosures
JFP:ck

c: Certificate of Service
The Honorable Kandace F. Melillo

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | |
|-------------------------------------------|---|----------------------------------|
| Investigation Regarding Intrastate Access | : | |
| Charges and IntraLATA Toll Rates of Rural | : | Docket No. I-00040105 |
| Carriers and the Pennsylvania Universal | : | |
| Service Fund | : | |
| AT&T Communications of | : | |
| Pennsylvania, LLC | : | |
| Complainant | : | |
| v. | : | Docket No. C-2009-2098380 et al. |
| Armstrong Telephone Company – | : | |
| Pennsylvania, et al. | : | |
| Respondents | : | |

**MAIN BRIEF
ON BEHALF OF
QWEST COMMUNICATIONS COMPANY**

Date: May 13, 2010

John F. Povilaitis
Matthew A. Totino
RYAN, RUSSELL, OGDEN & SELTZER P.C.
800 North Third Street, Suite 101
Harrisburg, Pennsylvania 17102-2025

Attorneys for
Qwest Communications Company

TABLE OF CONTENTS

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 1. Statement of Questions and Summary of Positions..... | 1 |
| 2. Factual and Legal Background..... | 1 |
| 3. Burden of Proof..... | 3 |
| 4. Should RLECs' Intrastate Switched Access Rates Be Reduced?..... | 5 |
| 5. If the RLECs' Intrastate switched Access Rates Should Be Reduced To What Level Should They Be Reduced And When?..... | 5 |
| A. Rate Levels..... | 5 |
| B. Timing..... | 7 |
| 6. If The RLECs' Intrastate Switched Access Rates Should Be Reduced, How Should Any Revenue Reductions Be Recovered in Compliance With 66 Pa. C.S.A. 3017?..... | 7 |
| A. Meaning of the Revenue Neutrality Requirement Under 3017..... | 8 |
| B. Rate Increase..... | 8 |
| C. Pennsylvania USF..... | 8 |
| 7. General Legal Issues..... | 9 |
| A. Retroactivity of any Access Rate Reductions..... | 9 |
| B. Compliance..... | 9 |

Attachment A – Proposed Findings of Fact, Proposed Ordering Paragraphs
and Conclusions of Law

TABLE OF AUTHORITIES

STATUTES:

| | |
|---------------------------|------|
| 66 Pa. C.S. § 315(a)..... | 3, 4 |
| 66 Pa. C.S. § 3017..... | 7 |

CASES AND OTHER MATERIALS

| | |
|----------------------------------------------------------------------------------------------------|------|
| Re Nextlink Pennsylvania, Inc., Docket No. P-00991648; P-00991649, 93 Pa.P.U.C. 172 (1999)..... | 4, 7 |
|----------------------------------------------------------------------------------------------------|------|

I. STATEMENT OF QUESTIONS AND SUMMARY OF POSITIONS

1. Whether the intrastate access charges of Rural Local Exchange Carriers in Pennsylvania should be reduced and if so, to what level.

ANSWER: The switched intrastate access rates of Rural Local Exchange Carriers ("RLECs") in Pennsylvania should be lowered in a revenue-neutral and competitively-neutral manner to establish a level playing field for all participants, including reducing existing arbitrage opportunities. The appropriate RLEC access rate levels to reduce arbitrage opportunities are the Verizon Pennsylvania, Inc. switched intrastate access rates in Pennsylvania.

2. How to achieve revenue neutrality of any such reductions.

ANSWER: Local rates and the Pennsylvania Universal Service Fund ("PaUSF") are the appropriate mechanisms to recover the revenue deficiencies resulting from reduced RLEC intrastate access rates, thereby accomplishing the statutory requirement that intrastate access charge reductions occur in a revenue-neutral manner. Before RLECs are allowed to receive access replacement funds from the PaUSF, local rates should increase to Commission-set benchmark rates, which QCC advocates being set at 125% of the average Pennsylvania RLEC rate for both business and residential services. If setting basic local exchange rates at the benchmark level allows an RLEC to fully recover its reduced intrastate access charges in a revenue-neutral manner, PaUSF support would not be needed. However, if a revenue deficiency remains after rates have been increased to the benchmark level, this deficiency should be addressed via the PaUSF.

