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STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

May 22, 2007 - 7:00 p.m.
Newport Opera House
20 Main Street
Newport, New Hampshire

RE: DT 07-011
VERIZON NEW ENGLAND, ET AL:
Transfer of Assets to FairPoint
Communications, Inc.
(Public statement hearing)

PRESENT: Chairman Thomas B. Getz, Presiding
Commissioner Graham J. Morrison
Commissioner Clifton C. Below

APPEARANCES: (No appearances taken)

Court Reporter: Steven E. Patnaude, CCR

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1 P R O C E E D I N G S

2 CHAIRMAN GETZ: Good evening, ladies and
3 gentlemen. My name is Tom Getz. I'm the Chairman of the
4 Public Utilities Commission. And, here tonight are
5 Commissioner Clifton Below, on my far right, and
6 Commissioner Graham Morrison, nearest to me. We're going
7 to open the public statement hearing in docket DT 07-011.
8 And, this public statement hearing concerns the Joint
9 Petition filed by Verizon New England and FairPoint
10 Communications on January 31, 2007, seeking approval of a
11 series of transactions that, if consummated, would result
12 in FairPoint acquiring the current Verizon New England
13 franchise to provide wireline telecommunications services
14 in New Hampshire and owning the network Verizon New
15 England currently uses to provide those services.

16 If you'd like to speak tonight, there
17 are public comment forms being handed out in the rear of
18 the auditorium. There's three gentlemen from the
19 Commission, Wayne Hackett, from our Telecommunications
20 Division, and also Mike Cisco and Bob Rohnstock from our
21 Consumer Affairs Division are in the rear. If you would
22 like to speak, please get a form and indicate that you
23 would like to speak and they will pass it up. If you do
24 not choose to speak, but would like to make a written

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1 comment, you can also put that on the form and we will
2 include that in our records.

3 A couple things I'd like to do tonight
4 is begin with some background on the Commission and the
5 process that the Commission uses in a proceeding like this
6 one. The term "Public Utilities Commission" refers to
7 both the 65 employees that work for the agency and the
8 three commissioners that make the decisions in the cases
9 that come before the agency. The three of us will be
10 acting in the same manner as judges in this case, and we
11 are subject to the same kinds of rules as judges. More
12 important -- Most important of these rules, we are subject
13 to what are called "ex parte rules". That means that we
14 cannot talk about the merits of an ongoing case with
15 anyone outside the Commission, except when there is notice
16 and an opportunity for all parties to participate, and
17 this evening is one of those opportunities.

18 As for the process that we use, it's a
19 formal judicial-style proceeding, that includes written
20 and oral testimony, discovery, cross-examination, briefs,
21 and a written decision that is subject to rehearing and
22 appeal to the New Hampshire Supreme Court. Similar
23 process that occurs in a typical civil trial. At this
24 point in the case, the Applicants have filed their

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1 petition asking us to approve the transfer of Verizon's
2 assets to FairPoint. We have held the initial procedural
3 hearing, which is called a "prehearing conference", issued
4 a detailed procedural order, and granted the intervention
5 of more than 20 parties, and approved a schedule that
6 culminates in hearings beginning in late September, and
7 those hearings would occur in Concord.

8 As required by the procedural schedule,
9 Verizon and FairPoint have filed their written testimony,
10 and other parties are conducting discovery, which means
11 that they are asking the Companies questions and reviewing
12 documents that will help them file responsive testimony.

13 I'd like to emphasize one very important
14 point about the process and our roles, which is this: We
15 have formed no opinion on whether the petition should be
16 approved or denied, nor should we. Our job is to hear all
17 the evidence, and, based on that evidence in the
18 adjudicative hearings, make a decision.

19 And, then, I'd also like to also give
20 some background on what we are trying to accomplish
21 tonight. There's a couple of things. First, the
22 Companies will be given time to briefly explain their
23 proposal. We expect that you have many questions about
24 the proposal, and we are hopeful that their presentation

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1 will answer some of those questions. However, tonight is
2 not the occasion to cross-examine the Companies about
3 their proposal, but they are prepared to stay around after
4 the close of the public statement hearing to try to answer
5 individually questions you may have.

6 The second thing is this is an
7 opportunity for you to tell us whether you support or
8 oppose the transfer, express your concerns about the
9 proposal, or recommend areas that you think we should
10 examine. While the statements made tonight do not
11 constitute the kind of evidence on which we can ultimately
12 base a decision, these comments do prove helpful to us in
13 identifying areas that our staff can investigate during
14 discovery and areas that we can pursue through our own
15 questions at the hearing.

16 We have a stenographer, Mr. Patnaude
17 will be compiling a transcript this evening. So, we ask
18 that you please speak clearly, so that we can record the
19 comments for the transcript. And, what we will be doing
20 is giving an opportunity for Verizon and FairPoint to come
21 up here to address you, to give their explanation of the
22 petition. And, then, if you would like to speak, to come
23 up to this microphone and address us, that would be
24 helpful. And, I think, with that, we would be prepared to

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1 start with Mr. Nestor.

2 MR. NESTOR: Thank you, Mr. Chairman,
3 Commissioners. My name is Shawn Nestor. I'm the Vice
4 President of State Government Relations for Verizon New
5 Hampshire, with overall responsibility for regulatory
6 matters. And, with me tonight is Earl Pierce, who has
7 overall responsibility for media relations. Verizon
8 appreciates the opportunity to speak here tonight, but
9 very briefly. We recognize that this is an opportunity
10 for you to participate in the regulatory process and for
11 the Commission to receive comment from the public. So, I
12 will be brief. On January 31st, 2007, Verizon and
13 FairPoint filed a Joint Petition with the New Hampshire
14 Public Utilities Commission to transfer the telephone
15 operations in New Hampshire from Verizon to FairPoint.
16 Similar petitions were also filed in Maine and Vermont at
17 the same time. The business and residential services that
18 are included in this transaction are basic local exchange
19 service, instate toll service, enhanced voice and data
20 services, and DSL. The transaction also includes carrier
21 services or wholesale services that are provided to
22 carriers. Wireless services are not provided as part of
23 this transaction.

