

**STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION**

**Comcast Phone of New Hampshire, LLC Request for
Authority to Provide Local Telecommunications
Services**) **DT 08-013**
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)
)
)

**REPLY BRIEF OF
COMCAST PHONE OF NEW HAMPSHIRE, LLC**

In their brief, the Merrimack County Telephone Company and Kearsarge Telephone Company (the “TDS Companies”) and the New Hampshire Telephone Association (“NHTA”) set out the lucid principle that “[t]he rules do not apply to some CLECs more than other CLECs, nor should the rules be interpreted differently for different CLECS.”¹ Despite their lip service to this principle, the TDS Companies and NHTA argue that the Commission should apply a different set of *sui generis* rules and interpretations for Comcast Phone of New Hampshire, LLC (“Comcast Phone”) to qualify as a Competitive Local Exchange Carrier (“CLEC”) than the Commission has applied to other CLEC applicants. The TDS Companies and NHTA ask that the Commission require a greater burden of proof for Comcast Phone, require different and more extensive information in its CLEC-10 application, and even impose conditions on Comcast Phone far beyond the standard conditions imposed on any CLEC.

¹ Joint Brief of New Hampshire Telephone Association, Merrimack County Telephone Company and Kearsarge Telephone Company, at 7 (“NHTA & TDS Joint Brief”).

Along with Union Telephone Co, the TDS Companies and TDS (all together, “the rural incumbents”) advocate entry regulation that is inconsistent with the Commission’s regulations and with the scope of this proceeding as framed by the Commission’s May 21, 2008 prehearing conference order.² The rural incumbents’ arguments represent a throwback to another era of restrictive entry regulation – before the Telecommunications Act of 1996 and the evolution of Commission regulations to bring competitive alternatives to New Hampshire consumers. In fact, the Governor, on July 7, 2008, eliminated the last vestige of restrictive entry in New Hampshire by signing into law the repeal of RSA 374:22-f and explicitly placing new entry into the territory of rural incumbents on the same footing as any other CLEC registration.³

Comcast Phone has met all the Commission’s requirements for registration as a CLEC. The Commission should not apply additional or different rules to Comcast Phone’s application than it has applied to dozens of other CLEC applications in the past. Based on the complete information provided by Comcast Phone to support its application and because “[t]he rules do not apply to some CLECs more than other CLECs,” the Commission should promptly approve Comcast Phone’s CLEC registration.

I. Comcast Phone Has Met Commission Requirements for CLEC Certification by Submitting a Complete And Accurate CLEC-10 That Demonstrates Comcast Phone Is Going to Offer A Common Carrier Service.

The TDS Companies and NHTA assert that “Comcast Phone bears the burden of proving that its application [for CLEC registration] is complete and the granting of relief

² *Comcast Phone of New Hampshire, LLC, Request for Authority to Provide Local Telecommunications Services*, Docket No. DT-08-013, Prehearing Conference Transcript, at 33 (May 21, 2008) (“Prehearing Conference Transcript”).

³ An Act Relative to Service Territories Served by Several Telephone Utilities, 2008 N.H. Laws, Chapter 0350 (chaptering SB 0386, General Court 2008 Session (N.H. 2008)).

is for the public good.”⁴ Their assertion that Comcast Phone fails to meet this burden is devoid of any reason why Comcast Phone’s burden exceeds the short, plain requirements of CLEC registration under Puc 431.01 or why denial is called for under Puc 431.02.

A. Comcast Phone Has Met Its Burden by Submitting The Information The Commission Has Established to Support A CLEC Registration: The Filing Of A Completed CLEC-10 Application.

In implementing its statutory authority to authorize the provision of competitive telecommunications services,⁵ the Commission set forth the requirement for CLECs to submit a completed CLEC-10 Application for Registration, with specified attachments, as the means for the Commission to obtain the information it needs to determine whether a CLEC registration is in the public interest.⁶ The CLEC-10 Application reflects the Commission’s judgment that competition is in the public interest by streamlining the entry process and providing for denial only in cases of demonstrated applicant misconduct as described in Puc 431.02.⁷

A CLEC-10 Application has been deemed to provide enough information for the Commission to make its public interest determination for all CLEC registration applications since the Commission first adopted the CLEC-10 Application procedure. If experience showed otherwise, the Commission could have modified the requirements for information to be included in or with the CLEC-10 or conducted further proceedings on other applications. There is no reason or basis for the Commission now to second-guess its established process or hold Comcast Phone to a different or higher standard.

