

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

March 12, 2007

IN RE:

PETITION FOR APPROVAL OF THE
INTERCONNECTION AND
RECIPROCAL COMPENSATION
AGREEMENT BETWEEN COMCAST
PHONE, LLC AND CELLCO
PARTNERSHIP D/B/A VERIZON
WIRELESS

DOCKET NO.
06-00074

ERRATUM TO CONCURRING OPINION OF DIRECTOR RON JONES
TO THE *ORDER APPROVING THE INTERCONNECTION
AND RECIPROCAL COMPENSATION AGREEMENT*

I entered the *Concurring Opinion of Director Ron Jones to the Order Approving the Interconnection and Reciprocal Compensation Agreement* on January 29, 2007. The Opinion contains an inadvertent error that was recently discovered. Accordingly, the text of page 3, paragraph 2, line 4 and page 4, line 2 is modified by (1) deleting the language “that are not defined as public utilities” and (2) inserting the language “operating outside of Tennessee.”

Attached hereto are corrected pages 3 and 4. These corrected pages are specifically incorporated by this reference and shall be substituted into the *Concurring Opinion of Director Ron Jones to the Order Approving the Interconnection and Reciprocal Compensation Agreement*.



Ron Jones, Director

After careful consideration of Charter's letters, the attached agreements, and the relevant statutory and regulatory authority, I concluded differently from my decision in this docket. The panels heard Docket Nos. 06-00266 and 06-00273 during the December 4, 2006 Authority Conference. In Docket No. 06-00266, I offered the following motion, which prevailed:

I find that although the Authority has jurisdiction over Charter Fiberlink-Tennessee, Inc., and thereby the interconnection agreement executed by Charter, I have also found that neither state law nor federal law require approval of the agreement.

Therefore, at this time it is appropriate to merely acknowledge receipt of the agreement and accept it for informational purposes.¹

In Docket No. 06-00273, a fellow panel-member moved to accept the agreement for informational purposes. When voting in favor of the motion, I made comments similar to those in my motion in Docket No. 06-00266.²

It was my intention in making my motion and comments on December 4, 2006, to recognize that, although the Authority has jurisdiction over interconnection agreements involving CLECs, currently neither state nor federal law require interconnection agreements between CLECs and non-incumbent carriers or carriers operating outside of Tennessee be filed for approval by the Authority. In the event that such agreements are filed at this agency, I will review them with this determination in mind.³


In conclusion, I concur with the *Order Approving the Interconnection and Reciprocal Compensation Agreement* filed by my fellow Directors in this docket and offer these additional comments to aid the understanding of my position with regard to how the Authority as of the

¹ Transcript of December 4, 2006 Authority Conference, p. 31 (Deliberations in Docket No. 06-00266).

² *Id.* at 43-44 (Deliberations in Docket No. 06-00273).

³ In no event should this Concurring Opinion be construed as prejudging the comments filed in Docket No. 05-00327 on September 15, 2006. See *In re: Generic Docket to Develop Policy for the Submission and Review of CLEC-to-CLEC Interconnection Agreements*, Docket No. 05-00327.

date of this Concurring Opinion should treat interconnection agreements between CLECs and non-incumbent carriers or carriers operating outside of Tennessee.



Ron Jones, Director