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June 22, 2007

Honorable Pat Miller, Hearing Officer  
c/o Sharla Dillon, Docket & Records Manager  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

**RE: In the Matter of: Tennessee Rural Independent Coalition Petition for  
Suspension and Modification Pursuant to 47 U.S.C. Section 251(f)(2)  
TRA Docket No. 06-00228**

Dear Hearing Officer Miller:

The CMRS Providers submit this letter in response to Section I of the *Tennessee Rural Coalition's Reply Brief* filed in the captioned docket June 18, 2007, titled "A Proposal for Resolution," which makes a public settlement offer and invites a response from the CMRS Providers.<sup>1</sup> The Coalition proposes an alternative form of relief neither contemplated under the Telecommunications Act nor requested in the Coalition's original Petition - - i.e., a "conditional suspension" of the Coalition's obligations to establish TELRIC-based reciprocal compensation rates and the introduction of a "process" to establish rates using the TELRIC methodology described by CMRS Witness Craig Conwell.<sup>2</sup>

The Coalition's submission of a settlement offer in the public record is inappropriate, and the CMRS Providers decline the invitation to respond publicly. There is no legitimate reason or justification for involving the decision-maker in the settlement process. In any event, the only appropriate action is for the Panel to disregard the Coalition's public settlement proposal and decide Docket No. 06-00228 upon the evidentiary record and the law.

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<sup>1</sup> Although the Procedural Schedule for the proceeding does not contemplate any submissions by either party after the filing of reply briefs, under the circumstances now presented, the CMRS Providers are compelled to submit this limited letter solely in response to the Coalition's public settlement offer and the accompanying request of a response from the CMRS Providers. See *Coalition's Reply Brief*, TRA Docket No. 06-00228, Section I. Proposal for Resolution at 3-5 and 7 ("The Rural LECs hope that the CMRS providers will quickly indicate to the Authority their agreement to the proposal set forth above.").

<sup>2</sup> See *Coalition Reply Brief*, Proposal for Resolution, ¶¶ 1 and 2 at 3.

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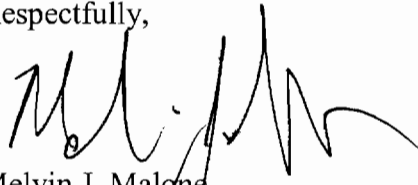
The issue before the Authority in this docket is whether each (or any) Coalition Member has satisfied its statutory burden under Section 251(f)(2) of the Telecommunications Act. The issue is not to evaluate a unilateral, "non-negotiable," "conditional" settlement proposal demanding a public response from CMRS Providers.

The proper course for the Authority is to grant or deny the Petition based on the merits of the case, as properly presented through the testimony, briefs and official record submitted in this proceeding. The Coalition is free to use Mr. Conwell's proposed methodology in Docket No. 03-00585. The submission of such TELRIC studies would greatly simplify the process for establishing rates in that docket, which is one of the primary reasons the CMRS Providers developed and submitted the methodology more than seven (7) months ago.

Finally, as has always been the case, the CMRS Providers stand ready for private discussions with the Coalition at any time.

An additional copy of this filing is enclosed to be "File Stamped" for our records. If you have any questions or require additional information, please let me know.

Respectfully,



Melvin J. Malone  
On behalf of the CMRS Providers

cc: Chairman Sara Kyle  
Director Ron Jones  
Parties of Record