

Agenda Date: 10/16/13 Agenda Item: IVA

STATE OF NEW JERSEY

Board of Public Utilities 44 South Clinton Avenue, 9th Floor Post Office Box 350 Trenton, New Jersey 08625-0350 www.nj.gov/bpu/

TEL	ECO	<u>MMU</u>	NICAT	IONS

IN THE MATTER OF THE JOINT APPLICATION OF)	ORDER APPROVING
NEW HORIZONS COMMUNICATIONS CORPORATION)	RESALE AGREEMENT
AND UNITED TELEPHONE COMPANY OF NEW)	
JERSEY, INC. D/B/A CENTURYLINK FOR APPROVAL)	
OF A MASTER RESALE AGREEMENT UNDER)	
SECTION 252 OF THE TELECOMMUNICATIONS ACT)	
OF 1996)	DOCKET NO. TO13080697

Parties of Record:

Zsuzsanna E. Benedek, for CenturyLink Glen E. Nelson, for New Horizons Stefanie A. Brand, Esq., Director, Division of Rate Counsel

BY THE BOARD:

By letter dated August 2, 2013, United Telephone Company of New Jersey, Inc. d/b/a CenturyLink ("CenturyLink"), a New Jersey corporation, and New Horizons Communications Corporation ("New Horizons"), (jointly, "the Parties"), pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, P.L. 104 104, 110 Stat. 56 (codified in scattered sections of 47 U.S.C. §151 et seg.) ("the Act"), submitted to the Board of Public Utilities ("Board") a joint application ("Application") for approval of a negotiated resale agreement, titled "Master Resale Agreement for the State of New Jersey" and dated August 1, 2013 ("the Agreement"). CenturyLink is an incumbent local exchange carrier as defined by the Act with the duty to negotiate interconnection agreements pursuant to Section 252 of the Act. See 47 U.S.C. §251(c) and §251(h)(1). The Agreement sets forth the rates, terms and conditions under which CenturyLink will offer to New Horizons telecommunications services for the purpose of resale.

CenturyLink and New Horizons assert that the Agreement satisfies the requirements for Board approval because it does not discriminate against any other telecommunications carrier, as required by Section 252(e)(2)(A)(i). The Parties aver that the terms contained in the Agreement are available to any other telecommunications carrier operating in New Jersey, and that other carriers are not bound by the Agreement, remaining free to negotiate independently with CenturyLink pursuant to Section 252 of the Act. Application at 3.

and unless otherwise provided by the Board, subsequent amendments or modifications to the Agreement approved herein shall be subject to review and approval by the Board. Additionally, pursuant to 47 <u>U.S.C.</u> §252(h), a copy of the Agreement will be made available for public inspection and copying.

This Board Order shall become effective October 30, 2013.

DATED

10/16/13

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BOARD OF PUBLIC UTILITIES

ROBERT M. HANNA

PRESIDENT

JEANNE M. FOX COMMISSIONER

JOSEPH L. FIORDALISO COMMISSIONER

MARY-ANNA HOLDEN COMMISSIONER

DIANNÉ SOLOMON COMMISSIONER

ATTEST:

KRISTI IZZO SECRETARY

I MEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public

IN THE MATTER OF THE JOINT APPLICATION OF NEW HORIZONS COMMUNICATIONS CORPORATION AND UNITED TELEPHONE COMPANY OF NEW JERSEY, INC. D/B/A CENTURYLINK FOR APPROVAL OF A MASTER RESALE AGREEMENT UNDER SECTION 252 OF THE TELECOMMUNICATIONS ACT OF 1996 - DOCKET NO. TO13080697

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