

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DIVISION OF PUBLIC UTILITIES AND CARRIERS**

IN RE: VERIZON NEW ENGLAND INC.
APPLICATION FOR A CERTIFICATE OF
AUTHORITY TO OPERATE IN SERVICE
AREA SIX

Docket No. 2006-C-4

I. INTRODUCTION

Pursuant to Section 3.5 of the Rhode Island Division of Public Utilities and Carriers' ("Division") Rules Governing Community Antenna Cable Services ("Cable Rules"), Verizon New England Inc. ("Verizon") hereby applies for a Certificate of Authority to Operate for Service Area Six. Upon receipt of a Certificate of Authority to Operate, Verizon will be prepared to provide Cable service to more than seventy-two percent (72%) of the residential households in Service Area Six, beginning on or about June 5, 2007. The remaining portions of the Service Area will be activated over the next five years, in compliance with the terms of Section 8.2 of the Cable Rules.

II. VERIZON HAS COMPLIED WITH THE CABLE RULES FOR THE FILING OF A CERTIFICATE OF AUTHORITY TO OPERATE.

A. Verizon has received all certificates required by the Cable Rules.

The Cable Rules require that, prior to receiving a Certificate of Authority to Operate, an applicant must be granted a Compliance Order Certificate and Construction Certificate for the Service Area in question¹. The Division issued Verizon an Amended Compliance Order Certificate for Service Area Six on January 5, 2007, and Verizon

¹ See Sections 3.4(a) and 3.5(a) of the Cable Rules.

accepted that Certificate on January 11. The Division issued Verizon a Construction Certificate for Service Area Six on April 5, 2007.

B. Verizon's Application for a Certificate of Authority to Operate Complies with Section 3.5(c) of the Cable Rules.

Section 3.5 (c) of the Cable Rules requires an applicant for a Certificate of Authority to Operate to file with the Administrator:

a complete copy of the proposed customer contracts, rules and regulations; any and all changes; corrections; additions; and clarifications to documents previously filed with the Administrator and the Division; and any such amendments to these documents or the Administrator may require.

Prior to activation of service, each customer is given a copy of Verizon's Terms of Service (attached hereto as Exhibit 1). The Terms of Service details the complete terms and conditions of the provision of FiOSSM TV services to Verizon's customers. Verizon has also attached a complete informational tariff showing the rates and charges for its cable services in Service Area Six (attached hereto as Exhibit 2). The tariff is purely informational since Service Area Six will be subject to Effective Competition, under 47 U.S.C. §543 (l)(1), once Verizon begins offering cable services in the Service Area. Verizon has also attached a copy of the company's privacy policy (Exhibit 3). Verizon is also pleased to inform the Division that its customer service office for Service Area Six will be located at 1000 Bald Hill Road in Warwick. Verizon does not have any additional changes, corrections, additions, clarifications or amendments to its prior filings to offer at this time, except as noted below with respect to its line extension policy.

Verizon has complied with all applicable statutes, the Cable Rules and any additional terms, conditions and requirements which have been imposed on Verizon by the Administrator. With respect to such additional requirements, the Division granted Verizon's Compliance Order Certificate pursuant, in part, to a Settlement Agreement between Verizon and the Advocacy Section that imposes certain payment, outreach and service obligations on Verizon. Verizon reaffirms here its commitment and intent to satisfy those obligations but notes that performance of those obligations will not come due until some time after Verizon obtains a Certificate of Authority to Operate for Service Area Six.

In addition, as a condition of the award of its Construction Certificate, Verizon was ordered to "amend Section 3(e) of its line extension policy to include language that would provide for a customer refund of the evaluation fee in the event that Verizon elects to exercise the Section 3(e) option." *See* Cable Division Report and Order Granting Verizon a Construction Certificate for Service Area Six, page 31. Verizon's amended line extension policy is attached hereto as Exhibit 4.

III. REQUEST FOR EXPEDITED CONSIDERATION

As the Division knows, Verizon has been building out its FTTP upgrade of its Title II network in Service Area Six for some years now. As stated above, Verizon's system will be ready to commence actual service to the public on or about June 5, 2007. Accordingly, in order to avoid needless delay in the advent of real competition in the CATV market in Service Area Six, Verizon requests that the Division consider and then grant this Application on an expedited basis.

IV. CONCLUSION

The Administrator should find that Verizon has complied with all applicable statutes, the Cable Rules (including Section 3.5(c) thereof) and all additional terms, conditions and requirements which have been imposed on Verizon by the Administrator. Verizon is eager to begin providing cable services to the residents of Warwick, West Warwick, East Greenwich, West Greenwich, Coventry, North Kingstown and Exeter. To that end, Verizon respectfully requests that the Division expeditiously schedule and conduct a public hearing and grant Verizon a Certificate of Authority to Operate for Service Area Six as soon as possible.

Respectfully Submitted,

VERIZON NEW ENGLAND INC.

By its attorneys,

Bruce P. Beausejour
Alexander W. Moore
185 Franklin Street – 13th Floor
Boston, MA 02110-1585
(617) 743-2265

April 6, 2007