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March 24, 2022

Daniel C. Goldner, Chair  
N.H. Public Utilities Commission  
21 South Fruit Street  
Concord, NH 03301

RE: DT 22-007, Kearsarge Telephone Company Petition to Modify  
Service Territory Boundaries in the Town of Salisbury

Dear Chair Goldner:

On February 14, 2022, Kearsarge Telephone Company (KTC), an affiliate of TDS Telecom (TDS), filed with the Commission a request to modify its franchise area boundary in the Town of Salisbury. KTC is the incumbent local exchange carrier, operating as an excepted local exchange carrier, serving the Salisbury telephone exchange, which serves the majority of the Town of Salisbury. According to KTC, a small corner of southwest Salisbury receives telephone service from its affiliate, Merrimack Country Telephone Company, and the northeast corner of Salisbury is served by Consolidated Communications of Northern New England (Consolidated) out of the Franklin telephone exchange.

KTC requests that the Commission approve a boundary modification such that twenty-seven customers in the northeast corner of Salisbury, currently receiving telephone service from Consolidated, would now have the option of receiving telephone service from KTC. KTC represents it has obtained Consolidated's consent to the proposed boundary modification, with the understanding that KTC will become the incumbent local exchange carrier for customers in the proposed transfer area; however, Consolidated will continue to maintain its facilities in that area and will provide service to any customer choosing to receive service from Consolidated. KTC and Consolidated have agreed to the transfer of Consolidated's basic exchange franchise obligations to KTC in the transferred area. The franchise boundaries of the companies would be modified to reflect this agreement and the Commission's approval. The proposed modification does not involve the conveyance of any utility assets between the two companies.

Department of Energy staff have reviewed the request filed by KTC in the above-referenced proceeding and have conducted informal discovery with KTC and Consolidated. DOE staff understand that the boundary modification proposal was prompted by the Town of Salisbury's request for KTC to extend its fiber optic service to the twenty-seven homes that are the subject of the petition. The proposed boundary modification, if approved, would provide the affected customers with access to high-speed, fiber-fed internet service, as well as access to voice service from KTC and access to TDS's television service provided under an existing cable franchise agreement with the Town of

Salisbury. The service offerings would be the same as those provided to current KTC customers in the Town. Consolidated would continue to serve eleven customers in the Town of Salisbury from the Franklin telephone exchange, providing voice and DSL service.

The twenty-seven customers affected by the proposed boundary modification would have the option of remaining with Consolidated or taking service from KTC. Customers choosing KTC for voice service would need to change their landline telephone number so as not to create disparities in local calling areas or complicate routing of 911 calls. Further, while the telephone switching equipment of the former ILECs, now treated as ELECs under state law, is configured in such a way as to allow for the porting out of telephone numbers to a competitive telecommunications provider, DOE staff are aware of no federal requirement to allow for the porting in of numbers from other exchanges.

The Department has determined that KTC has the technical, managerial, and financial expertise necessary to carry out the obligations of an incumbent local exchange carrier as described in RSA 362:8 and RSA 374:22-p. The boundary modification was requested of KTC by the Town of Salisbury on behalf of the affected customers to provide those customers with access to fiber services, providing a benefit for those customers. KTC's proposed plan for notifying affected customers of the new services that would be available appears to be appropriate. Although changing telephone numbers may be inconvenient, the choice to do so will be made by the affected customers. Accordingly, the Department recommends that the Commission approve the boundary modification as proposed by KTC in the petition.

Sincerely,

*/s/ David Wiesner*

David K. Wiesner  
Legal Director/Sr. Hearings Examiner

cc: Amanda O. Noonan  
Docket Service List