

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

August 4, 2017 - 1:39 p.m.
Concord, New Hampshire

16 AUG '17 AM 9:34

RE: DT 11-061
NORTHERN NEW ENGLAND TELEPHONE
OPERATIONS, LLC d/b/a FAIRPOINT
COMMUNICATIONS-NNE:
Petition for Approval of Simplified
Metrics Plan and Wholesale
Performance Plan.
*(Public Comment Hearing on
Replacement Bill Credit Payee
Following Repeal of the
Telecommunications Planning and
Development Fund)*

PRESENT: Chairman Martin P. Honigberg, Presiding
Commissioner Kathryn M. Bailey

Sandy Deno, Clerk

APPEARANCES: (No appearances taken)

Court Reporter: Steven E. Patnaude, LCR No. 52

**CERTIFIED
ORIGINAL TRANSCRIPT**

I N D E X**PAGE NO.**

Summary by Mr. Wiesner

3

PUBLIC COMMENT BY:

Mr. Meehan

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P R O C E E D I N G

CHAIRMAN HONIGBERG: Good afternoon.

We're here in Docket DT 11-061, regarding a Telecommunications Relay Service Fund as a substitute for certain FairPoint Wholesale Performance Plan incentive payments. That's from Staff's memo on this topic.

We're here for a public comment hearing, because the Legislature eliminated the fund where payments were going before. We need to decide what to do with the money now.

Mr. Wiesner, you want to set the scene a little bit for us.

MR. WIESNER: That was a good summary, Mr. Chairman. In 2014, the Commission issued orders approving a Wholesale Performance Plan that was developed through a stakeholder process with FairPoint, and filed with the Commission with a Settlement Agreement. In that order, the Commission directed that, if there were bill credits due to CLECs, which the CLECs had waived through commercial contracts, that FairPoint would nonetheless make payments as an enforcement mechanism to assure

1 compliance with the Wholesale Performance Plan,
2 and, as you noted, designated that those
3 payments would be made to the
4 Telecommunications Planning and Development
5 Fund, which has now been terminated by recent
6 legislation.

7 Staff proposed that the
8 Telecommunications Relay Service Fund would be
9 an appropriate fund substitute recipient for
10 those payments. And today's public comment
11 hearing is to see if that is a proposal which
12 the Commission should adopt.

13 CHAIRMAN HONIGBERG: There was a
14 secretarial letter issued on July 21st. It
15 scheduled this event. It also provides that
16 written comments can be submitted until August
17 11th, 2017.

18 MR. WIESNER: That's correct. And
19 yesterday, Mr. Ladam, Director of Regulatory
20 Innovation & Strategy for the Commission, with
21 responsibility for telecommunications matters,
22 filed a memo in support of the TRS Fund as a
23 substitute recipient.

24 CHAIRMAN HONIGBERG: Do we have

1 public to comment here today?

2 MR. MEEHAN: Yes, Mr. Chairman.

3 CHAIRMAN HONIGBERG: Hang on one
4 second.

5 *[Chairman Honigberg and*
6 *Commissioner Bailey conferring.]*

7 CHAIRMAN HONIGBERG: Mr. Meehan, you
8 appear to be it.

9 MR. MEEHAN: Yes. And let me begin.
10 I'm representing FairPoint Communications, a
11 consolidated communications company. And let
12 me begin by apologizing for my attire.
13 Appreciate the formality of this afternoon.

14 But, on behalf of FairPoint, we just
15 wanted to appear to speak on behalf that we
16 support the Staff recommendation.

17 CHAIRMAN HONIGBERG: All right.
18 Mr. Wiesner, is there anything else we need to
19 do, except wait for the influx of written
20 comments that will be coming in over the next
21 seven days?

22 MR. WIESNER: Unless the Bench has
23 probing questions for Mr. Meehan, I would say
24 no.

1 CHAIRMAN HONIGBERG: I don't think we
2 have any questions for Mr. Meehan. Thank you
3 for coming. We appreciate it.

4 So, we'll adjourn this public comment
5 hearing. Wait for written comments, if any,
6 and issue an order as quickly as we can.

7 ***(Whereupon the hearing was***
8 ***adjourned at 1:42 p.m.)***