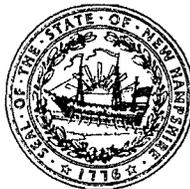


THE STATE OF NEW HAMPSHIRE

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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

July 13, 2010

H. Russell Frisby, Jr.
Stinson, Morrison, Hecker, LLP
1150 18th Street N.W.
Suite 800
Washington, DC 20036-3845

Re: NH Docket No. DT 10-143, NextGen Communications Application for CLEC
Registration

Dear Mr. Frisby:

On June 11, 2010, the New Hampshire Public Utilities Commission (Commission) received a petition from NextGen Communications, Inc. (NextGen) for authority to provide competitive local exchange service in New Hampshire. The Commission Staff has completed its review of the petition and reports that NextGen intends to provide VoIP positioning center services, as well as E911 data, location and routing services.

NextGen's service offerings, as listed on Form CLEC-10, are not retail telecommunications services and do not meet the necessary elements of public utility operation as defined by RSA 362:2. Accordingly, the Commission has determined that it will not exercise jurisdiction over NextGen to the extent its services are limited to VoIP positioning center services and E911 data, location and routing services. If NextGen decides to provide telecommunications service to end-users in the future it may do so only upon receiving prior authorization of the Commission and should file a completed Form CLEC-10, Application for Registration, pursuant to N.H. Admin Rule Puc 431.01, at that time.

The fact that NextGen will not be authorized as a Competitive Local Exchange Carrier in New Hampshire does not alter the duty of the incumbent local exchange carrier under state and federal law to interconnect with a telecommunications carrier and to negotiate in good faith the terms and conditions of interconnection necessary to provide telecommunications services in the State. If you have any questions, please do not hesitate to contact the telecommunications division at (603) 271-2431.

Very truly yours,

A handwritten signature in cursive script that reads "Debra A. Howland".

Debra A. Howland
Executive Director and Secretary