II. FACTUAL AND LEGAL BACKGROUND

By order entered on August 5, 2009 at the above-captioned docket, the Commission lifted the stay of its investigation into whether there should be further intrastate access charge reductions in the service territories of the rural incumbent local exchange carriers ("RLECs"). The investigation originally was initiated by the Commission in December of 2004, but subsequently was stayed by the Commission three times, pending action by the Federal Communications Commission ("FCC"). Qwest Communications Company LLC ("QCC") intervened and was a party in the proceeding.¹

¹ At the time of the intervention, QCC was Qwest Communications Corporation.

QCC is the Qwest entity that provides communications services in Pennsylvania. QCC is an affiliate of Qwest Corporation (“QC”), which is the former U S West and Regional Bell Operating Company that provides local phone service in 14 states. Currently, QCC is an interexchange carrier and a competitive local exchange carrier providing service in states other than those states in which QC provides local phone service, including Pennsylvania.

By August 9, 2009 order and by order entered on July 29, 2009 at Docket Nos. C-2009-2098380, et al., the Commission consolidated the investigation at Docket No. I-00040105 with the 96 complaints filed at Docket Nos. C-2009-2098380, et al., *In Re; AT&T Communications of Pennsylvania, LLC, et al v. Armstrong Telephone Company – Pennsylvania, et al.* ("AT&T Complaint"). The complaints alleged that each RLEC's intrastate access charges were not just and reasonable, in violation of Sections 1301 and 3011 of the Public Utility Code.

Following a prehearing conference on August 19, 2009, the Presiding Officer established the following procedural schedule:

| | |
|---------------------------------------------------------------------------------------------|-----------------------------------------|
| Direct/Supplemental Direct (parties aligned with AT&T) | November 30, 2009 |
| Direct Testimony (other parties-responsive to November 30, 2009 and July 2, 2009 testimony) | January 20, 2010 |
| Rebuttal testimony (all parties) | March 10, 2010 |
| Surrebuttal Testimony (all parties) | March 31, 2010 |
| Rejoinder testimony | April 7, 2010 |
| Evidentiary Hearings in Harrisburg | April 14-16, 2010 (10 a.m. each day) |
| Evidentiary Record Closes | April 16, 2010 |

| | |
|----------------------|----------------|
| Main Briefs | May 13, 2010 |
| Reply Briefs | June 3, 2010 |
| Recommended Decision | August 5, 2010 |

On November 19, 2009, the Commission issued an order clarifying the proper scope of this investigation proceeding. The issue of the proper scope of the proceeding was brought before the Commission via a Petition for Interlocutory Review posing the following material question:

Whether the ALJ's September 15, 2009 *Order Addressing Scope of Consolidated Proceedings (ALJ Order Addressing Scope)* correctly state the scope of the issues to be addressed in the consolidated proceeding that has been assigned to ALJ Melillo for the development of an evidentiary record and issuance of a Recommended Decision.

Of note, the Commission in its order clarified that the issues of whether intraLATA toll charges should be further reduced and whether wireless and VoIP carriers should be required to contribute to the Pennsylvania Universal Service Fund ("PaUSF") are not within the scope of this proceeding. The Commission's order also confirmed that generic issues such as whether the PaUSF should be eliminated are not properly part of this proceeding. However, under the Commission's order on scope, parties are permitted to address the linkage between access charge reform and the PaUSF and local rates.

III. BURDEN OF PROOF

It is settled law that the burden of proof in this proceeding properly rests with the RLECs, not the interexchange carriers ("IXCs"). Section 315(a) of the Public Utility Code, 66 Pa. C.S. § 315(a), states that "[i]n any proceeding upon the motion of the Commission involving any proposed or existing rate of any public utility...the burden of

proof to show that the rate involved is just and reasonable shall be upon the public utility.”² On December 20, 2004, the Commission entered an order in the above-captioned case instituting an investigation into whether there should be further intrastate access charge reductions and intraLATA toll rate reductions in the service territories of rural incumbent local exchange carriers.³ This investigation was instituted as a result of the Commission’s prior order of July 15, 2003, which discussed implementing continuing access charge reform in Pennsylvania. Therefore, as public utilities whose existing rates are subject to a Commission-initiated investigation under Section 315(a), the RLECs have the burden of proof to show that the rate involved is just and reasonable.

Of note, a finding that the RLECs have the burden of proof in this investigation is consistent with the Commission's decision in the Verizon access charge remand proceeding (Order entered January 8, 2007 at Docket No. C-20027195). In that proceeding, the Commission found that as a continuation of a Commission-initiated investigation, Verizon had the burden of proof.

