

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

July 28, 2010

IN RE:)	
)	
PROCEEDING FOR THE PURPOSE OF)	DOCKET NO.
ADDRESSING CONSOLIDATED ISSUES FROM)	10-00152
COMPLAINTS FILED BY AT&T TENNESSEE)	

ORDER COMMENCING CONSOLIDATED DOCKET

This matter initially came before the Tennessee Regulatory Authority (“Authority”) as a result of complaints filed by BellSouth Telecommunications, Inc. d/b/a AT&T Southeast d/b/a AT&T Tennessee (“AT&T”) in five separate dockets.¹ During the Authority Conference held on June 7, 2010, the voting panels in Docket Nos. 10-00004, 10-00005, 10-00006, 10-00007 and 10-00008 each considered the *Joint Motion on Procedural Issues* (“*Joint Motion*”) filed by the parties in the respective dockets on May 12, 2010. The *Joint Motion* asked the Authority to hold in abeyance pending motions in the respective dockets and to convene a consolidated proceeding in which the Authority could consider and deliberate the following three issues common to each docket:

- a. how cash back credits to resellers should be calculated;
- b. whether the word-of-mouth promotion is available for resale; and

¹ 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 f/k/a Budget Phone, Inc.* (Docket No. 10-00004); *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); *BellSouth Telecommunications, Inc. d/b/a AT&T Southeast d/b/a AT&T Tennessee Complaint and Petition for Relief vs. Image Access, Inc. d/b/a New Phone* (Docket No. 10-00006); *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); and *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).

- c. how credits to resellers for waiver of the line connection charge should be calculated.²

The voting panel in each docket determined that a consolidated docket should be opened to consider the three common issues and that matters in the respective dockets should be held in abeyance pending the resolution of those issues. The respective panels also appointed a Hearing Officer to prepare the consolidated docket for hearing.³


In convening this docket for the purposes set forth herein, the Hearing Officer determines that the following documents filed in the respective dockets should be included and made a part of this docket for continuity and clarity:

1. *Joint Motion* filed by the parties on May 12, 2010;
2. *Order Holding Dockets in Abeyance, Convening a Consolidated Docket and Appointing a Hearing Officer* (entered July 8, 2010 in Docket No. 10-00004, as representative of the similar Authority order issued in each of the respective dockets);
3. *Joint Motion on Procedural Schedule* filed by the parties on June 15, 2010.

The Hearing Officer further determines that the parties to the respective dockets shall be parties in this docket without further filings or orders.

Finally, the Hearing Officer adopts the *Joint Motion on Procedural Schedule* and directs the parties to comply with the commitments set forth therein. Pursuant to the *Joint Motion on Procedural Schedule*, the parties will submit a progress report to the Authority no later than November 1, 2010 regarding the status of proceedings in other jurisdictions.

IT IS SO ORDERED.


Rebecca Montgomery, Hearing Officer

² *Joint Motion on Procedural Issues*, pp. 1-2 (May 12, 2010).

³ See Orders entered in each respective docket convening a consolidated docket and appointing a Hearing Officer.