Theresa L. O'Brien
Vice President – Regulatory Affairs

234 Washington Street
Providence, RI 02903

Phone 401 525-3060
Fax 401 525-3064
theresa.obrien@verizon.com

January 13, 2006

Ms. Luly E. Massaro, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

Re: Docket No. 3662 – Verizon Rhode Island's Proposed Revisions to PUC Tariff No. 18

Dear Ms. Massaro:

In compliance with the Commission's Order No. 18310 dated July 28, 2005 in the above-referenced proceeding, which required Verizon Rhode Island ("Verizon RI") to revise its tariff to include the list of wire centers that no longer qualify for UNEs, Verizon RI is filing herewith, for effect February 15, 2006, tariff material consisting of:

RI PUC No. 18

Part/Section	**Revision of Page(s)**	**Original of Pages**
B/2	2, 2.1	N/A
B/5	5.1, 5.2	N/A
B/13	1	N/A

The filing adds the East Greenwich, Pawtucket, and West Warwick wire centers to the Exempt Wire Centers list, removes the Ashton and North Providence wire centers from the list, and changes the exemption status of the Cranston wire center. Per the Commission's Order, Verizon RI is providing the Commission and Division supporting documentation for the additional wire centers that meet the FCC's non-impairment criteria for certain UNEs. Please be advised that this supporting documentation is confidential and proprietary; therefore, Verizon RI respectfully requests that this information not be placed in the public record of this proceeding.

Enclosed are an original and nine copies of the tariff material. In addition, an explanatory statement setting forth the basis of this filing is attached to this letter. Please return a copy of this letter with your stamp of receipt. Thank you for your assistance in this matter.

Sincerely,

/s/ Theresa L. O'Brien

Vice President – Regulatory Affairs

cc: Docket No. 3662 Service List

EXPLANATORY STATEMENT

I. INTRODUCTION

Section 13.1 of Tariff PUC No. 18, Part B (the "Tariff") provides a list of Verizon wire centers in Rhode Island that have been classified as "Tier 1" or "Tier 2" wire centers,[1] or that have been shown to satisfy the FCC's non-impairment criteria for DS1 and DS3 loops, as set forth in the *Triennial Review Remand Order* ("*TRRO*"). Section 13.1 was originally filed on August 26, 2005, pursuant to the Report and Order issued in Docket No. 3662, Order No. 18310, issued by the Commission on July 28, 2005, and became effective on September 25, 2005.

Verizon has identified three additional wire centers (East Greenwich, Pawtucket, and West Warwick) that should now be listed in the Tariff, as well as a classification change that should be made to the Cranston wire center, which was already included in § 13.1. Verizon notified CLECs of the wire center changes in an industry notification letter dated November 17, 2005.

These tariff changes are scheduled to take effect on February 15, 2006, *i.e.*, 90 days from the date of the industry notification letter. However, the amendments permit embedded arrangements to remain in effect through March 10, 2006 (*i.e.*, 113 days from the date of the industry notification letter) for high-capacity loops and dedicated transport and through September 10, 2006 for Dark Fiber Transport.

In addition, in connection with the FCC-approved Verizon/MCI merger, Verizon voluntarily committed to update its initial wire center list within thirty days of the Merger

[1] The Tier 1/Tier 2 classification provides the basis for identifying the interoffice routes on which the FCC has determined that CLECs are not impaired without access to Dedicated DS1 Transport, Dedicated DS3 Transport, and Dark Fiber Transport. *See* 47 CFR §§ 51.319(e)(2)(ii)(A), 51.319(e)(2)(iii)(A), 51.319(e)(2)(iv)(A).

Closing Date (January 6, 2006) to exclude fiber-based collocation arrangements established by MCI or its affiliates in applying the criteria established by the FCC in the *TRRO*. In satisfaction of that commitment, Verizon has identified two wire centers (Ashton and North Providence) currently classified as Tier II wire centers in the Tariff that should be removed from the Tariff.[2] These tariff changes also are scheduled to take effect on February 15, 2006.

II. BASIS FOR THE CHANGES

The *TRRO* specifically recognized that the incumbent LECs' lists of non-impaired wire centers that are ineligible for high-capacity loop or dedicated transport unbundling could expand as a result of changes in the underlying data (*e.g.*, establishment of additional fiber-based collocations).[3] The wire-center additions and re-classification that are set forth in this filing are based on such changes, specifically the identification of additional fiber-based collocators at the four subject offices.[4]

Verizon utilized sources specified in the *TRRO* that were available as of November 10, 2005, including ARMIS data. As the FCC found in the *TRRO*, ARMIS

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2 Fiber-based collocation arrangements established by MCI or its affiliates have also been excluded in identifying the three wire centers that are being added to the Tariff and the one wire center that is being reclassified by this filing.

