

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

December 10, 2007

IN RE:

**APPLICATION OF SYNIVERSE TECHNOLOGIES, INC.
FOR CCN TO PROVIDE COMPETING LOCAL
TELECOMMUNICATIONS SERVICES IN TENNESSEE**

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**DOCKET NO.
07-00207**

**INITIAL ORDER GRANTING CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

This matter came before the Hearing Officer of the Tennessee Regulatory Authority (the “Authority” or “TRA”) at a Hearing held on November 1, 2007, to consider the *Application for Certificate to Provide Competing Local Telecommunications Services* (the “*Application*”) filed by Syniverse Technologies, Inc. (“Syniverse”) on September 6, 2007, and supplemented on October 16, 2007. In its *Application*, Syniverse seeks a certificate of public convenience and necessity for authority to provide competing local telecommunications services, including facilities-based and resold local exchange, exchange access and interexchange telecommunications services within the State of Tennessee.

Legal Standard for Granting Certificate of Public Convenience and Necessity

Syniverse’s *Application* was made pursuant to and considered in light of the criteria for granting a certificate of public convenience and necessity (“CCN”) as set forth in Tenn. Code Ann. § 65-4-201 (Supp. 2006), which provides, in pertinent part:

(a) No public utility shall establish or begin the construction of, or operate any line, plant, or system, or route in or into a municipality or other territory already receiving a like service from another public utility, or establish service

therein, without first having obtained from the authority, after written application and hearing, a certificate that the present or future public convenience and necessity require or will require such construction, establishment, and operation, and no person or corporation not at the time a public utility shall commence the construction of any plant, line, system or route to be operated as a public utility, or the operation of which would constitute the same, or the owner or operator thereof, a public utility as defined by law, without having first obtained, in like manner, a similar certificate . . .

* * *

(c) After notice to the incumbent local exchange telephone company and other interested parties and following a hearing, the authority shall grant a certificate of convenience and necessity to a competing telecommunications service provider if after examining the evidence presented, the authority finds:

(1) The applicant has demonstrated that it will adhere to all applicable commission policies, rules and orders; and

(2) The applicant possesses sufficient managerial, financial, and technical abilities to provide the applied for services.

* * *

Furthermore, pursuant to Tenn. Code Ann. § 65-5-112 (2004), a competing telecommunications provider is required to file with the Authority (1) a plan containing the provider's plan for purchasing goods and services from small and minority-owned telecommunications businesses; and (2) information on programs that might provide technical assistance to such businesses.

The November 1, 2007 Hearing

Pursuant to Tenn. Code Ann. § 65-4-204 (2004), public notice of the Hearing in this matter was issued by the Hearing Officer on October 18, 2007. No persons sought intervention prior to or during the Hearing. At the Hearing held on November 1, 2007, Mr. David Robinson, Manager Public Policy, of Syniverse, participated in the Hearing, and was subject to examination by the Hearing Officer. Mr. Robinson stated that regarding competing in particular Numbering

Plan Areas (“NPAs”)/NXXs¹ in Tennessee, Syniverse would like to include the (615) NPA.² He stated that Syniverse operates one of the largest independent signaling networks in the United States. According to Mr. Robinson, in addition to signaling, Syniverse enables carriers to route traffic to other carriers around the world via the Syniverse network. Mr. Robinson stated that Syniverse will comply with all of Tennessee’s public interest obligations and responsibilities as mandated in TRA Rule 1220-4-8-.04(3)(b) and (c). Upon Syniverse’s conclusion of the presentation of its proof, the Hearing Officer granted Syniverse’s *Application* based upon the following findings of fact and conclusions of law:

I. Syniverse’s Qualifications

1. Syniverse is a corporation organized under the laws of the State of Delaware and was licensed to transact business in Tennessee by the Secretary of State on September 8, 1994.

2. The complete street address of the registered agent for Syniverse, CT Corporation System, is 530 Gay Street, Knoxville 37902. The complete street address of the corporate office of Syniverse is 8125 Highwoods Palm Way, Tampa, Florida 33647-1776. The telephone number is (813) 637-5940.

3. The *Application* and supporting documentary information existing in the record indicate that Syniverse has the requisite technical and managerial ability to provide competitive access services and transport telecommunications services within the State of Tennessee. Specifically, Syniverse’s senior management team possesses extensive business, technical, operational and regulatory telecommunications experience.

¹ NPA/NXXs indicate the first three numbers of a North American local telephone number and allow local central offices to have numbers that look area codes.

² See *Application*, Exhibit K ¶ 3 (September 6, 2007) for additional NPAs in which Syniverse requests authority to compete.

4. Syniverse has the necessary capital and financial ability to provide the services it proposes to offer.

5. Syniverse has represented that it will adhere to all applicable statutes, policies, rules and orders of the Authority.

II. Proposed Services

Syniverse proposes to provide competitive local exchange telecommunications services including numbering resources, signaling services and possibly switched voice services. In addition, Syniverse hopes to offer point-to-point dedicated transport services in the state of Tennessee and proposes to offer services throughout the state in areas served by AT&T and Sprint, which are designated as open to competition. Syniverse intends to offer a broad range of Telecommunications services through the use of its own facilities, resold facilities, and a combination of these provisioning methods. Syniverse served notice of its application to provide competing local telecommunications services to all eighteen Incumbent Local Exchange Carriers in Tennessee.

III. Permitting Competition to Serve the Public Convenience and Necessity

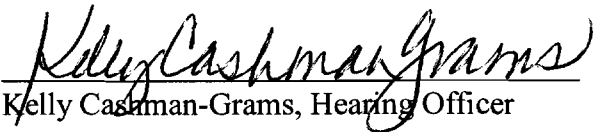
Upon a review of the *Application* and the record in this matter, the Hearing Officer finds that approval of Syniverse's *Application* would inure to the benefit of the present and future public convenience by permitting competition in the telecommunications services markets in the State and fostering the development of an efficient, technologically advanced statewide system of telecommunications services.

IV. Small and Minority-Owned Telecommunications Business Participation Plan and Business Assistance Program

Syniverse has filed a satisfactory small and minority-owned telecommunications business participation plan, pursuant to Tenn. Code Ann. § 65-5-112 (2004) and the Authority's Rules.

IT IS THEREFORE ORDERED THAT:

1. The *Application for Certificate to Provide Competing Local Telecommunications Services* filed by Syniverse Technologies, Inc. is approved;
2. Any party aggrieved by the Hearing Officer's decision in this matter may file a petition for reconsideration within fifteen days from the date of this Order.
3. This Initial Order shall become a Final Order of the Tennessee Regulatory Authority, if no petition for reconsideration or appeal of this Order is filed prior to the expiration of the fifteen day appeal period.


Kelly Cashman-Grams, Hearing Officer