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Direct Dial (615) 744-8572 mmalone@millermartin.com

October 25, 2006

## **HAND DELIVERY**

Honorable Sara Kyle, Chairman c/o Sharla Dillon, Docket & Records Manager Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243-0505

RE: In Re: Application of Electric Power Board of Chattanooga for Expanded Certificate of Public Convenience and Necessity to Provide Intrastate Telecommunications Services Statewide, TRA Docket No. 06-00193

Dear Chairman Kyle:

Consistent with the Authority's October 19, 2006, *Notice of Filing and Reconvening Hearing* (the "*Notice*") in the above-captioned matter, enclosed please find an original and thirteen copies (13) of the Electric Power Board of Chattanooga's ("EPB") Late-Filed Exhibit. On October 16, 2006, the Presiding Panel requested EPB to provide some written assurance that the Mayor of Chattanooga is aware of EPB's request for expanded authority. In response to the questions submitted to EPB on October 16, 2006, and the *Notice*, EPB submits the attached Late-Filed Exhibit.

The Late-Filed Exhibit consists of a letter from Chattanooga Mayor Ron Littlefield and letters from the members of EPB's Board, namely Chairman L. Joe Ferguson, Vice Chairman Lamar J. Partridge, Warren E. Logan, Jr. and John N. Foy.<sup>3</sup> An additional copy of this filing is enclosed to be "File Stamped" for our records.

<sup>3</sup> To the best of EPB's knowledge, EPB Board member Jon Kinsey is unavailable as of the date of this filing.

<sup>&</sup>lt;sup>1</sup> The *Notice* provides that "The panel directed EPB to file a document reflecting that the Mayor of Chattanooga is aware of the Application."

<sup>&</sup>lt;sup>2</sup> Excerpt of Transcript of Authority Conference, TRA Docket No. 06-00193, p. 34 (Oct. 16, 2006). See also Notice of Filing and Reconvening Hearing, TRA Docket No. 06-00193 (Oct. 19, 2006).

If you have any questions or require additional information, please let me know.

Respectfully submitted,

Melvin J. Malone

c: Paul F. Rice

Charles B. Welch, Jr.

## **LATE-FILED EXHIBIT**

Submitted by: Electric Power Board of Chattanooga

TRA DOCKET NO. 06-00193

October 25, 2006



## City of Chattanooga

Ron Littlefield, Mayor City Hall Chattanooga, Tennessee 37402

October 24, 2006

Mr. Harold E. DePriest President and CEO Electric Power Board of Chattanooga P.O. Box 182255 Chattanooga, Tennessee 37422-7255

## Dear Harold:

Following receipt of your letter dated October 23, 2006, I have reviewed this matter with City Attorney Randy Nelson. As I understand it, the EPB Board and its management team have responsibilities for matters like these and approval of this Office is not required. Legal issues aside, I do not object to the request that EPB Telecom has made to the Tennessee Regulatory Authority.

Please let me know if you have any further questions.

Sincerely,

Ron Dittlefield

Mayor

October 18, 2006



Mr. Harold E. DePriest President and CEO Electric Power Board of Chattanooga P.O. Box 182255 Chattanooga, Tennessee 37422-7255

Dear Harold:

In response to your letter dated October 18, 2006, this will confirm that you briefed me on EPB Telecom's proposal to expand its Certificate of Convenience and Necessity. This is a decision that falls within management's day-to-day responsibilities for EPB Telecom, but I am supportive of management's efforts.

Sincerely yours,

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PO Box 182255 Chattanooga, Tennessee 37422 www.epb.net

October 18, 2006



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