

DT 07-011  
On-Going Monitoring and Event Triggered Reports

Track #	Reference	Description	Frequency	Recipient	Reporting Begins or Is Triggered By	Reporting Expires	Notes	Status
M1	P.8, Sec.2.1.8	Capital Expenditures	Quarterly	Director Telecom	Follows first quarter following close	No expiration	On-going. Report form and content to be approved by the Commission.	GAP
M2	P.17, Sec.3.8	Broadband Expansion	Semi-annually	Director Telecom	6 months following close	Until 95% availability achieved	On-going. Report form and content to be approved by the Commission.	TO DATE
M3	P.20, Sec.5.2	Remediation Plan for Service Quality Problems	One-time	Director Telecom	Two service quality measures are at less than 95% of the applicable standard for three consecutive months or at less than 90% of the applicable standard for 1 month.	No expiration	Event-triggered	No Trigger
M4	P.20, Sec.5.2	Resumption of Monthly Staffing Report for Failure to Meet QoS	Monthly	Director Telecom	Two service quality measures are at less than 95% of the applicable standard for three consecutive months or at less than 90% of the applicable standard for 1 month.	Until QoS standards achieved	Event-triggered	No Trigger
M5	P.20, Sec.5.2	Staffing by Function	Semi-annually	Director Telecom	1 year following close	No expiration	On-going	Future
M6	P.20, Sec.6	Financial: (a) "...quarterly and annual financial results in a manner to be approved by the Commission."		Director Telecom	7/1/2008	No expiration	On-going	TO DATE
		(b) "...copies of or links to all financial filings made with the FCC and SEC."		Director Telecom	Event triggered	No expiration	On-going	TO DATE
		(c) "...all revenues and charges to or from its regulated ILEC operations in New Hampshire, from or to any affiliated interest."	Annually	Director Telecom	After 4/1/09	No expiration	On-going	Future
		(d) "...allocations of revenues and costs among the three northern New England states."	Annually	Director Telecom	After 4/1/09	No expiration	On-going	Future
M7	P.20, Sec.7	Affiliate Agreements and Arrangements	When Revisions Are Made	Executive Director	As required by statute	No expiration	Statutory	No Trigger
M8	PP. 22-23, Sec. 8-4	Notice of "alternative arrangements" for third-party retail billing	One-time, conditional requirement	Director Consumer Affairs	If condition precedent is met, notice is required at least 3 months prior to cutover or May 1, 2008, whichever is earlier		This requirement applies only in the event FairPoint fails to secure vendor contracts	DONE
M9	P.26, Sec.10.4	Service Quality Performance	Monthly	Director Telecom	20 days following end of month	No expiration	On-going	TO DATE
M10	P.27, Sec.10.7.1 (P. 28, Sec. 10.7.6)	Double Pole Inventory and Removal	Quarterly (with monthly status reports, as necessary under Sec. 10.7.6)	Director Telecom	Within 6 months following close	On-going. When double pole inventory is 500 or less, report becomes annual.	If pole removal work is not completed by 7/3/11, FairPoint will submit monthly status reports until Sec. 10.7.1 is satisfied.	GAP
M11	P. 31, Sec. 10.8.2.1	Proposed remediation plan re: service quality limits on business acquisitions	Optional, one-time filing	Director Telecom	At FairPoint's option, any time after second anniversary of close		Prior to submitting a proposed plan at its own option, FairPoint will file a draft plan for Staff review	Future
M12	P.33, Sec.12.2.1	Notice of Transfer of Single Class of Assets Exceeding \$5 Million	Quarterly	Director Telecom	When single class of assets exceeding \$5 million is transferred	No expiration	Event-triggered	No Trigger

M13	Exhibit 3, Sec. 3.7	Report of investigation and corrective action re: customer trouble report standards		Director Telecom	30 days following third consecutive month metrics exceed the standard		For surveillance purposes, this requirement applies only to the extent a wire center is not covered by the Network Improvement Plan under Sec. 10.2 of the settlement agreement.	TO DATE
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- M1: There are gaps in filing coverage: FRP filed reports for the periods 4/1/08 - 6/30/08 and 4/1/08 - 12/31/08. There is also a gap between the detail provided and the Commission's needs, which include tracking broadband expansion. Staff will work with FRP per 2.1.8 to specify form and content of future reports.
- M2: Reports received Oct 2008 and April 2009.
- M3: 5.2 Uses Exhibit 3 Service Quality triggers. None of the targets have been below the threshold for more than one month.
- M4: 5.2 Uses Exhibit 3 Service Quality triggers. None of the targets have been below the threshold for more than one month.
- M5: First semi-annual report due 1-Oct-09.
- M6: c-d: Under the Transition Services Agreement Verizon was responsible for reporting on inter-state allocations through Jan 31, 2009.
- M7: This requirement is from the second sentence only of Sec 7: "Telco shall submit affiliate agreements and arrangements to the Commission in accordance with RSA 366." FRP has made no filings of changes. Staff will confirm with FRP that no agreements/revisions have been made.
- M8: On 30-Apr-08 FRP reported that it has contracted with CheckFree and supplied a list of 10 retail locations
- M9: Monthly reports on PUC public site. Additional information expected to be included in reports filed subsequent to FRP achieving business as usual status.
- M10: Reports filed Oct 2008 and Apr 2009, Jan 2009 not filed.
- M12: FRP has made no filings of asset transfers. Staff will confirm with FRP that no asset transfers triggering this requirement have occurred.

