

From: [John Hutton](#)
To: [Ectory R. Lawless](#)
Subject: Fw: TPUC Docket No. 23-00022 - Petition of GO MD USA LLC for ETC Designation
Date: Tuesday, April 4, 2023 10:52:15 AM
Attachments: [image001.png](#)

From: John Hutton <John.Hutton@tn.gov>
Sent: Monday, April 3, 2023 12:21 PM
To: Aaron Conklin <Aaron.Conklin@tn.gov>
Subject: Re: TPUC Docket No. 23-00022 - Petition of GO MD USA LLC for ETC Designation

Thank you, Aaron.

John

From: Aaron Conklin <Aaron.Conklin@tn.gov>
Sent: Monday, April 3, 2023 11:46 AM
To: lhpi@icloud.com <lhpi@icloud.com>
Cc: John Hutton <John.Hutton@tn.gov>
Subject: TPUC Docket No. 23-00022 - Petition of GO MD USA LLC for ETC Designation

Mr. Arcallana,

Commission Staff has reviewed the Petition in the above reference docket and determined that additional items are needed in order to have a complete record for submission to the Commission for consideration. I am providing some items that are needed from the legal perspective. Utilities Division staff may have additional requests concerning specific information needed for consideration of the Petition.

The following items need to be addressed in order to bring the Petition into compliance with legal requirements:

1. An amended Petition should be filed, signed by an attorney representing the Company. Tennessee law requires that corporate entities, including limited liability companies, be represented by a duly licensed attorney in the filing of pleadings. The Petition seeking an ETC designation is the type of pleading that requires attorney representation. The attorney should be licensed in the State of Tennessee to comply with applicable statutes and Supreme Court rules. I recommend re-filing the entirety of the Petition as an Amended Petition with the appropriate attorney signatory and Company Representative Certifications. (A few corrections to make on the Amended Petition: The Heading should read that it is submitted to the Tennessee Public Utility Commission rather than the State of Tennessee Department of Telecommunications and Cable. There are some formatting errors on pages 8 and 11. More specific financial and technical data should be included.)
2. The Commission requires sworn testimony, which may be in the form of an

Affidavit, to accompany the Petition concerning the Company's qualifications to be designated as an eligible telecommunications carrier. While the certification page may be sufficient in some jurisdictions, the Tennessee Commission has indicated its preference for an Affidavit or Pre-Filed Testimony. I have attached a copy of an Affidavit submitted in a recent case for your reference.

Thank you in advance for your assistance in addressing these two issues so that the docket can go forward. As previously stated, the Utilities Division may have additional questions. However, these legal issues need to be addressed before Utilities Division can complete its review of the petition. Please feel free to contact me should you have any questions.

Sincerely,
Aaron



Aaron J. Conklin, Senior Counsel
Tennessee Public Utility Commission
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