

ATTACHMENT

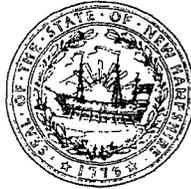
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THE STATE OF NEW HAMPSHIRE

CHAIRMAN
Thomas B. Getz

COMMISSIONERS
Clifton C. Below
Amy L. Ignatius

EXECUTIVE DIRECTOR
AND SECRETARY
Debra A. Howland



PUBLIC UTILITIES COMMISSION
21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429

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TDD Access: Relay NH
1-800-735-2964

Website:
www.puc.nh.gov

February 25, 2011

Re: DT 09-059, Petition of FairPoint Communications for Waiver of Performance Assurance Plan and Carrier to Carrier Reporting Requirements
DT 09-113, Petition of FairPoint Communications for Waiver of Performance Assurance Plan Payment Requirements
Performance Assurance Plan Audit

To all parties in the named docket:

The 2008 settlement agreement among the Joint Petitioners and Staff approved in Docket No. DT 07-011, regarding the transfer of assets from Verizon New England to FairPoint Communications, Inc. (FairPoint), contemplated that an audit would be conducted of FairPoint's wholesale performance assurance plan (PAP). In the event that a simplified PAP had not been adopted by June 1, 2010, or if efforts to develop a simplified PAP had terminated before that date, the audit would be conducted of FairPoint's existing PAP. The Commission has determined that, since a simplified PAP has not been adopted, an audit of the existing PAP should be conducted. Pursuant to Section 9.4 of the 2008 settlement agreement, the Commission will include in its distribution of a request for proposals any consulting firms identified by FairPoint by close of business March 4, 2011. The Commission will undertake this audit under the terms of the settlement agreement as well as its ongoing investigative authority under RSA 365:5.

Docket No. DT 09-059 relates, in part, to FairPoint's request to waive certain reporting requirements under the PAP. Docket No. DT 09-113 relates to FairPoint's request to modify the PAP to reduce the total dollars at risk pursuant to the PAP. The resolution of both dockets depends upon an understanding of the current PAP and its implementation. Because the Commission will be undertaking an audit of the PAP to develop such understanding, these dockets are stayed pending the completion of the audit.

Sincerely,

A handwritten signature in cursive script that reads "Debra A. Howland".

