

The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

D.P.U. 97-47

March 12, 1997

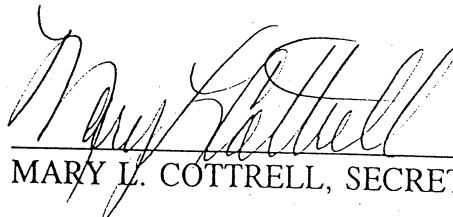
ORDER OF NOTICE

New England Telephone and Telegraph Company d/b/a NYNEX is required to publish the attached legal notice in a one-quarter page advertisement in the Boston Globe and the Boston Herald by March 28, 1997.

NYNEX is also required to provide a copy of this legal notice to the joint service list in the Consolidated Arbitrations (D.P.U. 96-73/74, D.P.U. 96-75, D.P.U. 96-80/81, D.P.U. 96-83, D.P.U. 96-94); D.P.U. 96-72; D.P.U. 96-110 and D.P.U. 96-114; all intervenors and their respective counsel from D.P.U. 94-185, and to all companies and their respective counsel that have made requests of NYNEX to negotiate pursuant to § 252 of the Telecommunications Act of 1996 by March 28, 1997.

NYNEX also is required to make return of service and publication to the Department.

By Order of the Department,


MARY L. COTTRELL, SECRETARY

LEGAL AD

D.P.U. 97-47

On March 4, 1997, New England Telephone and Telegraph Company d/b/a NYNEX ("NYNEX") and USN Communications Northeast, Inc. ("USN") filed with the Department of Public Utilities ("Department") a negotiated interconnection agreement ("Agreement"), pursuant to § 252(e) of the Telecommunications Act of 1996 ("the Act"). The Agreement was executed on February 11, 1997. Copies of the Agreement were provided to the parties to Local Competition, D.P.U. 94-185, and to the companies that have made requests of NYNEX to negotiate pursuant to § 252 of the Act.

The Act requires that the Department approve or reject the Agreement (with written findings as to any deficiencies) within 90 days of its filing (i.e., by June 2, 1997). §§ 252(e)(1), (4). The Department may only reject the Agreement if it finds that:

- (1) the Agreement (or any portion thereof) discriminates against a telecommunications carrier not a party to the Agreement, or
- (2) the implementation of the Agreement or portion is not consistent with the public interest, convenience and necessity.

The Department has opened this investigation, docketed as D.P.U. 97-47, to investigate the Agreement. This proceeding will not be conducted as an adjudication. Rather, the Department will solicit written comments from interested parties and then render a decision.

Accordingly, the Department seeks comment from interested parties as to whether it should approve or reject the Agreement. If an interested party recommends that the Department reject the Agreement, that interested party should specify in detail how the Agreement is deficient under either or both of the above two standards.

Persons interested in commenting on the Agreement may file written comments with:

Mary L. Cottrell, Secretary
Re: D.P.U. 97-47
Department of Public Utilities
Leverett Saltonstall Building
100 Cambridge Street, Room 1210
Boston, Massachusetts 02202

An original and ten (10) copies of any comments should be filed with Secretary Cottrell by April 11, 1997. Reply comments from NYNEX and USN should be filed by April 18, 1997.

Consent Communication #9

S-166

Communication was received from Department of Public Utilities, transmitting notice that New England and Telegraph d/b/a NYNEX and USN Communications Northeast, Inc., filed a negotiated interconnection agreement. The agreement was executed February 11, 1997 and the DPU has requested comments on this agreement docketed as D.P.U. 97-47.

In City Council March 24, 1997

*Referred to
City Manager*

*Copy sent
3-26-97 me*