

THE STATE OF NEW HAMPSHIRE

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July 21, 2009

Re: DT 07-011, FairPoint Communications  
Stabilization Plan Status Report  
Technical Session

To the Service List:

FairPoint Communications filed a Stabilization Plan with the Commission on March 26, 2009, which FairPoint said was designed to achieve business-as-usual operations by June 30, 2009. The Commission held a status conference on April 3, 2009, at which it questioned the Company about the Plan and took public comment about FairPoint's operations and service quality since cutover on February 9, 2009. In response to a Commission directive, FairPoint filed a Stabilization Plan Update and Milestones on April 17, 2009. On June 1, 2009, the Commission held a status conference at which FairPoint was required to provide a report on its progress towards business-as-usual operations and answer questions from the Commission.

On July 14, 2009, Staff submitted in the above referenced docket FairPoint's Stabilization Plan Status Report (Status Report) dated July 8, 2009, along with Liberty Consulting Group's July 13, 2009 assessment of FairPoint's Status Report. FairPoint asserts that it has made significant improvement for all of the operating areas of the business. Liberty agrees that FairPoint has made progress in many areas but it concludes that "there are a number of areas where the report falls short of explaining the true status and acknowledging all areas of performance problems." In order to assist its investigation into the status of FairPoint's efforts to achieve business-as-usual operations, Staff requested that the Commission schedule a technical session to allow Staff, the Office of the Consumer Advocate and any interested party the opportunity to discuss and ask questions regarding FairPoint's Status Report.

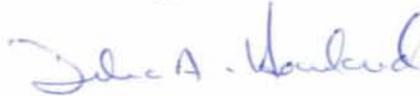
According to the recent filings, it is clear that FairPoint has not yet achieved business-as-usual operations as it set out to do in its March 31, 2009 Stabilization Plan. The Commission has determined that, as part of its ongoing investigation of FairPoint's operational activities and service quality since cutover, and in order to establish a firm grounding for next steps, a recorded technical session in the nature of a deposition would serve as a useful means of discovery to better ascertain the facts as they apply to the level

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of FairPoint's operational progress. Accordingly, FairPoint is directed to appear at a technical session on July 28, 2009 at 10:00 a.m. to review the Status Report and its supporting data, explain why certain indices in its Status Report have failed to improve, discuss FairPoint's plans for corrective actions, and answer questions on the Status Report from the parties to Docket No. DT 07-011. Staff is directed to file a report of the technical session and any recommendations for further action by August 7, 2009, and other parties are invited to do the same.

On July 17, 2009, the Office of Consumer Advocate filed a petition seeking to establish a new adjudicatory proceeding to investigate FairPoint. Among other things, the OCA requests that the Status Report technical session proposed by Staff be deferred until after such a new proceeding is established. The Commission has determined that the technical session to be held on July 28, 2009 is the timeliest manner in which to gather information relevant to the critical goal of normalizing FairPoint's operations. Furthermore, information from the technical session may be of assistance to the Commission in its review of the OCA's petition.

Sincerely,

A handwritten signature in blue ink, appearing to read "Debra A. Howland".

Debra A. Howland  
Executive Director