

STATE OF NEW HAMPSHIRE
Before the
PUBLIC UTILITIES COMMISSION

**Petition of FairPoint Communications Inc. for
Waiver of Certain Requirements under the
Performance Assurance Plan and Carrier to
Carrier Guidelines**

DT 09-059

ONE COMMUNICATIONS' PETITION TO INTERVENE

One Communications 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 — are competitive local exchange carriers duly authorized to provide such services in New Hampshire.

In its Petition, FairPoint has requested temporary waiver of the reporting requirements and associated penalties for 11 Performance Assurance Plan ("PAP") metrics for the month of March 2009. Also, FairPoint requests "permanent waiver," i.e., revision and/or deletion, of the reporting requirements and associated penalties for 60 other PAP metrics. FairPoint requests that the permanent revisions and/or deletions, if approved by the Commission, be effective retroactive to the date of cutover to FairPoint's new systems in January 2009, as well as on a prospective basis. One Communications depends on FairPoint to provide a number of wholesale services to One Communications in order to serve its customers. The proposed changes in the PAP may affect One Communications' ability to obtain services from FairPoint in a reasonable, timely, fair, and non-discriminatory fashion. Moreover, One Communications may be entitled to penalties under the PAP for the time in which FairPoint seeks waiver, revisions, and deletions of

PAP requirements. 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 opened this docket, and One Communications is filing this petition in accordance with the schedule that the Commission established in the June 8, 2009 Order of Notice.

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

June 30, 2009

Respectfully Submitted,

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

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