

OCA Objection to FairPoint Motion to Compel – Exhibit A

Hollenberg, Rorie

From: Patrick C. McHugh [pmchugh@devinemillimet.com]
Sent: Friday, August 24, 2007 10:08 AM
To: Hollenberg, Rorie; Hatfield, Meredith
Cc: Daniel E. Will; victor.delvecchio@verizon.com; sarah.knowlton@mclane.com; Tuttle, Robin (Charlotte, NC); Barron, Chris (Charlotte, NC); Holly Kilibarda
Subject: RE: OCA Objections to FRP data requests

Meredith and Rorie,

I am disappointed by the OCA's unwillingness to compromise on what, to me, appears to be a well founded discovery request. All we are asking of Ms. Baldwin and the OCA pursuant to our compromise with respect to FairPoint's Data Request OCA-54 is to identify and produce all of the information that Ms. Baldwin utilized in the Verizon AFOR proceedings which she carried over and used for purposes of her opinions in Docket DT 07-011. I don't understand the basis for the objection and refusal to produce the information.

I note that DR 54 states:

Please refer to Ms. Baldwin's testimony at page 1, lines 11 to 14. Please produce all documents relating to the referenced assistance Ms. Baldwin gave to OCA in the Public Utilities Commission ("PUC")'s investigation of a proposed alternative regulation plan (AFOR) for Verizon NH (Docket No. DT 06-072).

Again, we are willing to limit the request as noted above and Dan's e-mails of the other day. I called this morning to discuss this with Meredith (along with the issues raised concerning the testimony redactions in Meredith's e-mail of 4:44 PM yesterday). I have not received a call back. We therefore will file a motion to compel today related to the refusal to provide any information responsive to DR OCA-54 as modified. In the mean time, if you care to discuss the request, please call me at 226-1000. Thank you.

Pat McHugh, Esq.
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DEVINE
MILLIMET

8/24/2007

From: Hollenberg, Rorie [mailto:Rorie.E.P.Hollenberg@oca.nh.gov]
Sent: Friday, August 24, 2007 9:04 AM
To: Daniel E. Will
Cc: Hatfield, Meredith; Patrick C. McHugh
Subject: RE: OCA Objections to FRP data requests

Thank you. No.

8/24/2007

Rorie E.P. Hollenberg

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Staff Attorney

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Statement of Confidentiality

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-----Original Message-----

From: Daniel E. Will [mailto:dwill@devinemillimet.com]

Sent: Thursday, August 23, 2007 6:36 PM

To: Hollenberg, Rorie

Cc: Hatfield, Meredith; Patrick C. McHugh

Subject: RE: OCA Objections to FRP data requests

Yes.

From: Hollenberg, Rorie [mailto:Rorie.E.P.Hollenberg@oca.nh.gov]

Sent: Thursday, August 23, 2007 12:24 PM

To: Daniel E. Will

Cc: Hatfield, Meredith; Hollenberg, Rorie

Subject: OCA Objections to FRP data requests

Dan – Just wanted to get back to you concerning the OCA's objections to FRP's data requests, which we discussed yesterday. We will respond to 56 and 59. Our objection to 54 stands. Have a good day.
Rorie

Rorie E.P. Hollenberg

Staff Attorney

Office of Consumer Advocate

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