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June 14, 2006

Ms. Mary Jo Kunkle
Executive Secretary
Michigan Public Service Commission
6545 Mercantile Way
PO Box 30221
Lansing, MI 48909

Re: In the matter on the Commission's Own Motion to examine the total service long run incremental costs of the Michigan Exchange Carriers Association Companies, including Ace Telephone, Barry County Telephone, Deerfield Farmers' Telephone, Kaleva Telephone, Lennon Telephone, Ogden Telephone, Pigeon Telephone, Upper Peninsula Telephone, and Waldron Telephone Companies
MPSC Case No. U-14781

Dear Ms. Kunkle:

Attached for filing, please find a copy of the Petition to Intervene of Verizon Wireless and Notice of Hearing thereof in the above-captioned proceeding. Proof of Service upon the Parties of Record is also attached. These documents have been filed in paperless form with the Commission's Electronic Case Filings System.

Very truly yours,

CLARK HILL PLC



Haran C. Rashes

:hcr
Attachments

cc: Parties of Record
Ms. Elaine Critides
Mr. John Clampitt

5276952v.1 09609/101804

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter on the Commission's Own Motion)
to examine the total service long run)
incremental costs of the Michigan Exchange)
Carriers Association Companies, including Ace)
Telephone, Barry County Telephone, Deerfield)
Farmers' Telephone, Kaleva Telephone, Lennon)
Telephone, Ogden Telephone, Pigeon)
Telephone, Upper Peninsula Telephone, and)
Waldron Telephone Companies.)

Case No. U-14781

E-FILE/PAPERLESS

PETITION TO INTERVENE
OF VERIZON WIRELESS

New Par d/b/a Verizon Wireless, Cellco Partnership d/b/a Verizon Wireless and, Muskegon Cellular Partnership d/b/a Verizon Wireless (collectively “Verizon Wireless” or “Petitioner”) by and through its attorneys, Clark Hill PLC., and pursuant to Rule 201, *et seq.* of the Rules of Practice and Procedure Before the Commission,¹ hereby petitions the Michigan Public Service Commission (“Commission”) for leave to intervene in and become a party to the above-entitled proceedings, and in connection therewith, represents that the rights of interests of this Petitioner, the grounds of the proposed intervention, and the Petitioner’s positions in the proceeding are as follows:

BACKGROUND

1. On February 21, 2006, this Commission issued an Arbitration Order in response to a Petition for Arbitration brought by Verizon Wireless. In that Arbitration Order, the Commission found that there had been a “sufficient change in circumstance to warrant a new cost study application by” the Michigan Exchange Carriers Association Companies, including

¹ 1999 MAC 460.17201, *et seq.*

Ace Telephone, Barry County Telephone, Deerfield Farmers' Telephone, Kaleva Telephone, Lennon Telephone, Ogden Telephone, Pigeon Telephone, Upper Peninsula Telephone, and Waldron Telephone Companies (“MECA Companies”).

2. In that same February 21, 2006 Order, the Commission commenced an investigation and review of the Total Service Long Run Incremental Costs (“TSLRIC”) of the MECA Companies and ordered them to file, no later than June 30, 2006, the documents and testimony necessary to support their cost studies.

VERIZON WIRELESS

3. New Par d/b/a Verizon Wireless is a general partnership with its principal place of business at Bedminster, New Jersey.

4. Cellco Partnership d/b/a Verizon Wireless is a general partnership with its principal place of business at Bedminster, New Jersey.

5. Muskegon Cellular Partnership d/b/a Verizon Wireless is a general partnership with its principal place of business at Bedminster, New Jersey.

6. All of the entities that form Petitioner Verizon Wireless conduct business in the State of Michigan as “Verizon Wireless.”

7. The entities that make up Petitioner Verizon Wireless are licensed by the FCC to provide, and do provide, commercial mobile radio services (“CMRS”) in the State of Michigan, in the Detroit, Milwaukee, and Chicago Major Trading Areas² pursuant to Section 332 of the Act, 47 U.S.C. § 332, and other applicable laws.

² As defined by the FCC, based on the Rand McNally 1992 Commercial Atlas & Marketing Guide, 123rd Edition, at pages 38-39.

8. The entities that make up Petitioner Verizon Wireless provide CMRS (wireless cellular phone service) in the geographic areas in which the MECA Companies are the incumbent local exchange providers.

9. The entities that make up Petitioner Verizon Wireless terminate local telephone calls to and from each of the MECA Companies.

10. Verizon Wireless has been admitted as a party and participated in other proceedings before this Commission.

VERIZON WIRELESS' STANDING TO INTERVENE

11. Verizon Wireless as a party to the Interconnection Agreement Arbitration, out of which this proceeding was commenced³ may be considered a pre-existing party to this proceeding for whom intervention is not required. However, to clarify its status in this proceeding, Verizon Wireless seeks intervention as a full party in interest.

12. The Commission has repeatedly applied the two-prong test for standing set out in *Association of Data Processing Service Organizations, Inc v Camp*, 397 US 150; 90 SCt 827; 250 LEd 184 (1970) to Petitions to Intervene, requiring that Petitioners will suffer an injury in fact and that the Petitioners' interests are within the zone of interests to be protected or regulated by the statute in question.

13. Verizon Wireless has an interest in this proceeding because it is providing CMRS in the geographic areas in which the MECA Companies are the incumbent local exchange providers and as such is required, pursuant to Section 251(a)(1) of the Federal

³ This proceeding was commenced in the *Feb 21 Order*.

