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**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

QWEST COMMUNICATIONS COMPANY, LLC
(U-5335-C),

Complainant,

v.

MCIMETRO ACCESS TRANSMISSION
SERVICES, LLC (U-5253-C), XO
COMMUNICATIONS SERVICES, INC.
(U-5553-C), TW TELECOM OF CALIFORNIA,
L.P. (U-5358-C), GRANITE
TELECOMMUNICATIONS, INC. (U-6842-C),
ADVANCED TELCOM, INC. dba INTEGRA
TELECOM (fdba ESCHELON TELECOM, INC.)
(U-6083-C), LEVEL 3 COMMUNICATIONS (U-
5941-C), COX CALIFORNIA TELECOM II, LLC
(U-5684-C), ACCESS ONE, INC. (U-6104-C),
ACN COMMUNICATIONS SERVICES, INC. (U-
6342-C), ARRIVAL COMMUNICATIONS, INC.
(U-5248-C), BLUE CASA COMMUNICATIONS,
INC. (U-6764-C), BROADWING
COMMUNICATIONS, LLC (U-5525-C),
BUDGET PREPAY, INC. (U-6654-C),
BULLSEYE TELECOM, INC. (U-6695-C),
ERNEST COMMUNICATIONS, INC. (U-6077-
C), MPOWER COMMUNICATIONS CORP. (U-
5859-C), NAVIGATOR
TELECOMMUNICATIONS, LLC (U-6167-C),
NII COMMUNICATIONS, LTD. (U-6453-C),
PACIFIC CENTREX SERVICES, INC. (U-5998-
C), PAETEC COMMUNICATIONS, INC. (U-
6097-C), TELEKENEX, INC. (U-6647-C),
TELSCAPE COMMUNICATIONS, INC. (U-
6589-C), U.S. TELEPACIFIC CORP. (U-5721-C),
AND UTILITY TELEPHONE, INC. (U-5807-C)
Defendants.

Case No. C.08-08-006

**MOTION OF SPRINT COMMUNICATIONS COMPANY L.P. (U 5012 C)
TO INTERVENE AS AN INTERESTED PARTY FOR THE LIMITED PURPOSE
OF RESPONDING TO THE
MOTION OF QWEST COMMUNICATIONS COMPANY, LLC
TO REDESIGNATE OFF-TARIFF AGREEMENTS AS NON-CONFIDENTIAL
[Proposed Order Attached]**

Pursuant to Rule 11.1 of the Commission's Rules of Practice and Procedure, Sprint Communications Company L.P. ("Sprint") (U 5012 C) respectfully submits this Motion ("Sprint's Motion") to intervene in the above-captioned proceeding as an interested party for the limited purpose of responding to the October 9, 2009 Motion of Complainant, Qwest Communications Company, LLC ("Qwest"), to "Redesignate Off-Tariff Agreements as Non-Confidential" ("Qwest's Motion").

For the reasons set forth below, Sprint's Motion should be granted by the Commission. A proposed order is attached.

Sprint seeks to intervene in this proceeding as an interested party for two reasons. First, Sprint is a party to several of the "off-tariff agreements" (as Qwest terms them) that Qwest seeks to designate as non-confidential, and Sprint therefore has a direct, tangible interest in the Commission's ruling on Qwest's Motion. Second, Sprint would suffer tangible competitive harm if the Commission were to grant Qwest's Motion by designating these agreements as non-confidential (thereby making them public). As a party to the agreements that are at issue as a result of Qwest's Motion, Sprint should have an opportunity to be heard and to submit its opposition to Qwest's Motion prior to the Commission's ruling on that motion. This is the sole means by which Sprint may protect its interests and avoid the substantial harm that Qwest's Motion portends. This is the sole, limited purpose for which Sprint seeks to intervene in this proceeding.

Sprint's interest in opposing Qwest's Motion is different from the interests of other parties to this proceeding and cannot adequately be protected by those parties. This is so for numerous reasons, including Sprint's knowledge of nature, genesis and content of the agreements at issue. Sprint is best situated to represent its interests with regard to Qwest's Motion, as other parties may not do so.

