

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

November 30, 2007

IN RE:	)	
	)	
GENERIC DOCKET TO DEVELOP POLICY	)	DOCKET NO.
FOR THE SUBMISSION AND REVIEW OF CLEC-	)	05-00327
TO-CLEC INTERCONNECTION AGREEMENTS	)	

---

ORDER DECLINING RULEMAKING

---

This matter came before Director Eddie Roberson, 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 January 8, 2007.

**BACKGROUND**

This docket was opened as a result of the *Petition for Approval of the Interconnection Agreement between Jackson Energy Authority and Aeneas Communications, LLC*, Docket No. 04-00128.<sup>1</sup> The review and subsequent approval of the agreement in Docket No. 04-00128 did not mandate a requirement that future agreements negotiated between competitive local exchange carriers be submitted to the Authority for review and approval, but established the need to investigate such possibility. Because the Authority determined that CLEC-to-CLEC interconnection agreements were reviewable by this agency pursuant to Tenn. Code Ann. § 65-4-124, the Authority opened this generic docket to develop guidelines for the submission and review of CLEC-to-CLEC interconnection agreements. Interested parties were invited to submit comments by September 25, 2006.

---


<sup>1</sup> See *In re: Petition for Approval of the Interconnection Agreement Negotiated between Aeneas Communications, LLC and Jackson Energy Authority Pursuant to the Telecommunications Act of 1996*, Docket No. 04-00128 (April 27, 2004).

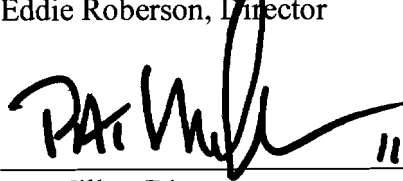
**JANUARY 8, 2007 AUTHORITY CONFERENCE**

After a review of the decision in Docket No. 04-00128 and the comments received in this docket, a majority of the panel agreed that the TRA has the jurisdiction to review these agreements pursuant to state law, however there is no need to develop a formal policy or rulemaking at this time. Parties are free to submit CLEC-to-CLEC interconnection agreements for approval if they so choose but should not be mandated to do so. Such a mandate would be unduly burdensome to the companies involved. Further, any problems which arise between the parties can be brought before this Authority via the filing of a complaint.

Based on the foregoing, a majority of the panel voted to decline the initiation of a new policy or rulemaking regarding review and approval of interconnection agreements between competitive local exchange carriers.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
Eddie Roberson, Director

 11-29-07  
\_\_\_\_\_  
Pat Miller, Director

\_\_\_\_\_  
\* \* \*  
Ron Jones, Director<sup>2</sup>

<sup>2</sup> Director Jones did not vote with the majority and filed a separate opinion explaining his position.