⁴ NHTA & TDS Joint Brief at 5.

⁵ RSA 374:22-g.

⁶ Puc 431.01.

⁷ Puc 431.01(d).

B. There Is No Requirement in Commission Rules for Submission of Additional Information Outside The CLEC-10 Application.

An authorized Comcast Phone official attested “under penalty of perjury” as to the company’s intent to offer the “access,” “exchange access,” and “interexchange service” listed its CLEC-10. These are the same three telecommunications services identified by the Commission in its *Order Nisi* authorizing Comcast Phone to offer CLEC services in the TDS Companies’ territory.⁸ No previous CLEC registration applicant has been required to provide evidence beyond such attestation. Even so, Comcast Phone has also supplemented these broad categories with specific descriptions of the Business Local Service and its Schools and Libraries Network Service it intends to offer on an undifferentiated basis to end-users.

The TDS Companies and NHTA have stipulated that Comcast plans to offer these services.⁹ The TDS Companies and NHTA nevertheless assert that Comcast Phone’s Application should be denied because it “has not listed [in its CLEC-10 Application] three bona fide ‘telecommunication services’ that it ‘will offer in New Hampshire.’”¹⁰ This assertion disregards Comcast Phone’s listing in its CLEC-10 Application of access, exchange access, and interexchange service and assumes the application is based on “[o]nly two services . . . Business Local Service and Schools and Libraries Network Service.”¹¹ Comcast Phone’s stipulation that it “is relying on Business Local Service and Schools and Libraries Network Service as retail telecommunications services for CLEC certification in New Hampshire” merely identifies how Comcast Phone will be offering

⁸ *Order Nisi* at 3.

⁹ *Comcast Phone of New Hampshire, LLC, Request for Authority to Provide Local Telecommunications Services*, Docket No. DT-08-013, Stipulated Facts (June 12, 2008) (“Stipulated Facts”).

¹⁰ NHTA & TDS Joint Brief at 7.

the three telecommunications services – access, exchange access, and interexchange service – identified in the company’s CLEC-10 Application.

Such identification of general categories of telecommunications services to be offered is a common practice accepted by the Commission in CLEC-10 Applications. A review of five publicly-filed and approved CLEC-10 Applications randomly selected and provided to Comcast Phone by Commission Staff includes telecommunications service listings described as “residential service,” “business service,” “data service,”¹² “local telephone,” “long distant [sic] telephone,”¹³ “facilities-based local exchange,” “resold local exchange,”¹⁴ “private line data service,” and “basic local exchange service.”¹⁵

Moreover, while the fact that Comcast Phone listed three telecommunications services on its CLEC-10 Application makes the question irrelevant to this proceeding, the claim by the TDS Companies and NHTA that a CLEC-10 Application is fatally incomplete unless it lists three telecommunications services¹⁶ is belied by the fact that three of the five approved CLEC-10 Applications listed only two services.¹⁷ Comcast Phone has simply followed the rules and customary practice for CLEC entry, and the rules should not be applied differently for Comcast Phone.

¹¹ *Id.*

¹² ExcelsaCom Light, LLC CLEC-10 Application (June 10, 2008).

¹³ SecureSysCom, Inc. CLEC-10 Application (Mar. 27, 2007).

¹⁴ TelCove Operations, Inc. CLEC-10 Application (Apr. 8, 2005).

¹⁵ Vanco Direct USA, LLC CLEC-10 Application (Aug. 16, 2005). Copies of the CLEC-10 Applications provided by Commission staff are included in Appendix A.

¹⁶ NHTA & TDS Joint Brief at 7.

¹⁷ See SecureSysCom, Inc. CLEC-10 Application (Mar. 27, 2007); TelCove Operations, Inc. CLEC-10 Application (Apr. 8, 2005); Vanco Direct USA, LLC CLEC-10 Application (Aug. 16, 2005).

