Celebrity Builders 735 East 9000 South #100 Sandy, Utah 84094 Tele: 801-565-8100 Fax: 801-568-1400

Submitted October 10, 2004

## **BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

IN THE MATTER OF QWEST CORPORATION'S LAND DEVELOPMENT AGREEMENTS (LDA) TARIFF PROVISIONS

## Docket No. 03-049-62

## CELEBRITY BUILDERS PETITION TO INTERVENE

Pursuant to Utah Code Ann.  $\xi$  63-46b-9 and Utah Admin. Rule 746-100-7, Celebrity Builders respectfully petitions the Public Service Commission of Utah (the "Commission") for leave to intervene in the above-captioned proceeding concerning Qwest Corporation's Land Development Agreements tariff provisions in the state of Utah. In support of its petition, Celebrity Builders represents and states as follows:

1. Celebrity Builders is a Developer/ Home Builder, developing and building over 50 homes per year in residential subdivisions throughout the state of Utah and specifically along the Wasatch Front.

2. As a Developer/ Home Builder, Celebrity Builders is required by law to provide utilities, including telephone service, to the building lots we develop and /or the homes we build in Utah. The outcome of Qwest Corporation's LDA Tariff docket could result in significant added costs to consumers. This is due to increased development and home building time, caused by slow response time to project timetables on the part of

telephone and other utilities to Celebrity Builders. Thus, the legal interests of Celebrity Builders could be directly affected by the outcome of this proceeding.

3. The interests of justice and the orderly and prompt conduct of this proceeding will not be impaired by allowing Celebrity Builders to intervene.

WHEREFORE, Celebrity Builders respectfully requests that the Commission enter an Order graining Celebrity Builders Petition to Intervene as a party in this docket, allowing Celebrity Builders to participate to the full extent allowed by the rules of the Commission and by Utah Law.

RESPECTFULLY SUBMITTED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

Celebrity Builders

By: Mike Allred Title: Construction Manager

## **CERTIFICATE OF SERVICE**

I hereby certify that on the \_\_\_\_\_day of \_\_\_\_\_, an original, with five (5) true and

correct copies and an electronic copy, of Celebrity Builders PETITION TO INTERVENE was handdelivered 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 Imathie@utah.gov

and a true and correct copy was mailed, postage prepaid thereon, to:

Michael L. Ginsberg Patricia E. Schmid Division of Public Utilities Heber M. Wells Building, Fourth Floor 160 East 300 South Salt Lake City, Utah 84114

Jerold G. Oldroyd Jennifer Rigby Sharon M. Bertelsen Ballard Spahr Andrews & Ingersoll, LLP 201 South Main Street, Suite 600 Salt Lake City, Utah 84111

Kevin M. McDonough Mismash & McDonough, LLC 136 South Main Street, Suite 404 Salt Lake City, Utah 84101 Reed T. Warnick Oliwia Smith Committee of Consumer Services Heber M. Wells Building, Fourth Floor 160 East 300 South Salt Lake City, Utah 84114

Gregory B. Monson David L. Elmont Stoel Rives LLP 201 South Main Street, Suite 1100 Salt Lake City, Utah 84111

Robert C. Brown Qwest Corporation 1801 California Street, 47<sup>th</sup> Floor Denver, Colorado 80202

Laura Scholl Qwest Corporation 250 Bell Plaza, Suite 1603 Salt Lake City, Utah 84111