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STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: March 24, 2010

AT (OFFICE): NHPUC

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FROM: David Goyette, Utility Analyst III - Telecommunications

SUBJECT: DT 10-064 Fairpoint Communications - NNE
Special Contract with Pegasystems Inc. for ISDN-PRI Service

TO: Debra Howland, Executive Director
Kate Bailey, Director - Telecommunications

On March 22, 2010, Northern New England Telephone Operations LLC d/b/a Fairpoint Communications - NNE (Fairpoint) filed a special contract between Fairpoint and Pegasystems Inc. Under the contract, Fairpoint will provide Pegasystems Inc. with ISDN-PRI service, including Port, Local Distribution Channel, and Caller ID with Name, for a period of 12 months. During the 12 months of the contract Pegasystems Inc. is allowed, at any time, to order additional circuits. In support of the filing, Fairpoint submitted records and information, including contract terms and conditions, which are subject to confidential treatment pursuant to RSA 378:43.

Staff has reviewed the cost study data submitted by Fairpoint and confirmed that the contract rates exceed the price floor requirements as defined in Order Nos. 23,357 and 23,493 (Docket No. DT 99-018). Based on its analysis, Staff recommends that the special contract be allowed to go into effect pursuant to RSA 378:18-b, II(a).