

**BEFORE THE NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION**

**DT 07-011**

**VERIZON NEW ENGLAND, INC., BELL ATLANTIC COMMUNICATIONS, INC., NYNEX LONG DISTANCE CO., VERIZON SELECT SERVICES, INC., AND FAIRPOINT COMMUNICATIONS, INC.**

**Transfer of Assets to FairPoint Communications, Inc.**

**OFFICE OF CONSUMER ADVOCATE'S  
NOTICE OF RESERVATION OF RIGHTS CONCERNING  
FAIRPOINT'S RESPONSES TO REBUTTAL DATA REQUESTS**

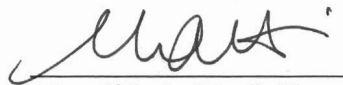
The Office of Consumer Advocate (OCA) hereby notifies the N.H. Public Utilities Commission (Commission), FairPoint Communications, Inc. (FairPoint), the other parties and Commission Staff that the OCA reserves its rights to compel the responses of FairPoint to certain rebuttal data requests. In support, the OCA states the following:

1. The procedural schedule in this docket provides for the filing today of motions to compel responses to disputed rebuttal data requests.
2. In addition to eight "General Objections," FairPoint specifically objected in whole or in part to 83 of the OCA's rebuttal data requests.
3. Within its written objections, FairPoint agreed to provide some response to all but two of the disputed rebuttal data requests, which FairPoint outright objected to responding.
4. In subsequent discussions with the OCA, however, FairPoint agreed to also respond to these two disputed rebuttal data requests.
5. FairPoint's responses are due after the deadline for filing this motion to compel.
6. In agreeing to accept, for the time being, FairPoint's offer to provide responses to its disputed rebuttal data requests, the OCA does not waive its rights to

compel further responses to these data requests if FairPoint's voluntary responses are insufficient or incomplete.

7. As such, the OCA reserves these rights and hereby notifies the Commission, FairPoint, other parties and Staff of this reservation of rights.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was forwarded this day to the parties by electronic mail.

September 28, 2006



Meredith A. Hatfield