

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

filed electronically in docket office 5/19/2009

**RULEMAKING FOR COMPETITIVE
EXEMPTIONS FOR PRICE REGULATED
AND COMPETITIVE CARRIERS**

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DOCKET NO. 09-00032

COMMENTS OF THE CONSUMER ADVOCATE AND PROTECTION DIVISION

Robert E. Cooper, Jr., Attorney General and Reporter for the State of Tennessee, by and through the Consumer Advocate and Protection Division (“Consumer Advocate”) respectfully submits these comments for consideration by the Tennessee Regulatory Authority (“TRA” or “Authority”). The Consumer Advocate is greatly appreciative of the opportunity to submit comments for the TRA’s consideration in establishing standards and benchmarks to implement the deregulatory policies that the Tennessee legislature established within Tenn. Code Ann. § 65-5-108(b).

We commend the efforts of the TRA in proposing rules in conjunction with this code section “to provide a streamlined and uniform process by which price regulated incumbent local exchange carriers and competitive local exchange carriers may apply for a Competitive Exemption for services within portions or all of a service territory.” Tenn. Code Ann. § 65-5-108(b) (Supp. 2008). However, in light of the current legislation contained in Senate Bill 1954, as well as the *Order Establishing List of Issues and Setting a Procedural Schedule* in TRA Docket No. 08-00192, the Consumer Advocate is of the opinion that sufficient rules concerning the specific evidentiary criteria to evaluate competition are already in existence.

The TRA's analysis in Docket No. 08-00192 states the required evidentiary criteria in order to show that competition is an effective regulator of the price of those services sought to be deregulated. The Consumer Advocate is of the opinion that the stated criteria adequately measure the level of market competition, and we urge the TRA to maintain these standards.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Mary Leigh White".

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Dated: May 19, 2009.

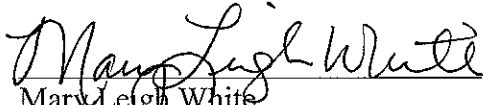
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via first-class U.S. Mail, postage prepaid, or electronic mail upon:

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This the 19 day of May, 2009.


Mary Leigh White
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