

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

D.T.E./D.T.C. 06-8

June 30, 2011

Investigation by the Department of Telecommunications and Energy on its own Motion to Establish Retail Billing and Termination Practices for Telecommunications Carriers.

ORDER CLOSING DOCKET

I. INTRODUCTION AND PROCEDURAL HISTORY

On April 7, 2006, the Department of Telecommunications and Energy¹ issued an Order opening an investigation to update the Retail Billing and Termination Practices originally established in *New England Telephone and Telegraph Company*, D.P.U. 18448 (1977) that then applied to Verizon New England, Inc. d/b/a Verizon Massachusetts and more than 148 competitive local exchange telecommunications carriers operation within the Commonwealth. *Order Opening a Notice of Inquiry to Establish Retail Billing and Termination Practices for Telecommunications Carriers*, D.T.E. 06-8 (2006) at 1. A Notice of Inquiry (“Notice”), dated April 7, 2006, duly published in *The Boston Globe* and the *Boston Herald*, set forth the scope of the Inquiry as follows:

¹ Pursuant to Chapter 19 of the Acts of 2007, the Department of Telecommunications and Energy was dissolved on April 11, 2007. 2007 Mass. Acts c. 19, §§ 1-54. Jurisdiction over telecommunications matters was placed in the newly-created Department of Telecommunications and Cable. See G. L. c. 25C, §§ 1-7. For administrative ease, “Department” as used herein refers to both Departments.

The Department will review the Practices and will amend their customer protection provisions to match the current competitive marketplace. The Department seeks to update and clarify all provisions of these Practices, develop additional provisions or delete existing provisions, as appropriate, to represent changes in the telecommunications marketplace, and apply the Practices to all carriers offering local residential telecommunications service in Massachusetts. In addition, the Department will evaluate whether the consumer protections afforded by the Practices should be applied to communications services and providers not covered under the current Practices (e.g., in-state long distance service, pre-paid services, and service to small business customers (i.e., those with three lines or less) as well as to residential customers). The Department will consider whether it should require minimum consumer protections for voice service in Massachusetts, regardless of how that service is delivered, and to what extent the Department should expand the updated Practices to apply to emerging/alternative technologies (e.g., Voice over Internet Protocol, wireless). The policies, methods and procedures developed in this proceeding will be utilized to review and approve all retail billing and termination plans.

Notice at 1

In response to the Notice, initial and/or reply comments were filed by or on behalf of AT&T Communications of New England, Inc., Cingular Wireless, Sprint-Nextel, T-Mobile, Verizon Wireless, Comcast Phone of Massachusetts, Inc., Conversent Communications of Massachusetts, Inc., the Office of the Attorney General, Level 3 Communications, LLC, Verizon New England, Inc. d/b/a Verizon Massachusetts, the National Consumer Law Center, Miller Isar, Inc. (on behalf of a number of its non-facilities-based interexchange resale clients), XO Communications, Inc., 8x8, Inc., Lightyear Network Solutions, LLC, VoicePulse, Inc., MASSPIRG, RNK, Inc., Skype Communications S.a.r.l., United Online Inc., Yahoo! Inc., and Vonage Holdings Corp. On June 6, 2006, on motion by the National Consumer Law Center, the Department of Telecommunications and Energy granted the Center an extension of time to file initial comments. There have been no further filings or proceedings in this matter.

DISCUSSION

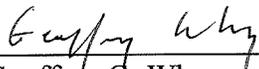
Since 2006, there have been significant changes across the communications industry. These changes have shifted the landscape for consumers, both in terms of the type of choices available to them (and in the nature of the services themselves), and the manner in which those services are brought to them.

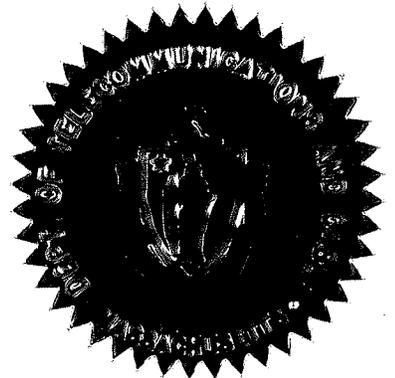
The Department has determined that the inquiry launched by D.T.C. 06-8 should be restarted, with a broader, more flexible and comprehensive review of consumer protections. The Department has also determined that that review should be initiated by informal, informational forums, focused on a more detailed enumeration of the areas of inquiry that are of particular interest to the Department, for the purpose of eliciting comment from all interested parties (including industry, consumer groups, and consumers alike), on the appropriate scope of minimum consumer protection rules applicable to the provision of the broad range of available services that remain subject to regulation.

II. ORDER

In view of the above, docket D.T.C. 06-8 is hereby ordered CLOSED.

By Order of the Department,


Geoffrey G. Why,
Commissioner



RIGHT TO APPEAL

Appeals of any final decision, order or ruling of the Department of Telecommunications and Cable may be brought pursuant to applicable state and federal laws.