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May 14, 2019

Ms. Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301

Re: ¹⁹⁻⁰⁴¹ ~~DT 19-141~~: **Petition of Consolidated Communications of Northern New England Company, LLC
for Approval of Modifications to the Wholesale Performance Plan**

Dear Ms. Howland:

On February 28, 2019, Consolidated Communications of Northern New England Company, LLC d/b/a Consolidated Communications – NNE (“Consolidated Communications”) filed a petition with the New Hampshire Public Utilities Commission (“Commission”) (and filed similar petitions with the Maine and Vermont Commissions, collectively the “Original Petition”) proposing to modify the Wholesale Performance Plan (“WPP”) *in part* to eliminate any requirement to track and report performance measurements, and pay associated penalties, that pertain to certain products or services provided pursuant to 47 U.S.C. § 271 from which the Federal Communications Commission (“FCC”) granted forbearance to Bell Operating Companies (“BOCs”) in 2015. *See Petition of U S Telecom for Forbearance Pursuant to 47 U.S.C. §160(c) from Enforcement of Obsolete ILEC Legacy Regulations that Inhibit Deployment of Next Generation Networks*, Memorandum Opinion and Order, 31 FCC Rcd 6157 (2015). Since that filing the Federal Communications Commission issued a second forbearance order on April 15, 2009. *Petition of US Telecom for Forbearance Pursuant to 47 U.S.C. §160(c) to Accelerate Investment in Broadband and Next-Generation Networks*, Memorandum Opinion and Order, FCC 19-31 (rel. April 15, 2019) (hereinafter the “2019 Forbearance Order”).

In light of these FCC Forbearance Orders, Consolidated Communications now seeks leave to amend its Original Petition pursuant to the Commission’s Chapter Puc 200 Rules. Consolidated Communications hereby files an Amended and Restated Petition (the “Amended Petition”), which requests authorization from the Commission to withdraw the WPP in its entirety, pursuant to the Change of Law provisions, set forth in Section K the WPP.

Enclosed please find a Motion to Amend the Original Petition together with the Amended Petition of Consolidated Communications. Consolidated Communications is filing a similar motions and Amended Petitions today with the Maine and Vermont Commissions and is notifying its wholesale customers of the filing of the motions and Amended Petitions via an Accessible Letter. A copy of the Accessible Letter also is enclosed.

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Consolidated Communications believes that the issues raised by the Amended Petition are purely a question of law (*i.e.*, whether the FCC's orders granting forbearance as to all fourteen of the section 271 checklist items constitutes a change in law under the WPP and therefore permit complete withdrawal of the WPP) and should be considered by the Commission on briefs. Therefore, Consolidated Communications respectfully requests the Commission schedule a conference for the purpose of developing a briefing schedule for the issues identified in Consolidated Communications' Amended Petition.

To facilitate such a schedule Consolidated Communications proposes the following filing dates:

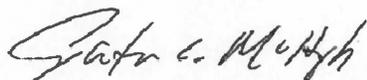
June 7, 2019: Consolidated Communications files its initial brief

July 12, 2019: Intervening parties file reply briefs

July 26, 2019: Consolidated Communications files its reply brief

Enclosed, please find an original and six copies of the complete filing. An electronic copy of the complete filing will be submitted via email.

Respectfully submitted,



Patrick C. McHugh, Esq.
On behalf of Consolidated Communications

Cc: DT 19-141 Service List