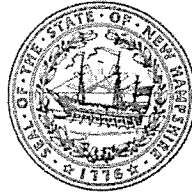


THE STATE OF NEW HAMPSHIRE



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PUBLIC UTILITIES COMMISSION

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NHPUC 3MAR14PM3:15

March 3, 2014

Senator John Reagan, Chair
Joint Legislative Committee on Administrative Rules
State House Annex, Room 219
25 Capitol Street
Concord, NH 03301-6312

**Re: Response to Preliminary Objection to FP 2013-51
Puc 400 Rules for Telephone Utilities
PUC Docket No. DRM 12-036**

Dear Chairman Reagan:

I write to you as Chairman of the Public Utilities Commission (Commission) in response to the Committee's preliminary objection to Final Proposal 2013-51 regarding the Puc 400 rules relative to telephone utilities. The preliminary objection was entered on January 17, 2014 by vote of the Committee, pursuant to RSA 541-A: 13, IV, based on public testimony presented at the Committee's meeting on that date by the New England Cable and Telecommunications Association, Inc. (NECTA), Comcast Phone of New Hampshire, LLC (Comcast), and the New Hampshire Telephone Association (NHTA).

In order to address the Committee's preliminary objection, Commission Staff held meetings with representatives of NECTA and Comcast and with representatives of NHTA to discuss potential approaches to resolution of the objections and concerns expressed in their public testimony. I am pleased to report that these discussions were successful in resolving the relevant issues such that no public commenter is pursuing any further objection to Commission adoption of the amended rules. NECTA and Comcast have confirmed that they have no remaining objections. NHTA has confirmed that it has withdrawn its objections to adoption of the amended rules, but reserves the right to challenge specific provisions in other forums.

The resolutions which address these objections and concerns, as well as certain editorial revisions, are incorporated in the amended version of the Commission's Puc 400 rules enclosed herewith. The text of these revised rules was approved by the Commission at a public meeting held on March 3, 2014.

✓

Final Proposal 2013-51
Puc 400 Rules
DRM 12-036

In particular, the concerns raised by NECTA and Comcast have been addressed through the addition of a new Part Puc 413 (Registration of Telecommunications Carriers for Recognition of Rights and Obligations under Federal Law), which necessitated corresponding language revisions in Puc 401.01 (Purpose) and Puc 401.02 (Application). Concerns raised by NHTA have been addressed through revisions to Puc 405.05 (Number Portability Notice), Puc 406.02 (Emergency Operations), Puc 410.03 (Basic Service), and Puc 410.04 (ILEC Discontinuations of Basic Service). With these revisions, the Commission believes that the rules have been amended to remove the basis for the objections and concerns expressed by NECTA, Comcast and NHTA.

The Commission respectfully requests that the Committee approve the revised rules submitted with this response without further amendment or revised objection. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, reading "Amy Ignatius", with a stylized flourish at the end.

Amy L. Ignatius
Chairman

Enclosures
cc: Service List

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 12-036-1 Printed: March 04, 2014

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:
- DEBRA A HOWLAND
EXECUTIVE DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.