

## CONFIDENTIAL MATERIAL IN COMM FILE

May 19, 2009

PATRICK C. MCHUGH T 603.695.8572 PMCHUGH@DEVINEMILLIMET.COM

## VIA HAND DELIVERY

Debra A. Howland, Executive Director & Secretary NH Public Utilities Commission 21 S. Fruit Street, Suite 10 Concord, NH 03301

12

Re: DT 07-011; Verizon New England Inc., et al. and FairPoint Communications, Inc. Transfer of Assets

Dear Ms. Howland:

As a follow-up to the filing made on May 18, 2009, by Attorney Frederick J. Coolbroth on behalf of FairPoint Communications, Inc., enclosed is the original Notification of Credit Downgrade of FairPoint Communications, Inc. This filing is being furnished pursuant to RSA 378:43 and the Protective Agreement in this Docket.

Very truly yours,

Patrick C. McHugh

PCM:kaa Enclosures cc: Office of Consumer Advocate (w/enclosure) Electronic Service List (letter only)

DEVINE, MILLIMET & BRANCH PROFESSIONAL ASSOCIATION 111 AMHERST STREET MANCHESTER NEW HAMPSHIRE 03101 T 603.669.1000 F 603.669.8547 DEVINEMILLIMET.COM MANCHESTER, NH ANDOVER, MA CONCORD, NH

## REPRESENTATION BY FAIRPOINT COMMUNICATIONS, INC. PURSUANT TO RSA 378:43

--

The materials submitted herewith include items that have been marked "Confidential" and are being submitted pursuant to RSA 378:43. FairPoint Communications, Inc. represents that the materials marked "Confidential" pertain to the provision of competitive services; set forth trade secrets or other confidential information falling within the scope of RSA 378:43,II(b); and are not general public knowledge or published elsewhere, FairPoint Communications, Inc. having taken measures to prevent dissemination of the information in the ordinary course of business.

These materials are also subject and pursuant to the protective agreement executed in this docket.

## FAIRPOINT COMMUNICATIONS, INC.