

# TENNESSEE REGULATORY AUTHORITY



Sara Kyle, Chairman  
Lynn Greer, Director  
Melvin Malone, Director

460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

December 14, 2000

TRANSMITTED VIA FAX

(770) 232-9208 / ORIGINAL TO FOLLOW VIA U.S. MAIL

Mr. Lance Steinhart  
Attorney At Law  
6455 East Johns Crossing, Suite 285  
Duluth, Georgia 30097

RE: VIVO-TN, LLC (Docket No. ~~00-001092~~) 00-01092

Dear Mr. Steinhart:

The *Tennessee Regulatory Authority* requests the following information regarding the Application of VIVO-TN, LLC (hereafter "VIVO-TN" or "Applicant") for a Certificate of Public Convenience and Necessity to provide competing telecommunications services throughout the State of Tennessee pursuant to TCA §65-4-201.

**Administrative Requirements:**

Please provide an organizational chart of the corporate structure.

**Financial Requirements:**

Provide the following financial information of the Applicant:

1. Provide a November 30, 2000 Income Statement and Statement of Cash Flows for the Applicant.
2. The amounts in the projected financial statements need to agree with the submitted current financial statements.
  - a) How does your Company have projected financial statements that reflect \$0 capital assets and large amounts of accumulated depreciation?
  - b) Why does the long-term liability account reflect a negative amount?
3. Please quantify amounts included in the financial statements and projects relating to reciprocal compensation.
4. Reminder: TCA §65-4-125 amendment states that 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. Please submit a corporate surety bond or irrevocable letter of credit to the TRA on the provided forms, if applicable.

**TRA Rules for Local Telecommunications Providers:**

1. Applicant should serve notice of its application on the eighteen (18) incumbent local exchange telephone companies in Tennessee with a statement regarding the company's intention of operating geographically. The TRA requires a written certificate of service from the applicant.
2. 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 §65-4-201 et seq. and Chapter 1220-4-11?
3. Identify all states where certificated as a telecommunications provider and the status of states where certification is pending?
4. Applicants involvement in pertinent mergers, acquisitions, etc.? Provide a chart showing the applicant's corporate structure.
5. Are customer deposits required? If so, amount required? Is the applicant bonded for the amount of the deposits?

Please submit the requested information by January 2, 2000. If you have any questions, please contact Darrell Whitis at (615) 741-2904 (ext. 132).

Sincerely,



David Waddell  
Executive Secretary

C: Docket File

Attachment: (1)