

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising from Federal Communications Commission triennial UNE review: Local Circuit Switching for Mass Market Customers.

DOCKET NO. 030851-TP

FILED: December 15, 2003

COMMISSION CLERK

03 DEC 15 PM 4:39

RECEIVED F.S.C.

AARP PETITION TO INTERVENE

Pursuant to Sections 120.569 and 120.57(1), Florida Statutes and Rules 25-22.039, and 28-106.205, Florida Administrative Code, the AARP, through its undersigned attorney, files its Petition to Intervene, and in support thereof, states as follows:

- 1. The name and address of the affected agency is:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

- 2. The name and address of the petitioner is:

AARP
200 West College Street
Tallahassee, Florida 32301

- 3. All pleadings, motions, orders and other documents directed to the petitioner should be served on:

Michael B. Twomey
Post Office Box 5256
Tallahassee, Florida 32314-5256
Phone: (850) 421-9530
FAX: (850) 421-8543
Email: miketwomey@talstar.com

and

AUS _____
CAF _____
CMP _____
COM 5 _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC 1 _____
OTH _____

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

jh

DOCUMENT NO.
12987-03
12.15.03

Done 12/16/03

John A. Nesmith
Ben Johnson Associates, Inc.
2252 Killearn Center Blvd.
Tallahassee, Florida 32309
Phone: (850) 893-8600
FAX: (850) 668-2731
Email: jn@benjohnsonassociates.com

4. On February 20, 2003, the Federal Communications Commission (FCC) adopted new rules and reevaluated old rules regarding incumbent local exchange companies' (ILECs) obligations to unbundle certain network elements, so that these elements are made available to requesting competitive local exchange telecommunications companies (CLECs) at a price based on the ILEC's Total Element Long-Run Incremental Cost (TELRIC). On August 21, 2003, the FCC released the newly adopted rules in its Triennial Review Order ("TRO") with the intent of opening local exchange markets to competition, fostering the deployment of advanced services, and reducing regulation. Pursuant to the TRO, the Florida Public Service Commission ("Commission") has a fact finding role designed to ascertain whether impairment exists within the state and local markets. This Commission must complete its proceedings within nine months from the TRO's effective date and has opened this docket and scheduled evidentiary hearings to that end.

5. AARP (formerly known as the American Association of Retired Persons) is a nonprofit membership organization dedicated to addressing the needs and interests of persons 50 and older. AARP has staffed offices in all 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands. AARP represents more than 35 million members in total, approximately 2.6 million of whom reside in the State of Florida. AARP's Florida members reside throughout

the state and substantial numbers of them are retail residential or single-line business customers of each of the ILECs that will be reviewed in these proceedings.

AARP Florida Members' Substantial Interests Affected

6. The question of whether the ILEC's are offering their unbundled network elements to CLECs at a price based on the ILEC's Total Element Long-Run Incremental Cost (TELRIC) and whether there are impairments to competition in state and local markets resulting from the ILEC's not doing so, will necessarily affect the substantial interests of all customers of both the ILECs and CLECs in this state, including the approximately 2.6 million Florida members of the AARP.

7. Disputed issues of fact may include, but are not limited to, the interpretation and application of the FCC's Triennial Review Order.

8. Ultimate facts alleged include, but are not limited to, the fact that the FCC's Triennial Review Order must be interpreted and applied to facilitate local competition.

WHEREFORE, AARP requests that this Commission grant it intervenor status in this docket as a full party respondent on behalf of its approximately 2.6 million Florida members.

Respectfully submitted,



Michael B. Twomey
Attorney for AARP
Post Office Box 5256
Tallahassee, Florida 32314-5256
Telephone: 850-421-9530
Email: miketwomey@talstar.com

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing document has been provided by email and U.S. Mail this 15 day of December, 2003, to the following:

Adam Teitzman, Esquire
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Tracy Hatch, Esquire
AT&T Communications of the
Southern States, LLC
101 North Monroe Street, Suite 700
Tallahassee, Florida 32301

Nancy White, Esquire
c/o Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301-1556

Michael Gross, Esquire
Florida Cable Telecommunications
246 East 6th Avenue
Tallahassee, Florida 32302

Richard Chapkis, Esquire
Verizon Florida, Inc.
201 North Franklin Street
MC: FLTC0717
Tampa, Florida 33602

Matthew Feil, Esquire
Florida Digital Network, Inc.
390 North Orange Avenue, Suite 2000
Orlando, Florida 32801

Susan Masterton, Esquire
Sprint Communications Company
1313 Blairstone Road
Post Office Box 2214
MC: FLTLHO0107
Tallahassee, Florida 32301

Jeffrey J. Binder, Esquire
Allegiance Telecom, Inc.
1919 M Street, NW
Washington, DC 20037

Donna Canzano McNulty, Esquire
MCI WorldCom
1203 Governors Square Boulevard
Suite 201
Tallahassee, Florida 32301

Floyd R. Self, Esquire
Messer, Caparello & Self
215 South Monroe Street, Suite 701
Tallahassee, FL 32301

Norman H. Horton, Jr., Esquire
215 South Monroe Street, Suite 701
Tallahassee, Florida 32302-1876

Nanette Edwards, Esquire
ITC^DeltaCom
4092 S. Memorial Parkway
Huntsville, Alabama 35802

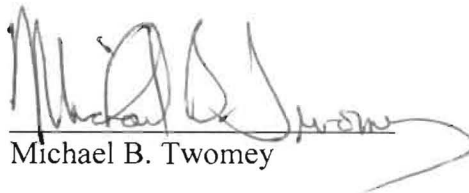
Jake E. Jennings, Esquire
Senior Vice-President
Regulatory Affairs & Carrier Relations
NewSouth Communications Corp.
NewSouth Center
Two N. Main Center
Greenville, SC 29601

Jon C. Moyle, Jr., Esquire
Moyle, Flanigan, Katz, Raymond
& Sheehan, P.A.
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301

Rand Currier, Esquire
Geoff Cookman
Granite Telecommunications, LLC
234 Copeland Street
Quincy, MA

Andrew O. Isar, Esquire
Miller Isar, Inc.
2901 Skansie Avenue, Suite 240
Gig Harbor, WA 98335

Scott A. Kassman, Esquire
FDN Communications
390 North Orange Avenue
Suite 2000
Orlando, FL 32801


Michael B. Twomey