

## BEFORE THE TENNESSEE REGULATORY AUTHORITY

Petition of Cellco Partnership d/b/a Verizon Wireless	:	*filed electronically in
For Arbitration under the Telecommunications Act;	:	the docket office on
Petition for Arbitration of Bell South Mobility, LLC,	:	12/13/2012
Bell South Personal Communications, LLC and	:	
Chattanooga MSA Limited Partnership, collectively	:	Docket No. 03-00585
d/b/a Cingular Wireless; Petition for Arbitration of	:	
A T & T Wireless PCS, LLC d/b/a AT&T Wireless;	:	
Petition for Arbitration of T-Mobile, USA Inc.,	:	
Petition for Arbitration of Sprint Spectrum LP	:	
d/b/a Sprint PCS	:	

### RESPONSE OF TENNESSEE RURAL COALITION TO STATUS REPORT OF AT&T MOBILITY

The Tennessee Rural Coalition (“Coalition” or “RLECs”)<sup>1</sup> respectfully submits the following Response to the Status Report of AT&T Mobility (“AT&T”) filed December 3, 2012:

The RLECs wish to correct a misstatement in AT&T’s “Status Report.” AT&T and the RLECs have not “tentatively resolved all outstanding issues necessary to establish new interconnection agreements ...” The phrase “tentatively resolved” would seem to indicate that AT&T and the RLECs are in agreement on an ICA which they can file.

This is not accurate. There are outstanding ICA drafting issues, the most significant one of which is the proper rate to apply prospectively in the event of a change of law reversing the FCC’s ICC/USF Transition Order directive to employ zero compensation as of July 1, 2012. Neither AT&T nor the RLECs are able to agree on this provision and, therefore, RLECs intend to seek resolution of this issue in the proposed Status Conference or, failing that, in an Arbitration Order. Parenthetically, this is the same rate issue as has arisen for the historic period.

The RLECs do anticipate, however, that a final ICA will be filed shortly between AT&T Wireless and Highland Telephone Cooperative (“Highland”). The issues in that negotiation were simplified by the fact that Cingular Wireless (“Cingular”) and Highland signed an ICA in 2001

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<sup>1</sup> The Tennessee Rural Coalition includes the following rural incumbent local exchange carriers members: Ardmore Telephone Company, Ben Lomand Rural Telephone Cooperative, Inc., DeKalb Telephone Cooperative, Highland Telephone Cooperative, Loretto Telephone Company, Inc., North Central Telephone Cooperative, Yorkville Telephone Cooperative, Inc. and United Telephone Company; TDS Telecom Companies consisting of Concord Telephone Exchange, Inc., Humphreys County Telephone Company, and Tennessee Telephone Company, Inc.; and the TEC Companies consisting of Crockett Telephone Company, Inc., Peoples Telephone Company, and West Tennessee Telephone Company, Inc.

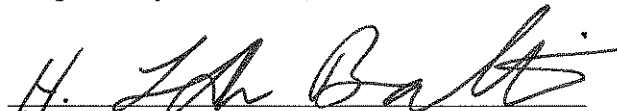
(before acquisition of Cingular by AT&T in 2004) that set forth a rate of \$0.015 (1.5¢), which was paid by AT&T during the entire historic period. Inasmuch as AT&T has declined to also extend that term to the other RLECs as well, the current impasse among AT&T and the remaining RLECs has occurred.

Moreover, this docket also involves T-Mobile and the RLECs. These parties do not have a final ICA either and, while they continue to negotiate, they are not close to an agreement at this point and there may be multiple issues to resolve before this docket can be closed for these parties.

It makes no sense to close this docket without resolution of all issues, including the historic period, and simply substitute "an appropriate complaint" docket. Indeed, this would cause even greater "needless waste of TRA time and resources," not to mention the parties' own time and resources. Rather than evade and avoid the substantive issues, the RLECs are seeking resolution.

The RLECs do agree with AT&T's alternative; that, rather than dismissal, the Authority should enter a final order resolving the disputed issues. The RLECs believe that a Status Conference prior to such final order, however, may help to focus the issues and encourage settlement. The RLECs continue to urge that the appropriate outcome is a rate of \$0.015 (1.5¢) per minute as compensation rather than no compensation as urged by AT&T in its Status Report.

Respectfully submitted,



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I hereby certify that on this the 13th day of December, 2012, a true and correct copy of the foregoing document was served by U.S. Mail or e-mail to:

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