

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

IN RE: VERIZON NEW ENGLAND INC.  
APPLICATION FOR CERTIFICATES OF  
AUTHORITY TO OPERATE IN SERVICE  
AREAS TWO, THREE, AND EIGHT AND  
REQUEST FOR EXPEDITED  
CONSIDERATION

Docket No. 2007-C-1

**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 Certificates of Authority to Operate for Service Areas Two, Three, and Eight. Upon receipt of the requested Certificates of Authority to Operate, Verizon will be prepared to provide Cable service to approximately twenty-nine percent (29%) of the residential households in Service Areas Two, Three, and Eight, beginning on or about December 17, 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

Verizon New England Inc.  
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Three, and Eight.

Certificate for the Service Area in question<sup>1</sup>. The Division issued Verizon Compliance Order Certificates for Service Areas Two, Three, and Eight on August 21, 2007, and Verizon accepted those Certificates on August 22. The Division issued Verizon Construction Certificates for Service Areas Two, Three, and Eight on November 7, 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 FiOS<sup>SM</sup> 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 Areas Two, Three, and Eight (attached hereto as Exhibit 2). The tariff is purely informational since Service Areas Two, Three, and Eight will be subject to Effective Competition, under 47 U.S.C. §543 (l)(1), once Verizon begins offering cable services in the Service Areas. 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 offices for Service Areas Two, Three, and Eight will be located at:

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<sup>1</sup> See Sections 3.4(a) and 3.5(a) of the Cable Rules.

75 Eagle Street, Suite 101, Providence, RI 02909; 1000 Chapel View Blvd., Suite 138, Cranston, RI 02920; and 91 Point Judith Road, suite D1, Narragansett, RI 02882.

Verizon does not have any additional changes, corrections, additions, clarifications or amendments to its prior filings to offer at this time.

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.

### **III. REQUEST FOR EXPEDITED CONSIDERATION**

As the Division knows, Verizon has been building out its FTTP upgrade of its Title II network in Service Areas Two, Three, and Eight for some years now. As stated above, Verizon's system will be ready to commence actual service to the public on or about December 17, 2007. Accordingly, Verizon has filed a Petition for a Waiver of Section 3.5(b) of the Cable Rules with the Division under separate cover. In order to avoid needless delay in the advent of real competition in the CATV market in Service Areas Two, Three, and Eight, Verizon requests that the Division consider and then grant

this Application and its Petition for a Waiver of Section 3.5(b) of the Cable Rules 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 Providence, North Providence, Cranston, Foster, Scituate, Johnston, Westerly, Hopkinton, Richmond, Charlestown, South Kingstown, and Narragansett. To that end, Verizon respectfully requests that the Division expeditiously schedule and conduct a public hearing and grant Verizon Certificates of Authority to Operate for Service Areas Two, Three, and Eight as soon as possible.

Respectfully Submitted,

VERIZON NEW ENGLAND INC.

By its attorneys,

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