

August 16, 2012

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VIA HAND DELIVERY

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



Re: DT 12-107; New Hampshire Optical Systems, LLC Petition for an Investigation into Proposed Charges for Utility Pole Make Ready

DT 12-246; Electric and Telephone Utilities; Review of Utility Pole Access Issues

Dear Ms. Howland:

This letter is submitted on behalf of the rural local exchange carriers of the New Hampshire Telephone Association (“NHTA”)¹ in response to the Amendment to Petition for Investigation filed by New Hampshire Optical Systems, LLC (“NHOS”) on August 2, 2012 (the “Amended Petition”) in Docket DT 12-107, the Motions to Dismiss filed respectively by the CANNE group of competitive local exchange carriers and NECTA on August 13, 2012, and the letter from Northern New England Telephone Operations LLC (“NNETO”) filed August 15, 2012. While neither NHTA nor any NHTA member has intervened in Docket DT 12-107, NHTA does wish to advise the Commission that it concurs with the CANNE and NECTA motions and the NNETO letter.

As CANNE, NECTA, and NNETO have explained at length, NHOS has failed to state a case that third-party attachers have acted unreasonably and are responsible for any delay that NHOS has experienced in deploying its facilities. Furthermore, NHTA agrees *most emphatically* with NNETO’s contention that the Commission should disregard any suggestion that pole owners are – or ever should be – responsible for refereeing or enforcing any relationship among third party attachers. Pole owners in general, and the

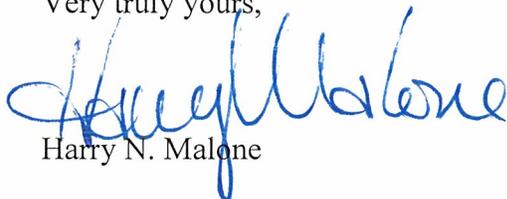
¹ Bretton Woods Telephone Company, Inc.; Dixville Telephone Company; Dunbarton Telephone Company, Inc.; Granite State Telephone, Inc.; Hollis Telephone Company, Inc.; Kearsarge Telephone Company; Merrimack County Telephone Company; Union Telephone Company; Wilton Telephone Company, Inc.

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NHTA companies in particular, are in no position to assume such a burden or to navigate the minefield of legal issues inherent in such an undertaking.

Finally, NHTA also agrees that further proceedings in the subject dockets would be an unwarranted waste of industry resources. The ambiguous nature of NHOS's grievances and the broad outline of the Order of Notice in DT 12-246 promise to corral an extensive number of industry parties into an amorphous, data intensive and costly proceeding for which no valid case and controversy has been articulated. NHTA can attest to the assertions by CANNE, NECTA and NNETO that arrangements among attaching parties have been conducted in a business-like manner with a little or no Commission involvement for many years now. Accordingly, NHTA supports CANNE's and NECTA's requests that the Commission dismiss the Amended Petition and close Docket Nos. DT 12-107 and DT 12-246.

Very truly yours,



Harry N. Malone

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cc: Electronic Service List