

THE STATE OF NEW HAMPSHIRE



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July 7, 2009

Patrick McHugh  
Devine, Millimet & Branch  
43 North Main Street  
Concord NH 03301

Re: DT 07-011, Verizon New England, et al  
Transfer of Assets to FairPoint Communications, Inc.  
Credit and Collections

Dear Mr. McHugh:

On June 16, 2009 and June 24, 2009, FairPoint filed reports regarding its credit and collections activities pursuant to the Commission's Secretarial Letter issued on June 3, 2009. In its June 24<sup>th</sup> letter, FairPoint also requested that the Commission rescind the restrictions set forth in the June 3<sup>rd</sup> Secretarial Letter with respect to those activities. On July 2, 2009, after seeking clarification and additional information from FairPoint, Staff filed a memorandum in which it concluded that FairPoint should be allowed to resume its collection activities inasmuch as one percent of the customers who received notices from FairPoint notified either the Company or the Commission to dispute the notice. Staff suggested, however, that any incorrect reporting to credit bureaus or other credit rating agencies could harm FairPoint customers and recommended that the Commission prohibit FairPoint from reporting delinquent accounts to credit bureaus or other credit agencies through October 2009. Staff further represented in its memorandum that the Office of the Consumer Advocate, who also participated in discussions with FairPoint, was generally supportive of Staff's position.

As noted in Staff's recommendation, residential customers are provided with sufficient opportunity to contact FairPoint if the customer believes the notice is inaccurate or not valid. While it is the Commission's expectation that FairPoint will resolve all such disputes in a timely manner, additional protection for customers is not unreasonable given the letters, e-mails and phone calls the Commission continues to receive from customers with billing issues. Accordingly, FairPoint may resume normal credit and collections activities, except that it may not report customers to credit bureaus or other credit reporting agencies until November 1, 2009.

Sincerely,

A handwritten signature in cursive script that reads "Debra A. Howland".

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Docket #: 07-011      Printed: July 08, 2009

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