24 Verizon believes that this transaction

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1 provides a fair value for the assets being transferred.
2 And, we also believe that this is in the best interest of
3 the citizens of New Hampshire and the state, as FairPoint
4 has committed to accelerate the deployment of broadband
5 services, as well as bring additional jobs to the state.
6 The transaction also has been structured to ensure fair
7 and equitable treatment of Verizon's employees, including
8 honoring all existing union labor contracts.

9 In sum, we believe that, after all the
10 evidence is heard and all the information is gathered,
11 that the Commission will find that this transaction is in
12 the best interest of Verizon's customers, its employees,
13 and the state.

14 Finally, one closing comment. While we
15 recognize change can be unsettling to some, it also
16 presents new opportunities. The telecommunications market
17 here in New Hampshire, as well as across the United
18 States, have undergone tremendous change over the last
19 decade, as well as we'll see it continuing into the
20 future. And, we believe this transaction represents a new
21 opportunity for the State of New Hampshire and is in the
22 public interest. I thank you.

23 MR. COOLBROTH: Mr. Commissioner, Mr.
24 Chairman, if it please the Commission. I'm Frederick

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1 Coolbroth. I'm an attorney at the firm of Devine,
2 Millimet & Branch, in Manchester, and I represent
3 FairPoint. And, I rise in advance of Ms. Prior just to
4 really, I think, almost kind of make a point of order
5 about the proceeding. This is part of a long-standing
6 tradition of the Commission in important cases, to reach
7 out to the public, to go around the state and conduct
8 public statement hearings. The Commission's formal rules
9 don't apply to these proceedings. The idea is to
10 construct -- is to have forums where regular folks can
11 come out and voice their views to the Commission.

12 Since the formal rules of the Commission
13 don't apply to this process, however, there is the
14 potential for abuses with it. And, one constituency
15 certainly has dominated the prior public statement
16 Commission hearings in this case. The IBEW and the CWA
17 are both parties, full parties to the formal portion of
18 the proceeding. They are participants. And, they will
19 have the opportunity to question and cross-examine
20 FairPoint's entire case, and we will have the opportunity
21 to do so with theirs.

22 However, they have also packed these
23 public statement hearings with folks to present that one
24 point of view, and, generally speaking, have not disclosed

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1 that affiliation. That nondisclosure creates a misleading
2 impression that it's simply disinterested to members of
3 the public who are speaking. And, in fact, it appears is
4 a part of an orchestrated and well organized effort to
5 present the union's point of view in this case.

6 I suggest that it's time to pull off the
7 masks. I am proud of who I work for. I am proud of who I
8 represent. I assume that union folks are as well, and I
9 urge them to identify their affiliation.

10 There's also a darker side to this whole
11 issue. Last Wednesday, a union representative went to a
12 Chamber of Commerce to announce to the Executive Director
13 of that Chamber of Commerce that the union would be
14 boycotting members of that chamber, because of the fact
15 that a Chamber representative had come to one of these
16 proceedings to speak in favor of the transaction.

17 I think it is a travesty to have one
18 side attempt to hijack these public statement hearings.
19 Folks should be honest. Folks should respect opposing
20 points of view. Folks should not use heavy-handed
21 tactics. Thank you.

22 CHAIRMAN GETZ: Ms. Prior.

23 MS. PRIOR: Thank you. Good evening.
24 I'm Audrey Prior. I'm the Director of Regulatory &

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1 Legislative Affairs for FairPoint Communications. And,
2 here with me tonight I have RoJean Tulk, who's our
3 Regulatory manager, and Dick Burnell, who is the Network
4 Manager. And, as the Chairman has indicated, we will be
5 happy to stay around afterwards and answer any questions
6 that we can. I'd like to just thank the Commission for
7 this opportunity to speak briefly on behalf of FairPoint
8 tonight. And, I would like to thank the audience for your
9 attention and your interest in this merger.

10 I would like to start just by talking
11 briefly about FairPoint and our history, and then go into
12 why we, at FairPoint, think this is a good transaction for
13 the citizens of New Hampshire. First of all, let me just
14 start, FairPoint was incorporated in 1991, with a mission
15 to operate and to acquire rural and small urban telephone
16 companies across the United States. We made our first
17 acquisition in 1993, and we now operate 30 phone companies
18 across 18 states. Many of the places that we operate are
19 much like Maine, New Hampshire, and Vermont. So, we do
20 have a proven track record and a history of operating in
21 states like Maine, New Hampshire, and Vermont.

22 I'd like to move in now to just giving
23 our opinion on why this is a good transaction in three
24 areas; good for the customers, good for the communities,

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1 and good for the employees. And, let me just start with
2 the customers. It's important to note that, as a result
3 of this transaction, there will be no increases to
4 customers. There will be no change in the terms and
5 conditions by which we are providing service. And, we
6 will provide service at the same terms and conditions and
7 prices that Verizon provides today, both for our wholesale
8 and retail customers.

9 As importantly to note, though, and
10 something that we are very proud of, is that we are
11 committed to increase the broadband penetration across the
12 three-state area. Right now, in the FairPoint footprint,
13 for the three states that we operate here in Maine, New
14 Hampshire, and Vermont, we can provide broadband
15 availability to 93 percent of our customers. And, in the
16 Verizon footprint for the same three states, they provide
17 broadband availability to about 62 percent of the
18 customers. So, we see this as a significant and immediate
19 opportunity to make some improvements and to bring
20 broadband to many, many customers who might not otherwise
21 be offered that.

22 Let me move now to the communities. As
23 a result of this transaction, we've said that we need to
24 hire 600 new employees. What we'll be doing is bringing

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1 all the back end office workers. Today, that work stays
2 outside of Maine, New Hampshire and Vermont. We'll be
3 bringing those jobs and those offices back into the
4 three-state area. So, we will be increasing the
5 employment by 600 jobs. And, although we haven't decided
6 exactly where we're going to be putting those jobs, we do
7 know that we'll be hiring people in the non-network --
8 network operations center positions, and ISIT computer
9 programming positions, and also administrative functions,
10 like regulatory, accounting, and finance. We'll be
11 bringing those jobs back to the three-state area. We have
12 not decided exactly where those jobs will go yet, but we
13 have committed to the governors of all three states that
14 we will work to deploy those jobs throughout the three
15 states as evenly as possible. And, we do know that New
16 Hampshire will surely benefit from some of those
17 positions.

