

FairPoint Communications, Inc.
State of New Hampshire
Docket No. DT 07-011

Respondent: Brian Lippold
Title: Vice President, Business &
Wholesale Services

REQUEST: Office of Consumer Advocate - Rebuttal

DATED: September 19, 2007

ITEM: OCA R-116 Refer to page 17, line 6 through page 18, line 4, of the Rebuttal Testimony of Brian Lippold.

- a. Has Mr. Lippold or any entity or individual on behalf of Mr. Lippold or FairPoint conducted any analyses of the level of competition in New Hampshire? If so, please provide them.
- b. Please identify and provide any data, analyses, or studies upon which Mr. Lippold relied to reach his belief "that there is robust intramodal and intermodal competition in New Hampshire."
- c. Please provide data or reports or analyses which evidence that there is "robust" competition in New Hampshire's rural communities..
- d. Please provide data or reports or analysis which evidence that there is "robust" competition for "no frills" residential consumers, that is, for consumers seeking basic local exchange service with few or no discretionary features, minimal toll calling and no broadband or video demand.

REPLY:

OBJECTION: FairPoint objects to Data Request R-116 on the grounds that it is overbroad, unduly burdensome and seeks highly confidential and proprietary commercial and strategic information that would provide competitors a business advantage if disclosed. The information sought pertains to the provision of competitive services and includes trade secret information that required significant effort and cost to produce and/or confidential, research or commercial information, including customer, geographic, market and product-specific data. Subject to and without waiving this objection, FairPoint will provide information responsive to Data Request R-116.
[Objection served September 25, 2007.]

- a. No.
- b. Mr. Lippold relied upon his knowledge of the competitive industry.
- c. Mr. Lippold's statement did not segment New Hampshire competition. As a result, FairPoint has no such evidence, nor has it claimed such.
- d. Mr. Lippold's statement did not segment New Hampshire competition. As a result, FairPoint has no such evidence, nor has it claimed such.