

**DEVINE
MILLIMET**
ATTORNEYS AT LAW

**CONFIDENTIAL
MATERIAL
IN COMM FILE**



November 6, 2009

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VIA HAND DELIVERY

Debra A. Howland, Executive Director & Secretary
NH Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301

Re: DT 07-07-027 Kearsarge Telephone Company, Wilton Telephone Company, Inc., Hollis Telephone Company, Inc. and Merrimack County Telephone Company Petitions for an Alternate Form of Regulation; Brief of Petitioners

Dear Ms. Howland:

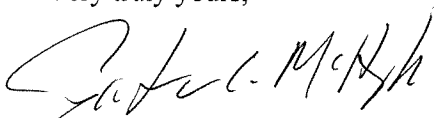
Enclosed for filing in the above-docketed proceeding are an original and seven (7) copies of each of the confidential version and the public version of the Brief of the Petitioners, Merrimack County Telephone Company and Kearsarge Telephone Company. A compact disk also is enclosed which contains the enclosed correspondence and the public and confidential versions of the Petitioner's Brief.

With respect to correspondence from the Office of Consumer Advocate (the "OCA"), dated October 20 and 21, 2009, the Petitioners note that Mr. Michael C. Reed's prefiled rebuttal testimony of November 2007 in fact contained the testimony noted on page 1 of the OCA's October 21 correspondence. In addition, Mr. Reed included with that pre-filed rebuttal testimony a confidential, detailed matrix referencing (among other things) cable broadband being available to retail customers within the Andover exchange. For the avoidance of doubt with respect to the timing of the Petitioners' evidence in this regard, a copy of that confidential matrix has been appended to the confidential version of the Petitioners' Brief.

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With respect to the OCA's reference to Mr. Goulet's response to an oral data request, the Petitioners respectfully disagree with the OCA's characterization of the response. During Day II of the evidentiary hearing (October 30, 2009), Mr. Goulet was asked a specific question which he could not answer. A record request - oral data request was made for the information and Mr. Goulet responded fairly.

Very truly yours,



Patrick C. McHugh

PCM:rah
Enclosures

cc: Meredith A. Hatfield, Esq. (w/enclosure via hand delivery)
Electronic Service List (w/ltr. and Public version of Brief)

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