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STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: May 6, 2011

AT (OFFICE): NHPUC

FROM: Michael Ladam, Assistant Director, Telecommunications Division

SUBJECT: DT 11-052, Level 3 Communications Tariff Revision Regarding Tandem Connect Services

TO: Commissioners
Debra Howland, Executive Director
Kate Bailey, Director, Telecommunications Division



On March 17, 2011, Level 3 Communications, LLC (Level 3) filed a tariff revision with the Commission regarding Tandem Connect Services for effect on April 17, 2011. These are services provided to other telephone companies which use Level 3's facilities as an intermediate step in reaching local telephone facilities serving New Hampshire customers.

Level 3 is not a New Hampshire ILEC and would typically file rate sheets rather than tariffs. However, in DT 07-113, Staff concluded that rate sheets are inadequate to describe the sort of carrier-to-carrier service the company offers, and Level 3 agreed to describe the terms of its access services in tariff format for purposes of clarity.

On April 13, 2011, AT&T Corp. (AT&T) petitioned the Commission to suspend the tariff revisions pending an investigation of the terms therein. AT&T raised particular concerns regarding a change to the definition of "end office". Also on April 13, 2011, Staff filed a request that the Commission extend the effective date of the tariff by 30 days pursuant to RSA 378:6 IV, so as to provide Level 3 an opportunity to address the concerns of AT&T and separate questions raised by Staff. In a Secretarial Letter of April 15, 2011, the Commission extended the effective date to May 17, 2011.

In communications with Staff and AT&T, Level 3 agreed to remove the new definition of "end office". On April 15, 2011, AT&T withdrew its petition for an investigation of the tariff.

Staff has also communicated with Level 3 to clarify, and remove internal inconsistencies from, certain language in the revisions. Level 3 has provided revised language that addresses Staff's concerns.

Accordingly, Staff recommends that the tariff revisions regarding Tandem Connect Services for Level 3 be allowed to go into effect, and that Level 3 be required to incorporate the clarifications it has provided to Staff in its compliance filing.