

State of New Hampshire
Public Utilities Commission

DT 07-027

TDS Telecommunications Corporation/Merrimack County Telephone Company
Petition For An Alternative Form Of Regulation

**Petition to Withdraw Petition For Late Intervention of Ross Patnode and
Petition For Intervention and To Substitute
Daniel A. Bailey For Intervenor Ross Patnode**

Petitioner, Daniel A. Bailey, seeks leave to intervene in this proceeding as a full party intervenor, pursuant to RSA 541-A:32, II, and further seeks to be substituted as an intervenor in place of Intervenor Ross Patnode. Petitioner Bailey states the following in support of this Petition:

1. Petitioner, Daniel A. Bailey, is an adult individual. He resides on Main Street in Contoocook, New Hampshire.
2. Petitioner is a low income residential customer of Merrimack County Telephone Company, a wholly-owned subsidiary of TDS Telecommunications Corporation (TDS Telecom).
3. Petitioner's source of income consists of Social Security Disability Insurance benefits and income from part-time self employment.
4. Petitioner Bailey has an interest in this proceeding as a residential customer of TDS Telecom/Merrimack County Telephone Company and will be affected by any increase in the Company's basic local exchange service rates.
5. Petitioner seeks to assure universal access to affordable basic local exchange service.

6. The rights, duties, privileges and other substantial interest of Petitioner may be affected by this proceeding.

7. Petitioner seeks to intervene as a full party intervenor.

8. Petitioner agrees to be bound by all protective agreements and protective orders herein.

9. As set forth in the attached Statement of Counsel, Intervenor Patnode no longer has an interest in this proceeding.

10. Petitioner Bailey acknowledges that this is a late filed Petition For Intervention. Petitioner Bailey agrees to the procedural schedule herein and agrees to take the proceedings as he finds it.

11. Petitioner Bailey is represented by undersigned counsel who represents Intervenor Patnode in these proceedings.

12. The granting of this Petition will not delay these proceedings or prejudice any party to these proceedings.

13. The interests of justice will be served by the granting of this Petition. Petitioner Bailey seeks to represent the interests of low income basic local exchange service customers of the TDS companies in these proceedings.

14. Undersigned counsel has notified Staff and the parties of this Petition. The positions of the parties who have responded to undersigned counsel regarding the relief requested herein are as follows:

- **Staff:** No objection as long as the procedural schedule remains unchanged.

OCA: No objection

- TDS: No objection
- segTEL: No objection
- Granite State: No objection
- Union: No objection
- Comcast: No response

WHEREFORE, Petitioner, Daniel A. Bailey, requests that the Commission grant the following relief:

A. Grant Petitioner Bailey leave to intervene as a full party intervenor herein, represented by NH Legal Assistance.

B. Order that Petitioner Bailey shall take these proceedings as he finds them with respect to the procedural schedule in this docket.

C. Approve the withdrawal of Intervenor Patnode's Petition For Late Intervention.

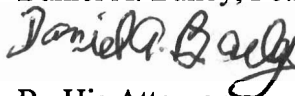
D. Approve the withdrawal of NH Legal Assistance as counsel for Intervenor Patnode, and approve the entry of appearance of NH Legal Assistance as counsel for Petitioner Bailey in these proceedings.

E. Approve the substitution of Petitioner Bailey for Intervenor Patnode in these proceedings.


F. Rule on this Petition as expeditiously as possible so that Petitioner Bailey may timely file pre-filed direct testimony by October 12, 2007 in accordance with the procedural schedule in this docket.

G. Grant such other relief as is lawful and just.

Respectfully submitted,
Daniel A. Bailey, Petitioner



By His Attorney
New Hampshire Legal Assistance



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10/5/07

Date

Certification of Service

I certify that on this date a copy of the within Petition was served by email on all parties on the service list herein.

New Hampshire Legal Assistance



Alan Linder
Attorney for Petitioner

Date: 10/5/07

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STATEMENT OF COUNSEL

My name is Alan Linder. I am an attorney licensed to practice law in the State of New Hampshire. I am employed by New Hampshire Legal Assistance. New Hampshire Legal Assistance is counsel for Ross Patnode, a party to these proceedings.

Mr. Patnode no longer has a demonstrated interest in pursuing these proceedings. Mr. Patnode has not had access to any confidential materials in these proceedings.

New Hampshire Legal Assistance seeks leave to withdraw as counsel for Ross Patnode in these proceedings.

New Hampshire Legal Assistance seeks leave to appear as counsel for Petitioner Daniel A. Bailey and to represent Daniel A. Bailey in these proceedings.

NEW HAMPSHIRE LEGAL ASSISTANCE


Alan Linder

Date: 10/5/07