

**STATE OF NEW HAMPSHIRE**  
**before the**  
**PUBLIC UTILITIES COMMISSION**

**DT 07-011**

VERIZON NEW ENGLAND, INC., BELL ATLANTIC COMMUNICATIONS, INC.,  
NYNEX LONG DISTANCE CO., VERIZON SELECT SERVICES, INC.,  
AND FAIRPOINT COMMUNICATIONS, INC.

Transfer of Assets to FairPoint Communications, Inc.

**VERIZON NEW HAMPSHIRE'S**  
**FIRST SET OF DATA REQUESTS**  
**TO THE OFFICE OF CONSUMER ADVOCATE**

Verizon New England Inc., d/b/a Verizon New Hampshire (Verizon NH),  
requests that the Office of Consumer Advocate respond to the following data requests.

**DEFINITIONS AND INSTRUCTIONS**

- A. With respect to each question, please state: (1) the name(s) and title(s) of the person or persons responsible for preparing the response; (2) the name(s) and titles(s) of the person or persons who would be competent to testify concerning the response, whether or not that person will be called as part of the party's direct case in this proceeding.
- B. The words "document" and "documentation" are used in their broadest sense to include any means of recording or transmitting information, and include, without limitation, writings, drawings, graphs, charts, photographs, phono-records, microfilm, microfiche, computer printouts, computer files, correspondence, handwritten notes, workpapers, records or reports, bills, checks, articles from journals or other sources, contracts, agreements, pamphlets, plans, specifications, summaries, studies, and any other data compilations or written matter of any kind from which information can be obtained, and all copies of such documents which bear notations, marginal comments or other markings that differentiate such copies from the original.
- C. "Identify" or "identity" when used in connection with (1) a natural person means to state the person's name, employer and business address; (2) a corporation or other business entity means to state the name of the entity, "d/b/a" designation if any, address of its principal place of business, and address of its principal place of business in New Hampshire; (3) a document means to state a description, including name of author, date and addressee(s); and (4) a communication means

to state a description, including participants, date and contents of the communication.

- D. The term to “state the basis” for an allegation, contention, conclusion, position or answer means (a) to identify and specify the sources therefor, and (b) to identify and specify all facts on which you rely or intend to rely in support of the allegation, contention, conclusion, position or answer, and (c) to set forth and explain the nature and application to the relevant facts of all pertinent legal theories upon which you rely for your knowledge, information and/or belief that there are good grounds to support such allegation, contention, conclusion, position or answer.
- E. The word “you” or “your” means the party responding to these questions.
- F. The term "Commission" means the New Hampshire Public Utilities Commission.
- G. In the event that documents containing the exact information requested do not exist, but documents do exist that contain portions thereof or which contain substantially similar information, then the definition of “documents” which are to be identified shall include the documents that do exist.
- H. These requests shall be deemed continuing so as to require further and supplemental responses if the responding party or its witness receives or generates additional information within the scope of these requests between the time of the original responses and the end of hearings in this proceeding.
- I. **If the responding party feels that any request is ambiguous, please notify Verizon NH so that the request may be clarified prior to the preparation of a written response.**

#### DATA REQUESTS

1. Please refer to Page 3, lines 13-16 and page 4, lines 1-4 of Susan Baldwin’s Direct Testimony. Did the Massachusetts Department of Public Utilities Commission ever undertake a formal docket of NYNEX MA’s overall service quality while Ms. Baldwin was the Director of Telecommunications? If so please provide the docket number and any relevant Commission Orders.
2. Please refer to page 57, lines 20-23 and Page 58, lines 1-4 of Susan Baldwin’s Direct Testimony. Please identify a specific New Hampshire Commission Order in the last five years where the Commission has found that “...the quality of basic local exchange service in New Hampshire has been deteriorating for several years, and Verizon NH demonstrates no intention of achieving PUC-established service quality....”

