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

August 4, 2009

Re: DT 09-059, FairPoint Communications, Inc.  
Petition for Waiver of Certain Requirements Under the Performance Assurance Plan and  
Carrier to Carrier Guidelines  
Procedural Schedule

To the Parties:

On July 8, 2009, a duly noticed prehearing conference was held in the above referenced proceeding. Appearances at the prehearing conference were entered by representatives of FairPoint Communications- NNE (FairPoint), Freedom Ring Communications, LLC d/b/a BayRing Communications (BayRing), CRC Communications (CRC), One Communications (One), Comcast Phone of New Hampshire, LLC (Comcast), segTEL, Inc. (segTEL), the Office of the Consumer Advocate, and Commission Staff. All pending motions to intervene were granted. Also on July, 8, 2009, segTEL filed a motion to consolidate the instant proceeding with DT 09-113, FairPoint's petition for waiver of certain requirements under the Performance Assurance Plan and the Carrier to Carrier Guidelines

Following the Pre-Hearing Conference, the parties and Staff met for a technical session and discussed procedural issues. The parties and Staff agreed to recommend to the Commission that consolidation of proceedings as requested by segTEL in its July 8<sup>th</sup> motion would not be an efficient manner in which to proceed. The participants also agreed that DT 09-113 should be the "Commission's priority in advance of DT 09-059." On August 3, 2009, segTEL withdrew its motion to consolidate.

Based on the foregoing, the Commission has determined to hold in abeyance the development of a full procedural schedule for this docket. For administrative efficiency, the Commission has elected to issue this Secretarial Letter as its prehearing order in this proceeding.

Sincerely,

A handwritten signature in blue ink that reads "Debra A. Howland".

Debra A. Howland  
Executive Director