

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: December 28, 2012

AT (OFFICE): NHPUC

ML

FROM: Michael Ladam, Assistant Director of Telecommunications

SUBJECT: DT 07-011, Northern New England Telephone Operations, LLC
d/b/a FairPoint Communications: Staff Assessment of Interim
Broadband Availability Report

TO: Commissioners
Debra Howland, Executive Director

On June 26, 2012, the Commission issued Order 25,379 regarding broadband investment using service quality penalties. This Order includes a provision under which the Commission shall extend the deadline for FairPoint Communications (FairPoint) to achieve its broadband commitment described in Oder 25,129. That deadline shall be extended from March 31, 2013, to December 31, 2013, if FairPoint a) achieves at least 92% broadband availability by December 31, 2012; and b) provides a further broadband expansion plan as described in the Order, which is then approved by the Commission.

On December 20, 2012, FairPoint filed a report declaring that it has completed network improvements so as to provide broadband availability to 92.82% of its access lines, which exceeds the condition described above.

FairPoint has also provided Commission Staff with copies of public announcements of broadband expansion in various communities across the state. Staff has reviewed the filing and the supporting information, and finds the December 20th coverage announcement credible and sufficient.

FairPoint submitted a broadband expansion plan, as described in the Order, on November 1, 2012. Staff is reviewing both the areas that the plan proposes to cover and various sources of broadband availability information. Staff expects to provide an assessment of whether, or to what extent, the plan meets the requirements of Order 25,379 no later than January 31, 2013.

At that time the Commission will be able to determine whether both conditions have been met for extending the original March 31, 2013, deadline. It is Staff's understanding that the Commission does not need to take any action on this matter in the interim.