

THE STATE OF NEW HAMPSHIRE

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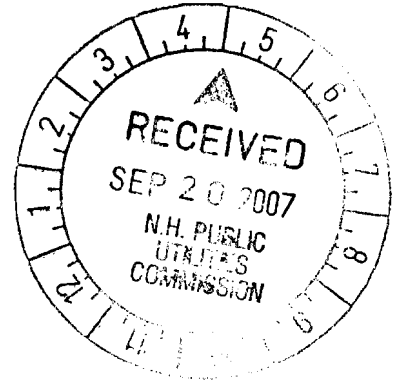


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September 20, 2007

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



**Re: DT 07-011 Verizon New England, Inc. et al.
Response to Report of Hearings Examiner**

Dear Ms. Howland:

On September 6, 2007, Donald M. Kreis, Esq., the Commission's General Counsel and appointed Hearings Examiner, reported to the Commission regarding the prehearing conference convened earlier that day. On September 13, 2007, the OCA received a copy of that report and the Commission's letter permitting responses thereto.

The OCA concurs with and strongly supports Mr. Kreis' recommendations that there should be three levels of redaction of materials in this case: public, confidential, and highly confidential. In addition, for the reasons he states, we agree that Intervenor Schmitt should receive completely unredacted versions of testimony. As the Commission surely realizes, if the exceptions sought by the joint petitioners (*i.e.*, related to Verizon's Hart-Scott-Rodino (HSR) materials and FairPoint's Operating Systems Test Process (OSS) documents) are permitted, there would still remain three "highly confidential" levels of redaction (and a total of five levels of redaction). As a result, the OCA's objective in filing its motion on these issues, and presumably the Hearings Examiner's goal, of simplifying the confidentiality structure for purposes of filings and the hearings process would be thwarted. The OCA continues to believe that such a system is unreasonable, unworkable and not supported by law.

We understand that the Hearings Examiner also recommended that the further issue of the levels of confidentiality (and redaction) of discovery materials be deferred pending the resolution of these issues related to testimony. We respectfully request that in its ruling on these issues, the Commission order the companies to re-designate all materials produced by the companies in the case. Such re-designation could be accomplished by revising the memoranda provided by the companies to Staff and the OCA, and providing them to the other parties. Such re-designation of discovery

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materials is necessary in order for the parties to prepare for hearings, and for the Commission to manage information at the hearings.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Hatfield', written in a cursive style.

Meredith A. Hatfield
Consumer Advocate

cc: service list