

FairPoint Communications, Inc.
Docket No. DT 06-067

Respondent: Michael Skrivan
Title: VP Regulatory

REQUEST:

Please refer to pages 10-11 of the Testimony.

- a. If FairPoint were permitted to raise basic service rates to compensate for CCL revenues it is unable to collect, would that be preferable to raising other access rate components?
- b. Please explain your answer in full detail.
- c. Please produce all documents that refer or relate to your answer.

DATED: October 5, 2009

ITEM: One Comm-11

REPLY:

(a)-(b). FairPoint objects to Data Request One Comm-11(a)-(b) on the grounds that it is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. FairPoint also objects to the form of the data request. Subject to and without waiving these objections, FairPoint responds to Data Request One Comm-11(a)-(b) as follows:

That is a policy question on which Parties will disagree, depending on whether they represent the end users or the wholesale carriers. Regardless, FairPoint is subject to merger conditions that allows the filing of revenue-neutral wholesale rate changes, but does not allow FairPoint to increase basic service rates except in the context of a rate proceeding based on a demonstration of low earnings.

(c) The New Hampshire Commission's merger approval order and the associated settlement agreement between the Commission's Staff and the Joint Petitioners in Docket DT 07-011 may be found at <http://www.puc.state.nh.us/Regulatory/Docketbk/2007/07-011-3.htm>.