

THE STATE OF NEW HAMPSHIRE

CHAIRMAN  
Thomas B. Getz

COMMISSIONERS  
Clifton C. Below  
Amy L. Ignatius

EXECUTIVE DIRECTOR  
AND SECRETARY  
Debra A. Howland



**PUBLIC UTILITIES COMMISSION**  
21 S. Fruit Street, Suite 10  
Concord, N.H. 03301-2429

Tel. (603) 271-2431

FAX (603) 271-3878

TDD Access: Relay NH  
1-800-735-2964

Website:  
[www.puc.nh.gov](http://www.puc.nh.gov)

December 11, 2009

Re: DT 09-044, Rural Carriers of the New Hampshire Telephone Association  
Petition for an Investigation into the Regulatory Status of IP Enabled Voice  
Telecommunications Service  
Cancellation of Hearings

To the Parties:

On July 2, 2009, the Commission scheduled a hearing in this docket for December 15-16, 2009. On December 11, 2009, TWC Digital Phone LLC (TWC) filed a letter with the Commission requesting that the hearing be cancelled. TWC asserts that the hearing is not necessary because TWC, New Hampshire Telephone Association (NHTA), Comcast Corporation and Staff have conferred and agreed to waive cross-examination. Although the parties have spoken with the Office of Consumer Advocate (OCA), the OCA has indicated that it will not take a position on the need for a hearing.

Accordingly, the aforementioned parties request that the hearing be cancelled and that the official record in this docket consist of the pre-filed direct and reply testimony and the data requests and responses that have been previously exchanged among the parties. These parties agree to take any steps required to facilitate the entry of these materials into the record and request that the briefing schedule remain in effect.

Based on the foregoing, the Commission has cancelled the hearing scheduled for December 15-16, 2009. The Commission has directed that the parties file any data requests and responses they wish to be included in the record prior to initial briefs and that the briefing schedule remain in effect. The Commission will issue its decision in this docket based upon the documentary record submitted by the parties.

Sincerely,

A handwritten signature in cursive script that reads "Debra A. Howland/jael".

Debra A. Howland  
Executive Director

cc: Docket File

MATTHEW A BRILL  
LATHAM & WATKINS LLP  
555 11TH ST NW  
STE 1000  
WASHINGTON DC 20004

RORIE HOLLENBERG  
OFFICE OF CONSUMER ADVOCATE  
21 SOUTH FRUIT ST STE 18  
CONCORD NH 03301-2429

VINCENT M PALADINI  
TIME WARNER CABLE  
290 HARBOR DR  
STAMFORD CT 06902

GENT CAV  
OTEL TELEKOM INC  
ONE SUNDIAL AVE STE 210  
MANCHESTER NH 03103

JEREMY L KATZ  
SEGTEL INC  
PO BOX 610  
LEBANON NH 03766

DOUGLAS L PATCH  
ORR & RENO PA  
ONE EAGLE SQ PO BOX 3550  
CONCORD NH 03302

FREDERICK J COOLBROTH  
DEVINE MILLIMET & BRANCH PA  
43 N MAIN ST  
CONCORD NH 03301

JULIE P LAINE  
TIME WARNER CABLE  
60 COLUMBUS CIRCLE  
NEW YORK NY 10023

LUKE C PLATZER  
JENNER & BLOCK LLP  
1099 NEW YORK AVE NW STE 900  
WASHINGTON DC 20001-4412

WILLIAM D DURAND  
NEW ENGLAND CABLE AND TELECOM  
10 FORBES RD STE 440W  
BRAintree MA 02184

PATRICK C MCHUGH  
DEVINE MILLIMET & BRANCH PA  
43 NORTH MAIN ST  
CONCORD NH 03301

DARREN R WINSLOW  
UNION COMMUNICATIONS  
7 CENTRAL ST  
PO BOX 577  
FARMINGTON NH 03901

STEPHEN R ECKBERG  
OFFICE OF CONSUMER ADVOCATE  
21 SOUTH FRUIT ST STE 18  
CONCORD NH 03301

CAROL MILLER  
NEW HAMPSHIRE INTERNET SERVICE  
PO BOX 8008  
NASHUA NH 03060

SAMUEL L FEDER  
JENNER & BLOCK LLP  
1099 NEW YORK AVE NW STE 900  
WASHINGTON DC 20001-4412

KATH MULLHOLAND  
SEGTEL INC  
PO BOX 610  
LEBANON NH 03766

SUSAN GEIGER  
ORR & RENO PC  
ONE EAGLE SQUARE  
PO BOX 3550  
CONCORD NH 03302-3550

ROBERT J MUNNELLY JR  
MURTHA CULLINA LLP  
99 HIGH ST 20TH FLR  
BOSTON MA 02110

MEREDITH A HATFIELD  
OFFICE OF CONSUMER ADVOCATE  
21 SOUTH FRUIT ST STE 18  
CONCORD NH 03301

BRIAN W MURRAY  
LATHAM & WATKINS LLP  
555 11TH ST NW  
STE 1000  
WASHINGTON DC 20004

Docket #: 09-044 Printed: December 14, 2009

**FILING INSTRUCTIONS: PURSUANT TO N.H. ADMIN RULE PUC 203.02(a),**

**WITH THE EXCEPTION OF DISCOVERY, FILE 7 COPIES (INCLUDING COVER LETTER) TO:**

DEBRA A HOWLAND  
EXEC DIRECTOR & SECRETARY  
NHPUC  
21 SOUTH FRUIT STREET, SUITE 10  
CONCORD NH 03301-2429

PURSUANT TO N.H. ADMIN RULE 203.09 (d), FILE DISCOVERY

DIRECTLY WITH THE FOLLOWING STAFF

RATHER THAN WITH THE EXECUTIVE DIRECTOR

LIBRARIAN  
NHPUC  
21 SOUTH FRUIT ST, SUITE 10  
CONCORD NH 03301-2429

BULK MATERIALS:

Upon request, Staff may waive receipt of some of its multiple copies of bulk materials filed as data responses. Staff cannot waive other parties' right to receive bulk materials.

LEGAL DEPARTMENT  
NHPUC  
21 SOUTH FRUIT ST, SUITE 10  
CONCORD NH 03301-2429

KATE BAILEY  
NHPUC  
21 SOUTH FRUIT ST, SUITE 10  
CONCORD NH 03301-2429

ROBERT HUNT  
NHPUC  
21 SOUTH FRUIT ST, SUITE 10  
CONCORD NH 03301-2429

MICHAEL LADAM  
NHPUC  
21 SOUTH FRUIT ST, SUITE 10  
CONCORD NH 03301-2429

AMANDA NOONAN  
CONSUMER AFFAIRS DIRECTOR  
NHPUC  
21 SOUTH FRUIT ST, SUITE 10  
CONCORD NH 03301-2429