Moreover, Sprint's Motion is timely in that Sprint seeks to intervene within the time allowed by the Assigned ALJ (until November 2, 2009) for parties to respond to Qwest's Motion. Further, Sprint is tendering its Response to Qwest's Motion for filing in this proceeding at the same time as it files this Motion, *i.e.*, at the same time as other parties are responding to Qwest's Motion. Therefore, Sprint's intervention for the limited purpose of responding to Qwest's Motion will not delay or unduly complicate this proceeding in any respect.

Accordingly, the Commission should grant Sprint's Motion. As indicated above, a proposed order granting Sprint's motion is attached to this motion.

Respectfully submitted:

SPRINT COMMUNICATIONS COMPANY L.P.

/s/

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Attorneys for Sprint Communications Company L.P.

Dated: November 2, 2009

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AND UTILITY TELEPHONE, INC. (U-5807-C)
Defendants.

Case No. C.08-08-006

**[PROPOSED] ORDER GRANTING
MOTION OF SPRINT COMMUNICATIONS COMPANY L.P. (U 5012 C)
TO INTERVENE AS AN INTERESTED PARTY FOR THE LIMITED PURPOSE
OF RESPONDING TO THE
MOTION OF QWEST COMMUNICATIONS COMPANY, LLC
TO REDESIGNATE OFF-TARIFF AGREEMENTS AS NON-CONFIDENTIAL**

On November 2, 2009, Sprint Communications Company L.P. (U 5012 C) (“Sprint”) filed a motion to intervene as an interested party (“Sprint’s Motion”) for the limited purpose of responding to the Motion of Qwest Communications Company, LLC (“Qwest”) to “Redesignate Off-Tariff Agreements as Non-Confidential” (“Qwest’s Motion”).

Sprint’s Motion demonstrates that Sprint has a direct interest in responding to Qwest’s Motion because Sprint is a party to the agreements that are the subject of Qwest’s Motion. Sprint claims that it will suffer substantial tangible competitive harm if the agreements to which it is a party are redesignated as non-confidential (thereby making them public). Sprint is therefore entitled to be heard by the Commission with regard to Qwest’s Motion. Sprint’s Motion is appropriately limited, is timely filed within the time that the Commission has allowed for parties to respond to Qwest’s Motion, and will not unduly delay or complicate this proceeding.

By granting Sprint’s motion to intervene as an interested party, thereby allowing Sprint to be heard, the Commission does not intimate any position with regard to Qwest’s Motion.

Good cause appearing, Sprint’s Motion should be, and hereby is,

GRANTED.

Dated: November __, 2009, at San Francisco, California.

Maribeth A. Bushey
Administrative Law Judge

CERTIFICATE OF SERVICE

I, Earl Nicholas Selby, hereby certify that, on November 2, 2009, I caused a copy of the foregoing document, entitled:

**MOTION OF SPRINT COMMUNICATIONS COMPANY L.P. (U 5012 C)
TO INTERVENE AS AN INTERESTED PARTY FOR THE LIMITED PURPOSE
OF RESPONDING TO THE
MOTION OF QWEST COMMUNICATIONS COMPANY, LLC
TO REDESIGNATE OFF-TARIFF AGREEMENTS AS NON-CONFIDENTIAL
[Proposed Order Attached]**

to be served on the parties to this proceeding, as shown on the Commission's service list for this proceeding on the same date, in the following manner:

By electronic mail, on the following parties (at the indicated email addresses):

gcookman@granitenet.com; John.messenger@paetec.com;
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ALJ Maribeth A. Bushey
Administrative Law Judge
California Public Utilities Comm'n
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San Francisco, CA 94102

Com'r Timothy Alan Simon
Commissioner
California Public Utilities Comm'n
505 Van Ness Avenue
San Francisco, CA 94102

I declare that the foregoing is true and correct.

Dated, November 2, 2009, at Palo Alto, CA.

/s/
Earl Nicholas Selby