

FARRIS MATHEWS BOBANGO PLC

ATTORNEYS AT LAW

Nashville · Memphis

HISTORIC CASTNER-KNOTT BUILDING
618 CHURCH STREET, SUITE 300
NASHVILLE, TENNESSEE 37219

(615) 726-1200 telephone · (615) 726-1776 facsimile

Charles B. Welch, Jr.
cwelch@farrismathews.com

Direct Dial:
(615) 687-4230

July 21, 2010

Filed Electronically; Original Hand-Delivered

Sharla Dillon
Docket Room Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

FILED ELECTRONICALLY IN DOCKET OFFICE ON 07/22/10

**RE: TRA Docket 09-00201; Motion of Intelepeer, Inc. to Appear
and Participate Telephonically at Hearing**

Dear Ms. Dillon:

On behalf of Intelepeer, Inc., attached for filing is its Motion to Appear and Participate Telephonically at Hearing. The original executed Motion and four copies will be hand delivered to your office subsequent to this electronic filing.

Thank you for your assistance in this matter. Please do not hesitate to contact me should you have any questions regarding this filing,

Respectfully submitted,

FARRIS MATHEWS BOBANGO PLC


Charles B. Welch, Jr.

Enclosures

**BEFORE THE
TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

In the Matter of the Application of)
)
)

IntelePeer, Inc.)

) Docket No. 09-00201

)
For a Certificate of Convenience and Necessity to)
Provide Facilities-Based and Resold Competing)
Local Telecommunications Services and)
Facilities-Based and Resold Interexchange)
Telecommunications Services in Tennessee)
_____)

MOTION TO APPEAR AND PARTICIPATE TELEPHONICALLY AT HEARING

IntelePeer, Inc. ("IntelePeer"), is in receipt of the Notice of Hearing in the above captioned matter. The Notice sets a hearing date of July 26, 2010 at 1:00 p.m. in the Hearing Room on the Ground Floor at 460 James Robertson Parkway, Nashville, Tennessee.

Pursuant to Tenn. Code Ann. § 4-5-312(c), IntelePeer submits this Motion to Appear and Participate Telephonically at Hearing and provides the following in support of this Motion:

Tenn. Code Ann. § 4-5-312(c) 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 accordance with this provision applicable to this proceeding, IntelPeer hereby respectfully requests to participate telephonically because personal attendance of company representatives and witness, who reside in Colorado, would be burdensome.

If this Motion is granted, IntelPeer agrees its telephonic appearance and participation in the hearing will be subject to the following conditions:

1. IntelPeer is solely responsible for, and shall be required to, secure a properly licensed Notary Public in good standing in the State of the jurisdiction where the testimony is to be given, and who will physically appear with any company representative or witness who will be called at the hearing to give live testimony or to ratify pre-filed testimony.
2. The Notary Public obtained by IntelPeer shall be duly authorized to administer the Oath, and shall do so during the Hearing and remain physically present with the witness at all times during the witness' testimony until such witness is excused from examination by the Hearing Officer.
3. Following the conclusion of the Hearing, the Notary Public shall prepare and sign an Affidavit, affirming the proven identity of the witness, the fact such person was sworn by the Notary Public, and that 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 Witness Certification.

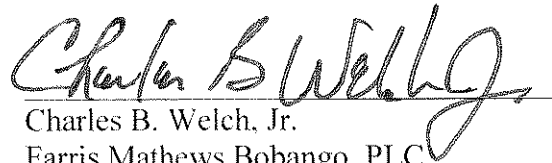
4. The Affidavit described in paragraph 3 shall be post-marked within five (5) days of the Hearing and received by the Hearing Officer via postage-paid U.S. Mail or overnight delivery. Should a proper Affidavit containing the affirmations noted above fail to be produced to the Hearing Officer as set forth herein, the testimony of the witness shall be struck from the record, which may constitute grounds sufficient for denial of the Application.

Wherefore, based on the foregoing, IntelPeer of the South, LLC respectfully requests that the Authority grant its Motion to Appear and Participate Telephonically at the Hearing as described herein.

Respectfully submitted,

IntelPeer, Inc.

By:



Charles B. Welch, Jr.
Farris Mathews Bobango, PLC
The Historic Castner-Knott Building
618 Church Street, Suite 300
Nashville, TN 37219
Tel: (615) 726-1200
Fax: (615) 726-1776
cwelch@farrismathews.com

Ronald W. Del Sesto, Jr.
Nguyen T. Vu
Bingham McCutchen LLP
2020 K Street, N.W.
Washington, D.C. 20006
Tel: (202) 373-6000
Fax: (202) 373-6001
r.delsesto@bingham.com
nguyen.vu@bingham.com

Its Counsel