

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 17, 2011

IN RE:

**OPT-IN AGREEMENT FOR LOCAL INTERCONNECTION
BETWEEN CITIZENS TELECOMMUNICATIONS
COMPANY OF TENNESSEE, LLC D/B/A FRONTIER
COMMUNICATIONS OF TENNESSEE, CITIZENS
TELECOMMUNICATIONS COMPANY OF THE
VOLUNTEER STATE, LLC D/B/A FRONTIER
COMMUNICATIONS OF THE VOLUNTEER STATE
AND DELTACOM, INC. D/B/A DELTACOM BUSINESS
SOLUTIONS**

DOCKET NO.

11-00171

**ORDER APPROVING THE OPT-IN AGREEMENT
FOR LOCAL INTERCONNECTION**

This matter came before the Tennessee Regulatory Authority (the "Authority") at a regularly scheduled Authority Conference held on October 17, 2011 to consider, pursuant to 47 U.S.C. § 252, approval of the Opt-In Agreement for Local Interconnection ("Agreement") negotiated between Citizens Telecommunications Company of Tennessee, LLC d/b/a Frontier Communications of Tennessee, Citizens Telecommunications Company of the Volunteer State, LLC d/b/a Frontier Communications of the Volunteer State (together, "Frontier"), and DeltaCom, Inc. d/b/a DeltaCom Business Solutions,¹ filed on September 29, 2011.

Based upon a review of the Agreement, the record in this matter, and the standards for review set forth in 47 U.S.C. § 252, the Directors unanimously granted approval of the Agreement and made the following findings and conclusions:

¹ A name change to DeltaCom, Inc. d/b/a EarthLink Business was approved by the Authority on August 22, 2011 in Docket No. 11-00061.

1) The Authority has jurisdiction over public utilities pursuant to Tenn. Code Ann. § 65-4-104 (2004) and over interconnections between telecommunications service providers pursuant to Tenn. Code Ann. § 65-4-124(a) and (b) (2004).

2) The Agreement is in the public interest as it provides consumers within Frontier's service area with alternative sources of telecommunications services.

3) The Agreement does not discriminate against telecommunications service providers that are not parties thereto.

4) 47 U.S.C. § 252(e)(2)(A) provides that a state commission may reject a negotiated agreement only upon finding that it "discriminates against a telecommunications carrier not a party to the agreement" or if the implementation of the agreement "is not consistent with the public interest, convenience or necessity." Unlike arbitrated agreements, a state commission may not reject a negotiated agreement on the grounds that the agreement fails to meet the requirements of 47 U.S.C. § 251 or § 252(d).¹ Thus, although the Authority finds that neither ground for rejection of a negotiated agreement exists, this Order should not be construed as finding that the Agreement is consistent with § 251, § 252(d), or, for that matter, previous Authority decisions.

5) No person or entity has sought to intervene in this docket.

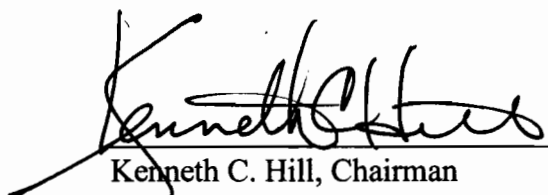
6) The Agreement is reviewable by the Authority pursuant to 47 U.S.C. § 252 and Tenn. Code Ann. §§ 65-4-104 (2004) and 65-4-124(a) and (b) (2004) or, in the alternative, pursuant to Tenn. Code Ann. § 65-5-109(m) (2009).

IT IS THEREFORE ORDERED THAT:


The Interconnection and Traffic Interchange Agreement negotiated between Citizens Telecommunications Company of Tennessee, LLC d/b/a Frontier Communications of Tennessee,

¹ See 47 U.S.C. § 252(e)(2)(B).

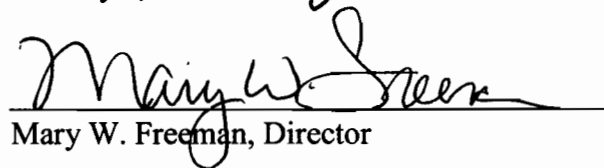
Citizens Telecommunications Company of the Volunteer State, LLC d/b/a Frontier Communications of the Volunteer State, and DeltaCom, Inc. d/b/a DeltaCom Business Solutions is approved and is subject to review by the Authority as provided herein.



Kenneth C. Hill, Chairman



Sara Kyle, Director



Mary W. Freeman, Director