

DEVINE
MILLIMET

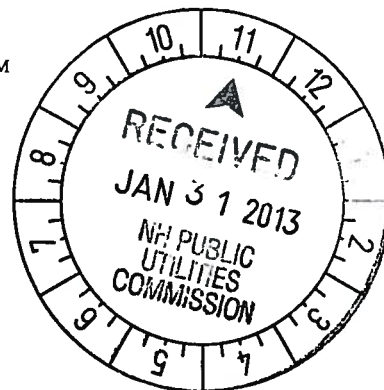
ATTORNEYS AT LAW

January 29, 2013

HARRY N. MALONE
T 603.695.8532
HMALONE@DEVINEMILLIMET.COM

**VIA FIRST CLASS MAIL
ELECTRONIC MAIL**

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



Re: DT 12-324; Bretton Woods Telephone Company and Northern New England
Telephone Operations LLC - Joint Petition to Modify Service Territory
Boundaries

Dear Ms. Howland:

Enclosed for inclusion in the record in the above-referenced proceeding is an
Affidavit of Publication, Affidavit and relevant maps pursuant to Order No. 25,452.

A compact disk containing these documents is also enclosed.

Very truly yours,

A handwritten signature in blue ink that reads "Harry N. Malone".

Harry N. Malone

HNH:aec

Enclosures

cc: Electronic Service List

UNION LEADER CORPORATION

P O BOX 9513
MANCHESTER, NH 03108

0000047966
DEVINE MILLIMET & BRANCH PA
ATTN: ANN WILLETT
111 AMHERST ST
MANCHESTER NH 03101

I hereby certify that the legal notice: (0000391110) BRETTON WOODS/ORDER #25,452
was published in the New Hampshire Union Leader
printed at Manchester, NH by the Union Leader Corp.
On:
01/14/2013.

State of New Hampshire
Hillsborough County

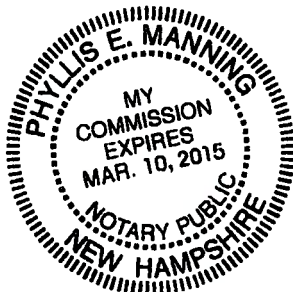
Subscribed and sworn to before me this

14

day of

January 2013

Phyllis E Manning
Notary Public



ain Mortgage given by Debra J. Rich- and Jennifer A. Blake (the "Mort-") to Mortgage Electronic Registration ms, Inc. as nominee for, Merrimack gage Company, Inc., a Massachusetts oration, its successors and assigns. 1 September 29, 2010 and recorded s at Book 5151, on Page 529(the tgage") of which mortgage the under- d is present holder by assignment , want to and in execution of said power for breach of conditions of said Mort- and for the purpose of foreclosing : will be sold at:

**Public Auction on
February 4, 2013
at
01:00 PM**

dd sale being located on the mortgaged nises and having a present address of Wilders Grove, Newton, Rockingham nty, NH. The premises are more icularly described in the Mortgage.

NOTICE
JRSUANT TO NEW HAMPSHIRE RSA :25, YOU ARE HEREBY NOTIFIED AT YOU HAVE THE RIGHT TO PETI- N THE SUPERIOR COURT FOR THE UNTY IN WHICH THE MORTGAGED EMISES ARE SITUATED, WITH SER- E UPON THE MORTGAGEE, AND ON SUCH BOND AS THE COURT MAY QUIRE, TO ENJOIN THE SCHEDULED RECLOSURE SALE.

he property will be sold subject to all paid real estate taxes and all other liens d encumbrances which may be entitled precedence over the Mortgage. Notwith- nding any title information contained in s notice, the Mortgagee expressly dis- ms any representations as to the state the title to the Property involved as of e date of the notice of the date of sale. e property to be sold as the sale is "AS WHERE IS".

The foreclosure sale will be made for the opose of foreclosure of all rights of remption of the said mortgagor(s) therein assessed by them and any and all per- ns, firms, corporations, or agencies aiming by, from or under them.

TERMS OF SALE:
A deposit of FIVE THOUSAND DOLLARS VD 00 CENTS (\$5,000.00) in the form of certified check or bank treasurer's check ill be required to be delivered at or before e time the bid is offered. The description f the premises contained in said mortgage all control in the event of an error in this ublication.

U.S. Bank National Association
Present Holder of said Mortgage.
By Its Attorneys,
Orlans Moran PLLC
P.O. Box 540540
Waltham, MA 02454
Phone: 617-502-4100

UL - Jan. 14, 21, 28)

Legal Notice

PUBLIC NOTICE

The following Committees of the Board of Directors of the New Hampshire Housing Finance Authority and the Board of Directors will meet on the following dates and times at the Authority's offices located at 32 Constitution Drive, Bedford, New Hampshire.

January 15, 2013
Multi-Family Housing Committee
9:00 a.m.
Homeownership Committee
11:00 a.m.
Finance and Administration Committee
12:30 p.m.
January 24, 2013
Board of Directors Meeting
10:00 a.m.

Copies of the meeting agendas are available for review at the Authority's of- fices.

By: Dean J. Christon
Executive Director,

(UL-Jan. 14)

Legal Notice

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION
DT 12-324**

**BRETTON WOODS
TELEPHONE COMPANY AND
NORTHERN NEW ENGLAND
TELEPHONE OPERATIONS LLC
Joint Petition to Modify
Service Territory Boundaries
Order Nisi Approving Boundary
Modifications**

**ORDER NO. 25,452
January 8, 2013**

On October 31, 2012, Bretton Woods Telephone Company (BWTC) and Northern New England Telephone Operations LLC d/b/a FairPoint Communications - NNE (FairPoint) (the Petitioners) filed a joint petition pursuant to RSA 374:30 to modify service territory boundaries of the Petition- ers as described below and as depicted on the revised franchise maps provided in response to Staff's data request.

