Jerold G. Oldroyd, Esq. (#2453) Sharon M. Bertelsen, Esq. (#9759) Theresa A. Foxley, Esq. (#12093) Ballard Spahr LLP 201 South Main Street, Suite 800 Salt Lake City, Utah 84111-2221 Telephone: (801) 531-3000 Facsimile: (801) 531-3001 OldroydJ@ballardspahr.com BertelsenS@ballardspahr.com FoxleyT@ballardspahr.com

## **Attorneys for Comcast Cable Communications, LLC**

Submitted September 21, 2010

## BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

	)	
In the Matter of the Consolidated Applications	)	Docket No. 10-035-97
of Rocky Mountain Power for Approval of	)	
Standard Reciprocal and Non-reciprocal Pole	)	PETITION TO INTERVENE
Attachment Agreements	)	
	)	

Pursuant to Utah Code Ann. § 63G-4-207 and Utah Admin. Code § R746-100-7, Comcast Cable Communications, LLC, on behalf of its operating subsidiaries and affiliates ("Comcast"), respectfully petitions the Public Service Commission of Utah (the "Commission") for leave to intervene in the above-captioned matter concerning the Applications of Rocky Mountain Power for Approval of Standard Reciprocal and Non-reciprocal Pole Attachment Agreements ("Applications"). In support of its petition, Comcast represents and states as follows:

1. Comcast, through its subsidiary, Comcast Phone of Utah, LLC, is authorized to provide public telecommunications services within the State of Utah and is in compliance with

the requirements of the Certificate.<sup>1</sup> Comcast by and through its subsidiaries, is the nation's largest cable operator with cable systems in Utah and provides video services and broadband services.

- 2. As a provider of telecommunications services, video services, and broadband services in Utah, Comcast is attached to more than 175,000 poles in Utah. As such, Comcast is directly impacted by the Application of Rocky Mountain Power, which could potentially result in cost increases or delays. Thus, Comcast's legal interests would be substantially and directly affected by the outcome of this proceeding.
- 3. Comcast's legal interests, absent its intervention, would not be adequately represented by any other party to this proceeding.
- 4. The interests of justice and the orderly and prompt conduct of this proceeding will not be materially impaired by allowing Comcast to intervene.

WHEREFORE, Comcast respectfully requests that the Commission enter an Order granting Comcast's Petition to Intervene as a party in this docket, allowing Comcast to participate to the full extent allowed under the Commission's rules and Utah law.

RESPECTFULLY SUBMITTED this 21st day of September, 2010.

## **Comcast Cable Communications, LLC**

/s/ Sharon M. Bertelsen
Jerold G. Oldroyd, Esq.
Sharon M. Bertelsen, Esq.
Theresa A. Foxley, Esq.
BALLARD SPAHR LLP
One Utah Center, Suite 800
201 South Main Street
Salt Lake City, Utah 84111-2221

2

Certificate of Public Convenience and Necessity No. 2383 ("Certificate") was issued in Utah Docket No. 01-2383-01 on January 11, 2002, to AT&T Broadband Phone of Utah, LLC. On February 12, 2003, the Commission approved a name change to Comcast Phone of Utah, LLC. *See* Docket No. 03-2383-01.

## **CERTIFICATE OF SERVICE**

I hereby certify that on the 21st day of September, 2010, an original, five (5) true and correct copies, and an electronic copy of the foregoing **PETITION TO INTERVENE** were hand-delivered to:

Julie Orchard Commission Secretary Public Service Commission of Utah Heber M. Wells Building, Fourth Floor 160 East 300 South Salt Lake City, Utah 84114 psccal@utah.gov

and a true and correct copy, was hand-delivered to:

Patricia Schmid Assistant Attorney General Heber M. Wells Building, Fifth Floor 160 East 300 South Salt Lake City, Utah 84111

Michele Beck, Director Office of Consumer Services 160 East 300 South, Second Floor Salt Lake City, UT 84111 Philip Powlick, Director Division of Public Utilities Heber M. Wells Building, Fourth Floor 160 East 300 South Salt Lake City, Utah 84111

Paul Proctor Assistant Attorney General Heber M. Wells Building, Fifth Floor 160 East 300 South Salt Lake City, UT 84111 and a true and correct copy was electronically mailed to:

Linda Wallace NextG Networks, Inc. 2216 O'Toole Avenue San Jose, CA 95131

Daniel E. Solander Rocky Mountain Power 201 South Main Street, Suite 2300 Salt Lake City, UT 84111

Stephen F. Mecham Callister Nebeker & McCullough 10 East South Temple, Suite 900 Salt Lake City, UT 84133

Cathy Murray Integra Telecom 6160 Golden Hills Drive Golden Valley, MN 55416 Kira M. Slawson Blackburn & Stoll, LC 257 East 200 South, Suite 800 Salt Lake City, UT 84111-2048

Barbara Ishimatsu Rocky Mountain Power 201 South Main Street, Suite 2300 Salt Lake City, UT 84111

Curt Huttsell Frontier Communications 1387 West 2250 South Woods Cross, UT 84087

Norman G. Curtright Qwest Corporation 20 E. Thomas Road, 16<sup>th</sup> Floor Phoenix, AZ 85012

/s/ Sharon M. Bertelsen