Debra A. Howland
Executive Director

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Fair Point New Hampshire

PAP/CCAP Market Adjustment Summary FINAL

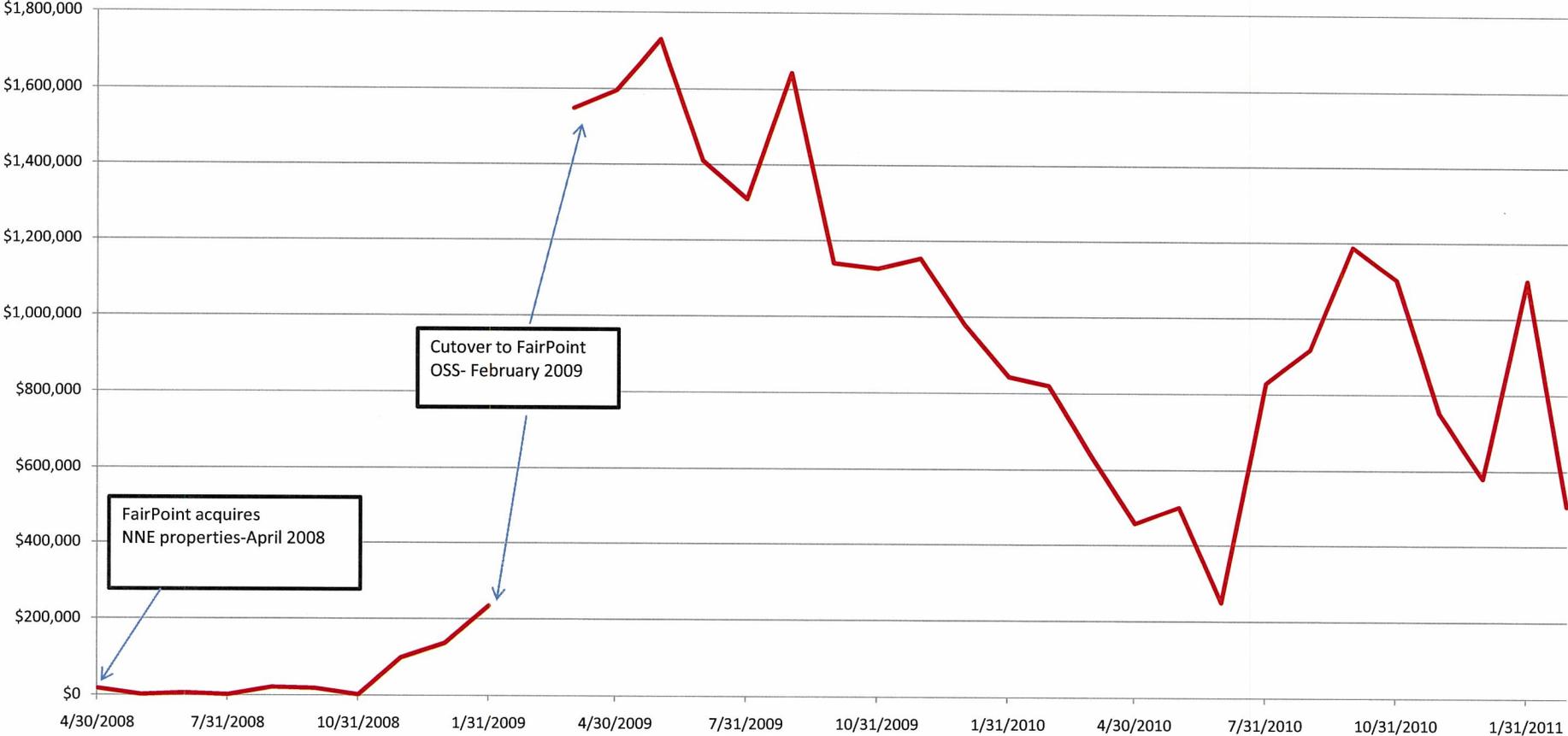
Feb-2011

	<u>Weighted</u> <u>Score</u>	<u>Market</u> <u>Adjustment</u>	
MODE OF ENTRY			
Unbundled Network Elements - Platform	-0.443	\$ 269,542	
Unbundled Network Elements - Loop	-0.156	\$ -	
Resale	-0.367	\$ 46,846	
Digital Subscriber Lines	-0.450	\$ 66,064	
Trunks	0.000	\$ -	
		<hr/>	
Mode of Entry Total			\$ 382,452
# CRITICAL MEASURES			
1 OSS Interface		\$ -	
2 % On Time Ordering Notification		\$ -	
3 Installation Performance		\$ 36,144	
4 % On Time Performance - LNP		\$ -	
5 Hot Cut Performance		\$ -	
6 Maintenance Performance		\$ 87,996	
7 Final Trunk Groups Blocked		\$ -	
8 Collocation		\$ -	
9 Resolution Processes		\$ -	
		<hr/>	
Critical Measure Total			\$ 124,140
Individual Rule Payments:			\$ 164
SPECIAL PROVISIONS			
UNE Ordering		\$ -	
UNE Flow Through		\$ -	
UNE Hot Cut Loop		\$ -	
Special Provision Total			\$ -
CHANGE CONTROL			\$ -
		<hr/>	
Grand Total			\$ 506,757

Under the Plan, -1 performance scores are subject to further adjustment based on two additional month's performance.

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NH PAP Credits April 2008- Feb 2011



ATTACHMENT

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1 Davis Farm Road
Portland, ME 04103

Industry Notification – Accessible Letter

Date:	November 3, 2010	Number: PRC 0104-11032010
Effective Date	November 3, 2010	Category: PAP Credits
Subject:	Update on PAP Credits – Issue Regarding Retroactive MOE Credits – ME, NH and VT credits posted	
Related Letters:		
Attachments:	N/A	
Target Audience	IXC, CLEC, Wireless, UNE	
Area Impacted:	ME, NH and VT	
Wholesale Customer Response deadline:	N/A	
Contact:	Send all Questions to: wholesalebilling@FairPoint.com	
Conference Call/Meeting	N/A	

Dear FairPoint Communications Wholesale Customer:

Recently a CLEC questioned FairPoint Communications' calculation of credits due under Section II.C.2 of the PAP. Specifically, FairPoint was asked to review whether any credits should have been doubled for the five mode of entry (MOE) measurements due to the failure to achieve certain performance levels during any three consecutive month period. Members of FairPoint Communications have closely reviewed the issue, as did the company's outside auditor. We have concluded that under the PAP guidelines credits should have been doubled for specific past periods of 2009 and 2010. Wholesale customers entitled to receive additional PAP credits will have the adjustments applied in the next 45 days.

Please refer all questions to wholesalebilling@fairpoint.com