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Georgia Aublic Service Commission IVE SECRETARY

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Docket No. 27032

In Re: MCImetro Access Transmission Services LLC, d/b/a Verizon Transmission Services LLC and MCI Communications Services, Inc. d/b/a Verizon Business Services Petition to Reduce the Intrastate Switched Access Charges of the Windstream Companies

ORDER HOLDING PROCEEDING IN ABEYANCE

On February 22, 2008, MCImetro Access Transmission Services LLC, d/b/a Verizon Access Transmission Services LLC and MCI Communications Services, Inc. d/b/a Verizon Business Services' (collectively, "Verizon") filed a Petition to Reduce the Intrastate Switched Access Charges of the Windstream Companies ("Petition"). In its Petition, Verizon supports its claim that Windstream's rates are unreasonable and anticompetitive by asserting that Windstream's intrastate switched access rates exceed those of BellSouth Telecommunications, Inc. ("BellSouth") by 800% to 2200%. Petition, 1. In order to ensure Windstream's intrastate access rates are competitive, Verizon requests that the Commission order Windstream to reduce its intrastate access rates to their current interstate levels, just as the state legislature did in 1995 during the context of the State Telecom Act. Id. at 6.

On March 27, 2008, Georgia Windstream, LLC, Windstream Accucomm Telecommunications, LLC, Windstream Georgia Communications, LLC, Windstream Georgia Telephone, LLC, Windstream Georgia, LLC, and Windstream Standard, LLC (collectively "Windstream") filed its Motion to Dismiss or Stay and Response ("Response"). Windstream urges dismissal of Verizon's petition primarily because Verizon failed to demonstrate how Windstream's rates are unjust or unreasonable, In addition, Windstream asserts that Verizon's Petition is disingenuous given that it only filed access reduction petitions in those states where it does not have an ILEC affiliate. Finally, Windstream argues that any reform regarding intercarrier compensation mechanisms should be comprehensive, and not the result of a piecemeal approach via petitions filed in different states.

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On April 29, 2008, Verizon filed an Opposition to Windstream's Motion to Dismiss ("Opposition"), in which it asserts that the arguments Windstream presented in its Response failed to meet the standard for dismissal. Furthermore, Verizon emphasizes that the disparity in comparable intrastate access rates between BellSouth and Windstream support an investigation of Windstream's access rates. Attached to its response, Verizon proposed a procedural schedule, which included oral argument on Windstream's Motion to Dismiss.

The Commission is aware of ongoing state and federal efforts to address intercarrier compensation ("ICC") issues. On the federal level, the FCC has committed to addressing ICC by the end of fourth quarter this year. On the state level, the House Committee on Telecommunications has initiated a study committee to investigate ICC. The Committee may produce a proposal for ICC legislation for the General Assembly to consider in the upcoming legislative session. The anticipated action by either or both of the FCC and the state legislature may impact any decision this Commission makes with regard to ICC. Therefore, the Commission finds it prudent and efficient to hold Verizon's petition in abeyance.

The Commission will continue to monitor the progress of the federal and state efforts. If the federal and state efforts are significantly delayed or the issues addressed in Verizon's Petition are not resolved at the conclusion of those efforts, the Commission will revisit those issues at a later date. If appropriate, the Commission may consider the ICC issues in a broader context, such as a generic proceeding.

* * * * *

WHEREFORE IT IS ORDERED, the proceeding is hereby held in abevance.

ORDERED FURTHER, that the Commission will monitor the progress and actions taken by the FCC and House Committee on Telecommunications with regard to intercarrier compensation issues. Based on that review, the Commission may take any action it deems appropriate, including, but not limited to, revisiting intercarrier compensation issues at a later date in the context of a generic proceeding.

ORDERED FURTHER, that any motion for reconsideration, rehearing or oral argument shall not stay the effectiveness of this Order unless expressly so ordered by the Commission.

ORDERED FURTHER, that jurisdiction over this proceeding is expressly retained for the purpose of entering such further order or orders as this Commission may deem just and proper.

The above by action of the Commission in Administrative Session on the 19th day of August, 2008.

Reece McAlister
Executive Secretary

Chuck Eaton
Chairman

Date: 9/24/08

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