18 And, then, let me just briefly move into
19 the employees. As a result of this transaction, FairPoint
20 has agreed to honor the union bargaining contracts. We've
21 also agreed that there will be no loss in jobs, either on
22 the FairPoint side or the Verizon side. We will make sure
23 that -- we've agreed and committed that there will be no
24 decrease in the benefits. And, for those Verizon

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1 employees who have worked long and hard to build up their
2 pension plans, those plans will come over to FairPoint
3 fully funded. So, there will not be any risk there.

4 So, for the reasons that I've stated, we
5 do think this is a good transaction. It's good for New
6 Hampshire. It's good for the customers, the communities,
7 and the employees of New Hampshire. And, at FairPoint, we
8 truly look forward to serving the customers of New
9 Hampshire. And, we also look forward to being a good and
10 strong and present corporate citizens.

11 Again, we'll stay after to answer any
12 questions that you might have, and I thank you for your
13 attention tonight.

14 CHAIRMAN GETZ: Before we get to our
15 first speaker, I want to do a couple of things. One is
16 first to acknowledge that, from the Office of Consumer
17 Advocate, Ken Traum is here. And, the Consumer Advocate
18 is required by statute to represent the interests of
19 residential customers. They're an active party in the
20 proceeding. And, the other is to note that we understood
21 there was another meeting started earlier tonight, and
22 that some people may be arriving late. We've made copies
23 of the introductory portion of one of the previous
24 meetings, and they will be available in the back of the

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1 room, if somebody comes in late, if you could point them
2 to that.

3 So, I'm just taking the speakers in the
4 order that they come. And, our first speaker will be John
5 Weeden.

6 MR. WEEDEN: Thank you. My name is John
7 Weeden. I'm from Claremont, New Hampshire. I work for
8 Eastern Bridge, and I'm a consumer. I'm opposed to the
9 transaction. I don't think FairPoint is a bad company and
10 I don't think Verizon is a good company. I think they're
11 both telecommunications giants who see an opportunity for
12 their companies, and they want to move forward on that. I
13 don't think New Hampshire is the place where that should
14 take place. We're a rural enough area. We need as much
15 technology as we can get our hands on. And, I believe
16 that Verizon, with its background in telecommunications,
17 its labs, its research departments, they can bring the
18 most technology fastest to our state.

19 FairPoint, while doing a good job in the
20 rural communities, it's just that, it's the rural
21 communities. In most cases, they go in, the
22 infrastructure is in need of repair and in need of
23 updating, and they do a good job in repairing and updating
24 it, they're used to that. An example of that we can see

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1 in Vermont, Maine, and New Hampshire, where they operate
2 as Northland Telephone Company. Unfortunately, you're not
3 as competitive as Verizon with your DSL rates and your
4 home phone rates. They're substantially more in many
5 cases. This is -- You have to do a lot of reading to
6 understand what this transaction is all about and how it
7 works. Like I said, I don't see Verizon as the good guy,
8 FairPoint as the bad guy. I simply don't think that
9 FairPoint can bring the technology to New Hampshire that
10 we need to grow as a state. And, I oppose this for that
11 reason.

12 CHAIRMAN GETZ: Thank you. Michael
13 Campenella.

14 MR. CAMPENELLA: Good evening. I'm
15 opposed to this transaction. I guess there's a question
16 as to the definition of "broadband". I think FairPoint
17 has one definition, the rest of the world has another
18 definition. DSL was okay ten years ago. Verizon, right
19 now, in the southern part of the state, up until about a
20 year ago, in Massachusetts, Rhode Island, gung ho with
21 what they call "FiOS", high-speed data, video, anything
22 that -- anything for business. What FairPoint is talking
23 about is DSL. It's just 1.5. It's not -- It's not fast
24 enough for wide band. And, it just doesn't seem like

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1 they're going to be able to pick up any further from where
2 they are right now. And, New Hampshire will just sit.
3 I'm opposed. Thank you.

4 CHAIRMAN GETZ: Thank you. Scott Souza.

5 MR. SOUZA: Good evening. Thank you for
6 allowing me to speak at this hearing. I notice that we
7 are being recorded. And, being a lifelong resident of New
8 Hampshire, I'd like to go on the record as saying "The
9 Yankees suck." And, I'm skipping the Yankees/Red Sox to
10 be here. That's how much I'm concerned about the sale of
11 this, the phone lines.

12 What I have researched and the things
13 that I've learned is the Reverse Morris Trust is something
14 that I'm not an expert on, but am very concerned about.
15 It seems to me that it's a legal device that a company, a
16 large company like Verizon, can sell, well, not really
17 sell, can merge with a smaller company. It's certainly
18 not illegal. But we're talking about "hijacking a
19 hearing", while Verizon's going to make -- well, "make"
20 isn't the right term, they're not going to pay
21 \$700 million in taxes. That concerns me. My taxes went
22 up 80 percent this year, and I had to pay my taxes.
23 Whenever there's sales transactions, you pay your taxes.
24 I don't like the fact that this Commission talks about

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1 "doing no harm", that's your concern. Making sure that
2 the merger doesn't do any harm. Well, losing \$700 million
3 in taxes in Maine, New Hampshire, and Vermont, sounds to
4 me like they'd be doing a lot of harm.

5 I have nothing against FairPoint. I
6 think they're a good company. I just don't want them to
7 control the phones in New Hampshire. I don't think they
8 have the technology, and I don't think they have the money
9 to do that. So, I'm opposed to this sale.

10 CHAIRMAN GETZ: Wayne Woodbury.

11 MR. WOODBURY: My name is Wayne
12 Woodbury, also a lifelong resident of New Hampshire. I
13 live in Unity, I have a Charlestown mailing address, and a
14 Claremont phone number, but my tax bills say I live in
15 Unity, New Hampshire. I realize that this is not a
16 litigation setting, still I would like to respond to a
17 comment made by the FairPoint person. And, as far as in
18 regards to quality service in rural communities, which
19 also they've been pushing out there, media hype, and
20 that's not an insult to the community.

21 So, I'd like to refer to a Concord
22 Monitor article of February 25th of this year. And, I'd
23 like to, for the sake of time, go to the last paragraph of
24 this article, last two paragraphs. "FairPoint owns China

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1 Telephone Company, had the worse service rate of all 23
2 Maine telephone companies in 2005. Also, FairPoint had
3 four of the top ten worse telephone companies in Maine."
4 Which I think speaks -- actions, they say, speak louder
5 than words.

