

**THE STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DRM 12-036**

**RULEMAKING**

**New Hampshire Code of Administrative Rules  
PART Puc 400, Rules for Telephone Service**

**ORDER OF NOTICE**

On February 2, 2012, a Request for Advance Comment on a Subject Matter of Proposed Rulemaking concerning New Hampshire Code of Administrative Rules PART Puc 400 – Rules for Telephone Service was published in the New Hampshire Rulemaking Register. That request is appended to this Order of Notice. The request provides that Commission Staff will begin accepting comments relating to PART Puc 400, and that written comments may be submitted through the close of business on June 13, 2012. In addition, a public comment session will be held with Commission Staff beginning at 9 a.m. on April 17, 2012. The comments are being accepted for purposes of informing the Commission on the production and adoption of an Initial Proposal.

PART Puc 400 sets forth definitions of terms, general rules, rights and obligations, and statutory and other requirements, including requirements for: registration and reporting; the filing and maintenance of tariffs and rate schedules; certain intercarrier relationships; customer relations and consumer protections; and public safety and emergency response. This rulemaking will readopt the above items with revisions as necessary, and with the goal of reducing redundancies in the existing rules. In addition, in light of changes at the federal level, including, but not limited to, changes necessitated by the Federal Communications Commission's order in

*Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161, (rel. Nov. 18, 2011), the readopted rules will address additions, modifications, or eliminations of rights or obligations by the United States Congress and Federal Communications Commission. Further, the readopted rules will address additions, modifications, or eliminations of rights or obligations at the state level, including, but not limited to, changes in response to Order No. 25,262 (Aug. 11, 2011) regarding providers of Voice over Internet Protocol services, and Order No. 25,277 (Oct. 21, 2011), regarding the market entry of competitive providers. More specifically, the rules will address additional or modified requirements for the preservation of universal service, protection of public safety and welfare, ensuring the continued quality of telecommunications services and safeguarding the rights of consumers in a competitive environment. Commenters may also address amendments to the rules that may be advisable in light of new or amended legislation.

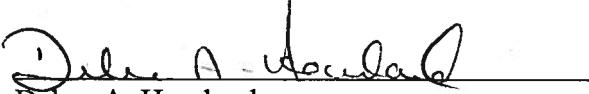
Pursuant to RSA 541-A:6, III, this order of notice shall be sent to all those regulated by these rules and those who have made a request for notice of rulemaking proceedings. In addition, this notice will also be published in a publication of daily statewide circulation.

**Based upon the foregoing, it is hereby**

**ORDERED**, that Commission Staff will accept written comments until the close of business on June 13, 2012; and it is

**FURTHER ORDERED**, that Commission Staff will hold a public comment session at 9 a.m. on April 17, 2012, at the Commission offices at 21 South Fruit St., Suite 10, Concord, N.H.; and it is

**FURTHER ORDERED**, that the Commission shall provide public notice by publishing a copy of this order of notice together with the Request for Advance Comment no later than March 16, 2012, in a newspaper with daily statewide circulation.

  
Debra A. Howland  
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

APPENDIX II-A

REQUEST FOR ADVANCE PUBLIC COMMENT ON SUBJECT  
MATTER OF POSSIBLE RULEMAKING

	Rule Number	Puc 400 (If applicable)
1. Agency Name & Address:  <b>Public Utilities Commission</b> 21 S. Fruit St. Suite 10 Concord, NH 03301	2. RSA Authority:	<b>RSA 365:8, VII &amp; XII; RSA 374:22-g, III &amp; :22-m &amp; :22-q, III &amp; 28- a, IV; RSA 378:1 &amp; :48</b>
	3. Federal Authority:	<b>47 U.S.C. §§ 151 et seq.</b>
	4. Type of Action:	
	Adoption	_____
Amendment	_____	
Repeal	_____	
Readoption	_____	
Readoption w/amendment	_____ <b>X</b>	

5. Short Title: **Puc 400 - RULES FOR TELEPHONE SERVICE**

IN ACCORDANCE WITH RSA 541-A:11, VIII THIS AGENCY IS SOLICITING PUBLIC COMMENT ON A SUBJECT MATTER OF POSSIBLE RULEMAKING UNDER ACTIVE CONSIDERATION PRIOR TO FORMALLY PROPOSING RULES IN THE RULEMAKING PROCESS. WHERE, WHEN, AND HOW PERSONS MAY PROVIDE COMMENT ARE INDICATED BELOW.

