

THE STATE OF NEW HAMPSHIRE

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Thomas B. Getz

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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

October 8, 2009

RE: DT 09-048, IDT America, Corp.
Order No. 25,022

To the Parties:

Enclosed is revised page 6 of Order No. 25,022 (October 7, 2009). On the last line of page 6, the words "attached and" have been deleted. All other portions of this order remain unchanged.

Please substitute the enclosed revised page to your copy of Order No. 25,022.

Very truly yours,

A handwritten signature in blue ink that reads "Debra A. Howland".

Debra A. Howland
Executive Director

Enclosure
cc: Service List
Docket File

they did not reach a complete agreement on an interconnection agreement, they should address in more detail the factual and legal basis for their respective positions regarding the Section 251(c) and common carrier issues that the Commission referred to the Arbitrator in its June 15, 2009 Secretarial Letter. The Arbitrator also stated that he would, in turn, address those issues in his report and recommendations to the Commission.

By letter of June 22, 2009, Union responded to the Arbitrator's June 16 report by supplementing its earlier filings with additional support, renewing its request that the Commission grant its second motion to dismiss. By Secretarial Letter of June 26, 2009, the Commission considered the arguments set forth in Union's June 22 letter and affirmed the Commission's decision contained in its June 15 Secretarial Letter.

Finally, on August 10, 2009, the Commission held a hearing on the Arbitrator's July 27, 2009 report and recommendations (the Report). During the hearing, the parties were given an opportunity to argue for or against the Arbitrator's recommendation on each issue, the Commissioners asked questions of the parties, and the Arbitrator was available for questioning by the Commission. In response to a request by Staff, Union submitted a letter on August 14, 2009, providing a link to the National Exchange Carrier Association (NECA) Tariff No. 5.

II. POSITIONS OF THE PARTIES, ARBITRATOR'S RECOMMENDATIONS AND COMMISSION ANALYSIS

The positions of the parties and the Arbitrator's recommendations on each of the contested issues are described below, followed by the Commission's analysis and findings. The Arbitrator's Report is incorporated herein by reference.

JOSHUA BARSTOW
METROCAST CABLEVISION OF NEW H
9 APPLE RD
BELMONT NH 03220

CARL W BILLEK
IDT AMERICA CORP
520 BROAD ST 14TH FLR
NEWARK NJ 07102-3111

VICTOR D DEL VECCHIO
ATTORNEY-AT-LAW
87 CHAPMAN ST
CANTON MA 02021

BRIAN MCDERMOTT
SYNERGIES LAW GROUP PLLC
1002 PARKER ST
FALLS CHURCH VA 22046

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

EDWARD S QUILL
SYNERGIES LAW GROUP PLLC
1002 PARKER ST
FALLS CHURCH VA 22046

JASPER THAYER
UNION COMMUNICATIONS
7 CENTRAL STREET
FARMINGTON NH 03835

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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