

September 29, 2017

Debra A. Howland
Executive Director & Secretary
NH Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301



RE: Interconnection Agreement between Northern New England Telephone Operations LLC d/b/a FairPoint Communications NNE and Comcast Phone of New Hampshire, LLC d/b/a Comcast Digital Phone; Amendment #4

Dear Ms. Howland:

Attached for filing, please find a fully executed fourth amendment to the above referenced, approved Interconnection Agreement.

The purpose of this amendment is to align this contract with the Order released by the FCC on November 18, 2011 providing that, after July 1, 2018, all Price-Cap local exchange carrier's non-access reciprocal compensation rates shall be set pursuant to bill-and-keep arrangements.

Please contact me at the number below or Beth Westman at bwestman@fairpoint.com with any questions or concerns regarding this filing.

Sincerely,

Robert D. Meehan

Robert Meehan
Director Regulatory
FairPoint Communications
P: (603) 656-8116
F: (603) 716-6045

AMENDMENT NO. 4

TO THE

INTERCONNECTION AGREEMENT FOR THE STATE OF NEW HAMPSHIRE

BETWEEN

NORTHERN NEW ENGLAND TELEPHONE OPERATIONS LLC d/b/a FAIRPOINT
COMMUNICATIONS NNE

AND

COMCAST PHONE OF NEW HAMPSHIRE, LLC d/b/a COMCAST DIGITAL PHONE

This Amendment No. 4 (this "Amendment") shall be deemed effective on the date approved by the New Hampshire Public Utilities Commission or otherwise allowed to go into effect by operation of law (the "Amendment Effective Date") by and between Northern New England Telephone Operations LLC doing business as FairPoint Communications NNE ("FairPoint"), a Delaware limited liability company with offices at 521 E. Morehead Street, Suite 250, Charlotte, NC 28202, and Comcast Phone of New Hampshire, LLC ("Comcast"), a Delaware limited liability company with offices at One Comcast Center, Philadelphia, PA 19103. FairPoint and Comcast may be hereinafter referred to individually as a "Party" and collectively as the "Parties". This Amendment covers only the services addressed herein that FairPoint and Comcast provide in their operating territories in the state of New Hampshire.

RECITALS

WHEREAS, FairPoint and Comcast are Parties to an interconnection agreement under Sections 251 and 252 of the Communications Act of 1934, as amended (the "Act") effective September 22, 1999 (the "Agreement"); and

WHEREAS, the Federal Communications Commission, in an Order Released November 18, 2011,¹ ("*USF/ICC Transformation Order*") has provided that after July 1, 2018, all Price-Cap Local Exchange Carrier's Non-Access Reciprocal Compensation rates shall be set pursuant to Bill-and-Keep arrangements,² and that it is to be considered a change in law; and

WHEREAS, the Agreement contains a change of law provision that authorizes the Parties to amend the Agreement to comport with the change in law; and

WHEREAS, the Parties desire to amend the Agreement, consistent with the change in

¹ *In the Matter of Connect America Fund A National Broadband Plan for Our Future Establishing Just and Reasonable Rates for Local Exchange Carriers High-Cost Universal Service Support Developing an Unified Intercarrier Compensation Regime Federal-State Joint Board on Universal Service Lifeline and Link-Up Universal Service Reform – Mobility Fund* FCC Docket 11-161 Report and Order and Further Notice of Proposed Rulemaking (November 18, 2011).

² *Id.* at p. 503. See also CFR Part 51, Subpart H, § 51.705(c)(4).

law set forth in the *USF/ICC Transformation Order*, under the terms and conditions set forth below.

AMENDMENT TO AGREEMENT

1. The Agreement is amended to incorporate the terms and conditions set forth in this Amendment, all of which shall apply to and be a part of the Agreement (hereinafter referred to as the "Amended Agreement") notwithstanding any other term or condition of the Amended Agreement, a FairPoint Tariff or a FairPoint Statement of Generally Available Terms and Conditions ("SGAT").
2. Notwithstanding any provision to the contrary contained in the Agreement, pursuant to the FCC's Report and Order in WC Docket No. 10-90, etc., FCC No. 11-161 (released November 18, 2011), from the effective date of this Amendment through June 30, 2018 all Local traffic, including applicable local VoIP-PSTN traffic as defined in the *USF/ICC Transformation Order* shall continue to be exchanged between Comcast and FairPoint at a rate of \$0.0007 per minute. Effective July 1, 2018 all such Local traffic shall be exchanged between Comcast and FairPoint on a Bill and Keep basis. Under a Bill and Keep compensation arrangement, each Party retains the revenues it receives from its End User customer, and neither Party pays the other Party for transport or termination of the local traffic that is subject to the Bill and Keep arrangement.
3. Except as expressly set forth herein, the terms and conditions of the Agreement shall remain in full force and effect without change as long as these changes remain the law.

IN WITNESS WHEREOF, the Parties, intending to be legally bound, have executed this Amendment as of the dates set forth below, in multiple counterparts, each of which is deemed an original, but all of which shall constitute one and the same instrument.

Northern New England Telephone
Operations LLC

Michael T. Skrivan
Signature

Michael T. Skrivan
Typed or Printed Name

Vice President – Regulatory
Title

8/25/2017
Date

Comcast Phone of New Hampshire,
LLC

Michael Wood
Signature

Michele Wood
Typed or Printed Name

VP - Xfinity Internet + Comm.
Title

8/11/17
Date