

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of)	
)	Docket No. UT-061625
QWEST CORPORATION)	
)	XO PETITION TO INTERVENE
To be Regulated Under an Alternative)	
Form of Regulation Pursuant to)	
RCW 80.36.135)	
_____)	

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

I.

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

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II.

XO is a registered and competitively classified telecommunications company authorized to provide both intraexchange and interexchange telecommunications services throughout Washington. XO currently competes with, and obtains services and facilities from, Qwest Corporation (“Qwest”) in the provision of intraexchange and interexchange services.

III.

XO has a substantial interest in the extent to which Qwest’s services are subject to an alternative form of regulation (“AFOR”). XO and other competitive local exchange companies (“CLECs”) have urged the Commission in Docket No. UT-053025 to review Qwest’s pricing of the high capacity circuits that Qwest offers to competitors, including Qwest’s intrastate special access services. Those services currently are classified as competitive. If the Commission were to remove that classification, however, Qwest’s intrastate special access services would then be governed under the AFOR that Qwest has proposed, which would restrict the Commission’s ability to establish fair, just, reasonable, and sufficient rates for those services. XO, therefore, seeks to intervene in this proceeding to preserve its full rights to Commission oversight of Qwest’s intrastate special access services as those services are provided to competing service providers.


IV.

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

WHEREFORE, XO 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 1st day of November, 2006.

DAVIS WRIGHT TREMAINE LLP
Attorneys for XO Communications Services, Inc.

By 

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