C. The Record Establishes That Comcast Phone Proposes to Offer A Common Carrier Telecommunications Service.

The parties have stipulated that the Business Local Service to be offered by Comcast Phone “is a resale ILEC business service,”¹⁸ and that Comcast Phone’s Schools and Libraries Network Service “is planned to include a circuit switched voice service.”¹⁹ In turn, the TDS Companies and NHTA concede that these services at least “arguabl[y] . . . meet the definition of a telecommunications service.”²⁰ This concession addresses the “very focused”²¹ issue that Chairman Getz framed at the prehearing conference: “Is there some service that Comcast Phone . . . is going to provide that is a common carrier service?”²²

The concession by the TDS Companies and NHTA therefore should end the discussion. It establishes sufficient ground to approve Comcast Phone’s CLEC-10 Application. Regardless of the number of services listed in Comcast Phone’s Application or the classification of such services as “access,” “exchange access,” and “interexchange service,” Comcast Phone’s CLEC-10 Application establishes that Comcast Phone proposes to offer CLEC service within the meaning of Puc 402.11 – “telecommunications service for the public in a particular area which [the TDS Companies were] authorized to serve prior to July 23, 1995.” There is no basis for the Commission to proceed further.

¹⁸ Stipulated Facts.

¹⁹ *Id.*

²⁰ NHTA & TDS Joint Brief at 7.

²¹ Prehearing Conference Transcript at 35.

²² *Id.* at 39.

II. Speculation Whether Comcast Phone Intends to Offer The Telecommunications Services Identified in Its CLEC-10 Application Is Unfounded and Outside The Scope of This Proceeding.

Although they concede that the services Comcast Phone proposes to offer are telecommunications services, the TDS Companies and NHTA “submit that Comcast Phone has no intention of providing any ‘telecommunications services’ to residents of the TDS Companies’ service territory.”²³ The TDS Companies and NHTA provide no factual basis for these bald assertions, but in any event they are irrelevant to the question whether Comcast Phone’s CLEC registration application should be approved.

Such speculative questions are in the category of “enforcement issues that [don’t] go to whether [Comcast Phone] should be approved in the first instance.”²⁴ Like any new entrant applying for CLEC registration, Comcast Phone must be judged on the proposed offerings in its CLEC-10 Application. Comcast Phone has attested in its CLEC-10 Application “under penalty of perjury” that it will offer certain telecommunications services and all of the parties including the TDS Companies and NHTA have stipulated that Comcast Phone’s Business Local Service and its Schools and Libraries Network Service are the planned means to do so.²⁵ No previous CLEC registration applicant has been required to provide evidence beyond such attestation in its CLEC-10 Application. Comcast Phone should not be held to a different standard.

Any requirement that a prospective entrant actually provide services to qualify for approval to offer the same services would introduce a Catch-22 that makes approval

²³ NHTA & TDS Joint Brief at 8.

²⁴ *Comcast Phone of New Hampshire, LLC, Request for Authority to Provide Local Telecommunications Services*, Docket No. DT-08-03, Prehearing Conference Transcript, at p. 33 (May 21, 2008).

²⁵ *Comcast Phone of New Hampshire, LLC, Request for Authority to Provide Local Telecommunications Services*, Docket No. DT-08-013, Stipulated Facts (June 12, 2008) (“Stipulated Facts”).

impossible. The Commission recognizes as much by allowing a CLEC time to offer the services proposed in its CLEC-10 Application. As it typically does in all such orders, the Commission included in its *Order Nisi* approving Comcast Phone's Application a provision nullifying the registration if Comcast Phone fails to offer telecommunications services in the TDS Companies' territory within two years, and allowed latitude as to services actually offered by requiring Comcast Phone to "file, ten days prior to commencing service, a rate schedule including the name, description, and price of each service."²⁶

Thus, as long as Comcast Phone offers some telecommunications services in the TDS Companies' territory within two years and files a rate schedule describing these services at least ten days prior to offering them, it will have complied with the Commission's requirements. That is why any question whether Comcast Phone will actually deliver on its undertaking to offer telecommunications services is an "enforcement issue," and does not go to approval of Comcast Phone's authority to offer these services in the territory of the TDS Companies.

III. The Proposed Conditions on Comcast Phone's CLEC Registration Are Inconsistent with The Commission's Entry Regulation And The Scope of This Proceeding.

The TDS Companies and NHTA suggest that if the Commission grants CLEC registration to Comcast Phone, conditions should be imposed. These suggested conditions are a throwback to an earlier era when CLEC entry involved extensive hearings into financial, legal, and technical qualifications and service offerings. The Telecommunications Act of 1996 and pro-competitive laws and regulations in New

²⁶ *Comcast Phone of New Hampshire, LLC, Request for Authority to Provide Local Telecommunications Services*, Docket No. DT-08-013, Order No. 24,843, Order Nisi Granting Application, at 4 (N. H. Pub. Util.

Hampshire rely instead on the crucible of competition to test CLEC qualifications and offerings. Accordingly, the Commission streamlined the entry process now embodied in Puc 431.01 and 431.02. The conditions suggested by the TDS Companies and NHTA have no basis in this process.

