

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: May 27, 2009

AT (OFFICE): NHPUC

FROM:  David Goyette, Utility Analyst III - Telecommunications

SUBJECT: DT 09-100 Fairpoint Communications - NNE
Special Contract with Merrimack Services Corp. (Keene) for ISDN-
PRI Service

TO: Debra Howland, Executive Director
Kate Bailey, Director - Telecommunications

On May 18, 2009, Northern New England Telephone Operations LLC d/b/a Fairpoint Communications - NNE (Fairpoint) filed a special contract between Fairpoint and Merrimack Services Corp. (Keene). Under the contract, Fairpoint will provide Merrimack Services Corp. (Keene) with ISDN-PRI service, including Port, Local Distribution Channel, and Caller ID with Name, for a period of 36 months. During the first 12 months of the contract Merrimack Services Corp. (Keene) is allowed, at any time, to order additional circuits. In support of the filing, Fairpoint submitted records and information, including contract terms and conditions, which are subject to confidential treatment pursuant to RSA 378:43.

Staff has reviewed the cost study data submitted by Fairpoint and confirmed that the contract rates exceed the price floor requirements as defined in Order Nos. 23,357 and 23,493 (Docket No. DT 99-018). Based on its analysis, Staff recommends that the special contract be allowed to go into effect pursuant to RSA 378:18-b, II(a).