COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

Ex Parte: In re: Amending the rules governing the certification and regulation of competitive local exchange carriers

ORDER

On August 4, 2011, the State Corporation Commission ("Commission") issued an Order for Notice and Hearing ("August 4 Order") that initiated a proceeding to consider amending the Commission's rules governing the certification and regulation of competitive local exchange carriers, 20 VAC 5-417-10 et seq. ("CLEC Rules"). The August 4 Order noted that the CLEC Rules were last revised on September 27, 2007, by a Final Order issued by the Commission in Case No. PUC-2007-00033. The Commission concluded that it is appropriate to revisit the CLEC Rules to make modifications necessitated by changes in the law by the Virginia General Assembly enacted in Chapters 738 and 740 of the 2011 Virginia Acts of Assembly, and by competitive and technological changes that have occurred in the telecommunications industry since the last review of the CLEC Rules.

To facilitate this review, the Staff of the Commission ("Staff") prepared proposed revisions of the CLEC Rules ("Proposed Rules"), which were, pursuant to the August 4 Order, published in the Virginia Register. Public notice was also given so as to provide the public an opportunity to comment on the Proposed Rules, to request a hearing thereon, or to suggest modifications or supplements to the Proposed Rules.

While no requests for hearing were filed, comments on the Proposed Rules were filed by BVU Authority, Sprint Communications of Virginia, United Telephone Southeast, LLC, and
Central Telephone Company of Virginia (jointly as CenturyLink), Verizon Virginia Inc. and Verizon South Inc. (jointly as Verizon), and Cox Virginia Telcom, LLC. BVU Authority proposed in its comments certain revisions to the MLEC requirements set out in 20 VAC 5-417-40 of the CLEC Rules. In the Response of the Division of Communications ("Staff Response"), filed on October 28, 2011, the Staff noted that Rule 20 VAC 5-417-40 was not specifically noticed at the outset of this proceeding as no changes to this section of the CLEC Rules were included in the Proposed Rules. However, Attachment A to the Staff Response set out revisions to the Proposed Rules based upon the comments received, including additional modifications to the MLEC requirements set out in 20 VAC 5-417-40 of the CLEC Rules.

NOW THE COMMISSION, upon consideration of the foregoing, is of the opinion and finds that the public should be afforded an opportunity to comment on, request a hearing on, or suggest modifications or supplements to the revisions to the MLEC requirements set out in 20 VAC 5-417-40 of the CLEC Rules as proposed by BVU Authority and as further modified by the Staff.

Accordingly, IT IS ORDERED THAT:

(1) On or before December 13, 2011, any interested person or entity may comment on, proposed modifications or supplements to, or request a hearing on the proposed revisions to 20 VAC 5-417-40 of the CLEC Rules by filing comments, proposals, or hearing requests with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. Interested persons desiring to submit comments electronically may do so by following the instructions on the Commission's website at: http://www.scc.virginia.gov/case. All correspondence shall refer to Case No. PUC-2011-00048.

(2) This matter is continued pending further order of the Commission.
AN ATTESTED COPY hereby shall be sent by the Clerk of the Commission to:
JoAnne L. Nolte, Esquire, The Nolte Law Firm, P.C., 1427 West Main Street, Richmond, Virginia 23220-4629; Richard D. Gary, Esquire, Hunton & Williams, LLP, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; David E. Anderson, Esquire, LeClair Ryan, Riverfront Plaza, East Tower, P.O. Box 2499, Richmond, Virginia 23218-2499; Irene C. Leech, Virginia Citizens Consumer Council, 4220 North Fork Road, Elliston, Virginia 24087; E. Ford Stephens, Esquire, Christian & Barton, LLP, 909 E Main Street, Suite 1200, Richmond, Virginia 23219-3095; Jeanne W. Stockman, Esquire, CenturyLink, 1411 Capital Boulevard, Wake Forest, North Carolina 27587; Jennifer L. McClellan, Esquire, Verizon Virginia Inc., 703 East Grace Street, 7th Floor, Richmond, Virginia 23219; C. Meade Browder, Jr., Esquire, Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; and all local exchange carriers certificated in Virginia as set out in Appendix A, and all interexchange carriers certificated in Virginia as set out in Appendix B. A copy hereof shall be delivered to the Commission's Office of General Counsel and Division of Communications.
APPENDIX A

