2008.10.07 09:08:31 Kansas Corporation Commission /S/ Susan K. Duffy

## THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:	Thomas E. Wright, Chairman Michael C. Moffet Joseph F. Harkins	
Petition of Sprint Communications	)	
Company L.P., Sprint Spectrum L.P.	, and )	
Nextel West Corp., d/b/a Sprint, to C	onduct )	
General Investigation into the Intrast	ate )	
Access Charges of United Telephone	) Docket No. 08-C	
Company of Kansas, United Telepho	ne )	

STATE CORPORATION COMMISSION

OCT 07 2008

Susan Talify

Docket No. 08-GIMT-1023-GIT

## **PETITION TO INTERVENE**

)

)

)

)

COMES NOW, the Citizens' Utility Ratepayer Board ("CURB") and moves the

Corporation Commission of the State of the Kansas ("Commission") for an order permitting it to intervene in the above-captioned proceeding. In support of its petition, CURB states and alleges as follows:

1. CURB is composed of five volunteer consumer advocate members and is statutorily authorized to represent the interests of Kansas residential and small commercial

ratepayers in utility proceedings.

Company of Eastern Kansas, United

Southeastern Kansas, d/b/a Embarg.

Telephone Company of South Central

Kansas, and United Telephone Company of

2. CURB's Consumer Counsel has been given the discretion to intervene and

represent the interests of Kansas residential and small commercial ratepayers in any utility proceeding before the Commission under K.S.A. 66-1223 et seq.

3. On May 19, 2008, Sprint Communications Company L.P., Sprint Spectrum L.P., and Nextel West Corporation (collectively, "Sprint") filed a petition with the Kansas Corporation Commission requesting a general investigation into the intrastate access charges of United Telephone Company of Kansas, United Telephone Company of Eastern Kansas, United Telephone Company of South Central Kansas, and United Telephone Company of Southeastern Kansas (collectively, "Embarq").

4. CURB is requesting permission to intervene in this docket to represent the interests of the residential and small commercial ratepayers of Kansas. The rates paid and the service received by those customers will or may be affected by any Commission order or activity in this proceeding.

5. The representation of CURB's interests in this proceeding by existing parties is or may be inadequate.

6. The residential and small commercial ratepayers whose interests CURB represents will or may be bound by any Commission order or activity in this proceeding and will or may be adversely affected thereby.

WHEREFORE, CURB RESPECTFULLY REQUESTS THE Commission grant its Petition for Intervention in this Docket.

Respectfully submitted,

for C. Grever Remit

C. Steven Rarrick #13127 Citizens' Utility Ratepayer Board 1500 SW Arrowhead Road Topeka, KS 66604 (785) 271-3200 (785) 271-3116 Fax

## VERIFICATION

STATE OF KANSAS ) ) ss: COUNTY OF SHAWNEE

I, C. Steven Rarrick, of lawful age, being first duly sworn upon his oath states:

That he is an attorney for the above named petitioner; that he has read the above and foregoing Intervention, and, upon information and belief, states that the matters therein appearing are true and correct.

for (Steven Ravide

C. Steven Rarrick

SUBSCRIBED AND SWORN to before me this 7th day of October, 2008.

Notary of Public

My Commission expires: <u>8-03-2009</u>.

	SHONDA D. SMITH
	Notary Public - State of Kansas
My A	ppt. Expires August 3, 2009

## CERTIFICATE OF SERVICE

08-GIMT-1023-GIT

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was placed in the United States mail, postage prepaid, or hand-delivered this 7th day of October, 2008, to the following:

KEVIN ZARLING, ATTORNEY/KSOPKJ04-4013 EMBARQ COMMUNICATIONS, INC. 5454 W 110TH STREET OVERLAND PARK, KS 66211-1204 Fax: 913-345-7955 kevin.k.zarling@embarq.com

ROBERT LEHR, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 Fax: 785-271-3354 b.lehr@kcc.ks.gov \*\*\*\* Hand Deliver \*\*\*\*

BRUCE A NEY, ATTORNEY, ROOM 515 SOUTHWESTERN BELL TELEPHONE CO. 220 EAST SIXTH STREET TOPEKA, KS 66603 Fax: 785-276-1948 bruce.ney@att.com

KENNETH A. SCHIFMAN, ATTORNEY/MS: KSOPHN0212-2A303 SPRINT COMMUNICATIONS COMPANY L.P. 6450 SPRINT PKWY OVERLAND PARK, KS 66251 Fax: 913-523-9827 kenneth.schifman@sprint.com MELISSA HUNSICKER WALBURN, LITIGATION COUNSE: KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 Fax: 785-271-3354 m.walburn@kcc.ks.gov \*\*\*\* Hand Deliver \*\*\*\*

LUKE A. SOBBA, ATTORNEY MORRIS LAING EVANS BROCK & KENNEDY CHTD SUITE 1310 800 SW JACKSON TOPEKA, KS 66612-1216 Fax: 785-232-9983 lsobba@morrislaing.com

DIANE C. BROWNING, ATTORNEY/KSOPHN0212-2A411 SPRINT COMMUNICATIONS COMPANY L.P. 6450 SPRINT PKWY OVERLAND PARK, KS 66251 Fax: 913-523-0571 diane.c.browning@sprint.com

Shonda Smith