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**Attorneys for Comcast Cable Communications, LLC**

Submitted March 26, 2012

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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In the Matter of the Joint Petition of Rocky Mountain Power and Qwest Corporation d/b/a CenturyLink for Approval of an Electronic Notification System for Pole Attachments )  
) Docket No. 11-035-199  
) **PETITION TO INTERVENE**  
)  
)

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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 Joint Petition of Rocky Mountain Power and Qwest Corporation d/b/a CenturyLink (“CenturyLink”) for Approval of an Electronic Notification System (“ENS”) for the establishment and management of the pole attachment relationship between pole owners and attaching entities (“Joint Petition”). In support of its Petition to Intervene, 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.<sup>1</sup> Comcast by and through its subsidiaries, is the nation's largest cable operator. Comcast operates cable systems in Utah, providing telecommunications, video, and broadband services.

2. As a provider of telecommunications services, video services, and broadband services in Utah, Comcast is attached to approximately 179,000 poles in Utah, the majority of which are owned and/or controlled by Rocky Mountain Power or CenturyLink. If the ENS described in the Joint Petition is approved by the Commission and adopted in the State of Utah, Comcast, as an attaching entity, may be required to use the ENS to submit applications for permission to attach, relocate, or remove equipment under the terms of a Safe Harbor Pole Attachment Agreement or pursuant to an alternative negotiated pole attachment agreement.<sup>2</sup> As such, Comcast is directly impacted by the Joint Petition because 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.

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<sup>1</sup> Certificate of Public Convenience and Necessity No. 2383, Docket No. 01-2383-01, issued January 11, 2002, to AT&T Broadband Phone of Utah, LLC, with a name change in Docket No. 03-2383-01, on February 12, 2003, to Comcast Phone of Utah, LLC.

<sup>2</sup> See Utah Admin. Code § R746-345-3. See also Utah Pole Attachment Agreement ("Standard Contract" aka "Safe Harbor"), *In the Matter of an Investigation into Pole Attachments; In the Matter of the Consolidated Applications of Rocky Mountain Power for Approval of Standard Reciprocal and Non-Reciprocal Pole Attachment Agreements*; Docket No. 04-999-03 and Docket No. 10-035-97, Report Re-Circulating "Safe Harbor" Pole Attachment Agreement (October 7, 2010), Article I, Definitions, and Article III, Section 3.01; and Utah Pole Attachment Agreement, *In the Matter of an Investigation into Pole Attachments*, Docket No. 04-999-03, Order Approving Pole Attachment Contracts of Qwest Corporation (August 28, 2006), Article I, Definitions, and Article III, Section 3.01.

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 26th day of March 2012.

**Comcast Cable Communications, LLC**

/s/ Sharon M. Bertelsen

Jerold G. Oldroyd, Esq.

Sharon M. Bertelsen, Esq.

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## CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of March, 2012, an original, five (5) true and correct copies, and an electronic copy of the foregoing **PETITION TO INTERVENE** were hand-delivered to:

Gary L. Widerburg  
Commission Secretary  
Public Service Commission of Utah  
Heber M. Wells Building, Fourth Floor  
160 East 300 South  
Salt Lake City, UT 84111  
[psc@utah.gov](mailto:psc@utah.gov)

and a true and correct copy, was hand-delivered or electronically mailed to the addresses below:

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/s/ Sharon M. Bertelsen

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