

IN THE SUPREME COURT OF OHIO

THE OFFICE OF THE OHIO
CONSUMERS' COUNSEL,

Appellant,

v.

THE PUBLIC UTILITIES COMMISSION
OF OHIO,

Appellee.

Case No. 2007-0570

Appeal from the Public Utilities
Commission of Ohio

Public Utilities Commission of
Ohio Case No. 06-1002-TP-BLS

**MOTION OF CINCINNATI BELL TELEPHONE COMPANY LLC
FOR LEAVE TO INTERVENE AS APPELLEE**

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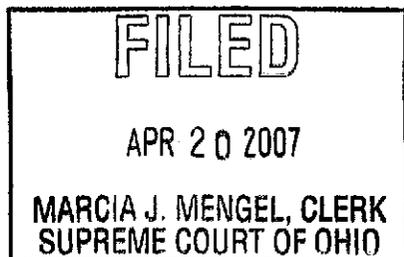
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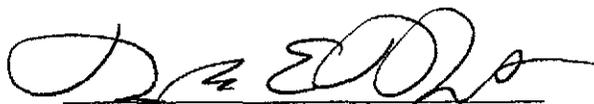
**MOTION OF CINCINNATI BELL TELEPHONE COMPANY LLC
FOR LEAVE TO INTERVENE AS APPELLEE**

Cincinnati Bell Telephone Company LLC hereby moves for leave to intervene as intervening appellee in this matter. This case is before the court on the appeal of the Office of the Ohio Consumers' Counsel ("OCC") from the November 28, 2006 Opinion and Order and the January 31, 2007 Entry on Rehearing of the Public Utilities Commission of Ohio in *In the Matter of the Application of Cincinnati Bell Telephone Company LLC for Approval of an Alternative Form of Regulation of Basic Local Exchange Service and Other Tier 1 Services Pursuant to Chapter 4901:1-4, of the Ohio Administrative Code*, Case No. 06-1002-TP-BLS. CBT was the applicant in that proceeding in which the Commission granted CBT's application for alternative regulation of basic local exchange service in two exchanges. CBT has already implemented the rate changes authorized by the Commission's order. By this appeal, the OCC seeks to reverse the Commission's order granting CBT's application as well as to challenge the Commission's underlying rules.

CBT has a real and substantial interest in this appeal as the applicant below and a party whose rights will be affected directly by the decision herein. The OCC's position is squarely in conflict with CBT's interests. If the Court grants the relief sought in the OCC's appeal, CBT would be precluded from exercising its right under Chapter 4901:104, Ohio Administrative Code, to alternative regulation of its basic local exchange service in the subject exchanges, rights which have already been implemented. CBT's intervention in this matter is necessary to protect its interests inasmuch as no existing party adequately represents CBT's interests in this appeal. CBT's participation in this appeal will not cause undue delay, will not unjustly prejudice any party and will contribute to the just and expeditious resolution of the issues. Accordingly, CBT moves to intervene in order to support the Commission's decision below and protect its interests.

Wherefore, CBT respectfully requests that it be granted full status in this appeal as an Intervening Appellee in support of the Commission.

Respectfully submitted,

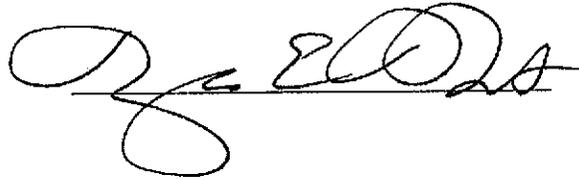


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Dated: April 20, 2007

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon David C. Bergmann, Assistant Consumers' Counsel, Office of the Ohio Consumers' Counsel, 10 West Broad Street, Suite 1800, Columbus, Ohio 43215-3485, and upon Duane W. Luckey, Senior Deputy Attorney General, Public Utilities Section, 180 E. Broad Street, 9th Floor, Columbus, OH 43215-3793, by regular U.S. Mail, postage prepaid, this 20th day of April, 2007.

A handwritten signature in black ink, appearing to read "Duane W. Luckey", written over a horizontal line.