

NEW YORK STATE  
PUBLIC SERVICE COMMISSION

CASE 16-C-0122 - Proceeding on Motion of the Commission to  
Consider the Adequacy of Verizon New York Inc.'s  
Retail Service Quality Processes and Programs.

RULING ON SCHEDULE

(Issued March 9, 2017)

SEAN MULLANY, Administrative Law Judge:

During the procedural conference held on February 10, 2017, I ruled on the motion to compel filed by the Communications Workers of America - District 1 (CWA) on January 18, 2017. In relevant part, I ruled that Verizon, on or before Friday, February 17, 2017, had to respond to CWA's discovery request CWA-III, or provide a more detailed showing as to why it would be unduly burdensome to do so. Given this decision, I also suspended the schedule for the filing of direct testimony by Department Staff and Intervenor parties.<sup>1</sup>

On Friday, February 17, 2017, Verizon reported on the status of its response to CWA Request CWA-III and announced its decision to withdraw its objections to CWA-III on the ground of undue burden. Verizon reported that it would notify the AT&T and Sprint entities whose data Verizon would be providing in response to CWA-III, so that they would have an opportunity to object, if they elected to do so. Barring any such objection(s), Verizon stated it would be able to respond to CWA-III as of March 8, 2017, except that it might require an

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<sup>1</sup> I also granted Verizon's request, made in its letter motion filed January 20, 2017, for a further stay of discovery directed to Verizon up to and including the day on which Verizon's rebuttal testimony is filed.

additional week to finish assembling any available archived information.

Based on the information provided by Verizon, I informed the parties on March 3, 2017, that I was considering requiring the filing of Staff and Intervenor testimony by March 24, 2017, requiring the filing of Verizon rebuttal testimony by May 24, 2017, and beginning evidentiary hearings on June 26, 2017. I asked all parties to confirm, by March 7, 2017, whether an evidentiary hearing in late June would raise conflicts in terms of attorney and witness availability.

Staff and Verizon each confirmed that an evidentiary hearing beginning on June 26, 2017, would not present any conflicts. CWA indicated one of its witnesses may have an unavoidable conflict on June 29, 2017, but explained that CWA intends to work around that conflict if at all possible.

On March 8, 2017, Verizon reported that it has not received any objections from AT&T or Sprint, such that there is no need for further proceedings to consider any such objections. Verizon, however, is still compiling the necessary information, and believes it will be able to provide a response to CWA by Monday, March 13<sup>th</sup>.

Based on this information, the following schedule is established:

|                |                                |
|----------------|--------------------------------|
| March 24, 2017 | Staff and Intervenor Testimony |
| May 24, 2017   | Rebuttal Testimony             |
| June 26, 2017  | Start of Evidentiary Hearings  |

A schedule for the filing of post-hearing briefs will be established after the evidentiary hearings are concluded.

(SIGNED)

SEAN MULLANY