

THE STATE OF NEW HAMPSHIRE

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July 20, 2009

Debra A. Howland  
Executive Director  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301



Re: DT 09-059 Petition of FairPoint Communications for Waiver of Certain Requirements  
Under the Performance Assurance Plan  
Staff Report on Technical Session

Dear Ms. Howland:

On July 8, 2009, the Commission conducted a prehearing conference in the above-referenced docket. Parties and Staff conducted a technical session on the same date. Participants included representatives from FairPoint Communications, Inc. (FairPoint), Freedom Ring Communications, LLC d/b/a BayRing Communications (BayRing), CRC Communications (CRC), One Communications (One), Comcast Phone of New Hampshire, LLC (Comcast Phone), segTEL, Inc. (segTEL), OCA and Staff.

Participants discussed whether consolidation of this docket with DT 09-113 would be the most efficient way to proceed and generally agreed that it would not be. Participants also agreed that the proceedings in DT 09-113 should be the Commission's priority in advance of DT 09-059, and the parties have no objection to the appointment of a hearings examiner to conduct the prehearing conference in DT 09-113. On that basis, segTEL agreed to file a withdrawal of its motion to consolidate dockets.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Robert D. Hunt".

Robert D. Hunt  
Staff Attorney

cc: Service List