3. Please refer to page 68, lines 1-13 of Susan Baldwin's Direct Testimony. Is it Ms. Baldwin's position that Verizon's deployment of fiber as part of its FIOS offerings does not provide basic telephone service? If so, please provide the basis supporting this position.
4. Please refer to page 70, lines 1 of Susan Baldwin's Direct Testimony. Please identify specifically where the New Hampshire Commission has made a formal finding that Verizon NH's service is well below acceptable levels. Please provide a copy of the Commission's Order for each instance identified.
5. Please refer to Page 74, lines 1-10 of Susan Baldwin's Direct Testimony. Please identify a specific New Hampshire Commission Order in the last five years where the Commission has found that "Verizon NH's service quality is indisputably in decline." Please provide a copy of the Commission's Order for each instance identified.
6. Please refer to pages 74-76 of Susan Baldwin's Direct Testimony. Is it Ms. Baldwin's position that Verizon NH does not have the right to challenge the relevancy of existing service quality measures in Docket 04-019? If so, please provide the specific basis for that position.
7. Please refer to pages 74-76 of Susan Baldwin's Direct Testimony. Is it Ms. Baldwin's position that the customer expectations and the state of the telecommunications marketplace in New Hampshire are not relevant to a Commission review of Verizon NH's overall service quality today? If so, please provide the basis for that position.
8. Please refer to pages 74-76 of Susan Baldwin's Direct Testimony. Is it Ms. Baldwin's position that the changes in the Telecommunications Act of 1996 and the Commission's pro-competitive policies implementing the Act are not relevant to a Commission review of Verizon NH's overall service quality today? If so, please provide the basis for that position. If relevant, please identify any Commission Order incorporating these policies into the existing service quality measures and standards and provide a copy of each Order.
9. Please refer to pages 74-76 of Susan Baldwin's Direct Testimony. Is it Ms. Baldwin's position that the significant growth in cable and CLEC competition is not relevant to a Commission review of Verizon NH's overall service quality today? If so, please provide the basis for that position. If relevant, please identify any Commission Order incorporating these factors into the existing service quality measures and standards and provide a copy of each Order.
10. Please refer to pages 74-76 of Susan Baldwin's Direct Testimony. Is it Ms. Baldwin's position that the growth of the Internet, text messaging and VoIP are not relevant to a Commission review of Verizon NH's overall service quality today? If so, please provide the basis for that position. If relevant, please identify

- any Commission Order incorporating these factors into the existing service quality measures and standards and provide a copy of each Order.
11. Please refer to pages 74-76 of Susan Baldwin's Direct Testimony. Is it Ms. Baldwin's position that the growth of wireless services is not relevant to a Commission review of Verizon NH's overall service quality today? If so, please provide the basis for that position. If relevant, please identify any Commission Order incorporating this factor into the existing service quality measures and standards and provide a copy of each Order.
  12. Does Ms. Baldwin agree that the telecommunications marketplace in New Hampshire today is more competitive than in 1997? If not, please provide the basis for that position. If yes, does Ms. Baldwin agree that in an increasingly competitive market regulatory policy would support *less* not more regulation? If not, please provide the basis for that position.
  13. Please refer to pages 74, lines 28-29 and page 75, lines 1-7 of Susan Baldwin's Direct Testimony. Please provide the factual basis relied upon by Ms. Baldwin, including supporting documentation, for her claim that the vast majority of consumers of basic residential telephone service lack a competitive choice.
  14. Please refer to pages 74, lines 28-29 and page 75, lines 1-7 of Susan Baldwin's Direct Testimony. Is it Ms. Baldwin's contention that, since the vast majority of consumers of basic local telephone service lack a competitive choice, service quality measurements are only relevant to this group of customers? If not, please explain why service quality measures should apply to customers that reside in exchanges where other landline and wireless providers compete.
  15. Please refer to page 151, lines 3-7 of Susan Baldwin's Direct Testimony. Please provide the basis for Ms. Baldwin's claim that imputation will no longer be an option if the transaction is approved.
  16. On page 95 of her testimony, Ms. Baldwin states that Verizon NH should not be permitted to transfer its local operations until it provides a detailed plan and budget to ensure that within a specified time period and with sanctions for non-compliance PUC-established service quality standards are met or exceeded upon transfer. Has the Commission ever imposed a similar condition on the transfer of utility assets? If so, please identify the docket and provide a copy of the order imposing such a condition.
  17. On page 155 of her testimony, lines 7-9, Ms. Baldwin states that "As an alternative to directly compensating consumers, the Commission could investigate other ways to utilize those funds, such as investments in broadband access." Please state the basis for the Commission's jurisdiction to take such an action.
  18. On page 130 of her testimony, Ms. Baldwin concludes that Verizon should fund a broadband program of at least \$100 million. Please state the basis for this

contention. Please also provide any calculations and documents that support the \$100 million figure.

19. On page 155 of her testimony, Ms Baldwin states that Verizon NH “should not be permitted to sell its operations to any entity unless and until it compensates consumers for the value of its spin-off of its operations.” Has the Commission ever imposed a similar condition on the transfer of utility assets? If so, please identify the docket and provide a copy of the order imposing such a condition.
20. On page 54 of her testimony, Ms. Baldwin states that the Commission should require Verizon to provide "regular updates" to the information shown in SMB-15-C. How would the provision of such updates affect the procedural schedule in this case?
21. On page 10 of his testimony, Mr. Brevitz recommends that the Commission require Verizon New England to provide access to detailed plant and engineering records and resources to FairPoint prior to any determination by the Commission on the Joint Petition. How would the provision of such information affect the procedural schedule in this case?