

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 6836

Investigation into Verizon New England Inc.,)
d/b/a Verizon Vermont, Petition for Waiver of)
Certain Service Results Measured under the)
Performance Assurance Plan)

Order entered: 7/16/2003

I. REPORT AND RECOMMENDATION

Verizon New England Inc., d/b/a Verizon Vermont ("Verizon"), filed a petition on March 18, 2003, seeking a waiver of certain service results measured under Verizon's Performance Assurance Plan ("PAP").¹ The Public Service Board ("Board") opened this docket to consider Verizon's request.

On June 5, Verizon filed a letter withdrawing its petition. According to Verizon, the New York Public Service Commission rejected a similar PAP waiver request by Verizon New York on May 29, 2003. Verizon noted that the underlying facts and requested relief were similar in both states.

I recommend that the Board close this docket. Verizon's letter indicates that it no longer seeks a Board ruling in the matter, so there is no present case or controversy. Moreover, no other party is adversely affected by dismissal of the petition.

This Proposal for Decision has been served on all parties to this proceeding in accordance with 3 V.S.A. § 811.

Dated at Montpelier, Vermont, this 11th day of July, 2003.

s/George E. Young
George E. Young
Hearing Officer

1. Verizon committed to the Performance Assurance Plan as part of its request for authorization to offer interstate telecommunications service under Section 271 of the federal Telecommunications Act of 1996.

II. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that:

1. The recommendations of the Hearing Officer are accepted.
2. This docket shall be closed.

Dated at Montpelier, Vermont, this 16th day of July, 2003.

s/Michael H. Dworkin)	PUBLIC SERVICE
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)	
s/David C. Coen)	BOARD
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)	
s/John D. Burke)	OF VERMONT

OFFICE OF THE CLERK

FILED: July 16, 2003

ATTEST: s/Susan M. Hudson

Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: Clerk@psb.state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.