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September 6, 2005

# VIA HAND DELIVERY

Ms. Blanca S. Bayo, Director Division of the Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0870

Re:

Docket No. 050570-TP

Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of a Petition to Intervene filed on behalf of ALLTEL Florida, Inc.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Sincerely,

Wahlen

Enclosure

cc:

All Parties of Record (w/encls.)

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition of TDS Telecom d/b/a TDS Telecom/Quincy Telephone, Northeast Florida Telephone Company d/b/a/ NEFCOM, GTC, Inc., d/b/a GT Com, Smart City Tele-Communications, LLC d/b/a Smart City Telecom, ITS Telecommunications Systems, Inc. and Frontier Communications of the South, LLC, Requesting a Generic Investigation of Third-Party Transit Traffic Arising From the Transit Traffic Service Tarriff filed by BellSouth Telecommunications, Inc.

Docket No. 050570-TP Filed: September 6, 2005

# PETITION TO INTERVENE

ALLTEL Florida, Inc. ("ALLTEL"), pursuant to Rules 25-22.039 and 28-106.205, Florida Administrative Code, hereby requests leave to intervene in this proceeding, and as grounds therefor states:

- 1. ALLTEL is an incumbent local exchange telecommunications company that is lawfully doing business in the State of Florida pursuant to a certificate issued by the FPSC. ALLTEL is also a small local exchange telecommunications company within the meaning of Section 364.052, Florida Statutes.
- 2. ALLTEL's principal place of business in Florida is Live Oak, Florida. ALLTEL provides local exchange telecommunications services to all or parts of thirteen (13) counties in North Central Florida, i.e., all of the counties of Suwannee, Hamilton and Lafayette, and parts of the counties of Alachua, Gilchrist, Bradford, Nassau, Marion, Putnam, Clay, Columbia, St. Johns and Union. ALLTEL's service territory is approximately 3,700 square miles.
- 3. ALLTEL has established twenty-seven (27) exchanges that are located at Alachua, Branford, Brooker, Callahan, Citra, Crescent City, Dowling Park, Florahome, Florida Sheriffs

Boys Ranch, Fort White, Hastings, High Springs, Hilliard, Interlachen, Jasper, Jennings, Lake Butler, Live Oak, Luraville, Mayo, McIntosh, Melrose, Orange Springs, Raiford, Waldo, Wellborn, and White Springs.

- 4. ALLTEL interconnects with other incumbent local exchange companies, including BellSouth, at various points in its network. ALLTEL is a Telecommunications Service Provider subject to and as defined by BellSouth's Transit Tariff, which was filed by BellSouth with the Commission on January 27, 2005 ("Transit Tariff"). ALLTEL is a Joint Petitioner in Docket No. 050119-TL and is subject to Order No. PSC-05-0517-PAA-TP, which became final on June 6, 2005 via Order No. PSC-05-0623-CO-TP.
- 5. The Transit Tariff filed by BellSouth seeks to impose a requirement for an originating local exchange company ("LEC") to deliver certain traffic to a point of interconnection beyond its network and to impose transit fees upon the LEC for delivering that traffic. The Transit Tariff as applied to the other small local exchange companies raises the material fact, law and policy issues enumerated in paragraph 9 of the Joint Petition filed in this docket on August 26, 2005 ("Joint Petition").
- 6. The issues raised in the Joint Petition will affect the substantial interests of ALLTEL, because the resolution of those issues will impact (a) the manner in which ALLTEL receives and delivers certain telecommunications traffic to other LECs, (b) the compensation arrangements associated with the delivery of such traffic, and (c) the manner in which ALLTEL will need to deploy its network in the future.
- 7. ALLTEL is not aware of issues of material fact, law or policy in this docket other than those specified in paragraph 9 of the Joint Petition.

8. Pleadings, orders, notices and other papers filed or served in this matter should be served upon:

Bettye Willis ALLTEL One Allied Drive Little Rock, AR 72203-2177 J. Jeffry Wahlen Ausley & McMullen P. O. Box 391 Tallahassee, FL 32302

WHEREFORE, ALLTEL respectfully requests that the Commission grant the Company leave to intervene for all legal purposes in this docket.

Respectfully submitted this 6th day of September, 2005.

J. JEFPRY WAHLEN
Ausley & McMullen
Post Office Box 391
Tallahassee, Florida 32302

850/425-5471

ATTORNEYS FOR ALLTEL FLORIDA, INC.

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U. S. Mail or hand delivery (\*) this 6<sup>th</sup> day of September, 2005, to the following:

Jason Rojas \*
Division of Legal Services
Florida Public Service Comm.
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Tallahassee, FL 32399-0850

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Jeff Leslie P. O. Box 277 Indiantown, FL 34956

K. Hoffman/M. McDonnell/M. Rule 215 South Monroe Street, Suite 420 Tallahassee, FL 32301

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