The suggestion that a condition require Comcast Phone “to complete a new CLEC-10 Application form incorporating all of the services and representations made by Comcast Phone in this Docket”²⁷ is both unnecessary and unreasonable. Comcast Phone has attested to the completeness and accuracy of its CLEC-10 Application and the Commission has not found the Application incomplete. Comcast Phone has already gone beyond the requirements imposed on other CLEC registration applicants by supplementing its application and by discussing its offerings with the parties in two technical sessions. Asking for more from Comcast Phone would defeat the purpose of the parties’ stipulation to arrive at a set of facts to abbreviate the proceeding.²⁸ Requiring a new CLEC-10 Application from Comcast Phone at this stage would serve no useful purpose and simply delay Comcast Phone’s introduction of competition in the TDS Companies’ territory.

The suggestion that Comcast Phone be required to “submit its business plan to the Commission in order to allow the Commission to verify the representations” in its CLEC-10 Application is both unnecessary and beyond the scope of this proceeding. The Commission has no reason to believe that Comcast Phone’s CLEC-10 is not complete and accurate. A company official already has attested “under penalty of perjury” to the

Comm’n, Apr. 4, 2008) (“*Order Nisi*”).

²⁷ NHTA & TDS Joint Brief at 10.

truth of the information submitted in the Application. Requiring submission of a business plan would go far beyond anything required of any other CLEC applicant in the past, would single out Comcast Phone for special scrutiny without any factual basis for doing so, and would unfairly delay the proceeding. In addition, a condition such as this – requiring a special data submission to verify data already attested to under oath – steps over into enforcement matters that the Commission has already determined are beyond the scope of this proceeding.²⁹

Likewise, the suggestion that as a condition of granting the CLEC registration the Commission “open a generic docket investigating, among other issues whether . . . Comcast Phone and other VoIP based service providers actually provide telecommunications services to the public for a fee” involves “jurisdictional issues about other types of operations Comcast may or may not have with respect to Internet services.”³⁰ The Commission has already determined that with regard to such issues “maybe there should be another hearing, maybe not” but “that would not be part and parcel to this CLEC application.”³¹

The proposed conditions go beyond what is called for in this proceeding and should be seen for what they are: superfluous barriers to competition. They should therefore be summarily rejected.

²⁸ *Comcast Phone of New Hampshire, LLC, Request for Authority to Provide Local Telecommunications Services*, Docket No. DT-08-013, Prehearing Conference Transcript, at p. 34 (May 21, 2008).

²⁹ *Comcast Phone of New Hampshire, LLC, Request for Authority to Provide Local Telecommunications Services*, Docket No. DT-08-013, Prehearing Conference Transcript, at 33 (May 21, 2008) (declaring that enforcement issues don’t “go to the issue of whether [Comcast Phone] should be approved in the first instance”).

³⁰ *Id.*

³¹ *Id.*

IV. Although Preemption Questions Are Mooted by Recent Legislative Action, the Commission Has Authority to Act Based on Federal Preemption.

Union Telephone Company (“Union”) asserts that the Commission is barred by RSA 374:22-f from approving registration of a CLEC in the territory of an incumbent local exchange carrier (“ILEC”) with fewer than 25,000 lines except where requested by the ILEC.³² This argument is mooted by the repeal of RSA 374:22-f signed into law on July 7, 2008.³³ While the effective date of this repeal is September 5, 2008, the intent of the Legislature to place entry into the territory of rural incumbents on the same footing as any other CLEC entry is clear. The repeal confirms that the Commission acted correctly in applying the standards of RSA 372:22-e in its *Order Nisi*.

In any case, Union errs in its claim that the Commission may not act to apply federal preemption in this proceeding.³⁴ The Supreme Court of New Hampshire has unequivocally upheld the authority of the Commission to decline to act on existing state statutes based on federal preemption.³⁵ Union’s attempt to distinguish this proceeding as an extension of jurisdiction based on preemption rather than declining to act on a preempted statute³⁶ is a distinction without a difference. In any case, the Commission in this proceeding is acting exactly as it did in the case upheld by the Supreme Court: declining to apply a state statute – in this case RSA 374:22-f – because the statute has been preempted by federal law.³⁷

³² Union Telephone Company Initial Brief at 3.

³³ SB 386 was signed by the Governor on July 7, 2008.

³⁴ See Union Telephone Company Initial Brief at 4.

