

# TENNESSEE REGULATORY AUTHORITY



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

April 24, 2009

Henry C. Campen, Jr. and  
Tracy W. Kimbrell  
PARKER POE ADAMS AND BERNSTEIN, LLP  
150 Fayetteville Street Mall, Suite 1400  
Post Office Box 389  
Raleigh, North Carolina 27602-0389

RE: Docket No. 09-00051, *Application of DukeNet Communications, LLC for Certificate to Provide Local Exchange and Interexchange Telecommunications Services as a Competitive Local Exchange Carrier in Tennessee*

Dear Mr. Campen and Ms. Kimbrell:

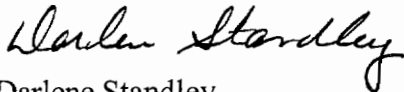
CLEC applicants are required, by statute, to demonstrate their managerial, financial and technical abilities to provide the services for which they seek authority. To assist the Authority in its review of DukeNet Communications, LLC's application for Certificate of Convenience and Necessity to provide competing local exchange and interexchange telecommunications services in Tennessee, you are requested to provide the following information:

1. What is the legal name of the company? The Secretary of State certification included with the application was for DukeNet Communication Services, LLC.
2. The application states that Exhibit E is DukeNet Communications, LLC's "local exchange tariff...describing the terms and conditions under which it will offer local exchange telecommunications services in Tennessee." However, Exhibit E contains a tariff titled "DukeNet Communications, LLC Regulations and Schedule of Charges Applying to Interexchange Telecommunications Services with the State of Tennessee." Will DukeNet Communications, LLC be providing local exchange services in Tennessee? If so, provide an informational tariff for the local exchange services to be offered.
3. The description of services DukeNet plans to offer provided on page 4 of the application appears to contradict the statement on page 6 of the application that reads, "DukeNet does not plan to provide voice grade services in Tennessee." Does DukeNet plan to offer local telecommunications services? If so, provide a Toll Dialing Parity Plan.
4. What is DukeNet's expected demand for NXXs per NPA within a year of approval of your application?

5. Will DukeNet provide access to 911 and E911 services, white page directory listings and directory assistance, access to and support for the Tennessee Relay Center in the same manner as incumbent local exchange telephone companies, free blocking for 900/976 type services in accordance with Authority policy, LifeLine and Link-Up services to qualifying citizens of Tennessee and educational discounts in existence as of June 6, 1995 in accordance with TRA Rule 1220-4-8-.04?
6. Provide a sample bill.
7. For what reason did DukeNet cancel its certification in the state of Florida in 2006 and then get recertified in 2007?
8. Provide the educational background for Mr. Cockerham and Mr. Lane and more detailed information regarding previous telecommunications experience including positions held, dates and duties and responsibilities for each prior position. Detail the day-to-day duties and responsibilities of each officer for the company's Tennessee operations.
9. DukeNet provided the financial information for its parent company, Duke Energy Corp. Does DukeNet Communications, LLC have its own financials? If so, provide the most recent Balance Sheet, Income Statement and Statement of Cash Flows. If the company does not have financial information, provide a statement from an authorized representative of Duke Energy Corp. agreeing to provide financial resources for DukeNet Communications, LLC's Tennessee operations.
10. Provide a sworn statement from an officer of DukeNet Communications, LLC that the company will adhere to all applicable state and federal laws and TRA rules.
11. Provide a bond or letter of credit in compliance with Tenn. Code Ann. § 65-4-125(j).
12. How will the company comply with Tenn. Code Ann. § 65-21-114, which requires toll-free calling within each county in Tennessee?

Please provide the above information by May 7, 2009. In accordance with TRA Rules, please submit either (1) thirteen written copies of your response or (2) four written copies and an electronic version and reference Docket No. 09-00051 on the correspondence. If you have questions concerning this request or need additional information, please contact Lisa Foust at 615-741-2904 extension 220.

Sincerely,



Darlene Standley  
Utilities Division Chief