6. (a) Summary of the subject matter, or summary of the rule if drafted, and the effect on those regulated:

**The rules set forth definitions of terms, general rules, rights and obligations, and statutory and other requirements, including requirements for: registration and reporting; the filing and maintenance of tariffs and rate schedules; certain intercarrier relationships; customer relations and consumer protections; and public safety and emergency response.**

**In addition to readopting the above, and in light of substantial changes at the local, state and national levels, the rules will also address, to the extent necessary, requirements for other items, including: rights and obligations imposed, altered or eliminated by the United States Congress and Federal Communications Commission; and additional or modified requirements for the preservation of universal service, protection of public safety and welfare, ensuring the continued quality of telecommunications services and safeguarding the rights of consumers in a competitive environment. The readopted rules will also focus on streamlining the existing rules to limit redundancies.**

6. (b) Brief description of the groups affected: **Any person or entity that provides or will provide regulated telephone service in New Hampshire as defined in the rules, and customers of such providers.**

APPENDIX II-A (Continued)

**REQUEST FOR ADVANCE PUBLIC COMMENT ON SUBJECT  
MATTER OF POSSIBLE RULEMAKING - Page 2**

7. Contact person for copies, questions, and receipt of comment including requests to accommodate persons with disabilities:

Name:	<b>Matthew Fossum</b>	Title:	<b>Staff Attorney</b>
Address:	<b>21 S. Fruit St. Suite 10 Concord, NH 03301</b>	Phone #:	<b>603-271-6006</b>
		Fax#:	<b>603-271-3878</b>
		E-mail:	<b>Matthew.fossum@puc.nh.gov</b>

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of comment in writing or, if practicable for the agency, in the electronic format specified: **June 13, 2012**

Fax: **X**

E-mail: **X**

Other format (specify):

9. Public hearing scheduled for: **April 17, 2012**

Date and Time:	<b>9:00 a.m.</b>
Place:	<b>Public Utilities Commission 21 S. Fruit St. Suite 10 Concord, NH 03301</b>

