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## VIA ELECTRONIC MAIL & FIRST-CLASS POSTAGE PREPAID

July 18, 2008

Ms. Debra Howland  
Executive Director and Secretary  
New Hampshire Public Utilities Commission  
21 South Fruit Street  
Concord, NH 03301



**Re: DT 08-028 (Joint Petition of Hollis Telephone Company, Inc., et al.)  
– Joint Petitioners' Opposition to Petition to Intervene of segTEL, Inc.**

Dear Ms. Howland:

I write on behalf of Hollis Telephone Company, Inc., Kearsarge Telephone Company, Merrimack County Telephone Company, Inc., and Wilton Telephone Company, Inc. (the "Joint Petitioners") to respond to the Petition to Intervene filed this day by segTEL, Inc. ("segTEL"), in the above-referenced matter. The Joint Petitioners oppose segTEL's request for intervention on the grounds that (1) segTEL's Petition does not demonstrate a legally cognizable interest in the outcome of this proceeding, (2) segTEL's interests, if any, are adequately represented by other parties in the case, and (3) in a case that is close to being fully resolved on a set of facts that are agreed upon by all parties, the introduction of a new party at this late date will impair the interests of justice and the orderly and prompt conduct of these proceedings.

segTEL asserts as the basis for its intervention that "it is a public utility providing competitive service in New Hampshire" and that "segTEL's rights, duties, privileges and other substantial interests will be affected by this proceeding." These bare assertions are not sufficient to satisfy the requirements for intervention set forth in Rule Puc 203.17 and RSA 541-A:32. Under the statute, a person requesting intervention must "stat[e] *facts demonstrating* that the petitioner's rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding . . . ." RSA 541-A:32, I(b) (emphasis added). Mere assertions of "rights, duties, privileges, immunities or other substantial interests," if unaccompanied by a factual demonstration, do not satisfy the statutory standard. Nor is segTEL's generalized invocation of being a "public utility providing competitive service in New Hampshire" adequate to demonstrate the necessary factual basis for intervention.

Petitioners. There is nothing in the Joint Petitioners' claims that implicates interests specific to segTEL, either as a local exchange carrier generally or as a competitive provider more narrowly. Moreover, to the extent the Joint Petition does implicate any general interests, those interests are already adequately represented by the eight (8) other local exchange carriers who timely intervened in this proceeding. segTEL's petition fails to identify any particular interest that might differ materially from the interests of parties already present in the case.

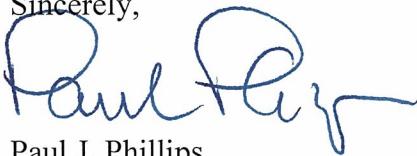
Finally, this Docket has proceeded on an expedited schedule that has required, at each step, the consensus of all parties to the case. The Parties agreed at the outset on a Procedural Schedule that would attempt to resolve the Joint Petitioners' claims through the development of a set of Stipulated Facts. The Parties have now nearly completed that schedule, as established in the Secretarial letter of May 20, 2008: the Parties have completed two rounds of Discovery, met on July 9, 2008, in a Technical Session, and developed a proposed Stipulation of Facts to which the Parties are still commenting in advance of a submission to the Commission. The only step remaining in the Procedural Schedule is the submission of Briefs by August 1, 2008.

Because the expedited resolution of this case depends on the continuing consensus of all parties, the introduction of a late intervenor at this stage of the docket poses a substantial risk of impairing the interests of justice and the orderly and prompt conduct of this proceeding. The Joint Petitioners do not believe that segTEL's generalized interests should outweigh the risk of harming the consensus that has been achieved to date.

For the foregoing reasons, the Joint Petitioners respectfully ask the Commission to deny segTEL's petition to intervene in this matter.

Please let me know if you have any questions.

Sincerely,



Paul J. Phillips  
Counsel for the Joint Petitioners

cc: Service List, DT 08-028  
Michael C. Reed, TDS Telecom

State of New Hampshire  
Before the New Hampshire Public Utilities Commission

DT 08-028

Joint Petition of Hollis Telephone Company, Inc., Kearsarge Telephone Company, Merrimack County Telephone Company, and Wilton Telephone Company, Inc., for Authority to Block the Termination of Traffic from Global NAPs, Inc., to Exchanges of the Joint Petitioners in the Public Switched Telephone Network

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