

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

April 22, 2009

IN RE:

APPLICATION OF METROPOLITAN)	DOCKET NO.
TELECOMMUNICATIONS OF TENNESSEE, INC. FOR)	09-00047
AUTHORITY TO PROVIDE COMPETING LOCAL EXCHANGE)	
AND INTEREXCHANGE TELECOMMUNICATIONS SERVICE)	

ORDER GRANTING TELEPHONIC PARTICIPATION IN HEARING

This matter came before the Hearing Officer upon a *Motion to Appear and Participate Telephonically at Hearing* ("Motion for Telephonic Participation") filed on behalf of Metropolitan Telecommunications of Tennessee, Inc. ("MetTel" or "Applicant") on April 20, 2009, requesting permission for company representatives and witnesses to participate telephonically in the Hearing on its *Application of Metropolitan Telecommunications of Tennessee, Inc. for Authority to Provide Competing Local Exchange and Interexchange Service* scheduled on Tuesday, April 28, 2009 at 1:00 p.m. CST.

Tenn. Code Ann § 4-5-312 (c) (2004) addresses electronic participation at a hearing as follows:

(c) In the discretion of the administrative judge or hearing officer and agency members and by agreement of the parties, all or part of the hearing may be conducted by telephone, television or other electronic means, if each participant in the hearing has an opportunity to participate in, to hear, and, if technically feasible, to see the entire proceedings while taking place.

In its *Motion for Telephonic Participation*, MetTel asserts that personal attendance of its company representatives and witnesses, whom reside in New York, would be burdensome. Further, Applicant acknowledges and agrees to comply with certain conditions for telephonic

participation. In accordance with the above-referenced statute, and considering that its request was made in a timely manner, the Hearing Officer hereby grants MetTel's request for the telephonic appearance and participation of company representatives and witnesses in the Hearing noted above, conditioned upon the following:

1. MetTel shall have its attorney, whom is either licensed to practice law in Tennessee or has been granted permission to appear *pro hac vice* before the Tennessee Regulatory Authority prior to the subject hearing, appear personally at the scheduled time and place of the Hearing to present the Applicant's telephonic witnesses and to facilitate the questioning of each such witness.

2. MetTel is solely responsible for, and shall be required to, secure a properly licensed Notary Public in good standing in the State or jurisdiction where the testimony is to be given, and who will physically appear with any company representative or witness who at the Hearing is called telephonically to give live testimony or to ratify pre-filed testimony.

3. The Notary Public secured by the MetTel, as noted above, shall be duly authorized to administer the Testimonial Oath, and shall do so during the Hearing and remain physically present with the witness at all times during testimony until such witness is excused from examination by the Hearing Officer.

4. Following the conclusion of the Hearing, the Notary Public shall prepare and sign an Affidavit, affirming the proven identity of the witness, the fact that such person was sworn by the Notary Public, and that the testimony given by the sworn witness was in accordance with the highest ethical and legal standards as observed by the Notary Public. The Affidavit shall bear the official seal of the signing Notary Public, and the testifying witness shall also be required to sign a conforming Witness Certification. (As a courtesy, sample forms of the *Witness*

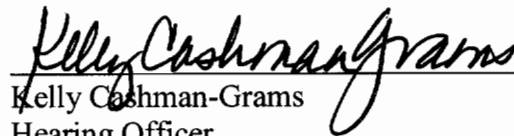
Certification and Notary Public Affidavit are attached hereto as Exhibit A.)

5. Both the Witness Certification and Notary Public Affidavit described above must be post-marked within five (5) days of the Hearing and received by the Hearing Officer via postage-paid U.S. Mail. In the event that both a proper Witness Certification and Notary Public Affidavit containing the affirmations noted above fails to be produced to the Hearing Officer as set forth herein, the testimony of the witness may be struck from the record, and may constitute grounds sufficient for denial of the application.

IT IS THEREFORE ORDERED THAT:

1. Corporate representatives and witnesses of Metropolitan Telecommunications of Tennessee, Inc. residing outside the State of Tennessee, may, subject to the conditions set forth in this Order, telephonically appear and participate in the Hearing scheduled on April 28, 2009 at 1:00 p.m. CST.

2. For the convenience of all parties and to avoid disruption of the proceedings, all authorized persons choosing to participate by telephone shall call (615) 532-7746 approximately ten (10) minutes in advance of the commencement time set for the Hearing. The Hearing is expected to begin promptly at the aforementioned time.


Kelly Cashman-Grams
Hearing Officer

cc: Interested Parties
Original in Docket File

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

IN RE:

(Case Style)

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Docket No. 00-00000

WITNESS CERTIFICATION

Affiant, after first being duly sworn according to law, deposes and states as follows:

I, _____, attest and certify that I provided testimony via telephone before the Tennessee Regulatory Authority at the Hearing on the _____ day of _____, 20____. I have read the Affidavit of the Notary Public, Mr./Mrs. _____, who administered the Testimonial Oath to me and thereafter witnessed my testimony, and I further acknowledge and affirm that the testimony I provided proceeded as stated therein.

FURTHER WITNESS SAITH NOT.

WITNESS my hand, at office, this _____ day of _____, 20____.

SIGNATURE OF WITNESS

NAME OF WITNESS (Printed)

EXHIBIT A

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

IN RE:

(Case Style)

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Docket No. 00-00000

NOTARY PUBLIC AFFIDAVIT

Affiant, after first being duly sworn according to law, deposes and states as follows:

1. I am _____, a Notary Public in good standing in the State of _____, County of _____. All statements set out in this Affidavit are made of my own personal knowledge.

2. My business address and telephone phone where I may be contacted is:

3. Mr./Ms. _____ (Witness") personally appeared before me and provided _____ (type of identification) which I verified, on the _____ day of _____, 20__ for the purpose of providing sworn testimony via telephone at a Hearing before the Tennessee Regulatory Authority.

3. During the Hearing, on the record, I administered the testimonial oath to Witness prior to the Witness providing testimony via telephone before the Tennessee Regulatory Authority.

4. I remained physically present with the Witness at all times during the Witness' testimony until such Witness was excused from examination by the Hearing Officer.

5. The testimony I observed being given by the Witness was in accordance with the highest ethical and legal standards.

FURTHER AFFIANT SAITH NOT.

WITNESS my hand, at office, this _____ day of _____, 20____.

(OFFICIAL SEAL)

NOTARY PUBLIC

NOTARY PUBLIC (Printed)

My Commission Expires: