

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7316

Investigation into regulation of Voice over)
Internet Protocol ("VoIP") services)

Order entered: 7/11/2007

PREHEARING CONFERENCE MEMORANDUM

On June 19, 2007, I convened a prehearing conference in this proceeding. The following persons entered appearances: John Cotter, Esq., for the Vermont Department of Public Service ("Department"); John Marshall, Esq., Downs Rachlin Martin, PLLC, for Comcast Phone of Vermont, LLC; Peter Zamore, Esq., Sheehy Furlong & Behm, P.C., for Verizon New England, Inc., d/b/a Verizon Vermont; Cassandra LaRae Perez, Esq., Primmer Piper Eggleston & Cramer, PC, for the nine Independent local exchange carriers ("Independents")¹; and Jay Gruber, Esq., for AT&T Communications.²

Schedule

In its petition, the Department noted that the Federal Communications Commission ("FCC") was now considering the jurisdictional nature of VoIP services. In addition, the Department observed that proceedings before several federal courts could further define the scope of the state's jurisdiction over VoIP. Because of its expectation that rulings from at least the FCC would occur later this year, the Department recommended that, after initiating this

1. Shoreham Telephone Company, Inc., Topsham Telephone Company, Inc., Waitsfield-Fayston Telephone Company, Inc. d/b/a Waitsfield Telecom, d/b/a Champlain Valley Telecom, Northfield Telephone Company, Perkinsville Telephone Company, Ludlow Telephone Company, Franklin Telephone Company, Fairpoint Vermont, Inc., d/b/a FairPoint Communications, and Vermont Telephone Company, Inc., d/b/a VTel.

2. Mr. Gruber appeared at the hearing, but has not filed a notice of appearance or motion to intervene as a party in this proceeding.

investigation, the Public Service Board take no action for a period of time. Instead, the Department proposed that the Board schedule a status conference for early in 2008.

All parties agreed with the Department's recommendation, noting that there was no advantage to devoting significant resources to litigating issues that may well be resolved by the FCC or federal courts later this year.

I accepted the parties' recommendations. Accordingly, for now, I adopt only a very limited schedule.

July 3, 2007	Parties File Responses to the Independents' Motion to Intervene
January 17, 2008	Status Conference

Motion to Appear

Alexander Moore, an attorney representing Verizon who is not licensed in Vermont, filed a Motion under Board Rule 2.201(c) for permission to appear. No party objected and I granted the Motion.

SO ORDERED.

Dated at Montpelier, Vermont, this 11th day of July, 2007.

s/George E. Young
George E. Young
Hearing Officer

OFFICE OF THE CLERK

FILED: July 11, 2007

ATTEST: s/Susan M. Hudson

Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)