

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: July 27, 2009
AT (OFFICE): NHPUC

FROM: David Goyette, Utility Analyst III - Telecommunications

SUBJECT: DT 09-129 Fairpoint Communications - NNE
Special Contract with Demoulas Market Basket for Frame Relay Service

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

On July 16, 2009, Northern New England Telephone Operations LLC d/b/a Fairpoint Communications - NNE (Fairpoint) filed a special contract between Fairpoint and Demoulas Market Basket. Under the contract, Fairpoint will provide Demoulas Market Basket with Frame Relay service with standard features, including User Network Interface Ports and Access, rated at 384 kbps, for a period of 36 months. 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).