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February 3, 2012

Honorable Jaclyn A. Brillig, Secretary
New York State Public Service Commission

- and -

Honorable Howard A. Jack, Administrative Law Judge
New York State Department of Public Service

Three Empire State Plaza
Albany, New York 12223

Re: Case 09-M-0527: Request for Modification of Briefing Schedule

Dear Secretary Brillig and Judge Jack:

Verizon New York Inc. (“Verizon”) respectfully requests that the schedule for filing exceptions to the January 4, 2012 Recommended Decision (“RD”) in this proceeding be modified. The current schedule, as set forth in the Notice of the same date, calls for the filing of exceptions on February 14 and of briefs opposing exceptions on March 5. Verizon proposes that each of those deadlines be extended by one month, for the reasons set forth below.¹

On February 1, 2012, Verizon and CTANY sent to the parties a Revised Notice of Pending Settlement Discussions. Discussions under the notice are to begin on February 10. Verizon has specific settlement options in mind, some of which have been the subject of

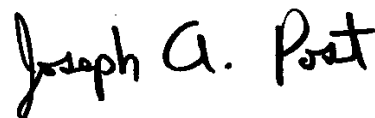
¹ This request covers all matters that would be addressed in or at the same time as the parties’ exceptions and briefs opposing exceptions, including issues relating to the proposed application of Publ. Serv. L. § 5(6)(a). See Notice at 2-3.

Honorable Jaclyn A. Brillling
February 3, 2012

exploratory discussions with other parties. We believe that there is a reasonable chance that a substantial number of parties would ultimately be able to reach an agreement on a proposal that would obviate any need to litigate the issues raised in the RD. If the discussions do achieve their intended result, all parties, as well as Commission and the Staff, would benefit by avoiding the necessity of contentious and undoubtedly lengthy litigation over those issues, through the exceptions process and in subsequent petitions for reconsideration of or judicial challenges to a Commission order. Moreover, the settlement process would be impaired if it were required to run in tandem with the exceptions process, since parties would then tend to focus on how they can prevail on their differing litigation positions, rather than on how they can, through compromise, achieve a mutually beneficial reduction of litigation risks.

Verizon is mindful of the concern that some parties might have that extending the exceptions process might create a gap between the current interim funding mechanisms, and any successor mechanisms that may ultimately be established in this proceeding. However, the Commission has proposed, and Verizon and other parties have supported, a further extension of the Transition Fund, with incremental funding, and such an extension should provide sufficient leeway for the modest schedule change that is requested here.

Respectfully submitted,

A handwritten signature in black ink that reads "Joseph A. Post". The signature is written in a cursive, slightly slanted style.

Joseph A. Post

cc: Service List