

Molly O'Leary (ISB No. 4996)  
Richardson & O'Leary PLLC  
515 North 27<sup>th</sup> Street  
P.O. Box 7218  
Boise, Idaho 83707  
Telephone: (208) 938-7900  
Fax: (208) 938-7904

RECEIVED  
2010 MAY 14 AM 11:19  
IDAHO PUBLIC  
UTILITIES COMMISSION

Attorneys for CTC Telecom, Inc.

**BEFORE THE  
IDAHO PUBLIC UTILITIES COMMISSION**

IN THE MATTER OF THE APPLICATION  
OF TRACFONE WIRELESS, INC., FOR  
DESIGNATION AS AN ELIGIBLE TELE-  
COMMUNICATIONS CARRIER

) CASE NO. TFW-T-09-01

) MOTION TO INTERVENE OUT OF  
) TIME AND PETITION TO INTERVENE  
) OF CTC TELECOM, INC., DBA  
) SNAKE RIVER PCS  
)  
)  
)

---

COMES NOW, CTC Telecom, Inc., dba Snake River PCS, hereinafter referred to as "Intervenor", and pursuant to this Commission's Rules of Procedure, Rule 71 IDAPA 31.01.01.71, hereby moves this Commission for leave to file this petition to intervene herein and to thereby appear and participate herein as a party, and as grounds therefore states:

1. The name and address of this Intervenor is:

CTC Telecom, Inc., dba Snake River PCS  
c/o Molly O'Leary  
Richardson & O'Leary, PLLC  
P.O. Box 7218  
Boise, Idaho 83707  
Telephone: (208) 938-7900

Fax: (208) 938-7904  
[molly@richardsonandoleary.com](mailto:molly@richardsonandoleary.com)

Copies of all pleadings, production requests, production responses, Commission orders, and other documents should be provided to:

Molly O'Leary  
Richardson & O'Leary, PLLC  
P.O. Box 7218  
Boise, Idaho 83707  
Telephone: (208) 938-7900  
Fax: (208) 938-7904  
[molly@richardsonandoleary.com](mailto:molly@richardsonandoleary.com)

2. CTC Telecom, Inc., d/b/a Snake River PCS, is a wireless Eligible Telecommunications Carrier (ETC) in Idaho and claims a direct and substantial interest in this proceeding in that it does not believe that designation of TracFone as an ETC is in the public interest.

3. CTC Telecom, Inc. intends to participate herein as a party, and if necessary, to introduce evidence, cross-examine witnesses, call and examine witnesses, and be heard in argument. The nature and quality of evidence which this Intervenor will introduce is dependent upon the nature and effect of other evidence in this proceeding.

4. Intervenor asserts that it was unaware of the earlier intervention deadline in this proceeding and, therefore, respectfully moves this Commission to allow it to intervene in the public interest. Without the opportunity to intervene herein, this Intervenor would be without any means of participation in this proceeding which may

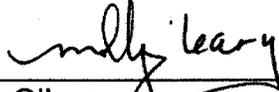
have a material impact on Intervenor and on the Commission's public interest criteria for designation of Eligible Telecommunications Carriers in Idaho's rural, high-cost areas.

5. Granting this Intervenor's motion and petition to intervene will not unduly broaden the issues nor will it prejudice any party to this case; rather, granting the petition will serve the public's interest.

6. Intervenor further requests that the Commission extend the Comment deadline in this matter to at least 45 days following the date the Commission grants its petition to intervene, to afford Intervenor the opportunity to review the record and supporting documentation, if any, and to propound appropriate discovery, if necessary.

**WHEREFORE**, CTC Telecom, Inc., respectfully moves the Commission to allow it to file its Petition to Intervene in this matter and requests that this Commission grant said petition and thereby allow Intervenor to appear and participate in all matters as may be necessary and appropriate; and to present evidence, call and examine witnesses, present argument and to otherwise fully participate in these proceedings.

DATED this 14<sup>th</sup> day of May, 2010.

By:   
Molly O'Leary  
RICHARDSON AND O'LEARY, PLLC  
Attorneys for CTC Telecom, Inc.

**CERTIFICATE OF SERVICE**

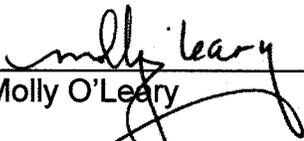
I HEREBY CERTIFY that on the 14th day of May, 2010, a true and correct copy of the within and foregoing MOTION TO INTERVENE OUT OF TIME AND PETITION TO INTERVENE BY CTC TELECOM, INC. was served as follows:

Jean Jewell  
Commission Secretary  
Idaho Public Utilities Commission  
472 West Washington  
Boise, Idaho 83702

U.S. Mail  
 Hand Delivery  
 Federal Express  
 Fax  
 Electronic Mail

Mitchell F. Brecher  
Debra McGuire Mercer  
GREENBERG TRAURIG, LLP  
2101 L Street, NW  
Suite 1000  
Washington, D.C. 20037  
[brechem@gtlaw.com](mailto:brechem@gtlaw.com)  
[mercercdm@gtlaw.com](mailto:mercercdm@gtlaw.com)

U.S. Mail  
 Hand Delivery  
 Federal Express  
 Fax  
 Electronic Mail

  
\_\_\_\_\_  
Molly O'Leary