

TENNESSEE REGULATORY AUTHORITY

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



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460 James Robertson Parkway
Nashville, Tennessee 37243-0505

October 25, 2004

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Donald O. Taylor
Director-Regulatory Affairs
Tel West Communications, LLC
3701 S. Norfolk, Suite 300
Seattle, Washington 98118

**RE: Cancellation of Bond Mandated by Tenn. Code Ann. § 65-4-125(j)
Docket No. 04-00272**

Dear Mr. Taylor:

On August 13, 2004, Darlene Standley of the Telecommunications Division of the Tennessee Regulatory Authority ("TRA") sent you a letter inquiring of the status of the surety bond issued by Hartford Fire Insurance Company on behalf of Tel West Communications, LLC. The TRA had been notified on August 10, 2004 that Hartford intended to cancel Tel West's surety bond effective October 16, 2004. It is my understanding that after receipt of Ms. Standley's letter, you contacted staff of the TRA, inquiring whether the surety bond requirement could be waived. Staff informed you that the requirement could not be waived. On August 31, 2004, Tel West filed a petition with the TRA requesting that the surety bond requirement be waived under the TRA rules.

Please be advised that the requirement of maintaining a surety bond or irrevocable letter of credit in the amount of \$20,000 is a statutory requirement under Tenn. Code Ann. § 65-4-125(j) and is a condition to doing business in Tennessee as a telecommunications service provider. While the TRA, for good cause shown, may be able to waive its own rules, the TRA cannot, under law, waive a statutory requirement such as that imposed by Tenn. Code Ann. § 65-4-125(j). Because your petition seeks a remedy that is not within the authority of the TRA to consider, the petition filing fee requirement is not being enforced and the petition is not being acted upon.

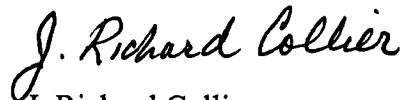
The notice received by the TRA indicates that as of October 16, 2004 the surety bond that Hartford provided on behalf of Tel West has expired. If Tel West intends to continue doing business in the State of Tennessee as a telecommunications service

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provider, Tel West must comply with Tenn. Code Ann. § 65-4-125(j). If Tel West desires to cancel its certificate to do business in Tennessee, please notify Darlene Standley in writing to this effect. Otherwise, without proof of existence of a surety bond or letter of credit in the amount of \$20,000, Tel West will be subject to the imposition of a penalty and the revocation of its authority in Tennessee. Please proceed to provide such proof to Ms. Standley or notify her of Tel West's desire to have its authority cancelled by the TRA.

Thank you for your attention to this matter. Should you have any questions, do not hesitate to contact me at 741-2904 x170.

Very truly yours,


J. Richard Collier
General Counsel

cc: Darlene Standley, Chief, Utilities Division
Docket File No. 04-00272