## Leighton, Adele

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To: regulatoryaffairs@accesspointinc.com; dnorton@accesspluscom.com; jmueller@acninc.com; cat@airespring.com; regulatory@telecomgroup.com; owen.x.smith@att.com; ljfreeman@bandwith.com; contact@nationwideregulatorycompliance.com; regulatory@telecomgroup.com; esamp@gwi.net; jharper@broadviewnet.com; cgarrett@broadvox.com; linda.cicco@bt.com; dbailey@bullseyetelecom.com; betty.sanders@chartercom.com; phintz@onecommunications.com; ted.heckmann@cinbell.com; stacey\_parker@cable.comcast.com; smc@wca.com; regulatory@comtech21.com; jcui@onecommunications.com; sforquer@covista.com; trina.bragdon@ottcommunications.com/ed.tisdale@ottcommunications.com; katherine.mudge@megapath.com; tbattles@dscicorp.com; bo.wheeler@entelegent.com; skingery@ernestgroup.com; jnewkirk@fibertech.com; joe.topel@orange-ftgroup.com; jennifer@bayring.com; gmmcarty@globalcapacity.com; jwillis@rtcllc.net; diane.peters@globalcrossing.com; regulatory@granitenet.com; alee@btigroup.com; regulatory@h3net.com; Carl.Billek@idt.net; rcowley@ings.com; regulatory@intelepeer.com; emostrom@ins-us.net; kteal@itllc.net; william.hunt@dishnetwork.com; regulatory@telecomgroup.com; phintz@onecommunications.com; lbrown@lighttower.com; linda.hunt@lightyear.net; ldellaero@matrixbt.com; lbrown@rtcllc.net; john.l.conroy@verizon.com; anita.kaplan@paetec.com; jbarstow@metrocast.com; mtr@compliancegroup.com; jon\_brinton@mitel.com; llackey@sover.net; team-capi@sover.net; fernanda.manko@sidera.net; rmonto@neutraltandem.com; ppieters@corp.earthlink.com; cdmonroe@newhampshirefastroads.net; swengert@nhfibernet.net; jcarmichael@nhosystems.com; rsheehan@nhcgrp.com; kelly.faul@xo.com; banderson@nan.com; jrenneker@nos.com; gent@otel.us; judy.messenger@paetec.com; cmorris@pngmail.com; jbrown@vcomsolutions.com; rick.gutierrez@qwest.com; bpaul@oxfordnetworks.com; mtennis@rnkcom.com; fstocker@vermontel.com; tlyons@securesyscom.net; kath@segtel.com; vleon@spectrotel.com; benjamin.aron@sprint.com; owen.x.smith@att.com; sgareleck@telcentrex.com; eric.fishman@hkllaw.com; kphotiades@pioneertelephone.com; dhude@teljet.com; julie.laine@twcable.com; charlie@tops-tele.com; mlevine@transbeam.com; regulatory@telecomgroup.com; regulatory@telecomgroup.com; phill@usacsp.com; chip@velocity.org; joan.m.engler@verizon.com; rclark@wcs.com; james.mackenzie@quortechequities.com; kathy.hobbs@windstream.com; john.ivanusaka@xo.com; regulatory@ymaxcorp.com; regulatoryaffairs@zonetelecom.com; support@faircall.com; sperrotte@800response.com; jpetrakis@acc2go.com; runderwood@accessline.com; regdbg@dominionbusinessgroup.com; NH-PUC@avcinc.com; legal@amphone.com; ldellaero@matrixbt.com; maskew@affinity4.com; miller@myapplewood.com; david.weidenborner@thomsonreuters.com; klepper@nadoctors.net; tm5886@att.com; jlonderee@betterworldtelecom.com; grodham@diversifiedconsulting.net; kaoconnor@thenavisway.com; aisar@millerisar.com; jean.houck@deltacom.com; dcondit@causebasedcommerce.com; charlie@cicom.net; elizabeth.manzoni@future.ca; lchai@cnsny.net; bperna@customteleconnect.com; jean.houck@corp.earthlink.com; greg@digizip.com; scockerham@fastekteam.com; jkolzynski@eastontelecom.com; ted.hankins@centurylink.com; mskrivan@fairpoint.com; cdiamond@ecg1.com; thomas.haluskey@ecntel.com; showsare@firstchoicetele.com; mcegelski@firstcomm.com; angie.mccall@frontiercorp.com; dorothy.cukier@gtl.net; carol.denton@thomsonreuters.com; janice@goldline.net; bstafford@gsn.net; chuck.scheiwe@jitterbug.com; bbyung@telava.com; kdawson@icsolutions.com; m.pokorny@ildmail.com; leslieb@itltd.net; tlynch@telecomlawyers.com; ldc@ldctele.com; rquinto@golegacy.com; barbaraheed@nationalda.com; mike@navtel.com; ealaoui@netoneinternational.com; gina.wybel@netwolves.com; stephanie.jackson@ncic.com; osbill@centrisinfo.com; regulatory@networkip.net; tkimura@nobelusa.com; asaltzman@novatelnetworks.com; jennifer.hinojosa@kgb.com; regulatory@opexld.com; tsmith@paytel.com; twalker@primustel.com; jay.hatfield@svrco.com; munro.ross@emsonusa.com; compliance@resi-ld.com; romanldinc@yahoo.com; greg@imagitel.com; rbrazill@att.com; chopfinger@securustech.net; ap1498@att.com; jenni.partridge@stiprepaid.com; mhring@cavtel.com; jennifer.lautenschleger@tdstelecom.com; andrieu@telna.com; misty.drake@telrite.com; info@totalaccesstelecom.com; regulatory@totalcallusa.com; legal@mygtc.com; manzalone@touchtone.net; complaints@triarch.net; jgrimshaw@globalinx.com; ryan.taylor@fairpoint.com; tom@uatnow.com; mrichardson@us-south.net;

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**Cc:** Consumer Advocate; ocalitigation@oca.nh.gov  
**Subject:** DRM 12-036, Rulemaking - Puc 400, Rules for Telephone Service  
**Attachments:** DOC12-036ael\_20120215223252.PDF

February 15, 2012

Re: DRM 12-036, Rulemaking, Puc 400 – Rules for Telephone Service  
Order of Notice

Please find attached an Order of Notice scheduling a public comment session on April 17, 2012 at 9:00 a.m. at the Commission offices.

Sincerely,

Adele Leighton  
Case Coordinator  
NH Public Utilities Comm  
21 South Fruit St Ste 10  
Concord NH 03301  
603-271-2438