

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**Nashville, Tennessee**

**January 23, 2004**

**IN RE:**

**IMPLEMENTATION OF THE FEDERAL  
COMMUNICATIONS COMMISSION'S  
TRIENNIAL REVIEW ORDER – 9  
MONTH PROCEEDING – MARKET  
DEFINITION**

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**DOCKET NO.  
03-00491**

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**ORDER ESTABLISHING PROCEDURAL SCHEDULE FOR PROCESS OF  
MARKET DEFINITION**

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On October 7, 2003 the Hearing Officer<sup>1</sup> issued an order establishing that the process of defining the geographic markets would begin when the parties filed their direct testimony on January 16, 2004. The deadline for the filing of direct testimony has passed and the matter is back before the Hearing Officer to determine how to proceed with the process of market definition.

Prior to and including the filing of direct testimony, the parties in the market definition portion of this docket have followed the procedural schedule for the switching portion of this docket established by Director Jones. The Hearing Officer finds that it has been efficient and expeditious for the parties to follow the same schedule for both the switching and market definition portions of this docket.

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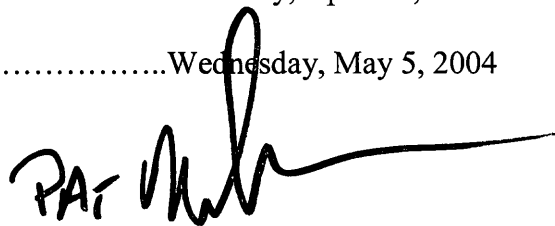
<sup>1</sup> The procedures for addressing the issues and hearings concerning the implementation of the Federal Communications Commission's Triennial Review Order ("TRO") were deliberated by the Tennessee Regulatory Authority (the "TRA" or "Authority") at the Authority Conference on September 22, 2003. At the Authority Conference, Chairman Deborah Taylor Tate, Director Pat Miller, and Director Ron Jones, the voting Panel assigned to Docket No. 03-00491, voted unanimously to bifurcate the docket and to appoint

The Hearing Officer finds that a procedural schedule for the remainder of the market definition proceedings should be established. The Hearing Officer further finds that requiring the parties to follow identical procedural schedules for the remaining proceedings of both portions of this docket would be efficient and expeditious. On December 5, 2003, Director Jones issued an order amending the remainder of the procedural schedule for the switching portion of this docket.<sup>2</sup> The Hearing Officer adopts the procedural schedule in Director Jones' December 5, 2003 Order as the procedural schedule for the remainder of the market definition proceedings.

**IT IS THEREFORE ORDERED:**

- 1) The procedural schedule for the remainder of the Market Definition proceeding is established as follows:

Supplemental Direct Testimony, If Needed .....OPEN  
Rebuttal Testimony Filed .....Friday, February 27, 2004  
Surrebuttal Testimony Filed .....Wednesday, March 17, 2004  
Hearing .....Monday, March 29, 2004 at 9:00 a.m. through April 2, 2004  
Direct Post-Hearing Briefs Filed .....Tuesday, April 20, 2004  
Reply Post-Hearing Briefs Filed .....Wednesday, May 5, 2004



Pat Miller, Director  
As Hearing Officer

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Director Miller as the Hearing Officer to prepare the market definition portion and Director Jones to prepare the switching portion for a hearing. *Order Appointing Hearing Officer* (Nov. 13, 2003).

<sup>2</sup> See Erratum to Order on December 1, 2003 Status Conference and Amending Procedural Schedule, (December 5, 2003).