

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

Investigation by the Department on its Own Motion to Determine whether an Agreement entered into by Verizon New England Inc., d/b/a Verizon Massachusetts is an Interconnection Agreement under 47 U.S.C. § 251 Requiring the Agreement to be filed with the Department for Approval in Accordance with 47 U.S.C. § 252

DTC 13-6

LEVEL 3'S PETITION TO INTERVENE

Level 3 Communications, LLC ("Level 3") petitions to intervene in this proceeding pursuant to 220 C.M.R. 1.03(1).

In support of its petition, Level 3 states as follows:

1. Level 3 is a competitive telecommunications provider duly registered with the Department to provide, and does provide, telecommunications services within the Commonwealth of Massachusetts. Level 3 has a place of business at 201 Jones Road, Waltham, MA 02451.

2. Level 3 also offers to provide and does provide local voice services using Internet Protocol ("IP") format, or which can be and are converted to IP protocol for purpose of transport, to its end-user customers, in Massachusetts and elsewhere.

3. Level 3 is substantially and specifically affected by this proceeding in at least the following ways:

a. Verizon has stated in at least three filings with regulatory agencies that it has entered at least one agreement to interconnect in IP to exchange traffic

in IP format. *In re AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition*, GN Docket No. 12-353, Reply Comments of Verizon and Verizon Wireless at 8 (Feb. 25, 2013);¹ *In re Connect America Fund*, WC Docket No. 10-90, Comments of Verizon at 14 (Feb. 24, 2012);² *Petition for a Determination that Verizon IP-to-IP Interconnection Agreements Must be Filed for Review and Approval and for Associated Relief*, DTC 13-2, Verizon's Motion to Dismiss at 4 n. 9 (Feb. 14, 2013).³

b. In this proceeding, the Department will investigate whether any such agreement is an interconnection agreement that must be filed with the Department for approval pursuant to 47 U.S.C. § 252.

c. Such investigation will determine, among other things, whether the Department must review any such agreement to determine if it (or a portion thereof) discriminates against a telecommunications carrier not a party to the agreement, such as Level 3, or if the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity.

d. Level 3 has an interest in, among other matters, ensuring that any such agreement does not discriminate against it and determining whether it potentially has the right to "opt into" such agreement pursuant to 47 U.S.C. § 252(i).

4. Level 3's interests are not adequately represented by other parties to this proceeding.

¹ <http://apps.fcc.gov/ecfs/document/view?id=7022124909>

² <http://apps.fcc.gov/ecfs/document/view?id=7021865697>

³ <http://www.mass.gov/ocabr/docs/dtc/dockets/13-2/vrzmtdismiss.pdf>

5. The participation of Level 3 will not impair the orderly conduct of the proceeding. To the contrary, Level 3 believes that its participation will assist the Department in developing and resolving such factual and legal issues as may arise.

6. Level 3 expects to participate fully in the proceeding, including but not limited to some or all of: conducting discovery, providing evidence, participation in hearings, and submitting comments and briefs.

Wherefore, for the reasons above, Level 3 respectfully requests leave to intervene.

May 31, 2013

By its attorneys,



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Certificate of Service

I certify that on the date below I caused the foregoing document to be served by U.S. Mail upon:

<p>Alexander W. Moore, Esq. Deputy General Counsel Verizon 125 High Street Oliver Tower, Floor 7 Boston, MA 02110-1585</p>	<p>Benjamin L. Aron Sprint Communications Company L.P. 12502 Sunrise Valley Drive VARESA0202-2D677 Reston, Virginia 20196</p>
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May 31, 2013



Gregory M. Kennan