

Untitled

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Investigation by the Department of Telecommunications)
And Energy, on its own motion, as to the propriety of the)
Local Service Provider Freeze terms and conditions set) D.T.E. 99-105
Forth in the following Tariff: M.D.T.E. No. 10, Part A,)
Section 5, Original of Page 1.1, filed with the Department)
On November 1, 1999 by New England Telephone and)
Telegraph Company d/b/a Bell Atlantic – Massachusetts)

PETITION TO INTERVENE OF ESSENTIAL.COM, INC.

Essential.com, Inc. ("essential.com") hereby files its petition, pursuant to 220 CMR 1.03, to intervene in this proceeding. In support of this petition, essential.com states the following.

1. Essential.com is an on-line provider of telecommunications and energy services. It is a licensed provider of local exchange service in Massachusetts, and has executed an agreement with Bell Atlantic – Massachusetts ("Bell Atlantic" to resell Bell Atlantic local exchange service to residential and small business customers in Massachusetts.
2. As a competitive provider of local exchange service, essential.com is substantially and specifically affected by any measures that would have an impact on the ability of an end-user customer to change its local exchange service to a new provider. Bell Atlantic's proposed revision to M.D.T.E. No. 10, Part A, Section 5 would have an impact on the ease with which local exchange customers could change providers. Bell Atlantic's filing is sufficiently vague that CLECs such as essential.com cannot discern, without further investigation, the ultimate impact of the proposed tariff language. In the course of this proceeding, essential.com will explore, using some or all of the procedures available to it under the Department's rules, the effect of the proposed tariff language on the local exchange market in Massachusetts, and whether these effects might render the proposed tariff language unreasonable or burdensome.
3. Essential.com therefore respectfully requests that this petition to intervene be granted, that it be allowed to participate as a full party to this proceeding, and that copies of documents filed in this proceeding be served upon it as follows:

Christopher H. Kallaher

Vice President, General Counsel

essential.com, Inc.

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Dated: February 15, 2000

ESSENTIAL.COM, INC.

Christopher H. Kallaher

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Vice President, General Counsel