

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

DT 13-068

**Northern New England Telephone Operations
d/b/a FairPoint Communications – NNE**

**Petition to Construct and Maintain Temporary Telecommunications
Cables across a New Hampshire Railroad**

EXPEDITED MOTION TO EXTEND PUBLICATION DATE AND SCHEDULE

Northern New England Telephone Operations, LLC d/b/a/ FairPoint Communications-NNE, (“FairPoint”) hereby moves to extend the publication, notice and comment dates that the Commission established in its Order No. 25,508 in the subject proceeding. In support of this Motion, FairPoint states as follows:

1. On May 10, 2013, the Commission issued its Order *Nisi* No. 25,508 granting FairPoint’s request for a license to temporarily construct and maintain an aerial plant crossing a state-owned railroad in the town of Somersworth New Hampshire..
2. In that Order *Nisi*, the Commission directed FairPoint to publish and distribute notice of the Order, and it established a schedule for interested parties to submit their comments or file a written request for a hearing. Specifically, the Order *Nisi* directed FairPoint to provide a copy of the Order *Nisi* to: (i) the Town Clerk of Somersworth, New Hampshire; (ii) the New Hampshire Attorney General and the owners of the land bordering on the railroad at the location of the crossing; and (iii) the Department of Transportation, as well as cause a summary of this Order *Nisi* to be published once in a statewide newspaper, all by May 20, 2013.

3. Furthermore, the Order *Nisi* established a schedule in which interested parties would submit their comments or file a written request for a hearing no later than May 28, 2013, and any responses to such filings would be filed no later than June 4, 2013. Predicated on this schedule, the Order *Nisi* bore an effective date of June 10, 2013.

4. Due to a clerical error, FairPoint inadvertently failed to provide notice to any of the designated parties, nor did it effect the publication of the summary in any newspaper.

5. Accordingly, FairPoint respectfully requests that the Commission extend the publication date and modify the procedural schedule as follows:

Notice to designated parties	June 14, 2013
Publication in newspaper	June 14, 2013
Comments/Requests for Rehearing	June 24, 2013
Reply comments	July 1, 2013
Filing of Affidavits	July 8, 2013
Revised effective date	July 15, 2013

6. Furthermore, given that no parties intervened in the original proceeding, and that the proposed schedule allows for public comment, FairPoint respectfully requests that the Commission waive its Rule 203.07(e) and grant this Motion on an expedited basis before the prescribed 10-day period has transpired.

WHEREFORE, FairPoint respectfully requests that the Commission grant an extension of the schedule as described herein.

Respectfully submitted,

NORTHERN NEW ENGLAND TELEPHONE
OPERATIONS LLC, d/b/a
FAIRPOINT COMMUNICATIONS-NNE

By Its Attorneys,
DEVINE, MILLIMET & BRANCH,
PROFESSIONAL ASSOCIATION

Dated: June 5, 2013

By: 

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