

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DT 23-078

TDS TELECOMMUNICATIONS LLC

**Interconnection Agreement Between TDS Telecommunications LLC and
Bar Tell USA, LLC**

Order *Nisi* Approving Interconnection Agreement

ORDER NO. 26,927

January 5, 2024

In this order, the Commission approves on a *nisi* basis TDS Telecommunications LLC's request for Commission approval of an interconnection agreement with Bar Tell USA, LLC, pursuant to 47 U.S.C § 252(e).

I. BACKGROUND

On August 28, 2023, TDS Telecommunications LLC (TDS Telecom) and Bar Tell USA, LLC (Bar Tell) filed a joint request for the Commission to approve, pursuant to 47 U.S.C. §252(e), an interconnection agreement between the two companies (Agreement Proposal). This interconnection agreement was executed by TDS Telecom and Bar Tell on August 17, 2023. The Agreement Proposal and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are available on the Commission's website at <https://www.puc.nh.gov/Regulatory/Docketbk/2023/23-078.html>.

In the Agreement Proposal, TDS Telecom states that the interconnection agreement is the result of arms-length negotiations between TDS Telecom and Bar Tell, does not discriminate against any other telecommunications carrier, and is consistent with the public interest, convenience, and necessity, as required by the standards of 47 U.S.C. §252. TDS Telecom also asserted that approval of the

interconnection agreement will increase competition and is likely to benefit New Hampshire consumers.

On September 11, 2023, the Commission issued a procedural order requesting that the New Hampshire Department of Energy (DOE) provide its recommendation regarding the Agreement Proposal by September 29, 2023. On September 28, 2023, the DOE filed a request for an extension of this filing deadline to October 13, 2023, which was granted by the Commission in a procedural order issued on September 29, 2023. The DOE filed its recommendation on October 13, 2023, as requested, wherein the DOE stated that it recommends approval of the Agreement Proposal, insofar as the staff of the DOE found no evidence to dispute the arguments made in support of the Agreement Proposal by TDS Telecom. No other comments regarding the Agreement Proposal have been filed in this docket.

II. COMMISSION ANALYSIS

The Federal law standard of 47 U.S.C. §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. 47 U.S.C. §252(e)(2)(A).

Having reviewed the Agreement Proposal, we concur with the DOE, and TDS Telecom, that this standard of review has been met, as there is no evidence of a discriminatory impact against other participants in the telecommunications market, nor any evidence of an adverse impact to the public interest, convenience, and necessity, arising from implementation of the Agreement Proposal. We will therefore

approve the Agreement Proposal, on a *nisi* basis, with an effective date of February 2, 2024.

Based upon the foregoing, it is hereby

ORDERED NISI, that subject to the effective date below, the proposed interconnection agreement between TDS Telecommunications LLC and Bar Tell USA, LLC, as delineated in the Agreement Proposal, is APPROVED; and it is

FURTHER ORDERED, that TDS Telecommunications LLC shall post a copy of this order *nisi* on its website, such notice to be made no later than January 9, 2024, and to be documented by affidavit filed with the Commission on or before January 17, 2024; and it is

FURTHER ORDERED, that all persons interested in responding to this order be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than January 24, 2024, for the Commission's consideration; and it is

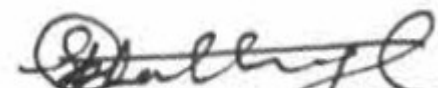
FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than January 31, 2024; and it is

FURTHER ORDERED, that this order shall be effective February 2, 2024, unless TDS Telecom fails to satisfy the publication obligation as set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date.

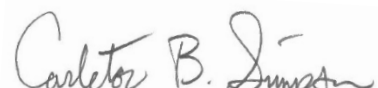
By order of the Public Utilities Commission of New Hampshire this fifth day of January, 2024.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner



Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket#: 23-078

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