

**BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION**

Docket No. DT 18-175

Dixville Telephone Company Petition to Discontinue Operations

STIPULATION OF FACTS

Pursuant to N.H. Code Admin. Rules Puc 203.20, which provides for the filing of stipulations of facts in writing with the Commission when the parties agree upon those facts, Dixville Telephone Company (Dixville), New Cingular Wireless PCS, LLC (AT&T Mobility) (with respect to stipulation items 17-19 only), and Staff of the New Hampshire Public Utilities Commission (Staff), for the purpose of limiting the issues to be adjudicated in this proceeding, hereby stipulate and agree that the following facts are undisputed:

Telephone Numbers

1. The Dixville Notch exchange consists of one exchange, 603-255, which has not been pooled. Dixville is the code holder for the entire exchange.
2. No numbers have been ported out of the Dixville Notch exchange, and Dixville has no experience with the porting process. In order to port numbers from the Dixville Notch exchange, Dixville would have to develop expertise with the mechanics and relationships required to release its numbers to another carrier.
3. All of the Dixville customers will have service disconnected prior to Dixville's discontinuance.
4. Discontinuance will create a clean code with no contaminated blocks, which could be reassigned to a more populated rate center in New Hampshire.

Landline Alternatives

5. The closest incumbent local exchange carrier (ILEC) ETC is Consolidated Communications, whose service territory surrounds Dixville on all sides. Colebrook is the closest Consolidated exchange to Dixville. According to historic central office mileage data, the distance between the Colebrook and Dixville central offices is ten air miles. The next closest Consolidated exchange is Errol, at a distance of 10.33 air miles from the Dixville central office.
6. If another ILEC were designated as an ETC for Dixville, the newly-designated provider would have to assimilate Dixville's switch, requiring programming and system changes, or install a new switch, which would incur investment costs with little customer revenue to recover that investment.
7. Staff posited a solution in which the Commission might order Consolidated to serve the single basic service residential customer with Colebrook basic service. This solution would entail constructing a line from the closest Consolidated copper plant (*i.e.*, the "meet point" between Dixville and Consolidated) to the customer premise. Portions of this line may already exist, but the entire line does not exist and any missing portions would have to be newly constructed. Once constructed, the customer would be issued a number out of the Colebrook exchange and receive Consolidated dial tone at Consolidated's basic service rates.
8. The following factors weigh against the foregoing solution:
 - a. There is no indication that the residential customer would support this solution.
 - b. The cost of providing service would not be covered by Consolidated's current monthly charges for basic service.

- c. The service could be provided at a higher rate (for instance, foreign exchange line rates), but, even at a higher rate, the cost of providing service would not be covered in the event of service calls or other routine maintenance.

Wireless Alternatives

9. According to the Universal Service Administration Company (USAC), there are nine wireless carriers that have been afforded ETC status, two of which recently relinquished their ETC status. Of the seven remaining wireless ETCs, six affirmed that they provide service in the Dixville area. The six carriers range in cost from \$8.33 per month to \$60 per month. One of the carriers has its own network; the others use a combination of AT&T, Sprint and Verizon Wireless to provide service.
10. Staff requested service and rate information from the seven ETC carriers, which is set out on the chart attached as Exhibit A.
11. Staff also conducted testing using approved FCC methodologies for determining cell phone data speeds and determined that two additional, non-ETC, wireless carriers provide service in the area near the residential customer's premises. A map of the testing is attached as Exhibit B (redacted and confidential versions).
12. Dixville's sole residential customer has advised the Commission that he presently uses his cell phone as his primary voice line and his landline as a back-up. The customer has also confirmed that he does not object to Dixville's petition to cease operations. A copy of the residential customer's letter to the Commission is attached as Exhibit C.

Financial Matters

13. With respect to Dixville's balance sheet (provided in response to Staff 1-3), the value of plant in service will be \$0 (fully depreciated) in 10.5 years.

14. With respect to Dixville's balance sheet, Dixville's cash on hand at the close of 2018 is \$42,109.
15. With respect to Dixville's income statement (provided in response to Staff 1-3), the bulk of the revenues are subsidies distributed through USF (federal universal service fund) and NECA (National Exchange Carrier Association). Both of these sources are expected to diminish over time; however, an accurate projection of the rate and timing of those reductions is not available.
16. Attached hereto as Exhibit D are Dixville's responses to Staff 1-3, Dixville's balance sheets and income statements for 2013 through 2018.


Wholesale Services

17. Dixville has one wholesale customer, AT&T Mobility, for which it provides 6 DS 1 special access circuits that carry traffic from a cell site within the Dixville Notch exchange.
18. AT&T Mobility has been negotiating with Consolidated Communications to install facilities that would replace the DS1s provided by Dixville. AT&T Mobility expects the replacement facilities to be operational by June 30, 2019.
19. Dixville has agreed to keep its DS 1s in service for a period of 30 days from the issuance of final regulatory authority for Dixville to discontinue operations.

AT&T Mobility joins in this Stipulation of Facts only with respect to items 17-19; AT&T Mobility does not object to any of the other stipulations set forth herein.

Dated: March 17, 2019

Dixville Telephone Company

By: 
Name: PAUL J. PHILLIPS
Title: ATTORNEY OF RECORD

Dated: March __, 2019

New Cingular Wireless PCS, LLC

By: _____
Name: _____
Title: _____

Dated: March __, 2019

Staff of the New Hampshire Public Utilities
Commission

By: _____
Name: _____
Title: _____

Dated: March __, 2019

Dixville Telephone Company

By: _____

Name: _____

Title: _____

Dated: March 12, 2019

New Cingular Wireless PCS, LLC

By: James A. Huttenhower

Name: James A. Huttenhower

Title: Attorney of Record

Dated: March 12 2019

Staff of the New Hampshire Public Utilities
Commission

By: David K. Wiesner

Name: David K. Wiesner

Title: Attorney for Staff

Executive.Director@puc.nh.gov

amanda.noonan@puc.nh.gov

david.wiesner@puc.nh.gov

jh7452@att.com

karen.moran@puc.nh.gov

kathryn.mullholand@puc.nh.gov

Mary.Schwarzer@puc.nh.gov

ocalitigation@oca.nh.gov

pPhillips@primmer.com

Docket #:

SERVICE LIST - DOCKET RELATED

Printed: 3/12/2019

NIIPUC
21 S. FRUIT ST. SUITE 10
CONCORD NH 03301-2429

JAMES A HUTTENHOWER
AT&T
225 W RANDOLPH ST STE 25-D
CHICAGO IL 60606
jh7452@att.com

KAREN MORAN
NII PUBLIC UTILITIES COMMISSION
21 SOUTH FRUIT ST STE 10
CONCORD NH 03301
karen.moran@puc.nh.gov

KATH MULLHOLAND
NEW HAMPSHIRE PUBLIC UTILITIES
COMMISSION
kathryn.mullholand@puc.nh.gov

OCA LITIGATION
OCA LITIGATION
21 SOUTH FRUIT ST STE 18
CONCORD NH 03301
ocalitigation@oca.nh.gov

PAUL J PHILLIPS
PRIMMER PIPER EGGLESTON &
CRAMER PC
PO BOX 3600
MANCHESTER NH 03105-3600
pphillips@primmer.com

MARY SCHWARZER
NEW HAMPSHIRE PUBLIC UTILITIES
COMMISSION
mary.schwarzer@puc.nh.gov

DAVID K WIESNER
NEW HAMPSHIRE PUBLIC UTILITIES
COMMISSION
21 SOUTH FRUIT ST STE 10
CONCORD NH 03301
david.wiesner@puc.nh.gov