

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**October 5, 2001**

**IN RE:**

**PETITION OF TCG MIDSOUTH, INC.  
AND TELEPORT COMMUNICATIONS GROUP  
FOR DECLARATORY RELIEF FOR BREACH OF  
INTERCONNECTION AGREEMENT BY  
BELL SOUTH TELECOMMUNICATIONS, INC.**

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**DOCKET NO.  
01-00701**

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**ORDER APPOINTING A HEARING OFFICER ON THE MERITS**

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This matter came before the Tennessee Regulatory Authority (the "Authority") at a regularly scheduled Authority Conference held on August 21, 2001, to consider a time for the filing of a response to the Petition of TCG Midsouth, Inc. and Teleport Communications Group and the appointment of a Hearing Officer to render a decision on the merits of the Petition. A majority of the Directors voted to require BellSouth Telecommunications, Inc. ("BellSouth") to respond to the Petition no later than August 28, 2001.

During the Authority Conference, counsel for BellSouth stated that the parties had settled this matter and were finalizing the settlement. A majority of the Directors voted to appoint the General Counsel or his designee to act as Hearing Officer in this matter to resolve any matters that may arise from the settlement reported by counsel for BellSouth and, if the parties should fail to settle this matter, to make findings of fact and conclusions of law and to render an initial decision on the merits of the Petition.

**IT IS THEREFORE ORDERED THAT:**

1. BellSouth shall file a response to the Petition or notify the Authority of a settlement of this matter no later than Tuesday, August 28, 2001 at 2:00 p.m.

2. The General Counsel or his designee is appointed Hearing Officer in this matter to resolve any matters that may arise from the settlement reported by counsel for BellSouth and, if the parties should fail to settle this matter, make findings of fact and conclusions of law, and to render an initial decision on the merits of the Petition.

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Sara Kyle, Chairman

  
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H. Lynn Greer, Jr., Director

  
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Melvin J. Malone, Director

ATTEST:

  
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K. David Waddell, Executive Secretary

\*\*\* Chairman Kyle did not vote in favor of the prevailing motion.