

THE STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

CHAIRMAN
Thomas B. Getz

COMMISSIONER
Clifton C. Below

**EXECUTIVE DIRECTOR
AND SECRETARY**
Debra A. Howland

Tel. (603) 271-2431

FAX No. 271-3878

TDD Access: Relay NH
1-800-735-2964

Website:
www.puc.nh.gov

July 2, 2009

Office of Legislative Services
Division of Administrative Rules
25 Capitol Street
State House Annex, Room 219
Concord, N.H. 03301-6312

Re: Doc. # 9483
Puc 402.49, Rules for Telecommunications

Dear Director:

Pursuant to RSA 541-A:15,I-a, I hereby certify that the enclosed rules are the same in substance as the rules originally filed with the Office of Legislative Services, Division of Administrative Rules.

I further certify that the enclosed rules, as edited for format by the Division of Administrative Rules, is the official version of these rules which this agency is required to publish in an 8 ½ X 11 inch loose-leaf format as part of the New Hampshire Code of Administrative Rules, under Chapter 5 of the New Hampshire Drafting and Procedure Manual for Administrative Rules and RSA 541-A:15, I.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas B. Getz", written over a horizontal line.

Thomas B. Getz
Chairman

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- Section Puc 402.46 Reportable Accident
- Section Puc 402.47 Secretary of State Certificate of Authority
- Section Puc 402.48 Significant Accident
- Section Puc 402.49 Significant Service Outage
- Section Puc 402.50 Slamming
- Section Puc 402.51 Subscriber
- Section Puc 402.52 Tariff
- Section Puc 402.53 Telecommunications Act of 1996 (Tact)
- Section Puc 402.54 Telecommunications Relay Service (TRS)
- Section Puc 402.55 Third-Party Call
- Section Puc 402.56 Toll Call
- Section Puc 402.57 Transfer of Customer Base
- Section Puc 402.58 Unbundle
- Section Puc 402.59 Uniform Tariff
- Section Puc 402.60 Utility
- Section Puc 402.61 Voice Service

PART Puc 403 RESERVED

PART Puc 404 RESERVED

PART Puc 405 PAYPHONE SERVICE

- Section Puc 405.01 Purpose
- Section Puc 405.02 Application of Rules
- Section Puc 405.03 Definitions
- Section Puc 405.04 Requirements for Registration
- Section Puc 405.05 Assessment
- Section Puc 405.06 Notification of Change of Status
- Section Puc 405.07 Violation of Registration to Operate
- Section Puc 405.08 Payphone Calling Services
- Section Puc 405.09 Notices and Labeling
- Section Puc 405.10 Directories and Directory Assistance
- Section Puc 405.11 Equipment
- Section Puc 405.12 Commission Inspections
- Section Puc 405.13 Required Reports
- Section Puc 405.14 Form PSP-2 Assessment Report
- Section Puc 405.15 Form PSP-7 Payphone Location Report
- Section Puc 405.16 Form PSP-10 Application for Registration

PART Puc 406 PUBLIC INTEREST PAYPHONES

- Section Puc 406.01 Purpose
- Section Puc 406.02 Application of Rules
- Section Puc 406.03 Definitions
- Section Puc 406.04 PIP Designation Requirements
- Section Puc 406.05 Designation Process
- Section Puc 406.06 PIP Compensation
- Section Puc 406.07 Process for Removal of PIP Designation

PART Puc 407 NON-UTILITY PROVIDERS OF TELEPHONE SERVICES: SHARED TENANT SERVICES

- Section Puc 407.01 Purpose
- Section Puc 407.02 Application of Rules

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Puc 402.47 “Secretary of state certificate of authority” means the Certificate of Legal Existence, Certificate of Authority, or other certification issued by the New Hampshire secretary of state which authorizes an entity to transact business in the state.

Source. #8348, eff 5-10-05 (See Revision Note at chapter heading for Puc 400)

Puc 402.48 “Significant accident” means a reportable accident in which:

- (a) A fatality has occurred;
- (b) Any person has received an injury which requires in-patient hospitalization, to the extent known by the utility;
- (c) Any person has received an injury which incapacitates that person from active work for a total of six days or more during the 10 days immediately following the accident, to the extent known by the utility;
- (d) Property damage over \$25,000 has occurred, to the extent known by the utility;
- (e) An electrical contact has occurred; or
- (f) Damage to the utility’s facilities interrupts service to all of the utility’s customers in an entire telephone exchange for a period of 15 minutes or longer.

