

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON EXCHANGE)
CARRIER ASSOCIATION, et al.,)
)
Complainant,)
)
v.)
)
LOCALDIAL CORPORATION, an)
Oregon Corporation,)
)
Respondent.)

DOCKET NO. UT-03-1472

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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

**PETITION TO INTERVENE
OF LEVEL 3 COMMUNICATIONS, LLC**

In accordance with the September 29, 2003, Notice of Prehearing Conference, Level 3 Communications, LLC ("Level 3"), pursuant to WAC 480-09-430, hereby requests leave to intervene in the above-entitled docket. In support of its request, Level 3 states as follows:

I.

All communications with Level 3 should be directed to the following persons:

Rogelio E. Peña
Peña & Associates, LLC
1375 Walnut St., Suite 220
Boulder, Colorado 80302
303-415-0409
303-415-0433 (fax)
repena@boulderattys.com

Greg Rogers
Director - State Regulatory Affairs
Level 3 Communications, LLC
1025 Eldorado Blvd.
Broomfield, Colorado 80021
720-888-2512
720-888-5134 (fax)
greg.rogers@level3.com

II.

Level 3 is a facilities-based telecommunications company that is authorized by the

Peña & Associates, LLC
1375 Walnut St., Suite 220
Boulder, CO 80302
(303) 415-0409

Commission to provide intraexchange and interexchange telecommunications services throughout the State of Washington. (Order Granting Application effective April 22, 1998, in Dockets UT-980491 and UT-980492). Level 3 currently competes with US WEST Communications, Inc. (“USWC”) and other competitive local exchange carriers (“CLECs”).

III.

According to the September 29, 2003 Notice issued in this proceeding, parties have until October 16, 2003, to file petitions for intervention. One of the issues to be considered by the Commission will be “whether and to what extent carriers using VoIP technology should be regulated, if the Commission has the statutory and regulatory authority to do so.” Notice of Prehearing Conference, Issue 3, pg. 2. This issue impacts the entire regulated industry – if in fact the Commission determines it has the statutory and regulatory authority to consider the issue. Depending on the ultimate issues addressed in the proceeding, this and other issues may impact Level 3 and similarly situated regulated companies.

IV.

As a CLEC with a direct and material interest in the outcome of these proceedings, Level 3's participation will be of material value to the Commission. Level 3's intervention will not broaden the issues to be addressed or delay the proceedings, and Level 3 will coordinate with existing parties to minimize any duplication or overlap in presentation of positions.

WHEREFORE, Level 3 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 13th day of October, 2003.

Respectfully Submitted,

PEÑA & ASSOCIATES, LLC

By:


Rogelio E. Peña, CO No. 020214
1375 Walnut St., Suite 220
Boulder, Colorado 80302
Telephone (303) 415-0409
Facsimile (303) 415-0433
repena@boulderattys.com

CERTIFICATE OF SERVICE

I hereby certify that the original and 19 copies of the foregoing Petition to Intervene of Level 3 Communications, LLC was sent via Federal Express on this 13th day of October, 2003, addressed to the following:

Carole J. Washburn, Executive Secretary
Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

and a true and correct copy was deposited into the United States Mail, postage prepaid, on the 13th day of October, 2003, addressed to the following:

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4

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