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STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION

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May 25, 2017

NHPUC 25MAY'17PM2:18

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

**Re: DT 16-872, Consolidated Communications Holdings, Inc.  
Joint Petition for Findings in Furtherance of the Acquisition of FairPoint  
Communications, Inc. and its New Hampshire Operating Subsidiaries  
Filing of Revised Stipulation and Settlement Agreement**

Dear Ms. Howland:

Please find enclosed for filing with the Commission the original and six copies of a Revised Stipulation and Settlement Agreement (Revised Settlement Agreement) executed by Consolidated Communications Holdings, Inc., FairPoint Communications, Inc., and Commission Staff (Settling Parties), pursuant to N.H. Code Admin. Rules Puc 203.20.

The Revised Settlement Agreement is identical in substance to the Stipulation and Settlement Agreement filed on May 24, 2017, with the exception of Section II, Paragraph 19, which has been revised to read as follows:

The Settling Parties acknowledge and agree that, under currently applicable New Hampshire law, in the event that, following the closing of the Merger Transaction, creditors of Consolidated seek to sell or transfer all or any portion of Consolidated/FairPoint's network or other assets that are used to provide basic service and/or wholesale services in New Hampshire, no such sale or transfer may occur without the approval of the Commission.

The Revised Settlement Agreement is intended to replace in its entirety the Stipulation and Settlement Agreement filed on May 24, 2017, and it effectively resolves all issues regarding the

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subject matter of this docket and supports the findings required to be made by the Commission under RSA 374:30, II.

Pursuant to Puc 203.20(f), Commission Staff, on behalf of the Settling Parties, requests that the Commission accept the Revised Settlement Agreement as late-filed, because such acceptance will promote the orderly and efficient conduct of the proceeding and will not impair the rights of any party to the proceeding.

The Settling Parties also request that the Revised Settlement Agreement be entered into record evidence as Exhibit 42.

On behalf of the Settling Parties, Staff respectfully requests that the Commission consider and approve the Revised Settlement Agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "David Wiesner", with a stylized flourish at the end.

David K. Wiesner  
Staff Attorney

Enclosures  
cc: Service List

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**SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED**

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**Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.**

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Docket #: 16-872-1      Printed: May 25, 2017

**FILING INSTRUCTIONS:**

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:
- DEBRA A HOWLAND  
EXECUTIVE DIRECTOR  
NHPUC  
21 S. FRUIT ST, SUITE 10  
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.