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02 DEC 23 PM 1 30 OF COUNSEL

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TN REGULATORY AUTHORITY
DOCKET ROOM
VINCENT T. EARLY
(1922 - 2001)
JOSEPH J. BURGIE
(1926 - 1992)

December 20, 2002

Sara Kyle, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

RE: Broadband Innovations, LLC
Docket No. 02-00819

Dear Mr. Werner:

Enclosed for filing with the Regulatory Authority, please find an original and fourteen (14) copies of the above captioned corporation's Response to Motion to Dismiss, including a Certificate of Service hereof.

Please contact the undersigned should you have any questions or concerns.

Very truly yours,

EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.

By 
David G. Crocker

DGC/tlb

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DEC 23 2002

SARA KYLE, COMMISSIONER
TN PUBLIC SERVICE COMM.

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

In re:)
Broadband Innovations, LLC, Application for a) Docket No. 02-00819
for a Certificate to Provide Competing Local)
Telecommunications Services within the State)
of Tennessee)

RESPONSE TO MOTION TO DISMISS

Broadband Innovations, LLC, by its attorneys, responds to the Motion to Dismiss filed by Aeneas Communications, LLC, as follows:

1. As Broadband has previously stated in response to Mr. Walker's allegations, Broadband has no contract with the Jackson Energy Authority and the appropriate proceeding for Mr. Walker's participation as counsel for Aeneas would be the necessary hearing to approve such a contract.

2. Broadband renews its objections to Mr. Walker's participation in these proceedings as counsel for Aeneas and requests the TRA to dismiss Aeneas as an intervening party or to limit the participation of Aeneas to the relevant and material aspects of this proceeding based on admissible evidence.

3. Broadband objects to the admission of the December 5, 2002, article submitted by Mr. Walker on the grounds of lack of authenticity, hearsay, relevancy and materiality, and requests that the filing be stricken from the docket.

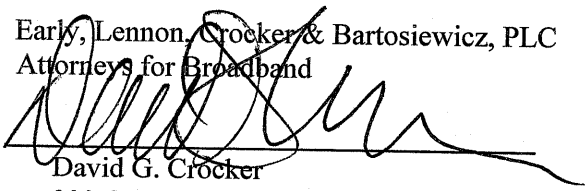
4. Broadband requests that the TRA continue processing its Application in the usual manner and deny the Motion to Dismiss filed by Aeneas.

Dated: December 20, 2002

Respectfully submitted,

BROADBAND INNOVATIONS, LLC

By: Early, Lennon, Crocker & Bartosiewicz, PLC
Attorneys for Broadband

By: 
David G. Crocker
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Kalamazoo, MI 49007
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the parties of record, via U.S. Mail, postage prepaid, addressed as follows on this 20th day of December, 2002:

Henry Walker
Boult, Cummings, Conners & Berry, PLC
414 Union Street, Suite 1600
P.O. Box 198062
Nashville, TN 37219


Teresa Bitterling