

BEFORE THE
ILLINOIS COMMERCE COMMISSION

VERIZON NORTH INC. (formerly)
GTE NORTH INCORPORATED),)
VERIZON SOUTH INC. (formerly)
GTE SOUTH INCORPORATED),)
MTCO COMMUNICATIONS, INC.)
)
)
)
Joint Petition of Verizon North Inc.)
(formerly GTE North Incorporated),)
Verizon South Inc. (formerly)
GTE South Incorporated), and)
MTCO Communications, Inc.)
For Approval Pursuant To 47 U.S.C.)
§§ 252 (a)(1) and 252(e),)
of the Agreement Supplementing an)
Adopted Interconnection, Resale and)
Unbundling Agreement)

JOINT PETITION
FOR THE AGREEMENT SUPPLEMENTING AN ADOPTED INTERCONNECTION,
RESALE AND UNBUNDLING AGREEMENT
AMONG VERIZON NORTH INC. (FORMERLY GTE NORTH INCORPORATED),
VERIZON SOUTH INC. (FORMERLY GTE SOUTH INCORPORATED),
AND MTCO COMMUNICATIONS, INC.

Verizon North Inc. (formerly GTE North Incorporated) and Verizon South Inc. (formerly GTE South Incorporated) (collectively (“Verizon”)) and MTCO Communications, Inc. (“MTCO”), Joint Petitioners, pursuant to 47 U.S.C. §§252(a)(1) and 252(e) and Ill. Admin. Code tit. 83, § 763, petition the Illinois Commerce Commission to approve the Agreement Supplementing an Adopted Interconnection, Resale and Unbundling Agreement between Verizon and MTCO, on the following grounds:

1. The Joint Petitioners have entered into this agreement (“Supplemental Agreement”) (attached as Exhibit A) to supplement the adopted terms of the Interconnection, Resale and Unbundling Agreement approved by this Commission on August 11, 1999, in Docket No. 99-NA-012.¹

2. The parties have entered this agreement supplementing adopted terms to implement the Federal Communications Commission’s (“FCC”) rule regarding unbundled network elements (“UNE”) issued November 5, 1999 and December 9, 1999.

3. Among other things, this agreement supplementing adopted terms provides the terms and conditions for the provision of UNE’s between the Petitioners. Such agreements are to be encouraged. Thus, the filed interconnection agreement is consistent with the public interest, convenience, and necessity.

4. Pursuant to Section 252(e)(2) of the Telecommunications Act of 1996, *see* 47 U.S.C. § 252(e)(2), the Commission may only reject a negotiated agreement if it finds that (1) the agreement discriminates against another carrier or (2) implementation of the agreement would not be consistent with the public interest, convenience and necessity. Neither basis for rejection of an agreement is present here.

¹ Verizon is submitting this Joint Petition pursuant to Sections 252 (a)(1) and 252 (e) of the Telecommunications Act of 1996 seeking the Commission’s approval of the agreement described therein. Verizon previously submitted a Joint Petition pursuant to Section 252(i) of the Telecommunications Act of 1996 (the “1996 Act”) to notify the Commission of the adoption by MTCO Communications, Inc. of an agreement between GTE North Incorporated, GTE South Incorporated and US Xchange, Inc. approved by this Commission in Docket 99-NA-012. With respect to prior submissions made under Section 252(i) of 1996 Act, the Commission has elected to treat the adopted terms as a negotiated agreement. Because Section 252 (i) requires the adoption to be implemented as a matter of law, Verizon disagrees with the Commission’s characterization of such agreements as negotiated agreements. Nothing contained in this Joint Petition alters Verizon’s belief that Section 252(i) of the Telecommunications Act of 1996 requires the adoption of interconnection agreements as a matter of law.

THEREFORE, Verizon and MTCO respectfully request that the proposed Agreement Supplementing Adopted Terms Between Verizon North Inc. (formerly GTE North Incorporated), Verizon South Inc. (formerly GTE South Incorporated), and MTCO Communications, Inc. be approved as filed.

Respectfully submitted this __ day of ____ 2000.

VERIZON NORTH INC.
VERIZON SOUTH INC.

MTCO COMMUNICATIONS, INC.

By: _____

By: _____

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STATE OF _____)
) ss VERIFICATION
COUNTY OF _____)

_____, being first duly sworn, deposes and states that he/she is the _____ of MTCO Communications, Inc. (“MTCO”); that he/she is authorized by MTCO to make this verification; that he/she has read the above and foregoing Joint Petition for Approval of the Agreement Supplementing an Adopted Interconnection, Resale and Unbundling Agreement Between Verizon North Inc. (formerly GTE North Incorporated), Verizon South Inc. (formerly GTE South Incorporated), and MTCO and knows the contents thereof; and that said contents are true to the best of his/her knowledge, information and belief.

Subscribed and sworn to before me, a notary public for the State of _____
this _____ day of _____ 2000.

Notary Public

My commission expires: _____