³⁵ *Appeal of Conservation Law Found.*, 147 N.H. 89 (2001). Union agrees with this assessment of the law as expressed in *Appeal of Conservation Law Found.* Union Telephone Company Initial Brief at 4.

³⁶ Union Telephone Company Initial Brief at 4.

³⁷ Cf. *Silver Star Telephone Company, Inc. Petition for Preemption and Declaratory Ruling*, CCB Pol 97-1, Memorandum Opinion and Order, 12 FCC Rcd. 15639 (1997) (preempting as proscribed by 47 U.S.C. §

Union argues that federal preemption should not apply because Comcast Phone could have sought authority from the legislature to act as a CLEC.³⁸ This argument ignores that, in adopting RSA 374:22-f and RSA 374:22-g, the Legislature delegated to the Commission the authority to determine authorization of CLECs. There is no basis of procedure for Comcast Phone to seek CLEC designation directly from the legislature. The cases cited by Union to support this proposition do not involve telecommunications companies and describe franchises granted by the legislature before the adoption of RSA 374:22-f and RSA 374:22-g (and even before the creation of the Commission).

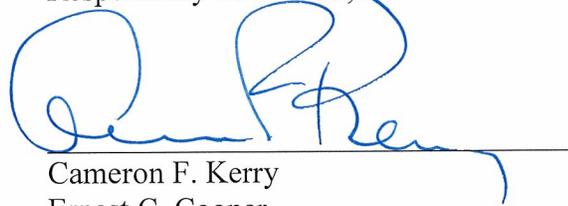
253(a) a Wyoming statute that gave incumbent LECs with 30,000 or fewer lines the ability to block CLEC applications of potential competitors).

³⁸ Union Telephone Company Initial Brief at 4-5.

CONCLUSION

The arguments raised by parties opposing the Commission's *Order Nisi* are without merit and the *Order Nisi* should be affirmed without further delay to authorize Comcast Phone as a CLEC in the territory of the TDS Companies.

Respectfully Submitted,



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Attorneys for Comcast Phone of
New Hampshire, LLC

July 14, 2008

APPENDIX A

CLEC-10 Applications of:

- ExcelaCom Light, LLC (June 10, 2008)
- TGC-New Jersey, Inc. d/b/a AT&T (January 10, 2008)
- SecureSysCom, Inc (March 27, 2007)
- TelCove Operations, Inc. (April 8, 2005)
- Vanco Direct USA, LLC (August 16, 2005)



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NHPUC Form CLEC-10
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 Rev. 12/06/04

CLEC APPLICATION FOR REGISTRATION

Cole-002-08

1. General Information

Federal Identification Number 26-2684405
 Date of Application 6/10/08
 Legal Name ExcelsCom Light, LLC.
 Trade Name (d/b/a) in New Hampshire
n/a
 Contact Person Joseph Isaacs
 Complete Mailing Address 4274 Enfield Court
Suite 1600
 Phone Number 727-738-5553
 Fax Number 727-939-2672
 E-mail Address isaacs@jsg-telecom.com

2. History of Applicant

- a. Has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers been convicted of any felony not annulled by a court? NO
 - b. In the past ten years, has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers had any civil, criminal or regulatory sanctions or penalties imposed pursuant to any state or federal consumer protection law or regulation? NO
 - c. In the past ten years, has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers settled any civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation? NO
 - d. Is the applicant, or are any of the general partners, corporate officers, director of the company, limited liability company managers or officers currently the subject of any pending civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation? NO
 - e. Has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers been denied certification in any other state. NO
- If so, please list each state. NO

f. If the answer to any of the questions in a through e above is yes, please attach an explanation.

If you have any questions, please call the New Hampshire Public Utilities Commission at 603-271-2431.
 Please mail any documents to the above address.



3. Service

List the three primary telecommunications services the company will provide:

- a. Residential service
- b. Business service
- c. Data service

Identify the applicant's proposed service area:

Entire State of New Hampshire

4. Required Attachments

- a. A copy of the New Hampshire Secretary of State Certificate of Authority
- b. Proof of Surety Bond, if applicable
- c. Form CLEC-1, Contact Information
- d. A copy of the CLEC's complete rate schedule
- e. A copy of Form CLEC -11, Adoption of Uniform Tariff, if applicable

5. Compliance Statements

I attest that the applicant will comply with all applicable New Hampshire laws and all Commission policies, rules and orders. [Signature] (initial)[Puc 430.02]

