

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

August 7, 2008

IN RE:

**PETITION OF JACKSON ENERGY AUTHORITY TO
EXPAND ITS CCN TO PROVIDE INTRASTATE
TELECOMMUNICATIONS SERVICES**

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**DOCKET NO.
07-00201**

PRE-HEARING ORDER

This matter came before the Hearing Officer during a Pre-Hearing Conference held on August 5, 2008, which by the request of the parties, was held telephonically. The Petitioner, Jackson Energy Authority ("JEA"), was represented by Mark Smith, Esq. Aeneas Communications, LLC ("Aeneas"), an intervenor in this proceeding, was represented by Henry Walker, Esq. A second intervenor, the Tennessee Cable Telecommunications Association ("TCTA"), represented by Jamie Hollin, Esq., indicated prior to the Pre-Hearing Conference that it would not appear at the Pre-Hearing Conference, that it would limit its intervention to simply monitoring the proceeding, and would not participate directly in the hearing.¹

BACKGROUND

JEA is currently authorized² to provide services as a carriers' carrier to competitive local exchange carriers ("CLECs") within Madison County, Tennessee, and desires to expand those services to include the provision of retail services to end use customers throughout the State of Tennessee. JEA is requesting that the Tennessee Regulatory Authority ("TRA") modify its

¹ TCTA does not intend to make an opening statement, call any witnesses, or cross-examine any witnesses.

² See Order Approving Application For Certificate of Public Convenience and Necessity, TRA Docket No. 03-00438 (March 5, 2004).

Certificate of Public Convenience and Necessity (“CCN”) and authorize it to provide retail telecommunications services throughout the State of Tennessee, except for those areas referenced in Tenn. Code Ann. § 7-52-403(b).

PRE-HEARING CONFERENCE

The Hearing Officer first queried whether the parties had any pre-trial motions. No motions were proffered; however, JEA stated that it would be filing an amended Exhibit B to its Petition. The *Final Monthly Financial Reports* of JEA, dated June 30, 2007, were filed with the TRA and served on the parties on August 5, 2008.

The parties requested brief opening statements, and the order of proof was then discussed. The following order of the hearing was then established and agreed upon:

Opening Statement	JEA
Opening Statement	Aeneas
Petitioner’s (JEA) first witness	Dana (Danny) R. Wheeler
Cross-examination	Aeneas
Questions	TRA Staff ³
Re-direct examination	JEA
Petitioner’s (JEA) second witness	Kim Kersey
Cross-examination	Aeneas
Questions	TRA Staff
Re-direct examination	JEA

³ While the Directors may ask questions at any time, both parties agreed to allow Staff of the TRA to directly question a witness between cross and re-direct examination.

Intervenor's (Aeneas) witness	Jonathan V. Harlan
Cross-examination	JEA
Questions	TRA Staff
Re-direct examination	Aeneas
Comments from the public	if any

The parties agreed that any of the above witnesses would be subject to recall for rebuttal purposes. Brief closing statements were requested, but not at the exclusion of post-hearing briefs. The parties agreed to file post-hearing briefs within two weeks following the filing of the transcript of the hearing.

IT IS THEREFORE ORDERED THAT:

1. The order of hearing is adopted as set forth above;
2. The Hearing on the merits of this matter will commence on Monday, August 11, 2008 at 10:00 a.m.



Gary Hotvedt, Hearing Officer