

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

December 10, 2007

*In re: Application of Jackson Energy Authority to)
Expand its Certificate of Convenience and)
Necessity to Provide Intrastate)
Telecommunications Services)*

Docket No. 07-00201

**AENEAS COMMUNICATIONS, LLC'S FIRST ROUND OF DISCOVERY AND
REQUESTS FOR PRODUCTION OF DOCUMENTS
TO
JACKSON ENERGY AUTHORITY**

Aeneas Communications, LLC ("Aeneas") hereby serves the following discovery requests to Jackson Energy Authority ("JEA" or the "Company").

DEFINITIONS

1. "JEA" means Jackson Energy Authority, and its parents, subsidiaries, and affiliates, their present and former officers, employees, agents, representatives, directors, and all other persons acting or purporting to act on behalf of Jackson Energy Authority.
2. The terms "you" and "your" refer to JEA.
3. The term "person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.
4. The term "document" shall have the broadest possible meaning under applicable law. "Document" means every writing or record of every type and description that is in the possession, custody or control of JEA, including, but not limited to, correspondence, memoranda, drafts, workpapers, summaries, stenographic or handwritten notes, studies, publications, books, pamphlets, reports, surveys, minutes or statistical compilations, computer

and other electronic records or tapes or printouts, including, but not limited to, electronic mail files; and copies of such writings or records containing any commentary or notation whatsoever that does not appear in the original. The term “document” further includes, by way of illustration and not limitation, schedules, progress schedules, time logs, drawings, computer disks, charts, projections, time tables, summaries of other documents, minutes, surveys, work sheets, drawings, comparisons, evaluations, laboratory and testing reports, telephone call records, personal diaries, calendars, personal notebooks, personal reading files, transcripts, witness statements and indices.

5. The term “referring or relating to” means consisting of, containing, mentioning, suggesting, reflecting, concerning, regarding, summarizing, analyzing, discussing, involving, dealing with, emanating from, directed at, pertaining to in any way, or in any way logically or factually connected or associated with the matter discussed.

6. “And” and “or” as used herein shall be construed both conjunctively and disjunctively and each shall include the other whenever such construction will serve to bring within the scope of these discovery requests any information that would otherwise not be brought within their scope.

7. “Affiliate” or “affiliated” means an entity that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, another entity.

8. “Identify” or “identifying” or “identification” when used in reference to a document means to provide with respect to each document requested to be identified by these discovery requests a description of the document that is sufficient for purposes of a request to produce or a subpoena duces tecum, including the following:

- a) the type of document (e.g., letter, memorandum, etc.);

- b) the date of the document;
- c) the title or label of the document;
- d) the Bates number or other identifier used to number the document for use in litigation;
- e) the identity of the originator;
- f) the identity of each person to whom it was sent;
- g) the identity of each person to whom a copy or copies were sent;
- h) a summary of the contents of the document;
- i) the name and last known address of each person who presently has possession, custody or control of the document; and
- j) if any such document was, but is no longer, in your possession, custody or control or is no longer in existence, state whether it: (1) is missing or lost; (2) has been destroyed; or (3) has been transferred voluntarily or involuntarily, and, if so, state the circumstances surrounding the authorization for each such disposition and the date of such disposition.

GENERAL INSTRUCTIONS

1. If you contend that any response to any data request may be withheld under the attorney-client privilege, the attorney work product doctrine or any other privilege or basis, please state the following with respect to each such response in order to explain the basis for the claim of privilege and to permit adjudication of the propriety of that claim:

- a) the privilege asserted and its basis;
- b) the nature of the information withheld;

- c) the subject matter of the document, except to the extent that you claim it is privileged.

2. These discovery requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you. These discovery requests are intended to include requests for information, which is physically within your possession, custody or control as well as in the possession, custody or control of your agents, attorneys, or other third parties from which such documents may be obtained.

3. If any data request cannot be answered in full, answer to the extent possible and specify the reasons for your inability to answer fully.

4. For each data request, provide the name of the company witness(es) or employee(s) responsible for compiling and providing the information contained in each answer.

DISCOVERY REQUESTS

1. JEA currently holds a certificate to operate as a “carrier’s carrier to competitive local exchange carriers (‘CLEC’) within Madison County, Tennessee.” TRA Docket 03-00438, Order, at 8. Explain whether this application to “expand” JEA’s existing certificate will affect JEA’s rights and obligations to continue serving as a carrier’s carrier. Include in your answer an explanation of whether and, if so, how the granting of this petition for expanded authority will affect the “Code of Conduct” submitted by JEA in Docket 03-00438.