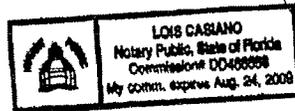
I attest that the applicant has the necessary managerial qualifications, technical competence and financial resources to operate the CLEC for which the applicant seeks registration. [Signature] (initial)

I attest that the applicant agrees to use with the Verizon New Hampshire rates for intraLATA switched access, as filed in Tariff 85, including future changes, or charge a lower rate. In the event the applicant believes a higher rate is justified, the applicant will file a separate petition with evidence supporting the higher rate. [Signature] (initial)

6. Signature

I, JOSEPH ISAACS, (name) declare under penalty of perjury that I am authorized to make this verification for and on behalf of the applicant; that I have read the information provided by the applicant in the foregoing document and any and all attachments, and am informed and believe the same are true, and on that ground, affirm that the matters stated herein are true.

[Signature] Signed _____ VP, Regulatory Affairs _____ Title _____
 Subscribed and sworn before me this 9th (day) of June (month) in the year 2008
 County of Pinellas
 State of Florida



[Signature]
 Notary Public/Justice of the Peace
 My Commission expires 8/24/09



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CLEC APPLICATION FOR REGISTRATION

CO2-001-08

1. General Information

Federal Identification Number 13-3734159
 Date of Application 1/10/08
 Legal Name TCG-New Jersey, Inc.
 Trade Name (d/b/a) AT&T
 in New Hampshire
 Contact Person Michelle Consalvo
 Complete Mailing Address 99 Bedford Street
Boston, MA 02111
 Phone Number 617-574-3148
 Fax Number 832-213-0198
 E-mail Address mconsalvo@att.com

2. History of Applicant

- a. Has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers been convicted of any felony not annulled by a court? no
 - b. In the past ten years, has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers had any civil, criminal or regulatory sanctions or penalties imposed pursuant to any state or federal consumer protection law or regulation? no
 - c. In the past ten years, has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers settled any civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation? no
 - d. Is the applicant, or are any of the general partners, corporate officers, director of the company, limited liability company managers or officers currently the subject of any pending civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation? no
 - e. Has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers been denied certification in any other state. no
- If so, please list each state. no

f. If the answer to any of the questions in a through e above is yes, please attach an explanation.

If you have any questions, please call the New Hampshire Public Utilities Commission at 603-271-2431.
 Please mail any documents to the above address.



3. Service

List the three primary telecommunications services the company will provide:

- a. Same services currently provided by Teleport Communications of Boston, Inc., including local exchange services
- b. Same services currently provided by Teleport Communications of Boston, Inc., including Interstate/interLATA services
- c. Same services currently provided by Teleport Communications of Boston, Inc., including access services

Identify the applicant's proposed service area:

Same service territory for local exchange services as Verizon.

4. Required Attachments

- a. A copy of the New Hampshire Secretary of State Certificate of Authority
- b. Proof of Surety Bond, if applicable
- c. Form CLEC-1, Contact Information
- d. A copy of the CLEC's complete rate schedule
- e. A copy of Form CLEC -11, Adoption of Uniform Tariff, if applicable

5. Compliance Statements

I attest that the applicant will comply with all applicable New Hampshire laws and all Commission policies, rules and orders. _____ (initial)[Puc 430.02]

I attest that the applicant has the necessary managerial qualifications, technical competence and financial resources to operate the CLEC for which the applicant seeks registration. _____ (initial)

I attest that the applicant agrees to use with the Verizon New Hampshire rates for intraLATA switched access, as filed in Tariff 85, including future changes, or charge a lower rate. In the event the applicant believes a higher rate is justified, the applicant will file a separate petition with evidence supporting the higher rate. _____ (initial)

6. Signature

I James F. Dionne, (name) declare under penalty of perjury that I am authorized to make this verification for and on behalf of the applicant; that I have read the information provided by the applicant in the foregoing document and any and all attachments, and am informed and believe the same are true, and on that ground, affirm that the matters stated herein are true.

Signed J.F.D. Title Regulatory Controller

Subscribed and sworn before me this 9th (day) of January (month) in the year 2008

County of Somerset
State of NH

Cynthia L. Hardy
Notary Public/Justice of the Peace
My Commission expires

Cynthia L. Hardy
My Commission Expires
Nov. 18, 2009



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NHPU C Form C11-C-10
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CLEC APPLICATION FOR REGISTRATION

CO1-004-07

1. General Information

Federal Identification Number 20-5992405

Date of Application 3/27/07

Legal Name SecureSysCom, Inc.

