

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 5, 2011

IN RE:)	
)	
SHOW CAUSE PROCEEDING AGAINST)	DOCKET NO.
ADVANCED TEL, INC. FOR ALLEGED)	10-00208
VIOLATIONS OF TENN. CODE ANN. § 65-4-125(j))	
AND TENN. CODE ANN. § 65-4-301(a)(1))	

**ORDER OPENING DOCKET TO INITIATE SHOW CAUSE
PROCEEDING AGAINST ADVANCED TEL, INC.**

This matter came before the Tennessee Regulatory Authority (“Authority” or “TRA”) on its own motion at a regularly scheduled Authority Conference held on October 25, 2010 for consideration of whether to open a docket for the purpose of investigating Advanced Tel, Inc. (“ATI” or the “Company”) and initiating a show cause proceeding for alleged violations of Tenn. Code Ann. § 65-4-125(j) and Tenn. Code Ann. § 65-4-301(a)(1).

Background

On July 7, 2009, the Authority received a Notice of Cancellation from CNA Surety (“CNA”) regarding bond number 69703658, issued on behalf of ATI with an effective cancellation date of August 11, 2009. TRA Staff contacted David Singer, President of ATI, by telephone on July 14, 2009 and spoke with Mr. Singer concerning the cancellation of ATI’s bond. Mr. Singer stated that the Company was no longer doing business in Tennessee. In response, Staff requested that Mr. Singer submit a request to cancel the Company’s certification. Mr. Singer then informed Staff that he did not wish to cancel the certification. Thereafter, Staff advised Mr. Singer that if the bond expired, certification would be subject to

cancellation by the Authority. On October 7, 2009, a letter notifying the Company to promptly submit a valid bond or letter of credit with an effective date of August 11, 2009 was sent by Staff.

The Staff made several attempts to resolve ATI's failure to comply with Tenn. Code Ann. § 65-4-125(j). Nevertheless, ATI failed to secure and provide the TRA with a bond or letter of credit in compliance with Tenn. Code Ann. § 65-4-125(j). ATI has been in violation of Tenn. Code Ann. § 65-4-125(j) since August 11, 2009. Additionally, ATI is in violation of Tenn. Code Ann. § 65-4-301 for failure to pay the required inspection fees to the Authority, which were due April 1, 2010.

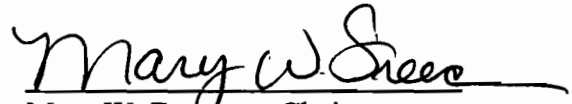
On October 15, 2010, in the continued absence of a surety bond or letter of credit from ATI, a *Notice to Appear* ("Notice") was issued in Docket No. 04-00184. The *Notice* required ATI to appear before the TRA during the Authority Conference scheduled for Monday, October 25, 2010 and show cause why the Authority should not proceed to convene a proceeding to impose civil penalties and sanctions, including but not limited to revocation of ATI's Certificate of Public Convenience and Necessity ("CCN") for failure to file a bond or irrevocable letter of credit with the Authority in violation of Tenn. Code. Ann. § 65-4-125(j).

During the October 25, 2010 Authority Conference, David Olert, Chief Financial Officer, and Joel Wadman, staff member for ATI, appeared by telephone. Mr. Olert explained that David Singer was no longer employed with the Company and had left no information or instructions regarding Tennessee operating requirements. Mr. Olert further stated that while ATI does not currently have customers in Tennessee, the Company wished to retain its CCN because, as a reseller, ATI may again have customers in Tennessee. Mr. Olert offered to proceed promptly with the necessary steps to secure a bond and to pay any required fees.

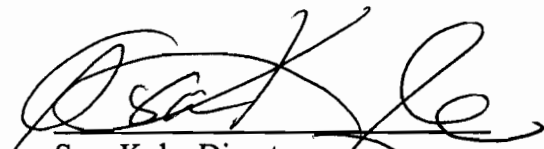
During the October 25, 2010 Authority Conference, the voting panel of Directors, acting pursuant to Tenn. Code Ann. §§ 65-2-106 and 65-4-125(e), voted unanimously to open a docket for the purpose of further investigation and initiation of show cause proceedings against ATI for failure to comply with Tenn. Code Ann. §§ 65-4-125(j) and 65-4-301(a)(1). Further, the Authority appointed General Counsel or his designee as Hearing Officer for the purpose of handling preliminary matters and preparing the matter for a hearing.

IT IS THEREFORE ORDERED THAT:

1. A docket be opened for the purpose of further action, including the initiation of a show cause proceeding pursuant to Tenn. Code Ann. § 65-2-106, against Advanced Tel, Inc.; and,
2. General Counsel or his designee be appointed as Hearing Officer for the purpose of handling preliminary matters and preparing the matter for a hearing.


Mary W. Freeman, Chairman


Kenneth C. Hill, Director


Sara Kyle, Director