

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DT 07-011

**VERIZON NEW ENGLAND, INC., BELL ATLANTIC COMMUNICATIONS, INC.,
NYNEX LONG DISTANCE CO., VERIZON SELECT SERVICES, INC.,
AND FAIRPOINT COMMUNICATIONS, INC.**

Transfer of Assets to Fair Point Communications, Inc.

Order Setting Hearing on Union Leader Request for Documents

ORDER NO. 25,063

January 14, 2010

On January 7, 2010, Denis Paiste, on behalf of the New Hampshire Union Leader newspaper (Union Leader), filed with the Commission a request for a copy of the cover letter and report of Accenture (Report) filed by Northern New England Telephone Operations LLC d/b/a FairPoint Communications – NNE (FairPoint) on November 30, 2009. The Report contains the results of a consulting engagement related to the improvement of Fairpoint's customer delivery organization, processes and systems. The Union Leader sought access to the documents pursuant to RSA 91-A:4 and RSA 378:43.

On January 13, 2010, counsel for FairPoint filed a letter asserting that the Report was provided to Commission staff and the Office of Consumer Advocate (OCA) on a confidential basis and that the Report meets the requirements of RSA 378:43, II and should not be disclosed to the Union Leader. FairPoint maintains that the Report has not been disclosed to members of the public, that FairPoint and Accenture have agreed to maintain the confidentiality of the Report, that release of the Report to the public would have a chilling effect on future consulting arrangements, and that the Report contains information pertaining to the provision of competitive services and sets forth trade secrets that required significant cost and effort to produce.

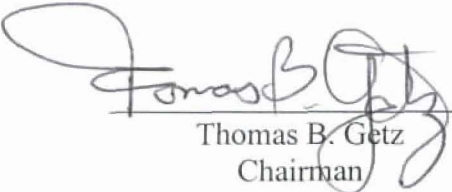
RSA 378:43 provides that public disclosure of information or records filed with the Commission by a telephone utility pursuant to the statute may occur, after notice and opportunity for hearing, if the Commission determines "that the telephone utility's representation [of confidentiality] is incorrect and the information or records do not satisfy the requirement of paragraph II" of the statute. RSA 378:43 further provides that public disclosure may not occur until rights to rehearing and appeal have been exhausted. We will hold a hearing at the time and date set forth below to consider whether the Accenture Report should be disclosed.

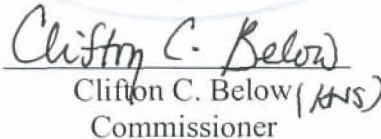
Based upon the foregoing, it is hereby

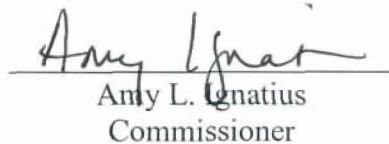
ORDERED, that a hearing is scheduled at the Commission at 21 South Fruit Street, Suite 10, Concord, New Hampshire at 10:00 a.m. on February 2, 2010; and it is

FURTHER ORDERED, that FairPoint, the Union Leader, Staff and any other interested parties shall meet at the Commission at 9:00 a.m. on January 26, 2010 to discuss the procedures for conducting the hearing and shall give their recommendations on the conduct of the proceeding to the Commission no later than 4:30 p.m. on January 27, 2010.

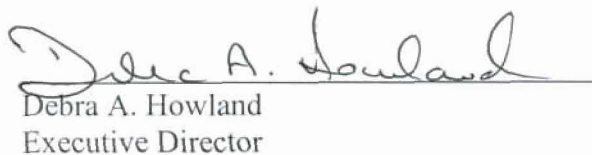
By order of the Public Utilities Commission of New Hampshire this fourteenth day of January, 2010.


Thomas B. Getz
Chairman


Clifton C. Below (HWS)
Commissioner


Amy L. Ignatius
Commissioner

Attested by:


Debra A. Howland
Executive Director