

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**No. 2008-0645**

**Appeal of Verizon New England, Inc. d/b/a  
Verizon New Hampshire & a.**

**MOTION OF AT&T CORP FOR LEAVE TO FILE A REPLY**

Pursuant to NH Sup. Ct. Rule 22(3-A), AT&T Corp. (“AT&T”) respectfully moves this Court for permission to file a Reply to the Objection to Motions for Rehearing or Reconsideration (“Objection”) filed on May 28, 2009, by Verizon New England Inc. d/b/a Verizon New Hampshire (“Verizon”) and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE (“FairPoint). In support of this Motion, AT&T states as follows:

1. This case arises out of a dispute among telecommunications carriers over the meaning of a complicated telecommunications tariff that led to a two year, heavily litigated case before the New Hampshire Public Utilities Commission (“Commission”). It came before this Honorable Court on an appeal by Verizon and FairPoint. On May 7, 2009, one month after oral argument, this Court issued an order reversing the Commission’s decision and holding that Verizon can impose a carrier common line access charge for calls that do not traverse Verizon’s common line.

2. AT&T submits that the proposed Reply Memorandum is necessary to correct inaccurate statements of both fact and law set forth in the Objection. Further, because this case involves the complexity and arcane practices of a technical industry with its own unique history

of regulation, a Reply will assist the Court with further consideration of the dispositive elements of the case.

3. Thus, in order to provide the Court with the information necessary to make its decision on the Motion of AT&T Corp for Rehearing or Reconsideration, AT&T respectfully requests that it permit AT&T to file a Reply to the Objection.

4. If the Court grants this Motion, AT&T intends to file its Reply no later than five business days from the date of receiving the Court's order, or within such other time as the Court may prescribe.

5. Counsel for Verizon and Fairpoint were contacted and indicated that they do not assent to the relief sought in this Motion.

WHEREFORE, AT&T respectfully requests that this Honorable Court:

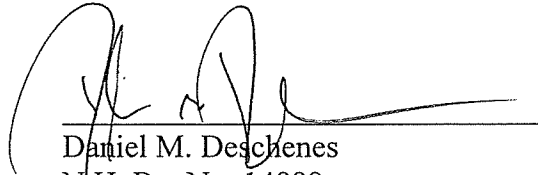
A. Issue an order permitting AT&T to file a Reply to the Objection to Motions for Rehearing or Reconsideration within five business days of receipt of said order or within such other time as the Court may prescribe; and

B. Grant such further relief as it deems appropriate.

Respectfully submitted,

**AT&T CORP.**

Dated: June 1, 2009



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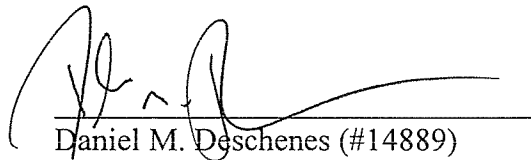
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### **CERTIFICATE OF SERVICE**

I hereby certify that on this 1st day of June, 2009, a copy of the foregoing MOTION OF AT&T CORP FOR LEAVE TO FILE A REPLY has been sent by first class mail, postage prepaid to the parties of record and to the New Hampshire Attorney General.



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