

**STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION**

Petition of FairPoint Communications for Waiver of)
Certain Requirements Under the Performance) DT 09-059
Assurance Plan and Carrier to Carrier Guidelines)

VERIZON ACCESS TRANSMISSION’S PETITION TO INTERVENE

MCImetro Access Transmission Services LLC, d/b/a Verizon Access Transmission Services (“Verizon Access”) requests that the Commission allow it to intervene as a party in the above-captioned matter, in accordance with N.H. Code of Admin. Rules, Puc 203.17 and RSA 541-A:32. The Commission should grant this request because Verizon Access’ rights, privileges and other interests may be substantially and directly affected by the Commission’s actions in this proceeding. As further grounds for this petition, Verizon Access states as follows:

1. On March 26, 2009, FairPoint Communications-NNE petitioned the Commission to waive a number of metrics in the Performance Assurance Plan (“PAP”) and the Carrier to Carrier Guidelines (“C2C”) and to waive associated penalties under the PAP. FairPoint also sought a one-month waiver of certain PAP metrics.

2. Verizon Access is a competitive local exchange carrier in New Hampshire and depends on FairPoint to provide a number of wholesale services to Verizon Access in order to serve its customers. Any changes to the PAP and/or the C2C Guidelines may directly affect Verizon Access’ ability to obtain services from FairPoint in a reasonable, timely, fair and non-discriminatory fashion. Moreover, Verizon Access may be entitled to penalties under the PAP for the month for which FairPoint seeks a waiver. Consequently, Verizon Access’ rights, privileges and interests may be directly affected by this proceeding.

3. Verizon Access respectfully submits that the interests of justice and the orderly and prompt conduct of this proceeding would not be impaired by allowing Verizon Access' intervention.

4. Please include the following people on the service list for this proceeding, on behalf of Verizon Access Transmission Services:

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WHEREFORE, Verizon Access respectfully requests leave to intervene in this proceeding with full rights of participation as a party.

Respectfully submitted,
MCI metro ACCESS TRANSMISSION
SERVICES LLC d/b/a VERIZON
ACCESS TRANSMISSION SERVICES

By its attorney,



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Dated: June 25, 2009