Trade Name (d/b/a) in New Hampshire

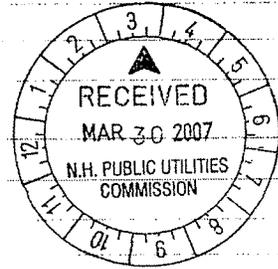
Contact Person Tom Lyons

Complete Mailing Address 51 East Wheelock Street
Hanover, NH 03755

Phone Number 802-371-7440

Fax Number 203-413-3316

E-mail Address tl Lyons@securesyscom.net



2. History of Applicant

- a. Has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers been convicted of any felony not annulled by a court? NO
 - b. In the past ten years, has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers had any civil, criminal or regulatory sanctions or penalties imposed pursuant to any state or federal consumer protection law or regulation? NO
 - c. In the past ten years, has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers settled any civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation? NO
 - d. Is the applicant, or are any of the general partners, corporate officers, director of the company, limited liability company managers or officers currently the subject of any pending civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation? NO
 - e. Has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers been denied certification in any other state. NO
- If so, please list each state. _____
- f. If the answer to any of the questions in a through e above is yes, please attach an explanation.

If you have any questions, please call the New Hampshire Public Utilities Commission at 603-271-2431. Please mail any documents to the above address.



3. Service

List the three primary telecommunications services the company will provide:

- a. Local Telephone
- b. Long Distant telephone
- c. _____

Identify the applicant's proposed service area:

Verizon's territory in NH

4. Required Attachments

- a. A copy of the New Hampshire Secretary of State Certificate of Authority
- b. Proof of Surety Bond, if applicable
- c. Form CLEC-1, Contact Information
- d. A copy of the CLEC's complete rate schedule
- e. A copy of Form CLEC -11, Adoption of Uniform Tariff, if applicable

5. Compliance Statements

I attest that the applicant will comply with all applicable New Hampshire laws and all Commission policies, rules and orders. YZ (initial)[Puc 430.02]

I attest that the applicant has the necessary managerial qualifications, technical competence and financial resources to operate the CLEC for which the applicant seeks registration. YZ (initial)

I attest that the applicant agrees to use with the Verizon New Hampshire rates for intral.ATA switched access, as filed in Tariff 85, including future changes, or charge a lower rate. In the event the applicant believes a higher rate is justified, the applicant will file a separate petition with evidence supporting the higher rate. YZ (initial)

6. Signature

I Tom Lyons (name) declare under penalty of perjury that I am authorized to make this verification for and on behalf of the applicant; that I have read the information provided by the applicant in the foregoing document and any and all attachments, and am informed and believe the same are true, and on that ground, affirm that the matters stated herein are true.

[Signature] Signed Tom Lyons Title President

Subscribed and sworn before me this 28th (day) of March (month) in the year 2007

County of Grafton

State of New Hampshire

[Signature]
 Notary Public/Justice of the Peace
 My Commission expires 9/22/09



CLEC APPLICATION FOR REGISTRATION

1. General Information

Federal Identification Number 03-0334583
 Date of Application April 8, 2005
 Legal Name TelCove Operations, Inc.
 Trade Name (d/b/a)
 in New Hampshire
 Contact Person Jeffrey J. Heins
Manager of Legal & Regulatory Affairs
 Complete Mailing Address 712 North Main Street
Coudersport, Pennsylvania 16915
 Phone Number 814-260-2806
 Fax Number 814-260-2026
 E-mail Address jeff.heins@telcove.com

2. History of Applicant

- a. Has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers been convicted of any felony not annulled by a court? No
- b. In the past ten years, has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers had any civil, criminal or regulatory sanctions or penalties imposed pursuant to any state or federal consumer protection law or regulation? No
- c. In the past ten years, has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers settled any civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation? No
- d. Is the applicant, or are any of the general partners, corporate officers, director of the company, limited liability company managers or officers currently the subject of any pending civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation? No
- e. Has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers been denied certification in any other state. No
- If so, please list each state. No
-
- f. If the answer to any of the questions in a through e above is yes, please attach an explanation.

If you have any questions, please call the New Hampshire Public Utilities Commission at 603-271-2431.
 Please mail any documents to the above address.



