

**EXHIBIT RECORD****MHCRC Formal Hearing**

Potential Franchise Violation – Verizon/Gresham Franchise

February 23, 2008

<b>Party</b>	<b>Exhibit #</b>	<b>Description</b>	<b>Submitted</b>	<b>Objection</b>	<b>Accepted / Stricken</b>
MHCRC Staff	Written testimony	2/17/09 Formal Hearing Memorandum (13 pages)	2/17/09		
MHCRC Staff	1	MHCRC staff letter dated November 26, 2008	2/17/09		
MHCRC Staff	2	Emailed dated December 3, 2008	2/17/09		
MHCRC Staff	3	December 15, 2008 Staff Report	2/17/09		
MHCRC Staff	4	January 12, 2009 Staff Report	2/17/09		
MHCRC Staff	5	Notice of Formal Hearing dated January 22, 2009	2/17/09		
MHCRC Staff	Reply testimony	2/20/09 Reply Memorandum (7 pages)	2/20/09		
MHCRC Staff	6	Email dated February 18, 2009	2/20/09		
MHCRC Staff	7	Verizon letter dated November 25, 2008	2/20/09		
MHCRC Staff	8	Verizon letter dated February 6, 2009 (Troutdale)	2/20/09		
MHCRC Staff	9	Verizon letter dated February 6, 2009 (Fairview)	2/20/09		
MHCRC Staff	10	Verion letter dated February 6, 2009 (Wood Village)	2/20/09		
Verizon	Written testimony	2/17/09 Opening Brief (8 pages) Witness List (1 page) & Exhibit List (1 page)	2/17/09		
Verizon	Written testimony	Testimony of Anthony van Lierop (4 pages)	2/17/09		
Verizon	1	Verizon/Gresham Franchise dated November 18, 2008	2/17/09		
Verizon	2	Verizon letter dated	2/17/09		

Party	Exhibit #	Description	Submitted	Objection	Accepted / Stricken
		November 25, 2008			
Verizon	3	MHCRC staff letter dated November 26, 2008	2/17/09		
Verizon	4	Verizon letter dated December 23, 2008	2/17/09		
Verizon	5	Verizon letter dated January 27, 2009	2/17/09		
Verizon	6	Verizon Estimated PEG Timeline	2/17/09		
Verizon	7	Verizon MetroEast PEG Equipment Configuration	2/17/09		
Verizon	Reply testimony	2/20/09 Reply Brief (6 pages) Final Witness List (1 page) Final Exhibit List (1 page)	2/20/09	Staff raised objection <sup>1</sup>	Stricken from the Record
Verizon	8	MHCRC Staff Draft Verizon Franchise dated July 26, 2007	2/20/09		
<b>The following exhibits were submitted at the commencement of the hearing:</b>					
MHCRC staff	11	Email dated 1/22/09	2/23/09		
MHCRC staff	12	Email dated 1/23/09	2/23/09		
MHCRC staff	13	Newspaper ad	2/23/09		
MHCRC staff	14	Staff letter dated 1/23/09	2/23/09		
MHCRC staff	15	Email dated 2/17/09	2/23/09		
MHCRC staff	16	MHCRC website screen shot	2/23/09		

<sup>1</sup> Staff requested that sentence 4, page 6 - “There was no mention of the allegation that Verizon was not providing adequate notice to its subscribers” – and the subsequent footnote 3 – “To this day, Verizon does not understand what notice staff believes subscribers would be receiving that they are not receiving. While Verizon does not provide subscribers with a list of every possible channel that is not available on FiOS TV, it does provide a list of the channels that are available, necessarily excluding any channel that is not on the the list. A current channel list, tailored to specific geographic areas, is also available on Verizon’s website” contained in Verizon’s Reply Brief, dated February 20, 2009, be stricken from the record as it refers to alleged violations that Chair Thomas struck from the scope of the hearing at the February 3, 2009 pre-hearing conference.