

NASHVILLE, TENNESSEE

IN RE:

DOCKET NO.
07-00168

1) The parties to the agreement have requested Authority review and approval of the Petition.

2) The agreement is in the public interest as it provides consumers with alternative sources of telecommunications services within Ben Lomand's service area.

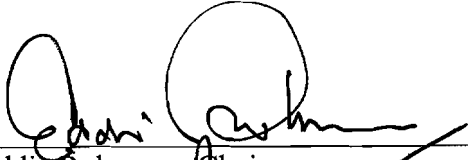
3) The agreement is not discriminatory to telecommunications service providers that are not parties thereto.

4) Section 252(e)(2)(A) of 47 U.S.C. provides that a state commission may reject a negotiated agreement only if it "discriminates against a telecommunications carrier not a party to the agreement" or if the implementation of the agreement "is not consistent with the public interest, convenience or necessity." Unlike arbitrated agreements, a state commission may not reject a negotiated agreement on the grounds that the agreement fails to meet the requirements of 47 U.S.C. §§ 251 or 252(d).¹ Thus, although the Authority finds that neither ground for rejection of a negotiated agreement exists, this finding should not be construed to mean that the agreement is consistent with §§ 251 or 252(d) or, for that matter, previous Authority decisions.

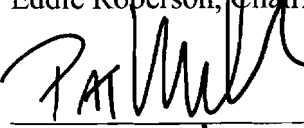
5) No person or entity has sought to intervene in this docket.

IT IS THEREFORE ORDERED THAT:

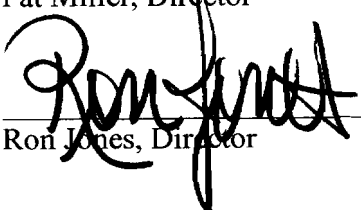
The Petition is granted, and the agreement for the local exchange of telecommunications traffic negotiated between Ben Lomand and Verizon Wireless is approved and is subject to the review of the Authority as provided herein.



Eddie Roberson, Chairman



Pat Miller, Director



Ron Jones, Director

¹ See 47 U.S.C. § 252(e)(2)(B).