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October 10, 2013

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*Via Hand Delivery*

Eileen Fox, Clerk  
 New Hampshire Supreme Court  
 One Charles Doe Drive  
 Concord, NH 03301

**Re: Case No. 2011-0762, Appeal of Comcast Phone  
 of New Hampshire, LLC & a.**

Dear Clerk Fox:

This letter is filed on behalf of Appellants Comcast Phone of New Hampshire, LLC et al. ("Comcast") pursuant to the New Hampshire Supreme Court's September 20, 2013 order directing Comcast to file a brief report with the Court concerning the status of proceedings in the Public Utilities Commission ("Commission").

On September 13, 2013, the Commission issued Order No. 25,571 which denied Comcast's Motion for Rehearing of Order No. 25,513. Order No. 25,571 also denied Comcast's request to vacate the Commission's prior Orders in this matter, which Comcast had appealed to this Court and this Court had remanded to the Commission for further consideration. The Commission's General Counsel has already provided the Court with a copy of Order No. 25,571 by letter dated September 25, 2013.

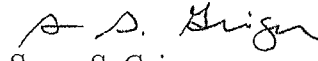
In addition to denying Comcast's Motion for Rehearing and request to vacate the Commission's orders that are the subject of the above-captioned appeal, Order No. 25,571 also found that Comcast IP Phone II, LLC is not a public utility under RSA 362:2 or an excepted local exchange carrier under RSA 362:7, I (c) pursuant to newly enacted House Bill 542 (effective July 27, 2013). Comcast has determined that it will not appeal Order No. 25,571. However, Comcast is still considering the effect of Order No. 25,571 on the Commission's prior orders, including whether House Bill 542 eliminates Comcast's need to pursue the above-captioned appeal.

Lawrence A. Kelly  
 (Of Counsel)

Neil F. Castaldo  
 (Of Counsel)

Please contact me if there are any questions about this matter. Thank you for your assistance.

Very truly yours

  
Susan S. Geiger  
NH Bar #925

SSG/lbr

cc: Harry Malone, Esq.  
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