

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**IN RE: APPLICATION OF ELECTRIC POWER  
BOARD OF CHATTANOOGA TO EXPAND ITS  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE INTRASTATE  
TELECOMMUNICATIONS SERVICES  
STATEWIDE**

**DOCKET 06-00193**

**NOTICE OF FILING AFFIDAVIT OF JONATHAN V. HARLAN**

**Attached is the Affidavit of Jonathan V. Harlan, CEO and owner of Aeneas  
Communications, LLC, which is being filed in this docket of the date below.**

  
**Paul F. Rice, Attorney for  
Aeneas Communications, LLC  
(731) 554-9235**

**Certificate of Service**

**I certify that a true copy of this document and attached affidavit were served  
upon counsel of record by fax and United States Mail on this the 13<sup>th</sup> day of  
October, 2006.**

  
**Paul F. Rice, Attorney**

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**DOCKET 06-00193**

**AFFIDAVIT OF JONATHAN V. HARLAN, CEO**

**STATE OF TENNESSEE**

**COUNTY OF MADISON**

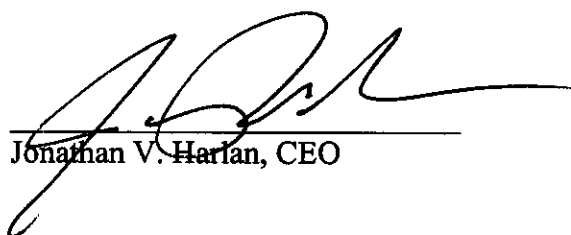
Jonathan V. Harlan, being duly sworn, deposes and says upon personal knowledge that:

I am the owner and CEO of Aeneas Communications. Aeneas is an ISP and CLEC with statewide authority. Aeneas competes on an even footing with private providers many times its size, and does quite well in the markets it has entered. However, Aeneas currently competes for business with one governmental entity and has a real interest in any proceeding in which (another) governmental entity becomes a retail competitor.

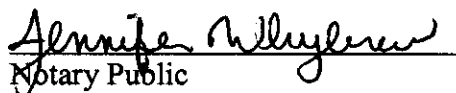
I have never been made aware that having the notices of the Authorities meeting agendas faxed to my attention was anything other than a convenience. The fax machine at Aeneas is the same one used by the provisioning department and dozens of people a day use it. I have no independent recollection of seeing this particular fax.

When the fax relied upon by EPB in this matter was apparently received by the Aeneas fax machine at 2:09 pm on Friday, September 15, I had already left the office for the weekend, and the following Monday was seven days prior to the conference. Three days- two of which were weekend days- would not have been enough time to prepare to act even if I had been aware of the content of the items on the agenda sent to me.

Further this affiant sayeth not.

  
Jonathan V. Harlan, CEO

Sworn to and subscribed before me this the 13 day of October, 2006.

  
Notary Public

My commission expires on the 18 day of May, 2010.

