

DT 01-121

**VERIZON NEW HAMPSHIRE**

**Special Contract to Provide Flexpath Service  
to Notre Dame College**

**Order Denying the Special Contract Without Prejudice**

**O R D E R    N O.   23,737**

**June 29, 2001**

On May 30, 2001, Verizon New Hampshire filed with the New Hampshire Public Utilities Commission (Commission), in accordance with New Hampshire RSA 378:18-b, a Special Contract to provide Flexpath service to Notre Dame College. In support of the filing, Verizon submitted records and information, including cost support analysis, that are subject to confidential treatment pursuant to RSA §378:43.

The filing has met the cost imputation requirements as specified in Order Nos. 23,357 and 23,493 (Docket No. DT 99-018). However, based on information provided by the Company as well as additional research conducted by Staff into the specific circumstances surrounding this contract, the Commission continues to have reservations about the instant contract that relate to whether or not the Company has met the profit-maximization standard set forth in Docket No. 99-018, Order No. 23,357 (December 2, 1999) and Order No. 23,493 (May 30, 2000). More specifically, the difference between

Verizon's bid and the next highest bid is so great as to call into question whether a profit-maximizing strategy has been employed. These concerns stem from information provided by the customer in its attestation letter, which is submitted as part of the proprietary supporting documentation in this docket. The Commission believes that, under these circumstances, the contract should be rejected without prejudice.

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

**ORDERED,** that the Special Contract to provide Flexpath service to Notre Dame College filed on May 30, 2001 is rejected without prejudice.

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

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Douglas L. Patch  
Chairman

Susan S. Geiger  
Commissioner

Nancy Brockway  
Commissioner

Attested by:

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Thomas B. Getz  
Executive Director and Secretary

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