

**STATE OF RHODE ISLAND
DIVISION OF PUBLIC UTILITIES AND CARRIERS**

PETITION OF VERIZON NEW ENGLAND
INC. FOR A PARTIAL WAIVER OF SECTION
7.3(A) OF THE RULES GOVERNING
COMMUNITY ANTENNA TELEVISION
SYSTEMS

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DOCKET NO.

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PARTIAL WAIVER OF SECTION 7.3(A) OF THE RULES
GOVERNING COMMUNITY ANTENNA TELEVISION SYSTEMS**

I. INTRODUCTION

Verizon New England Inc. (“Verizon”) submits this Petition pursuant to Section 13 of the Rules of Practice and Procedure of the Rhode Island Division of Public Utilities and Carriers (the “Division”) and Section 1.12 of the Division’s Rules Governing Community Antenna Television Systems (hereinafter “CATV Rules”). Verizon hereby petitions the Division for a waiver of that part of Section 7.3(a) of the CATV Rules that requires cable operators to construct a physically separate institutional network (“I-NET”). Verizon does not seek to waive the requirement in Section 7.3(a) of the CATV Rules that the company connect all designated institutions to its residential cable service. This waiver request is sought in relation to cable services offered over Verizon’s state of the art fiber-to-the-premises network in Service Area Six.

In lieu of constructing a physically separate I-NET, Verizon proposes to provide institutional users with access to its FiOSSM data service. This approach would provide institutional users with additional, higher speed broadband data service currently not available to

them under the Waiver granted to Cox Communications, Inc. by the Division on January 27, 2005 (“Cox I-NET Waiver”).

II. STANDARD OF REVIEW

The standard of review applicable to this Petition is found in Section 1.12(d) of the CATV Rules. Section 1.12(d) states that “the Administrator, after public hearing, shall determine on the basis of the petition, written comments, and testimony received, whether the public interest would be served by the granting, in whole or in part, or by the denial of the request.”

III. VERIZON’S REQUEST FOR WAIVER OF RULES

Verizon proposes to provide the institutional users designated in Section 7.3(b) of the CATV Rules with access to Verizon’s FiOSSM data service, in lieu of constructing a physically separate I-NET, as required by Section 7.3(a) of the CATV Rules. Granting Verizon’s request is in the public interest since it would provide new technology options and capabilities to schools, government service agencies, and institutional users in Service Area Six. Institutional users in public buildings also would benefit from the provision of additional data capabilities and higher speed broadband service currently not available to them under the existing Cox I-NET Waiver.

IV. CONCLUSION

For the reasons above, Verizon respectfully requests that the Division conduct a public hearing pursuant to Section 1.12(d) of the CATV Rules and thereafter grant this Petition seeking a waiver from that part of Section 7.3(a) of the CATV Rules that requires cable operators to construct a physically separate institutional network.

Respectfully submitted,

VERIZON NEW ENGLAND INC.

By its attorneys,

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February 7, 2006

CERTIFICATE OF SERVICE

I hereby certify that I today caused true copies of the foregoing Petition to be served by first class, postage pre-paid mail upon the chief executive officers and the clerks of the municipalities within Service Area Six.

February 7, 2006

Alexander W. Moore