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October 7, 2008

Hon. Tre Hargett, Chairman
c/o Sharla Dillon
Tennessee Regulatory Authority
460 James Robinson Parkway
Nashville, TN 37238

filed electronically in docket office on 10/07/08

Re: In re Petition of CompSouth for Declaratory Ruling
Docket 08-00184

Dear Chairman Hargett:

On behalf of the Petitioner in the above-captioned matter, I respectfully request that this matter be placed on the next TRA conference agenda for the appointment of a Hearing Officer and the establishment of a procedural schedule.

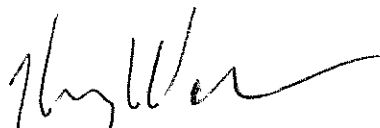
This Petition asks the TRA to revisit the interpretation of the FCC's "commingling" rule in light of a recent decision by the United States Court of Appeals for the Eleventh Circuit.

The Petitioner suggests that since the Authority is already familiar with this issue, the parties need only address the impact of the Eleventh Circuit decision and any other legal developments since the TRA last addressed the matter.¹

Therefore, CompSouth respectfully requests that the Authority place this matter on its next conference agenda and appoint a Hearing Officer to establish a procedural schedule.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 
Henry Walker

HW/cas

cc: Guy Hicks, counsel for AT&T

¹ The commingling issue is still pending in one other court, the United States District Court for the Eastern District of Kentucky, where a decision is expected shortly.