Source. #8348, eff 5-10-05 (See Revision Note at chapter heading for Puc 400)

Puc 402.49 “Significant service outage” means outages in New Hampshire that affect:

- (a) An entire exchange;
- (b) All customers in a similar manner, such as interconnection failures;
- (c) 250 or more access lines and last more than 30 minutes;
- (d) 5000 or more access lines;
- (e) Signaling system or tandem failures having a statewide impact; or
- (f) In the case of a CLEC, the majority of customers in a particular area.

Source. #8348, eff 5-10-05 (See Revision Note at chapter heading for Puc 400); ss by #9483, eff 6-19-09

Puc 402.50 “Slamming” means any practice that changes a subscriber’s telecommunications carrier or provider without the subscriber’s knowledge or consent, pursuant to RSA 374:28-a.

Source. #8348, eff 5-10-05 (See Revision Note at chapter heading for Puc 400)

Puc 402.51 “Subscriber” means the customer or its designee to whom the telecommunications services are billed.

Source. #8348, eff 5-10-05 (See Revision Note at chapter heading for Puc 400)

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Appendix

Puc 401.01 – Puc 401.02	RSA 365:8, 11, VII & XII; RSA 374:3
Puc 402.01 – Puc 402.08	RSA 365:8, VII & XII; RSA 374:3
Puc 402.09	RSA 365:8, VII & XII; RSA 374:3; RSA 362:1; RSA 378:44
Puc 402.10 – Puc 402.11	RSA 365:8, VII & XII; RSA 374:3
Puc 402.12	RSA 365:8, VII & XII; RSA 374:3; RSA 378:44, III
Puc 402.13 – Puc 402.25	RSA 365:8, VII & XII; RSA 374:3
Puc 402.26	RSA 365:8, VII & XII; RSA 374:3; RSA 378:33, VII
Puc 402.27 – Puc 402.47	RSA 365:8, VII & XII; RSA 374:3
Puc 402.48	RSA 365:8, VII & XII; RSA 374:3; RSA 374:28-a, I
Puc 402.49 – Puc 402.50	RSA 365:8, VII & XII; RSA 374:3
Puc 402.51	RSA 365:8, VII & XII; RSA 374:3; RSA 362-E:1, III
Puc 402.52 – Puc 402.55	RSA 365:8, VII & XII; RSA 374:3
Puc 402.56	RSA 365:8, VII & XII; RSA 374:3; RSA 362:2, I
Puc 405.01 – Puc 405.04	RSA 365:8, VII & XII; RSA 374:3
Puc 405.05	RSA 365:8, VII & XII; RSA 374:3; RSA 363-A:2 & 4
Puc 405.06	RSA 365:8, VII & XII; RSA 374:3, 4 & 15; RSA 378:1
Puc 405.07	RSA 365:8, VII & XII; RSA 374:3; RSA 365
Puc 405.08 – Puc 405.11	RSA 365:8, VII & XII; RSA 374:3
Puc 405.12	RSA 365:6, 7 & 8, VII & XII; RSA 374:3 & 7; RSA 370:4
Puc 405.13	RSA 365:8, VII, XI & XII; RSA 374:3; :4 & 5; RSA 378:1
Puc 405.14	RSA 365:8, VII & XII; RSA 374:3
Puc 405.15	RSA 365:8, VII & XII; RSA 374:3; RSA 378:1
Puc 405.16	RSA 365:8, VII & XII; RSA 374:3
Puc 406.01 – Puc 406.07	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-q
Puc 407.01 – Puc 407.03	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c
Puc 407.04	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c ; RSA 378:45
Puc 407.05	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c
Puc 407.06	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c; RSA 374:28-a; RSA 378:45
Puc 407.07 – Puc 407.11	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c
Puc 407.12	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c; RSA 378:3
Puc 407.13	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c
Puc 407.14	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c; RSA 378:46 & 47
Puc 407.15 – Puc 407.20	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c
Puc 407.21	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c; RSA 365
Puc 407.22	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c; RSA 374:4 & 15; RSA 378:1
Puc 407.23	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c; RSA 374:30
Puc 407.24	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c; RSA 374:4
Puc 407.25	RSA 365:8, VII & XII; RSA 374:3; RSA 374:22-k-n; RSA 378:17-c;