

# STATE OF NEW HAMPSHIRE

## Inter-Department Communication

**DATE:** April 14, 2009  
**AT (OFFICE):** NHPUC

*David*

**FROM:** David Goyette, Utility Analyst III - Telecommunications

**SUBJECT:** DT 09-061 Fairpoint Communications - NNE  
Special Contract with TD Bank, N.A. for Digital Centrex Service

**TO:** Debra Howland, Executive Director  
Kate Bailey, Director - Telecommunications

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On March 26, 2009, Northern New England Telephone Operations LLC d/b/a Fairpoint Communications - NNE (Fairpoint) filed a special contract between Fairpoint and TD Bank, N.A. Under the contract, Fairpoint will provide TD Bank, N.A. with Digital Centrex service with standard features for a period of 12 months. TD Bank, N.A. has options for 2 one-year renewals at the discounted rate and, during the 180 days at the end of the initial service period or renewal period, can negotiate a new agreement or disconnect the service. In support of the filing, Fairpoint submitted records and information, including contract terms and conditions, which are subject to confidential treatment pursuant to RSA 378:43.

Staff has reviewed the cost study data submitted by Fairpoint and confirmed that the contract rates exceed the price floor requirements as defined in Order Nos. 23,357 and 23,493 (Docket No. DT 99-018). Based on its analysis, Staff recommends that the special contract be allowed to go into effect pursuant to RSA 378:18-b, II(a).