

THE STATE OF NEW HAMPSHIRE

CONSUMER ADVOCATE  
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CONCORD, NEW HAMPSHIRE 03301-2429

May 18, 2007

Ms. Debra A. Howland  
Executive Director and Secretary  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301



Re: **DT 07-011 Verizon New England/FairPoint Communications**  
**OCA's Notice of Reservation of Rights**

Dear Ms. Howland:

Enclosed for filing with the Commission please find an original and seven copies of the Office of Consumer Advocate's (OCA's) Notice of Reservation of Rights Concerning FairPoint's Responses to Group V, Set 1 Data Requests. A copy of this filing has been served electronically on all parties in this docket.

Sincerely,

Rorie E.P. Hollenberg  
Staff Attorney

cc: Service List

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**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 GROUP V, SET 1, 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 Group V, set 1, data requests and to propound additional data requests concerning the subjects covered by the OCA's Group V, set 1. 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 Group V data requests.<sup>1</sup>

2. In addition to eight "General Objections," FairPoint specifically objected in whole or in part to the following data requests: OCA V 1-8, 1-15, and 1-16.

3. Within its written objections, FairPoint agreed to provide some response to all of these data requests.

4. FairPoint's responses, however, are due after the deadline for filing this motion to compel.

5. In agreeing to accept, for the time being, FairPoint's offer to provide some response to its Group V, set 1, data requests, the OCA does not waive its rights to compel

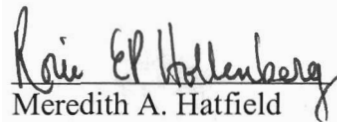
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<sup>1</sup> See Order 24,733, March 16, 2007, pp. 6-7, and 20.

further responses to these data requests or to propound additional data requests concerning the subjects covered by the OCA's Group V, set 1.

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

Respectfully submitted,

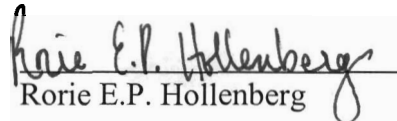


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CERTIFICATE OF SERVICE

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

May 18, 2006



Rorie E.P. Hollenberg