

DT 01-015

**VERIZON NEW HAMPSHIRE**

**Order Nisi Approving Resale Agreement**

**O R D E R N O. 23,665**

**March 27, 2001**

On January 26, 2001, Verizon New England Inc. d/b/a Verizon New Hampshire (Verizon New Hampshire), formerly Bell Atlantic New Hampshire, and Max-Tel Communications, Inc (Max-Tel) petitioned the New Hampshire Public Utilities Commission (Commission) for approval, pursuant to Section 252(e) of the Telecommunications Act of 1996 (TAct), of a negotiated resale agreement (Resale Agreement).

The Resale Agreement establishes terms for the discount purchase of Verizon New Hampshire tariffed services for resale by Max-Tel to retail customers. The mutually agreed upon percentage discounts in the Resale Agreement range from 17.30% to 20.25%. The discounts mirror those contained in Verizon New Hampshire's Statement of Generally Available Terms, as filed on July 11, 1997.

Pursuant to the Resale Agreement, Verizon New Hampshire will provide training to Max-Tel regarding all services requested as well as reasonable amounts of information to assist marketing efforts by Max-Tel.

The initial term of the Resale Agreement expires on January 30, 2003. However, absent 90 days prior written notice of termination, the Resale Agreement remains in effect beyond that date. Subsequent to the initial term, the Agreement may still be terminated by 90 days prior written notice by either party.

Staff recommends approval of the Resale Agreement based on its review, the summary provided by Verizon New Hampshire, and verbal clarifications provided by Verizon New Hampshire.

We accept Staff's recommendation, finding that the Resale Agreement meets the standards of s252(e)(2)(A) of the TAct. The Resale Agreement does not appear to be discriminatory to any carrier not a party to the negotiations and is consistent with the Public interest, convenience and necessity. We will approve on a nisi basis in order to provide any interested party an opportunity to submit comments or request a hearing pursuant to RSA 374:26.

**Based upon the foregoing, it is hereby**

**ORDERED NISI**, that the Resale Agreement negotiated between Verizon New Hampshire and Max-Tel is APPROVED; and it is

**FURTHER ORDERED**, that the Petitioner shall cause a

copy of this Order Nisi to be published once in a statewide newspaper of general circulation, such publication to be no later than April 3, 2001 and to be documented by affidavit filed with this office on or before April 10, 2001; and it is

**FURTHER ORDERED,** that all persons interested in responding to this petition be notified that they may submit their comments or file a written request for a hearing on this matter before the Commission no later than April 13, 2001; and it is

**FURTHER ORDERED,** that this Order Nisi shall be effective April 23, 2001, unless the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New  
Hampshire this twenty-seventh day of March, 2001.

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Douglas L. Patch  
Chairman

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Susan S. Geiger  
Commissioner

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Nancy Brockway  
Commissioner

Attested by:

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Thomas B. Getz  
Executive Director and Secretary