

# TENNESSEE REGULATORY AUTHORITY

Sara Kyle, Chairman  
Eddie Roberson, Director  
Pat Miller, Director  
Ron Jones, Director



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

## NOTICE OF FILING AND RECONVENING HEARING

**DOCKET:** 06-00193

**IN RE:** Application of Electric Power Board of Chattanooga for Expanded Certificate of Public Convenience and Necessity to Provide Intrastate Telecommunications Services Statewide

**DATE:** October 19, 2006

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The Hearing in the above-captioned proceeding, which began on September 25, 2006, was reconvened on October 16, 2006. At that time the panel requested additional information to assist in the review of the Application of Electric Power Board of Chattanooga ("EPB"). The panel directed EPB to file a document reflecting that the Mayor of Chattanooga is aware of the Application. The panel also requested that Aeneas Communications, LLC ("Aeneas") and the Tennessee Cable Telecom Association ("TCTA") make filings in support of specific positions they put forth during the Hearing. Aeneas will provide to the TRA support, e.g. legal citation, for its assertion that the Tennessee Constitution prohibits a local government from raising or lending money and how the Application of EPB for statewide authority comes within that constitutional prohibition. The TCTA will provide to the TRA a statement, with supporting documentation, as to whether a restriction on EPB's ability to seek state-wide authority, as asserted by the TCTA, exists as a matter of law or should be imposed as a matter of policy. Aeneas and the TCTA will make their filings no later than **4:30 p.m. on Wednesday, October 25, 2006**. EPB shall file any response to the filings of Aeneas and TCTA not later than **4:30 p.m. on Wednesday, November 2, 2006**.

The panel will reconvene the Hearing in this matter on **Monday, November 6, 2006 at 1:00 p.m.** in the Hearing Room on the Ground Floor at 460 James Robertson Parkway, Nashville, Tennessee. This Hearing will be resumed before the voting panel in this case: Chairman Sara Kyle, Director Eddie Roberson and Director Ron Jones and will be held in accordance with the Tennessee Uniform Administrative Procedures Act, Tenn. Code Ann. § 4-5-101 *et seq.*

Participants with disabilities who require special accommodations or alternate communications formats should contact the Tennessee Regulatory Authority ADA-EEO/AA Coordinator/Officer, 460 James Robertson Parkway, Nashville, Tennessee 37243-0505 or 1-800-342-8359 so that reasonable accommodations can be made.

### **FOR THE TENNESSEE REGULATORY AUTHORITY:**

*J. Richard Collier*  
J. Richard Collier  
General Counsel

Original in Docket File.

cc: Melvin J. Malone, Esq. Paul Rice, Esq. Charles B. Welch, Jr., Esq.