

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of)	DOCKET NO. UT-030614
QWEST CORPORATION)	
)	Petition of Advanced TelCom, Inc.
)	to Intervene as Party
For Competitive Classification of)	
Business Basic Exchange)	
Telecommunications Services)	

Advanced TelCom, Inc. dba Advanced TelCom Group (ATG) files this Petition to Intervene in this proceeding as a party. Recognizing that this petition is filed late, ATG will show the Commission that good cause exists for this late intervention. In addition, ATG will demonstrate that it has a direct interest in the subject matter of this proceeding, and would be adversely affected by the relief sought by the Petitioner in this proceeding. ATG as an intervenor will take the docket as it finds it, does not seek to alter any procedural deadlines in this matter as a result of its intervention, and does not seek to broaden the issues in this docket.

Specifically, ATG states:

1. The name and address of the Petitioner is Advanced TelCom, Inc., 19 Old Courthouse Square, Santa Rosa, CA 95404.
2. This Petition to Intervene is made pursuant to WAC 480-09-430(1).
3. All communications in this proceeding should be directed to Petitioner's attorney:

Richard H. Levin
3554 Round Barn Boulevard
Suite 303
Santa Rosa, CA 95403.
Telephone: (707) 523-4223
Fax: (707) 788-3507
Email: rl@comrl.com

Mr. Levin is admitted to the practice of law and is in an active member in good standing in California (#073398) and New Mexico (#1518), and before the United States Courts of Appeal for the Ninth and Tenth Circuits.

4. Petitioner's interest in this proceeding arises from its business in the State of Washington. Petitioner is a competitive provider of local exchange service in the State of Washington, and provides services to small to medium business customers in several smaller cities and surrounding areas in the State of Washington which are located in the service area of Qwest Corporation. Petitioner's interests would be adversely affected if the Qwest Corporation Petition were granted in this docket. Petitioner purchases unbundled network elements, including but not limited to UNE loops and UNE-P, and resale services from Qwest Corporation, and uses those purchased elements and services to provide services to ATG's business customers in this state. ATG believes that the granting of this competitive classification would give Qwest the ability to harm competition in the state, including those areas in which ATG provides service, to the detriment of ATG and its customers. ATG therefore has a direct and substantial interest in this proceeding.

5. Petitioner ATG has good cause for filing this Petition late in this docket. ATG has been in a Chapter 11 bankruptcy proceeding since May, 2002, and during that period generally did not intervene in state regulatory proceedings, due to financial constraints. ATG emerged from bankruptcy proceedings on May 15, 2003, under a Plan of Reorganization approved by the bankruptcy court. Under that Plan, ATG at that time became a wholly-owned, indirect subsidiary of General Electric Company.

6. During the period when it was in bankruptcy, ATG went through many changes of

personnel and was substantially reorganized internally as it struggled to survive and emerge from the bankruptcy proceeding.

7. Most recently, since it emerged from bankruptcy, ATG has been undergoing integration into the existing operations of its new corporate parent.

8. In addition, to the best of current ATG management's knowledge, ATG did not receive notice of this proceeding. ATG's current management only learned of this proceeding when its counsel was researching an unrelated issue on this Commission's Internet website on June 10, 2003, and came across an announcement of this proceeding. The scheduled date for intervention had already passed when ATG learned of this proceeding.

9. Since the time it learned of this proceeding, ATG has been seeking to determine whether it should devote resources to this proceeding. This has included efforts to determine the interests of other parties to this proceeding and their likely participation, as well as the internal discussions necessary for ATG to make this determination. Extensive review was required due to the fact that this is the first state regulatory proceeding in any state in which ATG has sought intervention since it was acquired out of the bankruptcy proceeding. As a result of that review, ATG has determined that it should seek to intervene in this proceeding to ensure that its interests are protected.

10. ATG will take this proceeding as it finds it. ATG does not seek as a result of its late intervention to change the dates directed by this Commission in this docket. ATG does not seek to broaden the issues in this docket to any issues beyond those already involved in this docket. ATG will seek to coordinate with other parties to the docket with similar interests to minimize overlap and duplication of presentation.

11. The intervention of ATG would be in the interests of justice and would not impair the orderly and prompt conduct of the proceeding.

WHEREFORE, Advanced TelCom, Inc. respectfully requests that this Commission grant its Petition to Intervene in this proceeding with all the rights of a party under applicable law and regulation, for all of the reasons stated herein.

Dated: July 16, 2003.

Respectfully submitted,

ADVANCED TELCOM, INC.

By its attorney:

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BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of)	DOCKET NO. UT-030614
)
QWEST CORPORATION)	
)
) Certificate of Service of
) Petition of Advanced TelCom, Inc.
For Competitive Classification of)	to Intervene as Party
Business Basic Exchange)	
Telecommunications Services)	

I hereby certify that I have this day served this Petition of Advanced TelCom, Inc. to Intervene as a Party on all parties of record on the attached list in this proceeding, by telefacsimile transmission, with originals simultaneously mailed by first class mail with postage prepaid.

Dated at Santa Rosa, California, this 16th day of July, 2003.

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