



INTERVENTION

ORIGINAL

Arizona Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION

DEC 21 2000

2000 DEC 21 P 12:09

CARL J. KUNASEK
Chairman
JAMES M. IRVIN
Commissioner
WILLIAM A. MUNDEL
Commissioner

DOCKETED BY [Signature]

AZ CORP COMMISSION
DOCUMENT CONTROL

**IN THE MATTER OF U S WEST
COMMUNICATIONS, INC.'S
COMPLIANCE WITH § 271 OF THE
TELECOMMUNICATIONS ACT OF 1996**

Docket No. T-00000A-97-0238

**APPLICATION FOR LEAVE TO INTERVENE
OF TESS COMMUNICATIONS, INC.**

TESS Communications, Inc. ("TESS"), through its attorney, M. Andrew Andrade, hereby files its Application for Leave to Intervene in accordance with the rules of the Arizona Corporation Commission ("Commission"). In support of its Application, TESS states as follows:

1. TESS is a competitive local exchange provider in the state of Arizona and is directly and substantively affected by this proceeding concerning Qwest Corporation's (formerly U S WEST Communications, Inc.) ("Qwest") compliance with § 271 of the Telecommunications Act of 1996.

2. TESS provides local exchange telecommunications services in Arizona and other states over its own facilities and through the resale of Qwest's services. TESS has entered into an Interconnection Agreement with Qwest, making TESS a wholesale customer of Qwest in addition to a competitor with Qwest. Thereby, TESS has a direct interest in collocation, interconnection, OSS, UNEs, transport, reciprocal compensation arrangements and the other §271 checklist items.

3. TESS's delay in filing its Application for Leave to Intervene is due to its fairly recent entry into the market. TESS is a small company that started business in early 1999 with an Interconnection Agreement with U S WEST Communications, Inc. and a handful of retail customers. At that time, TESS did not have the resources to participate in this proceeding.

4. In the last six months TESS' customer base has grown dramatically, resulting in substantially more interaction with Qwest. TESS currently provides local exchange telecommunication services to over 200 retail customers in Arizona.

5. Unlike many competitive local exchange carriers in Arizona, TESS is a facilities based provider targeting residential and small business customers in historically underserved areas within Qwest's service area. As such, TESS has unique issues that other intervenors will likely not address in this proceeding. TESS' intervention would further the pro-competitive goals of the federal Telecommunications Act of 1996 and the Arizona Corporations Commission, in addition to furthering the public interest. TESS' intervention, however, would not unduly broaden the scope of this proceeding.

6. TESS will be represented in this proceeding by the counsel listed below.

7. Pleadings, notices, testimony, exhibits and other papers should be served on:

M. Andrew Andrade, Esq.
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(303) 779-4800
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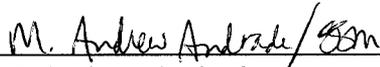
Copies of all pleadings, documents, testimony, exhibits and other papers should also be served on:

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WHEREFORE, for the reasons stated above, TESS requests that the Commission enter an order granting its Application for Leave to Intervene.

Dated this 19th day of December, 2000.

Respectfully submitted,



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ATTORNEY FOR TESS COMMUNICATIONS,
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CERTIFICATE OF SERVICE

I hereby certify that the original and 10 copies of the Application for Leave to Intervene of TESS Communications, Inc. in Docket No. T-00000A-97-0238, were sent via overnight delivery this 19th day of December, 2000, to:

Arizona Corporation Commission
Docket Control – Utilities Division
1200 West Washington Street
Phoenix, AZ 85007

and that a copy of the foregoing was sent via overnight delivery this 19th day of December, 2000 to the following:

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and a true and correct copy of the foregoing was sent via United States Mail, postage prepaid, on the 19 day of December, 2000 to the following:

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