The petition requests approval to modify service territory boundaries by transferring a small portion of FairPoint's service territory in the Town of Carroll (service area) to BWTC. There are two customers currently residing in the service area that are interested in receiving high- speed Internet service. FairPoint does not provide broadband in the area. Currently, BWTC offers DSL with download and upload speeds of 512 kbps and 256 kbps, respectively, but states that, once its stimulus-funded fiber deployment project is complete, BWTC will be able to offer service with significantly higher speeds. According to BWTC, the prospect of higher speeds resulting from the fiber deployment project is a factor behind FairPoint's cus- tomers' support for the boundary mod- ification.

RSA 374:30 II permits an excepted incumbent local exchange carrier to transfer franchise territory to another utility when the Commission finds the utility to which the transfer is to be made is technically, managerially, and financially capable of maintaining the obligations of an incumbent local exchange carrier set forth in RSA 362:8 and RSA 374:22-p. Pursuant to RSA 362:7 I (b) and (c)(1) FairPoint, an incumbent local exchange carrier providing telephone service to more than 25,000 access lines, is an excepted

tomers' support for the boundary mod- ification.

RSA 374:30 II permits an excepted incumbent local exchange carrier to transfer franchise territory to another utility when the Commission finds the utility to which the transfer is to be made is technically, managerially, and financially capable of maintaining the obligations of an incumbent local exchange carrier set forth in RSA 362:8 and RSA 374:22-p. Pursuant to RSA 362:7 I (b) and (c)(1) FairPoint, an incumbent local exchange carrier providing telephone service to more than 25,000 access lines, is an excepted local exchange carrier. According to the petition, BWTC, an established incumbent local exchange carrier, now an excepted local exchange carrier, has the technical, managerial, and financial capability of maintaining the obligations of an incum- bent local exchange carrier as set forth in RSA 362:8 and RSA 374:22-p.

We find that the proposed boundary change will increase the deployment of high speed Internet access and thereby serve the public good. We also find that BWTC has been a competent ILEC in good standing and is receiving stimulus funding to deploy fiber in its service territory. Therefore, BWTC has the technical, man- agerial and financial capability to maintain the obligations of an incumbent local ex- change carrier in an additional limited service area with, at present, two new customers. Accordingly, we will grant the petition to modify the service territory boundaries of BWTC and FairPoint in the Town of Carroll.

Based upon the foregoing, it is hereby ORDERED NISI, that subject to the effective date below, the proposed fran- chise boundary change between BWTC and FairPoint is approved as filed and service shall be provided pursuant to the approved franchise boundaries; and it is **FURTHER ORDERED**, that BWTC shall file properly annotated tariff pages and that BWTC and FairPoint shall file two copies of the relevant maps in compliance with this Commission order no later than 30 days from the issuance of this order as required by NH Admin. Rules, PUC 1603.02; and it is

FURTHER ORDERED, that the Petition- ers shall cause a copy of this Order Nisi to be (1) published once in a statewide news- paper of general circulation or of circula- tion in those portions of the state where operations are conducted, (2) delivered to the Town of Carroll Town Clerk, and (3) delivered to all customers located in the new franchise territory, such publication and service to be accomplished no later than January 18, 2013 and to be documented by affidavit filed with this office on or before February 7, 2013; and it is

FURTHER ORDERED, that all persons interested in responding to this petition shall submit their comments or file a writ- ten request for a hearing on this matter before the Commission no later than January 25, 2013; and it is

FURTHER ORDERED, that any party interested in responding to such com- ments or request for hearing shall do so no later than February 1, 2013; and it is

FURTHER ORDERED, that this Order Nisi shall be effective February 7, 2013, unless the Petitioners fail to satisfy the publication or service obligations set forth above or the Commission provides other- wise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commis- sion of New Hampshire this eighth day of January, 2013.

Amy L. Ignatius
Chairman
Michael D. Harrington
Commissioner
Robert R. Scott
Commissioner
Attested by:
Debra A. Howland
Executive Director

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

DT 12-324

**BRETTON WOODS TELEPHONE COMPANY AND
NORTHERN NEW ENGLAND TELEPHONE OPERATIONS LLC**

Joint Petition to Modify Service Territory Boundaries

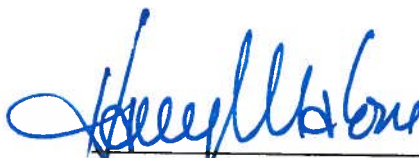
AFFIDAVIT OF HARRY N. MALONE

The undersigned, Harry N. Malone, being first duly sworn, deposes and says as follows:

1. In accordance with the Commission's Order *Nisi* No. 25,452 issued January 8, 2013 in regard to the above captioned proceeding, a copy of the Order *Nisi* has been (1) published once in a statewide newspaper of general circulation and of circulation in those portions of the state where operations are conducted, (2) delivered to Town of Carroll Town Clerk, and (3) delivered to all customers located in the new franchise territory, as of January 18, 2013.

2. I hereby swear or affirm that the information contained in this affidavit is true to the best of my knowledge.

Dated this 29 day of January, 2013.



Harry N. Malone
Counsel to Joint Petitioners

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

Sworn to and subscribed before me this 29th day of January, 2013.



Notary Public/Justice of the Peace

My Commission Expires:

Lana M. Gagnon
Notary Public * Justice of the Peace
My Commission Expires February 2, 2016

CURRENT EXCHANGE BOUNDARY



PROPOSED EXCHANGE BOUNDARY

