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INDEPENDENT REGULATORY

April 23, 2009

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

**VIA HAND DELIVERY**

**RE: Provision of Bundled Service Package Plans at a Single Monthly Rate by  
Local Exchange Carriers; Docket No. L-00060179**

Dear Secretary McNulty:

When the Pennsylvania Public Utility Commission ("PUC" or "Commission") issued its Final Rulemaking Order in the above-referenced matter on March 27, 2009, it appears that the Broadband Cable Association of Pennsylvania ("BCAP"), which is a party to the case, was not served with the Order. Recently, counsel for BCAP has experienced service issues in additional proceedings where orders were not received or were severely delayed. Counsel for BCAP became aware of the issuance of the Order through receipt of the Verizon Pennsylvania, Inc., and Verizon North, Inc., Petition for Reconsideration. BCAP has now obtained a copy of the Order from the Commission's website and submits this communication for two reasons: (a) to alert the Commission of apparent service problems that exist; and (b) to request additional time to assess and pursue, if appropriate, its opportunity to submit a Petition for Reconsideration or Clarification, or to pursue an appeal of the Order (if necessary and appropriate).

Based on the March 27, 2009, issuance date, the time period to request reconsideration expired on April 13, 2009, and the appeal period expires on Monday, April 27, 2009. BCAP is in the process of analyzing the Commission's action, assessing whether to seek reconsideration (if this request is granted) and also determine whether to pursue any appeal rights that may exist related to the March 27, 2009 Order. Counsel for BCAP has no record of having received the Order from the Commission. In addition, other attorneys within the same law firm have confirmed instances of not being served with orders since the transition of the Commission to InfoMAP. Although it is understandable that mistakes may occur during the transition, BCAP respectfully submits that litigants before the Commission should not have their procedural rights or due process impaired by the transition.

To address this situation, BCAP suggests three remedies: (1) the Commission should effectuate service on BCAP and reserve all parties to rectify the original error: (2) once served, BCAP and all parties should be provided the standard time frames to request reconsideration or

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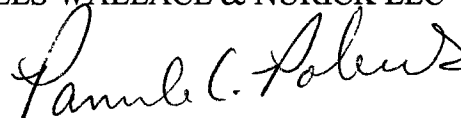
pursue any available appeal; and (3) the Commission should take an appropriate action to retain jurisdiction over this proceeding (thereby tolling any appeal period emanating from the March 27, 2009 Order). Although granting Verizon's Petition for Reconsideration pending review on the merits will toll the appeal period, it will not restore BCAP's opportunity to request reconsideration or clarification, which may be a more appropriate vehicle to raise some of BCAP's concerns regarding the Order.

If you have any questions regarding this letter, please feel free to contact the undersigned. We are filing an original and three (3) copies of this letter. In addition, please date stamp the enclosed copy of this letter and return it for our filing purposes.

Very truly yours,

McNEES WALLACE & NURICK LLC

By



Pamela C. Polacek  
Counsel to the Broadband Cable  
Association of Pennsylvania

PCP/km

c: Certificate of Service  
Chairman James H. Cawley (via Hand Delivery)  
Vice Chairman Tyrone Christy (via Hand Delivery)  
Commissioner Kim Pizzingrilli (via Hand Delivery)  
Commissioner Robert F. Powelson (via Hand Delivery)  
Commissioner Wayne E. Gardner (via Hand Delivery)  
Bohdan Pankiw, Esq., Chief Counsel (via hand Delivery)

**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

**VIA FIRST CLASS MAIL**

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Forum Place, Fifth Floor  
Harrisburg, PA 17101

Office of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, PA 17101

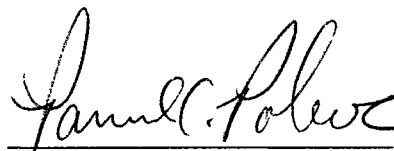
Office of Trial Staff  
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Pamela C. Polacek

Counsel to the Broadband Cable Association  
of Pennsylvania

Dated this 23rd day April, 2009, in Harrisburg, Pennsylvania.