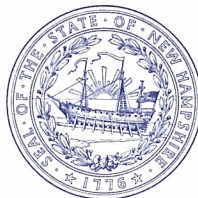


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January 26, 2010

Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
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Re: DT 07-011 Verizon New England, Inc. et al and FairPoint Communications, Inc.
Transfer of Assets
Report of Technical Session of January 26, 2010

Dear Ms. Howland:

On January 7, 2010, Denis Paiste, on behalf of the Union Leader Corporation (Union Leader), filed with the Commission a request for a copy of the cover letter and report of Accenture (Report) filed by Northern New England Telephone Operations LLC d/b/a FairPoint Communications — NNE (FairPoint) on November 30, 2009. The Report contains the results of a consulting engagement related to the improvement of Fairpoint's customer delivery organization, processes and systems. FairPoint asserted confidentiality based on RSA 378:43 when submitting the report to the Commission. The Union Leader sought access to the documents pursuant to RSA 91-A:4 and RSA 378:43.

On January 13, 2010, counsel for FairPoint filed a letter asserting that the Report was provided to Commission staff and the Office of Consumer Advocate (OCA) on a confidential basis and that the Report meets the requirements of RSA 378:43, II and should not be disclosed to the Union Leader. FairPoint maintains that the Report has not been disclosed to members of the public, that FairPoint and Accenture have agreed to maintain the confidentiality of the Report, that release of the Report to the public would have a chilling effect on future consulting arrangements, and that the Report contains information pertaining to the provision of competitive services and sets forth trade secrets that required significant cost and effort to produce.

On January 14, 2010, the Commission issued an order setting a hearing on the Union Leader's January 7 request, pursuant to the requirements of RSA 378:43, to occur

at 10:00 a.m. on February 2, 2010. The Commission further ordered that FairPoint, the Union Leader, Staff and any other interested parties meet at the Commission at 9:00 a.m. on January 26, 2010, to discuss how the hearing should be conducted and directed the parties and Staff to provide recommendations on the conduct of the proceeding, no later than 4:30 p.m. on January 27, 2010.

On January 26, 2010, FairPoint, the Union Leader, Staff and the Office of Consumer Advocate met to discuss the procedures for conducting the hearing in this docket. As a result of this meeting, the parties agreed to, and the Staff recommends, the following procedures in relation to the February 2, 2010 hearing:

1. FairPoint shall provide a non-disclosure agreement for signature by the Union Leader's counsel, Kathleen Sullivan, Esq., to allow her and her alone to review the documents at issue in preparation for the hearing, and shall then provide Attorney Sullivan with a copy of the document by Wednesday, January 28, 2010, subject to the non-disclosure agreement;
2. That each party be permitted to call one witness to testify and be cross-examined;
3. That the hearing shall include a public session and a non-public session; and
4. That each party be permitted to present oral argument after the conclusion of testimony.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert D. Hunt", with a long horizontal line extending to the right.

Robert D. Hunt
Staff Attorney

Enc.
cc: Service List

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Docket #: 07-011 Printed: January 27, 2010

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