

- 4) Pursuant to N.J.S.A. 48:2-21.18, the Board is empowered to review the plan for alternative regulation and approve the same after notice and hearing provided certain specifically enunciated criteria have been met.
- 5) Respondent Verizon N.J. Inc. (formerly known as New Jersey Bell Telephone) ("Verizon") is a public utility in the State of New Jersey and a provider of telecommunications services subject to the jurisdiction of the Board with an address of record at 540 Broad Street, Newark, NJ 07102.
- 6) On March 31, 1992, Verizon filed a petition with the Board and was later granted a modified plan for alternative regulation ("PAR") by Order dated May 6, 1993 in Docket No. TO92030358 ("PAR Order"). The petition filed included a plan for accelerated deployment of advanced switching and transmission technologies for its network, known as Opportunity New Jersey ("ONJ"), and provided for the monitoring of Verizon's progress regarding deployment.
- 7) Pursuant to the PAR Order, Verizon was required to achieve ONJ in its entirety, including full broadband capability, by the year 2010, specifically, switching technologies matched with transmission capabilities to support data rates up to 45,000,000 bits per second and higher, which enables services, for example, that will allow residential and business customers to receive high definition video and to send and receive interactive video signals with complete deployment in 2010.
- 8) The Board reviewed implementation of ONJ, particularly (1) the status of ONJ and relevant deployment strategies; (2) the business as usual benchmarks established to gauge ONJ's progress to date; (3) the economic development impacts that ONJ has had on the State; and (4) the impact of the proposed acquisition by Bell Atlantic Corporation of NYNEX Corporation, in a proceeding initiated in 1996, In the Matter of the Board's Inquiry into Bell Atlantic-New Jersey, Inc.'s Progress and Compliance with Opportunity New Jersey, Its Network Modernization Program, Dkt. No. TX96100707, October 18, 1996.
- 9) A Stipulation, in Dkt. No. TX96100707 was executed on April 18, 1997, and memorialized by Order dated June 10, 1997. That Order accelerated ONJ through the establishment of Access New Jersey ("ANJ"), a program established to provide advanced communications services to all schools and libraries. Nothing therein disturbed the existing ONJ broadband commitments made by Verizon.
- 10) By Order dated March 30, 2001 in Docket No. TX99020050, the Board concluded a second review of ONJ, finding that Bell Atlantic-NJ met, or was on track to meet, its ANJ commitments, which was the focus of that review.
- 11) By Order dated August 19, 2003 in Docket No. TO01020095, the Board approved a second plan for alternative regulation ("PAR-2") that replaced PAR-1. PAR-2 further enhanced ANJ, but did not disturb the existing ONJ broadband commitments made by Verizon.
- 12) Based upon information and belief, residents of Greenwich and Stow Creek, Cumberland County, are not being provided broadband capabilities consistent with ONJ.
- 13) To date, full deployment of broadband has not been achieved.

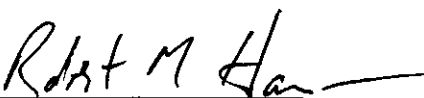
The Board HEREBY ORDERS:

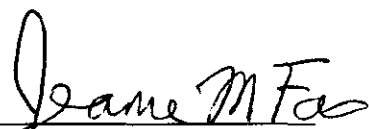
- 1) Verizon to show cause before the Board why the Board should not find that Verizon failed to comply with the PAR Order in providing full broadband capability by 2010.
- 2) Verizon to file an Answer to this Order to Show Cause, and any and all documents or other written evidence upon which Verizon relies in responding to the within Order to Show Cause, no later than April 12, 2012.

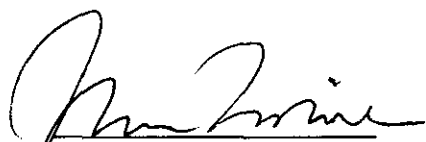
The Board HEREBY DIRECTS that a certified copy of this Order be served upon Respondent pursuant to N.J.S.A. 48:2-40.

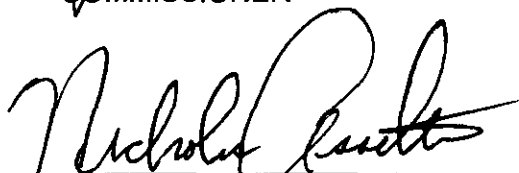
DATED: 3/12/2012

BOARD OF PUBLIC UTILITIES
BY:


ROBERT M. HANNA
PRESIDENT


JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER

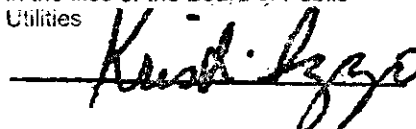

NICHOLAS ASSELTA
COMMISSIONER


MARY-ANNA HOLDEN
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

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



IN THE MATTER OF VERIZON NEW JERSEY INC.'S ALLEGED FAILURE TO
COMPLY WITH OPPORTUNITY NEW JERSEY COMMITMENTS
DOCKET NO. TO12020155

SERVICE LIST

Gregory M. Romano, Esq.
General Counsel
Mid Atlantic Region
One Verizon Way, VC54S204
Basking Ridge, NJ 07920-109

Stefanie A. Brand, Esq., Director
Division of Rate Counsel
Christopher White, Esq.
Maria Novas-Ruiz, Esq.
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, NJ 07101

Alex Moreau, Deputy Attorney General
Department of Law & Public Safety
Division of Law
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, NJ 07101

Anthony Centrella
Carol Artale
John DeLuca
Board of Public Utilities
44 So. Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625