

THE STATE OF NEW HAMPSHIRE

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**CONFIDENTIAL  
MATERIAL  
IN COMM FILE**



July 11, 2012

Debra A. Howland – Executive Director  
New Hampshire Public Utilities Commission  
21 S. Fruit St., Suite 10  
Concord, NH 03301

Re: DT 12-142, TDS Telecom-Merrimack County Telephone Co. & Wilton Telephone Co.  
Investigation into Decision of North American Numbering Plan Administrator  
Agreement on Investigation

Dear Ms. Howland:

On May 29, 2012, TDS Telecom, Inc., on behalf of Merrimack County Telephone Company and Wilton Telephone Company (collectively, TDS), filed a request with the Commission to overturn a decision of the North American Numbering Plan Administrator (NANPA) denying TDS' request for two additional central office codes. TDS contended that it had a need for the codes and that there were no other remedies available to it. TDS also stated that use of the codes would not contribute to waste or exhaust of numbering resources in New Hampshire.

Following a period of negotiation, Staff and TDS reached an agreement relative to TDS' request, signed on July 10, 2012, and filed herewith in confidential and public versions. The confidential version is redacted to protect information in line with TDS' previously filed motion for confidential treatment. The agreement confirms the temporary use of the codes by TDS, that the codes will be returned following the temporary period of use, and that use of the codes will not immediately jeopardize the supply of codes in New Hampshire. The agreement further confirms the Commission's authority over any issues relating to the agreement or any extension to it.

Staff and TDS request that the Commission accept and approve the agreement. Further, Staff and TDS recommend that pursuant to the agreement, the Commission overturn the decision of NANPA to deny TDS' request for two additional codes.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew J. Fossum".

Matthew J. Fossum  
Staff Attorney

**PUBLIC**

**AGREEMENT BETWEEN TDS TELECOM, INC. AND THE COMMISSION STAFF**

This AGREEMENT ("Agreement") is executed and effective as of the \_\_\_ day of July, 2012, by and between TDS TELECOM, INC. and the Staff of the New Hampshire Public Utilities Commission (the "Staff").

**RECITALS:**

TDS is beginning the process of [REDACTED] in the service territories of Wilton Telephone Company and Merrimack County Telephone Company. This process will [REDACTED] codes ("NXX codes") obtained from the North American Numbering Plan Administrator ("NANPA"), a delegatee of the Federal Communications Commission ("FCC").

The Central Office Code Assignment Guidelines employed by NANPA establish number utilization requirements. These requirements exist for the purpose of conserving numbering resources, which the Commission has a statutory duty to pursue under RSA 374:59. TDS does not meet the requirements to obtain additional numbering resources. TDS and the Staff agree that the NXX codes will be used only on a temporary basis, and that the assignment of these codes will not immediately jeopardize the supply of codes within the 603 Numbering Plan Area.

Accordingly, the parties agree as follows:

**AGREEMENT**

1. TDS agrees the Commission has jurisdiction to adjudicate any disputes or issues that arise from this agreement, if necessary, pursuant to RSA 374:59.
2. TDS shall utilize the two NXX codes [REDACTED]
4. TDS agrees [REDACTED] return the [REDACTED] codes [REDACTED] within [REDACTED] months [REDACTED] or by [REDACTED], whichever is earlier.
5. TDS may request [REDACTED] extension [REDACTED], subject to Commission approval.
6. TDS agrees to participate in number pooling in each of its New Hampshire exchanges.

**PUBLIC**

- 7. Staff supports TDS's request for waiver of NANPA's denial of numbering resources, and recommends the Commission grant the waiver, consistent with the terms herein.

Duly executed as of the day and year first above written.

TDS Telecom, Inc.

By: \_\_\_\_\_

Name:

Title:

NEW HAMPSHIRE PUBLIC UTILITIES  
COMMISSION STAFF

By: \_\_\_\_\_

Name:

Title: