

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

IN RE: VERIZON NEW ENGLAND INC.

APPLICATION FOR A

Docket No. 2006-C-4

CONSTRUCTION CERTIFICATE IN

SERVICE AREA SIX

On January 10, 2007, the Rhode Island Division of Public Utilities and Carriers (“Division”) awarded Verizon New England Inc. (“Verizon”) an Amended Compliance Order Certificate for the communities of Warwick, West Warwick, East Greenwich, West Greenwich, Coventry, North Kingstown and Exeter which comprise Service Area Six (see attached Exhibit 1). On January 11, 2007 Verizon notified the administrator in writing that it had accepted the award (see attached Exhibit 2). Under Section 3.3(g) of the Division’s Rules Governing Community Antenna Television Systems (“Cable Rules”), acceptance of a Compliance Order Certificate "authorizes and obligates the applicant Verizon to meet all requirements set forth in these rules for the Construction Certificate pursuant to Chapter 8 of these rules."

Applications for Construction Certificates are governed by Section 3.4 of the Cable Rules and Section 39-19-5 of Rhode Island General Laws. As a valid holder of an accepted Compliance Order Certificate pursuant to Section 3.4 (a) of the Cable Rules,

Verizon hereto submits to the Administrator of the Division the following application and supporting materials for a Construction Certificate.

Verizon intends to provide cable service in Service Area Six over its multi-purpose Fiber to the Premises (FTTP) Network. As set forth in Verizon's Application for a Compliance Order Certificate, the FTTP Network is being constructed as an upgrade to Verizon's legacy telecommunications network pursuant to Verizon's authority under Title II of the Communications Act. As such, Verizon was not required to obtain a construction certificate prior to building the network. Without waiving any arguments related to the necessity of obtaining a construction certificate, the instant application contains information to provide the Division with certain details regarding the construction and operation of the FTTP Network.

**1. Maps and metes and bounds description of the certified Service Area. Rule 3.4(b)(1).**

For illustration purposes a map is attached (see Exhibit 3) showing Verizon's plan for delivering CATV services in Service Area Six from the relevant Verizon Video Service Offices (VSO). Additionally, a chart illustrating the percentage of construction completed in each community in Service Area Six is attached (see Exhibit 4).

Verizon has not included strand maps of its existing Title II telecommunications network. Verizon is a common carrier as defined in Title II of the Communications Act and Federal and state law give Verizon the legal authority to access the public rights-of-

way in the Service Area. Under its Title II authority, Verizon is placing fiber cable in the public rights-of-way which is capable of supporting various services including FTTP/FiOS<sup>SM</sup> voice, data and video. Detailed maps of Verizon's Title II facilities are proprietary, competitively sensitive, and beyond the scope of this application. In constructing the FTTP Network, Verizon has complied with all Division regulations applicable to its Title II network construction.

**2. A complete technical and narrative description of the system design, including system and equipment specifications. Rule 3.4(b)(2).**

Verizon's system utilizes a national Super Head End (SHE), which serves as a single point to aggregate national programming content. The content is encoded into MPEG2 streams and transported over a SONET ring to a Video Hub Office (VHO) located in Burlington, Massachusetts. The VHO collects local or metropolitan-area content and combines it with content from the SHE. The VHO also creates Interactive Program Guides to be used by end-user subscribers. Cable television traffic is converted to optical data signals at the VHO and transported over Verizon's metro area, inter-office facilities (IOF) to VSOs. At the VSO, voice and high-speed data signals may be combined with cable television data before its final transport to end user subscribers over Verizon's FTTP Passive Optical Network (PON). Once the signal reaches the end user subscriber, the optical cable television signal is converted to an electrical signal which is distributed to cable ready TVs and standard set top boxes (STBs) through standard coaxial cables. Verizon will monitor and control the cable television platform from a

remote Network Operations Center (NOC) location twenty-four hours per day, seven days a week. Additional, technical and narrative descriptions of the system design can be found in Exhibit 5.

