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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

BEFORE THE
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

ADVANCED TELECOM GROUP, INC.;
ALLEGIANCE TELECOM, INC.; AT&T CORP;
COVAD COMMUNICATIONS COMPANY;
ELECTRIC LIGHTWAVE, INC.; ESCHELON
TELECOM, INC. f/k/a ADVANCED
TELECOMMUNICATIONS, INC.;
FAIRPOINT COMMUNICATIONS
SOLUTIONS, INC.; GLOBAL CROSSING
LOCAL SERVICES, INC.; INTEGRA
TELECOM, INC.; MCI WORLDCOM, INC.;
MCLEOD USA, INC.; SBC TELECOM, INC.;
QWEST CORPORATION; and XO
COMMUNICATIONS, INC. f/k/a NEXTLINK
COMMUNICATIONS, INC.,

Respondent.

Docket No. UT-033011

**TIME WARNER TELECOM OF
WASHINGTON LLC'S PETITION
TO INTERVENE**

Pursuant to WAC 480-09-430(1), Time Warner Telecom of Washington LLC ("TWTC"), hereby requests leave to intervene in the above-entitled docket. In support of its request, TWTC states as follows:

ORIGINAL

I. APPEARANCE

All communications with Time Warner should be directed to the following:

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II. REQUEST

TWTC is a facilities-based telecommunication company that is authorized by the WUTC Commission (“Commission”) to provide switching intra-exchange, inter-exchange and access telecommunications services throughout the State of Washington. TWTC offers local exchange and inter-exchange services in competition with Qwest Corporation (“Qwest”) and the competitive local exchange carrier (“CLEC”) respondents named in the Amended Complaint, having been registered by the Commission and acquired most of the assets of GST Telecom of Washington, Inc. (“GST”) at the beginning of 2001. As part of that asset transfer, TWTC was assigned the interconnection agreement between GST and Qwest, which the Commission approved pursuant to the Telecommunications Act of 1996 (“Act”) and which currently is in full force and effect.

III. ARGUMENT

As a competitor and a party to an interconnection agreement with Qwest, TWTC has a substantial interest in the issues to be addressed in this proceeding. TWTC obtains interconnection trunks, unbundled network elements, collocation, and other facilities and

services from Qwest under the terms and conditions of the parties' interconnection agreement. In this proceeding, the Amended Complaint alleges that Qwest has entered into a number of agreements that make available interconnection, services, or network elements to certain CLECs that were not filed or not timely filed. TWTC may wish to take advantage of the terms of those agreements. The Amended Complaint also alleges that Qwest has entered into a number of agreements with certain CLECs that contain terms and conditions that create an undue or unreasonable preference or advantage in the access to or pricing of interconnection, services, or network elements while subjecting companies that were not offered such provisions to undue or unreasonable prejudice or disadvantage or undue discrimination. TWTC has an interest in ensuring that it is able to take advantage of contract terms and conditions that are the same or substantially the same as those offered by Qwest to similarly situated telecommunications companies, and that it is not subjected to undue or unreasonable prejudice or disadvantage or undue discrimination in gaining access to or pricing of interconnection, services, or unbundled network elements. The Commission's review of these agreements, therefore, will directly and materially affect TWTC and its ability to provide telecommunications services in the State of Washington on a fair basis.

As a competing local exchange company with a direct and particular interest in the outcome of this proceeding, TWTC's participation will be of material value to the Commission. TWTC's intervention will not broaden the issues to be addressed or delay this proceeding, and TWTC will coordinate with other parties with similar interests to minimize any duplication or overlap in presentation of positions.

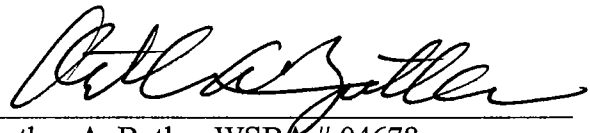
IV. CONCLUSION

WHEREFORE, TWTC respectfully requests 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.

DATED this 5th day of September, 2003.

ATER WYNNE, LLP

By



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