

Gerald McCormick  
STATE REPRESENTATIVE  
26<sup>th</sup> LEGISLATIVE DISTRICT

DISTRICT OFFICE:  
POST OFFICE BOX 4741  
CHATTANOOGA, TN 37405  
(423)443-1574

LEGISLATIVE OFFICE  
117 WAR MEMORIAL BUILDING  
NASHVILLE, TENNESSEE 37243-0126  
(615) 741-2548  
E-MAIL:  
rep.gerald.mccormick@capitol.tn.gov



# House of Representatives State of Tennessee

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July 21, 2010

VIA HAND DELIVERY

Hon. Eddie Roberson, Director  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re: *BellSouth Telecommunications, Inc. dba AT&T Tennessee Petition to  
Extend Market Regulation to Rate Groups 1 and 2*  
Docket No. 10-00108

Dear Director Roberson,

I'm writing in response to testimony filed by the Consumer Advocate Division in this case. The CAD testimony suggests that the TRA has some "permissive" authority to deny Market regulation in Rate Groups 1 and 2 even if the applicants successfully meet the competitive test.

The CAD is simply incorrect in its reading of the statute. As the sponsor of the legislation, it was my intent and the intent of my cosponsor Representative Mike Turner to create a market test for the applicant, and, if the applicant meets the test, the TRA must grant the application for market regulation. Period.

Curiously, the CAD testimony dwells on many policy-based arguments regarding whether market regulation should be granted. Those policy concerns were debated before the General Assembly, and were settled by legislators when this legislation was passed. They are irrelevant in this forum.



To meet the intent of the law, this case should focus solely on the administrative process of determining whether the competitive test has been satisfied. Please ensure that this letter is properly entered for the record in this docket.

Very truly yours,

A handwritten signature in black ink, reading "Gerald McCormick". The signature is written in a cursive style with a large, stylized "G" and "M".

Gerald McCormick  
State Representative  
District 26

GM/bls