



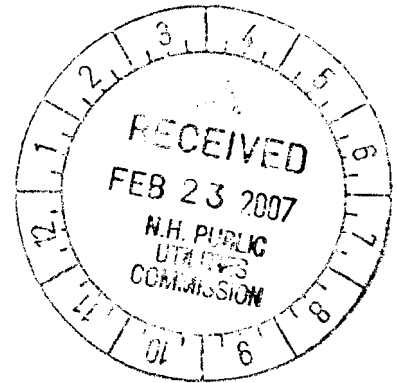
**Public Service
of New Hampshire**

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The Northeast Utilities System
February 23, 2007

Debra A. Howland
Executive Director and Secretary
State of New Hampshire
Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429



Re: Joint Petition of Verizon New England, Inc. *et al.* and
FairPoint Communications, Inc. - Docket No. DT 07-011

Dear Ms. Howland:

Enclosed are an original and six copies of a Public Service Company of New Hampshire's Petition to Intervene which are filed pursuant to NH RSA 541-A: 32 and N. H. Code Admin. Rule Puc § 203.17. Public Service Company of New Hampshire seeks full party intervenor status.

Copies of this Petition were provided to the persons on the attached Service List.

Very truly yours,

Gerald M. Eaton
Senior Counsel

Enclosures
cc: Service List

NHPUC FEB23'07 PM 3:42

An entity seeking permission to operate as a public utility must demonstrate whether “it possesses the technical, managerial and financial capabilities to own and operate the system.” *Re Lakes Region Water Company, Inc.*, Docket No. DW 05-097, Order No. 24,502, 90 NH PUC 341 (August 19, 2005). “Every public utility shall furnish such service and facilities as shall be reasonably safe and adequate and in all other respects just and reasonable.” RSA 374:1.


3. PSNH owns an undivided one-half interest in most of the utility poles, anchors and guys located within the franchise common service territories served by both PSNH and Verizon. This common service territory is divided roughly in half between Verizon and PSNH into regions known as “maintenance areas”. In their respective maintenance areas, Verizon and PSNH each have responsibility for setting poles for new utility service, maintenance of poles and their rights of way, and emergency response to replace poles damaged by accident or weather. The responsibilities of the two companies are governed by a Joint Use Agreement of October 15, 1976 and Inter-company Operating Procedures dated October 1994.
4. PSNH and Verizon have participated with other parties in the Generic Investigation of Utility Poles Docket No. DM 05-172, the so-called “Pole Docket”. That proceeding has investigated the electric distribution companies’ and Verizon’s performance with respect to
 - a. Responding to emergencies for pole replacement,
 - b. Customer relations and new service in setting poles
 - c. Inter-company relations and communications
 - d. Relationships with municipalities and
 - e. Relationships with third party attachees.
5. The Pole Docket investigation is not complete; however, PSNH had made it clear during technical sessions in that docket and in direct communications with Verizon that PSNH is not satisfied with Verizon’s performance in the areas of
 - a. Emergency response,
 - b. Transfer of plant to new poles and removal of old poles

- c. Setting new poles in Verizon's maintenance area when no order for telephone service has been made
 - d. Sharing of trimming costs for maintenance, construction and removal of so-called "danger trees"
6. Given its experience with Verizon with respect to our jointly-owned poles in recent years, PSNH's major interests in this proceeding are to ensure that if the transaction is approved, the public good would be protected by ensuring that:
- a. the successor to Verizon has the resources and commitment to provide reasonable, safe and adequate utility service,
 - b. the issues involved in the on-going Pole Docket are adequately addressed, and,
 - c. all of PSNH's customers will receive adequate, just and reasonable service regardless of whether they reside in a PSNH maintenance area or a maintenance area currently served by Verizon.

WHEREFORE, PSNH respectfully requests full party intervenor status in this proceeding and requests such further relief as may be just and equitable.

Respectfully submitted this 23rd day of February, 2007,

Public Service Company of New Hampshire

By: 
Gerald M. Eaton, Esq.
Senior Counsel

Certificate of Service

I hereby certify that a copy of the above Petition for Intervention was provided to all persons on the attached service list pursuant to the Commission rules of practice and procedure.

February 23, 2007
Date

Gerald M. Eaton
Gerald M. Eaton

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

Joint Application by Verizon New England, Inc., Bell Atlantic Communications, Inc.
NYNEX Long Distance Company, Verizon Select Services
and
FairPoint Communications, Inc.

Docket No. DT 07-011

**PETITION FOR INTERVENTION
OF
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE**

Pursuant to RSA 541-A:32 and N.H. Code Admin. Rule §203.17, and the provisions of the Order of Notice issued in this proceeding on February 7, 2007, Public Service Company of New Hampshire ("PSNH") hereby requests intervention status in the above-captioned matter. PSNH's rights, duties, privileges, immunities and other substantial interests may be affected by the proceeding. In support of this Petition for Intervention, PSNH states the following:

1. The Joint Application by Verizon New England, Inc., Bell Atlantic Communications, Inc. NYNEX Long Distance Company, Verizon Select Services and FairPoint Communications, Inc. seeks, *inter alia*, to the transfer of Verizon New England's ("Verizon") assets, business and franchise related to the provision of local exchange and intrastate toll service in New Hampshire, pursuant to RSA 374:30, to Northern New England Telephone Operations Inc. ("Telco") and the authorization of Telco to commence business as a local exchange and intrastate toll service provider within the portions of the State of New Hampshire served by Verizon, pursuant to RSA 374:26. Order of Notice at 3, 4.
2. The transfer of a public utility's franchise, works and systems must be found by the Commission to be in the public good under RSA 374:30. The granting of a franchise to operate as a public utility must also be found to be in the public good. RSA 374:26.