

TENNESSEE REGULATORY AUTHORITY



460 James Robertson Parkway
Nashville, Tennessee 37243-0505

April 30, 2009

Mr. Andrew O. Isar
Miller Isar, Inc.
7901 Skansie Avenue
Suite 240
Gig Harbor, WA 98335

RE: Docket No. 09-00054, *Application of Silv Communication Inc. for Certificate to Provide Resold Interexchange Long Distance Services in Tennessee*

Dear Mr. Isar:

The Tennessee Regulatory Authority is in receipt of the above application. It is requested that you provide the following items for further review of the application.

1. The application indicates that the company has been the subject of regulatory actions in the states of Michigan and Iowa which were the result of "improper and regrettable misjudgment of a sales agency engaged by Applicant to obtain subscribers, and on whom Applicant relied upon as to the validity of new customer account authorizations. Applicant has since terminated its relationship with this agency."

A review of the FCC website also revealed a recent ruling against Silv Communication Inc. for 6 "slamming" complaints. These complaints were filed with the FCC as recently as August 2008. Has Silv Communication Inc. been the subject of any other regulatory complaints with any additional state or federal agencies in the past 2 years? If so, provide the agency with which the complaint(s) were filed, and details regarding the nature of the complaint(s) and how they were resolved.

2. The company indicates in the current application that it will use Nationwide Marketing to market its services in Tennessee. Has Nationwide Marketing registered with the Tennessee Regulatory Authority as a solicitor, in compliance with Tenn. Code Ann. § 65-4-401, *et seq.*? If so, provide proof of registration.

3. Provide a copy of the script that Nationwide Marketing agents will use to market Silv Communication Inc.'s services.

4. Provide the name, address and contact person for the third party verification company to be used and a copy of the script used by the verification company to confirm new accounts.

5. The \$20,000 surety bond provided by the company with the application was not the original bond. The bond was also missing the second page which includes acknowledgment of surety and principal signatures and a power of attorney for the surety. Provide the original bond, an original acknowledgment of principal and surety page and a power of attorney for the surety.

6. Provide further explanation as to the expense titled "Commissions" listed in the financial information provided. Are commissions paid to sales agents? Are commissions paid to the third party verification company?

7. Provide further explanation as to the expense titled "Marketing" listed in the financial information provided. What type of marketing is the company purchasing? Upon what conditions are the amounts paid for marketing based?

It is requested that this information be provided no later than 2:00 pm on May 12, 2009 and that you reference Docket Number 09-00054 on the response. In accordance with TRA rules submit either (1) thirteen written copies of your response or (2) four written copies and an electronic version. Should you have questions regarding this request, please contact Lisa Foust at 615-741-2904 extension 220.

Sincerely,

Dan Foust For Darlene Standley

Darlene Standley
Utilities Division Chief