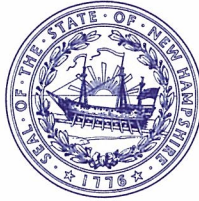


THE STATE OF NEW HAMPSHIRE

CONSUMER ADVOCATE
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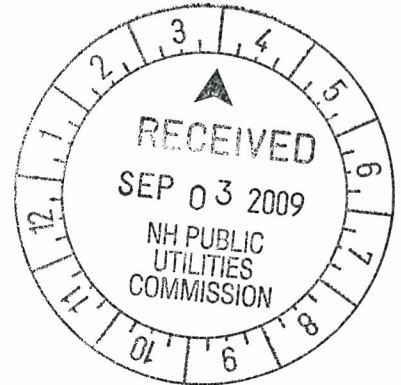
Website:
www.oca.nh.gov

OFFICE OF THE CONSUMER ADVOCATE

21 S. FRUIT ST., SUITE 18
CONCORD, NEW HAMPSHIRE 03301-2429

September 3, 2009

Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301-7319



RE: DT 07-011 FairPoint Communications, Inc.
Response to Secretarial Letter dated September 2, 2009

Dear Ms. Howland:

Late yesterday afternoon, the OCA received your letter inviting parties to propose questions for the Commission's use at the "status conference" scheduled for September 9, 2009. Your letter stated that proposed questions are due by the close of business on September 4, 2009, but proposed questions submitted after this deadline will also be considered.

The OCA will not be able to provide proposed questions before the September 4 deadline. The OCA may submit proposed questions after the deadline. However, as stated in a recent filing by CRC Communications of Maine, the OCA is inclined to believe that the time for questions has passed.

The OCA continues to object to the non-adjudicatory manner in which the Commission is conducting its regulatory oversight of FairPoint. We disagree with the use of "legislative style" hearings, during which neither interested stakeholders such as the OCA, nor members of the public have any opportunity to participate, and FairPoint's witnesses submit unsworn statements of fact. The Commission, and the public interest it is charged to protect, is ill-served by such a process.

Sincerely,

Meredith A. Hatfield
for Meredith A. Hatfield
Consumer Advocate

cc: Service List via electronic mail



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