

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

April 13, 2010

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| IN RE:                                   | ) |            |
|  | ) |            |
| BELLSOUTH TELECOMMUNICATIONS, INC. D/B/A | ) | DOCKET NO. |
| AT&T SOUTHEAST D/B/A AT&T TENNESSEE      | ) | 10-00006   |
| COMPLAINT AND PETITION FOR RELIEF VS.    | ) |            |
| IMAGE ACCESS, INC. D/B/A NEW PHONE       | ) |            |

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ORDER CONVENING A CONTESTED CASE  
AND APPOINTING A HEARING OFFICER

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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 March 22, 2010 for consideration of *AT&T Tennessee's Complaint and Petition for Relief* filed on January 8, 2010 by BellSouth Telecommunications, Inc. d/b/a AT&T Southeast d/b/a AT&T Tennessee ("AT&T"). On January 13, 2010, AT&T filed *AT&T Tennessee's Motion for Consolidation* ("Motion for Consolidation") requesting consolidation of this docket with Authority Docket Nos. 10-00004, 10-00005, 10-00007 and 10-00008<sup>1</sup> for the purpose of resolving the two issues that it claims are common across all of the dockets.

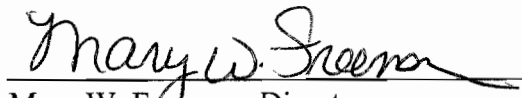
On February 25, 2010, Image Access, Inc. d/b/a NewPhone filed its *Defenses, Answer and Counter-Claim of Image Access, Inc. d/b/a NewPhone* and also filed its *Motion to Dismiss and/or Stay and Response in Opposition to Motion for Consolidation*.

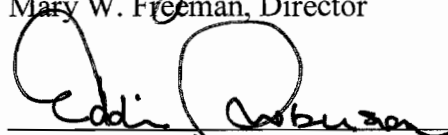
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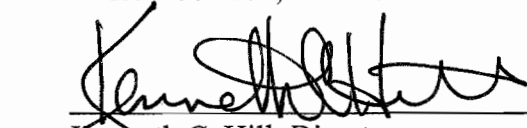
<sup>1</sup> See *In re: BellSouth Telecommunications, Inc. d/b/a AT&T Southeast d/b/a AT&T Tennessee Complaint and Petition for Relief vs. Budget Prepay, Inc. d/b/a Budget Phone fka Budget Phone, Inc.*, Docket No. 10-00004. See *In re: BellSouth Telecommunications, Inc. d/b/a AT&T Southeast d/b/a AT&T Tennessee Complaint and Petition for Relief vs. Tennessee Telephone Service, Inc. d/b/a Freedom Communications USA, LLC*, Docket No. 10-00005. See *In re: BellSouth Telecommunications, Inc. d/b/a AT&T Southeast d/b/a AT&T Tennessee Complaint and Petition for Relief vs. dPi Teleconnect, LLC*, Docket No. 10-00007. See *In re: BellSouth Telecommunications, Inc. d/b/a AT&T Southeast d/b/a AT&T Tennessee Complaint and Petition for Relief vs. BLC Management, LLC d/b/a Angles Communications Solutions*, Docket No. 10-00008.

During the Authority Conference, the panel voted unanimously to convene a contested case proceeding and to appoint the Authority's General Counsel or his designee to serve as Hearing Officer for the purpose of handling any preliminary matters and preparing the matter for a hearing before the panel. The panel instructed the Hearing Officer to rule on pending motions, other than AT&T's *Motion for Consolidation*, and to prepare a recommendation to the panel on the *Motion for Consolidation*.

**IT IS SO ORDERED.**

  
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Mary W. Freeman, Director

  
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Eddie Roberson, Director

  
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Kenneth C. Hill, Director