² 66 Pa. C.S. §315(a).

³ The Commission in its *Global Order (Re Nextlink Pennsylvania, Inc.,* Docket No. P-00991648; P-00991649, 93 Pa.P.U.C. 172 (1999)) first prompted the reduction of intrastate access charges for the Rural Local Exchange Carriers ("RLECs") in Pennsylvania. The Commission further reduced RLEC intrastate access charges by order entered on or about July 15, 2003 at Docket Nos. M-00021596, et al.

IV. SHOULD RLECS' INTRASTATE SWITCHED ACCESS RATES BE REDUCED?

QCC supports completing the investigation into the intrastate switched access rates of the RLECs in Pennsylvania. QCC maintains that these access rates should be lowered on a revenue-neutral basis for RLECs and in a manner that does not favor one competitor, or form of competition, over another. Lowering access rates in this revenue-neutral and competitively neutral manner will reduce existing arbitrage opportunities such as Traffic Pumping and puts all market participants on a level playing field.⁴

V. IF THE RLECS' INTRASTATE SWITCHED ACCESS RATES SHOULD BE REDUCED, TO WHAT LEVEL SHOULD THEY BE REDUCED AND WHEN?

A. Rate Levels

As discussed at pages 6-7 of QCC Statement No. 1, the RLEC intrastate switched access rates in Pennsylvania should mirror the intrastate switched access rates of Verizon Pennsylvania, Inc. ("Verizon"). Establishing a common basis for rates between the RLEC and Verizon rates will reduce existing arbitrage opportunities, which, as used here, means routing traffic in such a manner to take advantage of discrepancies in rates. The wide disparity in rates that exists today between Verizon and RLECs provides the perfect opportunities for arbitrage and leads to abuses such as "Traffic Pumping," wherein IXC traffic is deliberately routed to rural carriers with high access charges by third parties. Of note, the record evidence is that Traffic Pumping occurs in Pennsylvania.⁵ By reducing rural company access rates to the Verizon level, the

⁴ QCC Statement No. 1, p. 1.

⁵ See, e.g., QCC Statement No. 1, p. 6.

Commission can remove the arbitrage opportunities, which allow these kinds of schemes to exist. Of further note, it is the blossoming of arbitrage situations such as the Traffic Pumping that led QCC to reconsider and refine its prior position that RLEC intrastate access rates should be reduced to interstate levels,⁶ as the record shows that a reduction to Verizon levels better addresses the Traffic Pumping issue.⁷

In its testimony, the OTS attempts to use an analysis that converts QCC's recommended Common Carrier Line Charge ("CCLC") to a per-minute access rate to compare QCC's rate recommendation in this case with the intrastate access rates charged by its ILEC affiliate. As QCC witness stated at pages 12-13 of his rebuttal testimony, the OTS analysis is flawed in a number of ways. For example, the OTS omits from its analysis six Qwest states that have no CCLC, including large states such as Arizona, Oregon and Washington. This omission arbitrarily inflates the Qwest ILEC CCLC. Thus, the OTS analysis in this regard and the conclusions drawn from it are not meaningful. In any event, when looking at the broad picture that includes all of QCC's ILEC affiliate states, the overall QCC ILEC affiliate CCLC level is actually lower than what QCC is proposing in this proceeding.⁸ This conclusion is based on the facts that Minnesota's average CCLC is less than the Verizon Pennsylvania CCLC⁹ and that six Qwest states have no CCLC.

⁶ QCC Statement No. 1-R, p. 12.

⁷ QCC Statement No. 1-R, p. 8; QCC Statement No. 1-SR, pp. 2-4.

⁸ QCC Statement No. 1-RJ, p. 6.

⁹ Page 6 of his exhibit, OTS No. 1 shows that Minnesota has an originating CCL rate of \$.001896 and a terminating rate of \$.011202. Apparently, Mr. Kubas has chosen to focus only on the higher terminating rate. Averaging the two together yields a rate of \$.006549 which is, in fact, less than the Verizon rate. QCC Statement No. 1-R, p. 13.

B. Timing

QCC has not taken a position on this issue but reserves its right to respond to the arguments raised by others in main briefing.

