

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 09-113

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 (“CLECs”) duly authorized to provide such services in New Hampshire.

One Communications depends on FairPoint to provide a number of wholesale services to One Communications in order to serve its customers. In the event that FairPoint's provision of these services falls below standards established in the Performance Assurance Plan (“PAP”), One Communications is entitled to receive penalty payments in the form of bill credits under the terms of the PAP.

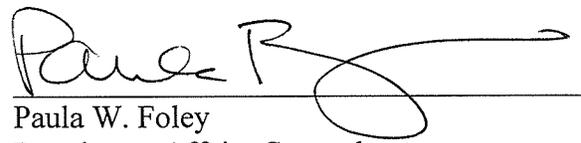
In its Petition, FairPoint has requested that CLECs be required to repay FairPoint any PAP penalty credits they have received or will receive from FairPoint for its substandard wholesale performance during the months of March through June 2009. One Communications is entitled to penalties under the PAP for the time in which FairPoint seeks waiver or modification 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 July 30, 2009 Order of Notice.

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

August 3, 2009

Respectfully Submitted,

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

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