

THE STATE OF NEW HAMPSHIRE

BEFORE THE

PUBLIC UTILITIES COMMISSION

Docket No. DT 09-059

**Petition of Northern New England Telephone Operations, LLC d/b/a
FairPoint Communications-NNE for Waiver of Certain Requirements
Under the Performance Assurance Plan and
Carrier to Carrier Guidelines**

PETITION TO INTERVENE

NOW COMES Comcast Phone of New Hampshire, LLC (“Comcast Phone”), by and through its undersigned attorneys, and, pursuant to RSA 541-A:32, I (b) and N.H. Admin. Rule Puc 203.17, respectfully requests that it be permitted to intervene in the above-captioned matter. In support of this Petition, Comcast states as follows:

1. Comcast Phone is a competitive local exchange carrier (“CLEC”) doing business in New Hampshire and is a wholesale customer of FairPoint Communications.
2. In this proceeding, FairPoint is seeking a waiver of certain of its wholesale service responsibilities under its Performance Assurance Plan (“PAP”) and Carrier to Carrier (“C2C”) Guidelines. The PAP and C2C Guidelines were applied to FairPoint by Order No. 24,823 issued on February 25, 2008 in DT 07-011, a docket in which Comcast participated as an intervenor jointly with New England Cable and Telecommunications Association (“NECTA”). The PAP and C2C Guidelines are designed to ensure that FairPoint meets wholesale service quality standards and require that FairPoint compensate CLECs when wholesale service falls below the prescribed standards.

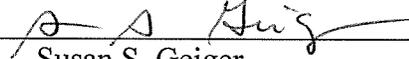
3. The waiver sought by FairPoint in this docket may adversely affect the quality of service provided by FairPoint to Comcast Phone and the compensation/bill credits that Comcast is entitled to receive from FairPoint under the PAP and C2C Guidelines. Thus, Comcast Phone's rights, privileges and substantial interests secured by the PAP and C2C guidelines and the orders implementing them may be affected by this proceeding.

4. In view of the foregoing, and because this Petition is filed within the time period prescribed by the Commission's Order of Notice dated June 8, 2009, Comcast Phone qualifies for intervention under RSA 541-A:32, I.

WHEREFORE, Comcast Phone respectfully requests that it be permitted to intervene in this proceeding.

Respectfully submitted,

Comcast Phone of New Hampshire,
LLC
By its attorneys,
ORR & RENO, P.A.

By: 
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Dated: June 23, 2009

Certificate of Service

I hereby certify that a copy of the foregoing Appearance has on this 23rd day of June, 2009 been either sent by electronic mail or first class mail, postage prepaid, to persons listed on the Service List.


Susan S. Geiger