

# TENNESSEE REGULATORY AUTHORITY



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Nashville, Tennessee 37243-0505  
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November 10, 2009

Christopher Bunce, Esq.  
Birch Communications, Inc.  
2300 Main Street, Suite 600  
Kansas City, MO 64108

RE: Docket 09-00179: Application of Birch Telecom of the South, Inc. and Birch Communications, Inc. for Approval of Financing Arrangements and Related Transactions

Dear Mr. Bunce:

In order to fully analyze the above-referenced *Application*, the Tennessee Regulatory Authority requires additional information. Please provide the information requested below by November 17, 2009, and refer to this correspondence as Data Request No. 1 in the response.

1. Have the applicants applied for approval for financing from any federal agency? If so, what is the status of such application or notification?
2. Will Tennessee assets be pledged as collateral for any debt issued?
3. Will a transfer of certificates, authorizations, assets or customers occur as a result of Applicants' participation in the proposed debt financing transaction?
4. Will there be a change in the rates or terms and conditions of service as a result of the Applicants' participation in the proposed debt financing transaction?

If you have any questions or need further assistance, please call me at 615-741-2904, ext. 196 or email me at [Carlos.Black@tn.gov](mailto:Carlos.Black@tn.gov). Please respond by sending the original and 13 copies either by U.S. Mail or express mail. Alternatively, you may send the original and four (4) copies along with an electronic file to:

Ms. Sharla Dillon, Docket Room Manager  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505  
[Sharla.Dillon@tn.gov](mailto:Sharla.Dillon@tn.gov)

Sincerely,

Jerry Kettles, Chief  
Economics Analysis & Policy Division

C: Cherie R. Kiser, Angela F. Collins

Telephone (615) 741-2904, Toll-Free 1-800-342-8359, Facsimile (615) 741-5015  
[www.state.tn.us/tra](http://www.state.tn.us/tra)