filed electronically in docket office on 01/16/13



**David Killion** 

PHONE: (6

E-MAIL:

(615) 742-7718 (615) 742-0414 dkillion@bassberry.com 150 Third Avenue South, Suite 2800 Nashville, TN 37201 (615) 742-6200

January 16, 2013

## VIA HAND DELIVERY

Executive Director Earl Taylor c/o Sharla Dillon Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, Tennessee 37243

Re: In re: Application of Millington Telephone Company, Inc. For Approval to

Enter Price Regulation, Docket No. 13-00016

Dear Mr. Taylor:

Enclosed please find an original and five (5) copies of Millington Telephone Company, Inc.'s Application for Approval to Enter Price Regulation for filing in the above-referenced docket. Also enclosed is a check in the amount of \$25 for the Application fee. This document also has been filed by way of email sent today to the Tennessee Regulatory Authority Docket Manager, Sharla Dillon.

Please stamp a copy of the Application as "filed" and return it to me by way of our courier.

Should you have any questions concerning this matter, please do not hesitate to contact me at the email address or telephone number listed above.

Sincerely,

David Killion

**Enclosures** 

11522532.1

## BEFORE THE TENNESSEE REGULATORY AUTHORITY NASHVILLE, TENNESSEE

In re:	)		
Application of Millington Telephone Company, Inc. for Approval to Enter Price	)	Docket No. 13	
Regulation	)		

## APPLICATION OF MILLINGTON TELEPHONE COMPANY, INC. FOR APPROVAL TO ENTER PRICE REGULATION

Pursuant to Tenn. Code Ann § 65-5-109, Millington Telephone Company, Inc. ("Millington") submits its application to the Tennessee Regulatory Authority (the "Authority") for approval to enter price regulation. In support of this Application, Millington submits the following:

- 1. Millington elects to adopt price regulation as the form of regulation applicable to Millington, effective upon approval of the Authority.
- 2. Millington's initial rates under price regulation will be the same as those currently in place at the time of filing of this Application, exclusive of adjustments made pursuant to Tenn. Code Ann. § 67-6-222(c), for all basic local exchange telephone services and non-basic services as defined in Tenn. Code Ann. § 65-5-108. These rates, exclusive of the above adjustments, were in effect as of January 1, 2009 and are deemed affordable by operation of Tenn. Code Ann. § 65-5-109(c) and (s).
- 3. As a price regulated company, Millington will maintain affordable basic and non-basic rates in accordance with Tenn. Code Ann. §§ 65-5-109(e) and 67-6-222(c).
- 4. Millington will comply with the rate cap for initial basic local exchange telephone service set forth in Tenn. Code Ann. § 65-5-109(f) applicable to price regulated companies.

5. Millington will comply with the maximum rates for interconnection services as set forth in Tenn. Code Ann. § 65-5-109(g).

6. Millington respectfully submits that continued commitment to the FYI Tennessee master plan as described in Tenn. Code Ann. § 65-5-109(k) is no longer applicable because Millington appears to have completed funded requirements. To the extent the FYI Tennessee master plan remains applicable, however, Millington will continue to comply with all applicable requirements.

7. Upon receiving approval to operate pursuant to price regulation, Millington will comply with all statutes, rules and regulations applicable to price regulated companies.

## **CONCLUSION**

For the reasons stated above, Millington respectfully requests that the Authority issue an order approving this Application in accordance with Tenn. Code Ann. § 65-5-109(c).

Respectfully submitted this 16<sup>th</sup> day of January, 2013.

MILLINGTON TELEPHONE COMPANY, INC.

R. Dale Grimes (#6223)

C. David Killion (#26412)

Bass, Berry & Sims, PLC

150 Third Ave. South, Suite 2800

Nashville, Tennessee 37201

Phone: (615) 742-7718

Fax: (615) 742-0414

Email: dkillion@bassberry.com

Attorneys for Millington Telephone Company, Inc.