



By Hand Delivery and Electronic Mail

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June 20, 2014

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

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**Re: DT 14-102; William G. Whalen Complaint Against FairPoint Communications, Inc. – Rate Increase Dispute; Response of Northern New England Telephone Operations LLC d/b/a/ FairPoint Communications – NNE (“FairPoint”) to New Hampshire Legal Assistance’s Objection to FairPoint’s Motion for Confidential Treatment and Request for Protective Order.**

Dear Ms. Howland:

This letter is submitted in response to the objection filed by New Hampshire Legal Assistance (NHLA) on May 30, 2014. Specifically, FairPoint takes issue with and vehemently disagrees with the statement in paragraph nine of the objection whereby Mr. Feltes falsely asserts that “FairPoint’s continued effort to hide its basic service rate practices from the public is tiresome and contrary to its regulatory status.” This statement is made with no factual support. The sentence is rife with untoward express and implied accusations. This statement is false and misleading.

As you may recall, FairPoint met with you, Commission Staff and the Consumer Affairs Divisions Director shortly after the regulatory reform bill (Senate Bill 48) was enacted in August of 2012 to discuss various issues, including, but not limited to, basic services. Members of FairPoint also met with attorneys from the offices of NHLA in the same time period on many matters related to regulatory reform. These meetings were intended to answer questions each party had specific to regulatory reform, retail deregulation and the practical application of the changes to the law. FairPoint has also publically filed its rates for basic service as required by law and includes these along with the statutory definition of basic service in its catalogs posted



online. FairPoint also articulated at the hearing in this docket a willingness to meet with Commission Staff to further discuss the issue of the actual application of basic service in its many permutations and continues to be open to such a dialogue. Indeed, FairPoint also addressed many factual scenarios in the hearing that gave insight into its practices regarding customers with different factual situations that could impact the interpretation of when a customer is a basic service customer. Prior to this proceeding, FairPoint also worked with the Commission and its Staff in good faith to understand its interpretation of how adding long distance services impacts FairPoint's basic service analysis, and in fact changed its practices as a result of those conversations.

FairPoint's motion for confidential treatment and request for protective order is an effort to protect its confidential and internal methods and procedures from public access, which is an assertion of its rights at law. Further, the Commission and Staff have full rights to review this document and assess FairPoint's practices in this docket. Parties may disagree with each other's interpretation of the law related to basic service or one's rights to confidential treatment of certain documents, but to label this process an attempt to conceal FairPoint's business practices far exceeds the facts and is unfounded. FairPoint cannot let these statements stand unchallenged on the record.

Sincerely,

A handwritten signature in black ink that reads "Sean M. Galvin". The signature is written in a cursive, flowing style.

Sean M. Galvin

Enclosures: (Original and Seven (7) Copies)

Cc: Electronic Service List