

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 31, 2006

IN RE:	)	
	)	
BELLSOUTH’S PETITION TO ESTABLISH GENERIC	)	DOCKET NO.
DOCKET TO CONSIDER AMENDMENTS TO	)	04-00381
INTERCONNECTION AGREEMENTS RESULTING	)	
FROM CHANGES OF LAW	)	

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ORDER GRANTING RECONSIDERATION

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This matter came before Chairman Sara Kyle, Director Pat Miller and Director Ron Jones of the Tennessee Regulatory Authority (the “Authority”), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on July 10, 2006 for consideration of the *Petition for Reconsideration and Clarification* (“*Petition*”) filed by Competitive Carriers of the South, Inc. (“CompSouth”) on June 20, 2006.

In its *Petition*, CompSouth seeks reconsideration and clarification of the Authority’s June 6, 2006 *Order Granting in Part and Denying in Part Motion for Summary Judgment and Denying Alternative Motion for Declaratory Ruling* (“*Order*”). The *Petition* specifically requests that the Authority reconsider and clarify its findings with regard to Issue 28 so that it is clear that when the Authority uses the term “fiber loops” on pages 35 and 38 of the *Order* it means only fiber to the home and fiber to the curb loops as defined by the Federal Communications Commission (“FCC”).<sup>1</sup>


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<sup>1</sup> *Petition*, p. 1 (June 20, 2006).

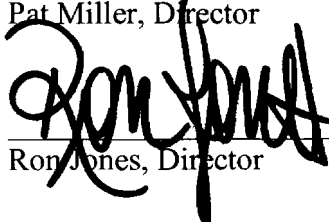
On June 23, 2006, BellSouth Telecommunications, Inc. filed a *Response to Petition for Reconsideration and Clarification* (“*Response*”) stating that the Authority relied on paragraph 273 of the *Triennial Review Order* issued by the FCC when it concluded, as a matter of law, that an incumbent local exchange carrier (“LEC”) must offer unbundled access to fiber loops only in fiber loop overbuild situations where the incumbent LEC elects to retire existing copper loops, and in such cases fiber loops must be unbundled for narrow band services only.<sup>2</sup>

During the July 10, 2006 Authority Conference, the Directors unanimously voted to grant CompSouth’s *Petition* and to address the merits of the reconsideration and clarification at a later date.

**IT IS SO ORDERED.**

  
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Sara Kyle, Chairman

  
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Pat Miller, Director

  
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Ron Jones, Director

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<sup>2</sup> *Response*, p. 2 (June 23, 2006).