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<th>City</th>
<th>State</th>
<th>ZIP Code</th>
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<td>MITEL NETSOLUTIONS OF VIRGINIA, INC.</td>
<td>MR. JON BRINTON VICE PRESIDENT AND GENERAL MANAGER 7300 W BOSTON STREET</td>
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<td>MOUNTAINET TELEPHONE COMPANY</td>
<td>DANIEL E. ODOM POB 488</td>
<td>GATE CITY</td>
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<td>MOBILITE, LLC</td>
<td>MS. CYNDIA MORENO 600 NEWPORT CENTER</td>
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<td>NA COMMUNICATIONS, INC.</td>
<td>MS. MARY MCDERMOTT 401 SPRING LN,</td>
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<td>NAVIGATOR TELECOMMUNICATIONS, LLC</td>
<td>MR. MICHAEL MCALESTER 8525 RIVERWOOD</td>
<td>NORTH LITTLE ROCK</td>
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<td>NETWORK BILLING SYSTEMS, L.L.C.</td>
<td>MR. JONATHAN KAUFMAN 155 WILLOWBROOK</td>
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<td>PENNY J. BEWICK 3000 COLUMBIA HOUSE</td>
<td>VANCOUVER</td>
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<td>NEW HOPE TELEPHONE COOPERATIVE</td>
<td>MR. TIMOTHY M. HARRIS POB 66</td>
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C/O TOM O'GRADY, ESQUIRE  
MCGUIRE WOODS LLP  
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MCLEAN, VA 22102

COX VIRGINIA TELCOM LLC  
MR. ROBERT J. HOWLEY  
SENIOR DIRECTOR  
REGULATORY AFFAIRS  
9 JAMES P. MURPHY HIGHWAY  
WEST WARWICK, RI 02893
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<td>ANNE SOKOLIN-MAIMON VICE PRESIDENT REGULATORY AFFAIRS 100 CRYSTALL RUN ROAD</td>
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<td>MCIMETRO ACCESS TRANSMISSION SERVICES</td>
<td>C/O LYDIA R. PULLEY, ESQ/VP/GEN COUNSEL VERIZON VIRGINIA INC. 7th FLOOR</td>
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<tr>
<th>Company</th>
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<td>RNK VA, LLC</td>
<td>MICHAEL TENORE</td>
<td>INTERIM GENERAL COUNSEL/V.P. REG AFFAIRS</td>
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<tr>
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<td>SUITE 310</td>
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<tr>
<td>SCOTT COUNTY TELEPHONE COOPERATIVE</td>
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<td>BILL ATKINSON</td>
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<td>ATLANTA, GA 30339</td>
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<td>GVP, CHIEF COUNSEL</td>
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<td>SBC LONG DISTANCE, LLC</td>
<td>MS. CAROL PAULSEN</td>
<td>DIRECTOR REGULATORY</td>
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<td>DALLAS, TX 75202</td>
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<td>SHENANDOAH TELEPHONE COMPANY</td>
<td>MR. DAVID FERGUSON</td>
<td>VP CUSTOMER SERVICES</td>
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<td>STARPOWER COMMUNICATIONS, LLC</td>
<td>JOSEPH O. KAHL</td>
<td>SR. DIR, REGULATORY &amp; EXTERNAL AFFAIRS</td>
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<td></td>
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<td>SUITE 3100</td>
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<tr>
<td>PRINCETON, NJ 08540</td>
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<td>650 COLLEGE ROAD EAST</td>
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<td>TCG VIRGINIA, INC.</td>
<td>MR. TIM O'HARA</td>
<td>MANAGER</td>
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<tr>
<td>WASHINGTON, DC 20036</td>
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<td>1120 20TH STREET, NW</td>
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<tr>
<td>TELCENTS OF VIRGINIA, INC.</td>
<td>MR. ANTHONY COOKE</td>
<td>DIRECTOR OF GOVERNMENT AFFAIRS</td>
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<td>TELECOM COMPLIANCE SERVICES</td>
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<td>1720 WINDWARD CONCOURSE, SUITE 250</td>
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<td>ALPHARETTA, VA 30005</td>
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<tr>
<td>UNITED TELEPHONE-SUTHEAST, INC.</td>
<td>MR. RICHARD A. SCHOLLMANN</td>
<td>GOVERNMENT AFFAIRS MANAGER</td>
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<td>RICHMOND, VA 23219-2814</td>
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<td>707 EAST MAIN STREET</td>
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</tbody>
</table>
US LEC OF VIRGINIA, L.L.C.
MS. SUMER SMITH
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