

Madison River Communications, LLC  
P.O. Box 1167  
103 South Fifth Street  
Mebane, North Carolina 27302  
(919) 563-1500

May 30, 2000

~~103 741 563 741 12 15~~

VIA FACSIMILE

To: David Waddell Fax Number: (615) 741-5015  
Darrell Whitis Fax number: (615) 741-2336

From: Michael Skrivan *M. L. Skrivan*

Subject: Application of Madison River Communications, LLC  
Docket No. 00-00381

*Waiting for  
COPIES  
DW*

Please let me know if you have any questions on the following material.

*103 741 563 741 12 15*

POSTED  
6-2-00

**Madison River Communications, LLC**  
**P.O. Box 1167**  
**103 South Fifth Street**  
**Mebane, North Carolina 27302**  
**(919) 563-1500**

May 30, 2000

VIA FACSIMILE AND FEDERAL EXPRESS

David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505  
Attention: Darrell Whitis

Re: Application of Madison River Communications, LLC  
Docket No. 00-00381

Dear Mr. Whitis:

In response to your data request (a copy of which is attached), Madison River Communications, LLC (the "Applicant") submits the following responses:

**Managerial Requirements:**

Provide the following managerial information of the Company:

1. Degrees: (BS, BA, MBA, etc.) accounting, engineering, etc.
2. Professional licenses: CPA, etc.
3. Experience: Management, Telecom, etc.

Degrees, professional licenses and telecommunications experience of the Applicant's managers are discussed in Exhibit D (Managerial and Technical Ability) of the Applicant's application. This information is also discussed in the Pre-filed Testimony attached as Exhibit H to the application.

**Technical Requirements:**

Provide the following information regarding the proposed network data:

1. Location of switches - i.e., cities.
2. Type of equipment: DMS-100 or 5ESS, etc. Fiber Rings, etc.
3. Specify engineering expertise: Retained firm, staff electrical engineer, etc. Data regarding key technical staff.

The Applicant is in the process of developing its plans for location of switches and the type of equipment that will be deployed in the state of Tennessee. The Applicant expects to develop its initial service footprint in the following NPAs: 601 and 901. The Applicant would locate switches and equipment in locations necessary to serve these areas. It would be expected that equipment that would be used in these areas would be consistent with equipment currently used by the Applicant and affiliates of the Applicant in other service areas. For example, in North Carolina, the Applicant's affiliate currently uses a DMS-500 switch. Regarding engineering expertise, please see Exhibit D (Managerial and Technical Ability) and Exhibit H (Pre-filed Testimony) of the Applicant's application for a discussion of the Applicant's engineering expertise.

**Financial Qualifications:**

TCA §65-4-125 amendment states that by September 1, 2000, all telecommunications service providers subject to the control and jurisdiction of the authority, except those owners or operators of public telephone service who pay annual inspection and supervision fees pursuant to Tennessee Code Annotated, §65-4-301(b), or any telecommunications service provider that owns and operates equipment facilities in Tennessee with a value of more than five million (\$5,000,000), shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000) to secure the payment of any monetary sanction imposed in any enforcement proceeding, brought under this title or the Consumer Telemarketing Protection Act of 1990, by or on behalf of the authority.

The Applicant is aware of the above-cited amendment to Tennessee law and is in the process of securing the necessary surety bond or irrevocable letter of credit so that the Applicant will be properly bonded on September 1, 2000.

**Toll Dialing Parity Plan for Applicants Providing Voice Grade Service:**

1. Include the proposed implementation date.
2. Include customer education procedures.
3. Please include information regarding your anti-slamming procedures.
4. Include statements concerning nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listings (if applicable).
5. State whether a PIC change charge waiver period is proposed and for how long.

