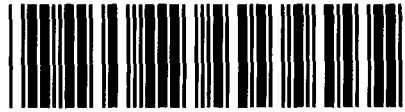


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PUC DOCKET NO. 48972

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**PETITION TO REVOKE PHONOSCOPE §
ENTERPRISES GROUP, LLC'S §
SERVICE PROVIDER CERTIFICATE §
OF OPERATING AUTHORITY UNDER §
PURA §§ 54.008 AND 54.105 AND §
16 TAC § 26.111 §**

**BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS**

PS LIGHTWAVE, INC.'S MOTION TO INTERVENE

NOW COMES, PS Lightwave, Inc. ("PS Lightwave") and files this Motion to Intervene in the above-referenced proceeding pursuant to the Public Utility Regulatory Act¹ and P.U.C. PROC. R. §§ 22.102, 22.103(b), and 22.104 and in support thereof would respectfully show as follows:

**I.
IDENTITY OF INTERVENOR**

The name and address of Movant is as follows:

PS Lightwave, Inc.
5959 Corporate Drive, Suite 3300
Houston, TX 77036

PS Lightwave is the holder of Service Provider Certificate of Operating Authority ("SPCOA") No. 60930 issued by the Public Utility Commission of Texas (the "Commission") on January 4, 2014 in Docket No. 42001 as renewed in Docket No. 42291 and amended in Docket No. 46566.

**II.
LEGAL REPRESENTATIVE**

The name, mailing address, telephone number and email address of PS Lightwave's authorized representative are as follows:

Miguel A. Huerta
Law Office of Miguel A. Huerta, PLLC
7500 Rialto Blvd., Ste. 250
Austin, Texas 78735

¹ TEX. UTIL. CODE ANN. §§ 11.001 et seq. ("PURA").

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Telephone: (512) 502-5544
Facsimile: (512) 532-0757
Email: miguel@mhuertalaw.com

PS Lightwave requests that the Commission and all parties to this proceeding serve copies of all correspondence, pleadings, briefs, discovery, discovery responses, and other documents upon PS Lightwave's representative at the address shown above.

III.
BASIS FOR INTERVENTION

On December 11, 2019, Commission Staff filed a petition to revoke the SPCOA of Phonoscope Enterprises Group, LLC ("PEG"). As the result of the settlement agreement ending litigation consolidated into Cause No. 2016-26733, *Phonoscope Light Wave, Inc.*², *et al. v. Phonoscope Enterprises Group, LLC, et al.*, in the 113th District Court of Harris County, Texas, PS Lightwave jointly owns or has an ownership interest in certain PEG network facilities. Therefore, PS Lightwave has standing to intervene pursuant to P.U.C. PROC. R. 22.103(b) on the basis that it has a justiciable interest which may be adversely affected by the outcome of this proceeding. In recognition of its justiciable interest, PS Lightwave hereby requests leave to intervene as a party to this docket.


IV.
CONCLUSION AND PRAYER

WHEREFORE, PREMISES CONSIDERED, PS Lightwave respectfully requests that this Motion to Intervene be granted, that PS Lightwave be granted full party status and be allowed to participate fully in the above-referenced proceeding and that it be granted such other and further relief as to which it may show itself justly entitled.

² Phonoscope Light Wave, Inc. changed its name to PS Lightwave, Inc. in Docket No. 46566, *Application of Phonoscope Light Wave, Inc. for an Amendment to a Service Provider Certificate of Operating Authority*, approved by the Commission on January 5, 2017.

Respectfully Submitted,

LAW OFFICE OF MIGUEL A. HUERTA, PLLC
7500 Rialto Blvd., Ste. 250
Austin, Texas 78735
(512) 494-9500 (Telephone)
(512) 494-9505 (Facsimile)
miguel@mhuertalaw.com


By: 

Miguel A. Huerta
State Bar No. 00787733

ATTORNEYS FOR PS LIGHTWAVE LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of July, 2019 a true and correct copy of the above and foregoing document is being served via electronic mail, facsimile, U.S. mail and/or hand delivery to all parties of record.



Miguel A. Huerta