

SCOTT SAWYER  
ATTORNEY-AT-LAW  
38 THIRD STREET  
BARRINGTON, RHODE ISLAND 02806  
(401) 289-0324  
[sasawyer@cox.net](mailto:sasawyer@cox.net)

April 8, 2008

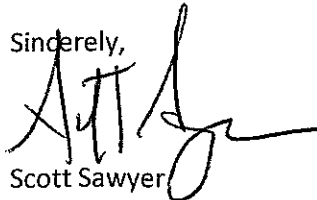
Catrice Williams  
Secretary  
Massachusetts Department of Telecommunications and Cable  
One South Station  
Boston, MA 02110

RE: DTC 08-3, *Complaint filed pursuant to 220 CMR 1.04 of Choice One Communications Inc. against Verizon New England Inc. concerning the imposition of unlawful charges*

Dear Secretary Williams:

Enclosed please find an original and three copies of BayRing Communications' Petition to Intervene and Notice of Appearance in the above-captioned proceeding.

Do not hesitate to call me if you have any questions. Thank you.

Sincerely,  
  
Scott Sawyer

Cc: Service List

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

<b>Complaint of Choice One Communications of</b>	)	
<b>Massachusetts Inc., Conversent Communications of</b>	)	
<b>Massachusetts, LLC, CTC Communications Corp. and</b>	)	<b>DTC No. 08-3</b>
<b>Lightship Telecom, LLC, collectively, One</b>	)	
<b>Communications, Concerning the Unlawful Charges</b>	)	
<b>Imposed by Verizon New England Inc., d/b/a</b>	)	
<b>Verizon Massachusetts</b>	)	

**BAYRING COMMUNICATIONS' PETITION TO INTERVENE AND NOTICE OF APPEARANCE**

Freedom Ring Communications, L.L.C. d/b/a/ BayRing Communications ("BayRing"), through its attorney, hereby petitions to intervene in this proceeding.

In support of this petition, BayRing states:

1. BayRing is authorized to provide local exchange and intrastate toll services within the Commonwealth of Massachusetts. BayRing provides telecommunications services predominantly through the use of unbundled network elements and interconnection services obtained through its interconnection agreement with Verizon and Verizon's tariffs.
2. On or about February 13, 2008, Choice One Communications of Massachusetts Inc., Conversent Communications of Massachusetts, LLC, CTC Communications Corp. and Lightship Telecom, LLC, collectively, "One Communications," filed a complaint in the above captioned docket that states that Verizon has recently begun unlawfully imposing charges for Access Toll Connecting (ATC) Trunk Ports and E911/911 Dedicated End Office Trunk Ports in violation of Massachusetts General Law, Verizon's tariffs, and interconnections agreements between Verizon and One Communications, including the interconnection agreement entered into between MCI metro and Verizon, subsequently opted into by

Conversent Communications of Massachusetts, LLC and CTC Communications Corp., two of the One Communications entities that have filed the instant complaint against Verizon.

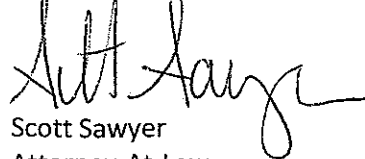
3. According to the complaint, the charges are unlawful because One Communications has neither subscribed to nor utilized the services for which Verizon is charging, and One Communications is not required to subscribe or utilize the services for which Verizon is charging in conjunction with the services that it provides jointly with Verizon. Accordingly, One Communications requests the Department to find that Verizon is in breach of its interconnection agreements and in violation of its tariffs, that it order Verizon to refrain from collecting on outstanding invoices for the disputed charges, that it order a refund of all charges that have been paid to date, and that it bar Verizon from imposing such charges in the future.
4. BayRing has opted into the Verizon/ MCI metro interconnection agreement, which is one of the interconnection agreements that One Communications alleges Verizon has breached by imposing charges for ATC Trunk Ports.
5. As is the case with One Communications, Verizon has recently begun unlawfully imposing charges on BayRing for ATC Trunk Ports in violation of Massachusetts law, the interconnection agreement between BayRing and Verizon, and Verizon tariffs.
6. Verizon is attempting to impose the very same ATC Trunk Port charges on BayRing that it is imposing on One Communications, in violation of the same interconnection agreement and the same tariffs as described in the complaint of One Communications.
7. BayRing generally concurs with the complaint of One Communications.
8. BayRing has disputed the charges imposed on it by Verizon but the dispute remains unresolved.

9. BayRing had considered filing a separate complaint concerning Verizon's imposition of these unlawful charges but believes it would promote administrative efficiency if it were handled in one proceeding.
10. BayRing's interests will be substantially and specifically affected by the issues in this docket. In particular, its expenses will be affected by the Department's interpretation of the MCI metro interconnection agreement and applicable tariffs.
11. BayRing's interests cannot be adequately represented by any other party.
12. If allowed to intervene, BayRing expects to participate in this proceeding by performing some or all of the following: conducting discovery, providing evidence, conducting cross examination, and filing briefs and comments.

For these reasons, BayRing respectfully requests that it be allowed to intervene. Subject to the granting of this petition, please enter the appearance of Scott Sawyer as counsel for BayRing.

April 8, 2008

Respectfully submitted,



Scott Sawyer  
Attorney-At-Law  
38 Third Street  
Barrington, RI 02806  
(401) 289-0324  
[sasawyer@cox.net](mailto:sasawyer@cox.net)