

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

_____)	
PETITION OF NEW HAMPSHIRE)	
TELEPHONE ASSOCIATION FOR AN)	DT 09-044
INVESTIGATION INTO THE)	
REGULATORY STATUS OF IP)	
ENABLED VOICE TELECOM SERVICE)	
_____)	

**PETITION TO INTERVENE OF
METROCAST CABLEVISION OF NEW HAMPSHIRE, LLC**

Pursuant to New Hampshire Revised Statutes Annotated 541-A:32, New Hampshire Administrative Rules, Puc 203.17, and the May 6, 2009 Order of Notice issued by the Public Utilities Commission (“Commission”), MetroCast Cablevision of New Hampshire, LLC (“MetroCast”) petitions to intervene as a party in the above-captioned docket. As set forth herein, MetroCast’s legal rights, duties, privileges, immunities and special interests will be directly affected by the Commission’s final decision in this proceeding.

1. MetroCast is a cable television company serving eastern portions of New Hampshire that also provides, pursuant to authorization from the Commission, competitive telecommunications services in 28 communities served by FairPoint Communications f/k/a Verizon Communications (“FairPoint”) as the incumbent carrier. MetroCast has a place of business at 9 Apple Road, Belmont NH 03220.

2. MetroCast is currently authorized by the Commission to provide voice communications services using interconnected voice-over-Internet protocol (“VOIP”), both in New Hampshire and in other New England states. As such, the legal rights, duties and privileges of MetroCast is substantially and specifically affected by the instant investigation into the regulatory treatment of VOIP services under New Hampshire law.

3. While the precise scope of MetroCast’s participation is still to be determined, MetroCast anticipates participating in this docket in a limited fashion consistent with its party status. MetroCast reserves the right to conduct discovery, present evidence, cross-examine witnesses and present written pleadings and briefs to the extent necessary.

4. Copies of all pleadings and other materials should be provided to the following:

Burton B. Cohen, Esq.
Murtha Cullina LLP
CityPlace I
185 Asylum Street
Hartford, CT 06103
Telephone: (860) 240-6000
Fax: (860) 240-6150
Email: bcohen@murthalaw.com

and

Josh Barstow, Vice President of Advanced Services
MetroCast Cablevision of New Hampshire, LLC
9 Apple Road
Belmont, NH 03220
Telephone: (603) 527-3632
Email: jbarstow@metrocast.com

Conclusion

Accordingly, for the above described reasons, the Commission should grant MetroCast's Petition to Intervene.

Respectfully submitted,

METROCAST CABLEVISION OF NEW HAMPSHIRE
LLC

By its attorneys,



Burton B. Cohen, Esq.
Murtha Cullina LLP
CityPlace I
185 Asylum Street
Hartford, CT 06103
Telephone: (860) 240-6000
Fax: (860) 240-6150
Email: bcohen@murthalaw.com

and



Josh Barstow, Vice President of Advanced Services
MetroCast Cablevision of New Hampshire, LLC
9 Apple Road
Belmont, NH 03220
Telephone: (603) 527-3632
Email: jbarstow@metrocast.com

Dated: June 19, 2009