3. Service

List the three primary telecommunications services the company will provide:

- a. Facilities-based local exchange _____
- b. Resold local exchange _____
- c. _____

Identify the applicant's proposed service area:

Statewide _____

4. Required Attachments

- a. A copy of the New Hampshire Secretary of State Certificate of Authority ✓
- b. Proof of Surety Bond ✓
- c. Form CLEC-1, Contact Information ✓
- d. A copy of the CLEC's complete rate schedule ✓
- e. A copy of Form CLEC -11, Adoption of Model Tariff, if applicable ✓

5. Compliance Statements

I attest that the applicant will comply with all applicable New Hampshire laws and all Commission policies, rules and orders. _____ (initial)[Puc 1304.02(a)(7)]

I attest that the applicant has the necessary managerial qualifications, technical competence and financial resources to operate the CLEC for which the applicant seeks registration. _____ (initial)

I attest that the applicant agrees to use with the Verizon New Hampshire rates for intraLATA switched access, as filed in Tariff 85, including future changes, or charge a lower rate. In the event the applicant believes a higher rate is justified, the applicant will file a separate petition with evidence supporting the higher rate. _____ (initial)

6. Signature

I _____, (name) declare under penalty of perjury that I am authorized to make this verification for and on behalf of the applicant; that I have read the information provided by the applicant in the foregoing document and any and all attachments, and am informed and believe the same are true, and on that ground, affirm that the matters stated herein are true.

_____ Signed _____ Title

Subscribed and sworn before me this _____ (day) of _____ (month) in the year _____

County of _____

State of _____

Notary Public/Justice of the Peace
My Commission expires _____



CLEC APPLICATION FOR REGISTRATION

1. General Information

Federal Identification Number 20-2491970
 Date of Application _____
 Legal Name Vanco Direct USA, LLC
 Trade Name (d/b/a) _____
 in New Hampshire _____
 Contact Person Ted Raffetto, CEO
 Complete Mailing Address 1420 Kensington Rd., Suite 103
Oak Brook, IL 60523
 Phone Number 630-218-5890
 Fax Number 630-218-5891
 E-mail Address Ted.Raffetto@vanco-us.com

2. History of Applicant

- a. Has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers been convicted of any felony not annulled by a court? No
- b. In the past ten years, has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers had any civil, criminal or regulatory sanctions or penalties imposed pursuant to any state or federal consumer protection law or regulation? No
- c. In the past ten years, has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers settled any civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation? No
- d. Is the applicant, or are any of the general partners, corporate officers, director of the company, limited liability company managers or officers currently the subject of any pending civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation? No
- e. Has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers been denied certification in any other state. No
 If so, please list each state. _____
- f. If the answer to any of the questions in a through e above is yes, please attach an explanation.

If you have any questions, please call the New Hampshire Public Utilities Commission at 603-271-2431.
 Please mail any documents to the above address.



3. Service

List the three primary telecommunications services the company will provide:

- a. Private Line Data Service
- b. Basic Local Exchange Service
- c. _____

Identify the applicant's proposed service area:

Statewide

4. Required Attachments

- a. A copy of the New Hampshire Secretary of State Certificate of Authority
- b. Proof of Surety Bond, if applicable
- c. Form CLEC-1, Contact Information
- d. A copy of the CLEC's complete rate schedule
- e. A copy of Form CLEC -11, Adoption of Uniform Tariff, if applicable

5. Compliance Statements

I attest that the applicant will comply with all applicable New Hampshire laws and all Commission policies, rules and orders. SM (initial)[Puc 430.02]

I attest that the applicant has the necessary managerial qualifications, technical competence and financial resources to operate the CLEC for which the applicant seeks registration. SM (initial)

I attest that the applicant agrees to use with the Verizon New Hampshire rates for intraLATA switched access, as filed in Tariff 85, including future changes, or charge a lower rate. In the event the applicant believes a higher rate is justified, the applicant will file a separate petition with evidence supporting the higher rate. SM (initial)

6. Signature

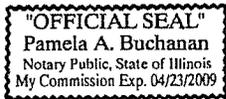
I Ted Raffetto, (name) declare under penalty of perjury that I am authorized to make this verification for and on behalf of the applicant; that I have read the information provided by the applicant in the foregoing document and any and all attachments, and am informed and believe the same are true, and on that ground, affirm that the matters stated herein are true

Ted Raffetto Signed Manager/CEO Title

Subscribed and sworn before me this 16th (day) of AUGUST (month) in the year 2005

County of COOK

State of IL.



Pamela A. Buchanan
 Notary Public/Justice of the Peace
 My Commission expires 04/23/2009