

[Service Date: August 19, 2011]

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

ADVANCED TELECOM, INC. d/b/a
INTEGRA; ELECTRIC LIGHTWAVE, LLC
d/b/a INTEGRA; ESCHELON TELECOM OF
WASHINGTON, INC d/b/a INTEGRA
TELECOM; OREGON TELECOM INC. d/b/a
WASHINGTON TELECOM d/b/a INTEGRA;
UNICOM f/k/a UNITED
COMMUNICATIONS, INC. d/b/a INTEGRA;
MCLEOD USA TELECOMMUNICATIONS
SERVICES L.L.C. d/b/a PAETEC BUSINESS
SERVICES; AND TWTELECOM OF
WASHINGTON LLC,

Complainants,

v.

QWEST CORPORATION AND
CENTURYLINK, INC.

Respondents.

DOCKET NO. UT-111254

PETITION OF CBeyond
COMMUNICATIONS LLC TO
INTERVENE

Pursuant to WAC 480-07-355, Cbeyond Communications LLC (“Cbeyond”) hereby petitions to intervene in the above-captioned docket. In support of its petition, Cbeyond states the following:

1. The name and address of the Petitioner is:

Cbeyond Communications LLC
320 Interstate North Parkway
Atlanta, GA 30339

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

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3. Cbeyond is a registered and competitively classified telecommunications company authorized to provide both intraexchange and interexchange telecommunications services throughout Washington. Cbeyond currently competes with, and obtains interconnection and related services and facilities from, Qwest Corporation (“Qwest”) in the provision of Cbeyond’s telecommunications services. And, Cbeyond maintains an approved local interconnection agreement with Qwest in its capacity as an incumbent local exchange carrier, entered into pursuant to sections 251 and 252 of the Communications Act of 1934, as Amended by the Telecommunications Act of 1996, Pub. L. 104-104, 110 Stat. 56, 47 U.S.C. Sections 151 *et seq.* (the Act” or “1996 Act”).
4. Qwest is the largest incumbent local exchange carrier in Washington. Cbeyond relies on interconnection with, and related services and facilities obtained from, Qwest to offer and provide service to Cbeyond’s customers in Qwest’s service territory.
5. Cbeyond was a party in Docket UT-100820¹ and a beneficiary of the various wholesale conditions included in Order 14 and various settlement agreements approved in that docket regarding Operational Support Systems (“OSS”) used for maintenance and repair. Cbeyond has a substantial interest in whether the Merged Firm (Qwest and CenturyLink) is violating those OSS conditions by attempting to implement and integrate a new repair OSS before it may

¹ *In the Matter of the Joint Application of Qwest Communications International Inc. and CenturyTel, Inc. for Approval of Indirect Transfer of Control of Qwest Corporation, Qwest Communications Company LLC, and Qwest LD Corp.*, Docket UT-100820.

do so, and doing so without following the notice, development, and testing procedures required for any new OSS.

6. Cbeyond seeks to participate in this proceeding to ensure that the Merged Firm will not take actions that will violate its OSS obligations and adversely impact Cbeyond's ability to efficiently exchange maintenance and repair information with Qwest.
7. 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.

WHEREFORE, Cbeyond 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.

RESPECTFULLY SUBMITTED this 19th day of August 2011.

ATER WYNNE LLP



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Attorneys for Cbeyond Communications LLC

CERTIFICATE OF SERVICE

I hereby certify that I have this 19th day of August, 2011, 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:

David S. Danner	<input type="checkbox"/>	Hand Delivered
Secretary and Executive Director	<input checked="" type="checkbox"/>	U.S. Mail (first-class, postage prepaid)
Washington Utilities and Transportation	<input type="checkbox"/>	Overnight Mail (UPS)
Commission	<input type="checkbox"/>	Facsimile (360) 586-8203
1300 S Evergreen Park Drive SW	<input checked="" type="checkbox"/>	Email (records@wutc.wa.gov)
PO Box 47250		
Olympia, WA 98504-7250		

I hereby certify that I have this 19th day of August, 2011, 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 Corporation/CenturyLink, Inc.:

Lisa A. Anderl	<input type="checkbox"/>	Hand Delivered
CenturyLink	<input checked="" type="checkbox"/>	U.S. Mail (first-class, postage prepaid)
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Seattle WA 98191	<input checked="" type="checkbox"/>	Email (lisa.anderl@qwest.com)

On Behalf Of tw telecom of washington llc:

Lauren P. Giles	<input type="checkbox"/>	Hand Delivered
Davis Wright Tremaine LLP	<input checked="" type="checkbox"/>	U.S. Mail (first-class, postage prepaid)
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On Behalf Of Public Counsel:

Simon J. ffitc	<input type="checkbox"/>	Hand Delivered
Attorney General of Washington	<input checked="" type="checkbox"/>	U.S. Mail (first-class, postage prepaid)
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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 19th day of August, 2011, at Seattle, Washington.