VI. IF THE RLECS' INTRASTATE SWITCHED ACCESS RATES SHOULD BE REDUCED, HOW SHOULD ANY REVENUE REDUCTIONS BE RECOVERED IN COMPLIANCE WITH 66 Pa.C.S.A. 3017?

A. Meaning of the Revenue Neutrality Requirement under 3017

Section 3017 of the Code requires that any access charge reductions in Pennsylvania occur on a "revenue-neutral" basis. Although the term is not specifically defined in the Code, QCC in its testimony defined revenue-neutrality as offsetting revenues lost by the reduction in the rates of certain services through increases in rates for other services.¹⁰ Historically, the "other services" that have been used to offset access charge rate reductions for the RLECs are regulated services such as local exchange rates and assistance from the PaUSF.¹¹ QCC maintains that revenue-neutrality should continue to mean offsetting intrastate access charge rate reductions through increases in local exchange rates and, if need be, from PaUSF assistance. Thus, local rates and the PaUSF are the appropriate mechanisms to recover the revenue deficiencies resulting from reduced RLEC intrastate access rates, thereby accomplishing the statutory requirement that RLEC intrastate access charge reductions occur in a revenue neutral manner.¹²

¹⁰ QCC Statement No. 1-R, p. 7.

¹¹ The *Global Order* reduced access charges of all local incumbent exchange carriers operating in Pennsylvania. The *Global Order* directed that the PaUSF be established to enable the RLECs and Sprint/United to reduce access charges, while at the same time, ensuring that residential basic local service rates did not exceed the designated price cap.

¹² QCC Statement No. 1, pp. 7-8.

B. Rate Increases

As the first step to achieve revenue neutrality with any RLEC intrastate access rate reductions, RLEC local rates should increase to Commission-set benchmark rates. QCC recommends that the residential benchmark rates be set at 125% of the average Pennsylvania RLEC residence rate and that the business benchmark be set at 125% of the average Pennsylvania RLEC business basic exchange rates. As stated in testimony, using a 125% figure will help limit the need for significant increases in the PaUSF, thereby striking an appropriate balance between local rate affordability and the need for PAUSF assistance. This benchmark approach would be in lieu of the current rate cap regime in Pennsylvania.¹³

As an alternative, the Commission could adopt the benchmark proposal of the OCA, which would set the benchmark for RLEC rates at 120% of Verizon rates. Although QCC believes that its proposed 125% benchmark approach would provide a less significant increase in the PaUSF compared to the OCA proposal, and thus, would strike a more appropriate balance between local rate affordability and the need for USF assistance, QCC would not object to a benchmark set at 120% of the Verizon Pennsylvania levels.¹⁴

C. Pennsylvania USF

As made clear in QCC's testimony, PaUSF assistance to achieve revenue neutrality for RLEC rate reductions would only be on an as needed basis. If setting basic local exchange rates at the benchmark level allows the RLEC to recover its reduced

¹³ QCC Statement No. 1, p. 9.

¹⁴ QCC Statement No. 1-R, p. 5.

intrastate access charges in a revenue neutral manner, there would be no need for PAUSF support with respect to that RLEC. However, a revenue deficiency for an RLEC remains after its rates have been increased to the benchmark level, this deficiency would be addressed via funds from the PaUSF. As stated in QCC's testimony, this seems to be the most equitable way in which to offset lost access revenues, as it would ensure that the end user customers of carriers are not burdened with supporting other carrier's customers who are not being charged rates commensurate with either the costs of their service or the rates charged to other end users in the state for comparable service.¹⁵

VII. GENERAL LEGAL ISSUES

A. Retroactivity of any Access Rate Reductions

QCC has not taken a position on this issue but reserves its right to respond to the arguments raised by others in main briefing.

B. Compliance

QCC has not taken a position on this issue but reserves its right to respond to the arguments raised by others in main briefing.

¹⁵ QCC Statement No. 1, p. 8.

VIII. CONCLUSION

WHEREFORE, QCC recommends that the Commission reduce the intrastate switched access charges of the RLECs in Pennsylvania in a revenue and competitively neutral manner, as recommended by QCC in its testimony and briefing in this proceeding.