RESPONSE

2. Provide a detailed comparison between, on the one hand, the three-year pro forma financial statements for the JEA Telecommunications Division filed by JEA in TRA Docket 03-00438 (Petition, Appendix D) with, on the other hand, the actual results for those years. Explain all material differences.

RESPONSE

3. To the extent not covered in the response to Question 2, provide a detailed comparison between, on the one hand, the description of the telephone business unit, including its projected assets, network investment, and numbers of employees as described by JEA in TRA Docket 03-00438 and the telephone business unit as it exists today. Explain all material differences.

RESPONSE

4.
 - a. Of the \$60 million in bonds described in TRA Docket 03-00438 (Order, at 7), provide the total amount of bonds issued by JEA to provide for the construction and operations of JEA's telecommunications network.
 - b. Estimate the difference between, on the one hand, the interest rate on those bonds and, on the other hand, the interest rate on the bonds if the bonds had not been guaranteed by JEA's Electric Division and the City of Jackson.
 - c. Describe the schedule for the retirement of those bonds and the anticipated sources of revenue needed to retire the bonds.

RESPONSE

5. Describe the “unit fee” for each of the JEA services offered to CLECs as described in JEA’s “Code of Conduct.” Describe how each such “unit fee” was calculated.

RESPONSE

6. Provide the “total long-run incremental cost” as that term is used in T.C.A. §65-5-108, of the following network elements:
- a. Single analog POTS port
 - b. Single T1 port
 - c. Ethernet port with IP speeds of 256K to 1G in increments of 256K, showing both upstream and downstream speeds.

RESPONSE

7. Provide the current wholesale network access fee or fees charged by JEA to its Telephone Business Unit and explain in detail how the fee or fees were calculated.

RESPONSE

8. State, as a percentage of the retail rate, the wholesale rates of JEA's telephone service if the wholesale rates as calculated in accordance with 47 U.S.C. §252(d)(3) and consistent with the formula used by the TRA for determination of the wholesale rates of BellSouth Telecommunications, Inc.

RESPONSE

9. Provide all documents and explanation concerning JEA's decision in or about May, 2002 to become a wholesale rather than a retail provider of telephone service, including, but not limited to, all studies and analyses used to create the "JEA Wholesale/Retail Option" document introduced as Exhibit 2 in Docket 03-00438.

RESPONSE

10. Explain whether JEA still supports the analysis described in the “JEA Wholesale/Retail Option” and, if not, explain why that analysis is no longer accurate.

RESPONSE

11. Provide all documents and explanation concerning JEA's decision to become a retail provider of telephone service instead of remaining solely a wholesale provider.

RESPONSE

12. During the period January 1, 2007, through June 30, 2007, provide a comparison of the average time needed to correct a service problem reported by a Cinergy customer with the average time needed to correct a service problem reported by Aeneas.

RESPONSE

REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Produce all current and prior contracts between JEA and Cinergy Communications and all current and prior rate schedules for service offered to Cinergy.

RESPONSE

2. Produce all current and prior contracts between JEA and IRIS Network, including but not limited to, all agreements for the use of JEA poles, conduits and right-of-way.

RESPONSE

3. Produce all training materials used by JEA to train its employees to ensure compliance with the Code of Conduct.

RESPONSE

4. Produce all trouble tickets produced since commercial launch of the first section of the JEA network.

RESPONSE

5. Produce all training material used by JEA to ensure compliance with the FCC's CPNI requirements and the CPNI requirements set forth in the Aeneas interconnection agreement.

RESPONSE

6. Produce job description of everyone in the Telecom Division, and anyone in other divisions who actually do work for the Telecom Division.

RESPONSE

7. Produce all pre-development market survey material concerning the projected “take rate” of the JEA network.

RESPONSE

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: Henry M. Walker

Henry M. Walker (No. 000272)

1600 Division Street, Suite 700

P.O. Box 340025

Nashville, Tennessee 37203

(615) 252-2363


CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing is being forwarded via U.S. mail, postage prepaid, to:

Mark W. Smith
Miller & Martin, PLLC\
Suite 1000 Volunteer Building
832 Georgia Avenue
Chattanooga, TN 37402-2289

Jamie R. Hollin
Farris Mathews Branan Bobango Hellen & Dunlap, PLC
Historic Castner-Knott Building
618 Church Street
Suite 300
Nashville, TN 37219

on this the 10th day of December, 2007.


Henry M. Walker