

OCA Objection to FairPoint Motion to Compel – Exhibit B

Office of Consumer Advocate's Preliminary Statement and General Objections

In response to each and every data request propounded by Verizon New England d/b/a Verizon New Hampshire (Verizon NH) and FairPoint Communications, Inc. (FairPoint), the Office of Consumer Advocate (OCA) states the following:

1. The OCA has attempted to identify every data request that seeks information and/or documents protected against discovery by the attorney-client privilege or the attorney work-product doctrine or any other applicable privilege. However, given that objections to data requests are due prior to the responses, the OCA has not had the opportunity to review every document that is responsive to each data request. To the extent that any specific data request is intended to elicit such privileged information and/or documents, the OCA objects and asserts the applicable privilege to the fullest extent permitted by law.

2. To the extent that the OCA responds to these data requests, the OCA does not concede the relevancy of the responses or documents to this action, nor does it concede that such responses or documents may be used for any purpose in this or any other action, lawsuit or proceeding. The OCA expressly reserves the right to object to further discovery into the subject matter of any of the responses or any portion thereof.

3. The OCA objects to each data request to the extent that it seeks information and/or documents equally available to the requester or that are not within the OCA's possession, custody or control.

4. The OCA objects to these data requests (including their instructions and definitions) to the extent that they purport to impose obligations beyond the applicable law and Commission rules and decisional law.

OCA Objection to FairPoint Motion to Compel – Exhibit B

New Hampshire Public Utilities Commission, DT 07-011

Re Verizon New England et al.

OCA's Preliminary Statement and General Objections to Data Requests of Verizon NH and FairPoint

5. The OCA objects to any request to produce data other than in the form in which the OCA stores or maintains data in the ordinary course of business.

6. The OCA objects to any definition or instruction which provides for definitions of terms at variance with their common meaning. In responding to these data requests, the OCA shall apply the common meanings of such terms.

7. The OCA objects to any data request that seeks all documents concerning a particular subject as overbroad and unduly burdensome in that the OCA can and will only produce such documents reasonably relating to a particular subject within the OCA's custody, possession and control.

8. The OCA objects to the extent that the instructions and/or definitions seek to impose burdens on the OCA that are greater than those imposed by applicable portions of N.H. Admin. Rules, Puc 200, impose undue burdens on the OCA, and/or have the effect of making the data requests overbroad. The OCA will make a good faith effort to provide information responsive to the data requests subject to this objection, but it specifically objects to providing, among other things, drafts of documents, identical copies of documents, non-identical copies of documents that contain handwritten notes, and descriptions of responsive documents that once existed but cannot be produced due to loss or destruction.

9. The OCA reserves the right to object that any data requests, in the aggregate, are overly burdensome and exceed reasonable limits of discovery.

10. The OCA objects to any data request the response to which requires disclosure, response or production of confidential information of the OCA. The OCA objects to any data

OCA Objection to FairPoint Motion to Compel – Exhibit B

New Hampshire Public Utilities Commission, DT 07-011

Re Verizon New England et al.

OCA's Preliminary Statement and General Objections to Data Requests of Verizon NH and FairPoint

request the response to which requires the disclosure of information or documents from a third party of a confidential or proprietary nature which the OCA is not authorized to disclose.

11. The OCA objects to any data request which requests information or documents with respect to matters not addressed within the OCA's testimony