BEFORE THE REC'D TH TENNESSEE REGULATORY AUTHORETY ATORY AUTH. NASHVILLE, TENNESSEE 199 MAY 26 AM 11 54

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OFFINE OF THE OFFINE OF THE SECRETARY Docket No. 99-06347
) Docket No. 99-00347
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PETITION FOR LEAVE TO INTERVENE OF INTERMEDIA COMMUNICATIONS INC.

INTERMEDIA COMMUNICATIONS INC. ("Intermedia"), by its undersigned counsel, and pursuant to T.C.A. § 4-5-310, hereby respectfully petitions the Tennessee Regulatory Authority (the "Authority") for leave to intervene in the above-captioned proceeding. In support thereof, Intermedia states as follows:

- 1. Intermedia is a Delaware corporation with corporate headquarters located at 3625 Queen Palm Drive, Tampa, Florida 33619. Intermedia is a multistate provider of telecommunications services, and is a certificated provider of competitive local exchange services in Tennessee.
- 2. Communications concerning this petition should be addressed to the following counsel-of-record:

H. LaDon Baltimore FARRAR & BATES, LLP 211 7th Avenue South, Suite 420 Nashville, Tennessee 37219 (615) 254-3060 (615) 254-9835 (facsimile) and

Jonathan E. Canis Enrico C. Soriano KELLEY DRYE & WARREN LLP 1200 19th Street, N.W., Fifth Floor Washington, D.C. 20036 (202) 955-9600 (202) 955-9792 (facsimile)

Copies of any and all submissions in this proceeding also should be sent to:

Scott Sapperstein
Intermedia Communications Inc.
3625 Queen Palm Drive
Tampa, Florida 33619
(813) 829-4093
(813) 829-4923 (facsimile)

- 3. On May 12, 1999, AT&T Communications of South Central States, Inc. ("AT&T") petitioned the Authority to convene a proceeding to initiate an independent third party testing program of BellSouth Telecommunications, Inc.'s ("BellSouth") operations support systems ("OSS"). By Notice dated May 19, 1999, the Authority invited interested parties to file comments relating to AT&T's request. By this petition, Intermedia seeks permission to file comments and otherwise participate in this proceeding.
- 4. As a certificated provider of competitive local exchange services in Tennessee,
 Intermedia is critically interested in the outcome of the instant proceeding. As a carrier that
 interconnects with, and purchases resale services and unbundled network elements from
 BellSouth, Intermedia's interests will be directly affected by the Authority's determinations in this
 case. More specifically, Intermedia's ability to compete meaningfully in the Tennessee local
 exchange market is dependent, in part, on the adequacy of BellSouth's operations support

systems. To the extent to which this proceeding is designed to test and evaluate the capabilities of BellSouth's OSS and ultimately to determine whether nondiscriminatory access is being provided by BellSouth to competing carriers, Intermedia has a cognizable personal stake in the outcome o the proceeding.

5. Intermedia seeks full participation in this proceeding, including but not limited to, filing comments, testimony, briefs, and other pleadings; sponsoring and cross-examining witnesses; propounding discovery requests; and receiving copies of any and all filings.

6. Intermedia has special knowledge and/or expertise which may assist the Authority in addressing the issues in this proceeding. In particular, Intermedia has actively participated in at least two state proceedings dealing with issues similar to those now before the Authority. Likewise, Intermedia's participation will not unreasonably broaden the issues, burden the record, or delay the proceeding. Similarly, no other party to this proceeding can fully represent Intermedia's unique interests.

WHEREFORE, Intermedia Communications Inc. respectfully requests that the Authority grant it leave to intervene.

Respectfully submitted,

INTERMEDIA COMMUNICATIONS INC.

H. LaDon Baltimore

FARRAR & BATES, LLP

211 7th Avenue South, Suite 420

Nashville, Tennessee 37219

(615) 254-3060

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and

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Of Counsel:

Scott Sapperstein Intermedia Communications Inc. 3625 Queen Palm Drive Tampa, Florida 33619 (813) 829-4093 (813) 829-4923 (facsimile)

ITS ATTORNEYS

Dated: May 26, 1999

CERTIFICATE OF SERVICE

I, H. LaDon Baltimore, certify that I have on this 26th day of May, 1999, caused to be served a copy of the foregoing Petition for Leave to Intervene of Intermedia Communications Inc. upon the following parties, by first class U.S. mail, postage prepaid:

Bennett J. Ross
BellSouth Telecommunications
675 W. Peachtree St. N.E.
Suite 4300
Atlanta, GA 30375

Guy Hicks General Counsel BellSouth Telecommunications 33 Commerce Street Suite 2101 Nashville, TN 37201

Jim Lamoureux AT&T Suite 700 511 Union Street Nashville, TN 37219

H LaDon Baltimore