

August 11, 2011

KELLY A. ATWOOD
603.695.8713
KATWOOD@DEVINEMILLIMET.COM



**BY ELECTRONIC MAIL
AND HAND DELIVERY**

Debra A. Howland
Executive Director & Secretary
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301

Re: DT 11-061 FairPoint Communications, Inc. – Petition for Approval of Simplified Metrics Plan and Wholesale Performance Plan

Dear Ms. Howland:

Enclosed for inclusion in the record in the above-docketed proceeding is an Affidavit of Publication for the Order of Notice, which was published in the New Hampshire Union Leader on August 1, 2011.

Very truly yours,

Kelly A. Atwood
Paralegal

:kaa

Enclosure

cc: Electronic Service List

Legal Notice

THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION
DT 11-061

NORTHERN NEW ENGLAND
TELEPHONE OPERATIONS LLC
d/b/a FAIRPOINT
COMMUNICATIONS NNE
Performance Assurance Plan and
Carrier to Carrier Metrics
ORDER OF NOTICE

On March 24, 2011, Northern New England Telephone Operations LLC d/b/a FairPoint Communications NNE (FairPoint) submitted a petition for approval of a simplified metrics plan and a wholesale performance plan to replace the existing carrier to carrier guidelines and performance assurance plan (PAP). This petition is substantially the same as petitions filed by FairPoint in Vermont and Maine. The petition and subsequent docket filings, other than information for which confidential treatment is requested or granted by the Commission, will be posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2011/11-061.html>.

On May 6, 2011, the Commission issued Order No. 25,221 in this docket concluding that an audit of FairPoint's existing PAP was necessary, and directing Staff to work with FairPoint and various competitive local exchange carriers (CLECs) to develop an appropriate subset of the PAP for auditing. That order also stated that an order of notice would be forthcoming on the conduct of this docket to analyze a new PAP. The Commission is aware that efforts have been made to combine the efforts of regulators in New Hampshire, Maine and Vermont to narrow the relevant issues and analyze the requirements of a new PAP during the pendency of the audit.

The filing raises, inter alia, issues related to the structure, content and purposes of a new PAP and whether FairPoint's proposed revisions in its simplified metrics plan and wholesale performance plan meet the requirements of an adequate PAP. Each party has the right to have an attorney represent the party at the party's own expense.

Based upon the foregoing, it is hereby

ORDERED, that a joint technical session with representatives of the states of Maine and Vermont be held with Staff, FairPoint, and any intervenors at the offices of the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on August 11, 2011 at 9:00 a.m.; and it is

FURTHER ORDERED, that a second joint technical session with representatives of the states of Maine and Vermont be held with Staff, FairPoint, and any intervenors at the offices of the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on August 31, 2011 at 9:00 a.m.; and it is

FURTHER ORDERED, that following the technical sessions Staff and the parties will determine a schedule for further proceedings to this docket; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.12, FairPoint shall notify all persons desiring to be heard by publishing a copy of this Order of Notice no later than August 3, 2011, in a newspaper with general circulation in those portions of the state in which operations are conducted, publication to be documented by affidavit filed with the Commission on or before August 11, 2011; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.17, any party seeking to intervene in the pro-

ceeding shall submit to the Commission seven copies of a Petition to Intervene with copies sent to FairPoint and the Office of the Consumer Advocate on or before August 8, 2011, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interest may be affected by the proceeding, as required by N.H. Code Admin. Rule Puc 203.17 and RSA 541-A:32.I(b); and it is

FURTHER ORDERED, that any party objecting to a Petition to Intervene make said Objection on or before August 11, 2011.

By order of the Public Utilities Commission of New Hampshire this twenty-eighth day of July, 2011.

Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event. (UL - Aug. 1)



UNION LEADER CORPORATION

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P O BOX 9513
MANCHESTER, NH 03108

DEVINE AND MILLIMET ATTORNEYS AT LAW
ATTN KELLY A ATWOOD
43 NORTH MAIN STREET
CONCORD NH 03301

I hereby certify that the legal notice of PUB UTILITIES-NORTHERN NE,
PO number:DT 11-061 was published in the New Hampshire Union Leader
and/or New Hampshire Sunday News, newspapers printed at Manchester, NH
by the Union Leader Corp.

On :

08/01/2011

State of New Hampshire
Hillsborough County
Subscribed and sworn to before me this

10th day of August, 2011

Notary Public