Implementation of the Applicant's Toll Dialing Parity Plan (attached as Exhibit G to the Applicant's application) would coincide with the effective date of initiation of service. The Applicant's customer education procedures include instructional materials on dialing procedures (such as brochures) and face-to-face instruction in connection with installations. The Applicant will comply with all applicable Tennessee and federal slamming laws, regulations and orders. All carrier charges will be verified

Mr. David Waddell  
May 30, 2000  
Page 3

according to methods specified by the Federal Communications Commission and the Tennessee Regulatory Authority. The Applicant will comply with all applicable Tennessee and federal laws, regulations and orders regarding nondiscriminatory access to telephone numbers, operator services, directory assistance and directory listings as they related to the Applicant. No PIC change charge waiver period is proposed because of most the Applicant's customers are business customers.

### **Tennessee Specific Operational Issues**

Please provide answers to the following questions concerning Tennessee Specific Operational Issues: Does the company intend to telemarket its services in Tennessee? If yes, is the company aware of the telemarketing statutes and regulations found in TCA §65-4-401 et seq. and Chapter 1220-4-11?

The Applicant has an established Telecommunications Telemarketing Policy Statement. In the event the Applicant makes use of telemarketing in the state of Tennessee, the Applicant will comply with the telemarketing statutes and regulations found in TCA Section 65-4-401, *et seq.* and Chapter 1220-4-11.

### **Miscellaneous**

Identify all complaints filed with state and federal regulatory agencies involving your company or affiliated entities. Identify the nature of the complaint, which governmental agency or office received the complaint, how was the complaint resolved?

No complaints have been filed against the Applicant. Attached as Schedule 1 is information about complaints against affiliates.

Should you require additional information, please give me a call at 919-563-8230 or contact our attorney in Tennessee, Ms. April A. Ingram at 252-2302.

Sincerely,

MADISON RIVER COMMUNICATIONS, LLC

By: Michael T. Skrivan

Michael T. Skrivan

Executive Vice President -- Revenues

c: April A. Ingram, Esq.  
Russell M. Robinson III, Esq.

SCHEDULE 1

Madison River Communications, LLC

(Docket No. 00-00381)

Data request response - May 30, 2000

**Gallatin River Communications, LLC**

**2000**

16 informal complaints (14 billing; 2 other) registered at the Illinois Commerce Commission. No regulatory actions have been taken.

**1999**

56 informal complaints registered at the Illinois Commerce Commission. The complaints are categorized as follows: 27 Billing; 16 IXC/Slamming, 7 Repair/Installation, and 6 Other. No regulatory actions have been taken against the company.

**1998**

15 informal complaints registered at the Illinois Commerce Commission during November and December, 1998 categorized as follows: 7 Billing, 1 Repair/Installation, 5 IXC/Slamming; 2 Access to Company. No regulatory actions have been taken against the company. (Gallatin River did not provide service prior to November).

**Mebtel, Inc.**

**1999**

Mebtel, Inc. had one formal complaint and two informal complaints filed with the North Carolina Utility Commission and one informal slamming complaint filed with the FCC. No regulatory actions were taken against the company.

**1998**

Mebtel, Inc. had two informal complaints referred to the North Carolina Utility Commission and one informal slamming complaint to the FCC. No regulatory actions were taken against the company.

**Gulf Telephone Company**

**2000**

No official complaints have been filed with the Alabama PSC. Two complaints were filed at the FCC (one slamming, the other implicated GTC; however, the complaint was against a company with a similar name).

**1999**

Seven complaints were filed with the FCC by payphone companies concerning the end user common line charge; one slamming complaint was filed with the FCC.

All complaints have been resolved. There have been no regulatory actions.

**Gulf Long Distance, Inc.**

**2000**

Two billing complaints were registered at the Florida PSC.

**1999**

Three billing complaints have been filed with the FCC and 18 billing complaints were filed with the Florida PSC. The PSC complaints involved a billing system error. All complaints have been resolved.

**Coastal Utilities, Inc.**

**1999**

One informal complaint was filed with the FCC regarding billing.

