

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

February 3, 2010

IN RE:

**PETITION FOR APPROVAL OF TRAFFIC EXCHANGE
AGREEMENT BETWEEN CENTURYTEL OF CLAIBORNE,
INC. D/B/A CENTURYLINK CLAIBORNE AND BIG RIVER
TELEPHONE, LLC**

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**DOCKET NO.
09-00203**

ORDER APPROVING THE TRAFFIC EXCHANGE AGREEMENT

This matter came before Director Mary W. Freeman, Director Eddie Roberson and Director Kenneth C. Hill of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on January 25, 2010, to consider, pursuant to 47 U.S.C. § 252, the Petition for approval of the Traffic Exchange Agreement negotiated between CenturyTel of Claiborne, Inc. d/b/a CenturyLink Claiborne ("CenturyLink") and Big River Telephone Company, LLC ("Big River")¹ filed on December 28, 2009.

Based upon a review of the agreement, the record in this matter, and the standards for review set forth in 47 U.S.C. § 252, the Directors unanimously granted the Petition and made the following findings and conclusions:

- 1) The Authority has jurisdiction over public utilities pursuant to Tenn. Code Ann. § 65-4-104 (2004).
- 2) The agreement is in the public interest as it provides consumers with alternative sources of telecommunications services within CenturyLink's service area.
- 3) The agreement is not discriminatory to telecommunications service providers that are not parties thereto.

¹ Big River's Certificate of Public Convenience and Necessity was granted in Docket No. 04-00447 under the name Big River Telephone Company, LLC. The Petition referred to the company as Big River Telephone, LLC.

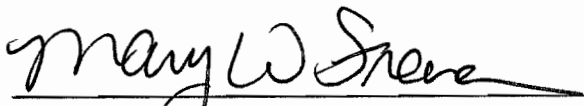
4) 47 U.S.C. § 252(e)(2)(A) provides that a state commission may reject a negotiated agreement only if it “discriminates against a telecommunications carrier not a party to the agreement” or if the implementation of the agreement “is not consistent with the public interest, convenience or necessity.” Unlike arbitrated agreements, a state commission may not reject a negotiated agreement on the grounds that the agreement fails to meet the requirements of 47 U.S.C. §§ 251 or 252(d).² Thus, although the Authority finds that neither ground for rejection of a negotiated agreement exists, this finding should not be construed to mean that the agreement is consistent with §§ 251 or 252(d) or, for that matter, previous Authority decisions.

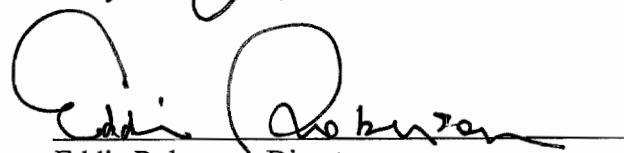
5) No person or entity has sought to intervene in this docket.

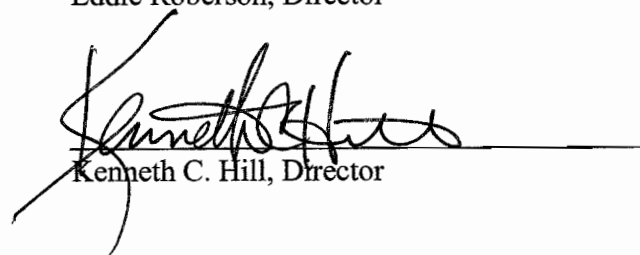
6) The agreement is reviewable by the Authority pursuant to 47 U.S.C. § 252 and Tenn. Code Ann. § 65-4-104 (2004).

IT IS THEREFORE ORDERED THAT:

The Petition is granted, and the Traffic Exchange Agreement negotiated between CenturyTel of Claiborne, Inc. d/b/a CenturyLink Claiborne and Big River Telephone Company, LLC is approved and is subject to the review of the Authority as provided herein.


Mary W. Freeman, Director


Eddie Roberson, Director


Kenneth C. Hill, Director

² See 47 U.S.C. § 252(e)(2)(B).