Respectfully submitted,



John E. Povilaitis
Matthew A. Totino
RYAN, RUSSELL, OGDEN & SELTZER PC
800 North Third Street, Suite 101
Harrisburg, PA 17102-2025
Phone: (717) 236-7714
Fax: (717) 236-7816
Email: JPovilaitis@RyanRussell.com
MTotino@RyanRussell.com

ATTACHMENT A

PROPOSED FINDINGS OF FACT

1. Qwest Communications Company, LLC ("QCC") is the Qwest entity that provides communications services in Pennsylvania. QCC is an affiliate of Qwest Communications ("QC"), which is the former US West and Regional Bell Operating Company that provides local phone service in 14 states. QCC Statement No. 1, p. 2.

2. Currently, QCC is an interexchange carrier and a competitive local exchange carrier providing service in states other than those states in which QC provides local phone service, including Pennsylvania. QCC Statement No. 1, p. 2.

3. RLEC intrastate switched access rates should be lowered to the Verizon Pennsylvania, Inc. levels. QCC Statement No. 1, pp. 6-7.

4. Lowering access rates to the Verizon levels will reduce existing arbitrage opportunities such as Traffic Pumping, which has occurred in Pennsylvania, and puts all market participants on a level playing field. QCC Statement No. 1, pp. 1, 6.

5. RLEC intrastate switched access rates should be lowered in a revenue-neutral and competitively-neutral manner. QCC Statement No. 1, p. 5.

6. Revenue neutrality is offsetting revenues lost by the reduction in the rates of certain services through increases in rates for other services. QCC Statement No. 1-R, p. 7.

7. Historically, the "other services" that have been used to offset access charge rate reductions for the RLECs are regulated services such as local exchange rates and assistance from the PaUSF. Revenue-neutrality should continue to include offsetting intrastate access charge rate reductions through increases in local exchange rates and, if need be, from PaUSF assistance. QCC Main Brief, p. 7.

8. Competitive neutrality is that which does not favor one competitor, or form of competition, over another. QCC Statement No. 1, p. 5.

9. As the first step to achieve revenue neutrality with any RLEC intrastate access rate reductions, RLEC local rates should increase to Commission-set benchmark rates of 125% of the average Pennsylvania RLEC residence rate and 125% of the average Pennsylvania RLEC business basic exchange rates. QCC Statement No. 1, p. 9.

10. Using a 125% figure will help limit the need for significant increases in the PaUSF, thereby striking an appropriate balance between local rate affordability and the need for PAUSF assistance. QCC Statement No. 1, p. 9.

11. This benchmark approach would be in lieu of the current rate cap regime in Pennsylvania. QCC Statement No. 1, p. 9.

12. If setting basic local exchange rates at the benchmark level allows the RLEC to recover its reduced intrastate access charges in a revenue neutral manner, PAUSF support will not be required for that RLEC. However, the revenue deficiency for an RLEC that remains after its rates have been increased to the benchmark level will be addressed via funds from the PaUSF. QCC Statement No. 1, p. 8.

13. The use of the PaUSF in this manner helps ensure that the end user customers of carriers are not burdened with supporting other carrier's customers who are not being charged rates commensurate with either the costs of their service or the rates charged to other end users in the state for comparable service. QCC Statement No. 1, p. 8.

PROPOSED CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this matter under sections 1301 and 3015(g) of the Public Utility Code, which preserves the Commission's authority to conduct a just and reasonable analysis of RLEC rates. 66 Pa. C.S. §§ 1301, 3015(g).

2. A reduction in the switched intrastate access rates of the RLECs in Pennsylvania to the Verizon Pennsylvania, Inc., levels results in just and reasonable RLEC intrastate switched access rates.

3. Section 3017(a) of the Public Utility Code specifies that any reduction in RLEC intrastate switched access rates must occur in a revenue-neutral manner. 66 Pa. C.S. § 3017(a).

4. Local rates and the Pennsylvania Universal Service Fund ("PaUSF") are the appropriate mechanisms to recover the revenue deficiencies resulting from reduced RLEC intrastate access rates, thereby accomplishing the statutory requirement that intrastate access charge reductions occur in a revenue-neutral manner.

