

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

September 24, 2012

IN RE:

**COMPLAINT OF CITY OF KNOXVILLE, ET AL.
AGAINST AT&T TENNESSEE**

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**DOCKET NO.
12-00082**

**ORDER SUSPENDING BRIEFING SCHEDULE & ORAL ARGUMENT AND
DIRECTING PARTIES TO FILE A JOINT PROPOSED SCHEDULE**

This matter is before the Hearing Officer of the Tennessee Regulatory Authority (the "Authority") upon the City of Knoxville, Tennessee's ("City") request to extend the briefing schedule and to reschedule the date for oral argument filed on September 20, 2012. In its letter, the City states that the briefing schedule overlaps with a prior personal commitment of counsel and does not allow sufficient time to adequately prepare a brief on the matter at issue before the Authority. Further, the City notes that it may wish to file an amended complaint.

While the City states that its request will not cause prejudice to BellSouth Telecommunications, Inc. d/b/a AT&T Tennessee ("AT&T"), the City does not indicate whether it consulted with the other parties to this docket, AT&T and Knox County, Tennessee ("Knox"), nor the position of those parties, concerning its request.¹ Under the rules of the agency, any party opposing the request to extend time and/or reschedule may file a response within seven days.² Thus, unless modified, a response might be properly filed up to and including September 27, 2012 - only one day prior to the deadline for filing Initial Party Briefs in this matter.³

¹ See TRA Rule 1220-1-2-.07(1).


² See TRA Rules 1220-1-2-.06(2); and see also, 1220-1-2-.07(3).

³ Under the *Notice of Briefing Schedule* issued on September 13, 2012, Initial Party Briefs are to be filed on September 28, 2012.

Nevertheless, under the circumstances, the Hearing Officer is inclined to grant the City's request, and may do so without waiting for the filing of responses.⁴ In addition, so as to further an efficient administration of these proceedings and permit the parties adequate time to prepare substantive briefs, the Hearing Officer directs the parties to file a joint proposed schedule for filing amended or additional pleadings and initial and reply briefs.

IT IS THEREFORE ORDERED THAT:

1. The deadlines for filing initial and reply briefs and date for oral argument set forth in the Notice of Briefing Schedule issued September 13, 2012, are hereby suspended.
2. The parties are hereby directed to file a joint proposed schedule for filing any amended or additional pleadings and initial and reply briefs **no later than October 1, 2012**.
3. All filings by or on behalf of a party to this proceeding shall be in the form of a formal pleading or motion complying with the statutes and rules applicable to this agency.


Kelly Cashman-Grams
Hearing Officer

⁴ See TRA Rule 1220-1-2-.07(3).