6 So, due to work on the Internet,
7 according to the Sperling's, it's a website, Sperling's
8 Best Places for Real Estate, it's a website. Newport, New
9 Hampshire has roughly 4,200 people. China, Maine has
10 4,400 people. So, I think it's rather in line that
11 FairPoint is coming through saying that they can run three
12 states regular -- efficiently, when, apparently, they
13 can't run a town the size of Newport.

14 CHAIRMAN GETZ: Representative Carla
15 Skinder.

16 REP. SKINDER: Thank you for holding
17 this forum. I appreciate it. I'm representing
18 constituents throughout New Hampshire, but primarily
19 Cornish, Plainfield, and Grantham. For the record, my
20 name is Carla Skinder. My customers are concerned, I
21 personally have dial-up, and being a legislator, in health
22 care, and just trying to communicate and download, I can't
23 do it. I'm a third of a mile away from the office, and I
24 can't get it. I have doctors, electricians in my

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1 neighborhood, and we can't get a service that will provide
2 what we need.

3 Also, in health care, we're concerned
4 about health -- telehealth monitoring, so that doctors,
5 visiting nurses, hospitals can be in contact with clients
6 in rural areas, so that we can continue with home-based
7 care for our clients and people. And, this is very
8 important. And, from what I understand, and I'm no
9 computer wiz, that DSL is not really the technology of
10 today. And, I guess that's my major concern, that if we
11 allow for DSL broadband to come in, how soon will we
12 really have a good upgrade so that we could be
13 competitive.

14 We also have school children. And, it's
15 difficult for them to be competitive in their homework.
16 If they have dial-up, they can't compete with people that
17 have a high Internet system. I mean, for me to get on
18 line, it takes about 20 minutes by the time I try to get
19 there to anyplace. And, I don't have time for that. And,
20 students need to get information in a timely fashion and
21 be highly competitive today, to get into college, just to
22 do well in lower grades. That's the nature of the game
23 now.

24 And, I guess what I'm asking is, will we

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1 be upgraded really soon if we go to a DSL system, and how
2 would that be? I mean, if we're going to put in all this
3 technology, is there the ability to progress rapidly, for
4 our constituents, our people in New Hampshire, Maine,
5 Vermont, whatever? It's really needed. I mean, we're a
6 customer-rich country that has the capability of doing a
7 lot of good with the Internet, a lot of bad also, but we
8 won't go there. And, I just want the best for New
9 Hampshire. Thank you.

10 CHAIRMAN GETZ: John Murphy.

11 MR. MURPHY: Thank you very much. My
12 name is John Murphy, and I live in Grantham, for almost 15
13 years. I've been a customer of New England Telephone,
14 NYNEX, Bell Atlantic, and Verizon for over 25. I am
15 opposed to this sale. I feel that FairPoint is not in a
16 financial position to take over New Hampshire's telephone
17 infrastructure. If this deal is approved, FairPoint will
18 be saddled with a substantial debt obligation and may not
19 have the financial strength to keep all these promises.

20 So, not only will FairPoint be in debt
21 by \$2.7 billion, they will also have to transfer
22 900 million to Verizon when the sale is complete. They're
23 moving forward. FairPoint will lose a large portion of
24 their government subsidies. The FCC Universal Service

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1 Fund gives FairPoint almost \$400 per line. And, in
2 Vermont, the subsidies amount to \$31 for FairPoint. So,
3 those will end.

4 I know that FairPoint has made promises,
5 it has promised a more aggressive expansion of DSL. But
6 how will they pay for it? Will they keep the lower
7 Verizon rates, which we have now, or will they increase
8 rates where they have in the other states?

9 Therefore, what happens then? Do we
10 have to watch our phone bills go higher or will FairPoint
11 be losing so much money they will go belly-up? So, please
12 reject the rip -- I mean, spin-off, and wait for a buyer
13 who can do the job. Thank you so much.

14 CHAIRMAN GETZ: Gail Kinney.

15 MS. KINNEY: Thank you to members of the
16 Commission. I appreciate the opportunity to have a voice
17 here tonight. For the record, my name is Gail Kinney. I
18 am a resident of Canaan, New Hampshire. I am a Verizon
19 user. And, I'm speaking personally as a consumer.

20 I just wanted to say one thing at the
21 start. I am not an IBEW member, and I'm not connected
22 with the IBEW in any way. However, I sat there feeling a
23 little angry and a little resentful of the comments up
24 front about the indication that, if members of the IBEW or

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1 CWA come to these hearings and express their voice as
2 consumers, that they're somehow being disingenuous and
3 they don't have a right or a role to speak here. That is
4 a problem for me. Just because somebody is a member of a
5 union, any union, they also -- most them are consumers and
6 have a right to speak as consumers about this very
7 important transaction facing the State of New Hampshire.
8 So, that's just sort of a preface that I felt I needed to
9 say at the start.

10 I'm a resident of the Upper Valley, and
11 today's newspaper, the headline at the top of the paper
12 spoke of a meeting that I guess took place today,
13 legislators from -- legislative leaders from Maine, New
14 Hampshire, and Vermont, looking at the FairPoint/Verizon
15 -- the Verizon/FairPoint transaction. And, the headline
16 says "Lawmakers Review FairPoint's Internet Reach and
17 Verizon Merger." I guess, for starters, I want to say
18 that the word "merger" has been bandied about, and maybe
19 there's some legal terminology where it's appropriate,
20 but, for the lay world, a "merger" typically means "two
21 entities coming together to make something bigger and more
22 powerful and more potent and able to provide better
23 service."

24 I had an opportunity back in the year

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1 2000, when Bell Atlantic merged with GTE to create Verizon
2 and to create a telecommunications giant with a national
3 footprint. I was working as a consultant on youth
4 outreach activities that a labor management partnership of
5 Bell Atlantic, then Verizon, and its unions were engaged
6 in. And, I have the utmost respect for Earl Pierce, who
7 helped create that particular program. However, when that
8 merger took place, it was a coming together of two
9 entities to make something bigger. At the time, those
10 entities were clearly committed to their entire footprint.

