

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

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

**RESPONSE OF COMCAST PHONE OF NEW HAMPSHIRE, LLC
TO JOINT MOTION TO SUPPLEMENT THE RECORD**

Comcast Phone of New Hampshire, LLC ("Comcast Phone") submits this response to the Joint Motion of The New Hampshire Telephone Association, Merrimack County Telephone Company, and Kearsarge Telephone Company (all together, the "RLEC Representatives") to supplement the record in this proceeding filed January 21, 2009 ("the RLEC Motion to Supplement"). The RLEC Representatives ask to submit as supplemental authority a letter from the General Counsel and the Chief of the Wireline Competition Bureau of the Federal Communications Commission (the "FCC") dated January 18, 2009, to Comcast Phone's parent, Comcast Corporation ("Comcast") in the FCC's "Network Management Docket," WC Docket No. 07-52.

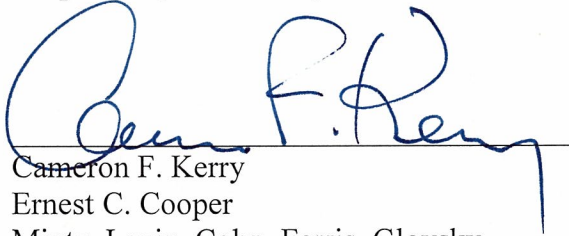
The Commission has already determined that "the regulatory status of Comcast IP's digital voice service is not the subject of this docket and does not bear on whether [the Commission] should expand Comcast's authority to operate in New Hampshire,"¹ The proffered letter therefore has no relevance to the sole issue pending in this proceeding -- whether certification of Comcast Phone in the territory of the TDS companies is in the "public good."² The letter submitted is irrelevant to the decision the Commission must make in this proceeding.

¹ *Comcast Phone of New Hampshire, LLC, Request for Authority to Provide Local Telecommunications Services*, DT 08-013, Order No. 24,887, Order Granting Hearing, at 6 (Aug. 18, 2008).

² This Commission has already determined that Comcast Phone's CLEC 10 Application is complete. *Id.* at 8.

Nevertheless, based on the position of the RLEC Representatives that this letter “is not offered as an evidentiary exhibit” and that “the RLEC Representatives do not object to the Commission considering any response from Comcast Phone,” Comcast Phone does not oppose the RLEC Motion to Supplement, provided that Comcast Phone is permitted to submit its response to the FCC staff letter. The letter the RLEC Representatives seek to submit is simply a staff inquiry with no binding effect that, by its terms, calls for a response from Comcast Corporation on or before January 30, 2009. That letter and Comcast’s response will be considered under the guidance of a new FCC Chair and Administration. Comcast Phone therefore conditions its assent to the RLEC Motion to Supplement on it being allowed to supplement the record with the response it will make to the FCC staff inquiry.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Cameron F. Kerry", is written over a horizontal line.

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Dated: January 23, 2009