3 *See TRRO* ¶ 196 n.519 (high-capacity loops); *id.* ¶ 142 n.399 (dedicated transport). Only changes that expand the list of ineligible wire centers are permitted by the *TRRO*. As to high-capacity loops, *see TRRO* ¶ 167 n. 466 ("[O]nce a wire center satisfies the standard for no DS1 loop unbundling, the incumbent LEC shall not be required in the future to unbundled DS1 loops in that wire center. Likewise, once a wire center satisfies the standard for no DS3 loop unbundling, the incumbent LEC shall not be required in the future to unbundle DS3 loops in that wire center."); 47 CFR §§ 51.319(a)(4)(i), 51.319(a)(5)(i). As to dedicated transport, *see* 47 CFR §§ 51.319(e)(3)(i), (ii) (Tier 1 wire centers are not subject to reclassification as Tier 2 or Tier 3, and Tier 2 wire centers are not subject to reclassification as Tier 3).

4 The original wire center list, which is being updated here, was based principally on 2003 data, as amended in late 2004 to reflect terminated collocation arrangements. *See, e.g., Unbundled Access to Network Elements*, CC Docket No. 04-313, Letter from Susanne Guyer (Verizon) to Jeffrey J. Carlisle (Chief, Wireline Competition Bureau, FCC) (February 18, 2005); *Unbundled Access to Network Elements*, CC Docket No. 04-313, Letter from Edwin J. Shimizu (Verizon) to Marlene H. Dortch (Secretary, FCC) (December 7, 2004).

filings are "an objective set of data that incumbent LECs already have created for other regulatory purposes . . . . [W]e can be confident in the accuracy of the thresholds, and a simplified ability to obtain the necessary information."[5] All fiber-based collocation arrangements listed in the supporting proprietary data were validated through physical inspections.

As required by Order No. 18310, Verizon is submitting to the Commission and the Division herewith the additional supporting data and documentation on which the added or upgraded wire centers tariff changes are based.

III. TRANSITION ARRANGEMENTS

The proposed amendments to the Tariff will be effective on February 15, 2006, 90 days from the date of the industry notification letter advising CLECs of the additional wire centers to be added to the Tariff and the reclassification of the Cranston wire center. On and after that date, CLECs will not be permitted to order new high-capacity loop or transport UNEs that are not available under the amended version of § 13.1, and they will be permitted to order such UNEs from the wire centers no longer appearing in the Tariff.

Pursuant to these amendments, CLECs will be required either to discontinue any "embedded" high-capacity loop or dedicated transport UNEs that are no longer available under the amended version of §13.1, or to transition them to alternative arrangements, before March 11, 2006 (before September 11, 2006 in the case of Dark Fiber Transport).[6]

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5 *TRRO* ¶ 105.

6 Thus, the transition period for embedded UNEs would be 113 days. The FCC established twelve- and eighteen-month transition periods in connection with the initial determinations of "de-listed" high-capacity loops and transport UNEs. However, the FCC made it clear that these lengthy transition periods would not govern subsequent additions to the ILECs' wire center lists, and that instead carriers were to negotiate appropriate transition arrangements in such cases pursuant to § 252. (*TRRO* ¶¶ 196 n. 519, 142 n. 399.) In Massachusetts, for example, the DTE required Verizon to provide a 30 days' notice of a change in the status of a wire center. *See* Docket No. 04-33, Arbitration Order dated July 14, 2005, at 288. Verizon and a number of CLECs have nevertheless

Additional charges for such embedded UNEs will apply during the transition period in accordance with the terms of the Tariff and the *TRRO*.

The 113-day transition period established by this filing for embedded UNEs is reasonable. It exceeds the transition periods provided for in most interconnection agreement; it exceeds the transition period the CLECs have agreed to in Massachusetts; it conforms to the termination date for high-capacity loop and dedicated transport UNEs that have already been de-listed; and it reflects the fact that the *TRRO* has already been in effect for some eight months. Thus, the CLECs have already had ample time to adjust to the new and more limited unbundling regime established by that order.

IV. POST-TRANSITION ARRANGEMENTS

The Tariff currently provides for Verizon to disconnect, at the end of the transition period, any "de-listed" high-capacity loop or dedicated transport UNEs for which the CLEC has not submitted disconnection or conversion orders. This "post-termination" regulation will also apply to UNEs that are not available under § 13.1 as amended. However, by this filing Verizon also modifies the post-transition arrangements for DS1 and DS3 facilities by allowing Verizon the option to convert and/or re-price the arrangements as an alternative to disconnection. This would allow a CLEC that has failed to submit disconnection or conversion orders, perhaps inadvertently, to avoid disconnection of its facilities and would also allow Verizon to collect its just and reasonable, non-TELRIC rates following expiration of the transition period.

