

TENNESSEE REGULATORY AUTHORITY



460 James Robertson Parkway
Nashville, Tennessee 37243-0505

September 25, 2009

Joseph Isaacs, Director of Regulatory Affairs
LMK Communications, LLC
4274 Enfield Court, Suite 1600
Palm Harbor, Florida 34685

Sent Via Electronic & U.S. Mail

RE: *Application of LMK Communications, LLC for Certificate of Convenience and Necessity to Provide Competing Telecommunications Services in Tennessee* Docket No. 09-00117


Dear Mr. Isaacs:

Your email correspondence of September 22, 2009, sent to Lisa Foust of the Tennessee Regulatory Authority's ("Authority") Utilities Division, was forwarded to me for review and response.

In your email, you indicated that an LMK Communications, LLC (the "Company" or "LMK") witness/corporate representative is not available to testify on October 26, 2009. The October date proposed by Ms. Foust, which is the date of the next scheduled Authority Conference, constitutes the first and earliest date available for a hearing by the Authority panel assigned in the above-referenced matter. The Authority is pleased to work with all parties, and will accommodate reasonable requests for hearing dates convenient to the parties whenever possible. Nonetheless, be aware that the unavailability of LMK representatives for a hearing on October 26, 2009, delays consideration of the Company's petition by the Authority.

In accordance with your request, LMK's petition will not be placed for hearing on the Authority's October 26, 2009 Conference Agenda. Instead, the hearing will be held on **November 6, 2009** during the Authority Conference beginning at 1:00 pm CST. In the event that a Company representative is not available on this date, please file written notice with a request to reschedule the hearing in the docket file. Should you have additional questions or concerns regarding this matter, you may contact Lisa Foust at extension 220 or me at extension 168.

Sincerest Regards,


Kelly Cashman-Grams
Hearing Officer

Cc: Docket No. 09-00117
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