

**FairPoint Communications, Inc.**  
**State of New Hampshire**  
**Docket No. DT 07-011**

**Respondent:** Michael T. Skrivan  
**Title:** Senior Director, Regulatory  
Affairs

**REQUEST:** One Communications - Rebuttal

**DATED:** September 1, 2007

**ITEM: 6** Please refer to the Skrivan rebuttal testimony at p. 18, lines 19-23, in which Mr. Skrivan states that “[a]s a practical matter, as far as these parties are concerned, the only reason to classify FairPoint as a BOC would be to trigger the section 271 requirements.”

- (a) Please state whether Mr. Skrivan is aware that BOCs also are subject to requirements under Section 272(e) of the Act that have not sunset.
- (b) Does Mr. Skrivan still believe that the only reason to classify FairPoint as a BOC is to trigger the Section 271 requirements and not the Section 272 requirements? If so, why?

**REPLY:**

- (a) Yes, FairPoint is aware that BOCs are subject to Section 272(e) requirements.
- (b) Mr. Skrivan does not believe that FairPoint should be classified as a BOC.