

June 3, 2009

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VIA HAND DELIVERY

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



Re: DT 07-011; Verizon New England Inc., et al. and FairPoint Communications, Inc.
Transfer of Assets

Dear Ms. Howland:

On behalf of Northern New England Telephone Operations LLC d/b/a FairPoint Communications - NNE and FairPoint Communications, Inc. (collectively, "FairPoint"), this will serve as a response to the Staff Report, dated June 2, 2009 (the "Staff Report") submitted by Staff Attorney/Hearings Examiner Robert D. Hunt. The Staff Report makes several recommendations to the Commission based upon discussions between members of Staff, the Office of Consumer Advocate and FairPoint during various time frames on Monday and Tuesday, June 1 and 2, 2009 (respectively). By this response, FairPoint wishes to note its agreement with several of the recommendations and requests that the Commission not adopt other of the recommendations.

As a first matter, FairPoint believes that its approach to collecting past due amounts from its customers to be economically prudent and commercially reasonable. FairPoint should not be handicapped in its ability to collect sums due from customers that do not pay for services provided. Nonetheless, FairPoint agrees to abide by the recommendations in the Staff Report with respect to the collection and provision to the Commission of the seven (7) items of information requested on page 2 of the Staff Report related to the issuance of the 2,775 disconnection notices to New Hampshire residents with the levels of past due amounts owed to FairPoint as referenced in the Staff Report. FairPoint will provide this information on a weekly basis as recommended in the Staff Report.

Concerning the staggering of the issuance of the notices of disconnection, FairPoint requests that the Commission not adopt this recommendation. No other state regulatory agency has required FairPoint to implement such a measure. FairPoint believes that issuance of the notices over a three week period of time is not justified and only will hinder/delay collection efforts. FairPoint hereby represents that its collection center, which is separate and distinct from FairPoint's customer service center, is well equipped and staffed to address incoming calls from customers in response to the notices already sent in Maine and Vermont, as well as the notices to be sent in New Hampshire.

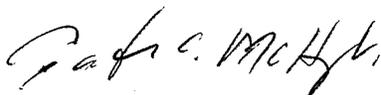
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FairPoint also does not agree with the remaining recommendations as made “[f]or any subsequent collection activity...” (on page 2, second full paragraph). FairPoint respectfully suggests that such recommendations greatly restrict FairPoint’s ability to run its business, are overbroad and burdensome. There is no reason to permanently restrict collection activities nor is there reason to impose detailed burdensome reporting requirements on FairPoint. However, FairPoint will agree to continue discussions with Staff and the Consumer Advocate on a reasonable approach to collection efforts which FairPoint undertakes for those customers presently identified as being delinquent. FairPoint suggests that this dialogue continue at the Technical Session on financial issues that FairPoint must participate in on or before June 15, 2009.

Due to scheduling issues and ongoing business activities that must be addressed by June 30, 2009, Mr. Alfred Giammarino is not available to travel to New Hampshire on or before June 15, 2009. Mr. Thomas Griffin, FairPoint’s Treasurer, is available to attend a Technical Session in New Hampshire on Tuesday, June 9, 2009. FairPoint understands that June 9 is an agreeable date for the Commission’s Staff and the Consumer Advocate. FairPoint will work with members of the Staff and the Consumer Advocate to schedule the technical Session for that day. FairPoint requests that the Commission find that Mr. Griffin’s attendance is sufficient. Mr. Griffin will address questions related to the collection efforts at issue as well as questions related to FairPoint’s financial status.

Thank you for the consideration of these issues, and your bringing FairPoint’s concerns to the Commission’s attention. A compact disk containing an electronic version of this correspondence is enclosed herewith as are seven (7) photocopies.

Very truly yours,



Patrick C. McHugh

PCM:kaa

Enclosures

cc: Office of Consumer Advocate
Electronic Service List