**DEPARTMENT OF THE ARMY**
**UNITED STATES ARMY LEGAL SERVICES AGENCY**
**901 NORTH STUART STREET**
**ARLINGTON VA 22203-1837**

September 15, 2003

**REPLY TO ATTENTION OF**

Regulatory Law Office

Honorable Mary L. Cottrell, Secretary
Re: D.T.E. 03-59
Department of Telecommunications and Energy
One South Station, Second Floor
Boston, MA 02110

**Re: Request to Participate and Comments**
**D.T.E. 03–59**
**Proceeding by the Department of Telecommunications and Energy on its own Motion to Implement the Requirements of the Federal Communications Commission's Triennial Review Order Regarding Switching for Large Business Customers Served by High–Capacity Loops**

Dear Ms. Cottrell:

Pursuant to the Department's Notice of Investigation dated August 26, 2003, please accept for filing on behalf of the United States Department of Defense and all other Federal Executive Agencies ("DOD/FEA") this letter request to participate in the captioned proceeding and an additional enclosed document, DOD/FEA's Comments.

DOD/FEA operates many offices and military installations throughout the Commonwealth of Massachusetts, providing security and critical services to its citizens. DOD/FEA is probably one of the largest consumers of telecommunications services in the Commonwealth.

End users such as DOD/FEA do not acquire unbundled network elements ("UNEs") from incumbent local exchange carriers ("LECs"). However, the availability, price, terms and conditions for UNEs are important to DOD/FEA because they will determine the prices, terms and conditions for services that DOD/FEA obtains from its vendors. Moreover, federal legislation and sound procurement policy require federal agencies to procure services on a competitive basis whenever possible. The number of competitors for telecommunications services is a major factor in determining the number of potential responses in bid procurements by the Federal government and other business users.

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DOD/FEA has participated in many telecommunications proceedings in Massachusetts in recent years — including D.T.E. 01–20 (unbundled network elements), D.T.E. 98–67, D.T.E. 97–67, D.T.E. 96–68, and D.T.E. 94–185E — to address and protect its interests as a diverse consumer of telecom services. DOD/FEA respectfully requests authorization to participate in the instant case. If granted intervenor status, DOD/FEA anticipates fling all major pleadings, comments, testimony, and/or post–hearing briefs, as designated by the Department, and will adhere to the schedules and administrative requirements established in this case.

Please include on the service list my name, as attorney and representative of DOD/FEA for all further notices, correspondence and developments in this case. Also, if possible, please include our consultant in this matter, Mr. Harry Gildea, on the service list. His address is listed below.

Thank you for your consideration in this matter.

Sincerely,

Robert A. Ganton

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