

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

BayRing Petition For Investigation Into	)	
Verizon New Hampshire's Practice Of	)	
Imposing Access Charges, Including Carrier	)	
Common Line (CCL) Access Charges, On	)	DT 06-067
Calls Which Originate On BayRing's Network	)	
And Terminate On Wireless and Other Non-	)	
Verizon Carriers' Networks	)	

**PETITION OF QWEST COMMUNICATIONS COMPANY, LLC  
FOR LEAVE TO INTERVENE AS A PARTY AND FOR CONFIDENTIAL  
TREATMENT OF CCL CHARGE INFORMATION**

Pursuant to PUC 203.02 and RSA 541-A:32, Qwest Communications Company, LLC ("Qwest") hereby petitions the Public Utilities Commission ("PUC") for leave to intervene as a party in the above proceedings, and for protective treatment of its materials regarding the calculations of disputed charges due. Qwest also requests that this petition be treated as a petition for reparations pursuant to RSA 365:29. In support of this petition, Qwest states the following:

**I. MOTION TO INTERVENE**

1. Qwest Communications Company, LLC is a Delaware limited liability company with its principal business office located at: 1801 California, Denver, CO 80202. Qwest is the successor to Qwest Communications Corporation and is a New Hampshire certified Competitive Local Exchange Carrier ("CLEC") pursuant to Order No. 23,489 in docket No. DE 99-167 dated May 23, 2000 and a New Hampshire certified Competitive Toll Provider ("CTP") pursuant to Authorization No. 15297 dated March 6, 1997.

2. Qwest and its predecessor Qwest Communications Corporation have paid Verizon the CCL access charges that the Commission has addressed in this docket. Judicial and

administrative efficiency would be served by addressing the Qwest payments and refunds related thereto in the same docket and manner as other CLECs in this docket rather than having a separate complaint and docket for Qwest.

3. Qwest accepts the record and schedule as it exists, will not seek to delay the preceding, and at this time anticipates filing only its documents related to CCL charges it has paid from April 2004 through March 2008 in accordance with the November 5, 2008 Letter filed in this docket summarizing the technical conference held on the same day and participating in any other aspects of the docket prospectively.

4. Communications regarding this matter should be directed to:

Martin C. Rothfelder, Esq.  
Rothfelder Stern, L.L.C.  
625 Central Avenue  
Westfield, N.J. 07090  
Phone: (908)301-1211  
Fax: (908)301-1212  
mrothfelder@rothfelderstern.com

and to:

Barbara J. Brohl, Esq.  
Qwest Services Corporation  
1801 California, Ste. 1000  
Denver, CO 80202  
Tel: (303) 383-6641  
Fax: (303) 383-8446  
barbara.brohl@qwest.com

4. Phase II of this proceeding will concern the amount of reparations and refunds to the affected carriers as well as the manner of such reparations and refunds. As such, Qwest has substantial interests that are affected by Phase II of this proceeding. Therefore, no other party adequately represents the interests of Qwest in this proceeding.

5. The intervention of Qwest will not impair the orderly and prompt disposition of this proceeding.

## **II. MOTION FOR CONFIDENTIAL TREATMENT**

6. Qwest, pursuant to RSA 378:43 moves for confidential treatment of the electronic and printout of an Excel spreadsheet, and all data therein, which spreadsheet and data sets forth Qwest's calculation of the CCL charges that Verizon billed to the Qwest and its predecessors during the period from the April 19, 2004 through the March 19, 2008 Verizon bills. Qwest is providing these materials to the Commission Staff and Verizon.

7. Qwest considers the information contained in the information described in paragraph 6 to be confidential and proprietary and commercially and competitively sensitive, and therefore is providing the spreadsheets only to the Commission Staff, pursuant to RSA 378:43, and to Verizon New Hampshire. That information is not general public knowledge or published elsewhere. Qwest has taken measures to prevent dissemination of that information in the ordinary course of business. That information pertains to the provision of competitive services and sets forth confidential financial or commercial information, including geographic, market, vendor, or product-specific data, such as usage information, that is not reflected in tariffs of general application.

**WHEREFORE**, Qwest requests that the PUC:

- A. Grant Qwest party status in these proceedings; and
- B. Grant confidential treatment to Qwest's information on Verizon's CCL charges to Qwest, and its predecessor as described in paragraph 6 above.

Respectfully submitted,

**QWEST COMMUNICATIONS COMPANY, LLC**

Date: January 16, 2009

By: 

Martin C. Rothfelder  
Rothfelder Stern, L.L.C.  
625 Central Avenue  
Westfield, New Jersey 07090  
Phone: (908) 301-1211  
Fax: (908) 301-1212

Counsel for Qwest Communications Company,  
LLC