



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PUBLIC UTILITIES COMMISSION
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Commissioner Paul J. Roberti

Via Electronic Mail

PROCEDURAL SCHEDULE

To: Service List in Docket No. 4344
From: Cynthia G. Wilson-Frias, Senior Legal Counsel
Date: August 10, 2012
Re: AT&T's Petition to Investigate YMax's Tariff

Thank you for your participation in yesterday's conference call. The parties agreed that this matter is one which will most likely be decided in the fashion of a Summary Disposition. However, there was a question of whether there would be material facts in dispute. AT&T suggested that the parties may be able to rely on the relevant portions of the record from the FCC's case File No. EB-10-MD-005 (FCC 11-59 issued April 8, 2011), with any necessary updates. YMax's attorney indicated that he had discussed AT&T's proposal with YMax, but needed to consent before he could agree.

The Division was interested in whether a Technical Conference may be useful in this matter before considering the substance of the matter. Upon query of the parties, it appeared that the parties might be able to provide some useful information to the Commission and Division at a Technical Conference, but that the attorneys could not yet commit. Finally, there are several other states which have suspended similar filings by YMax, but have not yet set procedural schedules.

Therefore, YMax agreed to provide a list of the other states in which YMax had filed similar tariffs, the docket number in that state, whether they were suspended, and the status of any investigation, or in the alternative, a link to any order approving the tariff filing. This should be provided to the Commission and service list before the next conference call.

The next conference call is scheduled for **Wednesday, September 5, 2012 at 10:00 A.M.** to further discuss the procedure for this matter.

The attorneys should consult with their clients regarding whether a Technical Conference may be helpful to this matter.

YMax will confirm whether it can agree to use the relevant evidence in the FCC's Record, referenced above for submission in this investigation.

In the meantime, if procedural schedules have been set in any other jurisdiction which the parties believe would provide guidance in this matter, they should kindly let me know and provide either a copy of the order or a link to it.

cc Commissioners
Service List