

THE STATE OF NEW HAMPSHIRE

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November 29, 2017

Susan S. Geiger, Esq.
Orr & Reno
45 South Main Street
Concord, NH 03302-3550

Re: DT 16-872, Consolidated Communications Holdings, Inc.
Joint Petition for Findings in Furtherance of the Acquisition of FairPoint
Communications, Inc. and its New Hampshire Operating Subsidiaries
Granting Motion for Protective Order and Confidential Treatment

Dear Ms. Geiger:

On October 3, 2017, Consolidated Communications Holdings, Inc. (CCHI) filed a Motion for Protective Order and Confidential Treatment (Motion) with respect to its plan to achieve targeted merger efficiencies (Synergies Plan). CCHI stated that the Synergies Plan contains highly confidential information, and was provided to the Commission and the Labor Intervenors in accordance with Section II. D.17 of the Revised Stipulation and Settlement Agreement approved by the Commission in Order No. 26, 022 (May 31, 2017). No objection to the Motion was filed within the ten-day period provided for under N.H. Code Admin. Rules Puc 203.07(e).

According to CCHI, the Synergies Plan contains private, competitively-sensitive personnel and commercial information which it safeguards and does not publicly disclose. CCHI asserted that it is engaged in an intensely competitive industry over which the Commission has relatively limited regulatory authority, and that disclosure of the information would be an invasion of its privacy and would be competitively harmful if its competitors were able to obtain access to the information. CCHI maintained there is little, if any, public interest in disclosure of the information, given that there is only one intervenor group in the docket. CCHI argued that, even if a public interest in disclosure does exist, that interest is outweighed by its interest in maintaining the confidentiality of the information. CCHI therefore concluded that the non-public information contained in the Synergies Plan should be afforded confidential treatment under RSA 91-A:5, IV.

The Commission has reviewed the Motion and has determined that the Synergies Plan contains "confidential, commercial, or financial information" exempt from public disclosure under RSA 91-A:5, IV and Puc 203.08. Based on the applicable three-step balancing test, as described in Order No. 26,040 (July 11, 2017) at 9, the Commission determined that the Synergies Plan meets the standards for exemption from public disclosure and should be afforded confidential

treatment, as it is non-public, commercially-sensitive financial and staffing information of a company engaged in a competitive industry subject to limited state regulation.

Accordingly, CCHI's Motion for Protective Order and Confidential Treatment filed on October 3, 2017 is granted.

Sincerely,

A handwritten signature in black ink that reads "Debra A. Howland". The signature is written in a cursive style with a large initial "D".

Debra A. Howland
Executive Director

cc: Docket File
Service List

SERVICE LIST - EMAIL ADDRESSES- DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 16-872-1 Printed: November 29, 2017

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**
- DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**