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agreed on a 90-day transition period as part of their jointly proposed TRO Compliance Amendment in Massachusetts. In any event, it is unnecessary to negotiate transition arrangements where the parties' interconnection agreements already incorporate tariff provisions related to UNEs, as many of the ICAs do.

2. Unbundled IOF Transport
2.1 Description

2.1.1	**General**
D.	(Continued) (N)
1.	As an alternative to disconnection at the end of the transition period of any remaining DS1 or DS3 dedicated transport arrangements which would not be available on an unbundled basis pursuant to Part B, Sections 2.1.1.B.1 or 2.1.1.C.1, above, the Telephone Company may, in its sole discretion, elect to convert such arrangements as of the end of the transition period to the non-UNE (*i.e.*, tariffed interstate special access) arrangements that the Telephone Company, in its sole discretion, determines to be analogous to the discontinued DS1 and DS3 Dedicated Transport arrangements, and the applicable rates (i.e., month-to-month rate, unless a different rate applies under an applicable interstate special access term/volume plan or other applicable interstate special access tariff arrangement in which the TC is already enrolled), terms, and conditions of such tariffed interstate special access arrangements shall apply effective as of the end of the transition period. If the Telephone Company does not complete the actual conversion as of the end date of the transition period, then as of that date and during any period prior to completion of the actual conversion, the Telephone Company, in its sole discretion, may re-price the discontinued DS1 and DS3 dedicated transport arrangements by application of the rates (i.e., month-to-month rate, unless a different rate applies under an applicable interstate special access term/volume plan or other applicable interstate special access tariff arrangement in which the TC is already enrolled), that apply to the tariffed interstate special access arrangement that the Telephone Company, in its sole discretion, determines to be analogous to the discontinued arrangements. Under no circumstances will the Telephone Company be required to elect the above options, and it reserves its right to disconnect any such remaining DS1 or DS3 dedicated transport arrangements at the end of the transition period. (N)
E.	Pursuant to the *Order on Remand* issued by the Federal Communications Commission on February 4, 2005, in WC Docket No. 04-313 and CC Docket No. 01-338 (the "*Triennial Review Remand Order*"), and the regulations promulgated by the FCC pursuant to that order, a CLEC's submission to the Telephone Company of an order for unbundled DS1 or DS3 dedicated transport shall constitute a certification that, to the best of the CLEC's knowledge based on diligent inquiry, the order is consistent with the restrictions set forth in Part B, Sections 2.1.1.B.1 and 2.1.1.C.1, above, and that the CLEC is entitled to unbundled access to the network element or elements ordered. Such diligent inquiry shall include review of lists to be provided by the Telephone Company on its wholesale web site of the wire centers that meet specified criteria relating to the number of business lines that are served and the number of fiber-based collocators that are present. If the Telephone Company challenges such certification, and if it is determined, after completion of the applicable dispute resolution process, that the CLEC was not entitled to unbundled access to such element or elements, then the CLEC will be backbilled to the date on which the element was first provisioned, in the amount of the difference between the rate applicable to unbundled access to the network element in question and the rate that would be otherwise charged for the use of that element.
1.	Part B, Section 13 of this tariff identifies central offices in the Telephone Company's service area that as of the effective date of this tariff are either "Tier 1" or "Tier 2" wire centers, as defined in the *Triennial Review Remand Order*. Notwithstanding any other provision of this tariff, the Telephone Company is not required to provide, and will not process: (1) orders for unbundled DS1 dedicated transport between wire centers each of which is marked "Yes" in the Tier 1 column contained in Part B, Section 13 of this tariff; and (2) orders for unbundled DS3 dedicated transport between any wire center that is marked "Yes" in either the Tier 1 column or the Tier 2 column contained in Part B, Section 13 of this tariff, and any other wire center that is marked "Yes" in either of such columns.