**3. Proof of conformance with the technical, engineering, and safety standards and codes set forth in these rules. Rule 3.4(b)(3).**

Verizon complies with all technical, engineering, and safety standards and codes as set forth in the Cable Rules. (See Exhibit 6 for notarized statement of Edward Gee, Verizon Director of Network Engineering).

**4. Location of towers and head end facilities. Rule 3.4(b)(4).**

Verizon's two national SHEs are located in Florida and Indiana. The VHO that will provide video content to Service Area Six is located in Burlington, Massachusetts. The VSOs for Service Area 6 will be located in the North Kingstown, Warwick, East Greenwich, Coventry, West Warwick, Providence-Broad Street (Providence) and Hope Valley wire centers.

**5. Licenses and other forms of permission required by State and local government bodies. Rule 3.4(b)(5).**

As stated previously, Verizon is upgrading its network pursuant to its authority as a common carrier under Title II of the Communications Act. Generally, state and local governments do not require Verizon to obtain a license or permission merely to install new plant on poles or in existing conduit. However, where such governments do require a license or other permission, for example where Verizon must replace a pole, install a new pole or excavate in the public way, Verizon has applied for and/or obtained all licenses and other forms of permission known to be required (See Exhibit 6 for notarized statement of Edward Gee, Verizon Director of Network Engineering).

**6. Pole attachment, conduit occupancy, and right-of-way agreements. Rule 3.4(b)(6).**

Verizon is an owner or co-owner of the poles and conduit used in its FTTP upgrade of its Title II network in Rhode Island and is entitled under Rhode Island law to place its facilities in the public ways. Accordingly, no pole attachment, conduit occupancy or right-of-way agreements are required for the upgrade.

**7. Copies of all arrangements with common carrier communications companies or services. Rule 3.4(b)(7).**

Verizon is itself a common carrier communications company in Rhode Island and, as noted above, has an ownership interest in the poles and conduit used in the FTTP upgrade of its network. Accordingly, Verizon has not needed to enter into any arrangements with other common carrier communications companies in order to perform that upgrade.

**8. Proof of a satisfactory method of maintenance and continuing records of operations to show adequacy of service and performance continuing financial responsibility. Rule 3.4(b)(8).**

Verizon has been providing high quality telecommunications services, satisfactory maintenance of its telecommunications system and unparalleled customer service for its customers in Rhode Island for over one hundred years. Verizon currently employs more than 1,119 people in Rhode Island, including in its Regional FiOS<sup>SM</sup> Solution Center. The Center provides customer service and support to all of Verizon's FiOS<sup>SM</sup> customers in the northeast. Ample evidence of the financial strength and stability of the company is found in the 2004 Annual Report to Shareholders of Verizon Communications Inc., which was filed with the Division in this proceeding as Exhibit 6 to Verizon's Application for a Compliance Order Certificate as well as the 2004 and 2005 Financial Statements of Verizon New England Inc. which were filed with the Division on

July 28, 2006 in response to Cox Communications Inc.'s First Set of Data Requests in Docket No. 2006-C-4.

**9. Satisfactory evidence of liability insurance coverage. Rule 3.4(b)(9).**

Please see Exhibit 7 for Insurance Certificate as specified by Chapter 12 of the CATV Rules.

**10. Corrections, updates or amplifications to Application for a Compliance Order, including system design parameters. Rule 3.4(b)(10).**

None.

As demonstrated by this filing, Verizon has met the requirements of Section 3.4 of the Cable Rules. Verizon has also met, to the extent applicable at this time, all of the conditions, terms, and requirements of the Compliance Order Certificate recently awarded by the Division and accepted by Verizon. For these reasons, Verizon respectfully requests that the Division award it a Construction Certificate for Service Area Six.

Respectfully Submitted,

VERIZON NEW ENGLAND INC.

By its attorneys,

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

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