

BEFORE THE  
WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

In the Matter of the Petition of:

QWEST CORPORATION

For Commission Approval of 2007 Additions to  
Non-Impaired Wire Center List

Docket No. UT-073033  
*(bifurcated)*

**CBEYOND'S PETITION TO  
INTERVENE**

Pursuant to WAC 480-07-355, Cbeyond Communications LLC ("Cbeyond") hereby petitions the Commission for leave to intervene in the above-entitled docket. As grounds for intervention, Cbeyond states as follows:

1. The names, addresses, and telephone numbers of the persons to whom communications should be addressed are:

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2. Cbeyond is a registered and competitively classified telecommunications company authorized to provide both intraexchange and interexchange telecommunications services throughout Washington. Cbeyond also has an approved interconnection agreement with Qwest. While Cbeyond currently has no customers in Washington, it soon may begin to compete actively in this state. When it does, it will compete with, and obtain services and facilities from, Qwest Corporation (“Qwest”) in order to provide both intraexchange and interexchange services.

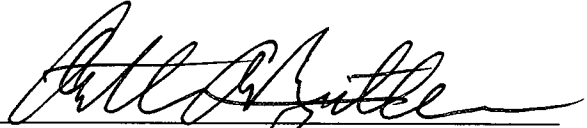
3. Cbeyond has a substantial interest in the subject matter of this proceeding. Qwest has requested that the Commission approve additions to Qwest’s non-impaired wire center list. Qwest’s petition could impact the rates that Qwest offers its wholesale customers such as Cbeyond if wire centers were added to the non-impaired list and certain unbundled network elements thus became unavailable at cost-based rates in those wire centers. The rates Cbeyond would be charged for wholesale services that it purchases from Qwest could impact Cbeyond’s ability to provide the products and services it offers to customers in those wire center areas. Cbeyond, therefore, is materially interested in, and will be substantially affected by, the Commission’s resolution of the issues presented in this proceeding.

4. The evidence, if any, and briefing presented by Cbeyond will be of material value to the Commission in its determination of the issues involved in this proceeding, and Cbeyond’s intervention will not broaden those issues or delay the proceedings.

5. WHEREFORE, Cbeyond prays for leave to intervene as a party to this proceeding, with a right to discovery, to have notice of and appear at the taking of testimony, to produce and cross-examine witnesses, and to be heard in person or by counsel on brief and at oral argument.

RESPECTFULLY SUBMITTED this 4th day of April, 2008.

ATER WYNNE LLP

By 

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Attorneys for Cbeyond Communications LLC

## CERTIFICATE OF SERVICE

I hereby certify that I have this 4th day of April, 2008, served the true and correct original, along with the correct number of copies, of the foregoing document upon the WUTC, via the method(s) noted below, properly addressed as follows:

|  |   |
|--|---|
| Carole Washburn<br>Executive Secretary<br>Washington Utilities and Transportation Commission<br>1300 S Evergreen Park Drive SW<br>Olympia, WA 98504-7250 | <input type="checkbox"/> Hand Delivered<br><input checked="" type="checkbox"/> U.S. Mail (first-class, postage prepaid)<br><input checked="" type="checkbox"/> Overnight Mail (UPS)<br><input type="checkbox"/> Facsimile (360) 586-1150<br><input checked="" type="checkbox"/> Email (records@wutc.wa.gov) |
|--|---|

I hereby certify that I have this 4th day of April, 2008, served a true and correct copy of the foregoing document upon parties of record, via the method(s) noted below, properly addressed as follows:

***On Behalf Of Qwest:***

|   |  |
|---|--|
| Lisa A. Anderl<br>Qwest Corporation,<br>1600 7th Avenue Room 3206<br>Seattle WA 98191<br><br><i>Confidentiality Status:</i> | <input type="checkbox"/> Hand Delivered<br><input checked="" type="checkbox"/> U.S. Mail (first-class, postage prepaid)<br><input type="checkbox"/> Overnight Mail (UPS)<br><input type="checkbox"/> Facsimile (206) 343-4040<br><input checked="" type="checkbox"/> Email (lisa.anderl@qwest.com) |
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***On Behalf Of Qwest:***

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***On Behalf Of Joint CLECs:***

|   |  |
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***Presiding Administrative Law Judge:***

|   |  |
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| Patricia Clark<br>Administrative Law Judge<br>Washington Utilities and Transportation Commission<br>1300 S Evergreen Park Drive SW<br>PO Box 47250<br>Olympia WA 98504-7250<br><br><i>Confidentiality Status:</i> | <input type="checkbox"/> Hand Delivered<br><input checked="" type="checkbox"/> U.S. Mail (first-class, postage prepaid)<br><input type="checkbox"/> Overnight Mail (UPS)<br><input type="checkbox"/> Facsimile (360) 664-2654<br><input checked="" type="checkbox"/> Email (pclark@utc.wa.gov) |
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I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 4th day of April, 2008, at Seattle, Washington.

S. Arelano