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ORIGINAL

February 12, 2001

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RECORDS AND  
REPORTING

Mrs. Blanco S. Bayo  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850


Re: Docket No. 000121-TP (Performance Measurements)

Dear Mrs. Bayo:

Enclosed is an original and fifteen copies of Mpower Communications Corp.s' Petition to Intervene in the above-referenced docket, which we ask you to please file.

A copy of this letter is also enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties of record in this matter. Thank you.

Very Truly Yours,

  
John Kerkorian  
Regional Vice President  
Legal and Regulatory Affairs

cc: Parties of Record

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02128 FEB 15 2001

FPSC-RECORDS/REPORTING

*Done 2/16/01*

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Investigation into the Establishment of  
Operations Support Systems Permanent  
Performance Measures for Incumbent Local  
Exchange Telecommunications Companies

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Docket No.: 000121-TP  
Filed: February 12, 2001

**PETITION TO INTERVENE OF  
MPOWER COMMUNICATIONS CORP.**

Mpower Communications Corp. (Mpower), pursuant to Rule 28-106.205, Florida  
Administrative Code, files this Petition to Intervene and as grounds therefor states:

1. The name and address of Petitioner is:

Mpower Communications Corp.  
5607 Glenridge Drive  
Suite 300  
Atlanta, Georgia 30342  
(404) 554-1217 (telephone)  
(404) 554-2427 (fax)

2. Copies of all pleadings, notices, and orders in this Docket should be provided to:

John Kerkorian  
Mpower Communications Corp.  
5607 Glenridge Drive  
Suite 300  
Atlanta, Georgia 30342  
(404) 554-1217 (telephone)  
(407) 554-0010 (fax)

3. **Statement of Substantial Interests.** Mpower is a certified ALEC in the State of Florida. Mpower is authorized by the Florida Public Service Commission to provide local telecommunications services in the State of Florida. Because this proceeding will address issues regarding service quality measurements, enforcement measurements, benchmarks and analogs and an enforcement plan, the Commission's decisions in this docket will directly and substantially affect Mpower's interests.

DOCUMENT NUMBER - DATE

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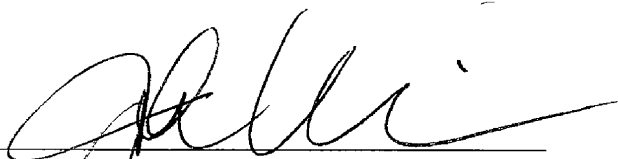
FPSC-RECORDS/REPORTING

4. Performance metrics set by the Commission in this proceeding are of utmost importance to Mpower's ability to provide service to Florida consumers.

5. **Statement of Material Facts in Dispute.** Petitioner is unable to identify disputes of material fact at this time.

6. **Ultimate Facts Alleged.** Comprehensive and effective performance measures are essential to ensure that ALECs receive nondiscriminatory access to OSS systems.

**WHEREFORE**, Mpower requests that its Petition to Intervene be granted and that it be accorded full party status in this docket.

A handwritten signature in black ink, appearing to read 'John Kerkorian', is written over a horizontal line.

John Kerkorian  
Mpower Communications Corp.  
5607 Glenridge Drive  
Suite 300  
Atlanta, Georgia 30342  
(404) 554-1217 (telephone)  
(407) 554-0010 (fax)

Attorney for Mpower Communications Corp.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of Petition to Intervene of MPower Communications Corp. has been furnished by hand delivery(\*) or U.S. mail on this 12<sup>th</sup> day of February 2001, to:

Tim Vaccaro  
Florida Public Service Commission  
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John Kerkorian