

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

September 6, 2011

Katherine E. Barker Marshall
Arent Fox, LLP
1050 Connecticut Avenue NW
Washington DC 20036-5339

Re: DT 11-104, Pac-West Telecomm, Inc., Application for CLEC and CTP Authority

Dear Ms. Marshall:

On May 13, 2011, you filed on behalf of Pac-West Telecomm, Inc. (Pac-West) an application for registration as a Competitive Local Exchange Carrier (CLEC) and Competitive Toll Provider (CTP) in New Hampshire. On July 15, 2011, subsequent to conversations with Staff, you amended your petition by changing the proposed service area to encompass only FairPoint's service area and on July 26, 2011, the application was considered complete when you filed updated rate schedules.

According to Staff, in a memo dated August 8, 2011, the rate schedules indicate that Pac-West intends to provide only wholesale switched access services in New Hampshire. As Pac-West's service offering will be limited to wholesale service, it will not be conveying telephone messages for the public as contemplated by RSA 362:2, and, therefore, registration as a CLEC is not required. Accordingly, Docket No. DT 11-104 will be closed. If Pac-West decides to provide telephone service to end-users in the future it may do so only upon receiving prior authorization of the Commission.

The fact that Pac-West will not be an authorized public utility does not alter the incumbent local exchange carrier's duty under state and federal law to interconnect with Pac-West and to negotiate in good faith the terms and conditions of interconnection necessary to provide wholesale telecommunications services in the State. If you have any questions, please do not hesitate to contact the Telecommunications Division at (603) 271-2431.

Sincerely,

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

Debra A. Howland
Executive Director