

**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 of 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 in this docket; and it is

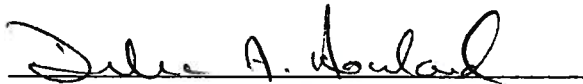
**FURTHER ORDERED**, that pursuant to N.H. Code Admin. Rules Puc 203.12, FairPoint shall notify all persons desiring to be heard by publishing a copy of this Order of Notice no later than August 3, 2011, in a newspaper with general circulation in those portions of the state in which operations are conducted, 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 proceeding 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.

A handwritten signature in black ink, appearing to read "Debra A. Howland", is written over a horizontal line.

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.