

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

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ELECTRIC AND TELEPHONE)	
UTILITIES, REVIEW OF UTILITY)	DT 12-246
POLE ACCESS ISSUES)	
_____)	

**PETITION TO INTERVENE LATE OF
LIGHT TOWER FIBER LLC**

Pursuant to New Hampshire Revised Statutes Annotated (“RSA”) 541-A:32, New Hampshire Administrative Rules, Puc 203.17, and the August 6, 2012 Order of Notice (“Order”) issued by the Public Utilities Commission (“Commission”), Light Tower Fiber LLC (“Lighttower”) petitions to intervene as a party one day late in the above-captioned docket. As set forth herein, Lighttower’s legal rights, duties, privileges, immunities and special interests will be directly affected by the Commission’s final decision in this proceeding and no party is prejudiced by its filing this petition shortly after the Monday close of business time set for interventions in the Order.

1. Lighttower is an authorized local exchange carrier that offers fiber-based services such as Ethernet, dark fiber, wavelengths, SONET, internet access and collocation services over an extensive fiber network to service locations in southern New Hampshire, as well as numerous additional locations in the Northeastern United States. Lighttower has principal offices at 80 Central Street, Boxborough, MA 01719.

2. In offering competitive telecommunications services to New Hampshire residents, Lightower relies on its telecommunications facilities and related equipment located on or in poles, conduit and rights of way maintained by utilities and occupied by telecommunications and power facilities of pole-owning utilities and third party attachers, pursuant to federal law, state law, Commission regulations and/or utility pole attachment agreements.

3. As a facilities-based telecommunications carrier, Lightower is heavily dependent on the terms and conditions of access to utility poles in order to serve customers in a time-sensitive and cost-effective manner. In addition, as a current third party attacher on numerous poles, Lightower is affected by all changes in pole attachment terms and conditions applicable to third party attachers in New Hampshire.

4. As a telecommunications carrier with substantial existing and planned pole attachments in New Hampshire, the rights, duties, privileges, immunities and special interests of Lightower are substantially and specifically affected by the pole attachment arrangements to be determined in this proceeding. Accordingly, Lightower is entitled to party status.

5. Lightower acknowledges filing this petition one day beyond the August 27, 2012 date set in the Order. Lightower's Deputy General Counsel was out of the office leading up to the filing and did not learn about this important proceeding in time to prepare and finalize the instant filing by the August 27, 2012 due date. Lightower requests that this filing be accepted one day late. No party should be prejudiced by this short extension. Lightower accepts the schedule as it has been set to date and will arrange to have a representative present at the August 29, 2012 stakeholder meeting. If

there are any questions raised concerning Lighttower's participation in this proceeding, Lighttower will be prepared to address them, either at the August 29 stakeholder meetings or in written pleadings. Moreover, given the lack of prejudice to the orderly conduct of this proceeding and the importance of the issues of pole makeready processes and third party rights to Lighttower, the interests of justice would be supported, and not impaired, by supporting Lighttower's intervention one day late.

6. While the precise scope of Lighttower's participation is still to be determined, Lighttower anticipates attending the August 29, 2012 stakeholder meeting and participating in this docket consistent with its party status.

7. Copies of all pleadings and other materials should be provided to the following:

Leslie J. Brown, Vice President and
Deputy General Counsel
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and

Joseph Harrington, Assistant General Counsel
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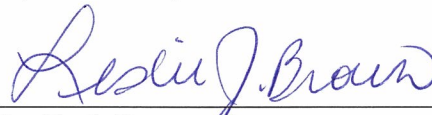
Conclusion

Accordingly, for the above described reasons, the Commission should grant Lighttower's Petition to Intervene one day late in this proceeding.

Respectfully submitted,

LIGHT TOWER FIBER LLC

By its attorney,



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Dated: August 28, 2012