

Before the New Hampshire Public Utilities Commission

DT 07-027

Kearsarge Telephone Company, Wilton Telephone Company,
Hollis Telephone Company and Merrimack County Telephone Company
Petition for an Alternate Form of Regulation

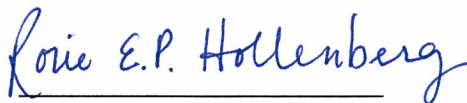
Phase 3

**OFFICE OF THE CONSUMER ADVOCATE'S
MOTION TO QUASH STAFF DATA REQUESTS TO COMCAST**

1. On September 13, the Staff of the New Hampshire Public Utilities Commission (Staff) sent data requests to Comcast Phone of New Hampshire (Comcast).
2. The sending of information requests to Comcast was first discussed by Staff with the other parties at a technical session held September 8, 2010. This technical session was convened in lieu of discovery on testimony, filed by the Office of the Consumer Advocate and on behalf of Intervenor, Daniel Bailey, in response to affidavits filed by Merrimack County Telephone Co. (MCT) and Kearsarge Telephone Co. (KTC) (together, TDS). Letter from Debra A. Howland, Executive Director and Secretary, New Hampshire Public Utilities Commission (Commission), to parties, dated August 5, 2010.
3. Staff did not file testimony in response to the TDS affidavits.
4. Staff and parties lack authority under the Commission's rules to serve data requests on Comcast.
5. Puc 203.09 (b) restricts discovery to questions to parties. Comcast is not a party to this proceeding. *See* Order No. 25,130 (July 15, 2010), at p. 4 (Commission's "procedural order" denying the OCA's motion to make Comcast a mandatory party in these proceedings).

Wherefore, the OCA requests that the Commission quash the Staff Data Requests to Comcast.

Respectfully submitted,

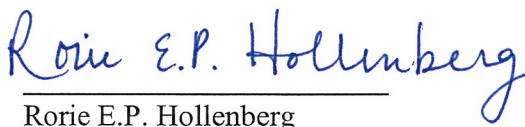


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion was forwarded this day to the parties by electronic mail.

September 13, 2010


Rorie E.P. Hollenberg