

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

Docket No. DT 23-103

Consolidated Communications Holdings, Inc. and Condor Holdings, LLC

Petition of the Town of Greenfield for Intervention

Pursuant to N.H. Code Admin. Rules Puc 203.1 and 203.17, and in accordance with the standards of RSA 541-A:32, the Town of Greenfield (“Town”) hereby petitions to intervene in the above-captioned docket. In support of its petition, the Town states as follows:

1. Rule Puc 203.17 provides that the Commission shall grant petitions to intervene in accordance with the standards of RSA 541-A:32.
2. RSA 541-A:32, part of the Administrative Procedure Act, provides that a petition to intervene shall be granted upon a showing that the petitioner has “rights, duties, privileges, immunities or other substantial interests” that may be affected by the proceeding, and “the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention.”
3. The Town is a municipal corporation duly organized pursuant to New Hampshire law.
4. Consolidated Communications Holdings, Inc. (“Consolidated”) entered into a Master Services Agreement in accordance with RSA 33:3-g (“Agreement”) with the Town on October 7, 2021, to provide for the furnishing, construction, and installation of facilities and equipment to make available to all Town residents and businesses fiber broadband internet network capabilities.

5. Pursuant to the Agreement, Consolidated (or its subsidiaries or assignees) is responsible for the continued maintenance and service of the fiber network.

6. Pursuant to the Agreement, Consolidated (or its subsidiaries or assignees) are further responsible for making periodic scheduled bond payments to the Town as part of the funding mechanism used to secure financing for the fiber network project.

7. To date, installation of the network is complete and Consolidated has started making the agreed upon bond payments.

8. The maintenance and customer service of the fiber network and infrastructure which deliver the services is of vital concern to the economic, educational, social and health interests of the residents of the Town.

9. The continued bond payments by Consolidated (or its subsidiaries or assignees) pursuant to the Agreement is likewise of vital concern to the economic, educational, social and health interests of the residents of the Town.

10. On December 27, 2023, Consolidated and Condor Holdings, LLC (“Condor”) filed a Joint Petition (“Petition”) to transfer indirect ownership and control of Transferor’s (Consolidated) incumbent local exchange carrier (“ILEC”) subsidiaries Consolidated Communications of Northern New England Company, LLC (“CCNE”) and Consolidated Communications of Maine Company (“CCM,” and together with CCNE, “Consolidated”) to Transferee (Condor) pursuant to RSA 374:30, II.

11. On its face, the Petition seeks permission to transfer and assign all of Consolidated’s ownership, duties, and control (including its construction, maintenance, and payment obligations pursuant to the Agreement) to Condor.

12. For these reasons, the Town has a direct and substantial interest in the subject matter of this proceeding, and the Commission's determinations in this proceeding will likely have a direct impact upon the Town and its residents.

13. No other party to this proceeding may be able to adequately represent the Town's interests.

14. The Town respectfully requests the Commission to permit it to intervene in this docket because of the significant effect the proposed transfer of control may have on, among other things, the construction, maintenance, payment obligations, rates, and terms and conditions that apply to the Town and its residents pursuant to the Agreement.

15. The interests of justice would be served, and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention.

WHEREFORE, the Town of Greenfield respectfully requests this Honorable Commission:

- A. Grant this Petition for Intervention and order the Town of Greenfield be treated as a part to this proceeding, and
- B. Provide any other such relief as it deems appropriate.

Respectfully submitted,
TOWN OF GREENFIELD
By its Attorneys
UPTON & HATFIELD, LLP

Date: March 8, 2024

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CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that a copy of the foregoing has been e-mailed this day to all parties of record.

/s/ Nathan C. Midolo
Nathan C. Midolo

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