

**THE STATE OF NEW HAMPSHIRE  
BEFORE THE NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION**

BayRing Petition For Investigation Into  
Verizon New Hampshire's Practice Of  
Imposing Access Charges, Including Carrier  
Common Line (CCL) Access Charges, On  
Calls Which Originate On BayRing's Network  
And Terminate On Wireless and Other Non-  
Verizon Carriers' Networks

Docket No.06-067

**AT&T REQUEST TO WITHDRAW CLAIMS AGAINST VERIZON  
And  
AT&T AND VERIZON REQUEST FOR EXPEDITED CONSIDERATION**

Pursuant to Puc 203.20, AT&T respectfully requests authority to withdraw any and all claims and demands made against Verizon in this proceeding. Verizon concurs in this request. In addition, AT&T and Verizon jointly request that the Commission consider and rule expeditiously on this AT&T request for withdrawal of claims against Verizon. The grounds for these requests are set forth below.

1. The uncertainty involving the outcome of this matter creates a financial contingency which must be taken into account in accordance with commercial accounting practices. AT&T and Verizon, therefore, each have an interest in eliminating the uncertainty for financial accounting and reporting purposes.

2. AT&T and Verizon have reached an agreement regarding amounts in dispute between them in this docket; and AT&T therefore wishes to withdraw its claims against Verizon.

3. The claims that AT&T seeks to withdraw are limited to claims against Verizon for past charges. AT&T is not withdrawing its challenge to the Tariff 85 interpretation that Verizon and now FairPoint advocate, and intends to continue to

prosecute its position against FairPoint regarding the appropriate application Tariff 85 both at the New Hampshire Supreme Court and at the Commission.

4. Verizon no longer provides service in New Hampshire under Tariff 85. The dispute between AT&T and Verizon regarding any amounts due in the past is thus a private, commercial dispute between the parties. AT&T's withdrawal of its monetary claims against Verizon, therefore, would have no effect on the prospective application of Tariff 85 by FairPoint. AT&T's request to withdraw its monetary claims against Verizon, therefore, raises no public policy issues of any sort.

5. AT&T and Verizon seek expedited consideration of AT&T's request to withdraw its claims against Verizon. The two companies have entered into this agreement in order to resolve this matter between them and to eliminate uncertainty for financial reporting and other purposes. If this request for resolution were to continue pending beyond the immediate short-term, it would create additional uncertainty, with concomitant adverse commercial consequences, precisely the outcome both parties seek to avoid by eliminating a financial contingency.

For the reasons set forth above, AT&T requests leave to withdraw its monetary claims against Verizon; and AT&T and Verizon ask the Commission to rule expeditiously on AT&T's request for withdrawal.

Respectfully Submitted,

AT&T CORP.

By its attorneys,



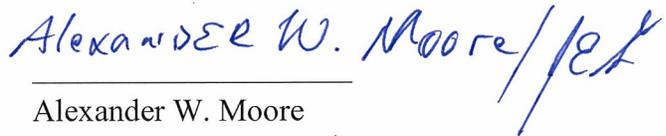
Of Counsel:

Mark A. Keffer  
AT&T Services, Inc.  
3033 Chain Bridge Rd  
Oakton, VA 22185  
703.691.6046  
832.213.0131 (fax)  
mkeffer@att.com

Jay E. Gruber  
AT&T Services Inc.  
99 Bedford Street, 4<sup>th</sup> Floor  
Boston, MA 02111  
617.574.3149 (voice)  
218.664.9929 (fax)  
jegruber@att.com

VERIZON NEW ENGLAND INC.

By its attorneys,



Alexander W. Moore  
185 Franklin Street, 13<sup>th</sup> Floor  
Boston, MA 02110  
(617) 743-2265

Dated: May 7, 2009