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2004 MAY 20 PM 1:19

BellSouth Telecommunications, Inc  
333 Commerce Street  
Suite 2101  
Nashville, TN 37201-3300

guy.hicks@bellsouth.com

Guy M. Hicks  
General Counsel

615 214 6301  
Fax 615 214 7406

F.R.A. DOCKET ROOM  
May 20, 2004

VIA HAND DELIVERY

Hon. Deborah Taylor Tate, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re: *CAT Communications International, Inc. v. BellSouth  
Telecommunications, Inc.*  
Docket No. 04-00010

Dear Chairman Tate:

This is to request that the Authority place BellSouth's motions to dismiss this complaint on a Conference Agenda as soon as reasonably possible. BellSouth filed a motion to dismiss on substantive grounds on February 6, 2004. BellSouth filed a motion to dismiss on April 30, pursuant to Authority Rule 1220-1-2-06, based on CAT's failure to respond to the February 6 motion. CAT has not filed a response to either motion, but did file a letter with the Authority on April 14 stating that it has decided to withdraw its complaint. A copy of that letter is attached. Based on the grounds set forth in BellSouth's motions and CAT's agreement to withdraw its complaint, BellSouth believes it is time that this complaint be dismissed.

Also attached are copies of two letters from Mr. Joe Werner, of the Staff, to CAT seeking responses to Staff data requests. BellSouth has no objection to the Staff propounding data requests to CAT. However, BellSouth believes that the dismissal of CAT's complaint against BellSouth, which CAT has not opposed, should not be delayed by the Staff inquiries.

Thank you for your attention to this matter. A copy of this letter is being provided to counsel for CAT.

Very truly yours,

Guy M. Hicks

GMH:ch



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Ph (540) 265 2555 • Fax (540) 265 7742  
PO Box 11845, Roanoke, VA 24022-1845

2004 MAY 11 AM 3:00

T.R.A. DOCKET ROOM

April 14, 2004

Joe Werner, Chief  
Telecommunications Division  
Tennessee Regulatory Authority  
460-James Robertson Parkway  
Nashville, TN 37243-0505


Also Via Facsimile  
Fax Number: (615) 741-5015

RE: Cat Communications International, Inc v BellSouth Telecommunications Inc  
Case No. 04-00010

Dear Mr Werner:

After further review we have decided to withdraw our petition filed in the above captioned matter. By copy of this letter we have informed BellSouth of our decision. Accordingly we have not filed a response to the Commission data requests. We will forward a dismissal order next week. Please feel free to call me if you have any questions I can be reached at (540) 444-2169.

Very Truly Yours,



Stephen W. Athanson  
General Counsel

cc: Parties of Record

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APR 19 2004

TN REGULATORY AUTHORITY  
TELECOMMUNICATIONS DIVISION

# TENNESSEE REGULATORY AUTHORITY

Deborah Taylor Tate, Chairman  
Pat Miller, Director  
Sara Kyle, Director  
Ron Jones, Director



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2004 MAY 18 A.M. 10:46 James Robertson Parkway  
Nashville, Tennessee 37243-0505

T.R.A. DOCKET ROOM

May 10, 2004

Mr. Stephen Athanson  
General Counsel  
CAT Communications International, Inc.  
P.O. Box 11845  
Roanoke, VA 24022-1845

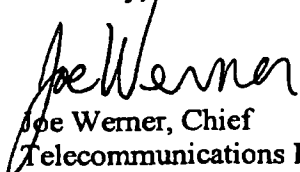
Dear Mr. Athanson:

On April 2, 2004 a data request (copy attached) was sent to CAT Communications, Inc. in Docket No. 04-00010, *Complaint of CAT Communications International, Inc. against BellSouth Telecommunications, Inc.* It is requested that the following be provided:

- (1) Copies of bills from BellSouth itemizing the TRS surcharge referred to in your petition; and
- (2) Copies of bills that CAT Communications provides to its customers outlining the surcharge assessed for TRS.

This request for information is being made pursuant to Tenn. Code Ann. 65-4-104, *Authority's jurisdiction and control over public utilities*, which gives the Authority its general supervisory powers over public utilities. In this light, the requested information should be provided regardless of whether the Authority grants CAT Communication's petition to withdraw its pending complaint. Accordingly, it is not necessary that CAT Communications include the above-referenced docket number when responding; just please make sure the response is sent to Mr. Werner's attention. Your response should be provided no later than 2:00 p.m. on Thursday May 20, 2004. Consistent with Authority rules, please provide the original and thirteen written copies or, in the alternative, the original and four written copies along with an electronic version. Should you have questions regarding this request, please contact David Foster at (615) 741-2904, extension 188.

Sincerely,

  
Joe Werner, Chief  
Telecommunications Division

Distribution:

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☐ Mays  
☐ Fadel  
☐ Gill

# TENNESSEE REGULATORY AUTHORITY

Deborah Taylor Tate, Chairman  
Pat Miller, Director  
Sara Kyle, Director  
Ron Jones, Director



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

April 2, 2004

Mr. Stephen Athanson  
General Counsel  
CAT Communications International, Inc.  
P.O. Box 11845  
Roanoke, VA 24022-1845

Dear Mr. Athanson:

In order to assist the Authority in its review of your petition filed in Docket No. 04-00010, *Complaint of CAT Communications International, Inc. against BellSouth Telecommunications, Inc.*, it is requested that the following information be provided:

- (1) Copies of recent bills from BellSouth itemizing the surcharges referred to in your petition. Please identify the charges assessed by BellSouth for the Tennessee Relay Service (TRS); and
- (2) Copies of recent bills that CAT Communications provides to its customers outlining all surcharges assessed. Please identify the charges that are assessed for TRS.

It is requested that this information be provided no later than 2:00 p.m. on Wednesday, April 14, 2004. Consistent with Authority rules, please provide the original and thirteen written copies or, in the alternative, the original and four written copies along with an electronic version. Should you have questions regarding this request, please contact David Foster at (615) 741-2904, extension 188.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joe Werner".

Joe Werner, Chief  
Telecommunications Division

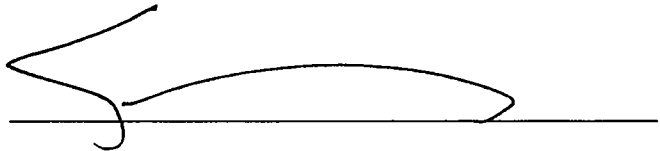
C: Docket File

**CERTIFICATE OF SERVICE**

I hereby certify that on May 20, 2004, a copy of the foregoing document was served on the following, via the method indicated:

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

Stephen Athanson, Esquire  
CAT Communications International, Inc.  
P. O. Box 11845  
Roanoke, VA 24022-1845

A handwritten signature in black ink, appearing to read "Stephen Athanson", is written over a horizontal line.