2. Unbundled IOF Transport
2.1 Description

2.1.1	General	
F.	Unbundled dedicated IOF transport provides a transmission path within a LATA between the following locations. In addition, Intrastate-InterLATA unbundled dedicated IOF transport will be provided when all circuit end points are within the same local exchange calling area as defined in PUC RI No. 15.	(X)
1.	CLEC designated TC central office premises	
2.	CLEC designated collocation arrangements established within Telephone Company central offices	
3.	A CLEC designated TC central office premises and a collocation arrangement established within a Telephone Company central office.	
G.	The following digital connections which are provided through unbundled dedicated IOF transport are differentiated by bit rate and are offered with an electrical interface.	
1.	**Unbundled Dedicated DS1 IOF Transport—** A high capacity channel for the transmission of digital data at the rate of 1.544 Mbps.	
2.	**Unbundled Dedicated DS3 IOF Transport—** A high capacity channel for the transmission of digital data at the rate of 44.736 Mbps.	(X)
H.	In accordance with the Federal Communication Commission's Report and Order and Order on Remand and Further Notice of Proposed Rulemaking released on August 21, 2003 in CC Docket Nos. 01-338, 96-98, and 98-147 (the "Triennial Review Order"), beginning on April 29, 2004 the Telephone Company will no longer provision new orders for OC3 or OC12 IOF transport as unbundled network elements under the terms and conditions of this tariff except as otherwise required under an effective interconnection agreement between the Telephone Company and the TC.	
	Existing OC3 or OC12 IOF transport facilities will be discontinued on April 29, 2004, except as otherwise required under an effective interconnection agreement between the Telephone Company and the TC.	
	The following optical connections which are provided through unbundled dedicated IOF transport are differentiated by bit rate and are offered with an optical interface.	
1.	**Unbundled Dedicated OC-3 IOF Transport—** Provides for the simultaneous two-way transmission of digital signals using STS format at a rate of 155.52 Mbps.	
2.	**Unbundled Dedicated OC-12 IOF Transport—** Provides for the simultaneous two-way transmission of digital signals using STS format at a rate of 622.08 Mbps.	
I.	In accordance with the Federal Communication Commission's Report and Order and Order on Remand and Further Notice of Proposed Rulemaking released on August 21, 2003 in CC Docket Nos. 01-338, 96-98, and 98-147 (the "Triennial Review Order"), beginning on April 29, 2004 the Telephone Company will no longer accept new orders for STS1 IOF transport as an unbundled network element under the terms and conditions of this tariff except as otherwise required under an effective interconnection agreement between the Telephone Company and the TC.	
	Existing STS1 IOF transport facilities will be discontinued on April 29, 2004, except as otherwise required under an effective interconnection agreement between the Telephone Company and the TC.	
	The following connection is provided through unbundled dedicated IOF transport and is offered with a metallic-based electrical interface.	
1.	**Synchronous Transport Signal - Level 1 (STS-1)—** Provides a total bandwidth of 51.84 Mbps, including both overhead and payload. The interface must conform with GR-253–CORE which defines SONET requirements.	

5. Local Loops
5.3 High Capacity Links

5.3.1	Description	
D.	**Post-transition Arrangements -** TCs that have unbundled UNE DS1 or DS3 loop arrangements in place at the end of the transition periods described in Part B, Sections 5.3.1.B.2 and 5.3.1.C.2, above, must discontinue such arrangements, or else must convert them to alternative serving arrangements where such alternative arrangements are available from the Telephone Company. Orders for such discontinuance or conversion should be placed early enough, in light of the applicable provisioning intervals, to ensure that the orders can be fulfilled by the end of the transition period. If the TC places the order for conversion of such UNE loops prior to the end of the transition period, and the Telephone Company is not able to complete the order before the end of the transition period, the Telephone Company will continue to provide the service beyond the transition period until the order is completed at the applicable rates for analogous non-UNE services. If the TC does not place orders before the end of the transition period to discontinue or convert any such unbundled loop arrangements, the arrangements will be disconnected, at the end of the transition period.	
1.	As an alternative to disconnection at the end of the transition period of any remaining DS1 or DS3 loops which would not be available on an unbundled basis pursuant to Part B, Sections 5.3.1.B.1 or 5.3.1.C.1, above, the Telephone Company may, in its sole discretion, elect to convert such loops as of the end of the transition period to the non-UNE (i.e., tariffed interstate special access) arrangements that the Telephone Company, in its sole discretion, determines to be analogous to the discontinued DS1 and DS3 loops, and the applicable rates (i.e., month-to-month rate, unless a different rate applies under an applicable interstate special access term/volume plan or other applicable interstate special access tariff arrangement in which the TC is already enrolled), terms, and conditions of such tariffed interstate special access arrangements shall apply effective as of the end of the transition period. If the Telephone Company does not complete the actual conversion as of the end date of the transition period, then as of that date and during any period prior to completion of the actual conversion, the Telephone Company, in its sole discretion, may re-price the discontinued DS1 and DS3 loops by application of the rates (i.e., month-to-month rate, unless a different rate applies under an applicable interstate special access term/volume plan or other applicable interstate special access tariff arrangement in which the TC is already enrolled), that apply to the tariffed interstate special access arrangement that the Telephone Company, in its sole discretion, determines to be analogous to the discontinued DS1 and DS3 loops. Under no circumstances will the Telephone Company be required to elect the above options, and it reserves its right to disconnect any such remaining DS1 or DS3 loops at the end of the transition period.	(N) (N)
E.	Pursuant to the *Order on Remand* issued by the Federal Communications Commission on February 4, 2005, in WC Docket No. 04-313 and CC Docket No. 01-338 (the "*Triennial Review Remand Order*"), and the regulations promulgated by the FCC pursuant to that order, a TC's submission to the Telephone Company of an order for an unbundled DS1 or DS3 loop shall constitute a certification that, to the best of the TC's knowledge based on diligent inquiry, the order is consistent with the restrictions set forth in Part B, Sections 5.3.1.B.1 or 5.3.1.C.1, above, and that the TC is entitled to unbundled access to the network element or elements ordered. Such diligent inquiry shall include review of lists to be provided by the Telephone Company on its wholesale web site of the wire centers that meet specified criteria relating to the number of business lines that are served and the number of fiber-based collocators that are present. If the Telephone Company challenges such certification, and if it is determined, after completion of the applicable dispute resolution process, that the TC was not entitled to unbundled access to such element or elements, then the TC will be backbilled to the date on which the element was first provisioned, in the amount of the difference between the rate applicable to unbundled access to the network element in question and the rate that would otherwise be charged for the use of that element.	

