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2008 AUG 15 PM 5:13

Honorable Jaclyn A. Brilling
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223

Dear Secretary Brilling:

Respectfully submitted,

Thomas Maguire (husb)

Peter McGowan, Esq.
Mr. Charles Dickson
Mr. Chad G. Hume

SUPPLEMENT TO VERIZON NEW YORK INC. NETWORK REVIEW PLAN

On July 15, 2008, Verizon New York Inc. (“Verizon”) submitted to the Commission a Network Review Plan (the “Plan”) to address certain concerns raised by the Commission regarding Verizon’s FiOSSM ONT installations. To further ensure that the Plan meets the expectations of the Commission — including meaningful consequences for failure to perform, independently-validated performance data, an accelerated remediation plan, and clarity regarding acceptable grounding practices — Verizon hereby voluntarily amends the Plan as set forth below, and will unilaterally implement these changes effective August 18, 2008.¹

1. **Additional Consequences of Deviations from Requirements of Plan.**

(a) Notwithstanding any other remedies set forth in the Plan or available under applicable law, if the percentage of New Installations made during any month in any Relevant Area (as defined in paragraph 1(b), below) that conform to the Grounding M&Ps falls below any of the thresholds identified in Table 1, Verizon will issue the corresponding product credit to each customer account for which an ONT was installed in that month in that Relevant Area. The purpose of such credit is to compensate such customers for the inconvenience of the inspection (and, where applicable, remediation) process. The total amount of credits required by this subparagraph may be in the millions of dollars, depending upon the level of compliance that is achieved.²

¹ Capitalized terms not specifically defined in this Supplement have the meanings set forth in the Plan.

² The precise upper-level estimates cannot be provided without disclosing Verizon’s projections as to the number of ONTs it will be deploying, which is competitively-sensitive data.

TABLE 1

Threshold	Product Credit
<95%	\$10
<85%	\$15
<75%	\$20

(b) For purposes of this paragraph, a Relevant Area will be geographic area in the State in which installations are under the supervision of a particular field manager. The purpose of this approach is to drive personal accountability for performance. This approach will also help Verizon focus on the specific areas that require additional training and/or supervision to achieve maximum compliance.

(c) Verizon's obligations to issue credits under this paragraph will cease when the Plan terminates pursuant to paragraph 17 thereof.

(d) Notwithstanding any other provision of the Plan or of this Supplement, any observation of "no ground" for an ONT will be remediated immediately.

2. **Independent, Third-Party Verification.** The last sentence of paragraph 2 of the Plan will be replaced by the provisions of this paragraph. Verizon's implementation of the Plan (and of this Supplement to the Plan) will be subject to an independent, third-party review for the entire period allowed for inspection of Past Installations under the revised schedule described in paragraph 3, below. This review will be conducted by an entity selected by mutual agreement of Staff and Verizon, and all reasonable fees and disbursements incurred by the firm during the course of the review will be paid by Verizon. This independent, third-party review will encompass, in total: (1) the accuracy of Verizon's inspection of New Installations and its remediation of Past Installations; (2) the accuracy of Verizon's reporting of the results of these

inspections and of its remediation efforts; (3) the training of inspection personnel; and (4) the maintenance of Verizon's database for inspection results. This review will commence on September 2, 2008. The results of this review shall be provided by the testing firm to both Verizon and Staff and shall be treated as confidential by both Verizon and the Staff.

3. **Acceleration of "Embedded Base" Inspections.**

(a) To accelerate the remediation effort for Past Installations (as defined in the Plan), the schedule set forth in Attachment A to the Plan will be accelerated to provide for the completion of inspections of Past Installations by March 31, 2009, subject to the provisions of the Plan relating to situations in which Verizon is unable to obtain access to certain customers' premises. A revised version of Attachment A reflecting this schedule is attached to this Supplement.

(b) Should it become necessary, Verizon will augment the Inspection and ONQAT teams to meet this accelerated time period. Such additional resources, should they become necessary, would be deployed to the areas with the highest rates of nonconformity. Verizon will also send its Operational Review Team to such areas.

