

July 21, 2008

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**BY HAND DELIVERY AND
ELECTRONIC MAIL**

Debra A. Howland, Executive Director
& Secretary
Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301



Re: DT 08-028 Hollis Telephone Co., Kearsarge Telephone Co., Merrimack County Telephone Co. and Wilton Telephone Co. Joint Petition for Authority to Block the Termination of Traffic from Global NAPs, Inc. (this "Docket")

Dear Ms. Howland:

This correspondence is submitted on behalf of Granite State Telephone, Inc., Dunbarton Telephone Company, Inc., Northland Telephone Company of Maine, Inc., d/b/a FairPoint Communications, Bretton Woods Telephone Company, Dixville Telephone Company and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE (the foregoing entities collectively herein referred to as the "Joint Intervenors"). This correspondence is submitted in response to the correspondence filed by Attorney Paul J. Phillips, counsel to the Joint Petitioners dated July 18, 2008.

The Joint Intervenors hereby concur in the submission filed by Attorney Phillips on behalf of the Joint Petitioners. Specifically, the Joint Intervenors do not believe the issues raised by Global NAPs, Inc. ("Global NAPs") via its correspondence dated July 16, 2008 warrant an evidentiary or other type of hearing. Several reasons exist for this position. First, the existing procedural schedule does not contemplate the Commission holding or conducting an evidentiary hearing. Second, the fact at issue – whether or not Global NAPs originates traffic – is not a fact which requires Commission determination and, therefore, the existence (or non-existence) of the fact at issue does not rise to a level which warrants an evidentiary hearing. Given the scope of the stipulated facts, the Joint Intervenors believe that the Commission does not need to decide factually whether or not Global NAPs originates traffic in order to decide whether the Joint Petitioners may block

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the further exchange of traffic between the Joint Petitioners and Global NAPs. *See* Joint Petitioners' Petition for Authority to Block the Termination of Traffic from Global NAPs, Inc., to Exchanges of the Joint Petitioners on the Public Switched Telephone Network, dated February 19, 2008, at Requests for Relief B and C.

In addition, Puc 203.23(d) allows the Commission to exclude "...irrelevant, immaterial or unduly repetitious evidence." Here, the Joint Petitioners have represented that the fact at issue is not material to their case in chief. Global NAPs failed to identify any reason why such a fact would be material or somehow dispositive of the outcome of this case. The Joint Petitioners submit that there is no good reason to hold an evidentiary hearing, and consume the parties and this Commission's time, over the existence of a fact not at issue in this Docket.

In light of the above and the submission made by Attorney Phillips on behalf of the Joint Petitioners, the Joint Intervenors hereby oppose Global NAPs' request for an evidentiary hearing and request the Commission to decide the issues in this Docket based upon the remaining stipulated facts and excluding Fact #9.

Thank you for your time and attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Patrick C. McHugh". The signature is written in a cursive, somewhat stylized font.

Patrick C. McHugh

PCM:kaa

cc: Electronic Service List