**DT 07-011  
Compliance Filings**

Track #	Reference	Description	Frequency	Recipient	Reporting Begins	Reporting Expires	Notes	
C1	P.12, 2.5.3	\$50 million infrastructure plan	One-time (with updates as appropriate)	Executive Director	Within 1 year of close	Initial plan filed; updated as appropriate	Review and approval process to be determined by Commission if necessary	GAP
C2	P.19, Sec.5.1	Staffing Status	Monthly	Director Telecom	30 days following close	Upon creation of full staffing efforts		TO DATE
C3	P. 22, Sec 8.3	Proposed retail billing format	One-time	Director Consumer Affairs	Earlier of 3 months prior to cutover or May 1, 2008		Filed for Staff review purposes	DONE
C4	P. 24, Sec 9.2	Commercial Agreements under Section 271 of the Telecom Act	Upon conclusion of any agreement that falls under this section	Director Telecom	After close		After 3 years, FairPoint may petition for a waiver	TO DATE
C5	P.25 Sec.9.5	Status Report on Assembling Pole Licensing and Administration Group	Monthly	Director Telecom	1 month after close	Upon creation of Pole Licensing and Administrative Group		DONE
C6	P.25, Sec.10.1	Progress on Network Improvement	Monthly	Director Telecom	1 month after close	Until full Network Improvement Plan is filed		TO DATE
C7	P.26, Sec.10.2	Network Improvement Plan	One-time	Executive Director	Earlier of: 3 months following cutover or August 1, 2008	Filed once		NOT FILED
C8	P.27, Sec.10.7.0	Double Pole Inventory	One-time	Director Telecom	Within 6 months following close	Filed once		DONE
		Double Pole Detailed Work Plan	One-time	Director Telecom	Within 6 months following close	Filed once		NOT FILED
C9	P.33, Sec.12.2.1	Asset Transfer Schedule Form	One-time	Director Telecom	After close	Filed once	Commission approval as to form and content if agreement not reached	Future

- C1: The 'preliminary plan' was filed on 3/31/09. It is not clear to Staff that all of the proposed investment is consistent with the requirements of 2.5.3. Staff will work with FRP to ensure the plan complies with the agreement.
- C3: The proposed billing format was received six weeks late (stamped June 12th 2008) and included many instances of "Verizon" and its trademarks (e.g., "Verizon Freedom" calling bundle) in the example. The OCA and Staff reviewed and recommended changes that did not appear in the final format.
- C4: FRP has filed no commercial agreements with the Commission and reports that it has concluded no such agreements per 9.2.
- C6: The agreement calls for FairPoint to file monthly reports on "progress on Network Improvement Plan" until the NIP is filed. FRP continues to file these, implicitly confirming that no full NIP has been filed.
- C7: FRP's Network Improvement reports are lists of individual work orders. There is no "root cause analysis" at the system level - for example, no analysis or even speculation about the quality of the OSP in particular geographic areas. The reports appear to be entirely reactive.
- C8: FRP filed its first inventory and status report on pole removal on 30-Sep-08. This contains the data required in quarterly reports on "inventory and removal of double poles" but does not include a "detailed work plan." For example, a plan would include quarterly targets for pole removal that would reach the target of 500 or less by 31-Jul-10.
- C9: This deliverable refers to part of 12.2.2.1: "an asset-type schedule, the form of which shall be agreed upon in good faith between FairPoint and Staff after the closing date. In the event FairPoint and Staff are unable to agree on the form of the asset-type schedule, the form of the schedule shall be determined by action of the Commission."



DT 07-011  
Reports Requiring Adjudicative Process

Track #	Reference	Description	Frequency	Recipient	Reporting Begins	Reporting Expires	Notes	Status
A1	P.13, 2.7	Final Credit Agreement	One-time	Executive Director (in camera)	No later than 10 calendar days before close	Filed once	Adjudicative only upon Commission in camera determination	DONE
A2	P.13, 2.8	Near-final description of notes	One-time	Executive Director (in camera)	No later than 2 business days after final order	Filed once	Adjudicative only upon Commission in camera determination	DONE
A3	P.15, 3.6	Plan to spend remainder of \$56.4 million on broadband if 95% availability has been achieved	One-time	Executive Director	62 months from close	Filed once	Requires Commission review and approval	Future
A4	P.20, Sec.7	Proposed Cost Allocation Manual (including budget pro-forma of 2008 charges to and from: affiliates, 3-state operation, and individual states)	One-time	Executive Director	Within 6 months following close	Filed once	Requires Commission review and approval	GAP

A2: Three copies filed on 27-Feb-08 for Commissioners only.

A4: This is the FairPoint Cost Allocation Manual. It was submitted on 30-Sep-08, prior to cutover without "detailed budgeting of pro forma of charges." Due to the delayed cutover from Verizon to FairPoint systems, Staff expects the pro forma to be completed and submitted once the Fairpoint systems are operating at business as usual status.

<b>DONE</b>	The item was filed in accordance with the agreement.
<b>TO DATE</b>	The item is to be filed on a recurring basis and filings are current.
<b>No Trigger</b>	The item is to be filed only when a particular event has occurred, and that event has not been reported.
<b>Future</b>	The item is to be filed at a future date.
<b>GAP</b>	The item was filed but in Staff's assessment does not fully meet all requirements of the agreement.
<b>NOT FILED</b>	The item has not yet been filed, although the agreement calls for a filing by now.