

STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION

DT 11-248

**FairPoint Communications, Inc.**  
**Municipal Property Tax Surcharge**

**MOTION FOR CONFIDENTIAL TREATMENT**

Pursuant to RSA 91-A:5, IV and N.H. Admin. Rules Puc 203.08, Northern New England Telephone Operations LLC, d/b/a FairPoint Communications - NNE ("FairPoint") hereby moves for a protective order to prevent public disclosure of the confidential and proprietary information included in its tariff filing with the Commission dated November 15, 2011, and supplemental information filed with the Commission on December 13, 2011. In support of this Motion, FairPoint states as follows:

1. The information for which FairPoint seeks confidential treatment consists of all or certain designated portions of the following documents:

- NH Municipal Property Tax Surcharge explanatory memorandum, dated November 15, 2011 (with attached table of NH Poles & Conduit Property Tax Appraisal and Estimated Tax 2011)
- NH Municipal Property Tax Surcharge explanatory memorandum, dated December 12, 2011 (with attached table of NH Poles & Conduit Property Tax Appraisal and Estimated Tax 2011)

These documents should be treated as proprietary and confidential information of FairPoint ("Confidential Information").

2. The Confidential Information pertains to the provision of competitive services and sets forth trade secrets and other confidential information related to marketing and planning that is not general public knowledge or published elsewhere and for which FairPoint has taken

measures to prevent dissemination in the ordinary course of business. In particular, it contains information related to FairPoint's costs of providing its service. As such, it constitutes confidential, commercial and financial information exempt from public disclosure pursuant to RSA 91-A:5, IV and Rule Puc 201.06(1).

4. The Confidential Information derives economic value from not being generally known to and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure and use. Because the telecommunications industry is highly competitive, FairPoint believes that disclosure of this information would place it at a competitive disadvantage, impede full and fair competition, and undermine its business prospects in New Hampshire. Unrestricted availability of this information would provide competitors with insight into FairPoint's strategies and business plans that is otherwise unavailable. Moreover, confidential treatment of this information will not adversely affect any interested party.

5. Due to the sensitive nature of the Confidential Information, it is appropriate for the Commission to limit access to it. The Confidential Information should solely be used by the Commission in exercising its governmental functions in considering FairPoint's Request. There is no legitimate purpose or public interest to be served in disclosing the Confidential Information to the Company's current or future competitors or to any person other than the appropriate staff of the Commission.

WHEREFORE, FairPoint respectfully requests that the Commission grant a Protective Order allowing the Confidential Information to be treated as confidential.

Respectfully submitted,

NORTHERN NEW ENGLAND TELEPHONE  
OPERATIONS LLC, D/B/A  
FAIRPOINT COMMUNICATIONS-NNE

By Its Attorneys,  
DEVINE, MILLIMET & BRANCH,  
PROFESSIONAL ASSOCIATION

Dated: December 14, 2011

By:



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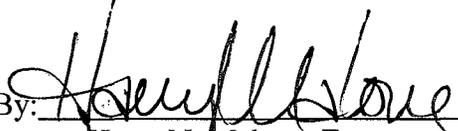
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**CERTIFICATE OF SERVICE**

I hereby certify that a PDF copy of the foregoing Motion was forwarded this day to the parties by electronic mail.

Dated: December 14, 2011

By:

  
Harry N. Malone, Esq.