

**IN THE TENNESSEE REGULATORY AUTHORITY  
AT NASHVILLE, TENNESSEE**

**IN RE:** )  
**PETITION FOR REGULATORY** )  
**EXEMPTION PURSUANT TO T.C.A.** ) **DOCKET NO. 08-00192**  
**§ 65-5-108(b) TO INCREASE REGULATORY** )  
**PARITY AND MODERNIZATION** )

---

**PETITION TO INTERVENE**

---

Robert E. Cooper, Jr., Attorney General and Reporter for the State of Tennessee, by and through the Consumer Advocate and Protection Division of the Office of the Attorney General (“Consumer Advocate”), pursuant to Tenn. Code Ann. § 65-4-118, respectfully petitions the Tennessee Regulatory Authority (“TRA” or “Authority”) to convene a contested case and grant the Consumer Advocate’s intervention into this proceeding on behalf of the public interest because consumers may be adversely affected by the petition of BellSouth Telecommunications, Inc. dba AT&T Tennessee (“AT&T”) for regulatory exemption of virtually all telecommunication services for many Tennesseans. For cause, Petitioner would show as follows:

1. The Consumer Advocate is authorized by Tenn. Code Ann. § 65-4-118 to represent the interests of Tennessee consumers of public utilities services by initiating and intervening as a party in proceedings before the Authority in accordance with the Uniform Administrative Procedures Act and Authority rules.

2. AT&T is a public utility regulated by the Authority providing telephone and other services and products in Tennessee.

3. On October 9, 2008, AT&T filed in the Authority a Petition for Regulatory Exemption Pursuant to T.C.A. § 65-5-108(b) to Increase Regulatory Parity and Modernization. If the Authority were to approve the petition of AT&T in its present form, residential customers in rate groups 3, 4, and 5, which consist of the most populated and developed areas of Tennessee, would lose the protection of regulation by the TRA of virtually all telecommunication services. In addition, all business services across the state would be deregulated.

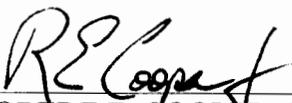
4. The Consumer Advocate alleges that the elimination of virtually all regulation for many Tennesseans may not be warranted and that there is no proof in the record of the benefits, if any, of such deregulation. If no proof beyond the unverified Petition as currently filed at the TRA is submitted, the TRA should deny the Petition.

5. Additional investigation and discovery will be needed to determine whether such deregulation is warranted and, if so, the appropriate extent of such deregulation.

6. Only by participating in this proceeding can the Consumer Advocate work adequately to protect the interests of consumers.

WHEREFORE, Petitioner respectfully asks the Authority to convene a contested case proceeding and grant the Petition to Intervene.

RESPECTFULLY SUBMITTED,

  
\_\_\_\_\_  
ROBERT E. COOPER, JR. (BPR #10934)  
Attorney General and Reporter  
State of Tennessee

Vance L. Broemel

VANCE L. BROEMEL (BPR #11421)  
Assistant Attorney General  
Office of the Attorney General  
Consumer Advocate and Protection Division  
P.O. Box 20207  
Nashville, Tennessee 37202-0207  
(615) 741-8733

Dated: November 3<sup>rd</sup>, 2008.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Petition to Intervene was served via U.S. Mail or electronic mail upon:

Guy M. Hicks  
AT&T Tennessee  
333 Commerce Street, Suite 2101  
Nashville, Tennessee 37201

Paul F. Rice  
Attorney for TISPA  
P.O. Box 1692  
Jackson, TN 38302-1692

Charles B. Welch, Jr.  
Farris Mathews Bobango PLC  
Attorney for TW Telecom of Tennessee, LLC  
618 Church Street, Suite 300  
Nashville, TN 37219

Henry Walker  
Boult, Cummings, Conners & Berry  
Attorney for CompSouth and NuVox  
1600 Division Street, Suite 700  
Nashville, Tennessee 37203

This the 3<sup>rd</sup> day of November, 2008.

Vance L. Broemel  
VANCE L. BROEMEL