5. Local Loops
5.3 High Capacity Links

5.3.1	Description	
E.	(Continued)	
1.	Part B, Section 13 of this tariff identifies central offices in the Telephone Company's service area that as of the effective date of this tariff meet the non-impairment tests for DS1 or DS3 loops under the standards set forth in the *Triennial Review Remand Order.* Notwithstanding any other provision of this tariff, the Telephone Company is not required to provide, and will not process: (1) orders for unbundled DS1 loops in wire centers marked "Yes" in the DS1 column contained in Part B, Section 13 of this tariff; and (2) orders for unbundled DS3 loops in wire centers marked "Yes" in the DS3 column contained in Part B, Section 13 of this tariff. 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.	(X) (X)
F.	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.	
1.	1.544 Mbps links are designed to provide an average performance of at least 98.75% error-free transmission, measured over a continuous 24 hour period, between the Telephone Company's interfaces using industry standard DS1 test sets.	
2.	The installation interval for one to nine 1.544 Mbps links is 9 business days where facilities exist. Quantities of 10 or greater will be provided on a negotiated interval subject to facilities availability. If facilities are not available but the Telephone Company has construction underway to meet forecasted demand, the interval quoted is the estimated construction completion date plus 6 business days.	
G.	Digital high capacity links conditioned for 44.736 Mbps are called DS3 or 45 Mbps links when they are terminated at the TC's collocation presence in the Telephone Company central office where the end user is served.	
1.	44.736 Mbps links are designed to provide an average performance of at least 98% error-free transmission, measured over a continuous 24 hour period, between the Telephone Company's interfaces using industry standard DS1 test sets.	
2.	The installation interval for one to nine 44.736 Mbps links is 18 business days where facilities exist. Quantities of 10 or greater will be provided on a negotiated interval subject to facilities availability. If facilities are not available but the Telephone Company has construction underway to meet forecasted demand, the interval quoted is the estimated construction completion date plus 15 business days.	

5.3.2	Regulations
A.	It is the responsibility of the TC (or any other party of interest, such as the applicant for service, the owner or operator of the premises or the builder) to provide in a manner satisfactory to the Telephone Company, and without cost to the Telephone Company, a means of entrance for the fiber optic cable into the building; space for mounting the necessary terminals and equipment; power necessary for the terminals and equipment; and where required, a means to reach each floor and each suite or office on each floor where telephone service is required.
B.	High capacity links which are furnished on a full time basis are available on a two-point basis.

13. Exempt Wire Centers
13.1 General

13.1.1 Exempt Wire Centers

Wire Center	Tier 1	Tier 2	DS1 LOOP	DS3 LOOP	
					(D)
CNTNRIPH	Yes	No	No	No	(C)
EGRNRICH	No	Yes	No	No	(N)
					(D)
PRVDRIBR	Yes	No	No	No	
PRVDRIWA	Yes	No	No	Yes	
PWTCRIHI	Yes	No	No	No	(N)
WNSCRICL	Yes	No	No	No	
WRWKRIWS	Yes	No	No	No	
WWWKRIMA	No	Yes	No	No	(N)