## STATE OF NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

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Request for Approvals in Connection with the Reorganization Plan of FairPoint Communications, Inc. et al.

Docket No. DT 10-025

## **PETITION FOR INTERVENTION**

In accordance with the Commission's Rules of Practice, PUC 203.17, and in response to the Commission's Notice of February 26, 2010, BayRing Communications, Inc. ("BayRing") hereby petitions the Commission for permission to participate in this proceeding as an intervening party.

BayRing is a competitive local exchange carrier in New Hampshire that has interconnection arrangements with Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE ("FairPoint") as the successor to Verizon – New Hampshire. In order to serve its customers in New Hampshire, BayRing utilizes unbundled access to certain wholesale facilities and services from FairPoint as the Incumbent Local Exchange Carrier in New Hampshire. BayRing requires these wholesale services on terms that are just, reasonable and nondiscriminatory.

BayRing participated in the proceedings whereby the Commission authorized the transfer of assets and service from Verizon – NH to FairPoint. In particular BayRing reached certain commitments with FairPoint in the form of a Settlement Agreement that was incorporated into the Settlement Agreement reached with Staff and made a condition of the approvals in DT- 07-011. Following the merger and cut-over BayRing has been adversely impacted by service quality problems experienced by FairPoint, as evidenced in the monthly service quality reports. BayRing has a substantial interest in ensuring that FairPoint's Reorganization Plans does not adversely impact wholesale customers. This proceeding involves the impact of FairPoint's Reorganization Plans to, among others, wholesale customers such as BayRing. Therefore, BayRing has interests in this proceeding, and its business activities will likely be affected by the issues that will be decided by this proceeding. No other entity is better positioned to represent BayRing's interests in this proceeding.

For all these reasons, BayRing requests that it be allowed to intervene as a party to the proceedings and that the following individuals be included on the service list in this docket:

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and

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Respectfully submitted,

n M. Shoer

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