

STATE OF NEW HAMPSHIRE
Before the
PUBLIC UTILITIES COMMISSION

Petition of FairPoint Communications for Approval
of Simplified Metrics Plan and Wholesale
Performance Plan

DT 11-061

ONE COMMUNICATIONS' PETITION TO INTERVENE

One Communications¹ petitions to intervene in this proceeding.

One Communications' New Hampshire operating subsidiaries — Choice One of New Hampshire Inc.; CTC Communications Corp.; Conversent Communications of New Hampshire, LLC; and Lightship Telecom, LLC (all d/b/a One Communications Solutions of New Hampshire) — are competitive local exchange carriers ("CLECs") duly authorized to provide such services in New Hampshire.

One Communications depends on FairPoint to provide a number of wholesale services to One Communications in order to serve its customers. In the event that FairPoint's provision of these services falls below standards established in the Performance Assurance Plan ("PAP"), One Communications is entitled to receive penalty payments in the form of bill credits under the terms of the PAP.

In its Petition, FairPoint has requested that the Commission approve a new and significantly different PAP to govern FairPoint's wholesale service quality going forward. Any change in the requirements of a new PAP approved by the Commission would affect the quality

¹ One Communications is now an operating subsidiary of EarthLink, Inc. and is in the process of changing its name to "EarthLink Business." For ease of reference, "One Communications" will be used throughout this petition to intervene.

of services provided by FairPoint to One Communications, and by extension, the quality of services One Communications is able to provide to its own customers. Therefore, One Communications' rights, duties, privileges, immunities or other substantial interests may be affected by this proceeding.

The interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing One Communications to intervene. The Commission has just issued its Order of Notice, and One Communications is filing this petition in accordance with the schedule that the Commission established in the July 28, 2011 Order of Notice.

For these reasons, One Communications requests that it be permitted to intervene.

August 2, 2011

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Paula W. Foley", is written over a horizontal line.

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