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File Date: \_\_\_\_\_

## Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

<b>Agency/Board/Commission:</b>	Tennessee Public Utility Commission
<b>Division:</b>	Legal/Consumer Services
<b>Contact Person:</b>	Kelly Cashman-Grams <i>KCG</i>
<b>Address:</b>	502 Deaderick Street, 4 <sup>th</sup> Floor, Nashville, Tennessee 37243
<b>Phone:</b>	615-770-6856
<b>Email:</b>	Kelly.Grams@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

<b>ADA Contact:</b>	Sharla Dillon, Docket and Records Manager
<b>Address:</b>	502 Deaderick Street, 4 <sup>th</sup> Floor, Nashville, Tennessee 37243
<b>Phone:</b>	615-770-6850
<b>Email:</b>	Sharla.Dillon@tn.gov

**Hearing Location(s)** (for additional locations, copy and paste table)

Address 1:	Andrew Jackson State Office Building		
Address 2:	502 Deaderick Street, 4 <sup>th</sup> Floor		
City:	Nashville, Tennessee		
Zip:	37243		
Hearing Date :	10/15/2018		
Hearing Time:	9:00 a.m.	<input checked="" type="checkbox"/> X CST/CDT EST/EDT	

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**Additional Hearing Information:**

The Rulemaking Hearing is held in the Andrew Jackson State Office Building. The entrance is located off of 5<sup>th</sup> Street between Deaderick Street and Charlotte Avenue. Please bring a state-issued identification card (driver's license or ID) and arrive early enough to allow sufficient time to go through security screening and obtain a visitor's pass. The hearing will begin promptly at 9:00 a.m. (central) in ground floor Hearing Room 201 (HR G.201).

**Revision Type (check all that apply):**

☒ X Amendment  
☐ New  
☐ Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1220-04-11	Telephone Solicitations Regulations - Do Not Call Register
Rule Number	Rule Title
1220-04-11-.01	Definitions.
1220-04-11-.03	Maintaining The Tennessee Do Not Call Register.
1220-04-11-.05	Consumer Registration With The Tennessee Do Not Call Register.
1220-04-11-.06	Public Education About The Tennessee Do Not Call Register.

Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to [http://sos-tn-gov-files.s3.amazonaws.com/forms/Rulemaking%20Guidelines\\_September2016.pdf](http://sos-tn-gov-files.s3.amazonaws.com/forms/Rulemaking%20Guidelines_September2016.pdf).

**Rule 1220-04-11-.01, Definitions**, is amended by adding certain language after the semi-colon to subparagraphs (12), (13), and adding the language "or a state government telephone subscriber" to (16) so that, as amended, the new subparagraphs shall read:

- (12) "Interexchange carrier" means a company that is certificated by the Commission to provide long distance toll telephone service; provided, however, that those providers that have elected market regulation under Tenn. Code Ann. § 65-5-109(l) are excluded from the jurisdiction of the Commission consistent with Tenn. Code Ann. § 65-5-109(m) and (n).
- (13) "Local exchange companies," as used in this Chapter, includes telecommunications service providers and competing telecommunications service providers as defined in T.C.A. § 65-4-101, as well as telephone cooperatives and cellular or other wireless telecommunications providers operating in Tennessee; provided, however, that those providers that have elected market regulation under Tenn. Code Ann. § 65-5-109(l) are excluded from the jurisdiction of the Commission consistent with Tenn. Code Ann. § 65-5-109(m) and (n).

\* \* \*

- (16) "Residential Telephone Subscriber" means a person residing in Tennessee who has residential telephone service or a state government telephone subscriber.

**Authority:** T.C.A. §§ 4-5-201, 47-18-1501, 47-18-1526, 65-2-102, 65-4-405, and 65-5-109.

**Rule 1220-04-11-.03, Maintaining the Tennessee Do Not Call Register**, is amended by deleting the language "names, addresses, and" from subparagraph (1) so that, as amended, the new subparagraph shall read:

- (1) The Commission shall maintain a database of telephone numbers of all Tennessee residential telephone subscribers who have elected not to receive telephone solicitations.

**Authority:** T.C.A. §§ 65-2-102 and 65-4-405.

**Rule 1220-04-11-.05, Consumer Registration with the Tennessee Do Not Call Register**, is amended by deleting the second sentence of subparagraph (1)(b) that reads, "The Commission shall publish

information informing subscribers on the Register as to how to have their telephone numbers removed from the Register" and substituting instead the following language "The Commission shall publish information informing subscribers on the Register as to how to have their telephone numbers removed from the Register." As a result, as amended, the new subparagraph shall read:

- (b) A residential telephone subscriber will remain on the "Do Not Call Register" until the subscriber requests that the Commission remove his or her telephone number from the Register. The Commission shall publish information informing subscribers on the Register as to how to have their telephone numbers removed from the Register.

**Authority:** T.C.A. §§ 65-2-102 and 65-4-405.

**Rule 1220-04-11-.06, Public Education about the Tennessee Do Not Call Register,** is amended by deleting the language "and shall be developed in cooperation with the Coordination" in subparagraph (1) and deleting subparagraph (2) in its entirety, which reads, "In addition to the notification required by subsection (1), local exchange companies, working in cooperation with the Division, are required to place information in their White Page telephone directory informing their residential telephone subscribers how to be included in the Register." As a result, as amended, the section shall read:

Local exchange companies shall notify their residential subscribers twice a year on how to enroll on the Register. This notification shall accompany the subscriber's monthly telephone bill.

**Authority:** T.C.A. §§ 65-2-102, 65-4-405, and 65-5-109.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 8/22/18

Signature: \_\_\_\_\_

Name of Officer: Kelly Cashman Grams

Title of Officer: General Counsel

Subscribed and sworn to before me on: \_\_\_\_\_

Notary Public Signature: \_\_\_\_\_

My commission expires on: \_\_\_\_\_

August 22, 2018  
Cheryl R Lawless  
3/09/2020



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Filed with the Department of State on: \_\_\_\_\_

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Tre Hargett  
Secretary of State

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