

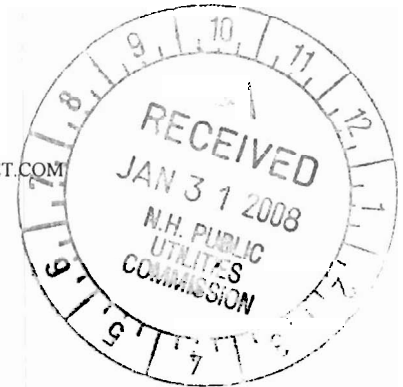
DT 08-013

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ATTORNEYS AT LAW

January 31, 2008

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Debra A. Howland
Executive Director & Secretary
New Hampshire Public Utilities Commission
21 S. Fruit St., Ste. 10
Concord, NH 03301

Re: Comcast Phone of New Hampshire, LLC Request for CLEC Registration

Dear Ms. Howland:

This letter is written on behalf of Merrimack County Telephone Company, Kearsarge Telephone Company, Hollis Telephone Company, Inc. and Wilton Telephone Company, Inc. (the "TDS Telecom Companies"). We have received the letter dated January 28, 2008 from counsel for Comcast Phone of New Hampshire, LLC ("Comcast") requesting approval of a form CLEC-10 stated to have been filed on December 12, 2007 and the issuance of a CLEC authorization. The TDS Telecom Companies do have concerns with this letter.

Counsel for Comcast contacted the undersigned to determine whether the TDS Telecom Companies would consent to the relief that was requested. The TDS Telecom Companies advised counsel for Comcast that they took no position on that request. However, the January 28, 2008 letter makes other assertions as to which the TDS Telecom Companies take great exception.

First, the Comcast letter asserts that the TDS Telecom Companies "have waived the rural telephone company exemption." The letter further states "the TDS Telecom Companies can be treated as a non-exempt ILEC for purposes of Comcast Phone's application" and that "there is no assertion before the Commission that any exemption applies." These assertions are premature and misleading.


The TDS Telecom Companies have entered into a settlement agreement dated as of November 30, 2007 with the Commission Staff, the Office of Consumer Advocate and segTEL, Inc. in Docket DT 07-027. In that settlement agreement, the TDS Telecom Companies have agreed to waive the rural exemption under 47 U.S.C. § 251(f)(1) and not to oppose Commission certification or registration of CLECs seeking to do business in

Ms. Debra A. Howland
January 31, 2008
Page 2

their service territories. However, these agreements are part of an overall settlement in that case involving, among other things, approval of alternative regulation plans. That settlement agreement has not yet been approved by the Commission, and in fact, is being contested by an intervenor. It is not yet effective, and the assertions by Comcast to the effect that provisions of the settlement agreement are in effect now are not accurate. The TDS Telecom Companies currently are "exempt ILECs" under the Commission's rules.

Comcast further asserts that it "has not been established" that the TDS Telecom Companies are telephone utilities having fewer than 25,000 access lines. There is no such question. The TDS Telecom Companies are separate telephone utilities and have been so treated for all purposes historically.

Very truly yours,



Frederick J. Coolbroth

FJC:kaa

cc: DT 07-027 Electronic Service List