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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CLEAR WAVE COMMUNICATIONS, L.C.,
a Utah limited liability company, EAST WIND
ENTERPRISES, LLC, a Utah limited liability
company, PROHILL, INC., a Utah corporation
dba MERIDIAN COMMUNICATIONS OF
UTAH,

Complainants,

vs.

QWEST CORPORATION, a Colorado
corporation,

Respondent.

DOCKET NO. 04-049-06

PETITION OF SBS
TELECOMMUNICATIONS, INC. TO
INTERVENE

Pursuant to Rule R746-100-07 of the Commission's Rules of Practice and Procedure, Utah Code Ann. § 63-46b-9 and the August 2, 2004 Notice of Scheduling Conference in this Docket, SBS TELECOMMUNICATIONS, INC. (hereinafter "SBS"), by and through its attorneys of record, Mismash & McDonough, LLC, respectfully petitions the Public Service Commission of Utah for leave to intervene in the above captioned Docket.

In support of this Petition, SBS asserts:

1. SBS is a private company engaged in the business of providing developers/builders with telecommunications network development services and facilities for new housing development projects. In this capacity, SBS acts as an Option 2 Contractor pursuant to the LDA Tariff terms.
2. SBS has a direct and substantial interest in this proceeding which "will set the precedent for how the LDA terms will be applied to pending or future disputes related to the LDA Tariff terms [currently in effect]".¹
3. SBS is similarly situated to the Complainants in this Docket, having sustained economic injury as a result of Qwest's failure to adequately reimburse SBS for services performed by SBS as an Option 2 Contractor; and as related to the LDA Tariff.
4. SBS's intervention and participation in this matter will not materially impair the prompt and orderly conduct of these proceedings.

SBS requests that copies of all notices and filings in this docket be served on:

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NOW THEREFORE, SBS respectfully requests that the Commission enter an Order granting SBS's petition to intervene in this docket allowing SBS to participate to the full extent allowed by law.

¹ August 2, 2004 Notice of Scheduling Conference, Docket 04-049-06

DATED this the 7th day of September, 2004.

/S/

Kevin M. McDonough
Attorney for SBS Telecommunications, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this the 7th day of September, 2004, I caused to be delivered via electronic transmission and by U.S. Mail, postage prepaid, a true and correct copy of the foregoing PETITION OF SBS TELECOMMUNICATIONS, INC. TO INTERVENE to the following individual:

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