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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

January 8, 2020

Zsuzsanna E. Benedek
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VIA OVERNIGHT MAIL

Ms. Aida Camacho-Welsh, Secretary
New Jersey Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Trenton, NJ 08625

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

Re: I/M/O Joint Petition of United Telephone Company of New Jersey, Inc. d/b/a CenturyLink and Triton Networks, LLC for Approval of a Resale Agreement - BPU Docket No.

Dear Secretary Camacho-Welsh:

Enclosed for filing please find an original and ten (10) copies of the Joint Petition of United Telephone Company of New Jersey, Inc. d/b/a CenturyLink and Triton Networks, LLC for approval of a Resale Agreement. If you have any questions, please do not hesitate to contact me.

Sincerely,

Sue Benedek

ZEB/sac
enclosures

cc: Robert W. House, CEO (*on behalf of Triton Networks, LLC*)
David E. Hughes, Sr. Executive (*on behalf of Triton Networks, LLC*)
Carole Artale, Esquire (*via first-class mail*)
Stephanie Brand (*via first-class mail*)

Cms
Legal
DAG
RPA
Telec
L. Gilbert
R. Della-Serra

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CASE MANAGEMENT

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

**I/M/O JOINT PETITION FOR APPROVAL OF A RESALE
AGREEMENT BETWEEN UNITED TELEPHONE COMPANY
OF NEW JERSEY, INC. D/B/A CENTURYLINK AND
TRITON NETWORKS, LLC**

: BOARD OF PUBLIC UTILITIES
: TRENTON, NJ
: **BPU DOCKET NO.**
:
:
:

**JOINT PETITION OF
UNITED TELEPHONE COMPANY OF NEW JERSEY, INC. D/B/A CENTURYLINK**

Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 (the "1996 Act"),¹ United Telephone Company of New Jersey, Inc. d/b/a CenturyLink ("CenturyLink"), respectfully files the attached Resale Agreement between ("Agreement") between CenturyLink and Triton Networks, LLC ("Triton") and requests, to the extent necessary, that the New Jersey Board of Public Utilities ("Board") approve the attached Agreement. In support, CenturyLink in conjunction with Triton, states as follows:

THE PARTIES

1. CenturyLink is an Incumbent Local Exchange Carrier ("ILEC") authorized to provide local exchange telephone services in portions of the State of New Jersey.
2. Triton is a Competitive Local Exchange Carrier ("CLEC") in the State of New Jersey.
3. Triton has entered into the underlying Agreement with CenturyLink for the provision of reselling telecommunication services in the State of New Jersey. A copy of the Triton and CenturyLink Agreement is attached hereto at Appendix A.

¹ Citations herein to the 1996 Act should be construed as references to sections of the Communications Act of 1934 as amended by the 1996 Act.

THE AGREEMENT

4. CenturyLink and Triton have entered into the Agreement which will allow Triton to purchase telecommunication services from CenturyLink on a resale basis.
5. CenturyLink and Triton have entered into the Agreement pursuant to Sections 251(b), (c) and 252(a) of the 1996 Act.
6. The Agreement sets forth the rates, terms and conditions for the establishment of rates, terms and conditions for local resale as defined and set forth in the Act and the attached Agreement. The Agreement is an integrated package that reflects a negotiated balance of many interests and concerns critical to both parties.
7. The attached Agreement is effective upon Commission approval.

COMPLIANCE WITH THE 1996 ACT

8. The Agreement satisfies the requirements for Board approval pursuant to Section 252(e)(2)(A) of the 1996 Act, which provides as follows:

"The State commission may only reject...an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that--

- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity[.]"

9. First, the Agreement does not discriminate against any other telecommunications carrier, as required by Section 252(e)(2)(A)(i).

10. Second, the Agreement is consistent with the public interest, convenience, and necessity, as required by Section 252(e)(2)(A)(ii).

APPROVAL OF THE AGREEMENT

11. CenturyLink, in conjunction with Triton, respectfully requests that the Board approve this Petition and the attached Agreement to the extent Board approval is required.

WHEREFORE, CenturyLink, with the concurrence of Triton, respectfully requests that the Board approve the attached Agreement pursuant to Section 252(e) of the 1996 Act.

Respectfully submitted,



Zsuzsanna E. Benedek, Esquire
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Inc. d/b/a CenturyLink
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Dated: January 8, 2020