

DT 01-028

**VERIZON NEW HAMPSHIRE**

**Intrastate Switched Access Rates**

**Order on OCA Motion for Reconsideration**

**O R D E R    N O.    23,977**

**May 24, 2002**

**I. BACKGROUND**

On January 11, 2002, the New Hampshire Public Utilities Commission (Commission) issued Order No. 23,893 denying the Office of Consumer Advocate's (OCA) Motion to Designate and Request for Hearing. The OCA filed the motions in the above-captioned docket seeking to have Kathryn Bailey, the Commission's Chief Engineer and now the Director of Telecommunications (hereinafter Telecommunications Director), as a Staff Advocate in the proceeding and requesting the Commission schedule an evidentiary hearing on the motion.

The OCA filed a Motion for Reconsideration on February 11, 2002.

**II. COMMISSION ANALYSIS**

RSA 541:3, and our rules promulgated thereunder, determine the procedure for a motion for rehearing before the Commission. RSA 541:3 provides in pertinent part that

"[w]ithin 30 days after any order...has been made...any party...may apply for a rehearing...specifying in the motion all grounds for

*rehearing, and the commission may grant such rehearing if in its opinion good reason for the rehearing is stated in the motion.*" (Emphasis supplied).

Administrative Rule Puc 203.04(d)(1) provides that all motions shall clearly and concisely state "the facts and law which support the motion..."

Having reviewed the OCA Motion, we find no basis on which to grant such relief and therefore will deny the motion. The Motion for Reconsideration is merely a list of the various grounds upon which the OCA has claimed that bifurcation is warranted. It does not provide any elaboration of the OCA's claimed grounds for reconsideration, nor any citation to authority. More importantly, it does not discuss in what way Order No. 23,893 improperly applied the facts to the legal standards for disqualification, or provide any new arguments that were not contained in its original motion. The issues listed in OCA's Motion for Reconsideration, and argued in the original motion for bifurcation, were considered exhaustively in Order No. 23,893, and there is no need to revisit that consideration here.

**Based upon the foregoing, it is hereby**

**ORDERED,** that the Motion for Reconsideration as filed by the Office of Consumer Advocate is DENIED.

By order of the Public Utilities Commission of New  
Hampshire this twenty-fourth day of May, 2002.

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Thomas B. Getz  
Chairman

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Susan S. Geiger  
Commissioner

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Nancy Brockway  
Commissioner

Attested by:

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Debra A. Howland  
Executive Director & Secretary