

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**January 9, 2007**

**IN RE:**

**APPLICATION OF COMMON POINTE NETWORKS  
OF TENNESSEE, LLC FOR A CCN TO PROVIDE  
COMPETING LOCAL AND INTEREXCHANGE  
TELECOMMUNICATION SERVICES**

**DOCKET NO.  
06-00191**

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**ORDER**

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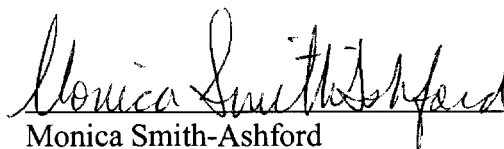
This matter came before the Hearing Officer upon the *Application for Certificate to Provide Competing Local and Interexchange Telecommunications Services* (“*Application*”) filed by Common Pointe Networks of Tennessee, LLC (“Common Pointe” or the “Company”) on July 25, 2006. A hearing was held on September 21, 2006 to consider the *Application*. At the conclusion of the hearing, the Hearing Officer took the matter under advisement, noting that the Tennessee Regulatory Authority Staff (“TRA Staff”) had additional questions and would send a Data Request to the Company.

On October 4, 2006, TRA Staff issued a Data Request and asked that the Company respond by October 13, 2006. Common Pointe failed to respond to the Data Request by October 13, 2006, and on October 16, 2006, the Company requested an extension to file its response until October 27, 2006. No response was received on October 27, 2006. On October 30, 2006, Common Pointe faxed a letter to the Authority requesting until November 30, 2006 to file a response because Mr. Barnicle, the President of Common Pointe, was out of the country.

To date, Common Pointe has not filed a response to the Data Request. If a response to the TRA Staff Data Request dated October 4, 2006 is not received by January 23, 2007, the Hearing Officer will consider Common Pointe's *Application* based on the information currently contained in the docket file.

**IT IS THEREFORE ORDERED THAT:**

1. Common Pointe Networks of Tennessee, LLC shall file a response to the Tennessee Regulatory Authority Staff Data Request dated October 4, 2006 by January 23, 2007.
2. If Common Pointe Networks of Tennessee, LLC fails to file its response to the Tennessee Regulatory Authority Staff Data Request by January 23, 2007, the record in this matter shall be closed, and the Hearing Officer will consider the *Application for Certificate to Provide Competing Local and Interexchange Telecommunications Services* based on the current record.

  
Monica Smith-Ashford  
Hearing Officer