

DEVINE MILLIMET

ATTORNEYS AT LAW

September 14, 2007

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BY ELECTRONIC MAIL & HAND DELIVERY

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

Re: DT 07-011 Verizon New England Inc., Bell Atlantic Communications Inc. NYNEX Long Distance Co. Verizon Select Services Inc. (collectively "Verizon"), and Fairpoint Communications, Inc. ("Fairpoint")

Dear Ms. Howland:

Apparently, issues have arisen in connection with Public Utilities Commission ("Commission") Docket DT 07-011 (this "Docket") concerning the submission of prefiled rebuttal testimony on behalf of Fairpoint. It appears that the prefiled rebuttal testimony served by electronic mail transmission on behalf of Fairpoint failed to reach several parties. Fairpoint first learned of this through communications with representatives of the Office of Consumer Advocate on Thursday, September 13, 2007. Fairpoint learned on Friday, September 14, 2007, that some of the other parties to this Docket encountered a similar problem.

On behalf of Fairpoint, the undersigned counsel hereby certifies that FairPoint sought to timely provide the Service List for this Docket with the public, prefiled rebuttal testimony of the witnesses noted below on the dates and times noted below (and as demonstrated by the copies of the e-mail communications attached hereto as Appendix One). In addition, FairPoint provided the Commission Staff with a diskette containing all of the pre-filed rebuttal testimony on September 10, 2007. Copies of e-mail communications to this effect are attached hereto as Appendix One.

Sunday, September 9, 2007

Peter G. Nixon	2:20 p.m.
Brian Lippold	2:20 p.m.
Michael T. Skrivan	2:20 p.m.
Mssrs. Haga and Kurtze	2:48 p.m.
Dr. Douglas Sicker	3:15 p.m.

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Monday, September 10, 2007

William E. King	10:02 a.m.
Michael J. Balhoff	10:02 a.m.
Walter E. Leach	10:39 a.m.
Walter E. Leach (Exhibit Part I)	12:01 p.m.
Walter E. Leach (Exhibit Part II)	12:01 p.m.
Walter E. Leach (Exhibit Part III)	12:01 p.m.
Mssrs. Brown, Harrington & Smee	3:46 p.m.

In the interest of fairness to all parties, FairPoint hereby requests that the Commission extend the following discovery deadlines applicable to FairPoint as follows:

FairPoint's Prefiled Rebuttal Testimony - September 10 to Friday, September 14, 2007;
Intervenors' Service of Data Requests
 on FairPoint - September 17 to Thursday, September 20, 2007;
FairPoint's Objections to Data Requests - September 24 to Tuesday, September 25, 2007; and
FairPoint's Responses to Data Requests
 (Un-objected) - October 5 to Monday, October 8, 2007.

In addition, FairPoint agrees to attempt in good faith to respond to Data Requests on October 5, 2007, as currently provided for within the discovery schedule. The discovery schedule as applicable to Verizon, including Data Requests propounded to Verizon, would remain as currently provided for within the discovery schedule

On behalf of FairPoint, the undersigned counsel hereby certifies that the above referenced extensions do not prejudice any party to this Docket and do not affect the orderly administration of this Docket. The undersigned counsel has sought from and has received assent to this request from the Commission Staff, Consumer Advocate and Verizon. Due to timing issues, the undersigned counsel was not able to secure assent of all parties to this Docket.

Thank you for your consideration.

Very truly yours,


for Patrick C. McHugh

PCM:nmm

cc: Office of Consumer Advocate (Electronic and Hand Delivery)

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Service List

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