

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DT 11-151

MERRIMACK COUNTY TELEPHONE COMPANY

Petition for an Alternative Form of Regulation

ORDER OF NOTICE

On July 5, 2011, Merrimack County Telephone Company (MCT) filed a petition for an alternative form of regulation with the Commission. The petition and subsequent docket filings, other than information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at:

<http://www.puc.nh.gov/Regulatory/Docketbk/2011/11-151.html>

According to its petition, MCT is a small incumbent local exchange carrier as defined in RSA 374:3-b and provides telephone services in the Antrim, Bradford, Contoocook, Henniker, Hillsborough, Melvin Village, Sutton and Warner exchanges to fewer than 25,000 access lines in New Hampshire. Pursuant to RSA 374:3-b, as amended in 2011, MCT seeks Commission approval of its plan for alternative regulation that would permit it to be regulated in a manner more comparable to competitive local exchange carriers in New Hampshire. According to its petition, approval of the alternative regulation plan will enable MCT to meet the competitive demands of the marketplace.

The filing raises, *inter alia*, issues related to whether the requirements of RSA 374:3-b, as amended, which requires the Commission to consider whether: (1) MCT has 25 percent fewer access lines than it did on December 31, 2004; (2) the plan provides for maximum stand-alone basic local service rates that do not exceed rates comparable to FairPoint's and do not increase

more than 5 percent per year for the first 4 years of the plan; (3) the plan meets inter-carrier service obligations; (4) the plan preserves universal access to affordable stand-alone basic telephone service; and (5) the plan provides that if MCT fails to meet any of the conditions of the statute it may be required to propose modifications to its plan or return to rate of return regulation. Each party has the right to have an attorney represent the party at the party's own expense.

Based upon the foregoing, it is hereby

ORDERED, that a Prehearing Conference, pursuant to N.H. Code Admin. Rules Puc 203.15, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on July 27, 2011 at 10:00 a.m., at which each party will provide a preliminary statement of its position with regard to the petition and any of the issues set forth in N.H. Code Admin. Rules Puc 203.15 shall be considered; and it is

FURTHER ORDERED, that, immediately following the Prehearing Conference, MCT, the Staff of the Commission and any Intervenors hold a Technical Session to review the petition and allow MCT to provide any amendments or updates to its filing; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.12, MCT shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than July 13, 2011, in a newspaper with general circulation in those portions of the state in which operations are conducted, publication to be documented by affidavit filed with the Commission on or before July 27, 2011; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.17, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a Petition to Intervene with copies sent to MCT and the Office of the Consumer Advocate on or

before July 22, 2011, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interest may be affected by the proceeding, as required by N.H. Code Admin. Rule Puc 203.17 and RSA 541-A:32, I(b); and it is

FURTHER ORDERED, that any party objecting to a Petition to Intervene make said Objection on or before July 27, 2011.

By order of the Public Utilities Commission of New Hampshire this seventh day of July, 2011.

A handwritten signature in dark ink, appearing to read "Debra A. Howland", is written over a horizontal line.

Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.