#### THE STATE OF NEW HAMPSHIRE

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March 24, 2009

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Debra A. Howland Executive Director New Hampshire Public Utilities Commision 21 South Fruit Street, Suite 10 Concord, NH 03301

Re: DT 07-011, Verizon New England, Inc. et al and FairPoint Communications, Inc.

Transfer of Assets

Summary of Technical Session

Dear Ms. Howland:

On March 20, 2009, parties and Staff conducted a technical session according to Order No. 24,947. Participants included representatives from FairPoint Communications, Inc. (FairPoint), the Office of Consumer Advocate (OCA) and Staff. The technical session was scheduled to facilitate discovery and discuss procedural matters related to a hearing, scheduled for March 26, 2009, on FairPoint's motion for a limited modification of a condition of the merger.

On March 19, 2009, FairPoint filed a letter with the Commission seeking to withdraw its motion and to cancel the March 20 technical session and the March 26 hearing. The Commission, however, did not rule on FairPoint's request prior to the technical session, therefore, parties and Staff proceeded as scheduled.

At the technical session, FairPoint explained that it no longer sought the relief requested in its motion because it now intended to comply with the merger condition at issue. Because it no longer needed the relief sought, FairPoint opined that the hearing scheduled for March 26 was no longer necessary. OCA and Staff agreed that the March 26 hearing was no longer necessary and should be cancelled, but the OCA expressed its desire to obtain information from FairPoint relating to financial and other issues. FairPoint agreed it would work with OCA to provide the information OCA had requested about FairPoint's financial position.

In its Order No. 24,947, the Commission also scheduled a status conference to occur on April 3, 2009, "at which FairPoint shall provide a detailed description of its progress in the post-cutover process." The parties and Staff discussed procedural matters regarding the status conference and agreed that it would be preferable for the Commission to issue guidance as to the scope and format of the status conference. Specifically, the parties would like to know what information the Commission expects FairPoint to provide on the post-cutover transition, in order to produce appropriate witnesses, whether the Commission will allow questions of FairPoint witnesses from the parties and Staff, whether parties will be provided an opportunity to comment and whether FairPoint will be allowed to question the parties which provide comments.

Staff stated its desire to have FairPoint executive witnesses available to answer questions about cutover. The OCA agreed, and stated that it would like an opportunity to ask questions of FairPoint witnesses at the status conference. Staff and the OCA pointed out that CLECs would likely want similar opportunities, as well as the opportunity to provide their own information. FairPoint expressed significant concerns with respect to the Status Conference effectively being converted into an advocacy proceeding, and whether it would have the opportunity to ask questions of the CLEC representatives.

Sincerely yours,

Robert D. Hunt Staff Attorney

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