11 Sometime after that, however, because we
12 understand Verizon, first and foremost, is in the business
13 of making money. And, there was a determination that
14 there were pieces of that footprint, probably more rural
15 areas, including our state, were not making enough money
16 for that entity. And, therefore, they began to disinvest
17 in New Hampshire and other rural areas. And, I know
18 personally, I am self-employed as a consultant, I am
19 absolutely dependent on Internet access. I live in an
20 area where my only access is dial-up. And, as
21 Representative Skinder said, it is a terrible way to work.

22 I called Verizon in about 2002, two
23 years after the merger, and asked when possibly even DSL
24 would come to my area, and they said "A year or two. Call

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1 us back in a year or two and we'll be out there for you."
2 It is now 2007, I made that call in 2002, they are still
3 not in my area. They decided at some point that it wasn't
4 worth their while and they didn't even want to go there.

5 I also wanted to give a gift to my
6 sister, who is also dependent on Internet access, who
7 lives in Guilford, Vermont, another small, rural town
8 tucked on the New Hampshire border. So, I asked if I
9 could give her a gift of higher speed than dial-up. And,
10 so, they put me through to a technician when I called
11 Verizon. And, the technician just laughed out loud at me.
12 And, I said "when are you going to get to Gilford?" And,
13 he said "never". This was 2002.

14 And, so, with the indication that these
15 entities or that our rural areas are no longer as
16 profitable for landlines or extending any kind of high
17 speed or even medium speed whatsoever, Verizon, which is
18 its right, decided it wanted to spin off its rural
19 landlines. And, that's what this is. This is not a
20 merger. This is, for laypeople, this is a spin-off. And,
21 when I think of "spin-off", one of the things that I'm
22 reminded of, I also had an opportunity to work as a
23 consultant on a labor management partnership in Berlin,
24 New Hampshire, when the paper mills were owned by James

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1 River, which then was headquartered in Virginia. James
2 River decided to spin off the mills in Berlin, and as they
3 spun off the mills to create a separate entity called -- I
4 can't even remember the name of it, Crown Vantage, they
5 also spun off James River's debts. And, for anybody who's
6 familiar with the State of New Hampshire, we know what
7 happened to Crown Vantage and we know what happened to
8 those mills, they crumbled from that point forward.

9 Spinning off the debt is a death nail
10 for our phone lines here in New Hampshire. And, this is
11 -- Verizon has had many benefits by being, and Bell
12 Atlantic before it, by being a regulated utility. And, as
13 part of being a regulated utility, it is the purpose and
14 the duty of the PUC to act in the best interest of the
15 citizens of the State of New Hampshire, not any business
16 entity for their personal profit. It is not in the
17 interests of the people of the State of New Hampshire to
18 allow Verizon to, number one, spin off its landlines, and,
19 number two, spin off ferocious debt under which FairPoint
20 will crumble and will not be able to serve us in a way
21 that we need and we deserve.

22 Finally, I just want to say, as you hear
23 anybody saying that they are "in favor of this because
24 they are in desperate need of DSL", I heard people in my

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1 rural area say "Oh, let it go through, let it go through.
2 Verizon is never going to give us even DSL, let alone
3 broadband, but FairPoint promises us DSL." These are
4 people who are desperate even for yesterday's technology,
5 because right now they have nothing. And, we shouldn't be
6 talking, we should -- I hope the PUC doesn't act in -- as
7 a result of people's desperation for yesterday's
8 technology. I implore you to look at the debt spin-off,
9 look at all the details of this, and then act in our
10 interest and say "No" loud and clear to this particular
11 transaction. Thank you very much.

12 CHAIRMAN GETZ: Cassandra Xintaras.

13 MS. XINTARAS: Good evening. I just
14 want to state that I am concerned for the deaf, disabled,
15 and elderly communities within the three northern states.
16 There are growing concerns with the sale of the landlines
17 in New Hampshire to FairPoint Communications and how it is
18 going to affect consumers and the state. If the sale is
19 approved by the Public Utilities Commission, FairPoint
20 will come here and operate within the state by not
21 offering higher end services to bring businesses to the
22 community. Also, FairPoint will not be able to compete
23 with cable company services, which will eliminate
24 competition within the state and increase prices.

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1 Here are some key points and concerns
2 that I have for the deaf and disabled and elderly
3 communities. First of all, FairPoint will not be able to
4 offer faster speeds of service. Therefore, eliminate the
5 future for video relay service and Internet Protocol relay
6 services. Also, the DSL service that they do offer is
7 only half of the speeds of what Verizon currently offers.
8 If FairPoint stays with the price structure for what they
9 charge for surrounding areas, they're almost double the
10 price of Verizon's. Many people will not be able to
11 afford the services that FairPoint will offer in the
12 remote locations of New Hampshire.

13 Secondly, Verizon is the only company in
14 the New England area to have a special center trained for
15 the deaf, disabled, and elderly consumers. Unfortunately,
16 this call center that handles the disability calls for the
17 New England area is located in Marlborough, Massachusetts.
18 There is a concern as to where these calls will be handled
19 for the three northern states if the sale to FairPoint
20 gets approved. The Verizon center in Marlborough, Mass.
21 has extensive training and expensive equipment that is
22 used. With FairPoint's financial history, there is a
23 concern that they will not be able to afford the equipment
24 and the training necessary for these special consumers.

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1 The phone is a lifeline for all
2 consumers mentioned above. E911 service is currently with
3 Verizon. There has been no mention as to how these
4 services will be handled. With the flooding in the State
5 of New Hampshire recently, Verizon has the funds to repair
6 and rebuild the equipment needed to make the phone lines
7 work. But it's questionable whether FairPoint will.
8 Verizon offers three directory assistance, or 411, and
9 operator-handled calls to the disabled. Directory
10 Assistance is a Verizon service. Also, the revenue
11 generated from the 411 is used to purchase the specialized
12 equipment needed for the disabled communities.

13 There are many wonderful services that
14 Verizon currently offers for the disabled, elderly, and
15 deaf consumers. If the three northern states are sold to
16 FairPoint Communications, then this community will no
17 longer have the support that Verizon offers. Thank you
18 for your time.

