

BEFORE THE
ILLINOIS COMMERCE COMMISSION

VERIZON NORTH INC. (FORMERLY)
GTE NORTH INCORPORATED),)
VERIZON SOUTH INC. (FORMERLY)
GTE SOUTH INCORPORATED),)
AND PATHNET, INC.)
)
Joint Petition of Verizon North Inc.)
(formerly GTE North Incorporated),)
Verizon South Inc. (formerly)
GTE South Incorporated), and)
Pathnet, Inc.)
For Approval Pursuant To 47 U.S.C.)
§§ 252 (a)(1) and 252(e),)
of an Interconnection, Resale)
and Unbundling Agreement)

JOINT PETITION
FOR APPROVAL OF AN INTERCONNECTION, RESALE AND UNBUNDLING
AGREEMENT AMONG VERIZON NORTH INC. (FORMERLY GTE NORTH
INCORPORATED), VERIZON SOUTH INC. (FORMERLY GTE SOUTH
INCORPORATED), AND PATHNET, INC.

Verizon North Inc. (formerly GTE North Incorporated) and Verizon South Inc. (formerly GTE South Incorporated) (collectively (“Verizon”)) and Pathnet, Inc. (“Pathnet”), 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 Interconnection, Resale and Unbundling Agreement (the “Agreement”) between Verizon and Pathnet on the following grounds:

1. Petitioners Verizon North Inc. (formerly GTE North Incorporated) and Verizon South Inc. (formerly GTE South Incorporated) are each telecommunications carriers within the

meaning of Section 13-202 of the Universal Telephone Protection Act of 1985, 220 ILCS 5/13-100, et seq. and each is authorized to provide and is currently providing, intraMSA exchange and interexchange telecommunications services to customers within certain certificated areas of the State of Illinois.

2. Petitioner Pathnet is a certified provider of local two-way wireline dialtone service.

3. The proposed Agreement, attached to this petition as Exhibit 1, was negotiated voluntarily between Verizon and Pathnet. Accordingly, Verizon and Pathnet are requesting approval of the Agreement pursuant to 47 U.S.C. §§ 252(a)(1) and 252(e).

4. Under the Telecommunications Act of 1996, Public Law 104-104, 110 Stats. 56 (effective February 8, 1996), this Commission must approve the filed Agreement unless:

- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or,
- (ii) the implementation of such an agreement or portion is not consistent with the public interest, convenience, and necessity. *See* 47 U.S.C. § 252(e)(2).

5. Nor do agreements voluntarily negotiated between or among parties have to comply with the standards set forth in 47 U.S.C. § 251(b) & (c) or the pricing standards set forth in 47 U.S.C. § 252(d).¹

6. As provided in the Statement in Support of an Interconnection Agreement, attached as Exhibit 2, Verizon will make the arrangements set forth in the filed Agreement

¹ VOLUNTARY NEGOTIATIONS- Upon receiving a request for interconnection, services, or network elements pursuant to section 251, an incumbent local exchange carrier may negotiate and enter into a binding agreement with the requesting telecommunications carrier or carriers without regard to the standards set forth in subsections (b) and (c) of § 251. See 47 U.S.C.A. § 252(a)(1).

available on the same terms and conditions to any duly authorized telecommunications carrier operating within the State of Illinois. Therefore, this Agreement is not discriminatory.

7. Among other things, this Agreement establishes the terms and conditions for interconnection, resale and unbundling of telecommunications services. Such agreements are to be encouraged. Thus, the Agreement is consistent with the public interest, convenience, and necessity.

8. The rates set forth in the Agreement are reasonable and compensatory.

THEREFORE, Verizon and Pathnet respectfully request that the agreement among Verizon North Inc. (formerly GTE North Incorporated), Verizon South Inc. (formerly GTE South Incorporated), and Pathnet, Inc. be approved as filed.

Respectfully submitted this _____ day of _____ 2000.

VERIZON NORTH INC.
VERIZON SOUTH INC.

PATHNET, INC

By: _____

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ATTORNEYS FOR VERIZON NORTH INC.
AND VERIZON SOUTH INC.

STATE OF _____)
) ss VERIFICATION
COUNTY OF _____)

J. Alfred Baird, being first duly sworn, deposes and states that he is the _____ of Pathnet, Inc.; that he is authorized by Pathnet, Inc. to make this verification; that he has read the above and foregoing Joint Petition for and Statement in Support of the Approval of an Interconnection, Resale and Unbundling Agreement Among Verizon North Inc. (formerly GTE North Incorporated), Verizon South Inc. (formerly GTE South Incorporated), and Pathnet, Inc. and knows the contents thereof; and that said contents are true to the best of his 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: _____