

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

Petition of Choice One Communications of : D.T.C. 10-2
Massachusetts, Inc., CTC Communications Corp. :
and Lightship Telecom LLC for Exemption from :
Price Cap on Intrastate Switched Access Rates as :
Established in D.T.C. 07-09

PETITION OF COMCAST PHONE OF MASSACHUSETTS, INC.
FOR LEAVE TO INTERVENE

Pursuant to 220 C.M.R. 1.03, Comcast Phone of Massachusetts, Inc. (“Comcast Phone”) hereby petitions the Department of Telecommunications and Cable (“DTC”) for leave to intervene in the above-captioned proceeding. In support of this petition, Comcast Phone states as follows:

1. Comcast Phone is a corporation organized under the laws of the State of Delaware doing business in Massachusetts, with a business address of 426 E. 1st St., South Boston, Massachusetts 02127. Comcast Phone is a competitive local exchange carrier (“CLEC”) certified to provide telecommunications services in Massachusetts.

2. This proceeding concerns the petition of Choice One Communications of Massachusetts, Inc., CTC Communications Corp. and Lightship Telecom LLC (collectively, “One Communications”) for an exemption from the price cap on intrastate switched access rates established by the DTC pursuant to its Order in D.T.C. 07-9 dated June 22, 2009, which limits CLECs’ intrastate switched access rates to the level charged by Verizon New England, Inc. The D.T.C. 07-9 Order permits individual CLECs to petition the DTC for an exemption from the price cap in accordance with the terms of the Order.

3. As a CLEC, Comcast Phone is substantially and specifically affected by this proceeding, since its outcome may affect the rates Comcast Phone may charge, and must pay, for

intrastate switched access service. In addition, the outcome may affect the rates charged by a competitor CLEC, which may cause direct and substantial financial and business impacts upon Comcast Phone.

4. In no way will Comcast Phone's participation impair the orderly conduct of this proceeding, and in fact, given Comcast Phone's participation in D.T.C. 07-9, its participation in this docket will assist the DTC in its consideration of the issues raised during this proceeding.

5. Comcast Phone's interests are not adequately represented by another party to this proceeding.

6. Comcast Phone expects to fully participate in the proceeding, including but not limited to some or all of the following actions: conducting discovery, providing evidence, participation in any hearings convened by the DTC, and submission of comments and briefs.

7. Copies of all notices, pleadings, correspondence and other filings should be directed to:

John A. Poakeart
Robinson & Cole LLP
1055 Washington Blvd.
Stamford, CT 06901
Tel. No. (203) 462-7524
Fax No. (203) 462-7599
E-mail: jpoakeart@rc.com


David W. Bogan
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103
Tel. No. (860) 275-8262
Fax No. (860) 275-8299
E-mail: dbogan@rc.com

Stacey L. Parker
Senior Director, Regulatory Affairs
Comcast Cable Communications, LLC
12 Tozer Road
Beverly, MA 01915
Tel. No. (978) 927-5700
Fax No. (978) 927-6074
E-mail: Stacey_Parker@cable.comcast.com

8. Subject to the granting of this petition and the motions of John A. Poakeart, Esq. and David W. Bogan, Esq. to appear *pro hac vice* filed simultaneously herewith, Attorneys Poakeart and Bogan would appear on behalf of Comcast Phone and hereby provide notice of such appearance.

WHEREFORE, for the reasons described herein, Comcast Phone respectfully requests that it be permitted to intervene.

Respectfully submitted,
COMCAST PHONE OF MASSACHUSETTS, INC.

By: 
John A. Poakeart
David W. Bogan
Robinson & Cole LLP
1055 Washington Blvd.
Stamford, CT 06901
(203) 462-7500
(203) 462-7599
jpoakeart@rc.com

Counsel for Comcast Phone of Massachusetts, Inc.

Dated: July 13, 2010