Telecommunications Act of 1996 to “interconnect directly or indirectly with the facilities and equipment of other telecommunications carriers,”⁴ including the MECA Companies.

14. Verizon Wireless has an interest in this proceeding because it terminates local telephone calls to and from each of the MECA Companies, and as such is required, pursuant to 47 CFR § 20.11(b)(2) and Section 251(a)(1) of the Federal Telecommunications Act of 1996 to “to establish reciprocal compensation arrangements for the transport and termination of telecommunications”⁵ with the MECA Companies.

15. Verizon Wireless has Interconnection Agreements with each of the MECA Companies named in this case-caption that provides for rates for transport and termination and provides that such

rates for traffic subject to Reciprocal Compensation shall be used until the Commission has approved a new forward-looking Total Service Long Run Incremental Cost (“TSLRIC”) study. The Agreement will be amended as of the date of the Commission Order approving the new TSLRIC study, the amendment reflecting the rates resulting from the new TSLRIC study.

16. Verizon Wireless has an interest in this proceeding because, the rates to be established based on the inputs and methodology approved by this Commission in this proceeding will be directly impact Verizon Wireless and will be applied to the services Verizon Wireless is required to purchase from the MECA Companies pursuant to the Interconnection Agreements and 47 CFR. § 51.715.

17. If excessive or unlawful rates are established in this proceeding, Verizon Wireless will be harmed by having to pay those rates for transport and termination of local services.

⁴ 47 USC § 251(a)(1).

⁵ 47 USC § 251(b)(5).

18. Verizon Wireless' interests are within the zone of interests to be protected or regulated by the statute in question pursuant to the requirement in Section 252(b)(6) of the FTA that the reciprocal compensation rates based on the MECA Companies' TSLRIC study provide for the "costs associated with the transport and termination on each carrier's network facilities of calls that originate on the network facilities of the other carrier."⁶

19. Verizon Wireless' interests are within the zone of interests to be protected or regulated by the statute in question pursuant to the requirement that any "state proceeding conducted [to examine or establish a costs based on a TSLRIC study] shall provide notice and an opportunity to for comment to affected parties and shall result in the creation of a written factual record that is sufficient for purposes of review."⁷

20. Verizon Wireless meets the two-prong test for standing, i.e., that Petitioners will suffer an injury in fact and that the Petitioners' interests are within the zone of interests to be protected or regulated by the statute in question.

21. No other party can adequately represent Verizon Wireless' interests in this proceeding, nor will Verizon Wireless' participation unduly delay the resolution of this proceeding.

22. In addition to meeting the two-prong test for standing, the Verizon Wireless is in the position to provide useful and unique information that will assist the Commission in making determinations on the significant policy issues involved, and thereby also meets the test for permissive intervention.

⁶ 47 USC § 252(d)(2)(A)(ii).

⁷ 47 CFR 51.506(e)(2). The Commission is required to follow this explicit rule of the Federal Communications Commission pursuant to Section 202 of the Michigan Telecommunications Act. MCL 484.2202(1)(a).

POSITION OF VERIZON WIRELESS

23. Verizon Wireless will take the position that any costs established through this proceeding should not exceed the forward-looking economic cost of the individual MECA Companies using a cost study that fully complies with the Federal Communications Commission's and this Commission's currently approved methodologies.

24. Verizon Wireless will take the position that the Commission should conduct a contested case proceeding to examine the proposed TSLRIC Cost Stud(ies) of the MECA Companies.

25. Verizon Wireless will take the position that expert witnesses shall be allowed to examine the proposed TSLRIC Cost Studies of the MECA Companies and provide expert testimony regarding their examination.

RELIEF REQUESTED

WHEREFORE, Verizon Wireless respectfully requests that the Michigan Public Service Commission grant its Petition to Intervene in, and that it be treated as a full party in, this proceeding.

Respectfully Submitted,



By: _____

Roderick S. Coy (P12290)
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Date: June 14, 2006

Attorneys For Verizon Wireless

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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Telephone, Upper Peninsula Telephone, and)
Waldron Telephone Companies.)

Case No. U-14781

E-FILE/PAPERLESS

NOTICE OF HEARING

TO PARTIES OF RECORD:

PLEASE TAKE NOTICE that the Petition to Intervene of Verizon Wireless, in the above-captioned proceeding, will be heard before the Michigan Public Service Commission as soon as the Commission determines practical, at the Commission's offices, 6545 Mercantile Way, Suite 7, Lansing, Michigan 48911.

Respectfully Submitted,

CLARK HILL PLC

By: _____



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Date: June 14, 2006

Attorneys For Verizon Wireless

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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STATE OF MICHIGAN)
)ss
COUNTY OF INGHAM)

Patricia A. Tooker, being first duly sworn, deposes and says that she is an employee of Clark Hill PLC and that on June 14, 2006, she did cause to be served a copy of the Petition to Intervene of Verizon Wireless and Notice of Hearing thereof in the above-captioned proceeding, upon those parties listed on the attached list, via United States First Class Mail.



Patricia A. Tooker

Subscribed and sworn to before me
this 14th day of June 2006.



Haran C. Rashes
Notary Public, Washtenaw County, Michigan
Acting in Ingham County, Michigan
My Commission expires: September 18, 2007

SERVICE LIST
MPSC Case No. U-14781

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