19 CHAIRMAN GETZ: Greg Franklin.

20 MR. FRANKLIN: Good evening. Thank you.
21 My name is Greg Franklin. And, I'm a businessman from the
22 Upper Valley. I'm neutral on this transaction. But,
23 working a fair amount in the broadband areas, I think
24 there are some things that are really essential that you

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1 very carefully consider. For the very first time in our
2 history, rural areas have an opportunity to compete on a
3 national and an international basis. We're an example.
4 Our company's biggest client exists in southern
5 California. Our second biggest client exists in Atlanta,
6 Georgia. We move files daily and hourly, and very large
7 sizes. So, the ability for us to have the capacity, the
8 security of a well-maintained system, is essential for our
9 business to grow. And, it's essential for our rural areas
10 to grow. Not just the large businesses or even the medium
11 size businesses, but, more important, the home-based
12 businesses, the rural-based businesses.

13 So, as you assess this acquisition and
14 transfer, that's a key area that I would really hope you
15 all will look at carefully and very thoroughly. A key
16 part of that is what's going to happen to the old
17 technology, as we move into areas and times that require
18 new technology? So, the capacity of the surviving
19 company, whoever that might be, a key issue has to be
20 "what's their capacity to not just maintain, but to
21 enhance, and perhaps a step beyond enhance, to innovate?"
22 I can't emphasize enough that we all have, for the first
23 time, a door into the world economy. And, it's something
24 we all need to maintain and work well.

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1 The speed at which the deployment of
2 broadband assets, as FairPoint has been discussing, to me
3 is a critical issue. Again, it's how fast can we bring
4 these assets to our rural businesses? But it goes beyond
5 that to perhaps one more step. And, that is, what does a
6 role the size of a FairPoint -- a Company the size of
7 FairPoint or Verizon plays in not just bringing the
8 assets, but enabling those in our rural areas to take
9 advantage of them? What's the community citizenship role
10 of large companies such as these?

11 So, as you look at the technical merits
12 of the merger, or not "merger", of the transfer, and you
13 look at the type of skills capacity they bring, the level
14 of which they're committed to these communities, in all
15 facets, I think is important.

16 At the end of the day, it's "what does
17 or what brings the best value to our citizens and our
18 communities?" So, it's on that level I hope you'll spend
19 a lot of time thinking about this, and look at all the
20 merits of how it goes together. Thank you.

21 CHAIRMAN GETZ: Shawn White.

22 MR. WHITE: Hi. My name is Shawn White.
23 I live in Charlestown, New Hampshire. My only concern is
24 their promising DSL and broadband, and that's five years

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1 ago technology. I'm a father of two. When are we going
2 to get fiber? I don't want my kids basically on
3 broadband, which is compared to the speed of dial-up, five
4 years behind everybody else who's running on the fiber and
5 faster Internet services than DSL. That is my only
6 concern. So, I'm opposed to this sale. Thank you.

7 CHAIRMAN GETZ: Jim Talbert.

8 MR. TALBERT: Good evening. My name is
9 Jim Talbert. I am the coordinator of the Town of
10 Fitzwilliam Technology Committee, a group that was formed
11 about a year ago to investigate the possibility of
12 achieving high-speed Internet and cellphone service in the
13 Town of Fitzwilliam. One of the things that we've learned
14 in this process is that data services are apparently not
15 regulated services. And that, when we speak to the state
16 about mandating or encouraging the provision of Internet
17 services of modern capability, we're essentially told
18 "well, that's not a regulated service."

19 We want to say, without either opposing
20 or being in favor of this merger, that we believe the PUC
21 should take a look at this from the perspective of which
22 of these companies is most likely to serve New Hampshire's
23 future needs, whether that's a regulated service or not.
24 This is obviously essential.

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1 We liken high-speed data services to
2 having roads and basic telephone service itself. We're
3 discovering we can't sell our houses. We're discovering
4 that businesses won't come to our town. This is really a
5 crucial thing. So, I would say, gentlemen, whether this
6 comes under your purview or not, I think, in the long run,
7 the merits of the decision that's made here will be made
8 on the basis of whether the state really steps into the
9 21st century. Thank you.

10 CHAIRMAN GETZ: Will Durant.

11 MR. DURANT: Thank you for letting me
12 speak this evening. My name is Will Durant. I'm from
13 Cornish, New Hampshire. I work in the telecommunications
14 industry -- excuse me, I work in the health care industry
15 in telecommunications, but I do work in the
16 telecommunications and health care industry. Telecom data
17 services is an integral part in the delivery of health
18 care services to the people of New Hampshire. Our
19 hospitals, our public services rely on state-of-the-art
20 telecom data services to provide medical care to the
21 people in New Hampshire. I have concerns about
22 FairPoint's capabilities to providing sophisticated
23 telecommunications services to our health care
24 organizations. I do not see any history of FairPoint

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1 background of providing core telecommunications services
2 to large businesses. I'm not sure if FairPoint has the
3 Internet expertise available to support sophisticated
4 private and business networks. I'm uncertain whether
5 FairPoint will develop and implement business support
6 networks required to supporting large business customers.

7 If the health care network is running a
8 frame relay, ATM type service, will FairPoint resources
9 support these types of networks? How about MPLS? SONET?
10 OC3? FairPoint has some expertise in supporting these
11 technologies to work with other carriers, but do they have
12 the engineering depth to support private and public
13 business customers with different needs in these different
14 -- and different technologies?

15 For example, I'll take an older
16 technology, but one that's used throughout the State of
17 New Hampshire, and provides a variety of services for
18 health and safety, and that's ISDN Centrex. ISDN Centrex,
19 basically, if you turn ISDN Centrex off, you might as well
20 shut down Concord, because many of the phones won't be
21 working in the business offices in the state, and it
22 provides some ISDN Centrex that's used by other city
23 governments in New Hampshire. ISDN Centrex is used by
24 health care groups, like ourselves.

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1 And, today, it's very difficult to find
2 the engineering expertise to troubleshoot ISDN Centrex
3 within Verizon today. I do not know how FairPoint plans
4 or expects to support this technology, if Verizon is
5 stretched very thin in their ability to support it. But,
6 yet, this ISDN technology stretches across the spectrum of
7 health and safety services within the state. Verizon ISDN
8 engineering expertise resides in Boston, not in
9 Manchester. FairPoint needs to prove that they have the
10 expertise to support ISDN Centrex. And, hopefully, in the
11 future, to support ISP Centrex, which is the next
12 generation of Centrex.

