

**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. ("Joint Petitioners"), for Authority to Block the Termination of Traffic from Global NAPs, Inc., to Exchanges of the Joint Petitioners on the Public Switched Telephone Network

JOINT PETITIONERS' OBJECTION TO "RESPONDENT'S REPLY TO FILED OBJECTIONS TO ITS MOTION FOR RECONSIDERATION"

1. Hollis Telephone Company, Inc., Kearsarge Telephone Company, Merrimack County Telephone Company, and Wilton Telephone Company, Inc. (collectively, "TDS" or the "Joint Petitioners"), by and through the undersigned counsel, hereby object to the "Respondent's Reply to Filed Objections to its Motion for Reconsideration" (the "Reply"), which was filed on December 10, 2009 by counsel for Global NAPs, Inc. ("GNAPs").

2. The Rules of Practice and Procedure of the New Hampshire Public Utilities Commission ("PUC") authorize a motion for rehearing (Rules Puc 203.07(a) and 203.33) and an objection to a motion for rehearing (Rule Puc 203.07(f)), but include no provision authorizing a reply to an objection.

3. GNAPs has not sought leave from the PUC or attempted to gain the assent of any party, prior to submitting its Reply.

4. In its previous decisions, the PUC has made clear that it will not consider pleadings filed in response to objections to motions. *See Petition of City of Nashua for Valuation Pursuant to RSA 38:9*, Docket No. DW 04-048, Order No. 24,567 (Dec. 22, 2005), at 4. In *City of Nashua*, the respondent, Pennichuck Water Works ("PWW") filed a motion for summary judgment, to which the petitioners, City of Nashua, objected. PWW then filed a Motion for Leave to Respond to the City of Nashua's objection, to which the City of Nashua filed an objection. The PUC refused to consider PWW's Motion for Leave, holding as follows:

“[O]ther than objections to motions, our rules do not authorize responsive pleadings such as were filed by PWW and Nashua. We find no basis to authorize such pleadings in this matter and deny the requests for such filings. Consequently, we have not considered the [] submissions of PWW and Nashua in our deliberations.”

Id.

5. In the present case, GNAPs has not sought leave for its responsive pleading or demonstrated any basis for submitting such a pleading, but instead has simply filed it with the PUC, leaving it to the Joint Petitioners to object to the procedural irregularity of such a pleading.

6. The PUC should not consider the GNAPs Reply in its deliberations on the GNAPs' Post-Judgment Motion.

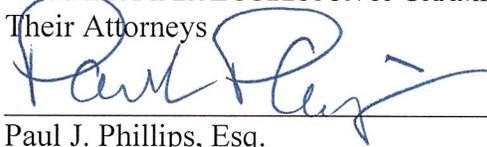
7. The undersigned counsel is authorized to state that Granite State Telephone, Inc., Dunbarton Telephone Company, Inc., Bretton Woods Telephone Company, Inc., and Dixville Telephone Company join in the Joint Petitioners' objection.

DATED at Plymouth, New Hampshire, this 11th day of December, 2009.

Respectfully submitted,

HOLLIS TELEPHONE COMPANY, INC., KEARSARGE TELEPHONE COMPANY, MERRIMACK COUNTY TELEPHONE COMPANY, and WILTON TELEPHONE COMPANY, INC.

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