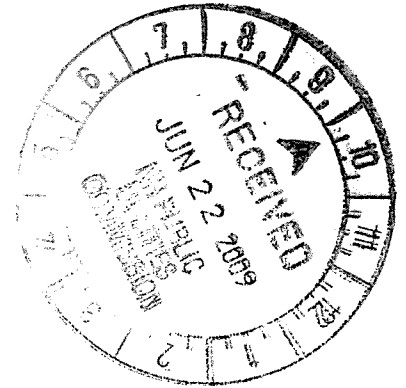


Synergies Law Group, PLLC

June 19, 2009

VIA OVERNIGHT DELIVERY

Debra A. Howland, Executive Director
New Hampshire Public Utility Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429



**RE: Docket No. 09-048
Response to Commission Secretarial Letter**


Dear Director Howland:

Union Telephone Company ("Union"), by and through undersigned counsel, hereby files this response to the Commission Secretarial Letter dated June 15, 2009 ("Secretarial Letter"). In the Secretarial Letter, the Commission deferred ruling on the Motion to Dismiss filed by Union on May 29, 2009 ("Motion to Dismiss"), "until it receives the arbitrator's findings and recommendations." In its Motion to Dismiss, Union argues among other things that IDT's request for interconnection, which is the subject of this proceeding, was, in fact, a request for interconnection under Section 251(c) and therefore IDT cannot demand the interconnection it seeks without termination of Union's rural exemption. Union also asserts that IDT does not propose to act as a common carrier and that therefore IDT is not entitled to demand interconnection from Union.

Union respectfully submits these two threshold questions should not be included in the arbitration procedural schedule as they are not negotiable issues. These issues are questions of law and must be ruled upon by the Commission prior to proceeding to an arbitrated agreement. To do otherwise would require Union and IDT to negotiate an agreement which may ultimately be invalidated when the Commission does issue a decision. Accordingly, Union requests that the Commission reconsider its decision to delay a decision on the May 29th Motion.

Pursuant to Commission rules, this letter is being electronically filed at [redacted]. In addition, an original and seven (7) copies of this letter are also being filed via overnight mail. Please date stamp and return the enclosed extra copy of this filing. Please do not hesitate to contact the undersigned with any questions.

Respectfully submitted,


Brian McDermott
Edward S. Quill, Jr.

Counsel Union Telephone Company

cc: Service List