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**STATE OF NEW HAMPSHIRE**  
Inter-Department Communication

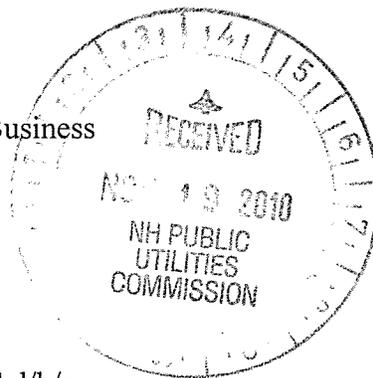
**DATE:** November 19, 2010  
**AT (OFFICE):** NHPUC

*David*

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

**SUBJECT:** DT 10-304 FairPoint Communications - NNE  
Special Contract with Bank of America, N.A. for Basic Business Service

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



On November 15, 2010, Northern New England Telephone Operations LLC d/b/a FairPoint Communications - NNE (FairPoint) filed a special contract between FairPoint and Bank of America, N.A. Under the contract, FairPoint will provide Bank of America, N.A. with basic business service for a period of 12 months. During months 3 through 12 of the contract Bank of America, N.A. may terminate up to 20% of its basic business service lines without termination liability; otherwise termination liability is based on rates set forth in the contract. 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).