

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

_____)	
PETITION OF IDT AMERICA, CORP.)	
FOR ARBITRATION WITH UNION)	DT 09-048
TELEPHONE COMPANY PURSUANT)	
TO THE COMMUNICATIONS)	
ACT OF 1934, AS AMENDED)	
_____)	

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

Pursuant to New Hampshire Revised Statutes Annotated (“RSA”) 541-A:32, New Hampshire Administrative Rules, Puc 203.17, and the April 21, 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. In offering competitive telecommunications services to New Hampshire residents, MetroCast relies on interconnection, numbering and other back office network services furnished by Petitioner IDT America, Corp. (“IDT”) to provide those services to its customers.

3. In September 2008, MetroCast was authorized by the Commission to offer competitive telecommunications services to residents of seven additional communities, which were served as a monopoly by the incumbent local exchange carrier, Union Telephone Company (“Union”). In an attempt to thwart or delay competitive telecommunications services from being offered in its territory by MetroCast, Union challenged the Commission’s authorization in October after its final decision. The Commission subsequently rejected Union’s challenge and affirmed its earlier authorization in a February 6, 2009 Order. See DT 08-130: MetroCast Cablevision of New Hampshire, LLC Application for Certification as a Competitive Local Exchange Carrier, Order No. 24,939.

4. With respect to the subject interconnection discussions, IDT sent an October 8, 2008 letter to Union requesting commencement of interconnection discussions that was not responded to by Union, thereby precipitating IDT’s March 11, 2009 petition for arbitration of an interconnection agreement between IDT and Union.

5. MetroCast will rely on interconnection and related services from IDT to provide telecommunications services to customers in Union’s service territory pursuant to the Commission’s authorization. As such, the rights, duties, privileges, immunities and special interests of MetroCast are substantially and specifically affected by the interconnection arrangements to be determined in this proceeding.

6. While the precise scope of MetroCast's participation is still to be determined, MetroCast anticipates attending the May 7, 2009 hearing and procedural conference and participating in this docket consistent with its party status. MetroCast will cooperate with the Commission to ensure the expeditious processing of this docket.

7. Due to the close overlap of its interests with those of IDT, MetroCast will coordinate its participation with IDT to minimize duplication of argument or questioning.

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

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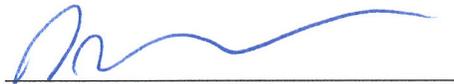
Conclusion

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 attorney,



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