13 The health care organization I work for
14 has been a loyal Verizon customer for many years. This
15 loyalty does not necessarily have to do with pricing or
16 service offerings. The major reason for our long relation
17 is that we consider telephones and telecom a life-saving
18 issue. We demand a high level of sophisticated service
19 supports for advanced voice and data networks and
20 services. If we have problems on direct inward dial-up
21 here or actually a problem with bandwidth allocation in
22 our ATM service pipes, we are looking for immediate
23 assistance and a quick resolution.

24 Verizon has offered this high level

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1 service over the years. The local technicians and remote
2 engineering from Boston is providing a continuous high
3 level of service. I remain uncertain where FairPoint will
4 be with this. They do not seem to have a track record of
5 supporting large complex business organizations. I have
6 concerns about the engineering support that FairPoint will
7 be willing to provide. Right now, some of my best
8 engineering support for large data services comes from
9 Boston. It's not anymore from local services.

10 FairPoint wishes to move from a rural
11 residential carrier to become the principle provider for
12 voice and data services in the State of New Hampshire.
13 These are services that the state, city and large
14 institutions use to maintain safety and the health for the
15 people in this state. I do not believe that FairPoint is
16 or will be properly equipped, manned or trained for this
17 status. Thank you.

18 CHAIRMAN GETZ: Steve Poole.

19 MR. POOLE: Hi. I'm Steve Poole, from
20 Winchester, New Hampshire. And, in the interest of full
21 disclosure, I am a member of the IBEW. I consider myself
22 a subject matter expert, I have a degree in
23 telecommunications technology, over 20 years experience.
24 And, I came to talk about why, on the front page of Keene

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1 Sentinel talks about the better Internet access in
2 Afghanistan than Acworth. I have questions about the
3 service complaints in Maine. I have questions about why
4 they're pushing 138K DSL and calling that some kind of
5 advanced technology. But I feel I have to respond to the
6 hired guns from the carpetbaggers in North Carolina. The
7 reason people do not come out waiving the flag that they
8 work in this company is because Mr. Pierce here, sitting
9 behind me in the second row, will threaten your job. That
10 is why people come out as consumers. They are -- We are
11 the subject matter experts. We know more about this than
12 perhaps only a handful of the people in the state. We're
13 in this every day. Because of what is covered as
14 proprietary information, we cannot disclose what we know.
15 I can only talk about what I've read in the paper and what
16 I see in print. And, people have already done that.

17 But I'm very much offended that somebody
18 would threaten to fire me, and then come up and try to
19 intimidate me from speaking in public further, in front of
20 my citizens, friends, neighbors, and the people of the
21 State of New Hampshire. Thank you.

22 CHAIRMAN GETZ: Carol Poulin.

23 MS. POULIN: Good evening. Good
24 evening, Commissioners. Thank you for allowing me to

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1 speak. My name is Carol Poulin, and I lived in New
2 Hampshire for 24 years, with my husband and my two sons.
3 I don't really know a whole lot about technology. I am
4 concerned about FairPoint taking over the whole state's
5 communications. I happen to work in the health care
6 field. I'm not associated with IBEW or anything. I'm a
7 Register Nurse. And, if I may, I'd like to give you just
8 a couple scenarios of sort of how what I'm seeing could be
9 happening here in New Hampshire.

10 Let's just say, for example, that you
11 all of a sudden come down with acute abdominal pains and
12 you need to have services at the emergency room. So, you
13 go to the emergency room, and the doctor comes in and
14 tells you that "well, I think that we've got to do an
15 x-ray of your abdomen to see if we see any abnormalities
16 or anything happens to be going on." So, you have the
17 films done, and then you come back and the doctor comes
18 in, and he says "Oh, well, I really have some good news
19 for you, and I also have some bad news. The good news is,
20 nothing is showing on the film. Everything looks fine. I
21 guess the bad news is that I'm not really sure why you're
22 having this pain. See, unfortunately, at this hospital,
23 we don't use CAT scan machines or MRI, because that's
24 advanced technology. And, we just use what we've been

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1 speaking of, with the x-ray equipment. So, what I'm just
2 trying to tell you is that, you know, you can go home and
3 we can monitor this, and hopefully everything's all right.

4 Hopefully, you don't have a leaking aorta or your
5 appendix doesn't burst or anything. But that's how we do
6 it at this hospital."

7 And, that's how I see what's happening
8 possibly with this telephone communications stuff. Is
9 that you don't really want to use this, old technology,
10 you want to keep moving to the future, obviously. I mean,
11 who would ever want to use something old.

12 If I could just give you possibly one
13 more scenario, I mean, just for different things. Would
14 be like, if you were having chest pains, and you go in to
15 have a heart catheterization, hopefully, most people have
16 heard of having a heart cath. And, a heart cath is when
17 they look at the blood vessels that actually supply the
18 heart with blood.

19 Well, you have this heart cath, and then
20 the doctor comes and he tells you "well, you have one of
21 your arteries at 90 percent blocked. Well, 90 percent
22 blocked, that's pretty bad. That's really quite a bit.
23 But, unfortunately, at this hospital, we don't use stents,
24 because that's only for metropolitan areas or, you know,

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1 that's very advanced technology. So, what we're going to
2 have to do is we're going to have to treat you here
3 medically, and hopefully you don't have some major heart
4 attack and, you know, die."

5 And, so, that's really what I wanted to
6 say to you. So, really, in closing, I'm sure that you
7 were all appointed to your position because of your
8 knowledge, and trust and confidence that certain
9 individuals have in you. And, you have a very big
10 decision to make. As a matter of fact, you're making
11 decisions for thousands of New Hampshire residents. New
12 Hampshire must keep up with the rest of the nation in
13 technology, along with keeping up with the world in
14 technology. Things are constantly changing. New
15 Hampshire needs to keep attracting educated entrepreneurs
16 so that businesses can be established and opportunities
17 can continue to grow. Verizon is selling for only one
18 thing, for their money, for corporate greed, whatever.
19 So, I do encourage you to please vote "no" on this sale.
20 Thank you.

21 CHAIRMAN GETZ: Michael McLaughlin.

22 MR. McLAUGHLIN: Good evening,
23 Commissioners and members of the audience. I've been to
24 several of the hearings, and I represent IBEW. And, IBEW

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1 has never taken any initial position at any hearing. And,
2 the hearings have been put out in a notice on a voluntary
3 basis. And, the FairPoint representative this evening has
4 got up there, in our opinion, in my opinion, started his
5 pleadings. He's a main party to the case. IBEW 2322
6 intervened. We understand that. We have never abused the
7 opportunity of the public hearing. There hasn't been one
8 union badge, one union shirt. There have been people who
9 are members of the general public using this opportunity
10 to talk to you people and tell you how they feel.

