

DT 04-049

VERIZON NEW HAMPSHIRE AND KEARSARGE TELEPHONE COMPANY

Joint Petition to Modify Service Territory Boundaries

Order Nisi Approving Boundary Modifications

ORDER NO. 24,313

April 23, 2004

On March 25, 2004, Verizon New Hampshire (Verizon) and Kearsarge Telephone Company (Kearsarge) filed a joint petition, pursuant to RSA 374:30, to modify service territory boundaries of the Companies as described below and as depicted on the revised franchise maps submitted with the petition.

The petition requests approval to modify service territory boundaries by transferring a small portion of Verizon's service territory in the Wilmot municipality (service area) to Kearsarge. There is one customer currently residing in the service area awaiting service. Verizon received approval from the town of Wilmot to place poles in the right-of-way to serve this customer. An abutter, however, is prohibiting the necessary trimming required to place the service wire. Verizon and Kearsarge reviewed the requirements for extension of existing facilities and concluded that it is more efficient for Kearsarge to serve the area as part of its New London Exchange. The customer supports the proposed boundary change.

RSA 374:30 permits a utility to transfer franchise territory to another utility upon a determination by the Commission that such transfer serves the public good. Verizon and Kearsarge avow no assets are being sold or transferred between the parties as a result of this agreement. Kearsarge's provision of service in the service area is consistent with Kearsarge's present basic exchange obligation to customers in the New London exchange. The transfer will

facilitate efficient service and maintenance in the service area; we thus find the petition to be for the public good.

Based upon the foregoing, it is hereby

ORDERED NISI, that subject to the effective date below, that the proposed franchise boundary change between Verizon and Kearsarge is approved as filed; and it is

FURTHER ORDERED, that Verizon and Kearsarge file properly annotated tariff pages in compliance with this Commission order no later than 30 days from the issuance of this order as required by NH Admin. Rules, PUC 1603.02, along with two copies of the relevant maps; and it is

FURTHER ORDERED, that Verizon and Kearsarge shall cause a copy of this Order Nisi to be published once in a statewide newspaper of general circulation or of circulation in those portions of the state where operations are conducted, such publication to be no later than May 3, 2004 and to be documented by affidavit filed with this office on or before May 17, 2004; and it is

FURTHER ORDERED, that Verizon and Kearsarge shall provide a copy of this order to the Town Clerk of Wilmot no later than May 3, 2004 and to be documented by affidavit filed with this office on or before May 17, 2004; and it is

FURTHER ORDERED, that new service be provided pursuant to the approved franchise boundaries; 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 May 10, 2004; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than May 17, 2004; and it is

FURTHER ORDERED, that this Order Nisi shall be effective May 24, 2004, unless Verizon and Kearsarge fail to satisfy the publication obligation set forth above or 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-third day of April, 2004.

Thomas B. Getz
Chairman

Susan S. Geiger
Commissioner

Graham J. Morrison
Commissioner

Attested by:

Michelle A. Caraway
Assistant Executive Director