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Via e-File/paperless

June 22, 2006

Ms. Mary Jo Kunkle
Executive Secretary
Michigan Public Service Commission
6545 Mercantile Way, Ste. 7
Lansing, MI 48911

In re: In the matter of Sprint Communications Company L.P.'s petition for de novo review
pursuant to MCL 484.3117 of Determination No. 5 made by the METRO Authority
MPSC Case No. U-14878

Dear Ms. Kunkle:

Please find enclosed AT&T Michigan's, AT&T Communications of Michigan, Inc. and TCG
Detroit's Petition for Leave to Intervene in the above matter, Appearances and a Proof of Service
of the same. Please call if you have any questions regarding the enclosures.

Very truly yours,



Signature Not Verified

Lisa M. Bruno

Lisa M. Bruno

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STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of SPRINT COMMUNICATIONS)	
COMPANY L.P.'S petition for de novo review)	
pursuant to MCL 484.3117 of Determination No. 5)	MPSC Case No. U-14878
made by the METRO Authority)	
_____)	

**PETITION FOR LEAVE TO INTERVENE OF
MICHIGAN BELL TELEPHONE COMPANY, AT&T COMMUNICATIONS OF
MICHIGAN, INC. AND TCG DETROIT**

1. Michigan Bell Telephone Company, d/b/a AT&T Michigan, is a Michigan corporation with its principal place of business at 444 Michigan Avenue, Detroit, Michigan. AT&T Michigan is a subsidiary of AT&T Inc. AT&T Michigan is a licensed provider of telecommunication services, including local exchange service, interLATA toll service, and various regulated and unregulated telecommunications and information services throughout its exchanges and zones in the State of Michigan. AT&T Michigan owns cable and fiber facilities in municipal rights of way in Michigan.

2. AT&T Communications of Michigan, Inc. is a Michigan corporation and provider of telecommunications services in Michigan pursuant to a license granted by the Michigan Public Service Commission ("Commission"). AT&T Communications of Michigan, Inc. is an indirect subsidiary of AT&T Corp., which is a subsidiary of AT&T Inc. AT&T Communications of Michigan, Inc. uses certain cable and fiber facilities occupying municipal rights of way. Certain of these facilities are owned by AT&T Communications of Michigan, Inc. or its parent company and/or affiliates. AT&T

Communications of Michigan, Inc. also uses cable and fiber facilities that are leased from third parties. Some of these leased facilities occupy municipal rights of way.

3. TCG Detroit is a New York general partnership and a provider of telecommunications services in Michigan pursuant to a license granted by the Commission. TCG Detroit is an indirect subsidiary of AT&T Corp., which is a subsidiary of AT&T Inc. TCG Detroit uses certain cable and fiber facilities occupying municipal rights of way. Certain of these facilities are owned by TCG Detroit or its parent company and/or affiliates. TCG Detroit also uses cable and fiber facilities that are leased from third parties. Some of these leased facilities occupy municipal rights of way.

4. Hereinafter, Michigan Bell Telephone Company d/b/a AT&T Michigan, AT&T Communications of Michigan, Inc., and TCG Detroit are collectively referred to as “AT&T”.

5. On May 25, 2006, the Commission issued an Order and Notice of Hearing regarding a Petition filed by Sprint Communications Company L.P.(“Sprint”) pursuant to Section 17 of the Metropolitan Extension Telecommunications Rights-of-way Oversight Act (“METRO Act”), 2002 PA 48, as amended, MCL 484.310. et seq., regarding Sprint’s objection to the METRO Authority’s¹ Determination No. 5.

6. The issue identified by the Commission in METRO Authority Determination No. 5 is whether providers are required to pay METRO Act fees for facilities that are leased from other providers.

¹ Section 3 of the METRO Act created on oversight authority, the METRO Authority, to manage telecommunications facilities located in the public rights of way.

