

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

IN RE:	October 31, 2014)		
)		
APPLICATION OF ILLINOIS NETWORK ALLIANCE, LLC)		DOCKET NO.
d/b/a BLUEBIRD NETWORK, LLC FOR AUTHORITY TO)		14-00060
PROVIDE COMPETING LOCAL EXCHANGE AND)		
INTEREXCHANGE SERVICE)		

**INITIAL ORDER GRANTING CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

This matter came before the Hearing Officer of the Tennessee Regulatory Authority (the “Authority” or “TRA”) at a Hearing held on October 20, 2014 to consider the *Application for Certificate to Provide Competing Intrastate and Local Telecommunications Services* (“*Application*”) filed by Illinois Network Alliance, LLC d/b/a Bluebird Network, LLC (“INA” or “Applicant”) on June 3, 2014. In its *Application*, INA seeks a Certificate of Public Convenience and Necessity (“CCN”) for authority to provide competing local exchange and interexchange telecommunications services in Tennessee.

LEGAL STANDARD

INA’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 October 6, 2014. No persons sought intervention prior to or during the Hearing.

I. INA'S QUALIFICATIONS

1. INA is a corporation organized under the laws of the State of Illinois and was licensed to transact business in Tennessee by the Secretary of State on February 27, 2014.

2. The complete street address of the registered agent for INA is National Corporate Research, LTD., Inc., 992 Davidson Drive, Suite B, Nashville, Tennessee 37205. The complete street address of the corporate office of INA is 2005 W. Broadway, Suite 110, Building A,

Columbia Missouri, 65203. The telephone number is (816) 237-2110.

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

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

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

II. PROPOSED SERVICES

INA proposes to offer an array of facilities-based, leased and resale competitive wholesale and retail telecommunications and transport services in Tennessee including, but not limited to, dedicated and switched access services, private line services, enhanced services, broadband services and voice telecommunications services including local exchange and interexchange services.

INA plans to offer basic access line service, PBX and DID Services, Number Portability, Calling Features, Directory Assistance, Directory Services and Operator Services as well as services required under Chapter 1220-4-8-.04(3)(6)and(2) .

Furthermore, INA seeks to provide competing local telecommunications services and exchange access throughout the state of Tennessee, with initial service deployment on a wholesale basis to carrier customers and then on a retail basis to residential business customers within AT&T and Century Link Exchanges.

III. PERMITTING COMPETITION TO SERVE THE PUBLIC CONVENIENCE AND NECESSITY


INA'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

INA 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 for Certificate to Provide Competing Intrastate and Local Telecommunications Services* filed by Illinois Network Alliance, LLC d/b/a Bluebird Network, LLC 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