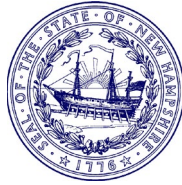


STATE OF NEW HAMPSHIRE

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September 28, 2023

Daniel C. Goldner, Chairman
New Hampshire Public Utilities Commission
21 South Fruit Street
Concord, NH 03301

Re: DT 23-078 TDS Telecom Interconnection Agreement between TDS Telecom and Bar Tell USA, LLC – DOE Deadline for Recommendation

Dear Chairman Goldner:

On August 28, 2023, TDS Telecommunications LLC (TDS) and Bell Tell USA, LLC filed a joint request for the Public Utilities Commission (Commission) to approve, pursuant to 47 U.S.C. § 252(e), an interconnection agreement (Agreement) that was adopted by negotiation between the two companies. On September 11, 2023, the Commission issued a procedural order requesting that the New Hampshire Department of Energy (Department) provide its legal opinion as to whether the Commission has jurisdiction over the interconnection agreement given 47 U.S.C. § 252(e), 47 U.S.C. § 153(48), and RSA 374:22-p. In addition, if the Department concludes the Commission does have jurisdiction over the interconnection agreement, the Commission requested that the Department's filing include its recommendation on the joint request. The Commission requested that the Department submit this filing by September 29, 2023.

The Department submits this letter to request the Commission allow for more time for the Department to review the agreement and provide its recommendation. Specifically, the Department asks that the Commission amend the deadline for the Department to file its recommendation to October 13, 2023.

Section 47 USC 252(e)(2)(A) requires the Commission to approve a negotiated interconnection agreement unless it is determined that the Agreement, or some portion of it, discriminates against a telecommunications carrier not a party to the agreement or that the implementation of the Agreement would not be consistent with the public interest, convenience, and necessity. If the Agreement is adopted by negotiation, rather than arbitration, and the Commission does not act to approve or reject the agreement within 90 days after submission by the parties, the agreement is be deemed approved. *See* 47 USC § 252(e)(4). The Department has spoken with counsel for TDS who confirmed this agreement was reached through negotiation. Thus, the Department's requested deadline is well within this 90-day timeframe and as such, no party would be adversely affected by this extended deadline.

Sincerely,

A handwritten signature in black ink that reads "Matthew C. Young".

Matthew C. Young
Hearings Examiner/Staff Attorney

cc: Docket Service List

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A A A



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Docket# : 23-078

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