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March 27, 2001

VIA FEDERAL EXPRESS/EMAIL

Mary L. Cottrell, Secretary
Department of Telecommunications & Energy
Commonwealth of Massachusetts
One South Station, Second Floor
Boston, MA 02110

Re: D.T.E. 01-34 Investigation of Verizon-Massachusetts's Provision of Special Access Services

Dear Ms. Cottrell:

Please accept for filing in the above-referenced proceeding the original and one copy each of the attached "Motion to Intervene of Paetec Communications, Inc. and Allegiance Telecom of Massachusetts, Inc." as well as "Motion of Counsel to Appear Pro Hac Vice." In addition, I have also included one extra copy of the enclosed documents. Kindly date stamp and return those copies for our files.

Very truly yours,

Kevin Hawley
cc: Joan Foster Evans, Esq.
Michael Isenberg, Esq., Telecommunications Director
Attached Service List (w/enc.)

DEPARTMENT OF TELECOMMUNICATIONS
COMMONWEALTH OF MASSACHUSETTS

Untitled

Investigation by the Department)
of Telecommunications and Energy)
on its own motion pursuant to)
G.L. c. 159, §§ 12 and 16, into Verizon) D.T.E. 01-34
New England Inc. d/b/a Verizon)
Massachusetts' provision of)
Special Access Services)

MOTION TO INTERVENE
OF PAETEC COMMUNICATIONS INC. AND
ALLEGIANCE TELECOM OF MASSACHUSETTS, INC.

Pursuant to 220 CMR § 1.03, Paetec Communications, Inc. ("Paetec") and Allegiance Telecom of Massachusetts, Inc. ("Allegiance") hereby petition for leave to intervene as parties in this docket. In support of its petition, Paetec and Allegiance state as follows:

1. Petitioner PaeTec is a privately held Delaware corporation with principal offices located at 290 Woodcliff Drive, Fairport, New York 14450. PaeTec is a wholly owned subsidiary of PaeTec Corp., a privately held Delaware holding company whose principal business is telecommunications. PaeTec is authorized to provide local exchange and interexchange telecommunications services in Massachusetts pursuant to its registration statement (filed on July 21, 1998) and its tariff accepted for filing (Aug. 20, 1998).
2. Allegiance is authorized by the Department of Telecommunications and Energy ("Department") to provide telecommunications services in Massachusetts as a competitive local exchange carrier ("CLEC").
3. Both Paetec and Allegiance have a substantial and specific interest in this proceeding sufficient to justify its intervention as of right. Under Sections 251 and 252 of the Telecommunications Act of 1996, CLECs have a right to use Verizon-MA's transmission loops and other facilities to provide telecommunications service on rates, terms and conditions that are just and reasonable and nondiscriminatory. See 47 U.S.C. § 251(c)(2). As customers of Verizon-MA, with the right to use Verizon's local exchange facilities to provide retail telephone service, Paetec and Allegiance are specifically and substantially affected by the terms and conditions under which Verizon-MA provides special access services to CLECs and others.

CONCLUSION

For the forgoing reasons, Paetec and Allegiance respectfully requests that the Department grant it the right to intervene in this proceeding.

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Respectfully submitted.

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Counsel for Paetec Communications, Inc. and Allegiance Telecom of Massachusetts, Inc.

Dated: March 27, 2001

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of March, 2001, copies of the foregoing MOTION TO INTERVENE and MOTION TO APPEAR PRO HAC VICE were sent via first-class mail, U.S. postage prepaid, or via Federal Express** where indicated, to the parties on the attached service list.

Sonja Sykes-Minor

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