

THE STATE OF NEW HAMPSHIRE



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November 10, 2009

Re: Petition by FairPoint Communications Inc.  
General Scheduling Order

To the Parties:

On October 26, 2009, FairPoint Communications, Inc. and its affiliated companies filed for voluntary reorganization under Chapter 11 of the U.S. Bankruptcy Code in the United States Bankruptcy Court for the Southern District of New York.

On October 30, 2009, certain FairPoint Companies (FairPoint), including FairPoint Communications – NNE, filed a request for issuance of a general scheduling order. FairPoint seeks a general scheduling order, applicable to all proceedings to which any FairPoint Company is a party. Such an order would: provide that any mandatory filing and appearance requirement or deadline applicable to any FairPoint Company, which is currently established for effect during the period of October 26, 2009 through November 13, 2009, be extended by at least 21 days; and further provide that no mandatory filing and appearance requirements and deadlines be established for effect prior to November 16, 2009.

On November 2, 2009, Commission Staff members Kate Bailey and Anne Ross filed a recommendation in support of FairPoint's request.<sup>1</sup> Based on their review of the status of certain pending dockets involving FairPoint, namely, Docket Nos. DT 06-067, 08-004, 08-028, 09-039, 09-059, 09-113, 09-195, 09-196 and 09-202, and specific filing requirements for FairPoint in Docket No. 07-011 that would be due during the requested period, they urge the Commission to grant the petition in order to allow FairPoint to devote resources to its bankruptcy restructuring efforts. On November 6, 2009, Ms. Bailey and Ms. Ross made an additional filing, based on their further review of FairPoint dockets pending before the Commission, urging a longer stay of certain significant dockets, e.g., Docket Nos. DT 06-067, 09-059, 09-113 and 09-206, for up to six months. No other filings were received regarding the general scheduling order.

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<sup>1</sup> Ms. Bailey and Ms. Ross have been assigned to work with the New Hampshire Department of Justice on the proceeding in bankruptcy court and shall be treated in the manner of staff advocates in relation to Commission matters directly affecting or directly affected by the Company's reorganization plan.

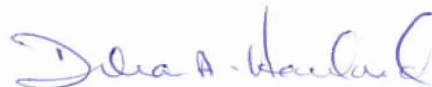
At present, no conferences, hearings, technical sessions or other formal proceedings are scheduled in the specified timeframes for the aforementioned dockets. In addition, the Commission has determined that it will not schedule any conferences or hearings in those dockets to occur prior to November 16 that FairPoint would be required to attend. Finally, to the extent that any filings are required in these dockets during the period at issue, the request for a 21-day extension is granted.

In Docket No. DT 07-011, there are no conferences, hearings, technical sessions or other formal proceedings scheduled to occur prior to November 16, 2009. The Commission has also determined that it will not schedule any conferences or hearings in this docket that FairPoint would be required to attend prior to that date.

With regard to the filings required by Commission Order No. 24,823, the request for a 21-day extension has been granted with the exception that the daily status report required by the secretarial letter of April 9, 2009 shall continue to be filed. In addition, the petition has been denied to the extent that it is intended to apply to routine communications between FairPoint and Commission Staff and its representatives concerning, among other things, issues related to the provision of safe and reliable service.

The Commission will address the recommendation for a longer stay of certain proceedings at a later date.

Sincerely,



Debra A. Howland  
Executive Director

cc: Service Lists

Docket Files: DT 07-011, 06-067, 08-004, 08-028, 09-039, 09-059, 09-113, 09-195,  
09-196, 09-202, and 09-206