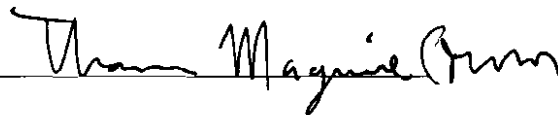
4. **Acceptable Grounding Requirements in New York State.** To ensure clarity regarding what constitutes acceptable grounding techniques in New York State, Verizon will utilize one of the grounding methods approved by Staff for each Outside Installation.³ For Inside Installations⁴ Verizon will utilize one of the approved Staff methods unless it would be impractical

³ "Outside Installations" are ONT installations in which the ONT and/or any portion of the conductive elements attached to the ONT are located outside of the customer's building.

⁴ "Inside Installations" are ONT installations in which any conductive elements attached to the ONT are located wholly inside the customer's building.

or unsafe to do so, in which case it will utilize — on an interim basis — the TII-442 Grounding Module with ten-gauge wire, as presented by Verizon to Staff on August 13, 2008. Attached please find an expert opinion letter from Dan McMenamin and Associates Inc. attesting to the safety and appropriateness of the use of the TII-442 Grounding Module to ground ONT Inside Installations. In addition, Verizon will work expeditiously and cooperatively with Staff to secure an additional confirmation, from an appropriate independent forum or organization, (for example Underwriters Laboratories), that use of the TII-442 Grounding Module is safe and appropriate for Inside Installations. If such a confirmation is obtained, Verizon will use that approach as an option for all Inside Installations.⁵ If confirmation is not obtained, Verizon will expeditiously remediate the TII-442 installations to replace them with a grounding methods approved by Staff.

VERIZON NEW YORK INC.

By: 

Name: Thomas Maguire
Title: Senior Vice President
Telecom Regional Operations
Date: August 15, 2008

⁵ In addition, if Verizon subsequently believes that there is an additional, appropriate solution to this grounding issue, it will raise it with Staff and Verizon and Staff will work expeditiously and cooperatively to secure confirmation from an appropriate independent forum or organization for any such additional solution.

ATTACHMENT A (REVISED)

<u>Incremental</u>	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09
Capital / LI	8.8%	10.3%	12.9%	11.9%	13.6%	14.0%	14.0%	14.5%
NYC	23.7%	25.0%	26.4%	14.1%	10.8%	0.0%	0.0%	0.0%
NYS	12.1%	13.6%	15.9%	12.4%	13.0%	10.8%	10.8%	11.4%

<u>Cumulative</u>	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09
Capital / LI	8.8%	19.1%	32%	43.9%	57.5%	71.5%	85.5%	100%
NYC	23.7%	48.7%	75.1%	89.2%	100.0%			
NYS	12.1%	25.7%	41.6%	54.0%	67%	77.8%	88.6%	100%

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A**

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63 Tattersall Drive
Mantua, New Jersey 08051

August 15, 2008

Mr. Mark A. Wegleitner
Senior Vice President – Technology
Verizon
One Verizon Way
Basking Ridge, NJ 07920

Dear Mr. Wegleitner:

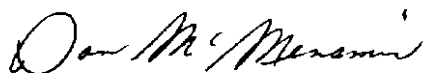
Dan McMenamin and Associates has been engaged by Verizon to analyze its methods of grounding the optical network terminals (ONTs) that Verizon uses in provisioning FiOSsm service (FiOS). In particular Verizon has asked Dan McMenamin and Associates whether those arrangements comply with the provisions of the National Electrical Code[®] (NEC[®]).

Verizon has asked Dan McMenamin and Associates to review a particular configuration for a single family unit (SFU) or multiple dwelling unit (MDU) installation where the ONT is mounted inside the building is connected to the “inside wire” being entirely within the confines of the home. A coaxial cable is used to connect the ONT to a set top box and / or a television.

Furthermore, grounding of the ONT would be done using the Equipment Grounding Conductor (EGC) extended to the ONT via TII-442 device.

The TII-442 and all ONTs are UL Listed for the Purpose. Accordingly, Dan McMenamin and Associates feels that this is a safe and code-compliant method for providing this service.

Respectfully submitted,



Dan McMenamin
President



William J. McCoy, P.E.
Telecommunications Consultant