7. This Commission stated in its May 25, 2006 Order that “this case involves a question of first impression... and will likely affect numerous interested persons.” *Id.*

at p. 1. In issuing its Order and Notice of Hearing, the Commission stated:

Because Sprint’s petition presents a question of first impression that involves a previously untested *de novo* review procedure and will likely affect numerous interested persons, the Commission finds that this matter should be set for a prehearing conference before an administrative law judge. Toward that end, the Commission directs that copies of this order and notice of hearing be served on Sprint, the METRO Authority, all providers of telecommunications services who routinely receive invoices from the METRO Authority, The Michigan Municipal League, and the Michigan Townships Association. In addition, in the interests of fairness and broad participation, the Commission encourages the METRO Authority to place a conspicuous notice of the intervention procedures and the prehearing conference on its website.

8. AT&T meets the two prong test for standing adopted by the Commission in other Commission cases as set forth in Association of Data Processing Service Organizations Inc v. Camp, 397 US 150; 90 S Ct; 250 L Ed 184 (1970).

9. AT&T is able to show that: (1) it would likely suffer an injury in fact (i.e., its interests are in danger); and 2) that its alleged endangered interests are within the zone of interest to be protected or regulated by the statute under consideration by the Commission.

10. AT&T meets the first prong of the standing test because AT&T has a financial interest in the outcome of this proceeding. As a provider, its financial interests may be directly impacted by the decision reached by the Commission.

11. AT&T also meets the second prong of the standing test because, as a provider, AT&T’s interests are “within the zone of interest to be protected or regulated”

by the METRO Act. Accordingly, AT&T satisfies the two prong-test for standing in this proceeding.

12. No other parties can adequately represent AT&T's interests in this proceeding.

13. Furthermore, if the Commission were to determine that AT&T did not have standing as a matter of right, then the Commission should grant AT&T permissive intervention. AT&T is in a position to provide unique policy recommendations to the Commission, which will be useful to the Commission in making a determination on the issues to be decided in this case.

14. AT&T's position is that providers are not required to pay METRO Act fees for facilities that are leased from other providers.

15. AT&T reserves its right to address any additional issues permitted to be raised in this proceeding.

WHEREFORE, AT&T respectfully requests that it be granted status to intervene as a party to this proceeding with full rights of participation.

Respectfully submitted,


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Lisa M. Bruno

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Craig Anderson (P28968)
Lisa M. Bruno (P52954)
AT&T Michigan
444 Michigan Avenue, Room 1700
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John J. Reidy, III

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John J. Reidy, III (P60620)
AT&T Communications of Michigan, Inc.,
and TCG Detroit
225 W. Randolph, Floor 25D
Chicago, Illinois 60606
(312) 727-1216

Dated: June 22, 2006

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of SPRINT COMMUNICATIONS)	
COMPANY L.P.'S petition for de novo review)	
pursuant to MCL 484.3117 of Determination No. 5)	MPSC Case No. U-14878
made by the METRO Authority)	
_____)	

APPEARANCE

NOW COMES, Michigan Bell Telephone Company d/b/a AT&T Michigan, AT&T Communications of Michigan, Inc., and TCG Detroit collectively ("AT&T"), by and through its attorney Lisa M. Bruno and hereby enters her appearance on behalf of AT&T in the above-captioned matter.

Respectfully submitted,

AT&T



Lisa M. Bruno

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Lisa M. Bruno (P52954)
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Lisa.M.Bruno@att.com

Dated: June 22, 2006

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of **SPRINT COMMUNICATIONS**)
COMPANY L.P.'S petition for de novo review)
pursuant to MCL 484.3117 of Determination No. 5) MPSC Case No. U-14878
made by the METRO Authority)
_____)

PROOF OF SERVICE

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

Mindy D. Smith, being first duly sworn, deposes and says she is employed at Dickinson Wright PLLC; and that on June 22, 2006, she caused a copy of the Appearances of John J. Reidy and Lisa Bruno and the Petition for Leave to Intervene of Michigan Bell Telephone Company, AT&T Communications of Michigan, Inc. and TCG Detroit to be served upon the following via email and first class mail.

Roderick Coy
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Melvin Farmer, Jr. Director
METRO Authority
MI Dept. of Labor & Economic Growth
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Mindy D. Smith

Mindy D. Smith

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Subscribed and sworn to before me,
a Notary Public in and for said County,
this 22nd day of June, 2006.

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Heidi Hopper

Digitally signed by Heidi Hopper
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o=Dickinson Wright PLLC, c=US
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Heidi S. Hopper, Notary Public
Ingham County, Michigan
My Commission Expires: 3/24/11