**1998**

One informal FCC complaint was filed regarding assessment of end user common line charge.

Five informal complaints were registered at the Georgia Public Service Commission, (four billing, one installation and one other).

## TENNESSEE REGULATORY AUTHORITY



Malinda Melton, Chairman  
Lynn Green, Director  
Sara Kyle, Director

461 James Robertson Parkway  
Nashville, Tennessee 37243-2505

May 15, 2000

**TRANSMITTED VIA FAX**  
**(615) 252-6302 / ORIGINAL TO FOLLOW VIA U.S. MAIL**

Ms. April Ingram  
Boult, Cummings, Conner & Berry PLC  
414 Union Street, Suite 1600  
Post Office Box 198063  
Nashville, Tennessee 37219

RE: Madison River Communications, LLC (Docket No. 00-00381)

Dear Ms. Ingram:

The Tennessee Regulatory Authority requests the following information regarding the Application of Madison River Communications, LLC for a Certificate of Convenience and Necessity as a competing telecommunications service provider in the State of Tennessee:

**Managerial Requirements**

Provide the following managerial information of the Company:

1. Degrees: (BS, BA, MBA, etc.) accounting, engineering, etc.
2. Professional licenses: CPA, etc.

**Technical Qualifications**

Provide the following information regarding the proposed network data:

1. Location of switches i.e., cities.
2. Type of equipment: DMS-100 or 5ESS, etc. Fiber Rings, etc.
3. Specify engineering expertise: Resumed firm, staff electrical engineer, etc. Data regarding key technical staff.

**Financial Qualifications**

Provide the following financial information of the Applicant:

1. TCA §65-4-125 amended states that by September 1, 2000, all telecommunications service providers subject to the control and jurisdiction of the authority, except those owners or operators of public telephone service who pay annual inspection and supervision fees pursuant to Tennessee Code Annotated, §65-4-301(b), or any telecommunications service provider that owns and operates equivalent facilities in Tennessee with a value of more than five million (\$5,000,000), shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000) to secure the payment of any monetary sanctions imposed in any enforcement proceeding, brought under this title or the Consumer Telemarketing Protection Act of 1990, by or on behalf of the authority. Provide a statement outlining the Applicant's intent to abide

Telephone: (615) 741-2504, Toll-Free: 1-800-243-2254, Facsimile: (615) 741-3015  
www.tnra.tn.gov

0000355 15-May-00 11:36a

by TCA §65-4-125 and provide a corporate surety bond by September 1, 2000 if applicable. Provide a statement outlining the Applicant's intent to abide by TCA §65-4-125 and provide a corporate surety bond by September 1, 2000 if applicable.

#### InterLATA Toll Dialing Policy Plan

1. Include the proposed implementation date. (FCC Order 96-333, 38).
2. Include customer education procedures (FCC Order 96-333, 80)
3. Please include information regarding your anti-slammung procedures.
4. Include statements concerning nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listings (if applicable).
5. State whether a PIC change charge waiver period is proposed and for how long. (Tennessee Regulatory).

#### Tennessee Specific Operational Issues

Please provide answers to the following questions concerning Tennessee Specific Operational Issues: Does the company intend to teleoperate its services in Tennessee? If yes, is the company aware of the teleoperating statutes and regulations found in TCA §65-4-401 et seq. and Chapter 1220-4-11?

#### Miscellaneous

Identify all complaints filed with state and federal regulatory agencies involving any affiliated entities. Identify the nature of the complaint, which governmental agency or office received the complaint, and how was the complaint resolved?

Please submit the requested information by May 23, 2000. If you have any questions, please contact this office at (615) 741-2904 (ext. 132).

Sincerely,



David Waddell  
Executive Secretary

cc: DocNet File  
Joe Warner  
Darlene Standley  
Cassie Mundy  
David White

0007355-15-Reg-00-222764

\*\* TOTAL PAGE.03 \*\*