

**THE STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DT 12-263**

**DIXVILLE TELEPHONE COMPANY**

**Joint Petition with Balsams View, LLC for Transfer of Utility Assets**

**ORDER OF NOTICE**

On August 24, 2012, Dixville Telephone Company (Dixville), a division of Tillotson Corporation (Tillotson), and Balsams View, LLC (Balsams), jointly filed a petition, pursuant to RSA 374:30, II, 362:8, and 374:22-p, for the approval of the New Hampshire Public Utilities Commission (Commission) for the transfer of control of Dixville from Tillotson to Balsams. This transfer of control would be made pursuant to a Purchase and Sale Agreement (Agreement) entered into by Tillotson and Balsams on November 23, 2011, by which Tillotson would transfer to Balsams, among other things, all of the rights and franchises of Dixville, and those assets associated with providing customers in the Dixville service area with local exchange and switched access telephone service. The petition also stated that Balsams may designate one or more affiliate entities to hold title to the assets being transferred by Tillotson. Following the completion of the transaction, Balsams will control Dixville as well as the business of providing local exchange and switched access telephone service to customers within the Dixville service territory. The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2012/12-263.html>.

The petition states that, in accordance with the requirements of RSA 374:30, II, Balsams is technically, managerially, and financially capable of maintaining Dixville's operations as a

local exchange carrier, and that Dixville will continue to operate in accordance with the existing management services agreements and arrangements for Dixville's operations and billing. The petition also asserts that: Dixville's tariffs and customer contracts will not be altered or amended by the transfer; Dixville's assets, including rate base, will not be altered by the transfer; the Dixville billing system will not be altered by the transfer; and there will be no change in Dixville's customer support services resulting from the transfer.

The filing raises, inter alia, issues related to RSA 374:30, II, 362:8, and 374:22-p and whether the proposed transfer of control of Dixville to Balsams will have an adverse effect on the service and operations of Dixville, including the provision of basic service and the provision of wholesale services, whether Balsams has the technical, managerial, and financial capability of maintaining Dixville's obligations as a local exchange carrier, and whether Balsams otherwise qualifies as an appropriate transferee under RSA 374:30, II. Each party has the right to have an attorney represent the party at the party's own expense.

In order to proceed expeditiously, the following schedule is proposed for the remainder of the docket. Parties will be permitted to discuss the schedule at the technical session and make recommended revisions to accommodate schedules. In the event parties determine testimony is needed, the schedule may be adjusted after the technical session proposed for November 16, 2012.

Data Requests Served on Dixville, Tillotson, and Balsams: October 26, 2012

Responses to Data Requests: November 9, 2012

Technical Session regarding potential issues and whether testimony is necessary or appropriate: November 16, 2012, at 10:00 a.m.

Hearing on the Merits: December 20, 2012, at 10:00 a.m.

**Based upon the foregoing, it is hereby**

**ORDERED**, that a Prehearing Conference, pursuant to N.H. Code Admin. Rules Puc 203.15, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on October 16, 2012 at 2:00 p.m., at which each party will provide a preliminary statement of its position with regard to the petition and any of the issues set forth in N.H. Code Admin. Rules Puc 203.15; and it is

**FURTHER ORDERED**, that, immediately following the Prehearing Conference, Dixville, Balsams, the Staff of the Commission and any Intervenors hold a Technical Session to review the petition and allow Dixville to provide any amendments or updates to its filing; and it is

**FURTHER ORDERED**, that pursuant to N.H. Code Admin. Rules Puc 203.12, Dixville shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than October 10, 2012, in a newspaper with general circulation in those portions of the state in which operations are conducted, publication to be documented by affidavit filed with the Commission on or before October 16, 2012; and it is

**FURTHER ORDERED**, that pursuant to N.H. Code Admin. Rules Puc 203.17, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a Petition to Intervene with copies sent to Dixville on or before October 12, 2012, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding, as required by N.H. Code Admin. Rule Puc 203.17 and RSA 541-A:32, I(b); and it is

**FURTHER ORDERED**, that any party objecting to a Petition to Intervene make said Objection on or before October 16, 2012; and it is

**FURTHER ORDERED**, that, as specified in the above procedural schedule, a hearing on this petition be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on December 20, 2012, at 10:00 a.m.

By order of the Public Utilities Commission of New Hampshire this third day of October, 2012.

Debra A. Howland  
Debra A. Howland (KNS)  
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

**SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED**

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**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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