

THE STATE OF NEW HAMPSHIRE



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November 16, 2011

Re: DT 11-061 – FairPoint Communications Petition for Approval of Simplified Metrics Plan and Wholesale Assurance Plan
DT 09-113 – FairPoint Communications Petition for Waiver of Performance Assurance Plan Payment Requirements
DT 09-059 – FairPoint Communications Petition for Waiver of Certain Performance Assurance Plan and Carrier to Carrier Reporting Requirements and Associated Penalties

To the Parties:

On November 15, 2011, the Commission received a memorandum from Staff in the above-referenced dockets stating that in the context of discussions in Docket No. DT 11-061 it appeared likely that the parties would begin also discussing matters covered by Docket Nos. DT 09-113 and DT 09-059 and that the latter dockets were stayed by Order No. 25,221 (May 6, 2011). Staff, therefore, requested that the Commission lift the stay on Docket Nos. DT 09-059 and DT 09-113. Staff also requested that for administrative convenience the dockets be consolidated into Docket No. DT 11-061 without prejudice to any of the issues in the individual dockets. Staff represented that FairPoint did not object to the request. Staff also represented that Comcast, along with an association of CLECs, agreed with the consolidation of Docket Nos. DT 09-059 and DT 11-061, so long as the issues remained distinct, but believed that Docket No. DT 09-113 should be closed.

The Commission has determined that in order to facilitate the efficient resolution of the above-referenced dockets the stay of Docket Nos. DT 09-113 and DT 09-059 is hereby lifted to allow for discussion of matters contained in those dockets. Further, the Commission has determined that for administrative efficiency, the dockets shall be consolidated into Docket No. DT 11-061. Such consolidation is without prejudice to any party raising any argument relative to the existing issues in any of the dockets, and is solely for administrative efficiency.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debra A. Howland".

Debra A. Howland
Executive Director