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June 25, 2009

**Via Electronic Filing**

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

Re: AT&T Communications of Pennsylvania, LLC,  
TCG New Jersey, Inc. and TCG Pittsburgh, Inc.  
v. Armstrong Telephone Company-Pennsylvania, et al.  
Docket Nos. C-2009-2098380, et al., C-2009-2099805, et al.,  
C-2009-2098735, et al.

Dear Secretary McNulty:

Enclosed please find Verizon's Petition to Intervene, being filed electronically on behalf of Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services, Inc., in the above captioned consolidated matter.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to be "Suzan D. Paiva", written over a horizontal line.

Suzan D. Paiva

SDP/slb  
Enc.

cc: **Via E-Mail and UPS Delivery**  
The Honorable Kandace F. Melillo  
Attached Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of Verizon's Petition to Intervene,, upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Philadelphia, Pennsylvania, this 25<sup>th</sup> day of June, 2009.

**VIA E-MAIL and UPS DELIVERY**

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Attorney for  
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Verizon North Inc.  
MCI metro Access Transmission Services, LLC  
d/b/a Verizon Access Transmission Services  
Bell Atlantic Communications, Inc.  
d/b/a Verizon Long Distance, and  
MCI Communications Services, Inc.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

AT&T Communications of Pennsylvania, LLC	:	
Complainant	:	
	:	
v.	:	Docket No. C-2009-2098380, et al.
	:	
Armstrong Telephone Company - Pennsylvania, et al.	:	
Respondents	:	
	:	
TCG New Jersey, Inc.	:	
Complainant	:	
	:	
v.	:	Docket No. C-2009-2099805, et al.
	:	
Armstrong Telephone Company - Pennsylvania, et al.	:	
Respondents	:	
	:	
TCG Pittsburgh, Inc.	:	
Complainant	:	
	:	
v.	:	Docket No. C-2009-2098735, et al.
	:	
Armstrong Telephone Company - Pennsylvania, et al.	:	
Respondents	:	

**VERIZON'S PETITION TO INTERVENE**

Pursuant to 52 Pa. Code §§ 5.71-5.74, Verizon Pennsylvania Inc., Verizon North Inc., Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, MCI metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, and MCI

Communications Services, Inc. (collectively "Verizon") petition to intervene as parties in the above-captioned proceeding. In support of this petition, Verizon avers as follows:

1. On March 19, 2009, AT&T Communications of Pennsylvania, LLC (AT&T PA), TCG New Jersey, Inc. (TCG NJ) and TCG Pittsburgh, Inc. (TCG) (collectively "AT&T") filed complaints against thirty-two Pennsylvania rural incumbent local exchange carriers ("RLECs"), which complaints have been consolidated under the above-captioned lead dockets.

2. AT&T contends that the RLECs' intrastate access rates are unjust and unreasonable in violation of 66 Pa. C.S. §1301 and that these high rates charged to other carriers for access to the RLECs' networks impede competition and violate other aspects of legislative policy set forth in 66 Pa. C.S. § 3011. AT&T requests that the Commission require the RLECs to reduce those rates.

3. By order dated June 22, 2009, presiding Administrative Law Judge ("ALJ") Kandace F. Melillo denied the RLECs' preliminary objections to the complaints, in which they had sought, among other relief, to have this proceeding consolidated with the Commission's pending generic access charge investigation at Docket No. I-00040105.

4. By procedural order dated June 24, 2009, the ALJ confirmed the results of a telephonic conference among the parties and the ALJ that took place on June 23, 2009, including setting out a procedural schedule that calls for the filing of testimony in July and August and for hearings to be held on August 13 and 14, 2009.

5. Verizon is certified by this Commission to provide local exchange service and/or interexchange service in Pennsylvania and pays the RLECs' intrastate

switched access rates that are the subject of this case. Verizon also offers interexchange service in competition with certain of the RLECs in their respective territories. As significant ratepayers of the RLECs' switched access rates, the Verizon companies have a direct and substantial interest in this proceeding. *See Petition of Duquesne Light Company for Order Establishing a New Coal Cost Standard*, Docket Nos. P-890386-87, 1990 Pa. PUC LEXIS 22; 72 Pa. PUC 131 (Opinion and Order entered February 6, 1990) (utility ratepayers have a direct interest under Rule 5.72 in litigation relating to those rates).

6. In addition, a decision in this case may affect the outcome of the Commission's generic investigation of the RLECs' intrastate access rates at Docket No. I-00040105, a pending case in which Verizon is an active party and has asked the Commission to reopen its previously stayed investigation of RLEC intrastate access rates.

7. For both of the reasons set out above, Verizon is eligible to intervene in this proceeding under the criteria set forth in 52 Pa. Code § 5.72(a) (allowing intervention to protect "[a]n interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding" or "[a]nother interest of such nature that participation of the petitioner may be in the public interest").

8. By virtue of its operation as an incumbent local exchange carrier ("ILEC"), a competitive local exchange carrier ("CLEC") and an interexchange carrier ("IXC") in Pennsylvania, Verizon brings a unique perspective to the issues in this case and its interests are not adequately represented by any of the existing participants to this proceeding, yet it may be bound by any Commission action taken here regarding the level

of RLEC access rates. Therefore, Verizon's petition to intervene should be granted to ensure that its interests are protected.

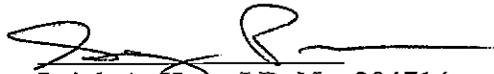
9. If intervention is granted, Verizon will be represented by the following counsel in this proceeding, whose name should be included on any service list or e-mail distribution:

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10. Verizon agrees to be bound by any procedural or scheduling decisions made prior to its intervention in this proceeding, including the terms of the June 24, 2009 procedural order.

WHEREFORE, Verizon respectfully requests that it be permitted to intervene as a party in these proceedings and that its counsel listed above be placed on any service lists relating to these matters. Because of the expedited schedule in this matter, Verizon respectfully requests that its petition to intervene be given expedited consideration so that it may participate in the filing of testimony and in the hearings.

Date: June 25, 2009

  
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