

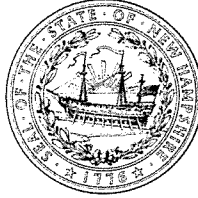
DT 08-111 (Revised)

THE STATE OF NEW HAMPSHIRE

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September 8, 2008

Kath Mulholand  
Director of Operations  
segTEL  
P.O. Box 610  
Lebanon, NH 03766

Dear Ms. Mulholand,

On September 2, 2008, you filed on behalf of segTEL, Inc. (segTEL) a request for fast track arbitration of FairPoint Communications, Inc.'s (FairPoint's) denial of segTEL's request for access to FairPoint's dark fiber facilities. In its Order No. 22,942 dated May 19, 1998, the Commission established a 20-day "fast track" arbitration as the appropriate process to resolve disputes concerning dark fiber availability.

Staff has reviewed segTEL's filing and concluded that FairPoint's denial raises, inter alia, the issues of whether the dark fiber reserved by FairPoint for maintenance and its own use on the designated route is demonstrably necessary to meet FairPoint's own short-term service needs, and whether alternative routes were considered. Therefore, pursuant to RSA 363: 17, the Commission has appointed a member of its staff, Attorney F. Anne Ross, with technical assistance as needed, to arbitrate this matter. In accordance with the time frames established for fast track arbitration in Order No. 22,942, Attorney Ross is directed to report to the Commission her findings and recommendations no later than September 22, 2008. Docket No. DT 08-111 has been assigned for future reference.

Sincerely,

A handwritten signature in dark ink, appearing to read "Debra A. Howland".

Debra A. Howland  
Executive Director