11 Attorney Coolbroth used some words like
12 "packed hearing" and "deceiving" and that "folks should be
13 honest". I think that's an insult to you and to the union
14 members. For you -- For him to say that you couldn't
15 understand where these people may be coming from, does he
16 think that all New Hampshire is that naive? He talked
17 about "taking off the masks". They should take off their
18 mask as they steal New Hampshire's technology from the
19 21st century. IBEW is passionate, their union members are
20 passionate. They want to keep good, high-quality,
21 technical service in New Hampshire, to modernize the
22 network. They will keep coming individually to
23 participate and no one is going to stop them. Thank you.

24 CHAIRMAN GETZ: Darren Avery.

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1 MR. AVERY: Good evening. My name is
2 Darren Avery. I'm from Claremont, New Hampshire. I'm
3 also an IBEW member, and a member of this community. I've
4 been with Verizon for about ten years. And, it's my
5 responsibility to bring them the utmost, best possible
6 service that I can, as far as telecommunications. Well,
7 my concern is, FairPoint wants to inherit the landlines in
8 the three states, and they also want to bring in 600
9 employees to bring -- to get that additional 32 percent of
10 DSL customers.

11 My question is, what's going to happen
12 after they get their DSL network deployed to what they
13 think it should be? And, I think we need to take look at
14 the media and really, really get a good definition on what
15 "broadband" is supposed to be, and make sure that the
16 public is aware of what the difference is. I don't
17 understand why Verizon doesn't want to deal with us
18 anymore. They want to -- They need some money,
19 apparently, so, the metropolitan areas in the southern
20 states can get true high-speed broadband.

21 For the last 20 years, I've seen a lot
22 of jobs go down the road, from factories being shut down
23 from corporate greed. And, I don't want to see that
24 happen to our community. It needs to stop. Thank you.

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1 CHAIRMAN GETZ: Tyson Turgeon.

2 MR. TURGEON: Thank you. My name is
3 Tyson Turgeon. I live a few miles up the road in the
4 little town of Goshen. First, I wanted to address
5 something that the representative from Verizon said
6 earlier. That, "in the next ten years, there's going to
7 be a lot of change in telecommunications." Well, from
8 what I understand, FairPoint's not offering change,
9 they're offering more of the same. They're offering a
10 technology that's in use now, it's been in use, and it's
11 slowing down. It's -- People are just destroying us in
12 different communities, in the southern part of the state.
13 In the southern part of this state is so far advanced,
14 compared to us, because Verizon has already put in their
15 FiOS. FairPoint isn't offering FiOS, from what I
16 understand.

17 Another thing I wanted to say was I am a
18 troop leader for the Cub Scouts. I personally don't have,
19 excuse me, cable in my town. But I am a troop leader of
20 the Cub Scouts in this Town. And, my wife is the
21 President of the local preschool. And, my kids play
22 T-ball and soccer in this town. And, I have a lot of
23 opportunities to speak to a lot of different parents.
24 And, whenever this subject of TV or Internet is brought

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1 up, I hear everybody complaining about how the cable
2 company just went up on their bill again. The cable
3 company went up on their Internet bill again. To me, the
4 best thing to fight rising prices is competition.
5 FairPoint can't offer TV or a DSL or a speed for the
6 Internet to compete with cable companies. Verizon can.

7 And, the last thing I wanted to say was,
8 to Mr. Below specifically, the last few years I have
9 listened to you on the local radio station in the
10 mornings. And, I haven't always agreed with you, but I
11 have always understood that you had the best interests of
12 the people in mind. So, on this subject, I think pretty
13 clearly the people here have spoken that they're not
14 interested in what FairPoint has to say. And, I hope you
15 will join with us. Thank you.

16 CHAIRMAN GETZ: Representative Timothy
17 Butterworth. And, I'll note that this is the last form
18 that was handed in.

19 REP. BUTTERWORTH: Thank you very much.
20 My name is Tim Butterworth. I represent District 4, in
21 Cheshire County, serving the Towns of Chesterfield,
22 Hinsdale, Winchester, and serving a lot of people who are
23 still on dial-up down there, including myself. I probably
24 know less about the technology of this than anyone else

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1 here, but I know I'm pretty frustrated. It didn't bother
2 me so much when I was spending most of my time logging,
3 but now that I have to download material from Concord, and
4 it's very slow. We had a exchange student staying with us
5 from Korea earlier this year. And, when she got there,
6 she took her computer up to plug into the phone line, and
7 she came down a little while later and said "what's this
8 dial-up?" And, I said, you know, "it's a primitive
9 communication system that developing communities are stuck
10 with, you know, until they can get DSL." And, she said
11 "what's DSL?" And, she said "We use broadband. Korea
12 only uses broadband." And, we're falling behind. It's
13 bad for our community. It's bad for business. Bad for
14 the environment. People have to drive places, instead of
15 getting their information off a landline. And, we need to
16 make a change.

17 I say that, you know, I don't want to
18 commend Verizon, just before I came up here this evening,
19 I dialed up again to see if maybe they had gotten down to
20 my neighborhood. I typed in my phone number, and I came
21 up, after waiting for a while, I got this message that
22 said "Verizon high-speed Internet is not currently
23 available. We are diligently and continually expanding
24 our network to provide more people with high-speed

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1 Internet connections based on DSL technology." Well, I'm
2 kind of curious about how diligently and continually they
3 have done that in the last year. Not much in my
4 neighborhood, I don't think. But, you know, so I can't
5 really recommend that I'm happy with the way things are
6 now. But, whatever we do, we should get something in
7 writing, some guarantee that we're going to bring these
8 technologies to rural areas. It's really essential.
9 Thank you.

10 CHAIRMAN GETZ: Okay. Before we close
11 the public statement hearing, I wanted to note that the
12 fifth public statement hearing will be Thursday night in
13 Littleton. And, I just wanted to thank you all for coming
14 out this evening and sharing your thoughts with us. It
15 will be helpful in formulating our questions and our
16 positions as we go forward. So, thank you all.

17 (Hearing ended at 8:05 p.m.)

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