

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

In re:)	
)	
Application of)	
McGraw Communications, Inc.)	
)	
For a Certificate of Public)	DOCKET NO. 12-00134
Convenience and Necessity to)	
Provide Competing)	
Local Exchange And Interexchange)	
Telecommunications Services)	

Motion to Appear and Participate Telephonically at Hearing

McGraw Communications, Inc. ("McGraw" or "Applicant") is in receipt of the Notice of Hearing which sets a hearing date of Tuesday, February 26, 2013, 10:30 a.m. (CST) in the Hearing Room on the Ground Floor at 460 James Robertson Parkway, Nashville, Tennessee.

Pursuant to Tenn. Code Ann. § 4-5-312 (c) (2004), McGraw submits this Motion to Appear and Participate Telephonically at Hearing and provides the following information in support of this Motion:

Tenn. Code Ann. § 4-5-312 (c) (2004) addresses electronic participation at a hearing as follows:

“(c) In the discretion of the administrative judge or hearing officer and agency members and by agreement of the parties, all or part of the hearing may be conducted by telephone, television or other electronic means, if each participant in the hearing has an

opportunity to participate in, to hear, and if technically feasible, to see the entire proceedings while taking place.”

In accordance with the above-referenced statute, McGraw hereby respectfully requests to participate in its hearing electronically because personal attendance of McGraw’s company representatives, witnesses and counsel residing outside of the State of Tennessee would be burdensome.

If this Motion is granted, McGraw agrees that its telephonic participation in the hearing will be subject to the following conditions:

1. McGraw is solely responsible for, and shall be required to, secure a properly licensed Notary Public in good standing in the State of jurisdiction where the testimony is to be given, and who will physically appear with any company testimony or to ratify pre-filed testimony.

2. The Notary Public secured by McGraw, as noted above, shall be duly authorized to administer the Oath, and shall do so during the Hearing and remain physically present with the witness at all times during the witness’ testimony until such witness is excused from examination by the Hearing Officer.

3. Following the conclusion of the Hearing, the Notary Public shall prepare and sign an Affidavit, affirming the proven identity of the witness, the fact that such person was sworn by the Notary Public, and that the testimony given by the sworn witness was in accordance with the highest ethical and legal standards as observed by the Notary Public. The Affidavit shall bear the official seal of the signing Notary Public, and the testifying witness shall also be required to sign a Witness Certification.

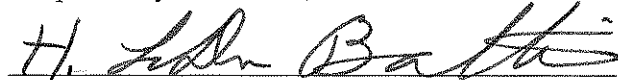
4. The Affidavit described above must be post-marked within five (5) days of the Hearing and received by the Hearing Officer via postage-paid U.S. Mail. Should a proper Affidavit containing the affirmations noted above fail to be produced to the Hearing Officer as set forth herein, the testimony of the witness shall be struck from the record, which may constitute grounds sufficient for denial of the Petition.

McGraw Communications, Inc. has engaged the undersigned, H. LaDon Baltimore, a lawyer licensed to practice law in Tennessee, in good standing, admitted to practice before the Supreme Court of Tennessee and who resides in and maintains an office in Tennessee, to personally appear on their behalf.

WHEREFORE, McGraw Communications, Inc., based upon the foregoing, respectfully requests that the Commission grant its Motion to Appear and Participate Telephonically at Hearing as described herein.

This 21st day of February, 2013.

Respectfully submitted,



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