

**PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA  
1325 G STREET N.W., SUITE 800  
WASHINGTON, D.C. 20005**

**ORDER**

**December 7, 2016**

**FORMAL CASE NO. TIA 2016-05, IN THE MATTER OF THE APPLICATION  
OF VERIZON WASHINGTON, DC INC. FOR APPROVAL OF AMENDMENT  
NO. 1 TO THE INTERCONNECTION AGREEMENT WITH BROADVOX-  
CLEC, LLC UNDER SECTION 252(e) OF THE TELECOMMUNICATIONS ACT  
OF 1996, Order No. 18623**

**I. INTRODUCTION**

1. By this Order, the Public Service Commission of the District of Columbia (“Commission”) approves the negotiated Amendment to the Interconnection Agreement (jointly referred to as the “Amendment”) between Verizon Washington, DC Inc. (“Verizon DC”) and Broadvox-CLEC, LLC (“Broadvox-CLEC”), (collectively, “the Applicants” or “parties”).

**II. BACKGROUND**

2. This Amendment was submitted to the Commission for approval pursuant to Section 252(e) of the Telecommunications Act of 1996 (“the Act”).<sup>1</sup> On October 31, 2016, Verizon DC filed an application on behalf of Broadvox-CLEC for Commission approval of an Amendment between Verizon DC and Broadvox-CLEC.<sup>2</sup> Pursuant to Section 252(a) of the Act, the parties have negotiated the Amendment.

3. The Applicants acknowledge that, pursuant to Sections 252(e)(2)(A)(i) and 252(e)(2)(A)(ii) of the Act, the Amendment must not discriminate against any other telecommunications carrier and must be consistent with the public interest, convenience, and necessity. The Applicants stipulate that the Amendment complies with both sections of the Act.<sup>3</sup> Therefore, the Applicants request Commission approval of the proposed negotiated Amendment.<sup>4</sup>

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<sup>1</sup> See 47 U.S.C. §§ 252(e) and 252(i) (1996).

<sup>2</sup> *Formal Case No. TIA 2016-05, In the Matter of the Application of Verizon Washington, DC Inc. for Approval of Amendment No.1 to the Interconnection Agreement with Broadvox-CLEC, LLC Under Section 252(e) of the Telecommunications Act of 1996*, Verizon Washington, DC Inc.’s Application, filed October 31, 2016.

<sup>3</sup> Application at 1.

<sup>4</sup> *Id.*

### **III. DISCUSSION**

#### **A. Requirements of Section 252(e)(2)(A) of the Act**

4. Pursuant to Section 252(e)(2)(A) of the Act, the Commission must approve a negotiated Agreement, or an Amendment to that Agreement, if the Commission finds that it does not discriminate against a telecommunications carrier not a party to the Agreement or Amendment, and the implementation of the Agreement or its Amendment, is consistent with the public interest, convenience, and necessity. The Commission, therefore, has considered and examined the Amendment in light of this statutory directive.

5. The Commission finds that the Amendment meets the statutory criteria. First, the Amendment does not discriminate against a carrier not a party to the Amendment. The Applicants stipulate that the Amendment will be available to any other telecommunications carrier in the District. They further stipulate that other carriers “are not bound by the Amendment and remain free to negotiate independently with Verizon DC pursuant to Section 252 of [the Act].”<sup>5</sup> In view of these stipulations, the Commission concludes that the Amendment does not discriminate against a telecommunications carrier not a party to the Amendment, and therefore meets the requirements for approval under Section 252(e)(2)(A)(i) of the Act.

6. Second, the Commission finds that the implementation of the Amendment is consistent with the public interest, convenience, and necessity. The Amendment will facilitate the development of competition in the District telecommunications market and will help to ensure that District consumers gain from any benefits that may flow from competition. The Commission, therefore, concludes that the Amendment is consistent with the public interest, convenience, and necessity and meets the requirements for approval under Section 252(e)(2)(A)(ii) of the Act.

#### **B. Future Revisions**

7. The Commission directs the Applicants to comply with the procedures set forth in Sections 2600-2603.1 of the Commission’s rules to obtain Commission approval of any revised Amendment into which the Applicants may enter.<sup>6</sup> For the foregoing reasons, the Commission approves the Amendment.

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<sup>5</sup> *Id.*

<sup>6</sup> *See* 15 DCMR § 2603.1 (2004).

**THEREFORE, IT IS ORDERED THAT:**

8. The Application filed on October 31, 2016, is **GRANTED**, subject to the conditions and the Commission's findings set forth above. The Amendment is **APPROVED**.

**A TRUE COPY:**

**BY DIRECTION OF THE COMMISSION:**

A handwritten signature in black ink, reading "Brinda Westbrook-Sedgwick". The signature is written in a cursive, flowing style.

**CHIEF CLERK:**

**BRINDA WESTBROOK-SEDGWICK  
COMMISSION SECRETARY**