

# TENNESSEE REGULATORY AUTHORITY



May 21, 2010

460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

Jean L. Kiddoo, Counsel  
Russell M. Blau, Counsel  
Brett P. Ferenchak, Counsel  
Bingham McCutchen LLP  
2020 K Street, NW  
Washington, DC 20006

RE: Docket No. 10-00089: Joint Petition of MegaPath Inc., DSLnet Communications, LLC, and CCGI Holding Corporation for Approval of an Indirect Transfer of Control of DSLnet Communications, LLC to CCGI Holding Corporation

Dear Ms. Conway, and Messrs. Blau and Ferenchak:

In order to review the above-referenced *Joint Petition*, the Tennessee Regulatory Authority ("TRA" or "Authority") requires additional information. Please provide the information requested below by May 28, 2010, and refer to this correspondence as Data Request No. 1 in the response.

1. Have the Petitioners filed similar petitions or notices in other states? If so, provide a listing of states and action taken.
2. Have the Petitioners filed a similar application with the FCC? If so, Provide or list any action taken by the FCC, and the associated docket number. If a schedule to complete the review of your application has been established by the FCC, provide such with your response.
3. Provide a copy of the Agreement and Plan of Merger the petitioners entered into for the indirect transfer described in the *Joint Petition*.
4. Please discuss the implications of the transaction described in the *Joint Petition* on the public interest.

If you have any questions or need further assistance, please call Carlos Black at 615-741-2904, ext. 196 or e-mail him 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  
Economic Analysis & Policy Division

cc: Eva Kalawski, Katherine K. Mudge, Steven B. Chisholm, Schula Hobbs