

THE STATE OF NEW HAMPSHIRE

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January 25, 2008

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Re: Docket No. DT 07-011, Verizon-Fairpoint
Proposed Transfer of Assets
Notice of Cancellation of Appearance

To the Parties:

Three months ago, I accepted an invitation from the Sulloway & Hollis law firm to speak at their ongoing "Meet the Commissioners" program. The events that make up the program are open to the public and are free of charge. This particular event was scheduled for January 29, 2008, at the Sulloway & Hollis offices. The advertising for the event indicated that I would "speak about the role of the New Hampshire Public Utilities Commission, pending legislation and current issues at the PUC." The advertising also indicated that the series of programs is co-sponsored by Sulloway & Hollis and the Business and Industry Association (BIA).

I have decided not to appear at this event. While I would never comment publicly about the merits of a pending proceeding, except in a formal setting procedurally appropriate to such comment, and while I do not believe there is an actual impropriety that would otherwise preclude my participation in this program, I have concluded that the better course at this time is to cancel my appearance. Accordingly, I have notified the Sulloway & Hollis law firm of that decision.

My decision was prompted in large part by the juxtaposition of several recent events. On January 15, 2008, the President of the BIA, which is not a party to Docket No. DT 07-011, submitted a letter expressing support for the Verizon-Fairpoint transaction, a copy of which was included in the docket file along with the hundreds of comments filed by other interested persons over the past months. On January 24, 2008, a settlement agreement among Verizon, Fairpoint and Commission Staff was filed with the Commission. On February 4 and 5, 2007, the Commission will be holding a hearing on the filing. Although there is a serious question about whether my participation in the program would constitute even an appearance of impropriety, I have determined in this instance to apply a stricter test. As a result, given the involvement of the BIA as a sponsor of the program, I have determined to avoid even the remotest appearance of impropriety.

I am concerned that, by canceling based on a standard beyond that required by law, I could be creating a precedent out of an abundance of caution that poses problems for the future. Nevertheless, in light of the overall importance of this particular case and its potential effects on the entire State, I am persuaded that the interest of public confidence in my impartiality as a decision maker outweighs any other interests.

Very truly yours,

Thomas B. Getz
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