

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

December 3, 2007

IN RE:)
)
PETITION OF BELLSOUTH TELECOMMUNICATIONS, INC.) **DOCKET NO.**
D/B/A AT&T TENNESSEE, TO INTERVENE AND REQUEST) **07-00219**
FOR SUSPENSION OF LEVEL 3 COMMUNICATIONS, LLC)
TARIFF NUMBER 2007-0388)

ORDER RESUSPENDING REVISED TARIFF THROUGH DECEMBER 17, 2007

This matter initially came before Chairman Eddie Roberson, Director Sara Kyle and Director Ron Jones of the Tennessee Regulatory Authority (the "TRA" or "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on October 8, 2007, to consider suspension of Level 3 Communications, LLC's ("Level 3") Tariff Filing 2007-0388. During that Authority Conference, the panel directed Level 3 to respond no later than October 22, 2007, to petitions to intervene and suspend filed by AT&T Tennessee ("AT&T") and the Verizon Companies¹ ("Verizon"). Additionally, the panel suspended the tariff for thirty days from October 15, 2007 through November 13, 2007 in order to gather additional information and consider Level 3's response to the petitions of AT&T and the Verizon.

On October 25, 2007, Level 3 filed revised tariff pages. Notwithstanding the revisions to the Tariff pages, AT&T and Verizon made subsequent filings expressing continued concerns regarding Level 3's tariff filing. Both AT&T and Verizon stated that negotiations with Level 3 were ongoing. On November 5, 2007, Level 3 responded to AT&T and Verzions continued concerns and agreed

¹ The Verizon companies include MCIMetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services, MCI Communications Services, Inc., Bell Atlantic Communications, LLC, NYNEX Long Distance Company, and Verizon Select Services, Inc.

that consideration of the merits of its tariff filing should be postponed until the next Authority Conference on December 3, 2007. During an Authority Conference on November 6, 2007, based upon the revised tariff filing on the responses, submitted and the ongoing negotiation between the companies, the panel voted unanimously to suspend Level 3's October 25, 2007 revised Tariff Filing 2007-0388 through December 3, 2007 and appoint General Counsel or his designee to address any issues that might arise between now and the December 3, 2007 Authority Conference.

The Hearing Officer contacted counsel for the parties regarding the status of this matter and was informed that negotiations were continuing. On December 3, 2007, the parties notified the Hearing Officer that negotiations are ongoing. The parties agree that the revised tariff should be resuspended through December 17, 2007. If the parties reach a settlement and agree that the intervention requests will be withdrawn and that the resulting tariff can be approved initially by the Hearing Officer prior to December 17, 2007, Level 3 may put the revised tariff into effect upon such approval.

IT IS THEREFORE ORDERED THAT:

The Revised Tariff filed by Level 3 is hereby resuspended through **December 17, 2007**.


Richard Collier, Hearing Officer