



November 26, 2012

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**Via Hand Delivery**

Eileen Fox, Clerk  
 New Hampshire Supreme Court  
 One Charles Doe Drive  
 Concord, NH 03301

***Re: Case No. 2011-0762, Appeal of Comcast Phone  
 of New Hampshire, LLC & a. – Appellants' Status Report  
 Concerning Public Utilities Commission Proceedings***

Dear Clerk Fox:

This letter is filed on behalf of Appellants Comcast Phone of New Hampshire, LLC et al. ("Comcast") in response to an order issued by the New Hampshire Supreme Court in the above-captioned matter on October 12, 2012. The order directed Comcast to file a brief report with the Court on or before November 26, 2012 concerning the status of proceedings on remand at the Public Utilities Commission ("the Commission") if the Commission has not issued an order by that date. In compliance with the Court's order, Comcast respectfully submits the following information:

This Court's October 12, 2012 order remanded the above-captioned case to the Commission for the limited purpose of allowing it to reconsider certain of its orders issued in Docket No. DT 09-044, in light of Laws of 2012, Chapter 177. On October 24, 2012, the Commission issued an Order of Notice in a new docket, DT 12-308, directing Comcast to: forward a copy of the Order of Notice to all parties in DT 09-044; publish the Order of Notice in a newspaper of general circulation no later than October 29, 2012; and to file an affidavit of publication with the Commission on or before November 2, 2012. The Order of Notice also permitted the parties in DT 09-044 and other interested parties to submit written briefs by November 9, 2012 on the following issues:

(i) whether cable voice service under review in DT 09-044 falls within the statutory definition of "VoIP service" or "IP-enabled service" in RSA 362:7,1(d) and (e), (ii) whether, in light of the enactment of SB 48, any changes are required to be made or should be made to any of the findings and rulings in Order No.s (sic) 25,262, 25,274 or 25,288, including the question of whether SB 48 affects,

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the definition of “public utility” in RSA 362:2 and whether and to what extent regulatory treatment of Comcast and Time Warner as CLECs in respect to their cable voice services is still appropriate, (iii) what areas of state regulation of CLECs described in such orders no longer apply as a result of the enactment of SB 48, (iv) whether, in light of the nature and purpose of DT 09-044, SB 48 renders the Commission’s previous findings and rulings legally insignificant and practically meaningless for the State of New Hampshire or Comcast, Time Warner or other providers of VoIP service or IP enabled service, and (v) whether SB 48 eliminated the significance of the Commission’s determination that fixed IP-enabled cable voice service is a “public utility” service under state law by removing any regulatory obligations that depend on that determination.

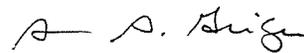
The Commission’s Order of Notice also scheduled an oral argument for November 16, 2012 on briefs filed by parties to DT 09-044.

Comcast provided notice, made publication and filed an affidavit of publication by the deadlines established in the Order of Notice. The following parties filed briefs with the Commission: Comcast Phone of New Hampshire, LLC and Comcast IP Phone, II, LLC; Northern New England Telephone Operations LLC d/b/a FairPoint Communications – NNE; New Hampshire Legal Assistance; AT & T Corp. and Verizon Communications Inc.; Office of Consumer Advocate; and Incumbent Carriers of the New Hampshire Telephone Association (excluding FairPoint Communications, Inc.). These parties, with the exception of AT&T Corp. and New Hampshire Legal Assistance, participated in oral argument before the Commission on November 16, 2012 as scheduled.

As of the time of the filing of this status report, the Commission has not issued an order on remand.

Please let me know if there are any questions about this status report. Thank you for your assistance.

Very truly yours,



Susan S. Geiger