

September 25, 2009

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BY HAND DELIVERY

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

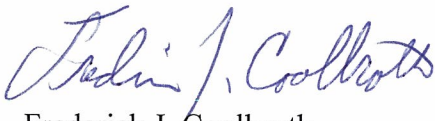
Re: DT 09-044 Petition for an Investigation into the Regulatory Status of IP Enabled
Voice Telecom Service

Dear Ms. Howland:

The Secretarial Letter dated July 2, 2009 in the above-captioned docket established September 18, 2009 as the deadline for filing a Stipulation of Facts. By Secretarial Letter dated September 22, 2009 this deadline was extended to today, September 25, 2009. With this letter, TWC Digital Phone LLC, Comcast Phone of New Hampshire, LLC and the Petitioner, New Hampshire Telephone Association ("NHTA") (collectively the "Parties") wish to report that, despite their good faith efforts, they have not been able to come to agreement on a Stipulation of Facts that is mutually agreeable at this time. While the individual Parties leave open the possibility that they may be able to submit a Stipulation of Facts later on in this proceeding, they will move forward in providing testimony and eliciting evidence pursuant to the procedural schedule as established in the Secretarial Letter of July 2, 2009.

Please let me know if there are any questions about this request. Thank you for your assistance and cooperation in bringing this to the Commission's attention.

Very truly yours,


Frederick J. Coolbroth

FJC:kaa

cc: Electronic Service List

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