

THE STATE OF NEW HAMPSHIRE



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April 4, 2012

Michael F. Reed  
Stebbins Commercial Properties  
730 Pine Street  
Manchester, NH 03014-3108

Re: DT 12-069, Stebbins Commercial Properties  
Complaint Against FairPoint Communications – Billing Dispute

Dear Mr. Reed:

This letter is to advise you as to how the Commission intends to proceed with respect to resolving the complaint which is the subject of the above-referenced docket. As you know, the case concerns the allegations of complainant Stebbins Commercial Properties (Stebbins) regarding charges for a telephone line which was placed on the Stebbins bill on June 12, 2002, by FairPoint's predecessor in interest, Verizon New Hampshire.

On September 27, 2011, Stebbins requested a hearing before the Commission on its billing dispute with FairPoint. After unsuccessful attempts to mediate this billing issue, the Director of the Commission's Consumer Affairs Division filed a recommendation on March 5, 2012 that the Commission grant Stebbins' request for a hearing and that such hearing be conducted by a Hearings Examiner.

Accordingly, an evidentiary hearing will be held on April 18, 2012 at 10:00 a.m. before the Commission's General Counsel, F. Anne Ross, Esq. Further, the Commission has adopted the following procedures and determinations with respect to the hearing:

1. Stebbins and FairPoint shall provide the Commission with identification of witnesses and a short written summary of their position, no later than April 16, 2012. At a minimum, identification of the witness shall include the name and business address of the witness. The summary should provide an account of the facts of the dispute and the position of the witness regarding the desired resolution of the dispute.

2. Stebbins and FairPoint shall provide to the Commission all exhibits they intend to introduce at hearing no later than April 16, 2012. Exhibits may include copies of correspondence, bills, agreements, etc.

3. Stebbins and FairPoint will each have a chance to ask questions of the witnesses on both sides. However, only witnesses who have filed summaries with the Commission prior to the hearing will be allowed to provide information at the hearing. Witnesses for Stebbins shall appear first, followed by witnesses for FairPoint.

4. Unless a good reason can be given, no exhibits will be allowed to be brought forth at hearing that have not been submitted to the Commission prior to the hearing.

5. At the end of the hearing, each side will be allowed to make a final statement to the Hearings Examiner. Stebbins will go first, followed by FairPoint.

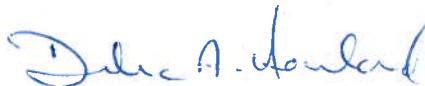
6. The hearing shall be tape recorded. If a transcript is necessary, FairPoint shall bear the cost of the transcription.

7. If FairPoint and Stebbins believe resolution of this issue without resorting to a hearing is possible, the Commission encourages the parties to pursue these discussions. If resolution between the parties is reached, FairPoint shall notify the Commission of the resolution no later than April 13, 2012.

To the extent that any of the foregoing procedural rulings are inconsistent with the Commission's procedural rules, the Commission has determined that a waiver of the applicable rule serves the public interest and will be conducive to, rather than disruptive of, the orderly proceeding of the Commission. *See* Puc 201.05(a).

Finally, the Commission places Stebbins on notice that, as the petitioning party, they will have the burden of proof at hearing. As we recognize that Stebbins is most likely unfamiliar with the Commission's procedures, the Commission encourages Stebbins to contact Staff with questions or for assistance.

Sincerely,



Debra A. Howland  
Executive Director

cc: Consumer Affairs  
Docket File

**SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED**

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**Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.**

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Docket #: 12-069-1 Printed: April 04, 2012

**FILING INSTRUCTIONS:**

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**
- DEBRA A HOWLAND  
EXECUTIVE DIRECTOR  
NHPUC  
21 S. FRUIT ST, SUITE 10  
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- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**