

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 28, 2014

IN RE:

APPLICATION OF VODAFONE US, INC. TO AMEND
ITS CCN AND NOTICE OF NAME CHANGE

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DOCKET NO.
14-00080

ORDER GRANTING MOTION TO ALLOW WITNESS TO
PARTICIPATE BY TELEPHONE

This matter is before the Hearing Officer upon a *Motion to Appear and Participate Telephonically at Hearing* ("Motion") filed on behalf of Vodafone US, Inc. d/b/a Vodafone Americas ("Vodafone" or "Applicant") on October 24, 2014. In its *Motion*, Vodafone requests permission for its witness to participate by telephone in the hearing on its *Application to Amend Certificate of Public Convenience and Necessity and Notice of Name Change*, scheduled before the Hearing Officer at 2:00 p.m. CST on November 6, 2014.

Under the Tennessee Uniform Administrative Procedures Act, decisions involving telephone participation in a hearing are within the hearing officer's discretion:

(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.¹

In support of its request for telephonic participation, Vodafone asserts that personal attendance of its witness, who resides outside the state of Tennessee, would be burdensome. Further,

¹ Tenn. Code Ann § 4-5-312(c) (2011).

Applicant agrees to comply with the conditions of telephone participation required by the Authority. Therefore, in accordance with the above-referenced statute and considering that the request was timely filed, the Hearing Officer grants Applicant's *Motion*, subject to compliance with the following conditions:

1. Applicant's attorney shall appear personally at the hearing to present and facilitate questioning of the Applicant's witness.

2. Applicant is required and solely responsible for securing a properly licensed Notary Public, in good standing, in the State or jurisdiction where the witness is giving telephonic testimony. During the hearing, the Notary Public shall be in the same physical location and appear with the testifying witness.

3. The Notary Public secured by the Applicant shall be duly authorized to administer the testimonial oath, and shall do so during the hearing. The Notary Public is required to remain in the presence of the witness at all times during the witness' testimony until such time as the witness is excused from examination by the Hearing Officer.

4. After the hearing, the Notary Public shall prepare and sign an affidavit, which bears the official seal of the Notary Public, affirming, (1) the proven identity of the witness, (2) the fact that the Notary Public properly administered the testimonial oath to such person, and (3) that the testimony given by the sworn witness was in accordance with the highest ethical and legal standards, as observed by the Notary Public. In addition, the testifying witness shall sign a conforming Witness Certification. (As a courtesy, Exhibit A contains sample forms of the *Witness Certification and Notary Public Affidavit*.)

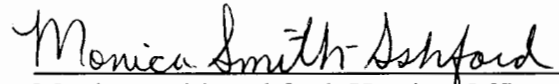
5. The original Witness Certification and Notary Public Affidavit must be post-marked within five (5) days of the hearing and received by the Authority's Docket Manager via postage-paid U.S. Mail. Should the required affirming documents not be received by the Docket

Manager as required above, the testimony of the witness may be struck from the record and constitute sufficient cause for denial of the application.

IT IS THEREFORE ORDERED THAT:

1. Subject to the conditions set forth in this Order, Vodafone US Inc. d/b/a Vodafone Americas' witness may appear and participate by telephone in the hearing noticed for November 6, 2014 at 2:00 p.m. CST.

2. To avoid disruption of other matters scheduled for the consideration of the Authority, persons authorized to participate by telephone shall call (800) 689-9374 and enter the guest passcode, 233602#, at least **five (5) minutes before the start time set for the hearing**. The hearing will begin promptly.


Monica Smith-Ashford, Hearing Officer

cc: Interested Parties
Original in Docket File

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

IN RE:

(Case Style)

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Docket No. 00-00000

WITNESS CERTIFICATION

I attest and certify that I provided Testimony via telephone before the Tennessee Regulatory Authority at the Hearing on the date referenced below. I have read the above Affidavit and further acknowledge and agree that the testimony I provided proceeded as stated herein.

DATE OF HEARING

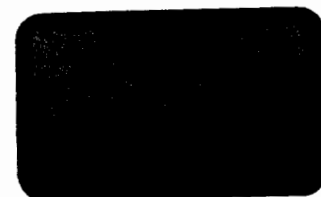
NAME OF WITNESS (Printed)

SIGNATURE OF WITNESS

AFFIDAVIT

Affiant, after first being duly sworn according to law, deposes and states as follows:

1. I am _____, a Notary Public in good standing in the
State of _____, County of _____. All statements set
out in this Affidavit are made of my own personal knowledge.
2. My business address and telephone phone where I may be contacted is:



3. Mr./Ms. _____ (“Witness”) personally appeared before me and provided _____ (type of identification) which I verified, on the _____ day of _____, 20____ for the purpose of providing sworn testimony via telephone at a Hearing before the Tennessee Regulatory Authority.
3. During the Hearing, on the record, I administered the Oath to Witness prior to the Witness providing testimony via telephone before the Tennessee Regulatory Authority.
4. I remained physically present with the Witness at all times during the Witness’ testimony until such Witness was excused from examination by the Hearing Officer.
5. The testimony I observed being given by the Witness was in accordance with the highest ethical and legal standards.

FURTHER AFFIANT SAITH NOT.

WITNESS my hand, at office, this _____ day of _____, 20_____.

(OFFICIAL SEAL)

NOTARY PUBLIC

My Commission Expires: