



**Benjamin J. Aron**  
Counsel  
State Regulatory – Northeast

Sprint Nextel Corporation  
12502 Sunrise Valley Drive  
VARESA0209-2d677  
Reston, VA 20196

[Benjamin.Aron@Sprint.com](mailto:Benjamin.Aron@Sprint.com)

(703) 592-7618 Office  
(703) 433-4804 Facsimile

May 23, 2013

via Electronic Filing and Overnight Delivery

Catrice C. Williams, Secretary  
Department of Telecommunications and Cable  
1000 Washington Street, Suite 820  
Boston, MA 02118-6500

Re: DTC 13-6; 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

Dear Ms. Williams:

On behalf of Sprint Communications Company L.P., Sprint Spectrum L.P., Nextel of the Mid-Atlantic, Inc., and Virgin Mobile USA, L.P. (collectively "Sprint"), enclosed please find an original and ten (10) copies of Sprint's Petition to Intervene and Motion for Admission *Pro Hac Vice* in the above referenced matter. Sprint will also file electronic copies with the Department on the same day (May 24<sup>th</sup>) these documents are delivered to the Department for filing. Thank you for your attention to this matter. If you have any questions concerning this request, please do not hesitate to contact the undersigned at (703) 592-7618.

Sincerely,

A handwritten signature in black ink, appearing to read "Benjamin J. Aron", written over a horizontal line.

Benjamin J. Aron

Enclosures

Cc: Gregory M. Kennan, Esq.  
Alexander W. Moore, Esq.

**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

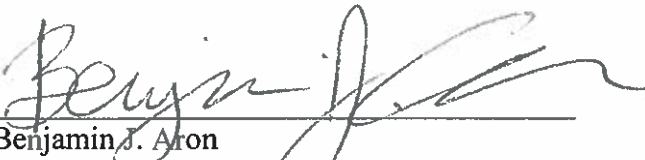
DTC Docket No. 13-6

**CERTIFICATE OF SERVICE**

I certify that on this 23<sup>rd</sup> day of May, 2013, copies of Sprint's Petition to Intervene and Motion  
for Admission *Pro Hac Vice* have been served via first class mail, and service via electronic mail  
will be made on May 24, 2013, upon the following:

Alexander W. Moore, Esq.  
Deputy General Counsel  
Verizon  
125 High Street  
Oliver Tower, Floor 7  
Boston, MA 02110-1585  
[alexander.w.moore@verizon.com](mailto:alexander.w.moore@verizon.com)

Gregory M. Kennan (BBO #267780)  
Fagelbaum & Heller LLP  
20 N. Main St., Suite 125  
Sherborn, MA 01770  
508-318-5611 Tel.  
508-318-5612 Fax  
[gmk@fhllplaw.com](mailto:gmk@fhllplaw.com)

  
Benjamin J. Aron  
12502 Sunrise Valley Drive  
VARESA0202-2D677  
Reston, Virginia 20196  
Phone: (703) 592-7618  
Fax: (703) 433-4804  
[benjamin.aron@sprint.com](mailto:benjamin.aron@sprint.com)

**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 Docket No. 13-6

**PETITION TO INTERVENE**

Pursuant to 220 C.M.R. § 1.03, Sprint Communications Company L.P., Sprint Spectrum L.P., Nextel Communications of the Mid-Atlantic, Inc., and Virgin Mobile USA, L.P. (collectively "Sprint") respectfully request that the Massachusetts Department of Telecommunications and Cable (the "Department") grant this Petition to Intervene in the above referenced docket. Sprint respectfully submits that all the factors for intervenor status, as set forth in 220 C.M.R. § 1.03, support granting Sprint's Petition to Intervene. As the basis of its request, Sprint states as follows:

1. On January 31, 2013, CTC Communications Corp. d/b/a EarthLink Business; Lightship Telecom LLC d/b/a EarthLink Business; Choice One Communications of Massachusetts, Inc. d/b/a EarthLink Business; Conversent Communications of Massachusetts, Inc. d/b/a EarthLink Business; EarthLink Business, LLC (formerly New Edge Network, Inc. d/b/a EarthLink Business); Cbeyond Communications, LLC; and tw data services llc (collectively, the "Competitive Carriers") filed a Petition with the Department ("Competitive Carriers' Petition"). Therein, the Competitive Carriers petitioned, pursuant to G.L. c 30A, § 8, and any other applicable authority, for the Department to determine that Verizon New England Inc. ("Verizon") must file for Department review and approval, pursuant to 47 U.S.C. §

252(a)(1) and (e)(1), an interconnection agreement that requires or permits the exchange of voice traffic to or from customers subscribing to Verizon's FiOS Digital Voice service in Internet Protocol (IP) format ("Verizon IP ICA"). *See* Competitive Carriers' Petition at 1-2.

2. The Competitive Carriers' cited as the basis for their Petition a statement made by Verizon's parent corporation in comments filed with the Federal Communications Commission ("FCC") indicating that it had negotiated and implemented an IP-to-IP interconnection agreement. Competitive Carriers' Petition at 1. Verizon stated to the FCC that "as more and more customers switch to VoIP services, companies will have natural incentives to explore interconnecting in IP to exchange IP-originated traffic. Verizon currently has one agreement in place covering its FiOS Digital Voice VoIP traffic, and we are negotiating others." *In re Connect America Fund*, WC Docket No. 10-90, Comments of Verizon at 14 (Feb. 24, 2012)("Verizon Comments").

3. On May 13, 2013, the Department issued an Order declining the Competitive Carriers' requested relief, but opening an investigation to determine "whether the identified agreement is an interconnection agreement under 47 U.S.C. § 251." Order Opening an Investigation, Declining to Issue an Advisory Ruling, and Denying Verizon MA's Motion to Dismiss or Stay the Proceeding at 9 ("Order Opening Investigation"). The Department also invited interested parties to intervene. *Id.* at 13.

4. Sprint Communications Company L.P. operates as a competitive local exchange carrier ("CLEC") and an interexchange carrier ("IXC") in Massachusetts and provides intrastate local and long distance voice communications services throughout the Commonwealth. Sprint Communications Company L.P. also provides a suite of IP enabled services, including Voice over Internet Protocol ("VoIP") services. Sprint Spectrum L.P., Nextel Communications of the

Mid-Atlantic, Inc. and Virgin Mobile USA, L.P. operate as Commercial Mobile Radio Service (“CMRS”) providers in the Commonwealth of Massachusetts. Virgin Mobile USA, L.P. is certificated to provide wireless Lifeline service as an eligible telecommunications carrier (“ETC”) in Massachusetts.

5. As a provider of CLEC, IXC and CMRS services, Sprint exchanges intrastate and interstate traffic with Verizon in the Commonwealth. Sprint’s end user voice traffic is transported on Sprint’s network in IP protocol. Presently, Sprint does not have contract terms enabling it to exchange its traffic with Verizon in IP format. Rather, Sprint converts its traffic from IP format to time division multiplex (“TDM”) format for the exchange of traffic with Verizon. The need to convert traffic from IP to TDM format in order to deliver traffic to Verizon in TDM format increases Sprint’s expense to exchange traffic and is inefficient.

6. Sprint has an interest in this proceeding because a determination that the Verizon IP ICA is an interconnection agreement (“ICA”), as defined by the Communications Act, could result in Sprint electing to adopt such ICA pursuant to 47 U.S.C. § 252(i).

7. Sprint intends to fully participate in this proceeding by means of briefs, discovery and the presentation of witness testimony and other evidence.

8. The interests of justice would be served by permitting this intervention. No other party can adequately represent Sprint’s interests in the proceeding. No party would be unduly prejudiced by Sprint’s intervention in this proceeding. Additionally, Sprint’s intervention at this juncture would have no adverse impact on the conduct of the Commission’s proceeding because a procedural schedule has not been finalized.

9. WHEREFORE, Sprint respectfully requests that the Department grant its Petition to Intervene in this proceeding.

Respectfully submitted,

Sprint Communications Company L.P.  
Sprint Spectrum L.P.  
Nextel Communications of the Mid-Atlantic, Inc.  
Virgin Mobile USA, L.P.

By their Attorneys

  
James B. Goldstein (BBO # 565324)  
12502 Sunrise Valley Drive  
Reston, Virginia 20196  
Phone: (703) 433-4212  
Fax: (703) 433-4804  
[james.goldstein@sprint.com](mailto:james.goldstein@sprint.com)

Benjamin J. Aron (*pro hac vice pending*)  
12502 Sunrise Valley Drive  
VARESA0202-2D677  
Reston, Virginia 20196  
Phone: (703) 592-7618  
Fax: (703) 433-4804  
[benjamin.aron@sprint.com](mailto:benjamin.aron@sprint.com)

May 23, 2013

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS & 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 Docket No. 13-6

**MOTION FOR ADMISSION OF BENJAMIN J. ARON *PRO HAC VICE***

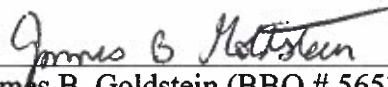
Sprint Communications Company L.P., Sprint Spectrum L.P., Nextel Communications of the Mid-Atlantic, Inc., and Virgin Mobile USA, L.P. (collectively “Sprint”) respectfully request that Benjamin J. Aron, Esq. be admitted before the Department of Telecommunications and Cable (“Department”) *pro hac vice* to represent Sprint in the above captioned matter. Sprint states the following in support of this Motion:

1. Benjamin J. Aron works for Sprint as Counsel. His address is 12502 Sunrise Valley Drive, Reston, Virginia 20196. His telephone number is (703) 592-7618 and his fax number is (703) 433-4804. Mr. Aron’s email address is benjamin.aron@sprint.com.
2. Mr. Aron practices law within the same office as the undersigned counsel.
3. Mr. Aron is a member in good standing of the bars of Maryland and the District of Columbia, and is authorized as a Corporate Counsel in Virginia.
4. Mr. Aron has appeared *pro hac vice* before the Department previously.

5. Mr. Aron has represented Sprint in numerous proceedings before various state commissions and is responsible for representation of Sprint's interests before the Department.

4. The undersigned counsel is a member in good standing of the bar of the Commonwealth of Massachusetts.

Respectfully submitted,

  
James B. Goldstein (BBO # 565324)  
12502 Sunrise Valley Drive  
Reston, Virginia 20196  
Phone: (703) 433-4212  
Fax: (703) 433-4804  
[james.goldstein@sprint.com](mailto:james.goldstein@sprint.com)

Dated: May 23, 2013