PROPOSED ORDERING PARAGRAPHS

THEREFORE,

IT IS ORDERED:

1. That RLEC intrastate switched access charges be set at the Verizon Pennsylvania, Inc. levels.
2. That RLEC local rates be set at 125% of the average Pennsylvania RLEC residence rate and 125% of the average Pennsylvania RLEC business basic exchange rates.
3. That any revenue deficiency for an RLEC that remains after its intrastate switched access rates have been increased to the benchmark level shall be addressed via PaUSF funding.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation Regarding Intrastate Access :
Charges and IntraLATA Toll Rates of Rural : Docket No. I-00040105
Carriers and the Pennsylvania Universal :
Service Fund :

AT&T Communications of :
Pennsylvania, LLC :
Complainant :
v. : Docket No. C-2009-2098380 et al.
Armstrong Telephone Company – :
Pennsylvania, et al. :
Respondents :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the document in accordance with the requirements of 52 Pa. Code § 1.54 et seq. (relating to service by a participant).

VIA FIRST CLASS AND ELECTRONIC MAIL

Norman J. Kennard, Esquire
Thomas, Long, Niesen & Kennard
212 Locust Street, Suite 500
Harrisburg, PA 17108
Rural Telephone Company Coalition
nkennard@thomaslonglaw.com

Bradford M. Stern, Esquire
625 Central Avenue
Westfield, NJ 07090
Omnipoint Communications Inc. d/b/a
T-Mobile; Omnipoint
Communications Inc. d/b/a T-Mobile
and Voicestream Pittsburgh LP d/b/a
T-Mobile Nextel Communications,
Inc.
bmstern@rothfelderstern.com

Christopher M. Arfaa, Esquire
Christopher M. Arfaa, P.C.
150 N. Radnor Chester Road, Suite F-
200
Radnor, PA 19087-5245
Cingular Wireless LLC
Cellco Parthership d/b/a Verizon
Wireless
carfaa@arfaalaw.com

Joel Cheskis, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Harrisburg, PA 17101-1923
Jcheskis@state.pa.us

Steven C. Gray, Esquire
Office of Small Business Advocate
300 North 2nd St, Suite 1102
Harrisburg, PA 17101
Sgray@state.pa.us

Zsuzanna Benedek, Esquire
Embarq Corporation
240 North Third Street, Suite 201
Harrisburg, PA 17101
Sue.benedek@centurylink.com

Michelle Painter
Painter Law Firm, PLLC
13017 Dunhill Drive
Fairfax, VA 22030
AT&T Communications of PA,
LLC, TCG Pittsburgh and TCG New
Jersey
painterlawfirm@verizon.net

John C. Dodge, Esquire
Theresa Z. Cavanaugh, Esquire
Comcast Business Communications
LLC
Davis Wright Tremaine LLP
Suite 200
1919 Pennsylvania Avenue NW
Washington, DC 20006-3402
[johndodge@dwt.com](mailto: johndodge@dwt.com)
[terrycavanaugh@dwt.com](mailto: terrycavanaugh@dwt.com)

Renardo L. Hicks, Esquire
Michael Gruin, Esquire
Stevens & Lee, P.C.
17 North Second Street
16th Floor
Harrisburg, PA 17101
[rih@stevenslee.com](mailto: rih@stevenslee.com)
[mag@stevenslee.com](mailto: mag@stevenslee.com)

Allison C. Kaster, Esquire
Adeolu Bakare, Esquire
PA Public Utility Commission
400 North Street – 2nd Floor
Commonwealth Keystone Building
Harrisburg, PA 17120
[akaster@state.pa.us](mailto: akaster@state.pa.us)
[abakare@state.pa.us](mailto: abakare@state.pa.us)

Pamela C. Polacek, Esquire
McNees Wallace & Nurick LLC
P.O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
Broadband Cable Association of PA
[Ppolacek@mwn.com](mailto: Ppolacek@mwn.com)

Benjamin J. Aron
Sprint Nextel Corporation
Mailstop: VARESP0201-208
2001 Edmund Halley Drive
Reston, VA 20191
[Benjamin.aron@sprint.com](mailto: Benjamin.aron@sprint.com)

Suzan D. Paiva
Verizon
1717 Arch Street
Philadelphia PA 19103
(215) 466-4755
[Suzan.D.Paiva@Verizon.com](mailto: Suzan.D.Paiva@Verizon.com)

Date: May 13, 2010



John F. Povilaitis
Matthew A. Totino
RYAN, RUSSELL, OGDEN & SELTZER P.C.
800 North Third Street, Suite 101
Harrisburg, Pennsylvania 17102-2025
(717) 236-7714
(717) 236-7816
[JPovilaitis@RyanRussell.com](mailto: JPovilaitis@RyanRussell.com)
[MTotino@RyanRussell.com](mailto: MTotino@RyanRussell.com)