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STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: December 31, 2008

AT (OFFICE): NHPUC

David

FROM: David Goyette, Utility Analyst III - Telecommunications

SUBJECT: DT 08-163 Fairpoint Communications - NNE
Special Contract with Foundation Medical Partners for ISDN-PRI
Service

TO: Debra Howland, Executive Director
Kate Bailey, Director - Telecommunications

On December 22, 2008, Northern New England Telephone Operations LLC d/b/a Fairpoint Communications - NNE (Fairpoint) filed a special contract between Fairpoint and Foundation Medical Partners. Under the contract, Fairpoint will provide Foundation Medical Partners with ISDN-PRI service, including Port, Local Distribution Channel, and Caller ID with Name, for a period of 36 months. During the first 12 months of the contract, Foundation Medical Partners is allowed, at any time, to order additional circuits. In support of the filing, Fairpoint submitted records and information, including contract terms and conditions, which are subject to confidential treatment pursuant to RSA 378:43.

Staff has reviewed the cost study data submitted by Fairpoint and confirmed that the contract rates exceed the price floor requirements as defined in Order Nos. 23,357 and 23,493 (Docket No. DT 99-018). Based on its analysis, Staff recommends that the special contract be allowed to go into effect pursuant to RSA 378:18-b, II(a).