

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

<b>CHARTER COMMUNICATIONS HOLDING</b>	)	
<b>COMPANY, LLC, FALCON TELECABLE, L.P.,</b>	)	
<b>FALCON CABLE SYSTEMS COMPANY II, L.P., and</b>	)	<b>UM 1241</b>
<b>FALCON COMMUNITY VENTURES I, L.P.,</b>	)	
	)	
	)	
<b>Complainants,</b>	)	
<b>v.</b>	)	
	)	
<b>CENTRAL LINCOLN PEOPLE’S UTILITY</b>	)	
<b>DISTRICT,</b>	)	
	)	
<b>Defendant.</b>	)	
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**VERIZON NORTHWEST INC.’S PETITION TO INTERVENE**

Verizon Northwest Inc. (“Verizon”) petitions to intervene in this proceeding pursuant to Oregon Administrative Rule 860-012-0001. In support of this petition, Verizon states as follows:

a) The name and address of the petitioner is:

Verizon Northwest Inc.  
1800 41<sup>st</sup> Street  
Everett, Washington 98201

b) The names and addresses of petitioner’s attorneys are:

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c) If the petitioner is an organization, the number of members in and the purpose of the organization:

Not applicable.

d) The nature and extent of the petitioner's interest in the proceeding:

Verizon's interest in this proceeding stems from the fact that Charter Communications Holding Company's ("Charter") Complaint is predicated explicitly on the Commission's rulings in UM 1087 and the facts underlying that dispute between Central Lincoln Public Utility District ("CLPUD") and Verizon. Indeed, Verizon's joint use agreement with CLPUD is referenced no fewer than twelve times in Charter's Complaint, and UM 1087 is mentioned nearly as often.

The Commission's Order in UM 1087 established, among other things, the amount CLPUD can justly and reasonably charge for approved attachments to its poles.<sup>1</sup> In its Complaint, Charter alleges that CLPUD is failing to comply with the terms of UM 1087 by charging Charter "more than double the lawful annual rate that the Commission established in its January 2005 Order," notwithstanding the fact that its joint use agreement with CLPUD is "[o]n information and belief...substantively identical to" the agreement in existence between Verizon and CLPUD.<sup>2</sup> Furthermore, Charter states that "the terms and conditions of the [new proposed] Agreement are more burdensome and less favorable for Charter than those in the agreement established by the Commission between Central Lincoln and Verizon."<sup>3</sup> Verizon should be permitted to intervene in this proceeding to ensure that the facts underlying the dispute adjudicated in UM 1087 and

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<sup>1</sup> Before the Public Utility Commission, UM 1087, Order No. 05-042 (Jan. 19, 2005).

<sup>2</sup> Before the Public Utility Commission, UM 1241, Complaint (Feb. 1, 2005) ¶¶ 37 and 24.

<sup>3</sup> *Id.* at ¶ 101.

the implementation of the Commission's resulting Order are fairly presented. Moreover, as an attacher to CLPUD's poles, Verizon has an interest in ensuring the consistent and fair application of the Commission's pole attachment rules and precedent among similarly situated parties.

e) The issues petitioner intends to raise at the proceeding:

Verizon intends, as necessary and appropriate, to provide testimony regarding the UM 1087 proceeding, the facts underlying that dispute, and the parties' implementation of the Commission's Order. Verizon does not intend to raise any issues outside those encompassed by the Complaint, nor does it seek to burden the record or delay the proceeding.

f) Any special knowledge or expertise of the petitioner that would assist the Commission in resolving the issues in the proceeding:

Verizon is uniquely situated to provide the Commission with important information regarding its joint use agreement with CLPUD, its previous litigation with CLPUD (before this Commission), and the implementation of the Commission's Order in UM 1087.

For the forgoing reasons, Verizon's Petition to Intervene should be granted.

A handwritten signature in black ink, appearing to read 'C. Huther', with a long horizontal line extending to the right.

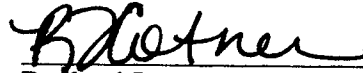
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DATED: February 22, 2006

**CERTIFICATE OF SERVICE**

I, Rachael Cotner, certify that on February 22, 2006, I caused a copy of Verizon's Petition to Intervene successfully served by electronic and U.S. mail, to each of the persons listed below.



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