



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

July 18, 1996

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CAMBRIDGE MA.

D.P.U. 96-72

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 once at least seven days prior to August 7, 1996.

NYNEX is also required to provide a copy of this legal notice to 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.

NYNEX also is required to make return of service and publication at the time of the public hearing.

By Order of the Department,


MARY L. COTTRELL, SECRETARY

LEGAL AD

D.P.U. 96-72

On July 10, 1996, New England Telephone and Telegraph Company d/b/a NYNEX ("NYNEX") and MFS Intelenet of Massachusetts, Inc. ("MFSI") 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"). 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 October 8, 1996). §§ 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. 96-72, to investigate the Agreement. This proceeding will not be conducted as an adjudication. Rather, the Department will solicit comments (both written and oral) 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 a party recommends that the Department reject the Agreement, the party should specify in detail how the Agreement is deficient under either or both of the above two standards.

The Department will hold a public hearing on the Agreement on August 7, 1996 at 10:00 a.m. at the Department's offices in Boston (Leverett Saltonstall Building, 100 Cambridge Street, 12th Floor). Persons interested in commenting on the Agreement may speak at the public hearing and/or may file written comments on or before the public hearing date with:

Mary L. Cottrell, Secretary
Re: D.P.U. 96-72
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 August 7, 1996. Reply comments from NYNEX and MFSI are due by August 23, 1996.

Consent Communication #9

S-389

Communication was received from
Department of Public Utilities, transmitting
a negotiated interconnection agreement
pursuant to section 252 (e) of the
Telecommunications Act of 1996.

In City Council July 29, 1996

Referred to
City Manager