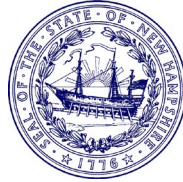


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DEPARTMENT OF ENERGY
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

October 13, 2023

Daniel C. Goldner, Chair
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301

RE: DT 23-078 Interconnection Agreement between TDS Telecom and Bar Tell USA, LLC

Dear Chair Goldner:

On August 28, 2023, TDS Telecom filed a request for approval of an Interconnection Agreement between TDS Telecom and Bar Tell USA, LLC (Bar Tell), pursuant to 47 U.S.C. § 252(e). Bar Tell is an ELEC registered with the Department of Energy as a public utility in the state.

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.

In their filing, TDS Telecom states that the Interconnection Agreement is the result of arms-length negotiations between the two parties, does not discriminate against any other telecommunications carrier, and is consistent with the public interest, convenience, and necessity. TDS Telecom also asserts that approval of the Interconnection Agreement will increase competition and is likely to benefit New Hampshire consumers. After review, Department staff found no evidence to dispute these claims. As such, the Department recommends approval of the Interconnection Agreement.

The Department would also note that between at least 2018 and July 2021, the Commission has approved interconnection agreements via secretarial letter rather than Order *Nisi*. The Department would support either a functional equivalent to a secretarial letter or Order *Nisi* for approval.

Sincerely,

A handwritten signature in cursive script that reads "Matthew C. Young".

Matthew C. Young
Staff Attorney/Hearings Examiner
New Hampshire Department of Energy

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