

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

DT 07-027

Kearsarge Telephone Company, Wilton Telephone Company, Inc.,
Hollis Telephone Company, Inc. And Merrimack County Telephone Company
Petition For Alternative Form Of Regulation

**AFFIDAVIT OF THOMAS E. MURRAY
REGARDING KEARSARGE TELEPHONE COMPANY**

The undersigned, Thomas E. Murray, being first duly sworn, deposes and says as follows:

1. My name is Thomas E. Murray, and my business address is 24 Depot Square, Northfield, Vermont 05663. I am employed by TDS Telecom Service Corporation ("TDS Telecom") as Manager - State Government Affairs in TDS Telecom's Government and Regulatory Affairs department. I have responsibility for the State Regulatory affairs and State Legislative affairs in Maine, New Hampshire, Vermont and New York. In early May of 2010, I was hired by TDS Telecom as a replacement for Michael C. Reed who previously held the position of Manager - State Government Affairs for TDS Telecom. My background includes twenty years in the telecommunications field including ~~nine~~ ^{Seven} years of employment with TDS Telecom, ~~five~~ ^{four} years with Rural Cellular Corp. and six years in Vermont state government. I have most recently served as the Vermont Chief Information Officer and Executive Director of the Vermont Telecommunications Authority. This affidavit is submitted on behalf of TDS Telecom's affiliate company, Kearsarge Telephone Company ("KTC").

2. The New Hampshire Public Utilities Commission (the "Commission") stated in its Order No. 25,103 issued on May 14, 2010 in Docket DT 07-027 (the "Order") as follows:

"The TDS Companies assert that a competitive alternative exists for the majority of customers in Andover, Boscawen, Chichester, Meriden, and New London by virtue of the CLEC certification held by Comcast. TDS did not, however, introduce evidence that Comcast was actually providing a competitive voice offering in any of those exchanges. As stated above, we recognize that these are evolving markets and that certification as a CLEC is intended in most cases to lead to offerings of service. Evidence establishing that Comcast is offering service as a CLEC in the exchanges of Andover, Boscawen, Chichester, Meriden and New London, will be sufficient to demonstrate that a competitive alternative is available. If, within 30 days of the date of this order, TDS files an affidavit establishing that a voice service is *currently being offered in those exchanges*, accompanied by print or other record of such advertisements being made public, it will meet its evidentiary burden."

Order at pp. 25-26. This affidavit responds to the foregoing provision of the Order.

3. The responsive evidence presented to the Commission herein is in three forms:
~~Comcast~~ ^{Comcast} web site marketing materials offering voice service to all of the foregoing exchanges,

local number ports for Andover, Boscawen, Chichester and New London, and a confirmed Comcast voice service order for a location in the Meriden exchange.

^{web page printouts, from a Comcast Authorized Dealer's}
4. KTC obtained ~~the screen shots from Comcast's~~ web site, attached hereto as

"Attachment A", specifically offering to provide voice service in each of the KTC exchanges of Andover, Boscawen, Chichester, Meriden and New London. These advertised offerings alone establish that Comcast is offering service as a CLEC in these exchanges.

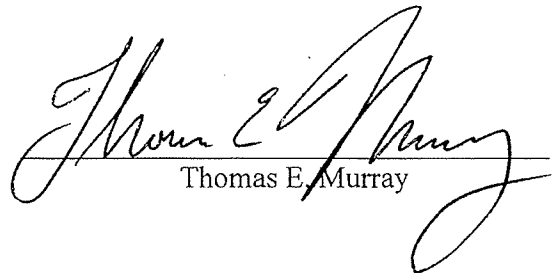
5. In addition, the number port evidence shows many instances in which KTC customers have moved to Comcast as their voice service provider while keeping their telephone numbers. The Local Number Portability Report, attached hereto as "Attachment B", was obtained from KTC's customer records system. It provides examples showing customer phone lines being ported to Comcast in the KTC exchanges of Andover, Boscawen, Chichester, and New London. The information on Attachment B has been marked "Confidential" and is

competitively sensitive and is submitted as confidential pursuant to RSA 378:43, as it pertains to the provision of competitive services; sets forth trade secrets or other confidential information falling within the scope of RSA 378:43, II(b); and is not general public knowledge or published elsewhere, KTC having taken measures to prevent dissemination of the information in the ordinary course of business.

6. With regard to the Meriden exchange, a confirmed service order was obtained from Comcast, attached hereto as "Attachment C", offering to provide at a home for sale in the Meriden exchange, Comcast's "triple-play" package that includes voice, video and data services. (My personal e-mail address has been redacted.)

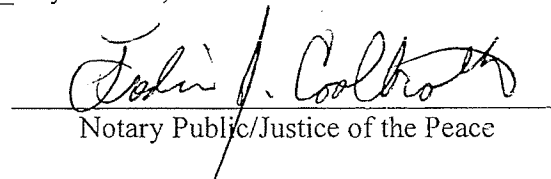
7. KTC believes that the information contained in Attachments A, B and C is fully responsive to the above-quoted provision of the Order and that this information expressly shows that Comcast is offering voice service in the exchanges of Andover, Boscawen, Chichester, Meriden and New London. Accordingly, KTC believes that it has made the requisite showing for the granting of its petition for an alternative form of regulation pursuant to the Order.

Dated this 10th day of June, 2010.


Thomas E. Murray

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

Sworn to and subscribed before me this 10th day of June, 2010.


Notary Public/Justice of the Peace

My Commission Expires:

9/13/2011