

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

December 21, 2007

IN RE:

**APPLICATION OF STELLAR NORDIA
SERVICES, LLC FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO
PROVIDE COMPETING LOCAL
TELECOMMUNICATION SERVICES**

)
)
)
)
)
)
)

**DOCKET NO.
07-00254**

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

This matter came before Chairman Eddie Roberson, Director Sara Kyle and Director Ron Jones of the Tennessee Regulatory Authority (“the Authority” or “TRA”), the voting panel assigned to this docket (“panel”), at a Hearing held on December 3, 2007, to consider the *Application for Certificate to Provide Competing Local Telecommunications Services* (“*Application*”) filed by Stellar Nordia Services, LLC (“Stellar Nordia” or Applicant”) on November 14, 2007. In its *Application*, Stellar Nordia requests to provide competing local telecommunications services in order to act as a call center subcontractor for GoAmerica Relay Services Corp (“GoAmerica”) with respect to GoAmerica’s provision of intrastate telecommunications relay services (“TRS”) within the State of Tennessee.

Legal Standard for Granting Certificate of Convenience and Necessity

Stellar Nordia’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, 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. § 65-5-212, competing telecommunications providers are 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 December 3, 2007 Hearing

Pursuant to Tenn. Code Ann. § 65-4-204 (2004), public notice of the Hearing in this matter was issued on November 21, 2007. No persons sought intervention prior to or during the Hearing. At the Hearing held on December 3, 2007, Ms. Anne Rousseau, Vice President and Chief Operating Officer of Stellar Nordia, adopted the pre-filed testimony of Bernard Durocher, President of Stellar Nordia, testified on behalf of the Applicant and was subject to examination by the Directors. Upon conclusion of presentation of the proof in Stellar Nordia's case, the panel

voted unanimously to grant Stellar Nordia's *Application* based upon the following findings of fact and conclusions of law:

I. Stellar Nordia's Qualifications.

1. Stellar Nordia is a limited liability company organized under the laws of the State of Nevada on June 21, 2002 and was authorized to transact business in the State of Tennessee on September 21, 2007.

2. The complete name and street address of Stellar Nordia's registered agent in the state of Tennessee is CT Corporation System, 800 S. Gay Street, Suite 2021, Knoxville, Tennessee 37929. The complete street address of Stellar Nordia's corporate office is 130 E. John Carpenter Freeway, Irvine, Texas 75062. The telephone number is (514) 387-1285.

3. The *Application* and supporting documentary information existing in the record indicate that Stellar Nordia has the requisite technical and managerial ability to provide TRS within the state of Tennessee. Specifically, Stellar Nordia's management team possesses extensive business, technical and operational telecommunications experience.

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

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

II. Proposed Services

Stellar Nordia will act as a call-center subcontractor to GoAmerica with respect to

GoAmerica's provision of Tennessee intrastate TRS.¹ Stellar Nordia will provide technical, operational and administrative support to GoAmerica in GoAmerica's efforts to provide hearing and speech-impaired consumers in Tennessee with access to the intrastate telecommunications network that is functionally equivalent to that utilized by individuals that are not disabled.

As the call center subcontractor for GoAmerica, Stellar will support GoAmerica's provision of telecommunications access to and from speech or hearing disabled Tennessee customers without the need for the non-disabled to utilize anything other than a telephone. Access will be provided with 711 dialing in addition to one or more toll-free numbers. These toll-free numbers shall be universally available and uniform throughout Tennessee. GoAmerica shall accept calls that originate from or terminate at telecommunications devices for the deaf, teletypewriters, modem-equipped personal computers, or any other automated equipment used to facilitate telecommunications service for the communicatively disabled. Such calls shall both originate and terminate within the state. GoAmerica shall also be capable of accepting calls placed across a state line which, if the relay center were not utilized, would be considered local intrastate calls. Individuals with communication disabilities that subscribe to Tennessee intrastate service will be able to call, or be called by, any business or residence that has standard telephone service in Tennessee.

Stellar Nordia will also provide the support for GoAmerica's provision of 911, E911 and 900 number blocking pursuant to the TRS Contract which GoAmerica seeks to assume from Verizon Services Corporation.

¹ See *In re: Joint Petition of Verizon Communications Inc., MCI Communications Services, Inc. d/b/a Verizon Business Services and Verizon Services Corporation, and GoAmerica Relay Services Corp. ("GRSC") for Expedited Approval of the Assignment of the Contract to Provide Relay Services from Verizon Services Corporation to GRSC, for GRSC to Utilize Stellar Nordia Services, LLC as a Subcontractor in the Performance of the Contract, and for the Transfer of Related Assets from Verizon Business Services to GRSC*, Docket No. 07-00204.

III. Public Interest

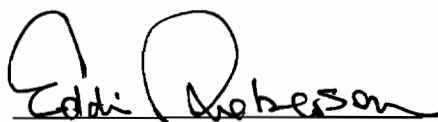
Upon a review of the *Application* and the record in this matter, the panel finds that approval of Stellar Nordia's *Application* would inure to the benefit of the present and future public convenience by fostering the continuation and development of an efficient, technologically advanced statewide system of TRS telecommunications services.

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

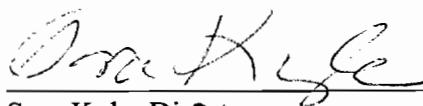
Stellar Nordia has filed a satisfactory small and minority-owned telecommunications business participation plan, pursuant to Tenn. Code Ann. § 65-5-112 and the Authority's Rules.

IT IS THEREFORE ORDERED THAT:

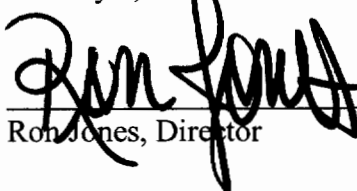
1. The *Application for Certificate to Provide Competing Local Telecommunications Services* of Stellar Nordia Services, LLC for a Certificate of Public Convenience and Necessity to provide competing local telecommunications services is approved.
2. Any party aggrieved by the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within ten (10) days from and after the date of this Order.
3. Any party aggrieved with the Authority's decision in this matter has the right of judicial review by filing a Petition for Review in the Tennessee Court of Appeals, Middle Section, within sixty (60) days from and after the date of this Order.



Eddie Roberson, Chairman



Sara Kyle, Director



Ron Jones, Director