

# STATE OF NEW HAMPSHIRE

## Inter-Department Communication

DATE: November 4, 2010

AT (OFFICE): NHPUC

**FROM:** Jennifer Ducharme, Utility Analyst 

**SUBJECT:** DT 10-183 – Petition by Certain Rural Telephone Companies  
Regarding CLEC Registrations within their Exchanges.

**TO:** Commissioners  
Debra Howland, Executive Director  
Kate Bailey, Director, Telecommunications



On July 13, 2010, rural incumbent local exchange carriers Granite State Telephone, Inc., Dunbarton Telephone, Inc., Bretton Woods Telephone, Inc., and Dixville Telephone Company (collectively the RLECs) filed a petition challenging certain registrations granted by the Commission authorizing competitive local exchange carriers (CLECs) to engage in business as telephone utilities within the RLECs' service territories as part of their authorizations to operate statewide. That petition has been docketed as DT 10-183.

At the prehearing conference held on September 2, 2010, Commissioner Ignatius asked Staff to report on the status of the CLECs that had been certified to operate statewide, including the RLECs service territory, since the repeal of RSA 374:22-f in September 2008.

Staff reviewed the CLEC certifications granted within this time frame and, as reported in Staff's memo filed on July 28, 2010 in this docket, found that five CLECs had been granted statewide authorization. The CLECs with such authorization are: iNetworks Group, Inc., AccessPlus Communications, International Network Solutions, LLC, segTEL, Inc., and Light Tower Fiber, LLC. The purpose of this memo is to update the Commission as to the status of these companies today.

iNetworks Group submitted a petition to amend its statewide service territory to that only of FairPoint Communications on September 14, 2010. The petition was docketed as DT 10-248. On October 5, 2010, Staff recommended that the petition be approved and a secretarial letter was issued on October 21, 2010. Thus, iNetworks Group no longer has authority to operate as a CLEC statewide.

AccessPlus Communications informed Staff of its plans to file Form CLEC-35, *Withdrawal of Authorization*, and to file a new application requesting authorization to operate only in the FairPoint Communications service territory, but the company has not done so yet. At this time, and until the company files the necessary forms, AccessPlus Communications continues to possess a statewide authorization to operate as a CLEC. Staff will notify the Commission if the CLEC status for AccessPlus Communications changes in the future.

International Network Solutions submitted Form CLEC-35, *Withdrawal of Authorization* on October 11, 2010 and reapplied for authorization to operate as a CLEC only within the FairPoint Communications service territory. The withdrawal and application were docketed as DT 10-270. Staff recommended approval of the application on October 21, 2010, and a secretarial letter approving the application was issued on October 22, 2010. Thus, International Network Solutions no longer has authority to operate as a CLEC statewide.

segTEL, Inc. has currently made no change to its CLEC authorization and continues to possess an authorization to operate as a CLEC in a statewide service territory. segTEL is an intervenor in this docket.

Lightower Fiber Networks submitted Form CLEC-35, *Withdrawal of Authorization* and reapplied for authorization to operate as a CLEC only within the FairPoint Communications service territory. The withdrawal and application was docketed as DT 10-229. Staff recommended approval of the application on September 1, 2010, and a secretarial letter approving the application was issued on September 10, 2010. Thus, Lightower Fiber Networks no longer has authority to operate as a CLEC statewide.

In summary, segTEL and Access Plus Communications are the only remaining CLECs with statewide authorization. To the best of Staff's knowledge, neither Access Plus Communications nor segTEL currently serve customers in Granite State Telephone, Dunbarton Telephone, Bretton Woods Telephone and Dixville Telephone Company's service territories in New Hampshire. Please let me know if you have any questions.