

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

IN RE:	September 11, 2014)	
)	
APPLICATION OF WIDE VOICE, LLC FOR AUTHORITY TO)	DOCKET NO.
PROVIDE COMPETING LOCAL EXCHANGE AND)	14-00024
INTEREXCHANGE SERVICE)	
)	

INITIAL ORDER GRANTING CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY

This matter came before the Hearing Officer of the Tennessee Regulatory Authority ("Authority" or "TRA") at a Hearing held on August 26, 2014 to consider the *Application of Wide Voice, LLC for Authority to Provide Competing Local Exchange and Interexchange Service on a Facilities and Resold Basis* ("Application") filed by Wide Voice, LLC ("Wide Voice" or "Applicant") on March 14, 2014. In its *Application*, Wide Voice seeks a Certificate of Public Convenience and Necessity ("CCN") for authority to provide competing local exchange and interexchange telecommunications services in Tennessee.

LEGAL STANDARD

Wide Voice's *Application* was made pursuant to and considered in light of the criteria for granting a CCN as set forth in Tenn. Code Ann. § 65-4-201 (Supp. 2012), which provides, in pertinent part:

(a) No public utility shall establish or begin the construction of, or operate any line, plant, or system, or route in or into a municipality or other territory already receiving a like service from another public utility, or establish service therein, without first having obtained from the authority, after written application and hearing, a certificate that the present or future public convenience and necessity require or will require such construction, establishment, and operation, and no person or corporation not at the time a public utility shall commence the construction of any plant, line, system or route to be operated as a public utility, or the operation of which would constitute the same, or the owner or operator

thereof, a public utility as defined by law, without having first obtained, in like manner, a similar certificate . . .

* * *

(c) After notice to the incumbent local exchange telephone company and other interested parties and following a hearing, the authority shall grant a certificate of convenience and necessity to a competing telecommunications service provider if after examining the evidence presented, the authority finds:

(1) The applicant has demonstrated that it will adhere to all applicable commission policies, rules and orders; and

(2) The applicant possesses sufficient managerial, financial, and technical abilities to provide the applied for services.

* * *

Furthermore, pursuant to Tenn. Code Ann. § 65-5-112 (2004), a competing telecommunications provider is required to file with the Authority: (1) a plan containing the provider's plan for purchasing goods and services from small and minority-owned telecommunications businesses; and (2) information on programs that might provide technical assistance to such businesses.

HEARING ON THE MERITS

Pursuant to Tenn. Code Ann. § 65-4-204 (2004), public notice of the Hearing in this matter was issued by the Hearing Officer on August 12, 2014. No persons sought intervention prior to or during the Hearing. Ms. Erla Erlingsdottir, Senior Manager of Telephony Services for Wide Voice, appeared personally during the Hearing. During the Hearing, Ms. Erlingsdottir adopted the sworn pre-filed testimony of Patrick Chicas, President and Chief Executive Officer of Wide Voice, testified concerning the *Application* and was subject to examination by the Hearing Officer.

I. WIDE VOICE'S QUALIFICATIONS

1. Wide Voice is a corporation organized under the laws of the State of Nevada and was licensed to transact business in Tennessee by the Secretary of State on February 10, 2012.

2. The registered agent for Wide Voice is CT Corporation System located at 800 S Gay Street, Suite 2021, Knoxville, Tennessee 37929. Wide Voice's corporate office is located at 410 South Rampart Blvd., Suite 390, Las Vegas Nevada 89145. The telephone number is (702) 553-3007 and the fax number is (702) 825-2582.

3. The *Application* and information in the record indicate that Wide Voice has the requisite technical and managerial ability to provide competitive access services and transport telecommunications services within the State of Tennessee. Specifically, Wide Voice's senior management team possesses extensive business, technical, operational and regulatory experience.

4. Wide Voice has the necessary capital and financial ability to provide the services it proposes to offer.

5. Wide Voice has represented that it will adhere to all applicable statutes, policies, rules and orders of the Authority.

II. PROPOSED SERVICES

Wide Voice proposes to offer competitive telecommunications services, including exchange access service, within the state of Tennessee using its own facilities. It may also use services available from other facilities-based carriers. Wide Voice will provide service to voice over internet protocol ("VoIP") enabled business customers and telephony application providers on a retail, wholesale, and carrier level, including public switched telephone network ("PSTN")

connectivity and intermediate carrier functions and will negotiate interconnection agreements in accordance with 47 U.S.C. Section 252 and applicable rules.

Wide Voice will allow retail and wholesale customers to utilize their broadband and dedicated IP services as transport as well as offer resold, leased line transport services from the incumbent to include analog and digital loops and t-carrier services at the DSI-DS3 level.

Wide Voice will primarily use leased transport services from the Incumbent Local Exchange Carrier (“ILEC”), other Competitive Local Exchange Carriers (“CLECs”) and Competitive Access Providers (“CAPs”). Wide Voice may also use private, point-to-point microwave radio transport in select opportunities and markets. Wide Voice is not proposing to build a network or to deploy switches at this time, but will use network switching provided by AT&T Tennessee. No construction is expected to be undertaken by Wide Voice. The cost of operation will consist of leasing unbundled elements, marketing, administrative, and sales overhead.

The Applicant does not require customer deposits, will not be conducting any telemarketing in Tennessee and proposes to offer services throughout Tennessee and the United States.

III. PERMITTING COMPETITION TO SERVE THE PUBLIC CONVENIENCE AND NECESSITY

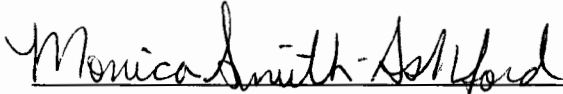
Wide Voice’s *Application* and its proposed services would inure to the benefit of the present and future public convenience by permitting competition in the telecommunications services markets in the State and fostering the development of an efficient, technologically advanced statewide system of telecommunications services.

IV. SMALL AND MINORITY-OWNED TELECOMMUNICATIONS BUSINESS PARTICIPATION PLAN AND BUSINESS ASSISTANCE PROGRAM

Wide Voice has filed a satisfactory small and minority-owned telecommunications business participation plan, pursuant to Tenn. Code Ann. § 65-5-112 (2004) and the Authority's Rules.

IT IS THEREFORE ORDERED THAT:

1. The *Application of Wide Voice, LLC for Authority to Provide Competing Local Exchange and Interexchange Service on a Facilities and Resold Basis* is approved.
2. Any party aggrieved by the Hearing Officer's decision in this matter may file a petition for reconsideration within fifteen days from the date of this Order.
3. This Initial Order shall become a Final Order of the Tennessee Regulatory Authority, if no petition for reconsideration or appeal of this Order is filed prior to the expiration of the fifteen-day appeal period.



Monica Smith-Ashford, Hearing Officer