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March 10, 2004

**VIA HAND DELIVERY**

Luly Massaro, Commission Clerk  
Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, RI 02888

Re: Docket 3550; Covad Comments Regarding Verizon Motion To Stay

Dear Luly:

Covad submits these comments to urge the Commission to rule against Verizon's Emergency Motion for Stay and continue this Commission's essential work in this Docket. This docket should proceed on its existing schedule without delay.

Covad Communications strongly supports the Commission's efforts and those of your staff to gather, analyze and evaluate the facts about competition in Rhode Island. This effort is critical to insuring that residents of Rhode Island continue to be able to choose new telecommunications services, greater innovation and lower prices.

While Covad understands that legal wrangling in the courts will continue for some time, a few things are absolutely clear. First, we are legally obligated to operate under the existing Triennial Review Order and its deadlines. That Order is in effect now and for at least the next two months. Thus, the post Triennial Review docket must continue. Second, the D.C. Circuit's ruling could be stayed, and eventually overturned. The record must be fully developed to enable you to make the appropriate decisions on unbundled switching, hot cut processes, high capacity loops and interoffice transport. Third, the state commission's role in this process is critical. State commissions alone have the expertise, knowledge and ability to gather the granular information necessary to make decisions on these critical impairment issues. The development of these facts and the record remains imperative to maintenance of competition in the industry.

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As a small company struggling to find the resources to continue participation in these dockets, we recognize the burden you and your staffs will be undertaking in continuing to move this docket to resolution. Nonetheless, there has never been a more important time to recognize your vital role in pushing the telecommunications industry toward free and fair competition. The citizens of Rhode Island depend on your efforts to continue your hard work in this docket.

Sincerely,



CRAIG L. EATON, #5515

Attorney for Covad Communications Company

CLE/kmb

cc: Triennial Review Docket Service List (via PDF format)

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