

IN THE SUPREME COURT OF OHIO

THE OFFICE OF THE OHIO CONSUMERS' COUNSEL,)	CASE NO. 07-0659
)	
Appellant,)	On Appeal From
)	The Public Utilities
v.)	Commission of Ohio
)	
THE PUBLIC UTILITIES COMMISSION OF OHIO,)	Public Utilities Commission of Ohio
)	Case No. 06-1013-TP-BLS
)	
Appellee.)	

MOTION OF AT&T OHIO
FOR LEAVE TO INTERVENE AS APPELLEE

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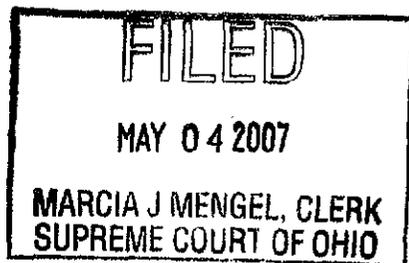
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MOTION OF AT&T OHIO
FOR LEAVE TO INTERVENE AS APPELLEE

AT&T Ohio¹ moves for leave to intervene as an intervening appellee in support of the decisions of the Public Utilities Commission of Ohio in Case No. 06-1013-TP-BLS which are being challenged in this appeal. For the reasons discussed in this motion: 1) AT&T Ohio has an interest relating to the subject of this appeal; 2) the disposition of the action may impair or impede its ability to protect that interest; and 3) its interest is not adequately represented by existing parties.

This appeal is taken from the December 20, 2006 Opinion and Order and the February 14, 2007 Entry on Rehearing of the Commission in Case No. 06-1013-TP-BLS, in which the Commission authorized AT&T Ohio to implement an alternative form of regulation for basic local exchange service. Appellant, the Office of the Ohio Consumers' Counsel, opposed the relief that was requested by AT&T Ohio and that was granted by the Commission.

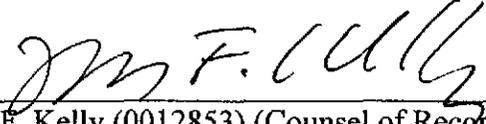
As the applicant in the case before the Commission and as the prevailing party with regard to the issues on appeal herein, AT&T Ohio has a real and substantial interest in the appeal. Any determination on appeal that the Commission erred must necessarily be adverse to AT&T Ohio. AT&T Ohio's interest in this matter is not adequately protected by the appellee, the Public Utilities Commission of Ohio. As a public body with defined duties and authority, the

¹ The Ohio Bell Telephone Company does business under the name AT&T Ohio, and it was identified as such in the Commission proceedings below.

Commission's interests in this case do not duplicate, subsume, or supplant AT&T Ohio's private and pecuniary interests.

WHEREFORE, AT&T Ohio respectfully prays that it be granted full status in this appeal as an intervening appellee.

Respectfully submitted,



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CERTIFICATE OF SERVICE

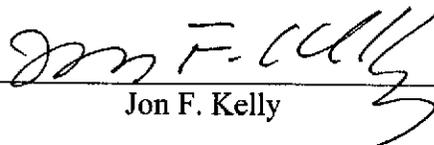
A copy of the foregoing Motion was sent by regular U.S. Mail, postage prepaid, this 4th day of May, 2007, upon the following counsel of record:

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