

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 6259

In Re: Resale Agreement between New England )  
Telephone and Telegraph Company d/b/a Bell )  
Atlantic-Vermont and EZ Talk Communications, )  
LLC. )

Order entered: 9/16/99

**PREHEARING CONFERENCE MEMORANDUM**

**BACKGROUND**

A prehearing conference in this proceeding was held on August 18, 1999. The following persons entered appearances: Victor D. Del Vecchio, Esq. and Gregory M. Kennan, Esq., for New England Telephone and Telegraph Company d/b/a Bell Atlantic-Vermont ("Bell Atlantic"); Sheldon Katz, Esq., for the Vermont Department of Public Service ("Department"); and Kyle J. Dickson, for EZ Talk Communications, L.L.C. ("EZ Talk").<sup>1</sup>

**MOTIONS**

On August 18, 1999, Victor D. Del Vecchio, Esq., and Gregory M. Kennan, Esq., filed a Motion to Waive Public Service Board Rule 2.201(C) to permit Mr. Del Vecchio and Mr. Kennan to serve as co-counsel of record to Bell Atlantic in the above referenced docket. In the subsequent three weeks, no party has submitted a response. As the request is unopposed, I grant the Motion to Waive Public Service Board Rule 2.201(C).

**SCHEDULING**

The primary focus of the prehearing conference was the establishment of the schedule for this proceeding. Under section 252(e) of the federal Telecommunications Act of 1996 (the "Act"), the Board must issue its final decision within 90 days of the submission of an interconnection agreement.

The Act, which governs this proceeding, does not require that the Board conduct evidentiary hearings. The parties thus agreed to a procedural schedule whereby the Hearing Officer would draft a Proposal for Decision, which would then be circulated to the parties. Following submission of the draft Proposal, the Department and other parties may submit

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1. Mr. Dickson filed a formal notice of appearance with the Board on August 20, 1999.

comments on the proposed interconnection agreement and the draft Proposal. At this time, it appears unlikely that a hearing will be needed, so the procedural schedule does not contain specific hearing dates. If the parties or I find, after review of the Resale Agreement and draft Proposal for Decision, that a technical hearing or workshop is needed, I will schedule it.

I wish to remind parties that, under 3 V.S.A. § 811, they have the right to comment upon my Proposal for Decision and request oral argument before the Board. Assuming the parties can reach agreement on an appropriate resolution of this docket, the parties may want to consider waiving their rights under this section, in writing, to allow issuance of a final Board order more rapidly.

SO ORDERED.

DATED at Montpelier, Vermont, this 16th day of September, 1999.

s/ Gregg C. Faber  
Gregg C. Faber  
Hearing Officer

OFFICE OF THE CLERK

FILED: September 16, 1999

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 of any technical errors, in order that any necessary corrections may be made.*