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Attorney for Qwest

**BEFORE THE
UTAH PUBLIC SERVICE COMMISSION**

IN THE MATTER OF THE APPLICATION OF)
BEEHIVE TELECOM, INC. FOR AN)
AMENDED CERTIFICATE OF PUBLIC) DOCKET NO. 09-051-02
CONVENIENCE AND NECESSITY TO)
PROVIDE LOCAL EXCHANGE SERVICES)
WITHIN THE STATE OF UTAH)

PETITION TO INTERVENE

Qwest Corporation and Qwest Communications Corporation (collectively “Qwest”), pursuant to R476-100-7 and Utah Code § 63-46b-9, respectfully petition the Utah Public Service Commission to allow intervention in the above-styled docket. Pursuant to the Scheduling Order and Notice of Hearing, issued June 16, 2009, Qwest submits this Petition timely. As grounds for such intervention, Qwest states that it has legal rights or interests that are or may be substantially affected by these proceedings; that there are facts which support this position detailed below; and that Qwest requests that it be allowed intervention and discovery to determine if its rights or interests are or may be jeopardized by approval of the amended petition filed by Beehive Telecom, Inc. (“Beehive”).

BACKGROUND. Beehive Telecom is a CLEC seeking an amendment of its Certificate of Public Convenience and Necessity (“CPCN”) to allow it to serve any part of or all of the service territory of Incumbent Local Exchange Carriers (“ILECS”) in Utah, excluding those exchanges with less than 5,000 access lines that are served by ILECs with fewer than 30,000 access lines. Qwest Communications, Inc. (“QC”) is the ILEC with the largest number of access lines in Utah, and operates local exchanges statewide. Qwest Communications Company, LLC (“QCC”) is the long-distance affiliate of QC. QC originates traffic bound for Beehive, terminates traffic in its exchanges that originated in Beehive’s exchange(s), and in the case of intraLATA interexchange services, transports toll traffic to and from Beehive. QCC transports interstate toll traffic for termination directly or indirectly to and from Beehive, and if QCC is the Beehive local exchange customer’s long distance provider, transports interstate toll traffic from Beehive’s exchange(s) to the destination local exchange. As the ILEC in a number of exchanges in which Beehive petitions to compete directly, as an IXC which is bound by law to transport traffic to and from Beehive exchanges, and as a wholesale provider which must interconnect with CLECs upon request, Qwest has direct legal rights and interests relating to the amended certificate requested by Beehive, and in accordance with Utah Code 63G-4-207, is entitled to intervention in this proceeding. Qwest has previously expressed its concerns about the relationship between the Beehive companies and All American Telephone Co., Inc. regarding traffic pumping and will not repeat them here, except to reinforce Qwest’s position that this docket substantially affects Qwest’s legal rights and interests. Finally, there are no other parties to this case that are identically situated and could adequately represent Qwest’s legal rights and interests.

WHEREFORE, Qwest respectfully requests that the Utah Public Service Commission: (1) grant Qwest immediate intervention in this proceeding and any others related; (2) grant authority to

Qwest to pursue discovery according to Commission rules; and (3) grant such other relief as it deems necessary and appropriate.

Respectfully submitted,

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George Baker Thomson, Jr.
Corporate Counsel
Qwest Corporation

Dated: July 17, 2009

CERTIFICATE OF SERVICE

I hereby certify that the original and five copies of the foregoing **QWEST'S PETITION TO INTERVENE** were sent via overnight delivery on July 17, 2009 to:

Julie P. Orchard
Commission Administrator
Utah Public Service Commission
Heber M. Wells Building, 4th Floor
160 East 300 South
Salt Lake City, UT 84111

and a true and correct copy was sent to:

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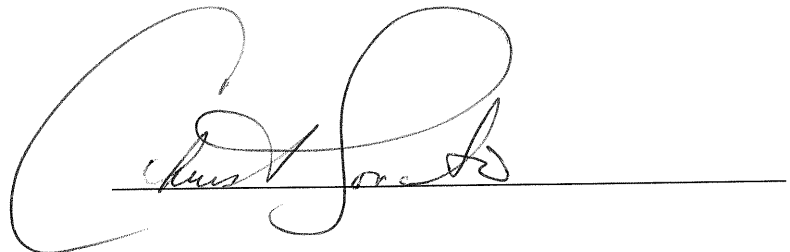
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A handwritten signature in black ink, appearing to read "Stephen F. Mecham", is written over a horizontal line.