

DT 02-050

PETITION FOR DESIGNATION OF ACWORTH PAYPHONE AS
A PUBLIC INTEREST PAYPHONE (PIP)

Supplemental Order Suspending Effective Date
of Order Nisi No. 24,191

O R D E R N O. 24,202

August 22, 2003

By Order Nisi No. 24,191 (Order), the New Hampshire Public Utilities Commission (Commission) approved an interim funding mechanism to provide for a public interest payphone (PIP) in Acworth, New Hampshire. The interim mechanism goes into effect at the end of the nisi period on August 25, 2003, unless the Commission provides otherwise in a supplemental order issued prior to that date.

Verizon New Hampshire (Verizon) filed comments on August 11, 2003, objecting to the interim funding mechanism on grounds that it violates provisions of the Telecommunications Act of 1996 (TAct). According to Verizon's arguments, the interim mechanism fails to apportion costs fairly and equitably, involves prohibited subsidies, and competitively disadvantages Verizon. In addition, Verizon claims that implementing the interim mechanism will cause it to incur administrative costs in excess of \$400,000. Verizon requests the Commission either reject Order Nisi No. 24,191 or schedule a hearing with sworn testimony and opportunity for cross-examination. Verizon requests that any

hearing be scheduled for 30 days after collective bargaining agreements are reached with its labor organizations.

In order to provide sufficient consideration of the arguments Verizon raises, we will suspend the effective date of Order Nisi No. 24,191. Consistent with our directive in Order No. 24,191 that Verizon maintain the Acworth PIP during the interim period, we direct Verizon to continue to maintain the Acworth PIP pending our consideration of the comments filed in this proceeding.

Based upon the foregoing, it is hereby

ORDERED, that the effective date of Order Nisi No. 24,191 is suspended.

By order of the Public Utilities Commission of New Hampshire this twenty-second day of August, 2003.

Thomas B. Getz
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Debra A. Howland
Executive Director & Secretary