



July 22, 2011

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**VIA OVERNIGHT MAIL**

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

Re: DT 11-061; FairPoint Communications, Inc. Petition for Approval of Simplified Metrics Plan and Wholesale Performance Plan  
DT 09-113; Petition for Waiver of Performance Assurance Plan Payment Requirements for February through June 2009

Dear Ms. Howland:

On behalf of FairPoint Communications, Inc. ("FairPoint"), enclosed for the Commission's information are two (2) copies of FairPoint's responses to motions by the CANNE CLECs for consolidation of the two proceedings in Maine and Vermont that concern the same issues as the above referenced proceedings.<sup>1</sup> Informational copies of the respective motions were submitted to the Commission by the CANNE CLECs on July 14, 2011 in DT 11-061.

As explained in the attached filings, consolidation is unnecessary because the two proceedings relate to two entirely separate issues; one proceeding addresses a complete replacement of the C2C and PAP, whereas the other deals only with a revision to a single aspect of the current PAP. In addition, the CANNE CLECs' proposed schedule, which provides for hearings almost a year from now and provides no indication when the cases would be ready for decision, is completely unrealistic. FairPoint filed its requests in each of the Vermont dockets almost four months ago and filed testimony in each docket over two months ago. Simply put, the CLECs have not demonstrated any basis for further delaying the schedule approved by the Vermont Public Service Board in Docket 7506.

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<sup>1</sup> The Maine filing also contains, in Attachment C, a copy of the then circulating consolidated metrics inventory spreadsheet from the Vermont simplified PAP proceeding. For the convenience of the parties to this proceeding, an MS Excel version of the most recent consolidated metrics inventory is being circulated to the parties with the electronically served version of this filing.

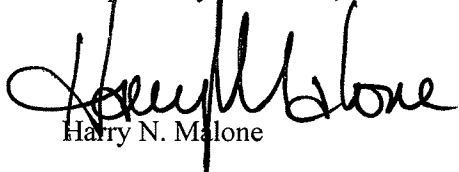
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As explained in the attached filing in Maine, FairPoint is open to consolidation of the two proceedings under the following conditions:

- The proceedings are conducted in accordance with a schedule based on the CANNE CLECs' proposed schedule, but modified to be more timely and efficient, as presented in Attachment B to the Maine filing;
- the resolution of DT 09-113 (and the corresponding cases in Maine and Vermont) is retroactive to March 31, 2011;
- the proceedings are consolidated only for purposes of the schedule (because Vermont Docket 7506 is an uncontested case whereas Vermont Docket 7539 is a contested case), and;
- the CANNE CLEC parties agree that the New Hampshire Commission lift the stay of DT 09-113.

A compact disk containing this filing is also enclosed.

Respectfully submitted,



Harry N. Malone

HNMM:kaa

Enclosures

cc: Electronic Service List